

In 2018, Montenegro made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Interior's Beggar Task Force investigated 246 people, out of which 33 were juveniles, and 22 children were sent to Social Welfare Centers. Labor inspectors also received trainings on forced child labor and informal work from the Ministry of Interior's Office for the Fight Against Trafficking in Persons and the ILO. In addition, the Supreme State Prosecutor and Police Director adopted a decision to establish a Counter Human Trafficking Task Force, and the government passed the Strategy for Inclusive Education, which aims to provide education to all children in the country, including children with disabilities. Moreover, the Shelter for Victims of Human Trafficking, Forced Begging, and Forced Marriages helped four minors in 2018. Although the government made meaningful efforts in all relevant areas during the reporting period, the government did not secure convictions related to the worst forms 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. In addition, research found that the scope of programs to address child labor in street work or 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. (1,3-5,6) 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 (77,591)
Attending School (%)	5 to 14	91.6
Combining Work and School (%)	7 to 14	19.9
Primary Completion Rate (%)		90.4

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (7)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5, 2013. (8)

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 (1,9-12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking (5,6,13,14)
	Forced begging, sometimes as a result of human trafficking (5,12,15)
	Domestic work as a result of human trafficking (15-17)
	Use in illicit activities, including drug trafficking and harvesting (3,4)

‡ 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 children trafficked for forced labor, including forced begging, especially among Romani children. (3,5,10,12,6) Some Romani girls from Montenegro are sold into servile marriages in Montenegro and Kosovo, where they are also forced into domestic servitude. (16-18,6)

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Children, especially girls, are trafficked for commercial sexual exploitation, internally and transnationally within the region and to Western Europe. (5,12,19,6)

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. (4,5,10-12,20,21) The higher rate of unregistered children is mostly due to registration costs, parents' lack of awareness of the importance of registration, and parents' lack of identification documents. (22,21) In addition, some children with disabilities, especially in rural areas, experience difficulty accessing education and have limited government social services available. (4,21,23,24)

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 (25)
Minimum Age for Hazardous Work	Yes	18	Article 17 of the Labor Law (25)
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 (25,26)
Prohibition of Forced Labor	Yes		Article 444 of the Criminal Code; Articles 28 and 63 of the Constitution (27,28)
Prohibition of Child Trafficking	Yes		Articles 444–446 of the Criminal Code (28)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 209–211 of the Criminal Code (28)
Prohibition of Using Children in Illicit Activities	Yes		Articles 300–301 of the Criminal Code (28)
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 (29,30)
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 (29,30)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 444 of the Criminal Code (28)
Compulsory Education Age	Yes	15	Article 4 of the Law on Primary Education (31)
Free Public Education	Yes		Article 75 of the Constitution (27)

* No conscription (29)

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. (9,26)

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. (2,3,9,22,32,33) Part of the Inspectorate General. (34)
Police Directorate within the Ministry of Interior	Investigates and enforces criminal laws on forced labor and human trafficking for commercial sexual exploitation. (2,32,35) Coordinates law enforcement actions, including identification of victims of human trafficking. (2,3,35) Prevents and investigates child begging by removing child beggars from the streets through the Beggar Task Force. (5,14)
Supreme State Prosecutor	Collects data on the number of police investigations, convictions, and court rulings, and submits them to the Office for the Fight Against Trafficking in Persons. (2,3,35,36)
Ministry of Justice	Enforces the Criminal Code by prosecuting crimes against children, including human trafficking, child begging, and child abuse. (3,33)
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. (2,3,35)
Ministry of Interior's Office for the Fight Against Trafficking in Persons (OFTIP)	Coordinates efforts against human trafficking among relevant institutions and international organizations, harmonizes legislation, maintains data on human trafficking, and funds hotlines and shelters for victims of human trafficking. (2)
Ombudsman's Deputy for the Rights of the Child	Monitors the situation of children using strategies such as visiting schools and institutions, holding focus groups, maintaining email hotlines, and writing blogs for children. (2,3,32)

During the reporting period, to streamline the victim referral process, the Supreme State Prosecutor and Police Director adopted a decision to form a Counter Human Trafficking Task Force, which will be a team with representatives from the police, prosecution, Ministry of Interior, Ministry of Justice, and NGOs. (5) A special unit within the Police Directorate will also be formed to target human trafficking and illegal migration. (5)

Labor Law Enforcement

In 2018, 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	2017	2018
Labor Inspectorate Funding	\$579,532 (37)	\$440,235 (4)
Number of Labor Inspectors	33† (2)	40 (3)
Inspectorate Authorized to Assess Penalties	Yes (2)	Yes (3)
Initial Training for New Labor Inspectors	Yes (2)	Yes (3)
Training on New Laws Related to Child Labor	N/A (2)	Yes (3)
Refresher Courses Provided	Yes (2)	Yes (3)
Number of Labor Inspections Conducted	8,280† (2)	10,695 (3)
Number Conducted at Worksite	8,280† (2)	10,695 (3)
Number of Child Labor Violations Found	40† (2)	44 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	15† (2)	25 (3)

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

Overview of Labor Law Enforcement	2017	2018
Number of Child Labor Penalties Imposed that Were Collected	15† (2)	25 (3)
Routine Inspections Conducted	Yes (2)	Yes (3)
Routine Inspections Targeted	Yes (2)	Yes (3)
Unannounced Inspections Permitted	Yes (2)	Yes (3)
Unannounced Inspections Conducted	Yes (2)	Yes (3)
Complaint Mechanism Exists	Yes (2)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (3)

† Data are from January 2017 to November 2017.

The labor inspectorate has 15 offices that proactively plan labor inspections, with an increase in inspections during the summer tourist seasons in specific sectors, such as trade and catering. (2,3,9,22,38) Labor inspectors can inspect registered farms and Social Welfare Centers (SWCs) can inspect family farms to detect child labor. (3) If child labor is found by SCWs, they can work with labor inspectors and criminal law enforcement.

Children found during labor inspections can be sent to SWCs and accommodated in a government-financed, NGO-run shelter for human trafficking victims. (2,3,38) There are 29 labor inspectors who cover employment relations and 10 who cover health safety issues at work. (3) All inspectors monitor the enforcement of child labor. (2,3,38) The government maintains a database on children involved in begging but does not collect or publish data on the worst forms of child labor. (4)

During the reporting period, labor inspectors received trainings on forced child labor from the Ministry of Interior's Office for the Fight Against Trafficking in Persons (OFTIP) and the MLSW. (3) In addition, 19 labor inspectors received training from the ILO on the informal economy and protecting youth at work. (3,4) The labor inspectorate deemed funding to be sufficient for 2018. (3)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Montenegro took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal 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	2017	2018
Initial Training for New Criminal Investigators	Yes (2)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (2)	Yes (3)
Refresher Courses Provided	Yes (2)	Yes (3)
Number of Investigations	78† (2)	82 (3)
Number of Violations Found	53† (2)	50 (3)
Number of Prosecutions Initiated	2† (2,34)	1 (3)
Number of Convictions	0† (2)	0 (3)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	0 (36)	0 (36)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (3)

† Data are from January 2017 to November 2017.

A new eight-member police unit investigates human trafficking and illegal migration within the Police Directorate. (4) Police investigate children working on the street, and those who are found begging or require social assistance can be accommodated in a public institution, called a *Ljubović*, for up to 30 days while parents are located. (2,3,9,39) When parents are not available, children are referred to local SWCs. (3)

However, continuous victim identification training is needed for the police, judiciary, and prosecutors. (5,14) In addition, gaps remain in prosecutions and the number of convictions related to human trafficking. (40,3,5,34)

During the reporting period, according to the government, resources were sufficient for combating human trafficking. (3,5) OFTIP organized a training on early identification of human trafficking, including the worst forms of child labor. OFTIP and the OSCE also held seminars for 15 police officers on human trafficking for labor exploitation. (3,5) In addition, seminars on public awareness on human trafficking, including the use of children in commercial sexual exploitation, were organized in Bijelo Polje, Tivat, and Podgorica by OFTIP and the State Human Resources Agency for 50 employees of local municipalities. (5,36) In 2018, as part of the Beggar Task Force, 246 people were investigated, out of which 33 were juveniles, and 22 children were sent to SWCs. (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 (Human Trafficking Office)	Coordinates efforts, projects, and legislation against trafficking in persons and the worst forms of child labor among relevant government institutions and international organizations. (2,3) Collects and maintains data on investigations and court rulings. A task force monitors and promotes activities related to combating human trafficking, and assesses the progress of objectives established in action plans. (2,3) Includes government representatives, NGOs, and international organizations. (2) Active in 2018. (4)
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 the MLSW and has 12 other members. (2,3,41-43) Met once in 2018. (3)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
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. (3,44) Includes providing care and services for child victims or those at risk of violence. Aims to eliminate violence against children in the country by 2021. (44) Active in 2018. (4)
National Strategy for Combating Human Trafficking†	Outlines objectives for combating human trafficking by raising public awareness, strengthening the capacity for victim identification and service provision, improving interagency coordination, and raising the efficiency of prosecutions. (23,45) The strategy and yearly action plan are evaluated and adopted through reports prepared with government and civil society collaboration. (23) Prepared a new strategy for 2019–2024 that aims to increase prosecutions and victim identification. (3,46,47)
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, and preventing child begging and human trafficking. Implemented by the Ministry for Minority and Human Rights. (48)
Guidelines for the Treatment of Unaccompanied Minors	Provides accommodation, protection, and rehabilitation for minors and other vulnerable groups. Implemented by the MLSW. (46,49) Active in 2018. (4)
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) Contains an integrated Action Plan for 2018. (4,46,50)
Strategy for Inclusive Education (2019–2025)†	Aims to include inclusive education for all children in the country, including children with disabilities. (51) Will review the work of steering committees to ensure that all educational goals are met, specify the work of mobile teams, and continuously improve the literature in the schools to be inclusive of all. (51)

† Policy was approved during the reporting period.

The government has not included child labor elimination and prevention strategies in the Strategy for Prevention and Protection of Children from Violence. (50)

Research was unable to determine whether activities were undertaken to implement the Strategy for the Social Inclusion of Roma and Egyptians during the reporting period.

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, 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. (4,16,36) Had a campaign in 2018 on media literacy to ensure that all children are prepared for school attendance. (4,36)
Development of Standard Operating Procedures for the Treatment of Children Deprived of Parents or Unaccompanied	Implemented by the Ministry of Interior's Human Trafficking Office and UNICEF. (14) Goals include standardizing procedures among all relevant institutions for dealing with unaccompanied children and children separated from parents, ensuring compliance with both international and national laws for children. (52) Includes procedures on identifying, accommodating, and integrating the children. (52) The standard operating procedures were implemented during the reporting period. (36)
Shelter for Victims of Human Trafficking, Forced Begging, and Forced Marriages†	Run by the NGO Montenegrin Women's Lobby and the government. The shelter provides accommodations for children who are separated from adults and victims of forced begging and forced marriages. (39) The government continued to operate the shelter and provided accommodations to four minors in 2018. (3)
Hotline for Victims of Human Trafficking†	SOS Hotline† funded by the Human Trafficking Office and run by the NGO Montenegrin Women's Lobby. Provides advice, connects victims with service providers, and raises public awareness. (23,35) Received 565 calls during the reporting period. (5)

† 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. (5,53,54)

Despite the government funding the Shelter for Victims of Human Trafficking in 2018, funding must be renewed yearly, and NGOs were dissatisfied with the level of funding. (3) In addition, the provision of services to individuals with disabilities who are victims of human trafficking is limited. (5)

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 – 2018
	Provide continuous victim identification training to police, the judiciary, and prosecutors.	2017 – 2018
	Increase the number of prosecutions and convictions of perpetrators involved in commercial sexual exploitation.	2017 – 2018
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
	Ensure that the Strategy for the Social Inclusion of Roma and Egyptians is active.	2018
Social Programs	Make additional efforts to register children from the Ashkali, Balkan Egyptian, and Roma communities.	2012 – 2018
	Build the capacity of schools and other services and programs to accommodate and provide services to children with disabilities.	2015 – 2018
	Increase funding for human trafficking shelters, including for individuals with disabilities who are victims of human trafficking.	2018
	Expand existing programs to address the scope of the child labor problem, especially in street work and forced begging.	2018

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