



## YOUNG PEOPLE IN CONFLICT WITH THE LAW IN MONTENEGRO

### JUVENTAS

Author: Danijela Femić, psychologist

2024

## Abstract

Building resilience among children and young people, with risk behaviours and involvement in criminal activities, is important for mental and emotional well-being, breaking the cycle of crime. Resilient young people can form and maintain healthy relationships with family, peers, and authority figures. Positive relationships are a protective factor against involvement in criminal activities. Individuals are more likely to become constructive members of their communities, contributing positively rather than engaging in harmful behaviours. Providing proper support and services in the system, society benefits from reduced crime rates, leading to safer communities.

Using literature review, legal, institutional framework, interviews and surveys with professionals leads to the conclusion that the main challenge for professionals and children in conflict with the law is a lack of networking, collaboration and services in the institutions. Lack of specialised professionals for this specific area and a general need for more professionals in some institutions that are overloaded with cases. Education and support are highlighted as their crucial needs.

That leads to further recommendations for new specialised education. Team-building training. Setting up one team with a specific program, and specific tasks that will offer package of services for children, young people and families.



**SMART  
Balkans**

Civil Society for Shared Society  
in the Western Balkans

[smartbalkansproject.org](http://smartbalkansproject.org)



Beogradski centar  
za ljudska prava



## CONTENT

1. Introduction-----	4
2. Pull and push factors-----	5
3. Legal Framework International and local level analysis-----	11
4. Institutional Framework Analysis-----	16
5. Mapping of the existing services for children and youth in conflict with the law -----	24
6. Self-evaluation of the capacities and needs of the institutions and NGOs who work in improving youth resilience towards crime -----	31
7. Training plan for professionals -----	36
8. Recommendations for improvements of the legal and institutional framework -----	37
9. References -----	40

## 1. Introduction

Resilience is the capacity of young people to effectively confront and adapt to challenges, stressors, and difficulties. In the context of criminal activities, resilience resources among youth are crucial, it provides them with tools and strengths to resist criminal involvement. This issue is particularly significant in Montenegro, a country grappling with the complexities of a transitional period marked by socioeconomic challenges. While this transition has created opportunities, it has also introduced a range of difficulties that can potentially steer young people toward criminal behaviour.

The research paper Behavior Self-Assessment That Leads to Conflict with the Law Among High School Students in Montenegro done by NGO Juventas and supported by the Global Initiative to Fight Transnational Organized Crime in 2021, provides a comprehensive view of the challenges faced by high school students, particularly about family dynamics, violence, crime, and risky behaviours. According to the research, a significant number of students are exposed to or participate in violent behaviours. One-third of high school students have experienced physical punishment, and a sixth have been severely beaten. Over a third of students have been involved in school fights, with drug use and robbery also common. Frequent involvement in such violent acts normalizes aggression and can lead to more severe criminal activities. Every sixth student has carried a weapon, and a similar portion has hurt someone with a bat or knife, highlighting the escalating nature of violence. Further, it is reported that crime, drug use, and robbery are prevalent in the school environment and neighbourhoods. A significant number of high school students know someone involved in drug smuggling and are hesitant to report illegal activities. This suggests a normalization of criminal behaviour in certain areas. Also, half of the students believe the police do not treat all people equally and would react slowly to violent crimes. This distrust in law enforcement may discourage young people from seeking help and reporting crimes, further contributing to their engagement in illegal activities. These factors create a complex social environment that challenges efforts to prevent youth from entering into conflict with the law.

Previous mentioned factors are funded by other researchers as well where according to Đurić (2021), factors such as economic instability, unemployment, and social disruptions create an environment where children and young people may be more encouraged to engage in criminal activities. The economic uncertainty and lack of stable employment can lead to frustration and desperation, pushing some youth toward illegal activities, survival or financial gain. Additionally, Kovačević and Džakula (2019) highlight that in Montenegro, as in many other countries, poverty, lack of education, limited employment opportunities, social pressures, and



an inadequate support system significantly influence young people's decisions to join gangs or criminal groups.

In response to these challenges, a project has been initiated to combat criminal activities by promoting a new paradigm that encourages and motivates young people to find positive and constructive ways to address problems and challenges. The importance of this project is underscored by the recent UNICEF report (2023), which highlights the development of the new Youth Strategy 2023–2027 by Montenegro's Ministry of Youth and Sports, with UNICEF's support. This strategy marks a significant milestone in Montenegro's history, as it is the first time that adolescents are recognized as a distinct age group with specific needs. The strategy demonstrates a commitment to creating and funding interventions that address the unique needs of adolescents in areas such as health, education, culture, sports, and job market preparation. These interventions are designed to be implemented at the national and local levels, ensuring that the needs of adolescents across Montenegro are met comprehensively.

The project “Building Resilience of Youth Towards Criminal Activities” is a regional initiative led by Juventas from Montenegro, in collaboration with the Belgrade Centre for Human Rights from Serbia and ARSIS, an organization focused on social change from Albania. It is funded under the “SMART Balkans – Civil Society for Shared Society in the Western Balkans” regional project, which is coordinated by the Centar za promociju civilnog društva (CPCD), the Center for Research and Policy Making (CRPM), and the Institute for Democracy and Mediation (IDM). Financial support is provided by the Norwegian Ministry of Foreign Affairs (NMFA). The overarching goal of this project is to contribute to the fight against organized crime by fostering a shift in the current socio-economic landscape. It aims to strengthen the resilience of youth by offering systematic solutions and support that address the root causes and pressures leading to criminal activity. The first step in this project involves a comprehensive review of the existing literature to analyse the push and pull factors that influence youth involvement in criminal activities. This analysis will be grounded in both international and national legal frameworks, providing a thorough understanding of the context in which these factors operate. Additionally, the project will map out existing services and capacities within the country to prepare for the training process.

The project's focus on constructive problem-solving strategies is designed to equip young people with the skills they need to navigate the difficulties they encounter in a positive and productive manner. By offering alternatives to criminal activity, the project pursues break the cycle of crime and build a more resilient youth population in Montenegro.

## **2. Push and pull factors**

Children / Youth in conflict with the law represents an important topic in every society. Some research highlights two main points: the involved individuals usually have insufficient psycho-physical and social maturity, including mostly the youngest and most vulnerable

children in the society, on one side, and the importance of the reaction that society has on them and their behaviour which can shadow further development, rehabilitation and reintegration on the other side (Radovanovic & Spasic, 2021). Circumstances or conditions that drive young people towards criminal activities researchers across the globe identified as family structure, dynamics, peers, neighbourhood, and economic and personal factors (Ali & Masood, 2019). Moreover, according to the theory of human behaviour, a child or adolescent is seen in the middle of the circle where the main impact is family, peers, school in general, community, industry, and government, and at the end of the circle is culture and society (Gonzales & Wekerle ). Factors defined in the research (Petrovic, 2020) are:

### **Family**

Eitle, (2006), stated that the main role in developing an antisocial child's behaviour is the family environment. Still, it depends on other factors inside the family, such as structure, dynamics, socioeconomic status, and attachment to parents (Wampler & Downs, 2010). Also, parental effect researchers (Barnes - Walker & Mason (2004), discussed four characteristics, psychological control, parental warmth, behavioural control, and conflict between youth and parents. Specified that the relationship was found between all the previous factors along with the structure of a family and the income is connected with involving adolescents and young people in criminal activities.

Besides that, the research conducted amongst adolescents 12 – 17, showed that impact has age and family size, where the prevalence is higher amongst older adolescents and those who lived in large families (Kierkus & Hewitt, 2009).

The results (Javed et al. 2012) pointed out that the main causes of juvenile delinquency are a family's low income, conflict in a family, and no parental supervision of a child. This means that much research as a result has the same conclusion when it connects juvenile delinquency and family environment.

### **Socioeconomic Disadvantages**

High rates of unemployment and difficulty in securing permanent employment are significant contributors. This economic instability pushes young people towards criminal activities as a means of financial support (Petrovic, 2020). Social factors are important in modelling the personality of children and young people (Luka, B (n.d)), complex conditions for obtaining material goods such as income, property, and a stable life push young people to alternatives in achieving it. (Chesney-Lind & Shelden, 2014) stated that because of socioeconomic disadvantages, more girls are getting involved in gangs in Canada. Also, research conducted with the 16 – 18-year-old delinquents in the Borstal jail in Faisalabad shows that most of them come from poor families that belong to the lower class (Shamim et al., 2009).

### **Marginalized, Groups at Risk and Neighbourhood:**

This downgrading can lead to feelings of disenfranchisement and frustration, which in turn may drive them toward criminal activities. For instance, the Roma community has a harsh condition with multiple factors involved such as domestic violence (Molnar, 2023). The crime rate was three times higher in marginalized areas than in other part of the Iranian cities. (Hataminejad et al., 2012). On the other side research conducted in the Czech Republic, Hungary, Slovakia, Slovenia, and Spain comparing crime rates between Roma and non-Roma communities found that there is no significant difference in young delinquency (Kolarcik et al., 2016) but on the other side rate of drug use was higher amongst Roma adolescents than those who don't belong their community (Gerevich et al., 2010). The conclusion of the finding (Molnar, 2023) explained that the high rate of organized crime exists in Roma communities where the crime history was common amongst community members. However, domestic violence, aggressive behaviour, and unstable families in dysfunctional neighbourhoods can lead to the developing higher crime rate (Thornberry & Hall, 2005).

### **Educational System:**

Statistics in some European countries show that crime involvement is significantly higher among children and young people without education than among those with education (Machin, Marie and Vujic 2011). The impact of peers and bullying can be a factor, suggesting that bullied children in school or online are more likely to develop socially unjust behaviour (Lee, Patchin, Hinduja, & Dischinger, 2020). The desire for social acceptance and peer approval can lead young people to engage in criminal activities. Associating with delinquent peers increases the likelihood of an individual participating in similar behaviours to gain acceptance and status within the group (Vasiljevic-Prodanovic & Stevkovic. 2021).

### **Social media and the internet**

An important role in the life of every child nowadays is the internet and social media, the impact can have both positive and negative sides (Acdag & Cingi, 2014). By the (Anderson et al., 2002) watching violent and inappropriate can cause the development of aggressive tendencies and anti-social behaviour. Minors can be victims of cyberbullying which can leave different sorts of consequences such as strong effects on mental health (Slonje et al., 2013), leading them to develop a wrong perception of society and social connections.

### **Social learning theories**

According to (Bandura 1977) we learn based on social interaction in a social context, the main elements are observation, imitation, and modelling. Observation learning is applicable at any age, powerful models from the environment can shape the behaviour of another individual. (Newman & Newman, 2007). This theory explains the impact of peers and family members as well. Stating that children, adolescents, and young ones learn from those they spend most of their time. Therefore, if a member of family or friend is involved in criminal activities there are statistics that implies that child will be as well. (McLeod, 2016). Skinner (1953) stated that

child's behaviour shapes by the environment using reinforcement and punishment, which explains again impact of family, society, and social media. Depends on which behaviour we praise, it will increase (Ali & Masood, 2019).

While developing effective resilience techniques or interventions amongst young people, first consider factors that cause delinquent behaviours (Ali & Masood, 2019).

## **2.1 The Resilience of Young towards Criminal Activities**

1. The family role is the most important segment in the development behaviour of a child (Eitle, 2006). Promoting and building functional families has to be a priority, as supporting parents through supportive parenting programs, offers new competencies (Drummond, 2005). Supported by UNICEF Montenegro two parenting programs dedicated to violence prevention among children are conducted across 13 municipalities in Montenegro. Programs are delivered in Kindergartens, Health Care Centres, and NGOs (Hutchings et al, 2024). Researchers (Drummond, 2005) report that parenting programs are more cost-effective in preventing crimes than home visits or supervision of delinquents.

2. Based on a document published by the Employment Agency of Montenegro in March 2024 there is a specified part program Guarantee for Young people. The main challenges that the Employment Agency needs to face while helping young people develop stable financial situations are:

- Ensuring the timely implementation of policy reforms required by the Youth Guarantee, the
- Increased amount of work in public employment services with the need for careful planning of human and financial resources
- Providing quality offers within four months
- A complex monitoring system, requiring changes in the way PES collects and manages data, as well as in the methods of collecting and reporting on achievements through policies
- Proactive strategies and difficulties in engaging inactive young people, with the risk that the Youth Guarantee only targets unemployed young people

With the strategies, seasonal employment, and professional orientation young people would be focused on legal ways of gaining money and it will keep them away from the streets and delinquent behaviours, the researcher found that time spent in educational institutions or distractions (Tauchen et al., 1994) that effect is called self-incapacitation.

3.. Ministry of Justice, Human and Minority Rights Strategy for Social Inclusion of Roma and Egyptians 2021-2025 keeping in mind that this minority community is in a risk position develop strategies and plans that will be focused on education, employment, minority culture,

and identity, political participation of minorities; as well as raising awareness of minorities and the general public about the status, rights and obligations of minorities.

Furthermore, the National Strategy for Sustainable Development until 2030 has ensured equal opportunities and reduced disparity of outcomes by eliminating discriminatory laws, policies, and practices and promoting appropriate laws, policies, and measures. Increased number of Roma and Egyptian children completing primary education. Reduced level of ethnic distance in Montenegro. Adequate regulation of their legal status. Being supported by society from an early age, with the possibility of education and being accepted by the community can be the main helping factor in building resilience and learning socially acceptable norms and behaviours (Vasiljevic- Prodanovic & Stevkovic, 2021)(Bandura 1977).

4. Youth Strategy with action plan published in December 2023 focused on 2023 to 2027 years, established by Ministry of Sport and Youth, defined goal for establishing a better position of young people in the society. While focusing on resilience towards young people three parts of the strategies are important:

- Create an interdepartmental set of activities to increase youth inclusion and resilience

Youth services, through activities in centres and throughout formal and non-formal education, should help young people develop competencies in terms of enhancing political and media literacy, the culture of dialogue, inclusivity, solidarity, gender equality, as well as competencies for addressing challenges related to existing, violence, hate speech, and discrimination. Also, motivate young people to be active participants while discussing this topic.

Furthermore, in collaboration with the Ministry of Education, improve existing and build new activities for youth, professors, and teachers to maintain youth in developing political and media literacy. But specified building of competencies for a safe, inclusive, and youth-friendly school environment.

Review and improve specific activities that will provide special support for different marginalized groups, guaranteeing their rights to be respected. This process will include the Ministry of Labour and Social Welfare, the Ministry of Human and Minority Rights, and the Ministry of Justice.

Lastly, attention will be given to developing activities to strengthen the capacity of media to contribute to inclusion and resilience. (Akdag & Cingi, 2014) defined the strong impact that media has on forming personality and resilience. These activities will be conducted by the Ministry of Public Administration and the Ministry of Culture and Digital Media.



# SMART Balkans

Civil Society for Shared Society  
in the Western Balkans

[smartbalkansproject.org](http://smartbalkansproject.org)



Beogradski centar  
za ljudska prava



- Create an interdepartmental set of activities to enhance the health and well-being of youth

The aim is to improve the well-being and health of young people, particularly in addressing challenges related to health, mental health, and overall well-being. Youth services are again listed as a main mechanism providing support in mental health throughout different activities.

Formal education on all three levels (primary, secondary, and higher education), review, improve, and create specific and targeted activities for young people and teaching staff to support young people in maintaining mental health and functional behaviour.

The third task will be youth services and parental support in Health Care Centres and other institutions under the jurisdiction of the Ministry of Health, during these activities young people and parents will have support in dealing with challenges to mental and physical health, violence, and reducing harm in cases of risky behaviour and addiction.

Prevention of violence and online safety will be the task of the Ministry of Labor and Social Welfare, the Ministry of Internal Affairs, and the Ministry of Public Administration. The final goal is to prevent all forms of violence.

- Create an interdepartmental set of activities for quality leisure time and the development of youth creativity

For a better position of young people in society, have to make sure they have opportunities for quality use of free time and the development of creativity and sports habits among them. Also, to design an intersectional set of activities for the quality use of free time and the development of youth creativity if and where necessary,

Youth services should provide different sorts of activities for young people such as sports events or educational opportunities that will give them a chance to develop new competencies and focus on fields such as sports, culture, and reactivation.

The Ministry of Culture and Media has a task to motivate and support cultural centres and other institutions to create content and activities interesting and useful for young people.

Sports clubs and other institutions under the jurisdiction of the Ministry of Sports and Youth, review, improve, and build specific and targeted activities to support young people. These activities aim to include young people in healthy and useful ways of spending time.

The educational system has an important role in creating and supporting young people in finding hobbies, developing creativity, and promoting the content they create.

During this process, it's important to highlight the role of NGOs in Montenegro. The programs they created, developed, and applied all over the Montenegrin Youth services gave young people hope and motivation throughout transitory periods.

Conclusion: Juvenile delinquency is influenced by various factors, family environment, socioeconomic disadvantages, marginalized groups, and educational systems, social media, and internet. Key factors suggested family dynamics, peer influence, economic instability, and exposure to dysfunctional neighbourhoods. Social learning theories suggest that children imitate behaviours observed in their immediate environment, reinforcing the role of family, peers, and media in shaping delinquent behaviour. To combat this, resilience-building strategies are essential, focusing on strengthening family support, enhancing educational opportunities, promoting mental health, and providing constructive outlets for youth creativity and engagement. Comprehensive, interdepartmental efforts are crucial to fostering a supportive environment that steers young people away from criminal activities and towards positive societal contributions.

### **3. Legal framework at international and national levels**

**3.1. International conventions** establish the legal framework ensuring that the rights and well-being of young people are protected even when they are involved in criminal activities.

The **United Nations Convention on the Rights of the Child (CRC), 1989** based on (article 37) prohibits torture, cruel, inhuman, or degrading treatment or punishment. It also mandates that the arrest, detention, or imprisonment of a child must be used only as a last resort and for the shortest appropriate period. Moreover, recognizes the right of every child alleged or accused of having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth (article 40).

**United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), 1985** highlighted two main rules:

- Rule 1: Emphasizes the need for a separate juvenile justice system distinct from the adult criminal justice system.
- Rule 5: Focuses on the well-being of the juvenile and their rehabilitation, aiming to avoid stigmatization.

**United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), 1990** refers to key provisions:



SMART  
Balkans

Civil Society for Shared Society  
in the Western Balkans

[smartbalkansproject.org](http://smartbalkansproject.org)



Beogradski centar  
za ljudska prava



- Guideline 1: Encourages the development of conditions that reduce the need for juvenile involvement in criminal activities.
- Guideline 5: Promotes the involvement of community and social institutions in preventing juvenile delinquency.

**United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules), 1990** defined:

- Rule 1: Ensures that juveniles deprived of their liberty are treated with humanity and respect for their inherent dignity.
- Rule 2: Calls for the separation of juveniles from adults in all detention facilities.

**International Covenant on Civil and Political Rights (ICCPR), 1966**, mandates that accused juvenile persons shall be separated from adults and brought as speedily as possible for adjudication (Article 10) and Ensures that juvenile procedures consider their age and the desirability of promoting their rehabilitation (Article 14).

Reviewed National conventions and guidelines from legal frameworks intended to protect the rights of young people involved in crime, highlighting the importance of rehabilitation, offering and guaranteeing fair treatment, and human rights protection during treatment. Implementation of the rules and guidelines proposed by International conventions are essential while accomplishing final goal align juvenile justice system on one side and international human rights on the other side.

**3.2 The Constitution of Montenegro** defined several provisions ensuring that protection, rehabilitation, and treatments are regulated by human rights in the juvenile system. Relevant constitutional articles of the Constitution of Montenegro imply that children shall enjoy special protection. The state shall take care of children without parental care and children with disabilities (article 74) as part of the right to additional protection and care. Furthermore, the state shall create conditions conducive to a healthy upbringing and full development of children and youth (article 75). Also, it stated in (article 75) right to education and development that the state shall create conditions conducive to a healthy upbringing and full development of children and youth which can represent a way to prevent juvenile delinquency by ensuring quality and safe development and education for every child. Prohibition of torture and inhumane treatment according to (article 28) specifies that no one shall be subjected to torture, inhumane or degrading treatment or punishment. Protecting young people from torture and inhumane treatment gives them the possibility for the right to a fair trial that allows everyone to be entitled to a fair and public trial within a reasonable time before an independent and impartial tribunal is established by law (article 32). Protection of Personal Liberty confirms that everyone has the right to personal liberty and security. Deprivation of liberty is permitted only for reasons and

in a procedure prescribed by law (Article 29). The article highlights the importance of lawful procedures in cases involving minors, as in the previous article.

### **3.3. Criminal Code of Montenegro**

The Criminal Code of Montenegro précises specific provisions for dealing with youth illegal activities, firstly underlining appropriate legal procedures, then rehabilitation and education. Following legal regulations (article 14) defines minors as individuals who have not reached 18 years of age therefore those individuals need to have specific protection, treatment, and procedures within the criminal justice system. Furthermore, (article 85) states that minors are criminally responsible if, at the time of committing a crime, they were at least 14 years old. The type of sanctions is important for an overview as (article 86) lists possible sanctions for minors, which include fines, juvenile detentions, and educational methods. Moreover, increased supervision, obligatory community service, inclusion in educational institution treatment and support, choosing rehabilitation rather than punishment, and sanctions (article 87). Lastly, (article 88) identifies the circumstance and duration for juvenile detention suggesting that detention should be required only when no other measures such as those mentioned in Article 87 are not applicable. Procedures for juvenile offenders are described in Article 92, suggesting while minors for criminal activities specialized juvenile judges or panels with experience should be included, while Article 93 demands that the privacy of minors must be protected throughout the trial and legal process. The procedure also requires the involvement of social service and support as well as educational experts with a goal of making the decision that is in the best interest of the minor (article 94).

Finally, The Criminal code of Montenegro defines special provisions when it comes to detention, emphasizing that minors should be detained and processed separately from the adults (article 95).

Overviewing of the articles and their suggestions in the Montenegrin legislative brings to main points rehabilitation, treatment and social support and care to be systematically available to young people in the process of choosing a legal or illegal pathway.

### **3.4. Family law of Montenegro**

The Family Law of Montenegro contains several provisions that indirectly impact the legal framework for addressing youth criminal activities.

Key principles (article 59, article 60, and article 61) based on parental responsibility for children and care state that parents primarily have responsibility for the healthy development and upbringing of the child. Further, it underlines three important needs of the child that should



be fulfilled and provide emotional, physical, and educational safety. Also, it requires that parents must be interested in all aspects of a healthy upbringing.

These articles underline the importance of parental responsibility in preventing youth criminal activities by ensuring a supportive and nurturing environment for children.

Protection of children's rights ensures that children's rights should be respected and well-being priorities. These regulations are specified in the following articles, where article 68 refers to the right of every child to be protected from abuse, neglect, and exploitation. Children have the right to express their opinions when it comes to the matters that affect them, according to their age and maturity (article 69). Moreover, public authorities must take all legal measures to ensure that children are protected from all forms of violence, exploitation, neglect, and abuse. These requirements protect children from the conditions that may lead to delinquent behaviour, and if these regulations are applied, prevention is guaranteed.

Measure for the protection of the children is well-defined (articles 76, 77, 78). Firstly, (article 76) allows the removal of a child from the primary family if the child is at risk of neglect. Article 77 states that foster care or residential institutions must be provided for children if it's necessary guaranteeing a safe environment and healthy upbringing. Lastly, article 78 suggests that during alternative care, foster or institutional care, children must have appropriate education and support. Again, the children at risk of criminal behaviour because of family circumstances are protected and supported with proper care to diminish that risk.

Special Provisions for Children in Conflict with the Law (Articles 81-85) focus on the rehabilitation and reintegration of children into society, rather than punishment. Article 81 obliges that the treatment promotes a sense of dignity and worth of children involved in criminal activities and conflicts with the law. Article 82 highlights rehabilitation and reintegration, taking into account the age and circumstances of children in conflict with the law. It specified that children should be detained if it is the last option, separated from adults for the shortest possible duration (article 83). Involvement of social services, psychological support, and educational facilities is mandatory for juveniles involved in criminal activities (article 84).

### **3.5. Law on children in the conflict with the law in Montenegro**

The legal framework for addressing youth criminal activities in Montenegro is established through the Law on the Treatment of Minors in Criminal Proceedings (often referred to as the Law on Juvenile Justice). This law provides a comprehensive approach to dealing with minors in conflict with the law, emphasizing their protection, rehabilitation, and reintegration into society. Key Provisions from the Law on the Treatment of Minors in Criminal Proceedings are:



# SMART Balkans

Civil Society for Shared Society  
in the Western Balkans

[smartbalkansproject.org](http://smartbalkansproject.org)



Beogradski centar  
za ljudska prava



1. General principles (articles 1- 5), define the purpose of the law as a regulation that ensures appropriate development and social reintegration of minors who have committed crimes. The principles guiding the treatment of minors as well, underline protection of dignity, including the best interest of the child. Article 3 specified that the law applies to minors 14-18 years, referring children under 14 years are not criminally responsible. In article 4 the importance of individualizing the approach to each minor based on their specific circumstances and needs is underlined. Further article 5 obliges every action must aim at the minor's rehabilitation and reintegration.

2. Procedural Safeguards (Articles 6-15) ensure that minors are informed of their rights proper to their age and understanding (article 6), it's required by the article 7 presence of parents, guardians, or legal representatives throughout the proceedings. Also, in Article 8, the right to legal counsel for minors is the proceedings. Article 9 protects the privacy of minors by conducting proceedings in closed sessions. The detention of minors should be used only as a last resort and for the shortest appropriate period (article 10). Furthermore, detained minors must be held separately from adults (article 11). Social services and educational experts support children through the process (article 12).

### 3. Sanctions and Educational Measures (Articles 16-30)

Lists the possible sanctions for minors, including educational measures, juvenile detention, and fines (article 16). Article 17 detailed different measures, increased supervision, and community service, participation in educational programs. By Article 18, conditions for imposing juvenile detention specified, underlining it should be used only when the other measures are insufficient. (Article 19) focusing on rehabilitation which means allowing for conditional release and probation. According to Article 20, any sanctions imposed should aim at the minor's rehabilitation and reintegration into society.

### 4. Execution of Sanctions (Articles 31-40)

Article 31: Describes the procedures for applying educational measures, guaranteeing they support the minor's development, while article 32 summarizes the conditions and procedures for juvenile detention with a focus on appropriate care and educational opportunities. Lastly, article 33 highlights the need for continuous assessment and modification of measures based on the minor's progress.

### 5. Special Provisions (Articles 41-50)

This part of the law, focused on the establishment of specialized juvenile courts and trained people, and experts to handle juvenile cases (article 42) further emphasizes the importance of preventing juvenile delinquency through social and educational measures (article 42) and

mandates training for professionals involved in juvenile justice, which will ensure they are prepared to handle case involved minors (article 43).

### 3.6. Law on social and children protection in Montenegro

In Montenegro, the Law on Social and Child Protection provides a crucial legal framework for addressing youth criminal activities. The law underlines the prevention, protection, and rehabilitation of children in conflict with the law.

1. Protection of Children's Rights is described in articles 1-5, where article 1 establishes that the purpose of the law is to protect children's rights and ensure their well-being, article 2 specifies principles such as respect for children's opinion, non-discrimination focusing on the best interest of the child. Actions to promote children's physical, mental, and social development are mandatory (article 3). Article 4: Assigns tasks to state bodies, local self-governments, and organizations for applying child protection measures, and article 5 selects child protection over their interests. Children's rights must be protected in the criminal justice system.

2. Preventive measures accent primarily on education, then awareness-raising and family support (article 6), and Article 7 outlined the role of social services in preventing child neglect, exploitation, and abuse. Article 8: Establishes programs to prevent juvenile delinquency and promote positive child development. Further, article 9 requires cooperation among institutions, communities, and organizations to implement preventive measures efficiently, and in article 10 preventive measures are customized to each child's special, individual needs.

3. The support and rehabilitation part based on the following articles provides support services such as educational assistants for children with disabilities and counselling (article 11) and ensures rehabilitation and reintegration services for children involved in criminal activities (article 12). Furthermore, article 13 regulates placements in alternative care, such as foster care and residential institutions, article 14 regulates educational part and professional training to facilitate social integration, and article 15 in alternative care situations monitors and supports children. Rewired provisions aim to rehabilitate young people in a conflict and to help them to reintegrate into society.

Finally, its coordination and monitoring are explained in articles 16 – 20, where article 16 regulates mechanisms to coordinate child protection across sectors and levels of government, article 17 outlines roles and responsibilities for monitoring and evaluating measures for child protection. Regular reports and reviews of child protection activities are required (article 18), compliance with national laws and international standards, including the Convention on the

Rights of the Child is regulated by article 19 and article 20 suggests children's participation in decisions affecting them.

#### **4. Institutional framework**

After the presentation of the legal framework, it is highly important to present the institutional framework and its roles in the prevention of the involvement of children in criminal activities, children's rights, and the rehabilitation process of children and young ones involved in criminal activities.

##### Key Institutions Involved in Addressing Youth Criminal Activities

#### **4.1. Ministry of Justice**

The Ministry of Justice has a different administrative function in the state. That includes the organization and work of courts and state prosecutors' offices. Further, supervision of criminal legislation, laws governing obligations, family, and inheritance relations, judicial procedures, misconduct procedures, and legal help is also the responsibility of the Ministry. Moreover, the implementation of prison sentences and additional criminal sanctions as specified by law and managing other duties assigned to it by relevant regulations are under the supervision as well (Government of Montenegro, <https://www.gov.me/en/ministry-of-justice>).

Report on the Work and Status in the Administrative Areas of the Ministry of Justice for 2023 reported that the ministry issued 103 second-instance decisions in response to appeals against the first-instance decisions, 88 petitions for clemency, 36 cases concerning claims for compensation due to wrongful deprivation of liberty. Further, the ministry ruled 8 case requests for the suspension of imprisonment.

Data further refers to 124 cases of community service sentences forwarded for execution, 175 cases directed to serve their sentences, 210 cases of sentences of imprisonment were ordered to be served in the locations where the convicted individuals reside, 253 cases where convicted individuals were directed to serve their sentences (including cases received in 2023 and earlier). 1 case involved a conditional sentence with protective supervision, 35 cases involving security measures prohibiting proximity, with proceedings still underway, 3 of conditional release with obligations imposed on the released individuals, and supervision of these conditionally released individuals has been completed.

On June 22, 2023, the Government of Montenegro approved the Strategy for the Execution of Criminal Sanctions 2023-2026 and the Action Plan for the 2023-2024 period. The main goal is to develop a functional and sustainable sanction system through a coordinated approach. Moreover, it refers that through this method accent is on respecting the rights of convicted individuals ensuing enforcement of national and international standards in everyday work.



Four main points are: enhancing prevention and protection against abuse upholding human rights, improving the capacities of the institutions primarily Administration for the Execution of Criminal Sanctions furthermore one of the points of increasing the institutional capacities of the Directorate of Conditional Release, helping the rehabilitation process of imprisoned individuals.

#### **4.2. Institute for Execution of Criminal Sanctions**

This institution has an important role and responsibility for implementing different tasks related to enforcing criminal penalties. Tasks include executing prison sentences, long-term imprisonment, and juvenile detention; enforcing security measures as mandated by law; implementing educational measures that require placement in institutional facilities; carrying out imprisonment sentences imposed through offence proceedings; and ensuring the attendance of the accused in criminal proceedings through detention. The Ministry of Justice supervises the lawfulness and relevance of actions as well as other activities applied by The Administration for the Execution of Criminal Sanctions according to ("Official Gazette of Montenegro," Nos. 98/2023, 102/2023, and 113/2023).

Organizational units include the official government site: Security Sector, Prison for Long Sentences, Podgorica Detention Center, Prison for Short Sentences, Bijelo Polje Prison, Treatment Department, Health Care Sector, Sector for Vocational Training and Inmate Work, Sector for vocational training and inmate work, Sector for Professional Training and Development of Officers, Information and Communication Technology and Data Security Service, Personnel, Office, and General Affairs Service, Financial Affairs and Public Procurement Service (Government of Montenegro, <https://www.gov.me/uprava-za-izvršenje-krivicih-sankcija>)

The report on the work and situation in areas under the jurisdiction of the Institution for the Execution of Criminal Sanctions for the year 2023 in all units on the day 31.12.2023 have a total of 1046 individuals. Prison for long sentences has 438 total, 818 men and 16 women, 3 male minors, and 1 for a Placement in an institution of a correctional type. Pre-trial unit in Podgorica had 421 men, 19 women, and 1 minor. The unit for short sentences has 63 men. Prison Bijelo Polje 105 individuals all men, were 64 are detained and 41 sentenced.

When it comes to juvenile collaboration between the Centres for Social Work, court expert services especially when juveniles are sentenced to educational measures, are placed in institutions with educational facilities.

In the Juvenile Department, 2 minors serving juvenile detention sentences, and 1 minor is under educational measures involving placement in an institutional facility. Treatment of minors in the institutions includes counselling sessions and work engagement, education, and sports activities, and psychological and creative workshops. In terms of work, juveniles have defined

tasks. Also, support while preparing for school exams and engaging in sports, gym, physical exercise, football, basketball, and tennis. Psychological, creative activities, and occupational therapy aim to help juveniles develop social skills and abilities, creativity, and understanding of risky behaviours especially related to criminal activities. Possibly the convicted have the right to work and the mentioned treatments impact the socialization process.

### **4.3. Expert services in the Prosecutors office and Expert services in the Court**

By the Law on the Treatment of Juveniles in Criminal Proceedings ("Official Gazette of Montenegro," No. 64/2011) since September 1, 2012, and the Law on Amendments to the Law on the Treatment of Juveniles in Criminal Proceedings ("Official Gazette of Montenegro," No. 1/18) from January 4, 2018, the Institute of Professional Services was established.

Reform in the judicial system improved the respect for children's rights and the treatment of children in criminal proceedings. Professional services participate and collaborate with judicial bodies in cases where juveniles and children are involved as participants. Experts such as social workers, psychologists, and special educators, are part of the team.

The role of the Professional Service in the Prosecutor's Office is to assist the state prosecutor for juveniles in interviewing procedure of victims and witnesses, provide evaluations and reports on the ability of juveniles to participate in criminal procedure and recommend appropriate methods for questioning children in different types of cases. The role of the Expert service in the court is to support judges by preparing juveniles for repeating the requesting process, giving opinions on the children's ability to be questioned again in the court and participating in cases involving juvenile offenders and criminal cases against adult offenders (UNICEF, Guidelines for expert services, 2020).

#### **4.3.1. Records of Imposed Alternative Measures**

Record by the Experts Service of the Supreme Prosecutor's Office from 2019 to 2023 refers to data on the application of alternative measures imposed on juveniles by the State Prosecutors Offices. Alternative Measures, Total (State Prosecutor's Offices and Security Departments): Total number is 198:

- Warnings: total number 75, were are 67 males, 8 female, the age range for both genders is from 14 to 17 years.
- Educational Orders: The total number is 93, 79 males and 14 females, from 14 to 17 years old.
- 

Alternative Measures, Only State Prosecutor's Offices: Total number is 112:

- Warnings: Total number 63, 57 are males and 6 are female, the 47 age range for both genders is from 14 to 17 years
- Educational Orders: Total number 49, where 47 are male from 14 – 17 years

#### **4.4. The Ministry of Social Welfare, Family Care, and Demography**

The Ministry handles the administration and development of actions in social and child protection, family support, pension and disability insurance, and veterans' care. It partners with local government agencies, NGOs, UN agencies, and other international institutions to enhance services in municipalities. The Ministry also focuses on advancing demographic policies, coordinating national regulations with EU standards, overseeing administrative practices in its jurisdiction, and fulfilling other responsibilities (Government of Montenegro, <https://www.gov.me/en/ministry-of-social-welfare>)

##### **4.4.1 Centres for Social Work**

Centres for Social Work are crucial in the social and child protection system. They represent public institutions that determine the rights in the area of social and child protection and resolve other tasks by public authorities including the role of guardianship figures. Other responsibilities of the Centres for Social Work are measuring conditions, needs, risks, and strengths of the individuals, children, and families. Evaluation of guardians, foster, and adoptive families is also the task of the employees in the institutions. In the first instance, the application for using facilities based on social and child protection laws needs to be developed and monitored by individual plans for service application (IDEAS, 2019).

##### **4.4.2. The Institute for Social and Child Protection**

The Institute is focused on consultative, research and labour in social and child protection. The main tasks include monitoring professionals and services in social and child protection institutions supervision support to improve professional work and service, and licensing professional workers. Handle tasks related to accrediting training and service provision programs for professional development. Adopt a Code of Ethics for employees in social and child protection. Research social issues, prepare analyses, and propose improvements. Develop and coordinate quality systems and service standards in social and child protection. The Institute has a part in creating strategies, laws, and regulations, organising education, and informing the public about social and child protection (Government of Montenegro, <https://ideas.org/reports/montenegro-social-child-protection>)

The Institute for Social and Child Protection has 20 systematised positions, with 19 employees. In the Department for Development and Professional Support are six employees according to the data given by the head of the Department Dragana Pešić.

In the draft Strategy for Social and Child Protection Development from 2024 to 2028 it's reported that the Institute for Social and Child Protection accredited 132 training programs, 250 its number of implemented accredited programs, number of issued certificates 5000 and licences 871.

#### **4.4.3. Centre for Children and Youth "Ljubović"**

The Public Institution Center "Ljubović" is a social and child protection institution that provides non-institutional protection for children with behavioural problems for a period ranging from 6 months to 2 years. Care, education and rehabilitation are provided for male and female children till the age of eighteen. The treatment is available for Montenegrin and foreign nationals. The stay aims to help children and adults to improve their quality of life. Professional staff uses a well-designed and targeted educational program, which is modified for the different needs of every resident. Also, these programs are important in developing life skills, and social and personal responsibility with an accent on socially accepted behaviours.

Staff from the Centre collaborates with schools, NGOs, and legal entities, but this collaboration is often informal and reliant on personal effort. There is a need to formalize these partnerships, particularly in healthcare. As an open institution, one challenge is children leaving without permission, leading to public and parental criticism (IDEAS, 2019). In the context of open institutions, such as, Centre "Ljubović" a significant challenge is ensuring the safety of children while maintaining an open and welcoming environment. When children leave these premises without permission, it can create serious concerns. These unauthorized departures expose children to potential risks, such as encountering unsafe situations.

The institution often faces a difficult balance between maintaining an open environment and ensuring security. When a child leaves without permission, it may lead to public criticism from community members who may question the institution's ability to provide a safe space. On the other side is parental criticism often arises, as parents expect their children to be safe under the institution's care. This can lead to loss of trust, and increased control checking from both the public and regulatory bodies. This is not a challenge just for Centre "Ljubović" but a broader challenge institutions face, particularly as they try to uphold principles of openness while ensuring the safety and well-being of the children in their care (IDEAS, 2019).

#### **4.5.4. Public Institution "Mladost" Children's Home**

The public institution Children's Home "Mladost" in Bijela was established for the care of children who are deprived of parental care and those whose development is hindered by challenging family circumstances. It is the only institution of its kind in Montenegro. Given its location and the essential services it provides, this institution holds a very important place in Montenegrin society. Ensuring its proper functioning and its ability to meet the numerous and



serious demands placed upon it is of tremendous importance for the entire community. (Government of Montenegro, <https://www.gov.me/mpa>)

#### **4.5.5. Ministry of Education, Science and Innovation**

The Ministry of Education, Science, and Innovation of Montenegro's duty is to ensure quality education, scientific development, and technological progression in the country. Key roles include providing quality education for all citizens, continuous professional development of educational staff, and continually improving learning programs. The Ministry also focuses on investing in school infrastructure, supporting publishing activities, and maintaining the daily functioning of the educational system.

Support of families and parents starts in preschool where teachers organise parenting programmes with a willingness to decrease violence against the children. These programs are promoted and supported by UNICEF Montenegro. Because of the increase in bullying cases in elementary schools it is suggested that schools' professional services should have more professionals, there is the possibility of engaging three professionals in schools with over 1400 children. Also, it recognised the need for assistance in preventing violence and vandalism in schools. The phone number for reporting violence in the school 080 777 777 is active. The Ministry issues approvals for the carrying out of workshops, projects, and other activities related to violence prevention, develops educational programs and initiatives to prevent school dropout and foster positive youth development, facilitates the reintegration of juvenile offenders into educational settings after detention, and promotes awareness and education on legal rights and responsibilities among youth.

#### **4.5.6. Ministry of Internal Affairs**

The Ministry of Internal Affairs is responsible for issuing official documents, managing citizenship processes, and ensuring the rights of foreigners and stateless persons. Security and Law Enforcement tasks including, overseeing police operations, preventing money laundering and terrorism financing, and coordinating integrated border management, including the Schengen Action Plan and protection and rescue as conducting internal control, and managing protection and rescue operations to safeguard people, property, and citizens' freedoms and rights (Government of Montenegro, <https://www.gov.me/mpa>)

The Group for Search Operations and the Prevention of Juvenile Delinquency and Domestic Violence had three main tasks, search operations, monitoring and collaboration and Crime Prevention and Investigation.

**According to the report** on the work and status in the administrative areas under the jurisdiction of the Ministry of Internal Affairs, including the organizational unit of the Ministry responsible for police duties for the year 2023 focusing on children and young involved in criminal activities report data from 2019 to 2023. Where in 2023, data indicates that 413 criminal offences were committed by 351 minors, reflecting a 14.7% increase in the number of minors involved in criminal activities compared to the previous year, which recorded 335 offences by 306 minors. Amongst all reported criminal offences 7, 2% are minors, 215 older minors, 123 younger minors and 13 children. Moreover, 93, 1 % and 19.6% were already prosecuted because of criminal activities. Also, 48% of all criminal activities happened in Podgorica. Minors committed 74 offences against life and body, 56 against public order, 14 drug-related offences, 11 against human and civil rights, 7 traffic offences, 5 against marriage and family, 4 each against public safety and state authorities, 3 against general safety, and 3 against sexual freedom.

Reported data by years shows 319 minors involved in criminal activities in 2019, decreasing in 2020, to 346, and after that in 2021 slightly increased to 354 minors included in criminal activities and again 2022 shows the decrease in number to 306 and in 2023 total number is 351.

#### **4.5.7. Ministry of Health**

The Ministry plans and provides healthcare services funded by public profits. The main tasks are establishing and shaping healthcare institutions, and setting standards for space, staff, and equipment. It supervises the training of healthcare workers, infectious disease control, and the production and distribution of medicines, and medical devices. The Ministry also regulates narcotics, manages medical waste, coordinates drug policy, and ensures compliance with EU regulations. Additionally, it handles international cooperation, administrative and misdemeanour procedures, and supervises relevant sectors, along with other assigned duties (Government of Montenegro, <https://www.gov.me/mzd>)

Primary Health Care Centres including Youth Counselling groups and individual provides prevention in collaboration with the Professional Service of the Supreme State Prosecutor's Office, working on psychological support to the young person who committed a crime. But before punishment, there is an opportunity for rehabilitation and psychological support.

The primary purpose of youth counselling centres is to teach life skills and to develop a system of values and attitudes that prevent risky behaviours of young people, and to help young people develop healthy attitudes and behaviours. It is crucial to provide them with timely and comprehensive information.

**According to the Report on Mapping Youth Counselling Centres at Health Centres in Montenegro**, published in 2017 by the NGO Juventas, youth counselling centres address various topics, including general health, adolescents' development, and mental health,



prevention of substance abuse and risky behaviours, sexual and reproductive health education, including contraception, family planning, and STI prevention, pedagogical and psychological support for issues like learning difficulties, peer communication, and career guidance, advisory support for families and promoting healthy lifestyles. The centres aim to promote healthy behaviours, change harmful ones, and create an environment for youth to develop their potential. They use methods like individual and group sessions, school lectures, and community events.

#### **4.5.8. The Ministry of Human and Minority Rights**

The Ministry of Human and Minority Rights is tasked with safeguarding and advancing human rights and freedoms, ensuring the rights of minority groups and other national communities, combating discrimination, promoting gender equality, fostering interethnic tolerance in Montenegro, encouraging intercultural dialogue, and strengthening coexistence (Government of Montenegro, <https://www.gov.me/mpa>).

#### **4.5.9. NGO Organizations**

Non-governmental organisations represent the voice of citizens and play a vital role in Montenegro's socio-economic development. Identifying their significance, the Government of Montenegro views NGOs as key partners in driving reforms and advancing societal progress.

NGOs contribute their expertise and knowledge by actively participating in policy-making processes. They engage in consultations with in-laws and strategies preparation. An important role is strengthening democratic development by improving citizens' access to information on state governance and public funds, facilitating communication between the public and administration, and ensuring government accountability. They actively contribute to public policy creation, monitor and advocate for policy changes, inform citizens about EU integration, oversee public administration reform, and offer valuable ideas to enhance reform efforts. Additionally, NGOs advocate for better working conditions and the expansion of civic space (Government of Montenegro, <https://www.gov.me/mpa>)

The following NGOs are prominent in working with children and youth exhibiting socially maladaptive behaviour in Montenegro: NGO Juventas, Parents Association, and Center for Roma Initiatives, SOS Nikšić, SOS Podgorica, National Association of Parents of Children and Youth with Developmental Disabilities, Defendology, Center for Women's Rights, and the Center for Children's Rights of Montenegro...

### **5. Mapping of existing services for children and youth in conflict with the law**

For a better understanding of the capacities and resources of the system when it comes to children and young in conflict with the law mapping existing services is the first step in

improving the process. The following text focuses on identifying, analysing, and evaluating licenced services from child and social protection and health care services, including public institutions and civil society organizations. These services have activities aimed at prevention, intervention, and rehabilitation.

### 5.1. Centres for Social Work

*Analysis of the Work of Social Work Centres in 2019*, stated there are 13 Centres for Social Work in Montenegro. There are 12 branch units, covering 25 municipalities. At the end of 2023, the centres for social work employed 1,172 workers. Recently, Montenegro implemented reforms in the social and child protection system, leading to changes in the organisation of the centres. Interviewed workers reported reforms increase responsibilities and beneficiaries numbers, that is confirmed through the official reports. Only 72 employees do case management, which brings lots of challenges, workload for social workers varies, ranging from 1 per 591 residents to 1 per 8,047 residents (Government of Montenegro, <https://www.csrg.me/>)

The data in the analysis of the need for establishing support services for children with behavioural problems from 2023 indicates that counselling services within social work centres were the most commonly used. Although, that is not the official service of Centres. There were also many recommendations to healthcare institutions for psychiatric diagnosis, treatment, and psychological support.

It is stated that apart from counselling, minors were referred to these types of services: placement at the Centre "Ljubović", healthcare system services, **Community Living Support** (home assistance, daycare), **emergency Intervention** and Psychotherapy and counselling (with 3 referrals).

The highest number of children with behavioural problems - 480 cases was registered in the Social Work Centre Podgorica (including the branch units in Golubovci and Tuzi), and after that 103 minors in Bar and Ulcinj.

### 5.2. Centre for Children and Youth "Ljubović"

License for conducting social and child protection activities. It is for the service of institutional accommodation, The "Ljubović" Centre is a facility for housing children in conflict with the law, providing care under an educational measure that lasts from six months to two years.

Data from December 2022 referred to 24 children who stayed in the Centre, 8 girls and 16 boys. Five children were under 15 years old, and three were over 18 years old. Important to



mention is that 6 of them were sent by the court order and 18 by the centres for social work (Report for Ombudsmans office, 2023)

At the end of 2023, the Centre had 18 residents, 13 were children, 10 boys and 3 girls. Moreover, there were 5 young people till the age of eighteen, 4 boys and a girl. (Strategy for development system social and child protection 2024-2028., draft).

The Centre uses an individualised approach, offering complete care, education, occupational training, and supervision. Besides that, there is a need for additional support and formalisation in vocational training. Some of these children need psychiatric diagnosis and treatment which is possible through collaboration with psychiatrists from the Clinical Centre of Montenegro. Also, the Centre provides psychotherapy for the children in the Centre for Children's Rights.

In addition to housing, the "Ljubović" Centre offers a day-care service, aimed as a preventive measure for the children at risk of exclusion. It's intended for school children with problems with studying, children with social and emotional challenges and children coming from dysfunctional families. The service currently accommodates 9 beneficiaries, with a license for up to 10. Content of the service includes support with studying, practice to concentrate, developing new skills (emotional and social), resolving conflict skills, and communicational skills. This programme is organised through creative workshops, including group meetings, sports activities and one meal. Also, parents have counselling sessions with parents and collaborate with schools and centres for social work (Institute for Child and Social Protection, "Analysis of the Need for Establishing Support Services for Children with Behavioural Problems", 2023).

### 5.3. NGO Juventas

NGO Juventas provides licensed services, counselling and a range of socio-educational, economic empowerment, referral, and community access services. These services include different groups of beneficiaries, children, and young people who use alcohol, drugs, or other substances, and are available throughout Montenegro.

Juventas runs the Direct Support Program for persons at risk of social exclusion and the socially excluded. The program proposes confidential, informed, and professional support, including peer assistance to its target groups. Key activities include assessing needs, offering high-quality, culturally and gender-sensitive services, empowering clients to manage their well-being, and enhancing their social skills and capacities for life in communities. The program continuously improves support services based on the evolving needs of the communities it serves. (Juventas, 2019)

Juventas provides daily support to people who use drugs, sex workers, prisoners, and the LGBTIQ community. These services are delivered in the community and through three specific



drop-in centres. The program also supports at-risk children and youth, as well as adults, including migrants, displaced persons, refugees, asylum seekers, and members of the Roma and Egyptian (RE) community in Montenegro.

The program has two main departments:

- A department focused on individuals who use/inject drugs, sex workers, prisoners, and former prisoners.
- A department dedicated to working with the GMT community, which includes gay men, men who have sex with men, and transgender individuals (Juventas, <https://juventas.me/en/>)

#### **5.4. The NGO Centre for Security, Sociological, and Criminological Research of Montenegro "Defendology"**

The NGO "**Defendology**" is a licensed centre for security, sociological, and criminological research in Montenegro, and offers Day care services for children and families, specifically targeting children living and working on the streets. The Day-care Centre aims to protect and fulfil the rights of children exposed to labour exploitation, violence, or other forms of exploitation, as well as those at risk of social exclusion.

Day Care Centre provides meals, clothes, laundry services, school supplies, and workshops where children learn different skills, manners, hygiene, school tasks, and creativity. Besides basic needs and educational support, workshops and support for parents are available as well as psychological help for both children and parents. The service also offers legal assistance and mediation between families and institutions.

These services are provided to children living on the streets at risk of criminal activities. Those are mainly children from the Roma and Egyptian (RE) community, children with behavioural and learning challenges, and other vulnerable children in the municipality of Nikšić.

Based on data reported by Slavko Milić the founder of the NGO Centre for Security, Sociological, and Criminological Research of Montenegro "**Defendology**" there are **220 children of the organisation's services in 2024. Important to mention is that those children are divided into direct ones who come every day and indirect ones who come every three months or rarely.**

#### **5.5. The NGO Centre for Children's Rights of Montenegro**

The primary goal is to develop the quality of life for children and young people throughout Montenegro by promoting and implementing programs that protect children's rights. The



Centre operates based on four core principles: the right to life, survival and development, non-discrimination, participation and the best interests of the child (Government of Montenegro, <https://www.cpdcg.me/>)

Guided by analysis and research of children's rights, the Centre developed community services to support vulnerable children at risk. Main initiatives include:

- Foster Care Club: Supporting foster parents and children in foster care.
- Supported Housing: Assisting young people transitioning between institutional lives and life outside of the institution
- Support Centre/Day Care: Providing care and support for children.

Services that the Centre applies are created in collaboration with social partners, Centres for Social Work, the Secretariat for Labour, Youth, and Social Welfare, schools, and the Red Cross. Services include different activities such as individual counselling sessions with a psychologist or social worker for children and parents, group counselling, psychosocial, creative, and educational workshops, learning support and therapy, observation and family support and early growth and development programs, family economic empowerment programs and providing snacks, transportation, and meeting basic hygiene needs.

Moreover, the NGO Centre for Children's rights offer counselling services specifically for children with behavioural issues in Podgorica, serving 8 beneficiaries according to the register. Based on the information on the official site of the organisation for 20 years of work has 10000 embraced children.

## **5.6. NGO "Family Centre" Kotor**

The NGO Family Centre is licensed to conduct social and child protection activities and counselling services. Through projects provide services of counselling, psychological individual sessions, marriage and family counselling, applying principles of systemic family therapy and psychosocial support. These services aim to prevent risks and dysfunctional behaviours. Preventive activities include:

1. Prevention of institutional care for children and youth.
2. Prevention of violence against women and children.
3. Preventive activities aimed at improving understanding of mental health and raising awareness of the importance of mental health as part of overall health.

The services aim to support families and help children at risk remain in primary families, to help the process of reintegration of children in the communities, support women and children victims of domestic violence, children without parental care and families and children in crisis



through the project of the Family Associate. Family Associate is a service that contains prevention actions and problem-solving activities for children and families living in dysfunctional environments according to the founder of NGO Family Centre Kotor. Though the project now is involved 42 founder families are in the programme. Psychologists and social workers help those facing challenges. Service is available all over the country.

### 5.7. NGO "Impuls"

The NGO "Impuls" is a licensed provider of psychotherapeutic services for individuals, families and children, applying for both individual and group work. Also, offers psychological counselling and crisis intervention services. The services are provided to children in conflict with the law as well as for children without parental care, children who are victims of abuse, neglect, domestic violence, and exploitation, and children who need an appropriate form of social protection. Services are available to beneficiaries in the municipalities of Nikšić and Podgorica.

### 5.8. The Red Cross of Montenegro (RCM)

This organisation provides community support through advisory, therapeutic, and socio-educational services. This includes a seniors' club, volunteer work, and assistance for children and youth in conflict with the law, socially vulnerable individuals, the Roma community, migrants, adults and elderly people with disabilities, adults in conflict with the law, and the homeless. The Red Cross of Montenegro consists of Red Cross organizations at the municipal level, a total of 23 organizations.

**5.9. NGO Iskra Berane** provides advisory, therapeutic, and socio-educational services. These services include counselling and therapy for children and youth in conflict with the law.

**5.10. The SOS line Plav for Women and Children Victims of Violence**, operated by an NGO, offers a range of community support, advisory, therapeutic, and socio-educational services. In their service, they include those in conflict with the law.

**5.11. CAZAS NGO** provides community support through advisory, therapeutic, and socio-educational services. Their offerings include a day care centre, counselling, therapy, an SOS line, and mediation. Amongst the targeted groups they have those in conflict with the law.

**5.12. The "Minja" Psychological Counselling Centre, an NGO**, offers advisory, therapeutic, and socio-educational services. Their counselling services are also aimed at those in conflict with the law.



**5.13. The "Don Bosko Center,"** an NGO, operates a youth centre and workshops. Their services focus on children in conflict with the law, street children, Roma children, and young people addicted to electronic devices such as phones and computers.

**5.14. The NGO Association for Social Security** is licensed to provide counselling services for children with behavioural issues. Based in Podgorica, currently serves eight clients, according to the data in the registry.

### **5.15. Services of Health Care System**

Health Care Centres provide psychological and psychiatric support. The Centre for Children with Special Needs at the Health Centre Podgorica offers primary healthcare for children aged 0 to 14, focusing on early detection and intervention for at-risk children. The Centre for Mental Health specialises in the prevention, diagnosis, and treatment of mental disorders, along with the socialisation and rehabilitation of young adults. Services are provided by a multidisciplinary team, including a psychiatrist, psychologist, social worker, and nurse. Mental health services are exclusively for adults, involving diagnosis based on the International Classification of Diseases and treatment through pharmacotherapy or psychotherapy.

Through collaboration with Expert service of State Prosecutor's Offices psychologists in Health Care Centres work on alternative measures. Juveniles and young ones have 12 sessions planned in six months after a social worker from the Centre for Social Work, a psychologist, an expert from the State Prosecutors office and parents make plans, work through them for 12 weeks and then evaluate and report. The report contains further recommendations, steps, and conclusions about the outcomes of counselling sessions and achievements working on certain issues. In Health Care Centre Bijelo Polje from June 2023 till April 2024 there have been two cases of therapy and counselling sessions.

Besides the primary health care Centre for Early Development, there is available support and psychological and psychiatric help for the children. Psychiatrists from this institution used to support children in Centre „Ljubovic“ reported through the interview with Marija Varajic from Centre „Ljubovic“.

The Special Psychiatric Hospital "Dobrota" in Kotor provides services through its Child and Adolescent Psychiatry Department, equipped to treat patients up to 18 years old. The clinic handles both regular and emergency consultations, and short-term observations for diagnostic purposes or to monitor the effects of pharmacotherapy. This service is available to children across Montenegro.

An important highlight is the Psychiatry Clinic at the Clinical Center of Montenegro. According to the official data from their website, the Clinic will comprise five departments: one for psychotic disorders, another for non-psychotic affective disorders and crisis situations,

a department for substance use and addiction disorders, as well as dedicated departments for child and adolescent psychiatry. Previously, children and adolescents had to be transferred to clinics in the region, making this new service a crucial and valuable resource for the youth of Montenegro. Official site of Clinical Center of Montenegro <https://www.kccg.me/klinike-i-centri/klinika-za-psihijatriju/6>. **Self-evaluation of the capacities and needs of the institutions and NGOs who work in improving youth resilience toward crime**

The survey highlights the diverse educational backgrounds and institutional roles of highly experienced professionals, including social work, psychology, law enforcement, and healthcare.

### 6.1 Participants in the survey/interview:

1. Biljana Pajovic, Director of the Centre for Social Work in Bar.
2. Dragana Pesic, The Institute for Child and Social Protection
3. Elmira Nurovic, the Centre for Social Work in Podgorica.
4. Marija Varajic, Centre for Children and Youth "Ljubović"
5. Mirjana Varagic, Director of Health Care in Bijelo Polje.
6. Slavko Milic, The NGO **Centre for Security, Sociological, and Criminological Research of Montenegro "Defendology**.
7. Snezana Nedovic Police Department Bijelo Polje
8. Dijana Popovic Gavranovic the State Prosecutor's Office
9. Tanja Sabolski NGO Family Center Kotor
10. Vanja Maskovic The Center for social work Bijelo Polje
11. Srdjan Sekulic, Institute for Execution of Criminal Sanctions

### 6.2. Current Professional Overview and Professional Requirement

Professionals from Centres from Social Works in Podgorica, Bar (branch Ulcinj) and Bijelo Polje provided data on the number of current professionals working with children in conflict with the law.

1. In the Centre for Social Work Bar, there are 1 psychologist (Coordinator of the Service), 3 social workers (Case managers), 1 pedagogue, and 1 work psychologist (Supervisor). The Branch in Ulcinj has 2 social workers and 1 psychologist (Case manager). Also, it is reported that there is a need for at least 1 more psychologist and 1 social worker.
2. Centre for Social Work in Podgorica has 3 psychologists and 10 social workers (including 3 part-time workers, each working 4 hours per day). It indicated in the survey that based on the amount of work it needed at least 2 more psychologists and 15 social workers.



SMART  
Balkans

Civil Society for Shared Society  
in the Western Balkans

[smartbalkansproject.org](http://smartbalkansproject.org)



Beogradski centar  
za ljudska prava



3. Data from the Centre for Social Work Bijelo Polje has 2 Psychologists (1 active, 1 on sick leave), 1 Special Pedagogue and 4 Social Workers and there is a necessity for 10 more case managers.

Based on data reported by the Head of Expert Service at the State Prosecutor's Office there are 3 professionals, 2 psychologists and 1 social worker working with children in conflict with the law. The required number of additional professionals is 16.

Psychologists from Center "**Ljubović**" stated that the current staffing of professionals working with children in conflict with the law are 2 psychologists, 4 special educators, 4 teachers, 4 social workers, 1 pedagogue and 1 speech therapist. At least 2 more psychologists are needed.

From Police Department Bijelo Polje data given by interview inspectors, shows that 4 inspectors are working with the children in conflict with the law, which justified needed for at least 4 more professionals.

In the Institute for the Execution of Criminal Sanctions based on data gathered through the interview professionals working with children in conflict with the law are 1 special pedagogue (Head of the Department), 1 criminologist, 1 coordinator, 1 psychiatrist, 4 nurses, 1 doctor and 1 physical education (PE) teacher. That institution listed the need for a psychologist.

Head of Health Care Centre Bijelo Polje reported that the human resources in this institution are 3 psychologists, 6 paediatricians, 2 psychiatrists, 1 social worker, 7 nurses, and 1 mediator. There is a need for 1 more psychologist and 1 social worker.

Data reported by founders of two NGOs shows the current state and needs:

- The NGO **Centre for Security, Sociological, and Criminological Research of Montenegro "Defendology"** current staffing of professionals working with children in conflict with the law is 1 teacher, 1 social worker, 1 psychiatrist, 1 coordinator, 1 mediator and 1 inspector. Desirable one more psychologist, teachers and social workers.
- NGO "Family Centre" Kotor has permanent professionals and project-based professionals. The permanent staff are 2 psychologists, 1 social worker and 1 speech therapist. Project-based staff currently includes 6 additional professionals. Involving extra staff depends on the needs and goals of projects.

The Institute for Child and Social Protection staff does not work directly with children and youth. The Institute organize the supervision of professionals, training and education. In the Department for Professional Affairs, there are 6 professionals: 2 psychologists, 1 special pedagogue, 1 social worker, 1 sociologist 1 philosophy. There is a highlighted need for experts in the research field.

### **6.3 Perception of the level of knowledge/ perception of the level of support**



# SMART Balkans

Civil Society for Shared Society  
in the Western Balkans

[smartbalkansproject.org](http://smartbalkansproject.org)



Beogradski centar  
za ljudska prava



When evaluating their level of knowledge and skills for working with children who have come into conflict with the law, the professionals surveyed provided the following insights:

- According to **Self-Evaluation**: seven surveyed professionals consider they **need more improvement** - expand the knowledge they already have with the additional specific specialisation in the fields of prevention, rehabilitation and treatment of children in conflict with the law. Three professionals rated their knowledge and skills as **excellent**. These individuals feel highly confident in their work with children in conflict with the law, based on their long experience. A **sufficient** level of work in this field listed by one professional suggests adequately prepared to handle responsibilities but still needs to improve. All the questions stated that they are knowledgeable about helping children and young people involved in criminal activities. Still, as the system continuously changing, ongoing education must be available to keep up with these changes.
- **Evaluation of Coworkers**: Eight professionals think their co-workers **need more improvement** in this field through training and education. Only one professional considered co-workers to have **excellent** stages of knowledge and skills, one felt that their co-workers possessed **a sufficient level** of knowledge and skills and one said that their skills were insufficient. All this implies space for improvement, training and education.

## Level of support.

Professionals are asked about the level of support they receive from their institution and colleagues, the surveyed professionals provided the following insights.

- Support from the Institution. Six professionals reported that they feel supported by their institution. Three professionals stated that they do not feel supported by their institution. Yet, most of the time, three professionals responded that they receive institutional support most of the time.
- Support from Colleagues. Five professionals in the survey stated they feel supported all the time by their colleagues, specifying a positive and collaborative work environment. Yes, most of the time four professionals reported feeling supported by their colleagues and sometimes yes and sometimes no expressed by two professionals.

The responses indicate that a majority of professionals feel supported by both their institution and colleagues, still, there are significant variations. During the interview highlight the importance of strengthening institutional support and ensuring a supportive working environment.

#### **6.4. Professionals identified important interpersonal skills and strengths in working with children in conflict with the law.**

**1. Personal skills.** Active and engaged listening, and communication skills. Empathy is important in connection with children understanding and feeling emotional and psychological site. Patience is referred to as one of the skills that help professionals with calmness and persistence, allowing for more effective and supportive interaction. Sensitivity for each case and circumstance and a caring approach to making children feel supported.

**2. Professional Expertise and Knowledge.** For the work in this field important is an understanding of the system, legal and social welfare. Practice working in the Centre for Social Work Child Social Work (CSW) and the Department for child protection. Education in Family Psychotherapy. This holistic approach is vital for long-term positive outcomes. Practice working as a Court expert.

**3. Collaborative and Strategic Skills.** Teamwork Readiness which means, effective teamwork ensures that all aspects of the child's needs are addressed. Good Collaboration with the State Prosecutor's Office referred to some of the questioned professionals. Equally, strength is identified communication with the local community (e.g., Roma Community).

**4. Personal Attributes. Confidence, authority, flexibility and persistence.**

The professionals working with children in conflict with the law identify a wide range of skills as vital to their work. Together, these skills create a tool that facilitates professionals to support children effectively.

#### **6.5. Challenges that professionals face every day during the work process:**

**1. Systematic challenges are a lack of services and effective solutions.** Negative public perception and lack of trust in centres for social work make connections between families, children and the community. Interaction among institutions is also seen as a challenge. Application of Law Regulations in the consistent and fair application of legal regulations can create problems and result in children not receiving the appropriate legal protection. Lack of specific education in the prevention, rehabilitation, and treatment of children is included in criminal activities. Financial insecurity that NGOs face. Often a perceived or real lack of prioritising for issues related to children in conflict with the law within the broader system.

**2. Organizational Challenges.** Lack of institutional support. Overloaded with number of cases often mentioned when speaking about centres for social work. Pressing of responsibilities on one person: In some cases, too many responsibilities are placed on a single professional, leading to an overwhelming workload. Lack of skilled professionals. Non-friendly work environment. Professionals may face issues such as poor communication, lack of teamwork,

and general workplace toxicity. Professionals often feel undervalued and unrecognized within the broader system. This affects motivation and dedication to work. Feeling of fear for not being protected from attacks at work: The fear of physical or verbal attacks in the workplace is a serious concern. When professionals feel unsafe, it impacts their ability to focus on their work and can lead to heightened anxiety and stress.

**3. Challenges in Collaboration.** Collaboration and connection with Parents of Children, this disconnect can delay the child's rehabilitation and the overall effectiveness of interventions. Way of social perception of assessed children, stigma and negative perceptions of children in conflict with the law can create an additional barrier. Female professionals may face additional challenges related to gender, including being overlooked or undervalued in a male-dominated field.

**4. Personal and Professional Development Challenges.** The increasing effect of these challenges can lead to periods of low motivation, where professionals struggle to maintain focus on work. There is often a lack of effective mechanisms and programs to help child offender's reform and reintegrate into society. This absence makes it harder for professionals to guide these children toward positive change. The absence of thorough case analysis and collaborative teamwork in addressing each child's situation can lead to less effective interventions.

These factors, with personal challenges, create a complex and demanding environment that requires ongoing support, resources, and systemic change to address effectively.

#### **6.6. Improvements professionals see as beneficial for work.**

To improve the effectiveness of professionals working with children in conflict with the law in Montenegro, professionals listed 5 areas.

1. All surveyed professionals believe that enhancing networking between institutions is the key area for improvement.
2. Additional education or specialization for professionals
3. Better work organization
4. More co-workers included
5. Better salaries

Strengthening collaboration and communication among various institutions involved in the care, rehabilitation, and legal processing of children in conflict with the law is crucial. This



includes social services, educational institutions, the judiciary, law enforcement, health services, and non-governmental (NGOs).

## 5.7. Services needed on the local and national level

### Family Counselling

**Incorporation of Family Counselling into the institutional framework:** Working with the families of children in conflict with the law is crucial for achieving lasting outcomes. Also, this can be a prevention method, with families at risk by integrating family counselling into the institutional framework, providing interventions and equipping families with the tools and support needed to make positive change.

### Psychotherapy

**Access to Free and Systematic Psychotherapy:** Psychotherapy must be accessible, free, and integrated as a part of the system to provide the necessary mental health support for children in conflict with the law and their families.

### Networking and Comprehensive Service Packages:

**Development of a Network of Services:** A coordinated network of services should be established to address the multifaceted needs of these children, ensuring they receive comprehensive and consistent support. Building teams that would offer a package of connected services.

### Programs Addressing Modern Challenges:

**Implementation of Techniques for Addressing New Challenges:** New programs should be developed to equip children with the skills to navigate modern challenges, including the dangers of the internet and cyberspace.

### Training and Education on Legal Regulations:

**Ongoing Training and Education:** Professionals and families should receive ongoing training and education on legal regulations to better support children in conflict with the law and ensure compliance with legal standards.

## 7. Training plan for professionals

Accredited Training Programs by the Institute for Social and Child Protection:



SMART  
Balkans

Civil Society for Shared Society  
in the Western Balkans

[smartbalkansproject.org](http://smartbalkansproject.org)



Beogradski centar  
za ljudska prava



"Training Program for Working with Minors with Behavioural Problems."

Author: Marinko Vujanović.

A total of 48 participants attended this training.

"Strengthening the Capacities of Professionals for Working with Children and Youth with Socially Maladjusted Behaviour." Training Program Author: Jarmila Bujak Stanko, psychologist, independent consultant.

A total of 41 participants attended this training.

"Training in the Application of the Forum Theatre Technique for Working with Children and Youth in Conflict with the Law, Children and Youth with Behavioural Problems, and Children and Youth without Parental Care."

Authors: NGO Impuls, Ružica Stanković, Miloš Bulatović, Ana Kulić, Milica Krivokapić.

A total of 10 participants attended this training.

"Basic Training Program for Professionals, Associates, and Other Practitioners in the Field of Social and Child Protection on Peer Violence."

Author/Co-authors: NGO "Robin Hood" – Podgorica, Co-author: Violeta Golubović, MSc.

A total of 34 participants attended this training.

"Strategy for Combating Peer Abuse in Residential Settings: Training for Professionals at the "Mladost" Children's Home in Bijela."

Authors: NGO Juventas, Ivana Sekol. A total of 19 participants attended this training.

Program "Prilike" is supported by UNICEF Montenegro and implemented by the NGO ADP Zid, with financial support from the TUI Care Foundation. This program helps approximately 450 secondary school students from three Montenegrin cities – Podgorica, Cetinje and Herceg Novi. Running from September 2023 to July 2024, it aims to integrate these activities into the official school curriculum.

**Parenting for Lifelong Health:** This program has been developed through a collaboration between WHO, UNICEF, the Universities of Cape Town and Stellenbosch in South Africa and the Universities of Oxford and Bangor in the United Kingdom, and is being implemented worldwide. In Montenegro, it is supported by UNICEF and aimed at parents of teenagers and was implemented by trained facilitators from the education, health, and social protection sectors, and NGOs.

**Service Mapping for Adolescents:** In partnership with the International Labour Organization, UNICEF is providing technical and financial support to map education, health, and social protection services for adolescents in 25 municipalities. This effort is part of the preparation for implementing the EU Youth Guarantee in Montenegro, focusing on unemployed, out-of-school, disabled, impoverished, minority, and socially excluded youth.



Youth Participation: Over 4,000 adolescents (63% of whom were girls) received support or participated in designing, leading, engaging in, or advocating for community-level initiatives through various programs.

## 9. Recommendations for improvements of the legal and institutional framework

After conducting interviews with professionals from various institutions and reviewing literature on the topic of youth in conflict with the law, I have developed recommendations for improving the Montenegrin system.

1. There is a need for developing training program that brings together professionals from social work centres, police departments, the Institute for Execution of Criminal Sanctions (UIKS), courts, and prosecutor's offices to enhance their understanding of legal regulations and best practices for working with youth and children. In joint training sessions, these employees will gain crucial knowledge and skills, and build stronger inter-agency connections, ensuring a more cohesive and effective approach to supporting and protecting vulnerable young populations within the legal framework.
2. International study visits to develop legal and practical approaches for working with children in conflict with the law. Study visits focused on developing legal and practical approaches, will enhance learning, cultural exchange and networking. Learn real skills from international experts, and participants to gain valuable insights and improve their professional skills through real-world exposure.
3. Building a specific program that would be applied in communities through the team. Legal experts, social workers, educators, and mental health specialists. Experts would work collaboratively to deliver a comprehensive set of services. The program is structured around clear objectives and phases, addressing various aspects of the issues faced by these vulnerable groups. This approach ensures that all aspects of the challenges are addressed holistically, providing efficient, solutions with measurable outcomes, ultimately enhancing the effectiveness of interventions and improving the lives of the children and families involved.
4. Specific Education on the Practical Application of Law. Specific education on the practical application of law focuses on translating written legal requirements into actionable practices within daily work. While laws and regulations are clearly defined in legal texts, the challenge often lies in applying them effectively and consistently in real-world scenarios. This type of education is crucial for professionals who must implement legal standards in their roles, ensuring that they understand not only what the law requires but also how to apply it practically

within the specific context of their work. Elements of education should be understanding the law, practical application, case studies, role definitions and decision-making.

5. Motivating Professionals to Specialize in a Specific Legal Area, particularly one involving complex and sensitive issues like working with children in conflict with the law or at risk, requires a strategic approach. It's essential not only to motivate them to pursue this specialization but also to ensure that they have access to education and opportunities that are directly applicable to their work. This approach enhances their expertise and effectiveness, making them valuable assets in their field.

7. Dedicated Juvenile Units Community and School Programs. Partnerships with schools to educate students about the role of police, the juvenile justice system, and their rights. Regular visits and workshops can build trust and reduce prejudice. Advisory boards are composed of young people who can provide feedback on the services offered and suggest improvements. This empowers juveniles to have a voice in the system.

8. The project of the Family Associate. Family Associate is a service that contains prevention actions and problem-solving activities for children and families living in dysfunctional environments according to the founder of NGO Family Centre Kotor. This program now depends on the projects, it would be good that be systematically, finally supported and implemented in all municipalities in Montenegro.

9. Work with children in schools and out of them through the workshops, individual work and youth counselling. Educations about social values, risk behaviours, challenges that children can face while using social media, internet in general. Also importance of healthy routines and habits, and healthy lifestyles. Teachers should have an important role in this part as well as professionals from Health Care Centers, Centers for Social Work, and NGOs. This is how children feel supported and accepted by the school and system even if they come from dysfunctional families.

10. Development of anti-bullying programs. Anti-bullying programs are vital in preventing youth involvement in criminal activities by addressing the root causes of aggressive behaviour, fostering empathy and positive behaviours, and creating supportive environments. The good practice represents the project of the Ministry of Education "Assistants for the Prevention of Peer Violence and Vandalism in Educational Institutions in Montenegro" which will be engaged through a pilot project that will be implemented from September 2024 to June 2025.

## **Conclusion.**

The key recommendations for enhancing the Montenegrin system's approach to youth in conflict with the law include:



# SMART Balkans

Civil Society for Shared Society  
in the Western Balkans

[smartbalkansproject.org](http://smartbalkansproject.org)



Beogradski centar  
za ljudska prava



- Mutual Training Program for Professionals,
- International Study Visits, a Community-Based Collaborative Program,
- Education on the Practical Application of Law,
- Specialization for Professionals in Legal and Practical Work,
- Dedicated Juvenile Units and School Programs,
- The Family Associate Program,
- Workshops and Counselling in Schools
- Development of Anti-Bullying Programs.

Central to these recommendations is highlighting youth-specific interventions that address both preventive and rehabilitative measures. International study visits expose local professionals to successful global practices, while community-based programs ensure that children receive support at the local level, professionals from various fields and different institutions working together to address their needs. Additionally, programs like the Family Associate and workshops and individual work in schools ensure early intervention, helping to prevent at-risk youth from falling into the criminal justice system.

For youth already in conflict with the law, specialized professionals on the practical application of legal standards ensure that children and young people will have fair trials and processes, according to the crime they committed. Also, help through the rehabilitation and social integration process. The development of juvenile-specific units and anti-bullying programs further fosters a system where youth feel protected and understood rather than marginalized.

The proposed recommendations for improving the legal and institutional framework surrounding children and youth in conflict with the law are important steps in building resilience against criminal behaviour within this vulnerable population. A cohesive system will create a supportive and informed environment for children, and young people in the developmental process. Integrating these recommendations into the existing legal and institutional framework, we can create a more resilient environment for young people, helping them navigate away from crime and towards positive reintegration into society.

## References

Akdag, M., & Cingi, M. (2014). The impact of internet and social media on kids' and parents' game habits. Retrieved from <http://bote.hacettepe.edu.tr>

Ali, S. M., & Masood, S. (2019). Role of family, neighbourhood, and peers in the development of delinquent behaviour in adolescents. *Peshawar Journal of Psychology and Behavioral Sciences (PJPBS)*, 4(2), 171–192. <https://doi.org/10.32879/picp.2018.4.2.171>

Anderson, C. A., & Bushman, B. J. (2002). Psychology: The effects of media violence on society. *Science*, 295, 2377–2379.

Bandura, A. (1977). *Self-efficacy: Toward a unifying theory of behavioural change*. *Psychological Review*, 84(2), 191.

Barnes-Walker, C., & Mason, C. (2004). Delinquency and substance use among gang-involved youth: The moderating role of parenting practices. *American Journal of Community Psychology*, 34, 235-250.

Chesney-Lind, M., & Shelden, R. G. (2014). *Girls, delinquency, and juvenile justice*. Wadsworth.

Criminal Code of Montenegro. Official Gazette of Montenegro, No. 70/2003, 13/2004, 47/2006, 40/2008, 25/2010, 32/2011, 64/2011, 40/2013, 56/2013, 14/2015, 42/2015, 58/2015, 44/2017, 49/2018, 3/2020.

Đurić, M. (2021). Socio-political transitions in Montenegro and their impact on youth. *Journal of Balkan Studies*, 12(3), 45-67.

Drummond, J. (n.d.). Parent support programs and early childhood development: Comments on Goodson, and Trivette and Dunst1. Retrieved from <http://www.child-encyclopedia.com/en-ca/parenting-skills/perspectives.html>

Eitle, D. (2006). Parental gender, single-parent families, and delinquency: Exploring the moderating influence of race/ethnicity. *Social Science Research*, 35, 727-748. <https://doi.org/10.1016/j.ssresearch.2005.06.003>

Family Law of Montenegro. Official Gazette of Montenegro, No. 1/2007, 53/2016.

Gerevich, J., Bácskai, E., Czobor, P., & Szabó, J. (2010). Substance use in Roma and non-Roma adolescents. *The Journal of Nervous and Mental Disease*, 198(6), 432-436. <https://doi.org/10.1097/NMD.0b013e3181e07d51>



SMART  
Balkans

Civil Society for Shared Society  
in the Western Balkans

[smartbalkansproject.org](https://smartbalkansproject.org)



Beogradski centar  
za ljudska prava



Gonzalez, A., & Wekerle, C. (2016). Child maltreatment. In *Encyclopedia of Mental Health: Second Edition* (pp. 266–271). Elsevier Inc. <https://doi.org/10.1016/B978-0-12-397045-9.00232-9>

Gottfredson, M. R., & Hirschi, T. (1990). *A general theory of crime*. Stanford University Press.

Government of Montenegro. (n.d.-a). Ministry of Justice: Overview of Responsibilities. Retrieved from <https://www.gov.me/en/ministry-of-justice>

Government of Montenegro. (n.d.-b). Institute for Execution of Criminal Sanctions: Organizational Units. Retrieved from <https://www.gov.me/en/institute-for-execution-of-criminal-sanctions>

Government of Montenegro. (n.d.-c). Ministry of Social Welfare, Family Care, and Demography: Overview of Responsibilities. Retrieved from <https://www.gov.me/en/ministry-of-social-welfare>

Government of Montenegro, Institute for Execution of Criminal Sanctions. (n.d.). Report on the work and situation in areas under the jurisdiction of the Institution for the Execution of Criminal Sanctions for the year 2023. Retrieved from <https://www.gov.me/uprava-za-izvršenje-krivičnih-sankcija>

Government of Montenegro, Ministry of Education, Science and Innovation. (n.d.). *Report on Mapping Youth Counselling Centres at Health Centres in Montenegro*.

Government of Montenegro, Ministry of Health. (2017). *Report on Mapping Youth Counselling Centres at Health Centres in Montenegro*.

Government of Montenegro, Ministry of Human and Minority Rights. (n.d.). Retrieved from <https://www.gov.me/ministarstva/ministarstvo-ljudskih-i-manjinskih-prava>

Government of Montenegro, Ministry of Internal Affairs. (n.d.). Report on the work and status in the administrative areas under the jurisdiction of the Ministry of Internal Affairs for the year 2023. Retrieved from <https://www.gov.me/ministarstva/ministarstvo-unutrasnjih-poslova>

Government of Montenegro, Ministry of Justice. (2023). *Strategy for the Execution of Criminal Sanctions 2023-2026 and the Action Plan for the 2023-2024 period*.



Government of Montenegro, Ministry of Public Administration. (n.d.). *Report on the work and status in the administrative areas of the Ministry of Justice for 2023*. Retrieved from <https://www.gov.me/mpa>

Government of Montenegro, Ministry of Social Welfare, Family Care, and Demography. (n.d.). Retrieved from <https://www.gov.me/ministarstva/ministarstvo-rada-i-socijalnog-staranja>

Hutchings, J., Ferdinandi, I., Janowski, R., Ward, C. L., McCoy, A., Lachman, J., Gardner, F., & Williams, M. E. (2024). Parenting for Lifelong Health for young children in Montenegro: Preliminary outcomes, dissemination, and broader embedding of the program. *Prevention Science*. <https://doi.org/10.1007/s11121-024-01682-x>

IDEAS. (2019). *Report on Social and Child Protection in Montenegro*. Retrieved from <https://ideas.org/reports/montenegro-social-child-protection>

Jovanović, L., & Samardžić, S. (2022). Mental health support for youth in Montenegro. *Journal of Psychological Studies*, 11(2), 65-79.

Juventas. (n.d.). Direct support program for persons at risk of social exclusion and the socially excluded. Retrieved from [Juventas Website].

Kolarcik, P., Madarasova Geckova, A., Reijneveld, S. A., & van Dijk, J. P. (2016). Delinquent and aggressive behavior and social desirability among Roma and non-Roma adolescents in Slovakia: A cross-sectional study. *Journal of Interpersonal Violence*, 31(4), 677–693. <https://doi.org/10.1177/0886260514556103>

Kovačević, M., & Džakula, J. (2019). Youth vulnerability and criminal activities in Montenegro. *Southeast European Review*, 17(2), 22-34.

Law on Treatment of Minors in Criminal Proceedings. Official Gazette of Montenegro, No. 64/2011, 01/2018.

Machin, S., Marie, O., & Vujić, S. (2010). The crime-reducing effect of education. *Journal of Criminal Justice*, 37, 123-132.

Ministry of Labour and Social Welfare. (2019). *Analysis of the Work of Social Work Centres in Montenegro*. Podgorica, Montenegro: Government of Montenegro.

Ministry of Labour and Social Welfare. (2023). *Analysis of the need for establishing support services for children with behavioural problems*. Podgorica, Montenegro: Government of Montenegro.



Molnar, L. (2023). The imperative need for criminological research on the European Roma: A narrative review. *Trauma, Violence, and Abuse*, 24(2), 1016–1031. SAGE Publications Ltd. <https://doi.org/10.1177/15248380211048448>

Newman, B.M., & Newman, P. R. (2007). *Theories of human development*. Lawrence Erlbaum.

NGO Association for Social Security. (n.d.). *Counselling services for children with behavioural issues*. Podgorica, Montenegro: Author.

NGO Family Centre Kotor. (n.d.). *Family Associate Program: Prevention and reintegration services*. Kotor, Montenegro: Author.

NGO Juventas. (n.d.). *Community services for vulnerable groups*. Podgorica, Montenegro: Author.

NGO Juventas. (2021, December). *Behavior self-assessment that leads to conflict with the law among high school students in Montenegro: Quantitative research*.

NGO "Ljubović" Centre for Children and Youth. (2023). *Institutional care and day-care services for children in conflict with the law*. Podgorica, Montenegro: Author.

Official Gazette of Montenegro. (2011). *Law on the Treatment of Juveniles in Criminal Proceedings*. Retrieved from <https://www.gov.me/en/official-gazette/2011-law-on-treatment-of-juveniles>

Official site of the Clinical Center of Montenegro <https://www.kccg.me/klinike-i-centri/klinika-za-psihiatriju/>

Official site UNICEF MONTENEGRO: <https://www.unicef.org/montenegro>

Pešić, D. (2023). *Department for Development and Professional Support, Institute for Social and Child Protection*.

Petković, J. (2019). *Determinants of Delinquency and Risk Behaviours in Adolescents in the Region*. International University of Novi Pazar. Serbia.

Petričević, V., & Mirić, V. (2018). Factors influencing the delinquent behavior of minors: A study of socio-economic factors. *Journal of Criminology and Penology*, 56(3), 224-242.

Social Protection Act. Official Gazette of Montenegro, No. 56/2013, 49/2015, 44/2017, 64/2021.



Supanc, V., Horvat, D., & Makarova, M. (2017). Differences in access to health care for Roma and non-Roma children in Montenegro. *Journal of Ethnic and Migration Studies*, 43(13), 2149-2166. <https://doi.org/10.1080/1369183X.2016.1266823>

United Nations Development Programme (UNDP). (2020). *Human Development Report for Montenegro 2020*. Retrieved from <https://hdr.undp.org/en/countries/profiles/MNE>

United Nations Office on Drugs and Crime (UNODC). (2020). *Education for Justice Initiative: Global Youth Training Series on Justice*. Retrieved from <https://www.unodc.org/e4j/en/education-for-justice.html>

Van Vugt, E., Gibbs, J. C., & Galbraith, R. A. (1998). Criminal Justice and behavior: A multi-informant approach to the assessment of empathy in juvenile delinquents. *Journal of Adolescence*, 21(6), 593-610. <https://doi.org/10.1006/jado.1998.0188>

Walker, J., & Rutter, M. (1984). *Crime and the family*. *Journal of the American Academy of Child Psychiatry*, 23, 162-183.

Ward, C. L., Mikton, C., Cluver, L., Cooper, P., Gardner, F., Hutchings, J., & Mejia, A. (2015). Parenting for lifelong health: From South Africa to other low- and middle-income countries. *Early Childhood Matters*, 124, 49-53.



*This document was developed with the support of the “SMART Balkans – Civil Society for Shared Society in the Western Balkans” regional project implemented by Centar za promociju civilnog društva (CPCD), Center for Research and Policy Making (CRPM) and Institute for Democracy and Mediation (IDM) and financially supported by the Norwegian Ministry of Foreign Affairs (NMFA). The content of desk research is the sole responsibility of the project implementers and does not necessarily reflect the views of the Norwegian Ministry of Foreign Affairs (NMFA) or SMART Balkans consortium.*



SMART  
Balkans

Civil Society for Shared Society  
in the Western Balkans

[smartbalkansproject.org](http://smartbalkansproject.org)



Beogradski centar  
za ljudska prava

