

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 1999.⁸⁸ 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.⁸⁹ In 2003 the government developed a new National Anti-Trafficking Strategy that, among other issues, focuses on child trafficking and prosecution of those involved. The main focus of the strategy is law enforcement, prevention, and protection, and includes the development of the Vlora Anti-Trafficking Center and the Linza Center.⁹⁰

A UNICEF program for Child and Youth Development is working with NGOs, schools, and government agencies such as the Ministry of Education and Ministry of Labor and Social Affairs to protect at-risk children, including street children and victims of trafficking, by providing them with educational, legal, and other services.⁹¹ 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.⁹² The government's Linza Center, officially opened in 2003, offers reintegration services to trafficking victims, including children. Originally managed by the IOM, the center is now the responsibility of the Ministry of Labor and Social Affairs.⁹³ In December 2002, the government signed a joint declaration with other Southeastern European countries to better assist victims of trafficking.⁹⁴ USAID is providing support to a project titled "Transnational Action Against Child Trafficking," through the Swiss-based NGO Terre des hommes, in which Albanian government officials and NGO representatives work with their counterparts in Greece and Italy to identify trafficking routes, cooperate on repatriation of trafficked children, and improve care for trafficked children and their families before and after repatriation.⁹⁵

⁸⁸ ILO-IPEC, *All About IPEC: Programme Countries*, [online] [cited June 13, 2003]; available from http://www.ilo.org/public/english/standards/ipecc/about/countries/t_country.htm.

⁸⁹ 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.

⁹⁰ U.S. Embassy- Tirana, electronic communication to USDOL official, February 19, 2004. The National Anti-Trafficking Strategy of 2003-2004 updates the existing National Strategy to Combat Trafficking of Human Beings. See also U.S. Embassy-Tirana, electronic communication to USDOL Official, March 3, 2004.

⁹¹ UNICEF, *Summary of Programs*, [online] [cited June 22, 2003]; available from www.unicef.org/albania/what_we_do/summary.htm. See also U.S. Embassy- Tirana, electronic communication dated February 19, 2004.

⁹² International Organization for Migration, *IOM Counter Trafficking Strategy for the Balkans and Neighbouring Countries*, January 2001. The Government of Albania is a member of the Southeast European Cooperative Initiative, and has participated in regional anti-trafficking efforts through the initiative's Regional Center for Combating Transborder Crime. See SECI Regional Center for Combating Transborder Crime, *SECI States*, [online] December 12, 2003 [cited January 6, 2004]; available from <http://www.secicenter.org/html/index.htm>. See also SECI Regional Center for Combating Transborder Crime, *Operation Mirage: Evaluation Report*, Bucharest, January 21, 2003; available from <http://www.secicenter.org/html/index.htm>.

⁹³ U.S. Embassy- Tirana, electronic communication dated February 19, 2004.

⁹⁴ The commitment ensures that countries stop the immediate deportation of trafficked person and offer them shelter, as well as social, health and legal assistance. See Alban Bala, "Southeastern Europe: Governments Shift Their Focus in Fighting Human Trafficking," *Radio Free Europe Weekday Magazine*, December 13, 2002; available from <http://www.rferl.org/nca/features/2002/12/13122002200939.asp>.

⁹⁵ U.S. House of Representatives, Committee on Government Reform, Subcommittee on Wellness and Human Rights, Statement by Kent R. Hill, Assistant Administrator, Bureau for Europe and Eurasia, USAID, October 29, 2003. U.S. Embassy- Tirana, electronic communication dated February 19, 2004.

In June 2002, the Government of Albania became eligible to receive funding from the World Bank and other donors under the Education for All Fast Track Initiative, which aims to provide all children with a primary school education by the year 2015.⁹⁶

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.⁹⁷ Children, especially from the Roma community, work on the streets as beggars and vendors; other Albanian children work on farms.⁹⁸ Trafficking of Albanian children abroad to prostitution or pedophilia rings in Western Europe remains a problem. One study conducted by the Albanian “Hearth” Psycho-Social Center in 2003 estimated that 21 percent of Albanian trafficking victims were minors, between the ages of 14 and 18.⁹⁹ 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.¹⁰⁰ In January 2003, Terre des hommes reported that the majority of children trafficked to Greece were sent with their family’s knowledge to work for remuneration. In addition, the report found that 95 percent of children trafficked belong to the Roma ethnic minority or the “Egyptian” community.¹⁰¹ There have been reports that children are tricked or abducted from families or orphanages and

⁹⁶ World Bank, *World Bank Announces First Group Of Countries For ‘Education For All’ Fast Track*, press release, Washington, D.C., June 12, 2002; available from <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:20049839~menuPK:34463~pagePK:34370~piPK:34424,00.html>.

⁹⁷ 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.

⁹⁸ Altin Hazizaj, *The Vicious Circle: A Report on Child Labour-Albania*, Children’s Human Rights Centre of Albania, Tirana, March 2000, Chapter 8. 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. U.S. Embassy- Tirana, electronic communication dated February 19, 2004.

⁹⁹ Vera Lesko, Entela Avdulaj, and Mirela Koci, and Dashuri Minxolli, *Annual Report 2003 on the Trafficking in Humans*, ‘The Hearth’ Psycho-Social Center, Vlora, December 2003 as cited in U.S. Embassy- Tirana, electronic communication dated February 19, 2004. Estimates on the number of Albanian children that are victims of trafficking vary. The Albanian Human Rights Group estimated that minors comprised 25 percent of trafficking victims. See U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Albania*, Washington, D.C., March 31, 2003; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18349.htm>. A study published in January 2003 estimated 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 estimated that 75 percent of trafficking victims from certain rural regions of Albania were children. 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 may work as child prostitutes in Greece. See Daniel Renton, *Child Trafficking in Albania*, Save the Children, March 2001, 16-19. The Center for the Protection of Children’s Rights estimated more than 2,000 Albanian children ages 13 to 18 were reportedly involved in prostitution rings. See U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Albania*, Washington, D.C., March 31, 2002, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18349.htm>. 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 in Greece*, 10.

¹⁰⁰ 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].

¹⁰¹ The Roma or “Egyptian” minority groups are significantly marginalized in Albanian society. Terre des hommes, *The Trafficking of Albanian Children in Greece*, 16. See also Barbara Limanowska, *Trafficking in Human Beings in Southeastern Europe*, UNICEF, UNOHCHR and OSCE-ODIHR, June 2002, 129; available from <http://www.unicef.org/sexual-exploitation/trafficking-see.pdf>. See also U.S. Embassy- Tirana, electronic communication dated February 19, 2004.

then sold to prostitution or pedophilia rings in Western Europe.¹⁰² Children are trafficked for other forms of exploitive labor as well, such as begging and drug dealing.¹⁰³

Education is compulsory and free for children ages 6 to 14.¹⁰⁴ In 2000, the gross primary enrollment rate was 107.0 percent, and the net primary enrollment rate was 97.6 percent.¹⁰⁵ According to UNICEF, the primary school attendance rate for all children ages 7 to 14 was 90 percent.¹⁰⁶ The Ministry of Education and Sciences reported that the drop-out rate from 1999 to 2000 was approximately 3 percent, although local children's groups believe the number is higher.¹⁰⁷

Child Labor Laws and Enforcement

The Labor Code sets the minimum age of employment at 16 years. Minors who are 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.¹⁰⁸ Labor Act No. 7724 prohibits night work by children less than 18 years of age and limits their work to 6 hours per day.¹⁰⁹ 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.¹¹⁰ The Labor Code also prohibits forced or compulsory labor.¹¹¹

¹⁰² U.S. Department of State, *Country Reports- 2002: Albania*, Section 5.

¹⁰³ Limanowska, *Trafficking in Southeastern Europe*, 129.

¹⁰⁴ 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>.

¹⁰⁵ World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report. The Albanian government reports a decline over the period 1990–2000 in gross and net primary school enrollment rates. The gross primary enrollment rate is reported as 91 percent and the net primary enrollment rate as 81 percent. See Human Development Promotion Center (HDPC), *The Albanian Response to the Millennium Development Goals*, Tirana, May 2002, 19.

¹⁰⁶ Government of Albania, *MICS 2: Albania*, 20, 41.

¹⁰⁷ 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 dropouts are particularly high among the ethnic Roma minority. See Hazizaj, *The Vicious Circle*, Section 1.2. See also Renton, *Child Trafficking in Albania*.

¹⁰⁸ 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- 2002: Albania*, Section 6d. See also Hazizaj, *The Vicious Circle*, Section 6.2.

¹⁰⁹ Government of Albania, Act No. 7724, (June 1993); available from <http://natlex.ilo.org/txt/E93ALB01.htm>.

¹¹⁰ 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>.

¹¹¹ U.S. Department of State, *Country Reports- 2002: Albania*, Section 6d.

The Criminal Code prohibits prostitution, and the penalty is more severe when a minor girl is solicited for prostitution.¹¹² In January 2002, changes to the Criminal Code established penalties for trafficking of minors as well as trafficking of women for prostitution.¹¹³ With the assistance of international donors, the government has improved its enforcement and interdiction capabilities at border crossings and at ports, resulting in several arrests of child traffickers.¹¹⁴ Trafficking prohibitions, however, rarely lead to convictions of traffickers.¹¹⁵

The Government of Albania ratified ILO Convention 138 on February 16, 1998 and ILO Convention 182 on August 2, 2001.¹¹⁶

¹¹² *Albanian Criminal Code*, [cited Article 1281b]; available from <http://209.190.246.239/protectionproject/statutesPDF/AlbaniaF.pdf>.

¹¹³ U.S. Department of State, *Country Reports- 2002: Albania*, 1246-49, Section 6f.

¹¹⁴ U.S. Embassy- Tirana, *unclassified telegram no. 0813*, May 2003. See also "Children Bought and Sold," *Transitions Online* (Tirana), April 14 2003, [cited June 22, 2003]; available from www.protectionproject.org/daily_news/2003/ne416.htm.

¹¹⁵ 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- 2002: Albania*, Section 6f.

¹¹⁶ ILO, *Ratifications by Country*, in ILOLEX, [database online]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.