

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. As part of a program launched in February 2001, ILO-IPEC helped establish national institutional mechanisms including a Child Labor National Steering Committee and a Child Labor Unit in the Ministry of Labor and Social Affairs. ILO-IPEC is also working with the government and local organizations to initiate direct action programs to assist children on the streets, children working in agriculture, and victims of child trafficking.⁴⁰

A UNICEF program for Child and Youth Development is working with NGOs, schools and government agencies such as the Ministry of Labor and Social Affairs to protect at-risk children, including street children and victims of trafficking, by providing them educational, legal and other services.⁴¹ In addition, 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.⁴²

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 31.7 percent of children ages 5 to 14 years in Albania were working in some capacity.⁴³ Children work on the streets as beggars and vendors, and on farms.⁴⁴ Trafficking of children abroad to prostitution or pedophilia rings in Western Europe remains a serious problem in Albania; one study estimated that 25 percent of Albanian trafficking victims

⁴⁰ IPEC’s country program in Albania aims to build the national capacity of the government to combat child labor, raise awareness of the issue and target an initial group of children for removal and prevention by providing them with education and other social services. See ILO-IPEC, *Albania Fact Sheet*, Geneva, 2002. See also ILO-IPEC, *At a Glance: IPEC’s Technical Cooperation Activities in Europe and Central Asia*, Geneva, 2002.

⁴¹ UNICEF, *Summary of Programs*, [online] [cited September 13, 2002]; available from www.unicef.org/albania/what_we_do/summary.htm.

⁴² International Organization for Migration, *IOM Counter Trafficking Strategy for the Balkans and Neighbouring Countries*, January 2001.

⁴³ Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. Children work much more in rural areas compared to urban cities, 45 percent and 7 percent respectively. See Government of Albania, *Multiple Indicator Cluster Survey (MICS) Report: Albania*, UNICEF, December 4, 2000, 33, 35 [cited December 26, 2002]; available from www.childinfo.org/MICS2/Gj99306k.htm.

⁴⁴ Altin Hazizaj, *The Vicious Circle: A Report on Child Labour-Albania*, Children’s Human Rights Centre of Albania, Tirana, March 2000, Chapter 8. Children working as street beggars are often ethnic Roma. See Altin Hazizaj, *The Forgotten Children: A Report on the Roma Children’s Rights Situation in Albania*, Children’s Human Rights Centre of Albania, Tirana, April 2000, 11.

were minors.⁴⁵ Boys and girls are also trafficked to Greece and Italy to participate in organized begging rings and forced labor including work in agriculture and construction.⁴⁶ In January 2003, Terre des Hommes reported that the majority of children trafficked to Greece were sent with their family's knowledge, to "get money in Greece," i.e., to work in some capacity. The Terre des Hommes study indicated that the majority of the victims were Egyptian ("Jevgjit") and Roma, Albania's most marginalized communities, possibly representing 95 percent of the affected families.⁴⁷ In 2002, local Albanian press reported several cases of children being sold by their families.⁴⁸ There also have been reports that children are tricked or abducted from families or orphanages and then sold to prostitution or pedophilia rings in Western Europe.⁴⁹ There are no current reports of children working as soldiers, although children allegedly were involved in armed activity in 1997.⁵⁰

Education is compulsory and free for children ages 6 to 14.⁵¹ In 1996, the gross primary enrollment rate was 109.6 percent, and in 1995 the net primary enrollment rate was 101.7 percent.⁵² According to UNICEF, the primary school attendance rate for all children ages 7 to 14

⁴⁵ U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Albania*, Washington, D.C., March 4, 2002, 1244-1246, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/eur/8219.htm>. Estimates on the number of Albanian children that are victims of trafficking vary. A study published in January 2003 estimates that the majority of street children in various cities in Greece are Albanian. See Terre des Hommes, *The Trafficking of Albanian Children in Greece*, Le Mont sur Lausanne, January 2003, 9-10. A report published in 2001 estimates that 75 percent of trafficking victims from certain rural regions of Albania were children. See Daniel Renton, *Child Trafficking in Albania*, Save the Children, March 2001, 16. In 2000, more than 2,000 children between ages 13 and 18 were reportedly involved in prostitution rings. See U.S. Department of State, *Country Reports- 2001: Albania*, Section 5. Terre des Hommes reports that trafficking of children from Albania to Greece appears to have decreased recently. Terre des Hommes, *The Trafficking of Albanian Children*, 10.

⁴⁶ Children, particularly Gypsy and Roma boys, are trafficked to Greece and Italy for begging and forced labor. See Daniel Renton, *Child Trafficking in Albania*, Save the Children, March 2001, 44-45. See also UNICEF, *Profiting From Abuse: An Investigation into the Sexual Exploitation of our Children*, New York, 2001, 18 [cited December 26, 2002]; available from <http://www.unicef.org/pubsgen/profitting/index.html>.

⁴⁷ Terre des Hommes, *The Trafficking of Albanian Children*, 18.

⁴⁸ U.S. Department of State official, electronic communication to USDOL official, January 2003.

⁴⁹ U.S. Department of State, *Country Reports- 2001: Albania*, Section 5. Girls who are trafficked for prostitution tend to come from the rural and remote mountain areas of Albania, where public awareness about the dangers of trafficking is still very low. Italy is the destination point for the majority of trafficked Albanian children/women. However, large numbers of Albanian children (as many as 4,000) also work as child prostitutes in Greece. See Renton, *Child Trafficking in Albania*, 17-19.

⁵⁰ Coalition to Stop the Use of Child Soldiers, "Albania," in *Child Soldiers Global Report 2001*, 2001, [cited December 26, 2002]; available from <http://www.child-soldiers.org/>.

⁵¹ Economist Intelligence Unit, *Country Profile 2002: Albania*, London, 2002, 17; available from <http://www.eiu.com/>. See also Right to Education, *Right to Education Primers No. 2: International Legal Obligations, Constitutional Guarantees, and Access to International Procedures for Human Rights Violations*, [database online] [cited February 7, 2003]; available from <http://www.right-to-education.org>.

⁵² The available net enrollment statistic is higher than 100 percent, although this is theoretically not possible. The World Bank attributes this abnormality to discrepancies between estimates of the school-age population and reported enrollment data. See World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002.

was 90 percent, although this does not preclude children from also working.⁵³ The Ministry of Education and Sciences reported that the drop-out rate between 1999 and 2000 was approximately 3 percent, although local children's groups believe the number is higher.⁵⁴

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.⁵⁵ Labor Act No. 7724 prohibits night work by children less than 18 years of age and limits their work to six hours per day.⁵⁶ 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.⁵⁷ The Labor Code also prohibits forced or compulsory labor.⁵⁸ The Criminal Code prohibits prostitution, and the penalty is more severe when a minor girl is solicited for prostitution.⁵⁹ In January 2002, changes to the Criminal Code established penalties for trafficking of minors as well as trafficking of women for prostitution.⁶⁰ Despite a lack of resources, the government is taking steps to combat trafficking.⁶¹ Trafficking prohibitions, however, rarely lead to convictions of traffickers.⁶²

The Government of Albania ratified ILO Convention 138 on February 16, 1998 and ILO Convention 182 on August 2, 2001.⁶³

⁵³ Government of Albania, *MICS 2: Albania*, 20, 41.

⁵⁴ Local organizations report that dropout rates and child truancies 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, such as work and fear for personal safety, including fear of abduction by traffickers. Reports of drop-outs are particularly high among the ethnic Roma minority. See Hazizaj, *The Vicious Circle*, Section 1.2. See also Renton, *Child Trafficking in Albania*.

⁵⁵ 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 U.S. Department of State, *Country Reports- 2001: Albania*, 1246-49, Section 6d. See also Hazizaj, *The Vicious Circle*, Section 6.2.

⁵⁶ Government of Albania, *Act No. 7724*, (June 1993), [cited December 26, 2002]; available from <http://natlex.ilo.org/txt/E93ALB01.htm>.

⁵⁷ 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. *Albanian Constitution*, Chapter II, Article 26, and Chapter IV, Article 54(3), [cited October 20, 2002]; available from <http://www.ipls.org/services/constitution/const98/cp2.html>.

⁵⁸ U.S. Department of State, *Country Reports- 2001: Albania*, 1246-49, Section 6d.

⁵⁹ *Albanian Criminal Code*, Article 114, [cited September 13, 2002]; available from <http://www.protectionproject.org>.

⁶⁰ U.S. Department of State, *Country Reports- 2001: Albania*, 1246-49, Section 6f.

⁶¹ U.S. Department of State official, electronic communication, January 2003.

⁶² U.S. Department of State Trafficking in Persons Office official, electronic communication to USDOL official, February 7, 2003. There are very few prosecutions for offenses related to trafficking. Also, victims of prostitution rings are sometimes penalized rather than the perpetrators. See Renton, *Child Trafficking in Albania*, 11-12. See also U.S. Department of State, *Country Reports- 2001: Albania*, 1246-49, Section 6f.

⁶³ ILO, *Ratifications by Country*, in ILOLEX, [database online]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.