

In 2019, Montenegro made a moderate advancement in efforts to eliminate the worst forms of child labor. The government adopted the new Strategy for Exercising the Rights of the Child in Montenegro, which aims to improve safeguards for children, including protection from violence and commercial sexual exploitation. The government also increased the labor inspectorate’s budget, and convicted and sentenced two individuals for child sex trafficking, while indicting another for the trafficking of four children for labor exploitation. However, children in Montenegro engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. The government did not publish or make available information on criminal prosecutions initiated during the reporting period. In addition, research found that the scope of programs to address child labor in street work and forced begging is insufficient.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Montenegro engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. (1-6) Table 1 provides key indicators on children’s work and education in Montenegro.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	18.3 (Unavailable)
Attending School (%)	5 to 14	91.6
Combining Work and School (%)	7 to 14	19.9
Primary Completion Rate (%)		94.5

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (4)

Source for all other data: International Labor Organization’s analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2013. (5)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Services	Street work, including vending small goods and begging (3)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking (7-3,6,8)
	Forced begging, sometimes as a result of human trafficking (3)
	Domestic work, sometimes as a result of human trafficking (9-12)
	Use in illicit activities, including drug trafficking and harvesting (13,14)

‡ Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.

Montenegro is a source, destination, and transit country for trafficking of children for forced labor, including forced begging, especially among Roma children. (2,7,13) Some Romani girls from Montenegro are sold and forced into domestic servitude in both Montenegro and Kosovo. (2,10,11) Children, especially girls, are victims of trafficking for commercial sexual exploitation internally and transnationally within the region. (2,7,15)

Some Roma, Ashkali, and Balkan Egyptian children experience challenges in obtaining birth registration, which sometimes makes school enrollment difficult, increasing their vulnerability to engage in child labor. (3,7,12,14) The higher rate of unregistered children is mostly due to registration costs, parents’ lack of awareness of the

Montenegro




MODERATE ADVANCEMENT

importance of registration, and parents' lack of identification documents. (16,17) In addition, some children with disabilities experience difficulty physically accessing educational facilities and have limited government social services available to them. (12,14)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Montenegro has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 16 of the Labor Law (18)
Minimum Age for Hazardous Work	Yes	18	Article 17 of the Labor Law (18)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 104 and 106 of the Labor Law; Articles 7–8 of the Regulations on Measures of Protection in the Workplace (18,19)
Prohibition of Forced Labor	Yes		Article 444 of the Criminal Code; Articles 28 and 63 of the Constitution (20,21)
Prohibition of Child Trafficking	Yes		Articles 444–446 of the Criminal Code (21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 209–211 of the Criminal Code (21)
Prohibition of Using Children in Illicit Activities	Yes		Articles 300–301 of the Criminal Code (21)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 47, 188, and 195 of the Declaration of the Law on the Army of Montenegro; Articles 162–163 of the Law on the Armed Forces (22,23)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Articles 47, 188, and 195 of the Declaration of the Law on the Army of Montenegro; Articles 162–163 of the Law on the Armed Forces (22,23)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 444 of the Criminal Code (21)
Compulsory Education Age	Yes	15	Article 4 of the Law on Primary Education (24)
Free Public Education	Yes		Article 75 of the Constitution (20)

* No conscription (22)

The Regulations on Measures of Protection in the Workplace prescribes workplace protections and prohibits specific hazardous activities for children, including workplaces that would expose them to physical, biological, or chemical hazards. (19,25) In 2019, the government, in cooperation with the ILO, formed a working group to create a list of hazardous jobs for children. (3)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor and Social Welfare (MLSW) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Labor Inspectorate	Leads and monitors the enforcement of labor laws, including those that protect working children and affect working conditions throughout the country. (13,16,25,26) Part of the Inspectorate General. (27)
Ministry of Interior	Houses the Police Directorate and the Office for the Fight Against Trafficking in Humans (OFTIP). The Police Directorate investigates and enforces criminal laws on forced labor and human trafficking for commercial sexual exploitation. (26) Coordinates law enforcement actions, including identification of victims of human trafficking. (13,26) Prevents and investigates child begging by removing child beggars from the streets through the Beggar Task Force. (7,8) OFTIP coordinates efforts against human trafficking among relevant institutions and international organizations, harmonizes legislation, maintains data on human trafficking, and funds hotlines for victims of human trafficking. (26)
Supreme State Prosecutor	Investigates and enforces criminal laws on forced labor and human trafficking for commercial sexual exploitation. (3) Collects data on the number of police investigations, convictions, and court rulings, and submits them to OFTIP. (13,26,29)
Ministry of Justice	Enforces the Criminal Code by prosecuting crimes against children, including human trafficking, child begging, and child abuse. (13)
Ministry of Labor and Social Welfare (MLSW)	Protects children and families by providing social, child, and family protection in its Social Welfare Centers. Identifies potential victims of human trafficking and funds programs for victim protection, as well as the shelter for victims of human trafficking. (13,26)

Labor Law Enforcement

In 2019, labor law enforcement agencies in Montenegro took actions to combat child labor (Table 6). However, gaps exist within the operations of the MLSW that may hinder adequate labor law enforcement, including inspection planning.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	\$440,235 (14)	\$584,447 (3)
Number of Labor Inspectors	40 (13)	42 (3)
Inspectorate Authorized to Assess Penalties	Yes (13)	Yes (3)
Initial Training for New Labor Inspectors	Yes (13)	Yes (3)
Training on New Laws Related to Child Labor	Yes (13)	N/A (3)
Refresher Courses Provided	Yes (13)	Yes (3)
Number of Labor Inspections Conducted	10,695 (13)	10,811 (3)
Number Conducted at Worksite	10,695 (13)	10,811 (3)
Number of Child Labor Violations Found	44 (13)	42 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	25 (13)	7 (3)
Number of Child Labor Penalties Imposed that Were Collected	25 (13)	7 (3)
Routine Inspections Conducted	Yes (13)	Yes (3)
Routine Inspections Targeted	Yes (13)	Yes (3)
Unannounced Inspections Permitted	Yes (13)	Yes (3)
Unannounced Inspections Conducted	Yes (13)	Yes (3)
Complaint Mechanism Exists	Yes (13)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (3)

The Labor Inspectorate has 15 offices that proactively plan labor inspections. (3) Below the chief inspector, there are 31 labor inspectors who cover employment relations and 10 inspectors who cover health safety issues at work. (3) All inspectors monitor the enforcement of child labor. (13,26,30) The government maintains a database on children involved in begging, but does not collect or publish data on the worst forms of child labor. (14)

Montenegro

MODERATE ADVANCEMENT

Labor inspectors can inspect registered farms and Social Welfare Centers (SWCs) can inspect unregistered farms to detect child labor. (13) If child labor is found by SWCs, social workers cooperate with labor inspectors and criminal law enforcement to ensure that children receive proper support and protection from further exploitation. Labor inspections increase during the summer months (May 15 to September 3), particularly in the tourism sector throughout the coastal region. (3)

Children found during labor inspections can be sent to SWCs and accommodated in a government-financed, NGO-run shelter for human trafficking victims. (13,26,30) During the reporting period, there were no cases of children being removed during inspections. (3)

During the reporting period, labor inspectors received trainings, which included discussion of forced child labor, from the Ministry of Interior's Office for the Fight Against Trafficking in Humans (OFTIP) and MLSW. (3) The Labor Inspectorate reported that funding was sufficient in 2019. (3)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in Montenegro took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal law enforcement agencies that may hinder adequate criminal law enforcement, including prosecution planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (13)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (13)	Yes (3)
Refresher Courses Provided	Yes (13)	Yes (3)
Number of Investigations	82 (13)	66 (3)
Number of Violations Found	50 (13)	53 (3)
Number of Prosecutions Initiated	1 (13)	Unknown (3)
Number of Convictions	0 (13)	2 (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (29)	Yes (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (3)

An eight-member police unit within the Police Directorate investigates human trafficking and illegal migration throughout the country. (14) Two individuals were convicted in 2019 under Article 444 of the Criminal Code for human trafficking of an underage victim. They received 15-year and 17-year prison sentences. (3) In addition, the Supreme State Prosecutor indicted one individual for trafficking four children for the purpose of labor exploitation. The government did not provide information on the number of prosecutions initiated for inclusion in this report. (3) Police investigate children working on the street, and those who are found begging or requiring social assistance can be accommodated in a public institution, called a *Ljubović*, for up to 30 days while parents are located. During the reporting period, 20 boys and 9 girls were accommodated in the *Ljubović* system. (3,13,25,31) The institution provides accommodation, protection, education, and therapy for children found living on the streets. When parents are not available, children are referred to local SWCs for longer-term shelter and resources. (3,13)

During the reporting period, the Office of the National Anti-Trafficking Coordinator (TIP Office) organized law enforcement training sessions entitled "Strengthening multilateral cooperation in early identification of TIP victims," which was attended by 35 representatives from the police and labor inspectorates, communal police teams, the employment office, and the Center for Foreigners' Affairs. (3) In addition, the Ministry of Interior and the TIP Office organized another training entitled "Victims' protection in criminal cases of human trafficking and human smuggling," which was attended by 23 representatives of police forces and prosecutors. (3)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Office of the National Anti-Trafficking Coordinator (TIP Office)	Coordinates efforts, projects, and legislation against trafficking in persons and the worst forms of child labor among relevant government institutions and international organizations. (1,3,26) Collects and maintains data on investigations and court rulings. (3) Operates Trafficking in Persons working group to monitor and promote activities related to combating human trafficking, and assesses the progress of objectives established in action plans. Includes representatives of seven government ministries (in addition to the Police Directorate, Supreme Court, Supreme State Prosecutors, and Inspectorate Authority), two NGOs, and multiple international organizations. (3,26) During the reporting period, the TIP Office conducted multiple trainings on early identification of potential victims of trafficking and the role of local governments in strengthening public awareness of trafficking in persons. (32)
Council for the Rights of the Child	Implements and monitors the government's commitments pursuant to the UN CRC, and initiates adoption of legislation to promote and protect the rights of children. Chaired by MLSW and has 12 other members, including 4 NGO members. (3) Met once in 2019. (3)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategy for Combating Human Trafficking (2019–2024)	Outlines objectives for combating human trafficking by raising public awareness, strengthening the capacity for victim identification and service provision, improving inter-agency coordination, and raising the efficiency of prosecutions. (33-36) The strategy and yearly action plan are evaluated and adopted through reports prepared with government and civil society collaboration. (33) In 2019, the government continued to implement the annual action plan with the aim of increasing prosecutions and improving victim identification. (32)
Strategy for Exercising the Rights of the Child in Montenegro (2019–2023)†	Seeks to enhance the ability of children to exercise their rights by improving the application of laws related to children; supporting vulnerable children, including those with disabilities; and improving protections for violence against children, including from child trafficking, child prostitution, child pornography, and involvement in armed conflicts. A working group will produce an annual report detailing the steps it has taken toward achieving the plan's goals. (37)
Strategy for the Development of the Social and Child Protection System (2018–2022)	Builds an integrated social and child protection system, including monthly social assistance, health care, and a child allowance that is contingent upon school attendance. (1,38) During the reporting period, the government continued to implement the Strategy under the Action Plan for 2019. (3,32)
Strategy for the Social Inclusion of Roma and Egyptians (2016–2020)	Aims to create social inclusion of Roma and Egyptians by increasing school attendance and birth registration while preventing child begging and human trafficking. Implemented by the Ministry for Minority and Human Rights. (39,40) During the reporting period, the strategy was implemented throughout the country via continued public awareness campaigns for the Roma community about trafficking in persons. (32)
Strategy for Prevention and Protection of Children from Violence (2017–2021)	Strengthens the national framework in preventing violence against children, including improving legislation and the judicial system. (13,41) Includes providing care and services for child victims or those at risk of violence. Aims to improve protections for children in the country by 2021. (41) Research was unable to determine whether activities were undertaken to implement the policy during the reporting period.

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor.

The government has not included child labor elimination and prevention strategies in the Strategy for Prevention and Protection of Children from Violence. (38)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy of programs to address the problem in all sectors.

Montenegro

MODERATE ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor

Program	Description
UNICEF Country Program (2016–2021)	Addresses access to social services for children, synchronizes the legal framework with EU and UN standards, implements and monitors policies relevant to children, and applies the principles of the UN CRC. (10,14,29) In 2019, UNICEF and MLSW released the Strategy for Exercising the Rights of the Child in Montenegro 2019–2023. (37)
Development of Standard Operating Procedures for the Treatment of Children Deprived of Parents or Unaccompanied	Implemented by the Ministry of Interior's OFTIP and UNICEF. (8) Goals include standardizing procedures among all relevant institutions for dealing with unaccompanied children and children separated from parents, and ensuring compliance with both international and national laws for children. (48) Includes procedures on identifying, accommodating, and integrating these children. (48) During the reporting period, OFTIP began to develop SOPs for trafficking in persons cases, including cases involving minors. (49)
Hotline for Victims of Human Trafficking†	SOS Hotline funded by OFTIP and run by the NGO Montenegrin Women's Lobby. Provides advice, connects victims with service providers, and raises public awareness. (33) In 2019, the government reported that there was one investigation initiated because of calls received by the hotline. (32)
Measurement, Awareness-Raising, and Policy Engagement (MAPI6) Project on Child Labor and Forced Labor	Multi-year project with support from USDOL, implemented by the ILO. Aims to create an improved knowledge base on child labor. Specific goals of the program include: improving application of knowledge in support of efforts to eliminate child labor; strengthening the policy-making process; improving the capacity of the government, national authorities, employers, workers' organizations, and other relevant entities to combat child labor; and strengthening partnerships to accelerate progress in combating child labor. Additional information may be found on the USDOL's website. (47)

† Program is funded by the Government of Montenegro.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (7,50,51)

The Shelter for Victims of Human Trafficking was non-operational during the reporting period due to lack of licensure; however, in December 2019, MLSW selected a new NGO partner to operate the shelter beginning in 2020. (3,32) The provision of shelter services to individuals with disabilities who are victims of human trafficking is limited. (7)

Although the Government of Montenegro has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially for street work and forced begging.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Montenegro (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Consistently track and publish information about children involved in the worst forms of child labor.	2017 – 2019
	Publish information regarding the number of prosecutions initiated related to child labor.	2019
Government Policies	Integrate child labor elimination and prevention strategies into national policies for all children, including in the Strategy for Prevention and Protection of Children from Violence.	2018 – 2019
Social Programs	Build the capacity of schools and other services and programs to accommodate and provide services to children with disabilities.	2015 – 2019
	Increase funding for human trafficking shelters, including for individuals with disabilities who are victims of human trafficking.	2018 – 2019
	Expand existing programs to address the scope of the child labor problem, especially in street work and forced begging.	2018 – 2019
	Make additional efforts to register children from the Ashkali, Balkan Egyptian, and Roma communities.	2019

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Montenegro

MODERATE ADVANCEMENT

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