

Country Profiles

Albania

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Albania has been a member of ILO-IPEC since June 1999. The Albanian Government, in cooperation with ILO-IPEC, is working with local organizations to initiate direct action programs to assist street children, children working in agriculture, and victims of child trafficking.¹³

UNICEF has been working with the government to promote children's rights and reestablish a secure, normalized environment for children in a number of primary schools and kindergartens in war-affected regions.¹⁴ In addition, the government has publicly acknowledged the need for improved anti-trafficking measures, and the IOM is implementing a counter-trafficking strategy that includes mass information campaigns, return and reintegration programs for victims, and 'best practices' training for government personnel and related organizations involved in the counter-trafficking effort.¹⁵

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 31.7 percent of children between the ages of 5 and 14 years in Albania were working.¹⁶ Children work in the streets as beggars and vendors, in their households as farm or domestic workers, and in the commercial sex industry.¹⁷ Young girls are

¹³ Programs also include training for government personnel on Conventions No. 138 and 182 and child trafficking data collection. See ILO-IPEC, *Programme Implementation Report, 1998-1999*, at <http://www.ILO.org/public/english/standards/ipecc/publ/imp99/report5.htm>. See also Altin Haziza, Children's Human Rights Centre of Albania, Child Labor Program Coordinator, interview [ICLB files].

¹⁴ Children's Human Rights Centre of Albania, "Help the Children," *Electronic Newsletter #83*, October 4, 2000, at <http://www.geocities.com/qmdfsh/Sites/English/Newsletter83.htm>.

¹⁵ U.S. Embassy—Tirana, unclassified telegram no. 1818, October 2001. See also IOM, *IOM Counter Trafficking Strategy for the Balkans and Neighboring Countries*, January 2001.

¹⁶ This estimate includes all children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than 4 hours of housekeeping chores in the household, or who have performed other family work. See *Multiple Indicator Cluster Survey (MICS) 2, 2000* (UNICEF, December 4, 2000) [hereinafter *MICS 2*], at <http://www.ucw-project.org/cgi-bin/ucw/Survey/> on 11/5/01.

¹⁷ Children working as street beggars are often ethnic Roma. According to *MICS 2*, just over half of Albanian children perform domestic work for up to 4 hours per day. In 2000, more than 2,000 children between ages 13 and 18 were reportedly involved in prostitution rings. See Children's Human Rights Centre of Albania, *The Vicious Circle: A Report on Child Labour—Albania* (Tirana, 2000) [hereinafter *The Vicious Circle*]. See also *Country Reports on Human Rights Practices for 2000—Albania* (Washing-

trafficked to Western Europe to work as prostitutes, and boys are trafficked to Greece and Italy. A large percentage of trafficked Albanians—up to 75 percent in some regions—are children. Many are tricked into prostitution or abducted from families or orphanages and then sold to prostitution or pedophilia rings abroad.¹⁸ There are no current reports of children working as soldiers, although children allegedly were involved in armed activity in 1997.¹⁹

Primary education is compulsory and free for eight years, typically through the age of 18.²⁰ In 1995, the gross primary enrollment rate was 107.2 percent, and the net primary enrollment rate was 101.7 percent.²¹ Primary school attendance rates are unavailable for Albania. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.²² While the Ministry of Education and Sciences reports that the dropout rate is approximately 3 percent, local children's groups believe the number is higher.²³

ton, D.C.: U.S. Department of State, 2001) [hereinafter *Country Reports 2000*], Sections 6d and 6f, at <http://www.state.gov/g/drl/rls/hrrpt/2000/eur/index.cfm?docid=668>. See also *MICS 2*.

¹⁸ Young boys traveling to Greece or Italy may become indebted to traffickers and become involved in begging rings or forced labor after borrowing money to pay for the speedboat crossing. According to the Center for the Protection of Children's Rights (CRCA), a large number of children (as many as 4,000) work as child prostitutes in Greece. See Daniel Renton, "Child Trafficking in Albania" (Save the Children publication, March 2001) [hereinafter Renton, "Child Trafficking"], 16, 18-22, 44. See also *Country Reports 2000* at Sections 5, 6c, 6f.

¹⁹ Coalition to Stop the Use of Child Soldiers, *Global Report 2000: Albania*, at <http://www.child-soldiers.org/>.

²⁰ Violations of compulsory education laws are punishable by fines, as stated in Article 59 of the Law for Pre-University Education. See *Country Reports 2000* at Section 6d. See also UN Commission on Human Rights, *Preliminary Report of the Special Rapporteur on the Right to Education*, prepared by Katarina Tomasevski, E/CN.4/1999/4913 (Geneva, January 1999). See also *The Vicious Circle*.

²¹ The available net enrollment statistic is higher than 100 percent, although this is theoretically impossible. The World Bank attributes this abnormality to discrepancies between estimates of the school-age population and reported enrollment data. See *World Development Indicators 2001* (Washington, D.C.: World Bank, 2001) [CD-ROM].

²² For a more detailed discussion on the relationship between education statistics and work, see *Introduction* to this report.

²³ Local organizations report that dropout rates and child trancies are much higher than government reports indicate, although no formal data are available. Interviews of people in rural and urban areas indicate that children leave school for various reasons, including work and fear for personal safety. School attendance rates in rural areas are reportedly lower because of the fear of abduction by traffickers, and it is reported that as a result, in some rural areas, up to 90 percent of girls over age 14 do not attend school. Reports of dropouts are particularly high among the ethnic Roma minority. See *The Vicious Circle* and Renton, "Child Trafficking," at 34.

Child Labor Laws and Enforcement

The Labor Code sets the minimum age of employment at 16 years. Minors 14 years of age and older may seek employment during school holidays, but until the age of 18 they are only permitted to work in light jobs, which are determined by the Council of Ministers.²⁴ Labor Act No. 7724 prohibits night work by children less than 18 years of age and limits their work to six hours per day.²⁵ The Constitution forbids forced labor by any person, except in cases of execution of judicial decision, military service, or for service during state emergency or war.²⁶ The Labor Code also prohibits forced or compulsory labor.²⁷ The Criminal Code prohibits prostitution, and the penalty is more severe when a minor girl is solicited.²⁸ In January 2002, changes to the Criminal Code established penalties for trafficking of minors as well as trafficking of women for prostitution.²⁹ However, trafficking prohibitions are rarely enforced.³⁰ Albania ratified ILO Convention 138 on February 16, 1998 and ILO Convention 182 on August 2, 2001.³¹

²⁴ The Ministry of Labor may enforce minimum age requirements through the courts, but no recent cases of this actually occurring are known. The employment of children is punishable by a fine, as stated in Article 60 of the Law for Pre-University Education. See *Country Reports 2000* at Section 6d and *The Vicious Circle*.

²⁵ Act No. 7724 of June 1993 at <http://www.cyber.law.harvard.edu/population/cgi-gin/dbtcgi.exe> on 9/26/01.

²⁶ Furthermore, Article 54(3) of the Constitution states that “children, the young, pregnant women and new mothers have the right to special protection by the state.” The ages of children protected under Article 54(3) are not specified. See Constitution for the Republic of Albania, Chapter II, Article 26, and Chapter IV, Article 54(3), at <http://pbosnia.kentlaw.edu/resources/legal/albania/constitution/pt2ch2.htm> on 9/21/01.

²⁷ *Country Reports 2000* at Section 6c.

²⁸ Albania Criminal Code, Articles 113-115, as cited in *Human Rights Report on Trafficking of Women and Children: Albania*, The Protection Project Database, at <http://www.protectionproject.org> on 12/27/01.

²⁹ *Country Reports on Human Rights Practices for 2001—Albania* (Washington, D.C.: U.S. Department of State, 2002) Section 6f.

³⁰ There are very few prosecutions for offences related to trafficking. Also, victims of prostitution rings rather than the pimp are often penalized. See Renton, “Child Trafficking,” at 11, 12. See also *Country Reports 2000* at Section 6f.

³¹ ILOLEX database: Albania at <http://www.ilolex.ilo.ch>.

NOTE: Hard copies of all Web citations are on file.