

Montenegro 2023 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Montenegro during the year.

Significant human rights issues included credible reports of: torture or cruel, inhuman, or degrading treatment or punishment by government officials; serious problems with the independence of the judiciary; serious restrictions on freedom of expression, including threats of violence against journalists; serious government corruption; extensive gender-based violence, including domestic or intimate partner violence; trafficking in persons; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; and the existence of any of the worst forms of child labor.

The government took limited credible steps to identify and punish officials who may have committed human rights abuses.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year.

The trial of Slobodan Pekovic, accused of the 1992 killings of two Bosniaks and the rape of a civilian while serving as a soldier for the Bosnian Serb Army in the Bosnian town of Foca, continued. This was the first trial in the country for sexual violence committed during the war in Bosnia and Herzegovina. Pekovic, who was arrested in 2021, remained in custody and was deemed a flight risk.

Human Rights Action and other human rights nongovernmental organizations (NGOs) criticized the government's lack of progress in war crimes prosecution, as well as victim recognition and compensation.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

The government's Committee for Missing Persons continued to monitor, study, and determine proposals for resolving the matter of missing persons

from armed conflicts in the former Yugoslavia. The Committee resolved several cases and facilitated the repatriation of the remains of 33 persons during the year.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

Although the constitution and law prohibited such practices, there were credible reports government officials employed them. While the government ratified the European Convention on Human Rights and such practices were prohibited by domestic law, prominent NGOs such as Human Rights Action (HRA) reported police tortured suspects and beatings occurred in prisons and detention centers across the country. The government prosecuted some police officers and prison guards accused of overstepping their authority, but there were delays in the court proceedings. NGOs noted several police officers responsible for violating the rules of their service, including cases of excessive use of force, remained on duty. The Office of the Ombudsman received complaints alleging police torture, noting most complaints involving criminal proceedings did not result in heavy penalties.

The NGO HRA received reports on the sporadic use of torture resulting in severe physical or mental pain or suffering. Some detained suspects or prisoners were subjected to such treatment by police or prison officials.

In June, the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) published a report on its June 2022 ad hoc visit to the country, accompanied by a response from the government. To address ill-treatment by police and improve the poor situation of remand prisoners, authorities needed to take serious measures, the Committee concluded. The CPT delegation received numerous allegations of serious physical ill-treatment of detained persons by police officers. These included allegations against officers from the Sector for the Fight Against Organized Crime and Corruption, Special Units, the criminal police, and inspectors from a wide range of police offices across the country.

In response to the 2022 report by CPT, the Ministry of Internal Affairs reported there was no evidence of systemic torture in the country, while acknowledging individual incidents might have occurred.

In June, the Basic Court in Bijelo Polje convicted two police officers and sentenced them to five months of house arrest for their ill-treatment of a man in Pljevlja during a 2020 protest. Another four police officers accused in the same case were acquitted because the court could not determine with certainty they also used force against the protester.

Impunity was a problem in the security forces, particularly among police and prison officers. NGOs cited corruption, lack of transparency, a lack of capacity by oversight bodies, and political influence over prosecutors and officials within the Police Administration and the Ministry of Interior as

factors contributing to impunity. During the year authorities offered numerous training sessions, often in conjunction with international partners, and held working groups dedicated to the promotion and protection of human rights.

NGOs noted the lack of designated interrogation rooms, including audio and video equipment to record interrogations and help deter mistreatment, was a problem.

Prison and Detention Center Conditions

Prison and pretrial detention facilities were poor due to severe overcrowding and limited access to medical care. The CPT reported some prison and detention center conditions raised human rights concerns.

Abusive Physical Conditions: There were some abusive physical conditions in prisons and pretrial detention facilities due to overcrowding and limited access to medical care. The CPT reported problematic levels of prison overcrowding, including less than 32.3 square feet of space per inmate in multiple-occupancy cells in certain facilities, and remand prisoners awaiting trial confined to their cells for 23 hours a day for months or years. Material conditions in police stations the CPT visited were not suitable for detaining persons for up to 72 hours due to structural deficiencies such as poor access to natural light, inadequate ventilation, poor conditions of hygiene, and irregular provision of food. NGOs reported that detainees who were

addicted to drugs or had mental disabilities faced difficulties in obtaining adequate treatment.

Prisoner-on-prisoner violence was a persistent problem at the remand prison and the Administration for the Execution of Criminal Sanctions, the country's main prison. During the year there were reports of violence in this prison attributed to the long-standing conflict between the country's two largest organized criminal groups. There were widespread allegations prison employees cooperated with members of organized criminal groups.

According to NGO reports, prisoners complained of waiting long periods of time for specialized medical examinations and indicated problems in communication with the psychiatrists in the prison system. According to HRA, instances of prison and police torture and mistreatment were significantly underreported, due in part to intimidation by police officers and a lack of due diligence by prison doctors.

Administration: Authorities conducted investigations of credible allegations of mistreatment but usually did so in reaction to media campaigns or upon the ombudsman's recommendation. The results of these investigations were generally made available to the public.

Independent Monitoring: The government permitted visits to prisons by independent nongovernmental observers, including human rights groups and media, and international bodies such as the CPT. Even when monitors

visited on short notice, prison authorities allowed them to speak with the prisoners without the presence of a guard.

d. Arbitrary Arrest or Detention

The constitution and law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government usually observed these requirements. Detainees had a right to be compensated in cases of unfounded detention, and the government generally followed these requirements.

Arrest Procedures and Treatment of Detainees

Arrests required a judicial ruling or a “reasonable suspicion by police that the suspect committed an offense.” Police generally made arrests using warrants issued by judges and based on sufficient evidence. The law required a suspect be brought promptly before a judicial officer and charged with a crime, but those rights were not always respected. Police and prosecutors could detain suspects for up to 72 hours before bringing them before a judge and charging them. Although the law prohibited excessive delays in filing formal charges against suspects and in conducting investigations, delays sometimes occurred, without punitive repercussions for authorities responsible. At arraignment, judges made an initial

determination regarding the legality of the detention, and arraignment usually occurred within the prescribed period.

Courts increasingly used bail. Judges could also release defendants without bail and limit their movements, impose reporting requirements on them, or retain their passports or other documents to prevent flight. The law permitted a detainee to have an attorney present during police questioning and court proceedings, and detainees generally had prompt access to a lawyer. Although the law required legal assistance be made available to those in need, government financial constraints sometimes limited the quality and availability of assistance. The law restricted free legal assistance to those noncitizens who did not have “money or belongings of high value.” Authorities had to immediately inform the detainee’s family, common-law partner, or responsible social institution of an arrest, and they usually did so.

e. Denial of Fair Public Trial

The constitution and law provided for an independent judiciary; however, the government generally did not respect judicial independence and impartiality. Some NGOs, international organizations, and legal experts asserted political pressure, corruption, and nepotism influenced prosecutors and judges. The process of appointing judges and prosecutors was politicized, although the constitution and law provided for an independent Prosecutorial Council to select prosecutors and a Judicial Council to select judges. According to the 2022 European Commission progress report for the

country, concerns remained over the institutional performance and formation of the Judicial and Prosecutorial councils. The Commission also stated the independence, integrity, accountability and professionalism of the judiciary needed to be further strengthened, including by implementing the relevant constitutional and legal frameworks and by adopting legislative reforms in line with European standards.

Trial Procedures

The constitution and law provided for the right to a fair and public trial and the judiciary generally enforced that right. The judiciary was unable to hold all criminal trials publicly due to a shortage of proper facilities. The shortage also affected the timeliness of trials.

Courts could try defendants in absentia but by law had to repeat the trial if the convicted individuals were later apprehended.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

f. Transnational Repression

Not applicable.

g. Property Seizure and Restitution

The government had property seizure and restitution laws and mechanisms in place, but NGOs and advocacy groups reported it did not make significant progress on resolution of Holocaust-era claims, including for foreign citizens. The pre-World War II Jewish population was estimated at approximately 30 individuals, with no identified synagogue or communal property. There was one claim for restitution regarding Holocaust-era properties that involved the palace of the Marassi family, which the Society of Jewish Women from Belgrade bought in 1925 and utilized as a summer house for children. The property was confiscated by the Council of the National Liberation of the Kotor Municipality in 1956. The case was pending at year's end.

The country's restitution law was most recently amended in 2007. The country had not passed any laws dealing with restitution following the endorsement of the Terezin Declaration in 2009, nor did it make any special provisions for heirless property from the Holocaust era.

A large number of restitution claims for private and religious properties confiscated during the communist era remained unresolved. Private individuals, NGOs, and the Serbian Orthodox Church criticized the government for delays in addressing this problem.

The Department of State's *Justice for Uncompensated Survivors Today (JUST) Act Report* to Congress, released publicly in July 2020, can be found on the

Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibited such actions; however, human rights organizations alleged authorities engaged in illegal wiretapping and surveillance.

The trial of former National Security Agency Director Dejan Perunicic was postponed several times during the year, reportedly for medical reasons. Perunicic was charged with abuse of office, illegal wiretapping, and illegal surveillance carried out in 2020 on several opposition leaders, the former special prosecutor, the Serbian Orthodox metropolitan, and two journalists critical of the former government.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution provided for freedom of expression, including for members of the press and other media, and the government generally respected these rights. An increasing trend of hate speech, verbal threats and insults against

journalists and civil activists, officials' targeting of critical media, and unresolved attacks on journalists undermined freedom of expression.

Freedom of Expression: Media generally expressed a wide variety of political and social views, including criticism of the government.

The Agency for Electronic Media's (AEM) 2022 ban on Russia Today (RT) and Sputnik programs, based on the government's decision to align with EU sanctions and impose restrictions on certain Russian individuals and entities, including state media outlets, remained in place during the year. The AEM urged all audio-visual media service providers to suspend airing or distributing programs of both Russian state-owned media via any means, including cable, satellite, internet protocol television, internet services, video sharing platforms, or applications. Some observers, including the Atlantic Council of Montenegro's Digital Forensic Center noted, however, authorities did not fully implement the decision as the electronic platforms of RT and Sputnik remained accessible from the country.

On October 27, the High Prosecutor's Office urged the Misdemeanor Court in Podgorica to launch a judicial procedure against Professor of the Faculty of Montenegrin Language and Literature Boban Batricevic for criticizing the Serbian Orthodox Church (SOC) in an op-ed published by the *Antena M portal* on August 11. Batricevic was suspected, per the prosecutors, of violating the Law on Public Order and Peace by stating in his article that SOC priests "do not preach the faith of Christ," that they "spread Serbian

nationalism, hatred, and xenophobia,” and that “in the long term, it (SOC) destroys multi-ethnic and multi-religious Montenegro and the Montenegrin national, cultural and territorial identity.”

Violence and Harassment: There were no reports the government used violence against media; however, unsolved attacks from previous years contributed to an atmosphere of intimidation against media.

Pro-opposition media and civil society organizations criticized Prime Minister Dritan Abazovic for inappropriately targeting media outlets critical of him.

On April 24, during a public event, Abazovic accused the local public broadcaster RTV Podgorica of “spreading religious and ethnic hatred.” On June 15, Abazovic accused private E Television of being owned by “leaders of organized crime.” Commenting for media on a procedure initiated by E Television before the Ombudsman Office against him, Abazovic said the ombudsman did not mind that E Television was “financed by a narco-cartel.”

Similarly, on September 14, while responding to critical reporting, President Jakov Milatovic accused pro-opposition newspaper *Pobjeda* of being linked to criminals.

The investigation into the 2004 killing of Dusko Jovanovic, editor in chief of the daily newspaper *Dan*, continued at year’s end. On July 16, the Podgorica High Prosecutor reportedly questioned former President of the Supreme Court Vesna Medenica, who was the supreme state prosecutor at the time of the killing. On November 25, the High Prosecutor’s Office reported six

more individuals were questioned since April, when the new prosecutor took over the investigation.

There was progress during the year in the investigation of the 2018 shooting of *Vijesti* investigative reporter Olivera Lakic in Podgorica. On December 1, the Special Prosecutor's Office filed charges against 14 individuals for the shooting. The group accused of the assault was also charged with creating a criminal organization and committing multiple crimes, including attempted murder, illegal possession of weapons, and drug trafficking.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: Independent and pro-opposition media alleged unfair treatment and economic pressure from government ministries and agencies. Low salaries and political pressure contributed to self-censorship. Several media columnists complained of being legally prosecuted or threatened during the year because of their publicly expressed views.

Nongovernmental Impact: Journalists faced intimidation, threats of violence, and attacks from unknown individuals for their reporting, including reporting on controversial political, ethnic, and religious matters as well as on corruption and smuggling.

On August 9, acting Supreme State Prosecutor Tatjana Begovic ordered the Basic Prosecutor's Office in Niksic to file criminal charges against Djordjije Tadic for calling on social media for the killing of *Antena M* editor Darko

Sukovic and his deputy Milena Aprcovic. Prior to Begovic's order, the prosecutor's office had declined to bring criminal charges against Tadic based on his August 8 Facebook post that said *Antena M's* editor and his deputy should be "liquidated" and the media outlet shut down. Tadic posted the death threats as a reaction to an *Antena M* article criticizing an event commemorating Serb Chetnik troops from World War II, whom former socialist Yugoslav authorities considered Nazi collaborators.

Another columnist, Ljubomir Filipovic of the *CdM portal*, reported receiving more than 1,000 threats and insults, including death threats, from Serbia-based tabloid media and social media users for criticizing the Serbian tennis national team's use of a nationalistic song allegedly advocating annexation of parts of Montenegro and Kosovo by Serbia during its Davis Cup matches on November 23-26. Numerous local and foreign organizations condemned the threats and urged authorities to investigate all kinds of intimidation and violence against media.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provided for the freedoms of peaceful assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution and law provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

e. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Between the start of Russia's full-scale invasion of Ukraine in February 2022 and September 11, more than 181,300 Ukrainians arrived in the country, 63,533 of whom recorded some presence in the country by the end of November, representing approximately 10 percent of the country's overall population. The government cooperated with the Red Cross of Montenegro, UNHCR, and the International Organization for Migration to provide housing, necessities, and other assistance to the refugees. In March, the government

extended the temporary protection regime for Ukrainian refugees for one year following a similar decision by the EU. Under the extended program of temporary protection, the country offered free medical care, elementary education, limited accommodation, and eligibility for employment for temporary protection holders.

In parallel with Ukrainian refugees, a significant number of citizens of the Russian Federation and Belarus entered the country after February 2022. As of September, there were 32,800 citizens of the Russian Federation residing in the country.

Access to Asylum: The law provided for the granting of refugee or subsidiary protection status, and the government had an established a system for providing protection to refugees. Authorities did not employ methods for managing mixed migration movements effectively, such as prioritization or accelerated procedures.

Authorities mainly referred asylum seekers to the Asylum Center in Bozaj. UNHCR advocated with the Border Police to allow such declarations to be filed in every municipality, as prescribed in the asylum law.

During the year, the backlog of asylum applications pending more than six months decreased and the government made significant efforts to resolve at the first-instance level all pending applications within a six-month period. Despite progress made by the government to process asylum applications within a six-month period, the NGO Civic Alliance reported applicants waited

for periods beyond this timeframe. Although the deadline for a decision was six months, the asylum law allowed its extension up to 21 months. During the year, authorities received 4,973 declarations of persons intending to seek asylum. The government processed 145 asylum applications during the year and approved 13.

Employment: Ukrainian refugees had unhindered access to the labor market once their temporary protection status was approved. Due to legal restrictions related to their status, however, they could not benefit from the employment agency's services, such as support in finding a job, reclassification courses, or language courses. The Civic Alliance noted many banks stopped opening accounts for Ukrainians with temporary protected status, affecting their employment opportunities. At the end of the year, UNHCR reached an agreement with a local bank to address this issue. Other refugees and persons granted subsidiary protection had full access to the labor market and the employment agency's services.

Access to Basic Services: Throughout the year, newly recognized refugees faced problems with the Ministry of Interior in obtaining identification documents after receiving refugee status, limiting their access to social and economic benefits.

Durable Solutions: A path to citizenship for refugees was available but required evidence the applicant had renounced citizenship in their country of origin, which many refugees could not obtain. Those displaced persons

from countries of the former Yugoslavia who chose integration rather than return to their country of origin enjoyed access to basic services and naturalization in the country.

Temporary Protection: The government provided temporary protection to persons in need following the outbreak of the war in Ukraine. In three cases, the government also provided so-called subsidiary protection to individuals who might not have qualified as refugees but were still in need of protection.

f. Status and Treatment of Internally Displaced Persons (IDPs)

Ministry of Interior statistics indicated that between 2009 and 2014 it received 15,273 applications by displaced persons from the former Yugoslavia to resolve their residency status in the country. During the year, the Ministry of Interior resolved 43 applications, and 51 applications were pending resolution. By the end of the year, 11,803 individuals received permanent resident status and 616 received temporary resident status. A significant number of applications were submitted multiple times.

Individuals with temporary residence up to three years and persons with pending applications still needed to acquire identity documents, such as birth and citizenship certificates or passports from their country of origin, to complete the application process and obtain permanent resident status.

Persons whose applications for “foreigner with permanent residence” status were pending with the Ministry of Interior held the legal status of displaced persons or IDPs. Some persons who were entitled to apply faced difficulties in obtaining the required documentation, particularly in regularizing previously unregistered births or paying the fees required to procure documents.

With the support of UNHCR, the government, together with the Government of Kosovo, assisted displaced Roma and Balkan-Egyptians in obtaining personal identification documents under a Montenegro-Kosovo agreement on registration of IDPs residing in the country based on birth registry and registry of citizens in Kosovo. Approximately 40 persons received assistance through this cooperation during the year.

Conditions for IDPs and displaced persons from the former Yugoslav republics varied. Access to employment, health care, and social services was sometimes limited due to language barriers, insufficient integration programs, a lack of documentation, or unclear or inconsistent administrative procedures. According to UNHCR, many were vulnerable, in need of support to become self-reliant, and lived below the poverty line.

Together with Croatia, Serbia, and Bosnia and Herzegovina, the country was a party to the Regional Housing Program, facilitated by international donors, to provide durable solutions for up to 6,060 displaced persons in the country.

For further information concerning IDPs in the country, please see the materials of the Internal Displacement Monitoring Center: <https://internal-displacement.org>.

g. Stateless Persons

As of October, there were 478 persons at risk of statelessness in the country, down from 494 in 2022. Through the 2018 Law on Foreigners, the government introduced a statelessness determination procedure in its legal system. By mid-year, nine persons in total had been recognized as stateless since 2018 through this procedure while applications from 20 individuals were pending with the Interior Ministry.

Section 3. Freedom to Participate in the Political Process

The law provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: National elections were widely reported to be largely fair and free of abuses and irregularities.

The country held two rounds of presidential elections on March 19 and April 2. An observation mission from the Organization for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights (ODIHR) noted in its preliminary findings that both rounds of the election were competitive and adequately managed, and fundamental freedoms were respected in the campaign. The election administration worked transparently; however, politicization and the lack of inclusiveness in the candidate registration process reduced public trust. Observers also noted registered candidates' harsh rhetoric and some media's biased coverage of the campaign did not contribute to the ability of voters to make an informed choice.

Separately, the country held parliamentary elections on June 11. The elections were competitive and well-run despite taking place in a context of a protracted institutional and constitutional crisis. ODIHR stated the election administration efficiently managed the elections, the campaign was free, and voters had a wide choice. ODIHR also found the electoral legal framework provided a basis for the conduct of democratic elections but contained gaps, inconsistencies, and ambiguities, with most of the previous ODIHR and Council of Europe Venice Commission recommendations remaining unaddressed. Observers noted election day was transparent, calm and professionally managed with some procedural safeguards not always followed during the counting.

Political Parties and Political Participation: Political parties were able to form and operate freely. The parties that participated in the government of Prime Minister Dritan Abazovic continued the previous tradition of using state administration and state-owned companies for political patronage, known as “party employment.” According to NGOs, political leaders viewed employment in state-owned companies and central and local government agencies as a significant resource that could be leveraged in future local and national elections.

On February 18, the State Election Commission (SEC) rejected the nomination of Milojko Spajic, leader of the Europe Now movement and the apparent front runner, as a candidate for the presidential election. The commission explained the rejection as driven by “contradictions” in documentation available to the SEC, citing an email it received from the Serbian Interior Ministry stating Spajic had deregistered his residence in Serbia only on February 15 and submitted a request to renounce his Serbian citizenship one day prior. According to the SEC, this information raised questions concerning whether Spajic met the legal residency and citizenship requirements to run for president. Several NGOs, as well as multiple legal experts, however, sharply criticized the SEC’s decision as politically motivated, asserting the SEC overstepped its responsibilities and acted on behalf of political rivals aiming to eliminate a competitor. Spajic ultimately did not participate in the presidential race.

On October 4, a retrial against 13 defendants, including two Russian GRU operatives and two leaders, including Speaker of Parliament Andrija Mandic, accused of participating in a 2016 attempted coup which attempted to block the country's entry into NATO, resumed at the High Court in Podgorica. The retrial was the result of a 2020 Appellate Court decision overturning a 2019 High Court verdict sentencing the accused to a total of 69 years and seven months in prison and ordering the first instance court to repeat the trial.

Participation of Women and Members of Marginalized or Vulnerable

Groups: The inclusion of women in political life was low and undermined by insufficient state and public efforts to overcome gender stereotypes and the failure of most political parties to promote their participation. As of November, there were 22 women in the 81-seat parliament.

Section 4. Corruption in Government

The law provided criminal penalties for corruption by officials, but the government did not implement the law effectively, and corruption was a significant problem.

Corruption: On July 3, the Special State Prosecutor's Office (SSPO) filed an indictment charging 12 members of former Prime Minister Dusko Markovic's government with violations related to housing loans provided to state officials. The SSPO alleged the suspects, who at the time were members of a government commission for approving housing loans, violated internal

procedures on loan repayment agreements with state officials, adding that their actions cost the state budget €2.6 million (\$2.81 million). According to the indictment, from 2016 to 2020 the commission approved 119 loans to former government members, members of parliament, parliamentary officials and employees, judges, and prosecutors that were more than the legal limit of €15,000 (\$16,215).

In September, the first hearing took place in the trial of former Supreme Court President Vesna Medenica, accused of abuse of office and participation in the creation of a criminal organization. Medenica and her son Milos were arrested and indicted in 2022 after media publication of transcripts of alleged encrypted conversations during which Milos claimed his mother used her position to protect his criminal activities and influence court actions. The indictment also accused Milos and 10 other individuals of smuggling, bribery, illegal influence, and the unauthorized production, possession, and marketing of narcotics.

The Agency for the Prevention of Corruption (APC) carried out capacity-building activities and technical assistance during the year, but domestic NGOs were critical of the agency's lack of transparency and overall efficacy. NGOs criticized the APC's practice of not engaging with cases of alleged corruption dating prior to the agency's formation in 2016. NGOs also criticized the APC for insufficiently investigating campaign finances. The European Commission maintained on November 8 that more needed to be done to ensure the APC's integrity and accountability, and to improve its

tangible results, in line with the recommendations of the peer review mission conducted in 2021. The European Commission also stated the government needed to improve its track record of investigations, prosecutions and final convictions in the fight against corruption, including high-level corruption.

Separately, the SSPO pursued organized crime and corruption. The SSPO and its law enforcement arm, the Special Police Department, took numerous actions during the year against high-profile officials, including arrests or indictments on charges such as abuse of office, creating a criminal organization, and drug trafficking. The agency brought charges against senior police officials for involvement with criminal organizations.

Agencies tasked with fighting corruption acknowledged that cooperation and information sharing among them was inadequate. The persistence of handwritten records hampered effective data management, particularly in the context of asset declarations data. Politicization of public servants, poor salaries, and lack of motivation and training contributed to the problem.

For additional information concerning corruption in the country, please see the Department of State's *Investment Climate Statement* for the country and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

Several domestic and international human rights groups generally operated without government restriction to monitor or investigate human rights conditions or cases and publish their findings. Government officials were usually cooperative and responsive to the views of international groups, but some domestic NGOs assessed this cooperation was uneven and noted the government selectively ignored their requests for information under the Law on Free Access to Information.

Government Human Rights Bodies: The ombudsman served within the Office of the Protector of Human Rights to prevent torture and other forms of cruel, inhuman, or degrading treatment or punishment as well as discrimination. The Office of the Protector of Human Rights could investigate alleged government human rights violations and inspect such institutions as prisons and pretrial detention centers without prior notification. It could access all documents, irrespective of their level of secrecy, relating to detainees or convicts and talk to prisoners or detainees without the presence of officials. The office could not act upon complaints regarding judicial proceedings in process, except when the complaint involved delays, obvious procedural violations, or failure to carry out court

decisions. The ombudsman could propose new laws, ask the Constitutional Court to determine whether a law violated the constitution or treaty obligations, evaluate particular human rights problems upon request of a competent body, address general problems important for the protection and promotion of human rights and freedoms, and cooperate with other organizations and institutions dealing with human rights and freedoms.

Upon finding a violation of human rights by a government agency, the ombudsman could request remedial measures, including dismissal of the violator, and evaluate how well the agency implemented the remedial measures. Failure to comply with the ombudsman's request for corrective action was punishable by fines of €500 to €2,500 (\$541 to \$2,703).

The government and courts generally implemented the ombudsman's recommendations, although often with delays. The ombudsman operated without government or party interference and enjoyed cooperation from NGOs.

Parliament had a 13-member Standing Committee for Human Rights and Freedoms and a 13-member Standing Committee for Gender Equality. There was a Ministry of Human and Minority Rights within the government.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalized rape of a person, regardless of gender, including spousal rape and domestic or intimate partner violence. Authorities generally enforced the law. In most cases the penalty provided by law for rape, including spousal rape, was one to 10 years in prison, although the law permitted lower sentences in cases where there were exceptionally extenuating circumstances or a significant lack of evidence. Actual sentences were generally lenient, averaging three years. Judges often used questionable methods, including forcing confrontations between survivors and alleged perpetrators, to assess the credibility of survivors. Domestic violence was generally punishable by a fine or a one-year prison sentence.

The NGO Women's Rights Center reported state prosecutors were more likely to opt for lesser charges in domestic violence cases. NGOs expressed concern regarding the security of the courtrooms where survivors were often forced to meet with alleged abusers. NGOs also pointed to inadequate protection of survivors, with protection orders being used in only a limited manner, and a lack of specialized services for sexual violence survivors, women with disabilities, and survivors of child marriages in Romani communities.

According to NGO reports, domestic violence survivors experienced difficulties having their cases prosecuted in the judicial system, promoting an atmosphere of impunity for abusers. Lengthy trials, economic dependency, societal norms, and a lack of alternative housing often forced survivors and perpetrators to continue to live together.

Police response to domestic violence was also reported to be substandard, with officers often counseling women to “forgive” their attackers or to “not harm their (the attackers’) job prospects.”

Domestic violence was a persistent and serious problem in all communities. The government did not seriously attempt to address the problem. The law permitted survivors to obtain restraining orders against abusers. When the abuser and survivor lived together, authorities could remove the abuser from the property, regardless of ownership rights, but it was rarely done.

Romani and Balkan-Egyptian women often faced increased barriers to escaping domestic violence, including potential condemnation and abandonment by their broader family and loss of access to their children. Apart from the SOS Hotline Niksic domestic violence shelter, which offered consultation services in Albanian and Romani, there was a lack of survivor support resources available in either language.

According to NGOs and the ombudsman, women survivors of domestic violence often complained government-run social welfare centers did not

respond adequately to their appeals for help. NGOs reported state institutions did not provide physical protection for survivors.

The government, in cooperation with the NGO SOS Hotline Niksic, operated a free hotline for survivors of family violence.

Discrimination: The law provided for the same legal status and rights for women as for men, including under family, religious, personal status, and nationality laws, as well as laws related to labor, property inheritance, access to credit, and owning or managing businesses or property. All property acquired during marriage was joint property. The government enforced these laws somewhat effectively. The NGO SOS noted, however, women often had trouble defending their property rights in divorce proceedings due to the widespread public belief that property belonged to the man. Sometimes women ceded their inherited property and inheritance rights to male relatives due to tradition and pressure from their families. Men consequently tended to be favored in the distribution of property ownership, sometimes limiting a woman's options in cases of domestic violence or divorce.

Women were occasionally subjected to discrimination in employment based on their marital status, pregnancy, or physical appearance. According to the Union of Free Trade Unions, gender-based violence, harassment, and discrimination discouraged most victims from reporting incidents. A 2022 study by the NGO Women's Rights Center stated 44 percent of women

reported they had experienced at least one form of sexual harassment at work. Women also faced discrimination in access to pension benefits, since the legal age at which men and women could retire and access both full and partial pension benefits was not the same.

Women were underrepresented in political and economic decision making. Romani and Balkan-Egyptian women as well as women in rural areas of the north faced discrimination and barriers to employment.

According to Romani rights NGOs, half of Romani women ages 15-24 were illiterate. Romani women often faced double discrimination based on their gender and ethnicity.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

While free health care was available to citizens, health-care costs acted as a barrier for noncitizens and those lacking identification documents to access regular prenatal care. NGOs reported Romani and Balkan-Egyptian women often had insufficient access to health-care education, resulting in high-risk deliveries outside of health-care institutions. NGOs noted Romani and Balkan-Egyptian women had limited access to gynecologists, obstetricians, or doctors.

NGOs reported that, depending on the location, there was one gynecologist per 5,000 to 8,000 women, which affected women's access to routine health services during pregnancy and childbirth.

Although there were no legal barriers to contraception, a 2020 United Nations Population Fund report indicated the country had enacted only 37 percent of legislation and regulations necessary to provide for full and equal access to contraceptive services. According to NGOs, there was a lack of publicly available information and appropriate educational programs, and economic status and restrictions by partners were barriers preventing women from using contraception.

The government provided access to sexual and reproductive health services for survivors of sexual violence, including services for the management of complications arising from abortion; the government services included emergency contraception; and postexposure prophylaxis was available as part of clinical management of rape. NGOs stated these services were often not tailored to those experiencing sexual violence and persons performing examinations sometimes lacked the necessary expertise to prepare a valid forensic report. Survivors also often waited up to seven days for an examination, and there was no specialized center for supporting survivors of sexual violence.

Systemic Racial or Ethnic Violence and Discrimination

The government did not enforce the laws protecting members of racial or ethnic minorities against violence effectively. The Law on Minority Rights and Freedoms provided for the protection of human rights and freedoms guaranteed to all citizens, including the right to publicly manifest national, ethnic, cultural, religious, and linguistic identity. Roma, Ashkali, and Balkan-Egyptians were the most vulnerable victims of discrimination. These groups had limited access to social services due to a lack of required government documentation. The Law on Citizenship and its accompanying regulations made obtaining citizenship difficult for persons without personal identity documents or for those individuals born outside of a hospital. Access to health-care services, including childbirth, was challenging for members of these communities due to their lack of medical-care cards.

According to the Roma Education Fund, the poverty rate among Roma, Ashkali, and Balkan-Egyptians was higher than for the general population. The NGO Young Roma stated that one of the biggest problems for the Romani community living in informal settlements was the risk of eviction, especially in the southern part of the country. According to the NGO Center for the Affirmation of Roma and Egyptian Population, the Roma and Balkan-Egyptian population, particularly children, faced discrimination during schooling. According to a 2022 study by the NGOs Center for Roma Initiatives and CIN-CG, Roma, Ashkali, and Balkan-Egyptians faced

discrimination in the labor market, including through racial discrimination, the use of short-term, insecure job contracts, and comparatively lower wages.

Albanians and Bosniaks in the southern and northeastern parts of the country also frequently alleged they were victims of discrimination by the government and argued they suffered from economic neglect.

Government-supported national councils for Serbs, Bosniaks, Albanians, Muslims, Croats, and Roma represented the interests of those groups. NGOs, legal observers, and media outlets accused the government of misappropriating money from a fund established to finance the national councils.

Children

Birth Registration: Registration of birth, a responsibility of the parents, was required for a child to have the necessary documents to establish citizenship. The parents of Romani, Ashkali, and Balkan-Egyptian children not born in hospitals registered their births at much lower rates than other groups, mostly due to lack of awareness of the registration process or the parents' own lack of identification documents. NGOs asserted it was difficult for the unregistered children of Romani and Balkan-Egyptian parents to access such government services as health care, social allowances, and education.

Education: A 2021 UNICEF study on child poverty in the country noted children in rural areas faced additional hurdles to educational access in comparison to their peers in urban areas, and Romani and Balkan-Egyptian children experienced additional barriers to accessing education. According to UNICEF, 16 percent of Romani and Egyptian children attended preschool institutions, 56 percent of them completed elementary school, and 3 percent completed high school. A Center for Roma Initiatives 2022 study exploring the reasons for low enrollment in school specifically among the Romani and Balkan-Egyptian population similarly cited the inability of some parents to provide children with appropriate attire or money for lunch and snacks. The study also noted Romani and Balkan-Egyptian students faced challenges such as the inability of children to integrate into peer groups due to discrimination, family migration, language barriers, and low achievement partially due to low expectations from teaching staff. High unemployment rates among Romani and Balkan-Egyptian children who graduated from secondary school were common. For Romani and Balkan-Egyptian girls, education was sometimes pejoratively associated with the postponement of marriage.

Romani NGOs claimed there were serious shortcomings in the quality of education Romani children received and that a significant number of Romani children had problems with basic literacy. Parents of Romani and Egyptian students noted the government occasionally failed to provide transportation for their children to school, even when their children were required to

attend schools further from their homes as part of government integration efforts.

Child Abuse: Penalties for child abuse ranged from one year in prison for violence without a weapon to 12 years' imprisonment for actions that resulted in the victim's death; however, severe penalties were rarely imposed, and short prison stays, suspended sentences, or small fines were the norm.

The law prescribed that a perpetrator of sexual offenses against a child be punished by a fine or maximum two years of imprisonment for illicit sexual activity committed against a child; the penalty was imprisonment for two to 10 years if the act caused grievous bodily injuries to the child or if the act was committed by several persons or in a particularly cruel or degrading manner. If the child died as a result of the act, the perpetrator could be punished by imprisonment for three to 15 years.

Child, Early, and Forced Marriage: The minimum legal age for marriage was 18 in most cases, and persons as young as 16 could marry with the consent of a court or a parent, but the law was not effectively enforced by the government. Punishment for arranging forced marriages ranged from six months to five years in prison, but convictions were rare, generally due to a lack of evidence or poor understanding of the law.

Child marriage was a serious problem in the Romani and Balkan-Egyptian communities. According to UNICEF, 32 percent of Romani girls and one in six

Romani boys ages 15-19 were married. There were reports underage girls were sold into “traditional” or “arranged” marriages without their consent, including to persons in neighboring countries. These marriages generally did not meet the criteria necessary for legal, documented marriages. As such, they were difficult to track and regulate, regardless of legality.

The custom of buying or selling virgin brides was common in the Romani, Ashkali, and Balkan-Egyptian communities. Brides found not to be virgins prior to marriage faced severe repercussions, including violence, from the groom’s family, their family, and the community at large.

Sexual Exploitation of Children: The law prohibited commercial sexual exploitation, sale, grooming, or using children for commercial exploitation, including child sex trafficking, including acts involving child pornography. The government partially enforced the law. The minimum age of consensual sex was 18. There was a statutory rape law. Sexual activity with a juvenile carried a prison sentence of up to three years. Paying a juvenile for sexual activity carried a prison term of three months to five years. Authorities could fine or imprison for one to 10 years any person found guilty of inducing a child into commercial sex.

Child pornography was illegal, and sentences for violators ranged from six months in prison for displaying child pornography to eight years for using a child in the production of pornography.

Antisemitism

The Jewish community population was estimated to be approximately 400 to 500 individuals. There were no known reports of antisemitic incidents.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: There were no laws criminalizing consensual same-sex sexual conduct between adults, cross-dressing, or other sexual or gender characteristic-related behaviors. Seemingly neutral laws were not disproportionately applied to lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons.

Violence and Harassment: In July, unidentified persons verbally and physically assaulted psychologist Petar Markovic, a member of the LGBTQI+ community, in Podgorica and Bar. Markovic was also subjected to hate speech and a public smear campaign because of his professional attitudes and personal characteristics.

Danijel Kalezic, executive co-director of ERA - LGBTI Equal Rights Association for Western Balkans and Turkey, stated in December police and prosecutors did not adequately investigate or prosecute individuals who sent him death threats on several occasions since 2021. Kalezic and other NGO activists stated the problem of inadequate prosecution of cases of violence and discrimination against LGBTQI+ individuals was prevalent.

Discrimination: The law prohibited discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics. The government partially enforced the law. LGBTQI+ persons enjoyed some degree of societal acceptance; however, discrimination and abuse were prevalent. Anti-LGBTQI+ bias was an aggravating circumstance in the prosecution of hate crimes.

Activists asserted the government and parliament did not take necessary steps to modify government policies relating to government services for LGBTQI+ couples, including social benefits and provision of identity documents, steps that would allow citizens to benefit from the Law on Same-Sex Life Partnerships that was adopted in 2020. At year's end, courts had not yet held hearings on the NGO LGBT Forum Progress' lawsuit against the government for discriminatory application of the law.

The NGO Queer Montenegro filed two lawsuits against the government in 2022 for discrimination because the Ministry of Internal Affairs did not grant

citizenship to the children of a same-sex couple despite their meeting all legally required conditions for citizenship.

Availability of Legal Gender Recognition: The government required sterilization, gender-affirming surgery, and compulsory divorce if married as prerequisites for transgender individuals seeking legal gender recognition, despite the lack of legal basis for this practice.

Involuntary or Coercive Medical or Psychological Practices: There was no ban on involuntary or coercive so-called conversion therapy practices on the grounds of LGBTQI+ identities or sexual orientation. During the year there were no reported instances of forced or involuntary conversion therapy to authorities; however, stigma and discrimination might have limited individuals' willingness or ability to report on it.

There were no official reports of surgeries performed on intersex children or nonconsenting adults, but civil society activists claimed they heard reports of these practices. There were no laws prohibiting such surgeries or policies by medical organizations limiting these practices.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

There were no laws or other restrictions on individuals speaking or media reporting on LGBTQI+ matters, on the ability of LGBTQI+ individuals to assemble in public or private or to form associations, or on the ability of LGBTQI+ organizations to legally register or convene events.

Persons with Disabilities

Persons with disabilities did not have access to education, health services, public buildings, and transportation on an equal basis with others. The constitution and law prohibited discrimination against persons with physical, sensory, intellectual, or mental disabilities. According to the United Nations Development Program, persons with disabilities often faced a lack of access to information on government support resources, including the right to a disability assessment and professional rehabilitation. Persons with disabilities also frequently faced lengthy delays in receiving government assistance.

Authorities generally enforced the legal requirement that new public buildings be accessible to persons with disabilities, but most public facilities, including buildings and public transportation, were older and lacked access.

Persons with disabilities faced significant discrimination in employment, despite affirmative action programs that provided significant financial incentives to employers to hire persons with disabilities. Advocates maintained there were too few training programs for persons with disabilities to contribute significantly to their economic integration. Neither governmental entities nor private employers hired many persons with disabilities. NGOs reported employers often chose to pay fines rather than employ a person with a disability.

Despite legal protections, persons with disabilities often hesitated to file charges against persons or institutions violating their rights. Observers ascribed this reluctance to the adverse outcomes of previous court cases or, according to the ombudsman, to insufficient public awareness of human rights and protection mechanisms relating to disabilities.

The NGO Association of Youths with Disabilities stated the failure of the government to form the Council for Care of Persons with Disabilities led to a lack of institutional mechanisms for persons with disabilities to engage with the government and their subsequent exclusion from decision-making processes. In addition, as part of a government reorganization, the Directorate for the Protection against Discrimination of Persons with Disabilities that existed as part of the Ministry of Human and Minority Rights was eliminated.

According to NGOs, services at the local level to children with mental and physical disabilities were inadequate. Associations of parents of children with disabilities were the primary providers of these services. The law permitted parents or guardians of persons with disabilities to work half-time, but employers often did not respect this right. Paid leave was not ensured to some parents of children with disabilities. There were no daycare centers available specifically for children with disabilities.

The government made efforts to enable students with disabilities to attend schools and universities, but the quality of the education they received and

the facilities to accommodate them were inadequate at all levels. NGOs stated supported-living assistance at home and similar services were not provided to families and parents of children with disabilities, as these services were not required under the law. Persons with disabilities were often institutionalized or encouraged towards institutions, which perpetuated stigmatization. Persons with physical disabilities also had difficulty obtaining high-quality medical devices through health and social insurance to facilitate their mobility.

Institutionalized Children: During the year there was one institution dedicated to orphaned children with disabilities, the Small Group Community Home for Children with Developmental Disabilities, in Bijelo Polje, where nine children resided. According to the Ministry of Labor and Social Welfare, the home was organized to emulate a family environment, with children staying in “family groups,” based on their age and gender. Children were integrated into local communities, attended school, and engaged in sports and other activities.

Other Societal Violence or Discrimination

The NGOs Juventas and the Montenegrin HIV Foundation stated persons with HIV and AIDS were stigmatized and experienced discrimination, although most discrimination was undocumented. Observers believed fear of discrimination, societal taboos relating to sex, and the lack of privacy of medical records discouraged many persons from seeking testing for HIV.

NGOs reported patients often faced discrimination by medical personnel and received inadequate treatment.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provided for the rights of workers, including members of the armed forces, to form and join independent trade unions, bargain collectively, and conduct legal strikes. To represent workers in collective bargaining at the enterprise level, a union had to count at least 20 percent of the workforce in the enterprise as members. To act as a worker representative in a sector, group, or branch of industry, a trade union had to include at least 15 percent of the total workforce in that sector, group, or branch. The law prohibited discrimination against union members or those seeking to organize a union and required the reinstatement of workers dismissed for union activity.

The law required employers to consult with a labor union (or employee representatives) and notify the Employment Agency regarding the consultations in cases of a collective layoff (i.e., dismissal of at least 20 employees over a 90-day period). All employment agreements had to contain a reference to bargaining agreements being defined with the employer, which had to be registered with the Ministry of Labor and Social Welfare.

The government effectively enforced laws protecting freedom of association, collective bargaining, and the right to strike for workers. Workers faced employer interference despite exercising their right to unionize and bargain collectively. According to the Union of Free Trade Unions, workers in the trade sector were intimidated when establishing their union, and they belonged to the category of workers whose rights were the most endangered.

Penalties for violations against freedom of association, collective bargaining and the right to strike were commensurate with those for analogous crimes such as civil rights violations and penalties were regularly applied against violators.

Although allowed by law, collective bargaining was rare. The government was party to collective negotiations at the national level. Only the union with the largest registered membership at any given level was entitled to bargain, negotiate settlements of collective labor disputes, and participate in other government bodies. In December 2022, trade unions, the Union of Employers, and government representatives signed the General Collective Agreement (OKU). The unions stated the OKU was important for tens of thousands of employees, particularly in those sectors in which there were no collective agreements concluded with employers.

The right to strike was restricted for public servants whose absence from work would jeopardize public interests, national security, the safety of

persons and property, or the functioning of the government. International observers noted the range of professions in which strikes were proscribed exceeded international standards. Employers could unilaterally establish minimum service requirements if negotiations with trade unions failed to lead to an agreement.

Management and local authorities often blocked attempts to organize strikes by declaring them illegal, citing lack of legally required advance notice, which ranged from two to 10 days, depending on circumstances.

Employees of privatized or bankrupt companies were eligible for retroactive pay and severance, although there were outstanding claims. Workers occasionally were not able to collect on their claims, despite valid court decisions in their favor. Several local governments failed to pay their staff for months at a time. Trade unions claimed workers were largely unaware of their rights and afraid of retaliation if they initiated complaints.

b. Prohibition of Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

Wage and Hour Laws: According to the National Statistics Office, the national monthly minimum wage was slightly above the government's absolute poverty line. Significant portions of the workforce, particularly in rural areas and in the informal sector, earned less than the minimum wage.

The law limited overtime to 10 hours per week, and total work time could not exceed 48 work hours per week on average within a four-month period, but seasonal workers often worked much longer.

Occupational Safety and Health: The government set occupational safety and health (OSH) standards that were current and appropriate for the main industries. The government proactively identified unsafe conditions. Workers could remove themselves from situations that endangered health or safety without jeopardy to their employment. Regulations required employers and supervisors to supply and enforce the use of safety

equipment, conduct risk assessment analysis, and report any workplace deaths or serious injuries within 24 hours.

Employment in the construction, energy, wood-processing, transportation, and heavy industries presented the highest risk of injury. Most of the injured were foreign nationals. Common causes of injuries on construction sites were unsecured workstations at a height and lack of use of protective equipment. The most frequent reasons cited for unsafe working conditions were the lenient fines for violations of safety rules, failure to use safety equipment, lack of work-related information and training, inadequate medical care for workers, and old or inadequately maintained equipment.

Wage, Hour, and OSH Enforcement: The government did not effectively enforce minimum wage and overtime laws, although penalties for violations were commensurate with those for other similar crimes. Penalties were rarely applied against violators.

Many workers, particularly women employed in the commercial, catering, and service industries, worked unpaid overtime, and employers sometimes forced them to work on religious holidays without additional compensation or to forgo their rights to weekly and annual leave. Employers sometimes failed to pay the minimum wage, other employee benefits, or mandatory contributions to pension funds. Employees often did not report such violations due to fear of retaliation. The practice of only formally paying a worker the minimum wage, thus being responsible for lower mandatory

contributions, and giving the employee cash payments as a supplement was common. Also common was the practice of signing short-term work contracts or having lengthy “trial” periods for workers instead of signing them to permanent contracts as prescribed by law.

Administrative and judicial procedures were subject to lengthy delays and appeals, sometimes taking years. As a result, many persons sought recourse through alternative dispute resolution. Most disputes reviewed by the Agency for Peaceful Resolution of Labor Disputes involved accusations of government institutions violating laws on overtime, night work, holidays, social insurance contribution requirements, or other administrative regulations.

The government effectively enforced OSH laws. Penalties for violations of OSH standards were generally commensurate with those for other similar crimes in the formal sector. Penalties were sometimes applied against violators.

The Labor Inspectorate was responsible for enforcing wage, hour, and OSH laws. The number of labor inspectors was sufficient to enforce compliance in the formal economy. Inspectors had the authority to make unannounced inspections and initiate sanctions, but rarely did so. The government did not have sufficient resources to enforce labor laws in the informal sector.

A November report by the European Commission stated the Ministry of Finance estimated the size of the informal economy at 20.6 percent of GDP, considering businesses and employees working in the formal sector.