

In 2020, Montenegro made moderate advancement in efforts to eliminate the worst forms of child labor. The government began enforcing the new Labor Law, which provides specific provisions for the conditions allowing a minor to work, and substantially increased the Labor Inspectorate's budget. In addition, the government opened a new shelter for victims of human trafficking and provided services to nine children, including seven children who were previously in forced begging situations. However, children in Montenegro are subjected to the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. 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 are subjected to 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. Data on some of these indicators are not available from the sources used in this report.

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 (2,3,6-8)
	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 Roma 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)

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

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higher rate of unregistered children is mostly due to parents' lack of awareness of the importance of registration, and parents' lack of identification documents. (15) 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 (16)
Minimum Age for Hazardous Work	Yes	18	Articles 17, 172 and 173 of the Labor Law (16)
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 (16,17)
Prohibition of Forced Labor	Yes		Article 444 of the Criminal Code; Articles 28 and 63 of the Constitution (18,19)
Prohibition of Child Trafficking	Yes		Articles 444–446 of the Criminal Code (19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 209–211 of the Criminal Code (19)
Prohibition of Using Children in Illicit Activities	Yes		Articles 300–301 of the Criminal Code (19)
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 and 163 of the Law on the Armed Forces (20,21)
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 and 163 of the Law on the Armed Forces (20,21)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 444 of the Criminal Code (19)
Compulsory Education Age	Yes	15	Article 4 of the Law on Primary Education (22)
Free Public Education	Yes		Article 75 of the Constitution (18)

* No conscription (20)

The government's new Labor Law was adopted in late 2019 and entered into force January 2020. The new provisions of the law include specific guidance on work conditions for children under age 18, with particular consideration given in Article 22 to ensuring that children do not engage in labor that is potentially harmful to their health. (23) 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. (17,24) During the reporting period, the government continued to finalize a list of hazardous jobs for children in conjunction with the ILO. (23)

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 enforcement agencies that may hinder adequate enforcement of 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. (13,23-25) Part of the Inspectorate General. (26)
Ministry of Interior	Houses the Police Directorate and the Office for the Fight Against Trafficking in Humans (TIP Department). The Police Directorate investigates and enforces criminal laws on forced labor and human trafficking for commercial sexual exploitation. (25) Coordinates law enforcement actions, including identification of victims of human trafficking. (23,25) Prevents and investigates child begging by removing child beggars from the streets through the Beggar Task Force. (7,8) The TIP Department 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. (25)
Supreme State Prosecutor	Investigates and enforces criminal laws on forced labor and human trafficking for commercial sexual exploitation. (23) Collects data on the number of police investigations, convictions, and court rulings, and submits them to the TIP Department. (23)
Ministry of Justice, Human, and Minority Rights	Enforces the Criminal Code by prosecuting crimes against children, including human trafficking, child begging, and child abuse. (23)
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 and the shelter for victims of human trafficking. (23)

Labor Law Enforcement

In 2020, labor law enforcement agencies in Montenegro took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Welfare that may hinder adequate labor law enforcement, including resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$584,447 (3)	\$887,498 (23)
Number of Labor Inspectors	42 (3)	42 (23)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (23)
Initial Training for New Labor Inspectors	Yes (3)	Yes (23)
Training on New Laws Related to Child Labor	N/A (3)	Yes (23)
Refresher Courses Provided	Yes (3)	No (23)
Number of Labor Inspections Conducted	10,811 (3)	8,747 (23)
Number Conducted at Worksites	10,811 (3)	8,747 (23)
Number of Child Labor Violations Found	42 (3)	7 (23)
Number of Child Labor Violations for Which Penalties Were Imposed	7 (3)	0 (23)
Number of Child Labor Penalties Imposed that Were Collected	7 (3)	0 (23)
Routine Inspections Conducted	Yes (3)	Yes (23)
Routine Inspections Targeted	Yes (3)	Yes (23)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2019	2020
Unannounced Inspections Permitted	Yes (45)	Yes (45)
Unannounced Inspections Conducted	Yes (3)	Yes (23)
Complaint Mechanism Exists	Yes (3)	Yes (23)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (23)

The Labor Inspectorate has 15 offices that proactively plan labor inspections. (23) Below the chief inspector, there are 31 labor inspectors who cover employment relations and 10 inspectors who cover health safety issues at work. (23) All inspectors monitor the enforcement of child labor. In addition, the Labor Inspectorate maintains a national call center and an e-mail line for receiving complaints. (23,25) 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) Labor inspectors can inspect registered farms, and Social Welfare Centers (SWCs) can inspect unregistered farms to detect child labor. (3,23) 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. (23,27)

Children found during labor inspections can be sent to SWCs and accommodated in a government-financed, NGO-run shelter for human trafficking victims. (13,25,28) During the reporting period, there were no cases of children being removed during inspections. (23)

In April 2020, all inspectors received training on the new Labor Law, and in October 2020, seven new Labor Inspectorate employees participated in a training entitled “Strengthening early identification and referral of potential cases of human trafficking in Montenegro,” with a focus on increased multi-agency cooperation. (23) The Labor Inspectorate reported that funding was sufficient in 2020. While three child labor violations were found during the reporting period, no penalties were imposed. (23)

Criminal Law Enforcement

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (3)	Yes (23)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (3)	Yes (23)
Refresher Courses Provided	Yes (3)	Yes (23)
Number of Investigations	66 (3)	5 (23)
Number of Violations Found	53 (3)	4 (23)
Number of Prosecutions Initiated	Unknown (3)	3 (23)
Number of Convictions	2 (3)	2 (29)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (3)	Yes (23)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (23)

An eight-member police unit within the Police Directorate investigates human trafficking and illegal migration throughout the country. (14) Two individuals were convicted in 2020 under Article 444 of the Criminal Code for human trafficking of an underage victim. In addition, ten children were removed from exploitative situations and referred to the shelter for victims of human trafficking. (23) 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 efforts are undertaken to locate their parents. During the reporting period, 31 boys and 13 girls were accommodated in the *Ljubović* system. (3,29) 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. (3,23) In 2020, police found that 133 minors were used in forced begging operations and 107 requests were submitted to initiate misdemeanor proceedings against parents under Article 37 of the Criminal Code. (29)

During the reporting period, the Office of the National Anti-Trafficking Coordinator (TIP Department) organized multiple training sessions on best practices in fighting human trafficking. Topics included strengthening early identification and referral of potential cases of human trafficking, multi-agency cooperation, and local-level awareness of human trafficking issues. (23,27) In addition, the TIP Department, the Institute for Social and Child Protection, and multiple other institutions jointly organized trainings for civil servants on the human trafficking provisions of the Montenegrin Criminal Code. The OSCE Ministry of Defense conducted a regional training for the Montenegrin team for the Team for Formal Identification of Victims of Trafficking, staff of the Centers for Social work, and police directorate representatives from multiple cities. (27,30)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder effective coordination of efforts to address child labor, including ensuring mechanisms remain active and achieve their mandates.

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

Coordinating Body	Role & Description
Office of the National Anti-Trafficking Coordinator (TIP Department)	Coordinates efforts, projects, and legislation against trafficking in persons and the worst forms of child labor among relevant government institutions and international organizations. (13,25) 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 progress toward meeting 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. (3,25,27) During the reporting period, the government adopted multiple documents prepared by the TIP Department, including statistics on results achieved as of July 2020 in the realm of combating trafficking in human beings and instructions to the Minister of the Interior on adopting standard operating procedures for the identification of victims of human trafficking. The TIP Department also facilitated a number of trainings on anti-trafficking in persons efforts across the country and provided information on the department's annual efforts. (27,30)
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) The Council did not meet during the reporting period. (23)

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 services provision, improving inter-agency coordination, and raising the efficiency of prosecutions. (31-34) During the reporting period, the government continued to implement the strategy by drafting the 2021 Action Plan and associated activities, which are expected to be adopted by the end of March 2021. The government also established a coordination body consisting of representatives of the Ministry of the Interior, the Police Directorate, the Higher State Prosecutor's Office, and Ministry of Justice, Human, and Minority Rights. (23,30)
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. (35) During the reporting period, implementation of work for the Strategy continued with some disruptions due to the formation of the new national government; a mid-term report is planned for 2021. (23)

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Table 9. Key Policies Related to Child Labor (Cont.)

Policy	Description
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. (1,36) During the reporting period, the government provided additional financial assistance to socially disadvantaged families. (29)
Strategy for the Social Inclusion of Roma and Egyptians (2016–2020)	Aimed 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. (37,38) In March 2020, the government and civil society organizations launched the “Children are Children” campaign, which sought to raise awareness of forced marriage and its negative effects on children’s rights. Additionally, during the reporting period, a new working group was formed to develop a new strategy and met three times during the reporting period. (23)
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. (13,39) 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. (39) During the reporting period, the government launched an SOS Hotline for children at risk of abuse. (29)

‡ 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. (36)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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.

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. (10,14,40) In July 2020, UNICEF published a report including the methodology, data, and associated statistical snapshots of the “Montenegro Multiple Indicators Cluster Survey (MICS) 2018” and the “Montenegro Roma Settlements MICS.” (23)
Development of Standard Operating Procedures for the Treatment of Children Deprived of Parents or Unaccompanied	Implemented by the Ministry of Interior’s TIP Department 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. (42) Includes procedures on identifying, accommodating, and integrating these children. (42) The Standard Operating Procedures (SOPs) were utilized during the reporting period, and a guide on implementation of the SOPs was distributed to municipal officials and border authorities. In addition, workshops were held to educate approximately 200 law enforcement officials on the new SOPs. (29)
Hotline for Victims of Human Trafficking†	SOS Hotline funded by the TIP Department and run by the NGO Montenegrin Women’s Lobby. Provides advice, connects victims with service providers, and raises public awareness. (31) During the reporting period, the TIP hotline received 1,657 calls. (27)
Measurement, Awareness-Raising, and Policy Engagement (MAP16) 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. (41) Specific goals of the program include: improving application of knowledge in support of efforts to eliminate child labor; strengthening the policymaking 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. (41) Additional information may be found on the USDOL’s website .

† 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. (7,43,44)

During the reporting period, the government opened a new shelter for victims of human trafficking. The shelter received \$48,544 in funding and provided services to nine children, including seven children who were previously in forced begging situations. (23) Research indicates that the funding provided for shelter operations was insufficient, and provision of services to individuals with disabilities who are victims of human trafficking remains limited. (7,23)

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. (23)

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 I I).

Table I I. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that labor and criminal law enforcement entities impose appropriate penalties for child labor violations.	2019 – 2020
	Consistently track and publish information about children involved in the worst forms of child labor.	2017 – 2020
	Increase the number of prosecutions and convictions of perpetrators involved in commercial sexual exploitation.	2017 – 2020
	Ensure that labor inspectors are provided with refresher courses.	2020
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2020
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 – 2020
	Publish activities undertaken to implement key policies related to child labor during the reporting period.	2020
Social Programs	Build the capacity of schools and other services and programs to accommodate and provide support for children with disabilities.	2015 – 2020
	Increase funding for human trafficking shelters, including for individuals with disabilities who are victims of human trafficking.	2018 – 2020
	Expand existing programs to address the scope of the child labor problem, especially in street work and forced begging.	2018 – 2020
	Make additional efforts to register children from the Ashkali, Balkan Egyptian, and Roma communities.	2019 – 2020
	Publish activities undertaken to implement key social programs to address child labor during the reporting period.	2020

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