

Albania

The Government of Albania approved a National Roadmap and passed legislation that outlines concrete steps to achieve the elimination of the worst forms of child labor by 2016. Though some protections exist for children in the Albanian Labor Code, these are only applicable to employment through a contract. Many working children, such as agricultural workers, are not covered by a contract. Children, primarily Roma, continue to be exploited in street work and forced begging.

Statistics on Working Children and School Attendance

Children	Age	Percent
Working	6-14 yrs.	19.0
Attending School	5-14 yrs.	91.0
Combining Work and School	7-14 yrs.	20.5



Prevalence and Distribution of the Worst Forms of Child Labor

Children in Albania are engaged in the worst forms of child labor,⁷⁰ including in street work and forced begging, in some cases.⁷¹ Street children work as vendors, vehicle washers and shoe-shiners, as well as drug runners. Adults exploit children as forced beggars, requiring them to be on the streets and go door-to-door.⁷² Some children may work long hours, often late into the night. Children working on the streets may be exposed to many dangers, including severe weather, vehicle accidents and criminal elements.⁷³

Children in Albania are employed in the textile, garment and footwear industries. Some are employed directly in factories, where they are exposed to heavy machinery and chemicals; however, the majority work in home-based operations, where they work long hours and suffer from impaired vision due to poorly lit work areas.⁷⁴





Children also work in the agricultural sector and in mines, where they are exposed to chemicals, carrying heavy loads and injuries from tools.⁷⁵ Children work in the construction sector using dangerous equipment that exposes them to risk of injuries.⁷⁶ There is evidence that in the construction and service sectors children suffer from exhaustion caused by long working hours.⁷⁷

Children in Albania, mainly girls, are trafficked for commercial sexual exploitation and labor, including forced begging. Albania is primarily a country of origin for children trafficked abroad to Greece, Macedonia and Kosovo.⁷⁸ In addition, children are trafficked within Albania to large cities, tourist sites, border points and ports.⁷⁹

Research indicates that ethnic minority children from the Roma and Egyptian communities make up the majority of street children and trafficking victims. Traditionally, these communities have suffered from pervasive marginalization and discrimination, which contribute to their acute poverty and difficulty accessing social services.⁸⁰

Laws and Regulations on Child Labor

In February 2010, the Government enacted a law on Occupational Safety and Health at Work. The law defines children/minors as a group that should be protected against occupational harm.⁸¹ It prohibits children from work that exposes them to harmful or toxic agents and to radiation, work that involves the risk of accidents, work conditions that push them beyond their physical or psychological capacity and work that exposes them to extreme heat or cold, noise or vibration.⁸²

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	16
	Free Public Education	Yes

In November 2010, the Government adopted the Law for Protection of Children (LPC). The law stipulates that children have the right to protection against all forms of violence and economic exploitation and establishes a State agency for the Protection on the Rights of Children.⁸³ In addition, the law institutes mechanisms for collaboration among central authorities, local authorities and human rights civil society organizations.⁸⁴

The Albanian Labor Code establishes the minimum age for work at 16.⁸⁵ Children ages 16

and 17 are restricted from work performed at night and work deemed harmful to their health or growth. The law sets the age for hazardous work at 18 and contains a list of jobs considered hazardous for children younger than that age.⁸⁶

During school breaks, children between ages 16 and 18 may be employed in what the Council of Ministers defines as “easy jobs.” The Council of Ministers sets certain rules for the maximum duration and conditions of these jobs.⁸⁷ The safeguards for children in the Labor Code do not apply to “family jobs carried out by family members” that share the same household.⁸⁸ This exemption fails to protect children working with their families from dangerous forms of child labor. The Labor Code is only applicable to employment through a contract; however, many working children, such as agricultural workers, are not covered by a contract.⁸⁹

The Constitution and the Labor Code prohibit forced or compulsory labor by any person, except in special circumstances, such as military service.⁹⁰ The Criminal Code identifies forced child begging and inciting minors to criminal activity as a criminal offense.⁹¹

Albanian law prohibits trafficking in persons for all purposes.⁹² During the reporting period, a law went into effect requiring the Government to fund shelters that house trafficking victims.⁹³ In January 2010, the Law on Social Assistance and Services was amended to provide trafficking victims with economic assistance after they leave the shelters.⁹⁴

The Criminal Code prohibits soliciting, mediating or receiving financial gains from prostitution. Higher penalties are imposed in cases where the offense is committed against a minor.⁹⁵ The Code was recently amended to include the prohibition of the production, distribution and publication of pornography using minors.⁹⁶

The minimum age for voluntary military service is 18, and 19 for compulsory recruitment.⁹⁷

Albania provides nine years of free and compulsory education; however, the costs of school supplies and classroom resources are prohibitive for many families.⁹⁸ Research indicates that marginalized groups, namely Roma communities, are often excluded from the Albanian education system.⁹⁹ The lack of civil registration and the lost income from leaving work serve as barriers to children's participation in school.¹⁰⁰ Recent data from the Open Society Institute illustrates that less than half of Roma children of primary school age attend and that only one quarter graduate from primary school.¹⁰¹

Institutional Mechanisms for Coordination and Enforcement

Chaired by the Minister of Labor, Social Affairs and Equal Opportunities, the National Steering Committee (NSC) for the Program on the Elimination of Child Labor oversees the integration of child labor issues into national policy.¹⁰² As mandated by the LPC, the Government created a Child Protection Unit (CPU) within the Ministry of Labor, Social Affairs, and Equal Opportunities (MLSAEO) during the reporting period.¹⁰³ The new CPU has a specialist who is responsible for monitoring child labor and the Child Labor Monitoring System.¹⁰⁴

Within the MLSEAO, the Labor Inspectorate State Social Service and the Albanian State Police are responsible for enforcing laws related to hazardous child labor.¹⁰⁵ The quality of child labor inspections is compromised by the lack of office space and means of transport for the inspectors.¹⁰⁶

During the reporting period, each of the Labor Inspectorate's 100 inspectors conducted approximately 15 labor inspections per month, covering all labor issues.¹⁰⁷ The Government reported 296 cases of child labor violations in enterprises; however, only nine penalties resulted. Lack of information about the violations and subsequent actions taken make it difficult to assess whether this application of penalties was sufficient.¹⁰⁸

The Office of the National Coordinator for the Fight Against Trafficking in Human Beings (NCAT), headed by a Deputy Minister of the Interior, is responsible for coordinating all anti-trafficking efforts in Albania.¹⁰⁹ This office publishes a public report on the state of human trafficking in Albania twice a year.¹¹⁰ Regional Anti-trafficking Committees identify priorities and coordinate action on child trafficking at the regional level.¹¹¹ The Ministry of Interior's General Directorate of Police is responsible for enforcing child trafficking laws at the local and regional levels. The Serious Crimes Prosecution Office (SCPO) has nationwide jurisdiction over all trafficking cases.¹¹²

The Government sponsored 16 trainings for law enforcement officers in 2010. Topics included National Referral Mechanism (NRM) guidelines on the identification of trafficking victims, interviewing techniques, criminal intelligence analysis and the protection of children.¹¹³

The NRM is a collaborative mechanism through which government and civil society organizations coordinate the protection, identification, referral, housing (in some cases) and rehabilitation of trafficking victims.¹¹⁴ Between January and June 2010, the Government used the NRM to refer 64 victims of trafficking and 27 persons at risk of trafficking to residential centers for protection and rehabilitation; however, the number of child victims is unknown.¹¹⁵ The NRM suffers from a lack of coordination, communication and effective implementation among its signatories.¹¹⁶ In addition, while the NRM broadly addresses the needs of all victims of trafficking, it fails to have a strategy that focuses solely on the unique protective needs of children.¹¹⁷

In 2010, the SCPO office registered 28 cases of human trafficking. Six of the cases were related to the trafficking of minors and two of those cases went to trial.¹¹⁸ Information on the outcome of the tried cases is unavailable.

Government Policies on the Worst Forms of Child Labor

The Albanian National Roadmap (ANR), approved by the MOLSAEO during the reporting period, outlines concrete steps to achieve the elimination of the worst forms of child labor in Albania by 2016. Five Local Action Plans for the ANR's implementation have been adopted and are focused on law enforcement, education and vocational training, social protection and employment, capacity building, enhancing stakeholder collaboration and awareness raising.¹¹⁹

The National Strategy for the Fight against Child Trafficking and the Protection of Child Victims of Trafficking (NSCT) (2008-2010) was the policy framework during the period that identified and defined action plans and delegated responsibilities to assist child trafficking victims.¹²⁰ It emphasized the identification of child trafficking cases and the provision of preventive, protective and rehabilitative services to victims.¹²¹ The NSCT also included a database for maintaining records of individual trafficking cases.

The National Strategy and Action Plan for Children (2005-2010) improved its monitoring of child trafficking cases. In addition, it enhanced mechanisms to protect data related to child trafficking and labor cases, which could put victims in grave danger if data ended up in the traffickers' hands.¹²² The National Strategy for Development of Social Services (2005-2010) improved the coverage of social protection programs and services for working children.¹²³

The Government continued to implement the National Action Plan for the Decade of Roma Inclusion (DRI) (2005-2015) in Albania, which strives to improve access to and quality of social services for Roma communities.¹²⁴ The DRI is an initiative of 12 European countries to improve the socioeconomic status and social inclusion of the Roma minority across the region.¹²⁵

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The recent passage of the LPC institutionalized child protection safety schemes at the local level through municipal child protection units (MCPU) tasked with implementing provisions of the law. The chief tasks of these units include monitoring the situation of high-risk children and families, coordinating protection and referral activities at the local level, and identifying and managing individual cases.¹²⁶ Due to the novelty of the MCPUs, social workers and educators have limited knowledge and capacity on effective child protection strategies.¹²⁷

The MLSEAO is standardizing the practices and documentation of child trafficking service providers.¹²⁸ During the reporting period, the NCAT coordinated the provision of free vocational training to 38 victims of trafficking (both boys and girls), and 92 victims of trafficking were reintegrated and obtained employment.¹²⁹ The Government-supported Coalition against Child Trafficking (BKTF) runs a National Campaign against the Exploitation of Children Used for Begging. Their message informs citizens and tourists that giving money to begging street children encourages further exploitation of these children.¹³⁰ The Decade of Roma Inclusion strategy supports economic measures to assist Roma families, an example of which is the Roma Education Fund, which provided free textbooks and educational materials, scholarships and curriculum reform during the reporting period.¹³¹

The Government and the UNDP implemented several activities on Roma empowerment during the reporting period. These activities included training Roma communities on civil registration, and community mediation on child protection and education.¹³² Despite the success of these and other Roma programs, evidence suggests that the most vulnerable Roma do not access social services that might prevent children's involvement in the worst forms of child labor.

With technical support from ILO-IPEC/SIMPOC, and financial support from USDOL, the Government's National Institute of Statistics implemented a Child Labor Survey and developed a database on child labor during the reporting period.¹³³ Although survey data were not available

for analysis in this report, the survey analyzed the economic activities of 8,690 urban and rural households, including children engaged in exploitative labor in the formal and informal sectors.¹³⁴

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Albania:

IN THE AREA OF LAWS AND REGULATIONS:

- Amend legislation to protect children working with their families from the worst forms of child labor.
- Amend the Labor Code to include children who fall outside of contract work, such as street children and agriculture workers.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Make labor inspection findings public information.
- Provide inspectors with the tools needed to effectively carry out their tasks, such as transportation and office facilities.
- Strengthen implementation of the NRM to enhance victim protection services.
- Develop and implement an NRM for child trafficking victims.
- Disaggregate, publish and publicly disseminate statistics on child trafficking.

IN THE AREA OF SOCIAL PROGRAMS:

- Build the capacity and knowledge of child protection strategies among stakeholders at the municipal and local levels.
- Conduct research on the characteristics of Roma children who access Government social services versus Roma children who do not in order to better address risk factors for the worst forms of child labor.

⁷⁰ Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity, School Attendance, and Combined Working and Studying Rates*, 2005-2010. Data provided is from 2005. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

⁷¹ International Trade Union Confederation, *Internationally Recognized Core Labour Standards in Albania*, April 28 and 30, 2010, 6.

⁷² Mario Project, *Exploitation of Albanian Children in Street Situations in Kosovo*, Observation Report, December 2010, 9.

⁷³ *Ibid.*, 9-10.

⁷⁴ International Trade Union Confederation, *Albania: Keeping Children in School*, June 2007, 3.

⁷⁵ International Trade Union Confederation, *Internationally Recognized Core Labour Standards in Albania*, 6. See also U.S. Department of State, "Albania," in *Country Reports on Human Rights Practices- 2010*, Washington, DC, April 8, 2011; available from <http://www.state.gov/g/drl/rls/hrrpt/2010/index.htm>.

⁷⁶ U.S. Embassy- Tirana, *reporting, January 31, 2011*. See also International Trade Union Confederation, *Internationally Recognized Core Labour Standards in Albania*, 6. See also U.S. Embassy- Tirana, *reporting, February 16, 2010*.

- ⁷⁷ International Trade Union Confederation, *Internationally Recognized Core Labour Standards in Albania*, 6.
- ⁷⁸ Sonila Danaj, *Situational Analysis Report on Child Trafficking in Albania*, situational analysis 2008, 17. See also U.S. Department of State, “Country Reports- 2010: Albania.”
- ⁷⁹ Danaj, *Situational Analysis Report on Child Trafficking in Albania*, 4 and 17.
- ⁸⁰ Ibid., 16. See also International Trade Union Confederation, *Internationally Recognized Core Labour Standards in Albania*, 6. See also ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Albania (ratification: 2001) Published: 2011*, February 25, 2011; available from <http://www.ilo.org/ilolex/english/iloquery.htm>. See also Laura Brownlees, *Children Speak Out: Trafficking Risk and Resilience in Southeastern Europe*, 2007, 19.
- ⁸¹ ILO-IPEC, *Support for Policy Level and Up-scaling Activities for Combating Child Labour in Central and Eastern Europe (1 January 2010-31 December 2010)*, 2011, 3.
- ⁸² Ibid., 3.
- ⁸³ U.S. Embassy- Tirana, *reporting, January 31, 2011*.
- ⁸⁴ Ibid.
- ⁸⁵ ILO NATLEX National Labor Law Database, *Code of Labor of the Republic of Albania*, May 25, 2011, article 98; available from http://www.mpcs.gov.al/dpshb/images/stories/files/kodet/3.3.1._Labour_Code_of_Albania.pdf.
- ⁸⁶ Ibid., article 99.
- ⁸⁷ Ibid., articles 98, 99. See also Government of Albania, *Sixth National Report on the Implementation of the Revised European Social Charter*, October 12, 2010, 2.
- ⁸⁸ ILO NATLEX National Labor Law Database, *Code of Labor of the Republic of Albania*, article 5.
- ⁸⁹ ILO Committee of Experts, *Individual Didrect Request Concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Albania (Ratification: 2001) Submitted: 2006*, February 25, 2011; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=18854&chapter=9&query=Albania%40ref&highlight=&querytype=bool&context=0>.
- ⁹⁰ Ibid.
- ⁹¹ International Trade Union Confederation, *Internationally Recognized Core Labour Standards in Albania*, 6.
- ⁹² Republic of Albania- National Coordinator on Combating Trafficking in Persons, *Report on the Implementation of the National Strategy on Combating Trafficking in Persons: January-June 2010*, Tirana September 2010.
- ⁹³ Organization for Security and Co-operation in Europe Presence in Albania, *Report to the Head of the OSCE Presence in Albania to the OSCE Permanent Council*, September 2, 2010, 4.
- ⁹⁴ ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Albania (ratification: 2001) Published: 2011*.
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- ⁹⁹ ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Albania (ratification: 2001) Published: 2011*.
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- ¹⁰³ Government of Albania, *Sixth National Report on the Implementation of the Revised European Social Charter*. See also ILO-IPEC, *Support for Policy Level and Up-scaling Activities*.
- ¹⁰⁴ ILO, *Albania Decent Work Country Programme Document: 2008-2010*, 2010; available from http://www.ilo.org/public/english/region/eurpro/budapest/download/dwcp/dwcp_albania.pdf. See also ILO-IPEC, *Support for Policy Level and Up-scaling Activities*.
- ¹⁰⁵ U.S. Embassy- Tirana, *reporting, January 31, 2011*.
- ¹⁰⁶ Ibid.
- ¹⁰⁷ Ibid.
- ¹⁰⁸ Ibid.
- ¹⁰⁹ Republic of Albania- National Coordinator on Combating Trafficking in Persons, *Report on the Implementation of the National Strategy*. See also Different and Equal, *Study on the Social-Economic Reintegration of Victims of Trafficking in Albania*, June 2009, 20.
- ¹¹⁰ U.S. Embassy- Tirana, *reporting, March 8, 2011*.
- ¹¹¹ Republic of Albania- National Coordinator on Combating Trafficking in Persons, *Report on the*

Implementation of the National Strategy. See also Republic of Albania- National Coordinator on Combating Trafficking in Persons, *Short-term Priorities for the Prevention and Fight Against Trafficking in Human Beings and Some of the Main Achievements in 2006, 2007*.

¹¹² Republic of Albania- National Coordinator on Combating Trafficking in Persons, *National Strategy for the Fight Against Child Trafficking and the Protection of Child Victims of Trafficking: 2008-2010*, 2008.

¹¹³ U.S. Embassy- Tirana, *reporting, March 8, 2011*.

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¹¹⁶ U.S. Embassy- Tirana, *reporting, March 8, 2011*. See also Republic of Albania- National Coordinator on Combating Trafficking in Persons, *Report on the Implementation of the National Strategy*.

¹¹⁷ Terre des Hommes, “Winter Newsletter (November 2010- February 2011)”, 2011.

¹¹⁸ Republic of Albania- National Coordinator on Combating Trafficking in Persons, *Report on the Implementation of the National Strategy*.

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¹²² Enkeleida Tahiraj, *Children in Albania: A Briefing on Issues Concerning Children*, Briefing, Femijet Sot Centre, January 2008. See also U.S. Embassy- Tirana, *reporting, January 31, 2011*.

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¹²⁷ Terre des Hommes, “Winter Newsletter (November 2010- February 2011)”.

¹²⁸ ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Albania (ratification: 2001) Published: 2011*.

¹²⁹ *Ibid.*

¹³⁰ All Against Child Trafficking (BKTF), *BKTF Publications: Evaluation of Anti-forced Begging Campaign*, [Online] 2011 [cited February 8, 2011]; available from <http://www.bktf-coalition.org/publications.htm>.

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¹³³ ILO-IPEC, *Support for Policy Level and Up-scaling Activities*.

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