

Albania

Incidence and Nature of Child Labor

An estimated 36.6 percent of children ages 7 to 14 years were counted as working in Albania in 2000. Approximately 41.1 percent of all boys 7 to 14 were working compared to 31.8 percent of girls in the same age group.⁶⁴ Children, especially from the Roma community, work on the streets as beggars and vendors. Children can also be found laboring as farmers, shoe cleaners, drug runners, and textile, factory, and construction workers.⁶⁵ Local NGOs estimate that there are approximately 1,000 street children in Tirana.⁶⁶ Child labor is one of many problems associated with poverty. In 2002, less than 2 percent of the population of Albania were living on less than USD 1 a day.⁶⁷

The trafficking of Albanian children as young as 6 years old to Western Europe and within Albania for prostitution and other forms of exploitative labor remains a problem.⁶⁸ The Ministry of the Interior estimated that between 1992 and 2000, some 4,000 children were trafficked from Albania abroad.⁶⁹ Children are trafficked to Italy and Greece to participate in organized begging rings and forced labor, including work in agriculture and construction.⁷⁰ Some children are kidnapped or sold by family members to traffickers.⁷¹ Children who are returned to the Albanian border from Greece are often at high

⁶⁴ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, Child Economic Activity and School Attendance Rates, October 7, 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, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children, please see the "Data Sources and Definitions" section of this report.

⁶⁵ U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Albania*, Washington, DC, February 28, 2005, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41666.htm>. See also U.S. Embassy- Tirana, *reporting, August 26, 2005*.

⁶⁶ U.S. Embassy- Tirana, *email communication to USDOL official, August 14, 2006*. See also U.S. Embassy- Tirana, *reporting, August 26, 2005*.

⁶⁷ *Living Standards Measurement Survey, 2002* carried out by INSTAT, as reported in UNICEF's *The State of Albania's Children, 2006*.

⁶⁸ ILO-IPEC, *Combating Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine*, project document, Geneva, September 2003, 7. See also ILO-IPEC, *Rapid Assessment of Trafficking in Children for Labour and Sexual Exploitation in Albania, 2003*, Tirana, 2004, 26; available from

http://www.ilo.org/public/english/standards/ipecc/publ/download/cee_albania_ra_2003.pdf. See also U.S. Department of State, *Country Reports- 2004: Albania*, Section 5. The Children's Human Rights Center reported that as a result of increased efforts by the government, trafficking of children is shifting from illegal methods of transportation, such as via speedboats, to "legal" methods where children cross borders with passports and visas. See also Children's Human Rights Center (CRCA), *Child Trafficking in Albania: A Comprehensive Report on Child Trafficking in Albania*, Tirana, July 2003, 6. A 2003 survey of 66 children found the majority of trafficked boys engaged in begging and selling various items on the street. More girls than boys were exploited in prostitution. See also ILO-IPEC, *Rapid Assessment of Trafficking in Children*, 26-27.

⁶⁹ U.S. Department of State, *Country Reports- 2004: Albania*, Section 5. The Children's Human Rights Center cites these same figure as provided by the Ministry of Interior. See also Children's Human Rights Center (CRCA), *Child Trafficking in Albania: A Comprehensive Report*, 9. See also ILO-IPEC, *ILO-IPEC Child Trafficking Project, project document, 2003*, 6. Additionally, a report published in 2001 estimated that 75 percent of trafficking victims from certain rural regions of Albania were children. See also Daniel Renton, *Child Trafficking in Albania*, Save the Children Norway, March 2001, 16-19.

⁷⁰ ILO-IPEC, *Rapid Assessment of Trafficking in Children*, 25. Children, particularly Roma boys, are trafficked to Greece and Italy for begging and forced labor. 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 also Renton, *Child Trafficking in Albania*, 44-45. See also UNICEF, *Profiting From Abuse: An Investigation into the Sexual Exploitation of our Children*, New York, 2001, 18; available from http://www.unicef.org/publications/pub_profiting_en.pdf.

⁷¹ U.S. Department of State, *Country Reports- 2004: Albania*, Section 5.

risk of being re-trafficked.⁷² According to a 2003 report, trafficking of Albanian children specifically to Greece appears to be on a decline.⁷³ However, there is evidence of new trafficking routes to Kosovo and Slovenia to further points in Europe.⁷⁴ Internal trafficking is reported to be rising, with increasing numbers of children in the capital of Tirana falling victim to prostitution and other forms of exploitation.⁷⁵

Education is free and compulsory for children ages 6 or 7 to 15 years.⁷⁶ Beginning in the 2004-2005 school year, the period of compulsory education was raised from 8 to 9 years.⁷⁷ In 2002, the gross primary enrollment rate was 104 percent and the net primary enrollment rate was 95 percent.⁷⁸ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. In 2000, 50.9 percent of children ages 7 to 14 years were attending school.⁷⁹ The government reported that the dropout rate from 2003 to 2004 was 1.2 percent and the repetition rate was 2.8 percent.⁸⁰ The Children's Human Rights Center of Albania reported in 2004 that 25 percent of children in urban areas and 35 percent of children in rural areas are not registered in school.⁸¹ The increase in population of the capital city Tirana over the last decade has not been accompanied by the building of new school facilities, resulting in overcrowding of classrooms. In 2002, 60 percent of schools were operating under two shifts, with 20 percent of these schools reducing teaching periods. According to UNICEF, the educational needs of children living in these areas are not being met.⁸²

Child Labor Laws and Enforcement

The Labor Code sets the minimum age of employment at 16 years. Article 99 of the Labor Code allows children ages 14 to 18 years to be employed to do light work and seek employment during school

⁷² ILO-IPEC, *ILO-IPEC Child Trafficking Project, project document*, 2003, 8. See also Barbara Limanowska, *Trafficking in Human Beings in South Eastern Europe: Update on Situation and Response to Trafficking in Human Beings in Albania, Bosnia and Herzegovina, Bulgaria, Croatia, The Former Yugoslav Republic of Macedonia, Moldova, Serbia and Montenegro, including the UN Administered Province of Kosovo, Romania.*, UNICEF, UNOHCHR and OSCE-ODIHR, November 2003, 39; available from http://www.osce.org/documents/odihr/2003/12/1645_en.pdf.

⁷³ Terre des hommes, *The Trafficking of Albanian Children in Greece*, Le Mont sur Lausanne, January 2003, 9-11. See also U.S. Embassy- Tirana, *reporting*, August 26, 2005. See also Barbara Limanowska, *Trafficking in Human Beings in South Eastern Europe. 2004 - Focus on Prevention in: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, The former Yugoslav Republic of Macedonia, Moldova, Romania, Serbia and Montenegro, and the UN Administered Province of Kosovo*, UNICEF, UNOHCHR, OSCE-ODIHR, March 2005, 101; available from <http://www.unicef.org/ceecis/Trafficking.Report.2005.pdf>.

⁷⁴ U.S. Embassy- Tirana, *reporting*, August 26, 2005.

⁷⁵ Ibid. See also Limanowska, *Trafficking in Human Beings in South Eastern Europe: 2004 - Focus on Prevention*, 2005, 101.

⁷⁶ Committee on the Rights of the Child, *Summary Record of the 1004th Meeting: Albania*, March 31, 2005, para 57 and 59; available from <http://www.unhchr.ch/tbs/doc.nsf/0/ecf0eee2031659f0c1256f8f003e8e28?Opendocument>. Even though education is free, parents must bear the burden of paying costs for supplies, books and school materials. See also U.S. Embassy- Tirana, *reporting*, August 26, 2005.

⁷⁷ Ardi Pulaj, *Albania Reforms Its Education System*, Southeast European Times Online, [online] September 7, 2004 [cited July 6, 2005]; available from http://www.southeasteurope.org/subpage.php?sub_site=2&id=12626&head=if&site=1.

⁷⁸ UNESCO Institute for Statistics, *Gross and Net Enrollment Ratios, Primary*; accessed December 2005; available from <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51>. For an explanation of gross primary enrollment rates that are greater than 100 percent, please see the definition of gross primary enrollment rates in the "Data Sources and Definitions" section of this report.

⁷⁹ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

⁸⁰ Committee on the Rights of the Child, *Written Replies by the Government of Albania Concerning the List of Issues (CRC/C/Q/ALB/1) Received by the Committee on the Rights of the Child Relating to the Consideration of the Initial Periodic Report of Albania (CRC/C/11/Add.27)*, December 16, 2004, 23-24; available from <http://www.unhchr.ch/tbs/doc.nsf/0/a5214c26964bbfa4c1256f770052ed3b?Opendocument>.

⁸¹ Reference to the Children's Human Rights Center of Albania 2004 report as cited in U.S. Embassy- Tirana, *reporting*, August 26, 2005.

⁸² These are findings of the Education Directorate for the Tirana district as cited in UNICEF, *Needs for Information and Social Services in the City of Tirana*, Tirana, November 1, 2002, 14-15; available from <http://www.unicef.org/albania/Needsinformation.pdf>.

holidays.⁸³ Article 101 prohibits night work by children younger than 18 years of age and Article 78 limits their work to 6 hours per day.⁸⁴ The employment of children is punishable by a fine under Article 60 of the Law for Pre-University Education.⁸⁵ 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.⁸⁶ The Labor Code also prohibits forced or compulsory labor.⁸⁷

The Labor Inspectorate within the Ministry of Labor is responsible for enforcing child labor laws as they pertain to registered businesses.⁸⁸ In the first 10 months of 2004, there were 169 cases of children working of which 138 did not have appropriate administrative permissions.⁸⁹ Since 1999, the Government of Albania has submitted to the ILO a list or an equivalent document identifying the types of work that it has determined are harmful to the health, safety or morals of children under Convention 182 or Convention 138.⁹⁰

Although there is no law specifically prohibiting the worst forms of child labor in Albania, there are statutes under which the worst forms can be prosecuted. The Criminal Code prohibits prostitution, and the penalty is more severe when a child is solicited for prostitution.⁹¹ The Criminal Code sets penalties for trafficking, including 15 to 20 years imprisonment for trafficking of minors.⁹² Eight convictions for the trafficking of children were made under Article 128 of the Criminal Code in 2003.⁹³ A witness protection law was adopted in 2004 and, though funding remains weak, implementation has begun.⁹⁴ The government has remained committed to its enforcement and interdiction capabilities at border crossings and at ports resulting in several arrests of traffickers.⁹⁵ In 2005, the Government of Albania appointed a new, full-time national coordinator for anti-trafficking with a dedicated staff of five.⁹⁶

⁸³ Many articles in the Labor Code No. 7961 regulate child work. The Labor Code has also been updated a number of times, most recently by Law No. 9125, dated July 29, 2003, "For Several Additions and Amendments to Law No. 7961, dated July 12, 1995, 'The Labor Code of the Republic of Albania,'" amended by Law no. 8085, dated March 12, 1996 as cited by Government of Albania, *United Nations Study on Violence Against Children*, 2004, 4, 6; available from <http://www.ohchr.org/english/bodies/CRC/docs/study/responses/Albania.pdf>.

⁸⁴ *Ibid.*, 6.

⁸⁵ Reference to the Law for Pre-University Education as cited in Altin Hazizaj and S. Thornton Barkley, *The Vicious Circle: A Report on Child Labour-Albania*, Children's Human Rights Centre of Albania, Tirana, March 2000, Section 6.2.

⁸⁶ Furthermore, the Constitution states that children have the right to special protection by the state; however, the ages are not specified. See *Albanian Constitution*, Chapter II, Article 26, and Chapter IV, Article 54(3); available from <http://www.ipls.org/services/constitution/const98/cp2.html>.

⁸⁷ U.S. Department of State, *Country Reports- 2004: Albania*, Section 6c.

⁸⁸ According to the Ministry of Labor's Child Labor Unit, most violations concerning children were in the shoe and textile companies, but violations are on the decline. There has also been a decline in illegal child labor in construction, as building methods are progressively in need of better skilled labor. The fine for employing an underage worker is 20 to 30 times the monthly minimum wage of the employee in violation of the code. See U.S. Embassy- Tirana, *reporting, August 26, 2005*.

⁸⁹ Committee on the Rights of the Child, *Written Replies by the Government of Albania*, 34-35.

⁹⁰ ILO-IPEC Geneva official, email communication to USDOL official, November 14, 2005.

⁹¹ The Criminal Code as cited by Interpol. See Government of Albania, *Criminal Code*, Article 114; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaAlbania.asp>.

⁹² U.S. Department of State, *Country Reports- 2004: Albania*, Section 5. See also U.S. Department of State, *Trafficking in Persons Report*, Washington, DC, June 3, 2005.

⁹³ Government of Albania, *United Nations Study on Violence Against Children*, 42.

⁹⁴ U.S. Department of State, *Trafficking in Persons Report*. See also U.S. Embassy- Tirana, *email communication to USDOL official, August 14, 2006*. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2005: Albania*, Washington, DC, March 8, 2006, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2005/61633.htm>.

⁹⁵ *Ibid.*

⁹⁶ U.S. Department of State, *Trafficking in Persons Report- 2006*, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/65988.htm>. See also U.S. Embassy- Tirana, *email communication to USDOL official, August 14, 2006*.

The minimum age for voluntary military service is 18 years and for compulsory military service is 19 years. In 2004, there were no reports of children under 18 years of age serving in the Albanian armed forces.⁹⁷

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

A number of national strategies, including the Government of Albania's 2001-2005 National Strategy for Children, the Poverty Reduction Strategy Paper, and Strategies on Education and Social Services, have integrated child labor concerns.⁹⁸ The Ministry of Labor's Child Labor Unit provides training to labor inspectors on identification and monitoring of child labor.⁹⁹ There is a National Steering Committee on Child Labor and a Child Labor Unit within the Ministry of Labor and Social Affairs that coordinates efforts.¹⁰⁰ In February 2005, the government approved the National Strategy Against Child Trafficking and the Protection of Child Victims of Trafficking.¹⁰¹ The Child Trafficking Strategy was subsumed in the Action Plan of the National Strategy to Combat Trafficking in Human

| Selected Child Labor Measures Adopted by Governments | |
|--|---|
| Ratified ILO Convention 138 2/16/1998 | ✓ |
| Ratified ILO Convention 182 8/02/2001 | ✓ |
| ILO-IPEC Member | ✓ |
| National Plan for Children | ✓ |
| National Child Labor Action Plan | ✓ |
| Sector Action Plan (Trafficking) | ✓ |

⁹⁷ Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report 2004*, [online] 2004 [cited September 28, 2005]; available from http://www.child-soldiers.org/document_get.php?id=885.

⁹⁸ ILO-IPEC, *Combating Trafficking in Children for Labor and Sexual Exploitation in the Balkans and Ukraine*, technical progress report, Geneva, March 2004, 2. See also Republic of Albania and National Committee on Women and Family, *National Strategy for Children, 5-year Plan*, UNICEF, Tirana, 2001, 15-16 [hard copy on file]; available from <http://www.unicef.org/albania/publications/nationalstrategy.pdf>. The Committee on the Rights of the Child found that the necessary structures and the financial and human resources required to fully implement the National Strategy on Children are not in place. A revision of the National Strategy on Children 2006-2010 is planned, and the Committee recommends other targeted plans for trafficking in children and child labor be integrated within the updated National Strategy. See also Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Albania*, March 31, 2005, Para. 11 and 12; available from <http://www.unhchr.ch/tbs/doc.nsf/0/7d5e3444b12ac33dc1257018004dd14c?OpenDocument>.

⁹⁹ U.S. Embassy- Tirana, *reporting, August 23, 2004*.

¹⁰⁰ ILO-IPEC, *ILO-IPEC Child Trafficking Project, project document, 2003, 35*. See also ILO-IPEC, *ILO-IPEC Child Trafficking Project, technical progress report, March 2004, 2*.

¹⁰¹ ILO-IPEC, *Child Trafficking Project, technical progress report, March 2005, 2*. See also U.S. Embassy- Tirana, *reporting, August 26, 2005*.

Beings 2005-2007, which also was approved in 2005.¹⁰² The Government of Albania reported that it would complete a National Child Labor Action Plan by January 2007.¹⁰³ Issues concerning the trafficking of children have also been mainstreamed into the National Strategy for Social Services (2005-2010) as well as the UN Common Country Assessment and the Albania National Report towards achieving the Millennium Development Goals.¹⁰⁴ The signing of a memorandum of understanding regarding the repatriation of child victims of trafficking is under consideration by the Governments of Albania and Greece.¹⁰⁵

The government, through the Ministry of Labor and Social Affairs manages the Linza Center, which offers reintegration services to trafficking victims, including children.¹⁰⁶ Albania has also signed a joint declaration with other Southeastern European countries pledging to better assist victims of trafficking. The commitment ensures that countries stop the immediate deportation of trafficked persons and offer them shelter, as well as social, health and legal assistance.¹⁰⁷ Despite these efforts, most of the direct services for child victims of trafficking continue to be provided by the NGO community.¹⁰⁸

The government is also participating in a 3-year, USD 1.5 million USDOL-funded ILO-IPEC regional project to combat the trafficking of children for labor and sexual exploitation. The project is working in partnership with the Government of Albania and local organizations.¹⁰⁹ Project activities include distributing educational materials and training teachers in 12 regions and youth representatives to use the materials in local communities to raise awareness on combating child labor. Youth clubs have been established to assist children removed from exploitative situations to attend educational programs and vocational training.¹¹⁰ Under the guidance of the Ministry of Labor and Social Affairs, a program on prevention and monitoring of child labor in three cities has involved partnerships between teachers, social workers, police, and labor inspectors to identify working children and remove them from work, effectively shifting such responsibilities to local entities.¹¹¹

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.¹¹² USAID is providing support to two projects titled "Transnational Action Against Child Trafficking" and "The Coordinated Action Against Human Trafficking," in which Albanian

¹⁰² ILO-IPEC, *Child Trafficking Project, technical progress report, March 2005*, 2. The Anti-Trafficking Unit of the OSCE Presence in Albania has advised the government in drafting the national strategy and action plan to combat child trafficking. The OSCE coordinates closely with national agencies involved in anti-trafficking efforts such as the National Coordinator for Anti-Trafficking, the Ministry of Labor, Social Affairs and Equal Opportunity the Ministry of the Interior and relevant police units. See also OSCE, *OSCE Presence in Albania*, [online] 2005 [cited September 28, 2005]; available from <http://www.osce.org/albania/13138.html>. See also U.S. Embassy- Tirana, *email communication to USDOL official*, August 14, 2006.

¹⁰³ U.S. Embassy- Tirana, *email communication to USDOL official*, August 14, 2006.

¹⁰⁴ ILO-IPEC, *Child Trafficking Project, technical progress report, March 2005*, 2. See also U.S. Embassy- Tirana, *reporting, August 26, 2005*.

¹⁰⁵ ILO-IPEC, *Child Trafficking Project, technical progress report, March 2005*, 11. See also U.S. Embassy- Tirana, *reporting, August 26, 2005*.

¹⁰⁶ U.S. Embassy- Tirana, electronic communication to USDOL official, February 19, 2004.

¹⁰⁷ 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>.

¹⁰⁸ Children's Human Rights Centre (CRCA), *Joint East West Research Project on Trafficking in Children for Sexual Purposes in Europe: The Sending Countries*, January 2004, 23. See also U.S. Embassy- Tirana, *reporting, August 23, 2004*.

¹⁰⁹ ILO-IPEC, *ILO-IPEC Child Trafficking Project, project document, 2003*.

¹¹⁰ The education module is called SCREAM – Supporting Children's Rights through Education, Arts, and the Media. See U.S. Embassy- Tirana, *reporting, August 26, 2005*.

¹¹¹ *Ibid.*

¹¹² SECI Regional Center for Combating Transborder Crime, *Mission of the SECI Center*, [online] 2005 [cited September 30, 2005]; available from <http://www.secicenter.org/html/press%20releases/press%20release%2035.htm>. See also SECI Regional Center for Combating Transborder Crime, *Operation Mirage 2004: Press Release*, September 27, 2004 [cited September 30, 2005]; available from <http://www.secicenter.org/html/press%20releases/press%20release%2035.htm>.

government officials and NGO representatives work with their counterparts in other countries to identify trafficking routes, cooperate on repatriation of trafficked children, and improve care for trafficked children and their families before and after repatriation.¹¹³ In an effort to implement the national plan of action against human trafficking, UNICEF reported that in cooperation with the government, children, family members, and teachers have been reached with anti-trafficking educational materials, and at-risk, abused or exploited children have been reintegrated into the formal education system.¹¹⁴

Albania has been invited by the World Bank to participate in the Education for All Fast Track Initiative, which aims to provide all children with primary school education by the year 2015.¹¹⁵

¹¹³ USAID, *Albania Anti-Trafficking*, [online] February 10, 2005 [cited June 30, 2005]; available from <http://www.usaidalbania.org/en/so.aspx?Id=5>. See also U.S. Embassy- Tirana, *reporting, August 26, 2005*.

¹¹⁴ UNICEF, *UNICEF Albania Child Trafficking*.

¹¹⁵ World Bank, *Education for All*, [online] 2005 [cited September 30, 2005]; available from <http://www.worldbank.org.al/WBSITE/EXTERNAL/COUNTRIES/ECAEXT/ALBANIAEXTN/0,contentMDK:20196239~pagePK:1497618~piPK:217854~theSitePK:301412,00.html>.