

In 2022, Montenegro made minimal advancement in efforts to eliminate the worst forms of child labor. The Government of Montenegro increased cash benefit payments to families with children at risk for child labor and allocated funding for the construction of the country's first shelter dedicated to children who are survivors of human trafficking. 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. Research found that the scope of programs to address child labor in street work is insufficient.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Table 1 provides key indicators on children's work and education in Montenegro. (1-3) 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 | 17.3 (Unavailable) |
| Attending School (%) | 5 to 14 | 95.0 |
| Combining Work and School (%) | 7 to 14 | 20.5 |
| Primary Completion Rate (%) | | 101.1 |

Source for primary completion rate: Data from 2021, published by UNESCO Institute for Statistics, 2022. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. (2)

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 (7) |
| Categorical Worst Forms of Child Labor‡ | Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,8) |
| | Forced begging (7) |
| | Forced domestic work (3,5,8) |
| | Use in illicit activities, including the harvesting and trafficking of drugs (1,6,7) |

‡ 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. (1,7,9) Some Roma, Ashkali, and Balkan Egyptian girls from Montenegro are sold and forced into domestic servitude in both Montenegro and Kosovo. (10,11) Children, especially girls, are victims of trafficking for commercial sexual exploitation internally and transnationally within the region. (1,7)

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 of persons displaced due to conflict, have difficulty accessing education services (along with other social services) because they lack birth registration documents. (12) In addition, some children with disabilities experience difficulty physically accessing educational facilities and have limited government social services available to them. (13,14)




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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)

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 & Activities |
|--------------------------|--|
| Labor Inspectorate | Leads and monitors the enforcement of labor laws, including those that protect working children. (9,22,23) Part of the Inspectorate General and has 15 offices that proactively plan labor inspections. (22) The Labor Inspectorate also maintains a national call center and an e-mail line for receiving complaints. (22,23) |
| Ministry of Interior | Houses the Police Directorate and the Office for the Fight Against Trafficking in Humans (Trafficking in Persons Department). An eight-member unit within the Police Directorate investigates human trafficking, forced labor, and illegal migration. (23) Also investigates reports of child begging, develops policy to prevent future cases of forced begging, and removes child beggars from the streets through the Beggar Task Force. (7,24) Through its TIP Department, coordinates government efforts against human trafficking, harmonizes legislation, maintains data on human trafficking, and funds hotlines for reporting human trafficking cases. (23) Police refer children found begging or requiring social assistance to public institutions that provide accommodation, protection, education, and therapy for vulnerable children. (6,22) During the reporting period, the TIP Department continued to expand staff capacity to coordinate the identification and referral of victims of human trafficking. Additionally, TIP Department staff members participated in anti-trafficking in persons trainings facilitated by the IOM and the OSCE Mission to Montenegro. (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) |

Labor Law Enforcement

In 2022, 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 | 2021 | 2022 |
|--|-------------|------------|
| Labor Inspectorate Funding | Unknown (3) | Unknown |
| Number of Labor Inspectors | 44 (6) | 44 (5) |
| Mechanism to Assess Civil Penalties | Yes (16) | Yes (5,15) |
| Training for Labor Inspectors Provided | Yes (6) | Yes (26) |
| Number of Labor Inspections Conducted at Worksite | 11,127 (6) | Unknown |
| Number of Child Labor Violations Found | 0 (6) | Unknown |
| Number of Child Labor Violations for Which Penalties Were Imposed | N/A (6) | Unknown |
| Number of Child Labor Penalties Imposed that Were Collected | N/A (6) | Unknown |
| Routine Inspections Conducted | Yes (6) | Yes (26) |
| Routine Inspections Targeted | Yes (6) | Yes (26) |
| Unannounced Inspections Permitted | Yes (27) | Yes (27) |
| Unannounced Inspections Conducted | Yes (6) | Yes (26) |
| Complaint Mechanism Exists | Yes (6) | Yes (26) |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Yes (6) | Yes (26) |

Labor inspectors can inspect registered farms, and the staff of the Social Welfare Centers (SWCs) can inspect unregistered farms to detect child labor. (3) Children found during labor inspections can be referred to SWCs and accommodated in a government-financed, NGO-run shelter for human trafficking victims. (3) 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. (3,22,27) Reports indicate that the number of inspectors is insufficient to adequately enforce its labor laws, particularly in cases involving the agricultural and domestic labor sectors. (5) In addition, the government maintains a database on children involved in begging, but it does not collect or publish data on child labor. (14)

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Criminal Law Enforcement

In 2022, 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 | 2021 | 2022 |
|---|---------|----------|
| Training for Criminal Investigators Provided | Yes (6) | Yes (28) |
| Number of Investigations | 4 (6) | 5 (28) |
| Number of Prosecutions Initiated | 0 (6) | 4 (28) |
| Number of Convictions | 1 (6) | 0 (28) |
| Imposed Penalties for Violations Related to the Worst Forms of Child Labor | Yes (6) | Yes (28) |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Yes (6) | Yes (28) |

In 2022, police across Montenegro continued to implement "Operation Beggar" to discourage forced begging. Eleven children were also referred to the Shelter for Victims of Trafficking in Persons, including four children engaged in forced begging. (5)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established a key mechanism to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including the lack of a mechanism to coordinate efforts to address all worst forms of child labor.

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

| Coordinating Body | Role & Activities |
|---|---|
| Coordination Body for Monitoring and Implementing the Protocol on the Treatment of Bodies, Institutions, and Organizations in Montenegro with Children Involved in Street Life and Work | Created to coordinate intergovernmental work on issues specifically affecting children engaged in street labor. In November 2022, new members of the coordinating body were nominated, and the Ministry of the Interior led the process of revising sections of the Protocol. (5) |

While the government continues to support the Office of the National Anti-Trafficking Coordinator and the National Council for the Rights of Children, there isn't a mechanism to coordinate efforts to address all worst forms of child labor.

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 & Activities |
|---|--|
| 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. (28) During the reporting period, the Government of Montenegro implemented the 2022 national action plan associated with this strategy. (5,25) |
| 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 conflict. A working group is tasked with producing an annual report detailing the steps it has taken toward achieving the plan's goals. (29) 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. (6,31) Research was unable to determine whether the policy was active during the reporting period. |

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

During the reporting period, the Government of Montenegro implemented the National Action Plan for 2022 associated with the National Strategy for Combatting Human Trafficking (2019–2024). Additionally, government institutions continued to adhere to the Protocol on the Treatment of Bodies, Institutions, and Organizations in Montenegro with Children Involved in Street Life and Work to continue promoting the safety and wellbeing of children in economically vulnerable situations. (5)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2022, 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 & Activities |
|---|---|
| UNICEF Country Program (2017–2022) | 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. During the reporting period, UNICEF continued to administer country program-associated activities in conjunction with the Government of Montenegro. (31) |
| 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. (25) 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. (33) Includes procedures on identifying, serving, and integrating these children. (33) 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. During the reporting period, the Hotline continued to receive calls from victims of trafficking. (5) |

For information about USDOL's projects to address child labor around the world, visit <https://www.dol.gov/agencies/ilab/ilab-project-page-search>

† 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)

The Government of Montenegro increased the availability of social assistance to vulnerable children, including an expansion of cash benefits beginning in October 2022. (31) Additionally, the government approved the construction of the country's first state-operated shelter for child victims of human trafficking. (5) Provision of services to individuals with disabilities who are victims of human trafficking remains limited, and though 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. (5)

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, including data on the sectoral distribution of child labor. | 2017 – 2022 |
| Coordination | Establish a mechanism to coordinate efforts to address all worst forms of child labor. | 2022 |
| 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 – 2022 |
| Social Programs | Build the capacity of schools and other services and programs to accommodate and provide support for children with disabilities. | 2015 – 2022 |
| | Expand existing programs to address the scope of the child labor problem, especially in street work and forced begging. | 2018 – 2022 |

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

| Area | Suggested Action | Year(s) Suggested |
|-----------------|---|-------------------|
| Social Programs | Make additional efforts to bolster birth registration for children from the Ashkali, Balkan Egyptian, and Roma communities to ensure equity in children's access to the educational and social welfare systems. | 2019 – 2022 |
| | 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 – 2022 |

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