

In 2011, Kosovo made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the Kosovo Action Plan against Trafficking in Human Beings 2011-2014, which specifically addresses the need for the protection of children. It is the country's second anti-trafficking plan. In addition, the Government renewed the mandate of the Kosovo Committee on the Prevention and Elimination of Child Labor, a tripartite group to oversee child labor issues. The Government also moved forward in establishing Child Labor and Human Rights units within each municipal government and standard operating procedures for dealing with cases of the worst forms of child labor. However, despite these efforts, there continues to be a lack of programs to combat child labor, and there are no specific legal protections for children involved in domestic service. Children continue to engage in the worst forms of child labor, including hazardous work on the street and in agriculture.

Statistics on Working Children and Education

Children	Age	Percent
Working	7-14 yrs.	Unavailable
Attending School	7-14 yrs.	Unavailable
Combining Work and School	7-14 yrs.	Unavailable
Primary Completion Rate		Unavailable

Sources:

Primary completion rate: UNESCO Institute for Statistics, 2012.(1)

All other data: Understanding Children's Work Project's analysis.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Kosovo are engaged in the worst forms of child labor, primarily in hazardous street work in urban areas and in hazardous activities in agriculture in rural areas.(3, 4) Children working on the streets are engaged in forced begging, selling goods or newspapers, and transporting goods.(3-6) They are vulnerable to severe weather, traffic accidents and crime. Furthermore, children working on the streets may also face hazardous work conditions such as lifting heavy loads, cleaning vehicle fenders, loading goods with hand-barrows, and begging.(6-8) Children working in agriculture may be exposed to hazardous conditions including long hours of hard



physical work in fields or cutting trees, operating agriculture machinery, spraying with pesticides, working on harvesting-threshing, or work in slaughterhouses.(3, 6, 7) Children are also involved in dangerous work in the mining sector, where they work underground, in tight spaces and without adequate ventilation.(3)

Kosovo is a source, transit, and destination country for children trafficked for forced prostitution and forced begging.(3, 5, 9, 10) Children are trafficked within Kosovo for the same purposes. Female children and children in the marginalized Roma, Ashkali and Egyptian communities are particularly vulnerable to trafficking due to the high incidence of poverty and low birth registration rates.(11, 12)

Laws and Regulations on the Worst Forms of Child Labor

The Labor Act sets the minimum age for employment at 15 and prohibits children below age 18 from engaging in work that may be hazardous, such as hard manual labor, activities that take place underground or underwater, and nighttime and overtime work.(8) Article 22 of Kosovo's Constitution incorporates by reference the U.N. Convention on the Rights of the Child (CRC).(13, 14) However, because Kosovo is not yet a member country in the U.N. it is not eligible to ratify any U.N. or ILO conventions. The Republic of Kosovo Administrative Instruction No.2008 on the Prevention and Elimination of the Most Hazardous Forms of Child Labor in

Kosovo established a hazardous work list, including specific prohibited work for children in agriculture, street work, mining and work collecting dumped materials.(7, 15) Specific protections for children involved in domestic service are lacking.

	C138, Minimum Age	NA
	C182, Worst Forms of Child Labor	NA
	CRC	✓
	CRC Optional Protocol on Armed Conflict	NA
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	NA
	Palermo Protocol on Trafficking in Persons	NA
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

Article 6 of the Labor Act prohibits forced labor with the exception of work performed by convicted persons and, according to Article 131 of the Constitution, during declared states of emergency due to national security or natural disaster situations.(8, 14)

Articles 137 through 140 of the Criminal Code prohibit all forms of trafficking in persons, including for the purposes of prostitution and other forms of sexual exploitation, forced labor and conditions of slavery.(16) The Criminal Code also specifically identifies harsher penalties if the perpetrator involves children in trafficking, in the creation of pornographic materials or in the facilitation of prostitution including recruiting, transporting, organizing, or providing space for such activities.(16) In a newly adopted Criminal Code effective January 1, 2013, holding people in slavery, slavery-like conditions, and forced labor is a criminal offence punishable by three to fifteen years in prison when the victim is a child.

According to Article 9.1 of the Law on Security Forces No. 2008 – 03/L-046, all citizens of the Republic of Kosovo having attained the age of 18, are eligible to apply for membership in the volunteer Kosovo Security Force.(3, 17)

Article 47 of the Constitution of the Republic of Kosovo guarantees a right to education for all.(14) Education is free and compulsory for children between ages 6 and 15.(18) However, families in the marginalized RAE (Roma, Ashkalia and Egyptian) ethnic groups, which suffer from low enrollment rates and education levels, report that their inability to purchase books, school materials and clothing is the biggest obstacle to the successful education of their children.(11) RAE children have much higher dropout rates than the national average.(11, 19-21) The problem is further complicated by the ethnic divisions of Kosovo and the different educational systems for Kosovo Albanian and Kosovo Serb populations that operate in the country.(19) The majority areas are served by their own language curriculum, while minority populations face language, social and socio-economic barriers to inclusion in public education.(11, 19, 20)

Institutional Mechanisms for Coordination and Enforcement

In September of 2011, the Government renewed the mandate of the Kosovo Committee on the Prevention and Elimination of Child Labor (KCPECL), which is a tripartite group composed of representatives from nine ministries, the Kosovo police, union representatives, the Kosovo Chamber of Commerce, and a child labor NGO.(3, 7, 22) The committee has overseen activities and advised on priority areas related to the prevention and elimination of child labor since 2005.(3, 7) In 2011, the Government also made progress in establishing the Child Labor Monitoring System (CLMS) at the municipal level across Kosovo, which involves creating Child Labor and Human Rights units within each municipal government and standard operating procedures for dealing with cases of the worst forms of child labor.(3, 7, 21)

A Counter-Trafficking Inter-Ministerial Working group, chaired by the Deputy Minister of the Ministry of Internal Affairs, coordinates policy implementation, monitoring and reporting on the implementation of actions to combat trafficking, including child trafficking.(3)

The Ministry of Labor and Social Welfare (MLSW) is responsible for labor issues, and contains a Child Labor Unit that serves as the focal point for all activities related to child labor.(3, 7, 21) The labor inspectorate within MLSW oversees cases of child labor among children age 15-18 years, while the Department of Social Welfare is responsible for cases in which children are under age 15.(3) Labor inspectors from MLSW and, to a narrower degree, the Kosovo Police Directorate of Trafficking in Human Being Investigation unit (hereafter “Anti-

Trafficking Unit”) have responsibility for enforcing labor laws, including those related to the worst forms of child labor.(3, 23) Reports indicate that the MLSW inspectorate suffers a shortage of funding and institutional capacity.(3, 23) There are 51 labor inspectors, but inspections may not cover child labor issues.(3) Research found no evidence that labor inspectors were trained to address child labor issues.(3) According to the Inspectorate’s 2009 Annual Report, it had completed more than 8,200 inspections of employers, although whether any of these investigations encompassed child labor is unknown.(23) There is no comprehensive data available about the enforcement activities undertaken by labor inspectors as they relate to the worst forms of child labor, although this data collection is reportedly planned for 2012.(3, 23)

Under regulations issued by the Ministry of Education, Science, and Technology (MEST), education inspectors from the Ministry are responsible for ensuring that students have an appropriate balance of school and work hours.(24) The Child Labor Units under MLSW also promote school attendance through Local Action Committees (LACs) on the Child Labor Monitoring System (CLMS). The LACs were established in all municipalities in Kosovo to coordinate CLMS activities at the local level.(25) The LAC is responsible for monitoring schools, work sites and families to identify children engaged in child labor and refer them to the appropriate services.(21)

The Anti-Trafficking Unit is mandated to investigate and combat trafficking. The unit had 59 investigators in early 2012, an increase from 34 in 2011. The Kosovo Police report this to be an adequate number.(3) Anti-Trafficking Unit investigators identified and assisted 17 child victims of trafficking and other forms of child exploitation in 2011.(3) The unit initiated prosecution of 11 cases of worst forms of child labor (6 for begging, and 5 for prostitution) in 2011.(3)

The Government provides services for trafficking victims, but still faces challenges investigating and prosecuting trafficking cases, providing sufficient care and rehabilitation options for child victims and identifying victims of trafficking among child beggars.(5, 9, 26)

The Police Academy organized child labor training for investigators in March 2011(3). The Government provided training to law enforcement and border police officials on recognizing and investigating trafficking in persons. In addition, the Kosovo Police Training Department provided specialized training to Kosovo Police and Border Police recruits at the Kosovo Academy for Public Safety.(3, 9, 27, 28)

Government Policies on the Worst Forms of Child Labor

In 2010, the Government adopted a *2010-2016 Strategy and Action Plan for the Prevention and Elimination of Child Labor in Kosovo*.(3, 21) The Plan calls for the Child Labor Monitoring System to be established throughout Kosovo. The CLMS will facilitate the identification and withdrawal of working children and provide fact based data for future policies and actions.(3, 21) The *2009-2013 Strategy and National Action Plan on the Rights of Children* explicitly references eliminating the worst forms of child labor.(6)

In 2011, the Government adopted the *Kosovo Action Plan against Trafficking in Human Beings 2011-2014*, the country’s second anti-trafficking plan, which specifically addresses the need for the protection of children.(10, 29, 30) The plan focuses on prevention, protection, prosecution, policy and coordination of trafficking issues.

In the 2010-2012 Action Plan, the Ministry of Labor and Social Welfare proposed to improve on labor market reforms, develop sectoral strategies to address poverty, increase social assistance for families in need, and improve education and skills development through vocational training.(31)

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

Research found no evidence of any programs to address the worst forms of child labor.

The Government provides social support for citizens through several programs such as the Social Assistance Scheme, various pension schemes, and the Families of Children with Disabilities Scheme. The most recent data from MLSW suggests that approximately 330,000 people benefited from some social program in 2010, and almost 36,000 poor families received support from the Social Assistance Scheme in 2009, the most recent data available.(31) Despite their high poverty levels, the Roma, Ashkali and Egyptian communities benefit less from these schemes due to low rates of birth registration.(11, 12)

The Government allocated approximately \$4.7 million to the Social Assistance Scheme for 2012.(3, 32) One study estimates that about 13 percent of all children receive some form of assistance, but the widespread poverty of Kosovo means that only about 23 percent of the poor receive social assistance.(13, 33) Some research suggests that linking social assistance provided to families with children to school attendance may improve attendance among poor families in Kosovo.(13, 31)

The European Union is collaborating with the Government to address the problems of lack of access to educational opportunities among the poorest communities, by building schools, improving teacher education, training teachers and by working to provide a standardized curriculum for all. (34) USAID's Kosovo Strategic Plan (2010-2014) includes a

targeted focus on youth, basic education, development of employment opportunities as well as private sector growth initiatives. (35)

The question of whether the aforementioned programs have an impact on child labor does not appear to have been addressed.

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

Area	Suggested Action	Year(s) Action Recommended
Laws and Regulations	Include legal protections for child domestic workers in protection frameworks.	2011
Coordination and Enforcement	Improve the resources and capacity of authorities to target and investigate trafficking crimes and cases of child labor.	2009, 2010, 2011
	Provide training to labor inspectors on child labor issues.	2009, 2010, 2011
	Collect and publish information on labor inspections and other enforcement efforts to combat the worst forms of child labor.	2009, 2010, 2011
Social Programs	Establish programs to specifically address child labor issues.	2011
	Remove barriers that prevent poor families from minority communities from accessing education through assistance with costs, and develop multi-lingual curriculums and educational outreach programs to promote integrated schooling.	2011
	Increase birth registrations among minority communities to improve enrollment in education, social assistance and healthcare programs.	2011
	Consider linking social assistance paid to families with children of school age to school attendance.	2011
	Assess the impact that existing programs may have on child labor.	2011

REFERENCES

- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.*; accessed March 29, 2012; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. February 2, 2012. Reliable statistical 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 on children's work in general are reported in this chart, 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.
- U.S. Embassy- Pristina. *reporting, January 24, 2012*.
- U.S. Department of State. "Kosovo," in *Country Reports on Human Rights Practices- 2011*. Washington, D.C.; 2011; http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic_load_id=186368
- U.S. Department of State. "Trafficking in Persons Report- 2011 Kosovo," in *Trafficking in Persons Report - 2011 Kosovo*. Washington, DC; June 27, 2011. p. 218 - 220; <http://www.state.gov/documents/organization/164455.pdf>.
- Republic of Kosovo. *Strategy and National Action Plan on Children's Rights in the Republic of Kosovo 2009-2013*; 2009. <http://www.humanrights-ks.org/repository/docs/Strategy%20and%20%20National%20Action%20Plan%20for%20Children%202009-2013.pdf>.
- ILO-IPEC. *How to prevent and eliminate the worst forms of child labour: What can employers do?* Geneva, ILO; 2010. <http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=14093>.
- Kosovo. *Labour Law*, Law No.03/L-212, enacted October 8, 2001. <http://www.assembly-kosova.org/common/docs/ligjet/2010-212-eng.pdf>.
- European Union. *Country of Return Information Project*; 2009. <http://www.unhcr.org/refworld/docid/49afa13a1c.html>.
- Republic of Kosovo. *National Strategy and Action Plan against Trafficking in Human Beings 2011-2014*; 2011.
- Compass Research and Consulting. *Baseline Survey: The Position of Roma, Ashkali and Egyptian Communities in Kosovo*. Pristina; 2009. http://kfos.org/pdf/The%20Position%20of%20RAE%20Communities%20in%20Kosovo%20Baseline%20Survey_ENG.pdf.
- UN Security Council. *Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo, 28 January 2011*. Geneva, UN; January 28, 2011. <http://www.unhcr.org/refworld/docid/4d6397682.html>.
- UNICEF. *Child Poverty in Kosovo*. Zagreb; 2010. http://www.unicef.org/kosovo/Child_Poverty_ENG.pdf.

14. Republic of Kosovo. *Constitution of the Republic of Kosovo*, enacted 2008. <http://www.assembly-kosova.org/common/docs/Constitution1%20of%20the%20Republic%20of%20Kosovo.pdf>.
15. Republic of Kosovo. *Administrative Instructions No.2008 on Prevention and Eliminations of the Most Hazardous Forms of Child Labor in Kosovo*; 2008.
16. Republic of Kosovo. *Provisional Criminal Code of Kosovo*, UNMIK/REG/2003/25, enacted 2003. http://www.unmikonline.org/regulations/2003/RE2003_25_criminal_code.pdf.
17. U.S. Embassy- Kosovo official. E-mail Communication to USDOL official.
18. Bertelsmann Stiftung Foundation. *BTI 2010 - Kosovo Country Report*. Gutersloh, Bertelsmann Stiftung; 2010. http://www.bertelsmann-transformation-index.de/fileadmin/pdf/Gutachten_BTI2010/ECSE/Kosovo.pdf.
19. OSCE. *Kosovo non-majority communities within the primary and secondary educational systems*, 2009. <http://www.osce.org/kosovo/36978>.
20. Republic of Kosovo. *Strategy for Integration of Roma, Ashkali, and Egyptian Communities in Kosovo: Education Component 2007-2017*. Pristina; 2007. http://www.kec-ks.org/botimet_files/Rae_English.pdf.
21. Republic of Kosovo. *National Strategy and Action Plan for Prevention and Elimination of Child Labor in Kosovo 2010-2016*; 2010.
22. Republic of Kosovo. *Decision on the scope, composition and functioning of the Kosovo Committee for the Prevention and Elimination of Child Labour (KCPECL)*; 2011.
23. GAP Institute for Advanced Studies. *Regulating Employment in Kosovo, Labor Law and its Implementation, June 2010* 2010. <http://institutigap.org/repository/docs/Labouranalysis.pdf>.
24. Kosovo. *Law on Inspection of Education in Kosovo*, enacted 2004. http://www.masht-gov.net/advCms/documents/Ligji_mbi_inspeksionin_e_arsimit_ne_kosove.pdf.
25. Kosovo Embassy- Washington DC. *reporting, April 30, 2012*.
26. OSCE. *A Legal Analysis of Trafficking in Persons Cases in Kosovo*; 2007. <http://www.osce.org/kosovo/28415>.
27. OSCE. *Mission in Kosovo*; 2010. http://reliefweb.int/sites/reliefweb.int/files/resources/F84EDB0077C8383B8525779E0053BC6D-Full_Report.pdf.
28. U.S. Embassy- Pristina. *reporting, February 14, 2012*.
29. GAP Monitor. *National Strategy and Action Plan against Human Beings Trafficking 2011 – 2014 is approved*. GAP Institute for Advanced Studies; January 27, 2012 2011. <http://www.gapmonitor.org/?id=2&n=439&language=en>.
30. OSCE. *An Agenda for Change: Implementing the Platform for Action Against Human Trafficking*; 2009. <http://www.osce.org/cthb/40765?download=true>.
31. Friedrich Ebert Stiftung. *Social Schemes in the Kosovo Context*; 2010. [http://www.fes-prishtina.org/wb/media/Publications/2010/FES%20Study%20-%20Social%20Schemes%20and%20their%20conformity%20with%20Kosovo%20reality%20\(English\).pdf](http://www.fes-prishtina.org/wb/media/Publications/2010/FES%20Study%20-%20Social%20Schemes%20and%20their%20conformity%20with%20Kosovo%20reality%20(English).pdf).
32. XE.com. *Euro to Dollar Conversion*, [online] [cited February 15, 2012]; www.xe.com.
33. Gassmann Franziska Roelen Keetie. *The impact of social assistance cash benefit scheme on children in Kosovo*, UNICEF; 2009. http://mgsog.merit.unu.edu/publications/external_policy_reports/2009_final_report_MGSOG_UNICEF_Kosovo.pdf.
34. European Union Commission. *EU Assistance to Kosovo, Education for the Future*. Pristina; 2010. <http://euicc-ks.com/uploads/files/4%20Education%20for%20the%20Future.pdf>.
35. US Agency for International Development. *USAID Kosovo Strategic Plan 2010-2014*. 2010. http://pdf.usaid.gov/pdf_docs/PDACQ298.pdf.