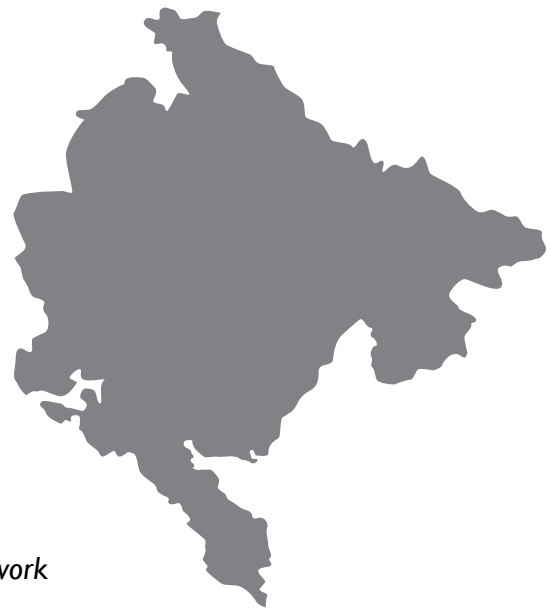


In 2021, Montenegro made moderate advancement in efforts to eliminate the worst forms of child labor. The government took several steps to counter child begging, including by establishing a new Coordination Body for Monitoring and Implementing the Protocol on How Bodies, Institutions, and Organizations in Montenegro Treat Children Living and Working on the Streets, which started revising the text of the Protocol. Additionally, the Parliament approved a new monthly cash allowance for children under age 6 and adopted the new Strategy for the Social Inclusion of Roma and Egyptians (2021–2025). However, children in Montenegro are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. In addition, research found that the scope of programs to address child labor in street work is insufficient.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Montenegro are subjected to the worst forms of child labor, including in commercial sexual exploitation, 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 (%)		103.8

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2013. (4)

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 (2)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,5,7,8)
	Forced begging (2)
	Forced domestic work (9-12)
	Use in illicit activities, including the harvesting and trafficking of drugs (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. (1,7,13) Some Roma, Ashkali, and Balkan Egyptian girls from Montenegro are sold and forced into domestic servitude in both Montenegro and Kosovo. (1,10,11) Children, especially girls, are victims of trafficking for commercial sexual exploitation internally and transnationally within the region. (1,7)

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The inability to enroll in school makes some Montenegrin children vulnerable to child labor. Some Roma, Ashkali, and Balkan Egyptian children, as well as some Kosovar children who are internally displaced, have difficulty accessing education services (along with other social services) because they lack birth registration documents. (2,7,12,14) This lack of birth records is often due to parents not registering their births or because their birth records were destroyed during recent conflicts. (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 and 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 and 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)

* Country has no conscription (20)

During the reporting period, the new Law on Changes to the Law on Social and Child Protection was adopted by Parliament. The law declared that all children under the age of 6 should receive a monthly allowance; eligible children began receiving monthly allowances of approximately \$34 in October 2021. (6,23) Other children at risk for child labor, including those living at or below the national poverty level, may also be entitled to monthly allowances. (23)

During the reporting period, the government continued collaborating with the ILO to create a comprehensive list of hazardous jobs. (6)

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 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. (13,24,25) Part of the Inspectorate General. (26)
Ministry of Interior	Houses the Police Directorate and the Office for the Fight Against Trafficking in Humans (Trafficking in Persons Department). Through its 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. (24,25) Prevents and investigates child begging by removing child beggars from the streets through the Beggar Task Force. (7,8) Through its 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. (24) Collects data on the number of police investigations, convictions, and court rulings, and submits them to the TIP Department. (24)
Ministry of Justice, Human, and Minority Rights	Enforces the Criminal Code by prosecuting crimes against children, including human trafficking, child begging, and child abuse. (24)
Ministry of Finance and Social Welfare (MFSW)	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. (24)

During the reporting period, the former Ministry of Justice was renamed the Ministry of Justice, Human, and Minority Rights. Additionally, the Ministry of Labor and Social Welfare divided its responsibilities between the newly formed Ministry of Finance and the Ministry of Economic Development, which also coordinates and monitors all labor relations on behalf of the government. (6)

Labor Law Enforcement

In 2021, labor law enforcement agencies in Montenegro took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Finance and Social Welfare that may hinder adequate labor law enforcement, including inadequate resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	\$887,498 (24)	Unknown (6)
Number of Labor Inspectors	42 (24)	44 (6)
Mechanism to Assess Civil Penalties	Yes (24)	Yes (16)
Initial Training for New Labor Inspectors	Yes (24)	Yes (6)
Training on New Laws Related to Child Labor	Yes (24)	N/A (6)
Refresher Courses Provided	No (24)	Yes (6)
Number of Labor Inspections Conducted	8,747 (24)	11,127 (6)
Number Conducted at Worksites	8,747 (24)	11,127 (6)

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

Overview of Labor Law Enforcement	2020	2021
Number of Child Labor Violations Found	7 (24)	0 (6)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (24)	N/A (6)
Number of Child Labor Penalties Imposed that Were Collected	0 (24)	N/A (6)
Routine Inspections Conducted	Yes (24)	Yes (6)
Routine Inspections Targeted	Yes (24)	Yes (6)
Unannounced Inspections Permitted	Yes (27)	Yes (27)
Unannounced Inspections Conducted	Yes (24)	Yes (6)
Complaint Mechanism Exists	Yes (24)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (24)	Yes (6)

The Labor Inspectorate has 15 offices that proactively plan labor inspections. (24) 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. (24,25) The government maintains a database on children involved in begging, but it 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. (6) Children found during labor inspections can be sent to SWCs and accommodated in a government-financed, NGO-run shelter for human trafficking victims. (6) 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, particularly in the tourism sector throughout the coastal region. (6,24,28) Although Montenegro's number of labor inspectors is in line with the ILO's technical advice, reports indicate that the number of inspectors is still insufficient to adequately enforce its labor laws, particularly during the COVID-19 pandemic. (6)

During the reporting period, police assisted 119 children engaged in forced begging as part of the new "Operation Beggar" initiative. (6) Additionally, inspectors attended a number of trainings designed by the Human Resources Administration and the Trafficking in Persons Department of the Ministry of Interior about identification of victims of forced labor and trafficking in persons. The Strategy for Combating Trafficking in Persons 2019–2024 indicates that the Labor Inspectorate should conduct regular inspections to flag potential labor trafficking cases for follow-up. (6)

Criminal Law Enforcement

In 2021, the government's criminal law enforcement agencies appeared to function adequately in addressing child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (24)	Yes (6)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (24)	Yes (6)
Refresher Courses Provided	Yes (24)	Yes (6)
Number of Investigations	5 (24)	4 (6)
Number of Violations Found	4 (24)	4 (6)
Number of Prosecutions Initiated	3 (24)	0 (6)
Number of Convictions	2 (29)	1 (6)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (24)	Yes (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (24)	Yes (6)

An eight-member police unit within the Police Directorate investigates human trafficking and illegal migration throughout the country. (14) 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 *Ljubovič*, for up to 30

days while efforts are undertaken to locate their parents. The institution provides accommodation, protection, education, and therapy for children found living on the streets, and when parents are not available, children are referred to local SWCs for longer-term shelter and resources. (2,24)

In 2021, police pursued criminal charges against four individuals for trafficking in persons, with two cases related to labor exploitation of minors. Additionally, one individual was convicted and sentenced to two years in prison for exploitation of a minor through forced marriage. (6) Furthermore, 23 police investigators attended ILO-sponsored trainings on the identification and prevention of forced child labor. Also in 2021, the TIP Department collaborated with the OSCE Mission in Montenegro to train 68 investigators on suppression of trafficking in persons, including trafficking in persons for the purposes of the worst forms of child labor. (6)

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 Department)	Coordinates efforts, projects, and legislation to prevent and eliminate 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. (2) Operates Trafficking in Persons working group to monitor and promote activities related to addressing 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. (2,25,28) During the reporting period, the Office expanded its membership to include representation from the new MFSW. (6)
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 MFSW and has 12 other members, including 4 NGO members. (2) In 2021, the Deputy Prime Minister assumed chairmanship of the Council (via the Minister of Finance and Social Welfare). The Council met once during the reporting period. (6)

During the reporting period, a number of government agencies worked to draft changes to the Protocol on How Bodies, Institutions, and Organizations in Montenegro Treat Children Living and Working on the Streets, including the creation of specific instructions and measures on how government and non-government entities interact when working with at-risk children. To this end, in March 2021, the Minister of Interior formed a new Monitoring Coordination Body that includes representatives from the Ministry of the Interior; the Police Administration; the Ministry of Education, Science, Culture and Sports; the Ministry of Health; the Ministry of Finance and Social Welfare; the Ministry of Justice, Human, and Minority Rights; and the Ombudsman's office. (6) The Monitoring Coordination Body met four times in 2021. (6)

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 addressing human trafficking by raising public awareness, strengthening the capacity for victim identification and services provision, improving interagency coordination, and raising the efficiency of prosecutions. (30) During the reporting period, the Government of Montenegro approved the National Action Plan for 2021, which covered all forms of trafficking in persons and forced labor. (31)
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 is tasked with producing an annual report detailing the steps it has taken toward achieving the plan's goals. (32) Research was unable to determine whether the policy was active during the reporting period.

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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. (33) Research was unable to determine whether the policy was active during the reporting period.
Strategy for the Social Inclusion of Roma and Egyptians (2021–2025)†	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 of Justice, Human, and Minority Rights. (6,34)
Strategy for Prevention and Protection of Children from Violence (2017–2021)	Strengthened the national framework in preventing violence against children, including improving legislation and the judicial system. (13,35) Included providing care and services for child victims or those at risk of violence. Aimed to improve protections for children in the country by 2021. (35) Research was unable to determine whether the policy was active during the reporting period.

† Policy was adopted during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (6)

The government has not included child labor elimination and prevention strategies in the Strategy for Prevention and Protection of Children from Violence. (33)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 the inadequacy 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)	Addressed access to social services for children, synchronized the legal framework with EU and UN standards, implemented and monitored policies relevant to children, and applied the principles of the UN CRC. (10,14,36) Research was unable to determine whether the program was active during the reporting period.
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. (37) Includes procedures on identifying, accommodating, and integrating these children. (37) Research was unable to determine whether the program was active during the reporting period.
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. (6) During the reporting period, the Hotline received 2,692 calls. (6)
Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor	The government collaborated with ILO to implement the USDOL-funded MAP 16 project in Montenegro. Specific goals included 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' and workers' organizations, and other relevant entities to address child labor; and strengthening partnerships to accelerate progress in addressing child labor. (38) Additional information is available on the USDOL 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. (7,38,39)

In 2021, the government provided the Shelter for Victims of Human Trafficking with \$11,327 in funding. (6) 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. (7,24)

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. (24)

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 – 2021
	Increase the number of prosecutions and convictions of perpetrators involved in commercial sexual exploitation.	2017 – 2021
Government Policies	Ensure that activities are undertaken to implement key policies related to child labor during the reporting period and that data on these activities are published.	2020 – 2021
Social Programs	Build the capacity of schools and other services and programs to accommodate and provide support for children with disabilities.	2015 – 2021
	Increase funding for human trafficking shelters, including for individuals with disabilities who are victims of human trafficking.	2018 – 2021
	Expand existing programs to address the scope of the child labor problem, especially in street work and forced begging.	2018 – 2021
	Make additional efforts to bolster birth registration for children from the Ashkali, Balkan Egyptian, and Roma communities.	2019 – 2021
	Ensure that activities are undertaken to implement key social programs to address child labor during the reporting period and make information about implementation measures publicly available.	2020 – 2021

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