

Ministry of Labour and Social Welfare
Mr Predrag Boškovic, Minister

Podgorica, 19 June 2014.

Reference: Reaction to a press release of the Ministry stating that there are no cases of child labour in Montenegro

Dear Mr Boškovic,

We are writing to you with regard to the press release issued on 12 June 2014 by the Ministry of Labour and Social Welfare, on the occasion of the World Day Against Child Labour, which announced that, according to the Administration for Inspection Affairs, no cases of child labour have been reported in Montenegro - which we consider is not true.

In fact, we can see children of the youngest age begging barefoot and dressed in rags every day on the streets of Montenegrin cities, in the rain and extreme temperatures, while they have to hand over the collected money to ones who sent them to do it.

In its press release, Ministry of Labour and Welfare stated that any work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development and interferes with their schooling is considered to be child labour. This definition describes exactly begging as a form of child labour, and probably forced labour, and in this respect we find doubtful the claim of the Administration for Inspection Affairs that no such cases were recorded.

Child labour is not only work being performing in a factory or some other closed area, probably inspected by the Administration for Inspection Affairs, but also every labour threatening physical and mental development of a child, such as begging to which the children we meet every day are forced.

The Ministry's claim that there is no child labour in Montenegro does not respond to the data which the Ombudsman of Montenegro published in his special 2011 report on child begging in Montenegro.

The Ombudsman stated that the begging issue was present during whole year, and that it was particularly visible during the tourist season, and that mothers take their children out to beg in order to get compassion. He also stated that children are often forced to beg and bring a certain amount of money to their parents, and the fact that those children do not go to school, have no health insurance and have not been enrolled in the registers is worrying. In such way, these

children grow up in a hostile environment, which leads to the adoption of such model of behavior, so that when they become parents they will threaten their children in the same way in the future. The conditions these children live in and spend their childhood on the street, represents one of the most difficult and most severe forms of violations of rights of children. In fact, such living conditions deprive them of many rights guaranteed by the UN Convention on the Rights of Children, such as the right to social welfare, healthcare etc.

According to the data which the Ombudsman got from the begging children:

- 59 percent of the children beg in the street every day;
- 79 percent do not go or ceased going to school;
- 59 percent of the children feel bad because of begging;
- 75 percent of the children would not like to continue doing it;
- 83 percent of the children consider they don't have a choice and that they have to beg.

According to the information the Ombudsman received from the Center for Children and Youth „Ljubovic“, which has an admission point for children found in stroll, the children leave at the moment when someone comes to pick them up. The Center is obliged to hand over the child to a person who guarantees for it, though the identity of a person itself is often unreliable and it is impossible to check it quickly and efficiently. Therefore, there is an almost permanent suspicion that the persons who take away these children are not their parents/ legal guardians, but persons whom they actually work for.

According to the UN Convention on Rights of Children, Montenegro is obliged to protect children from the economic exploitation and labour, which may be dangerous, obstruct the child's education or harm its health.

HRA reminds that the Law on Public Order and Peace prescribes a prison sentence of 30 to 60 days for begging of a juvenile. The Criminal Code recognizes juvenile begging through the criminal offences „Neglecting and Abuse of Juveniles“ with a prescribed sentence from three months to five years of prison, as well as the „Human Trafficking“ with prescribed sentence from 3 to 10 years of prison.

The abovementioned confirms that begging is a form of child labour and that the Ministry of Labour and Social Welfare is obliged to make all the efforts, through the Centers for Social Welfare and the Administration for Inspection Affairs, in suppressing this issue and protecting children who are forced to beg.

We expect your response, or a revision of your statement.

Best regards,

Danilo Ajkovic
Project Coordinator
Human Rights Action