

Albania

Incidence and Nature of Child Labor

UNICEF estimated that 31.7 percent of children ages 5 to 14 years in Albania were working in 2000. The rate of child work is higher in rural areas than cities.¹⁰⁶ 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 and shoe factory workers.¹⁰⁷

The trafficking of Albanian children as young as 6 years old¹⁰⁸ to Western Europe for prostitution and other forms of exploitive labor remains a problem.¹⁰⁹ The Ministry of Public Order estimated that within an 8-year period (1992-2000), some 4,000 children were trafficked from Albania, mostly for domestic work, begging and agriculture.¹¹⁰ A 2003 study of trafficking victims who received services at the "Hearth" Psycho-Social Center revealed that 21 percent were minors between the ages of 14 and 18 years.¹¹¹ Boys and girls are trafficked to Italy and Greece to participate in organized begging rings and forced labor, including work in agriculture and construction.¹¹² In January 2003, *Terre des hommes* reported that the majority of

¹⁰⁶ Children considered to be working include those 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. See Government of Albania, Multiple Indicator Cluster Survey (MICS) Report: Albania, UNICEF, December 4, 2000, 33, 55, Table 2. According to the Children's Human Rights Center of Albania, about 50,000 children below the age of 18 work full or part time in the country. See Alma Maksutaj, Joint East West Research Project on Trafficking in Children for Sexual Purposes in Europe: The Sending Countries, Children's Human Rights Centre of Albania, January 2004, 6.

¹⁰⁷ 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, 12. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Albania*, Washington, D.C., February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27820.htm>. See also U.S. Embassy- Tirana, unclassified telegram no. 1329, August 23, 2004.

¹⁰⁸ ILO-IPEC, *Combating the Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine*, Project Document, Geneva, September 2003, 7.

¹⁰⁹ U.S. Department of State, *Country Reports- 2003: Albania*, Section 6f. An NGO 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 *Child Trafficking in Albania*, Children's Human Rights Centre of Albania, Tirana, July 2003, 7.

¹¹⁰ See U.S. Department of State, *Country Reports- 2003: Albania*. See also ILO-IPEC, *ILO-IPEC Child Trafficking Project*, project document, 6. Additionally, a report published in 2001 estimated 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, 16-19.

¹¹¹ Some of the trafficking victims were recruited willingly, while a significant portion was deceived by hopes of marriage or work. Prior year studies indicated that the majority of victims came from rural areas; however, in this year's study, half of the victims stated they came from urban cities. The study also revealed that a majority of the adult victims interviewed were trafficked for the first time between the ages of 14 to 17 years. See Vera Lesko, Entela Avdulaj, and Mirela Koci, and Dashuri Minxolli, *Annual Report 2003 on Trafficking in Humans Beings*, "Vatra" Psycho-Social Center, Vlora, n.d., 33-36.

¹¹² Children, particularly Gypsy and 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 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

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.¹¹³ There have been reports that children are tricked or abducted from families or orphanages and then sold to prostitution or pedophilia rings.¹¹⁴ Children who are returned to the Albanian border from Greece are oftentimes at high risk of being re-trafficked.¹¹⁵ According to the 2003 *Terre des hommes* report, trafficking of Albanian children specifically to Greece appears to be on a decline.¹¹⁶ Internal trafficking, on the other hand, is reported to be rising, with increasing numbers of children in the capital of Tirana falling victim to prostitution and other forms of exploitation.¹¹⁷

Education is free and compulsory for children ages 6 to 14 years.¹¹⁸ In 2000, the gross primary enrollment rate was 106.6 percent, and the net primary enrollment rate was 97.2 percent.¹¹⁹ 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. Recent primary school attendance statistics are not available for Albania, though UNICEF reports that the primary school attendance rate for children ages 7 to 14 years was 90 percent.¹²⁰ The Ministry of Education and Sciences reported that the dropout rate from 1999 to 2000 was approximately 3 percent, although local children's groups believe the number is higher.¹²¹

¹¹³ The Roma or "Egyptian" minority groups are significantly marginalized in Albanian society. The study also 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, 16. See also Barbara Limanowska, *Trafficking in Human Beings in South Eastern Europe*, UNICEF, UNOHCHR and OSCE-ODIHR, November 2003, 51.

¹¹⁴ U.S. Department of State, *Country Reports- 2003: Albania*, Section 6f.

¹¹⁵ ILO-IPEC, *ILO-IPEC Child Trafficking Project, project document*, 8. See also Limanowska, *Trafficking in South Eastern Europe*, 2003, 39.

¹¹⁶ *Terre des hommes, The Trafficking of Albanian Children in Greece*, 9-10. See also U.S. Embassy- Tirana, *unclassified telegram no. 1329*.

¹¹⁷ U.S. Embassy- Tirana, *unclassified telegram no. 1329*.

¹¹⁸ UNESCO, *National Education Systems*, [Online] [cited May 6, 2004]. See also Right to Education, *Constitutional Guarantees*, [database online] [cited May 10, 2004]; available from <http://www.right-to-education.org>. Even though education is free, parents must bear the burden of paying costs for supplies, books and school materials. See U.S. Embassy- Tirana, *unclassified telegram no. 1329*.

¹¹⁹ World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004. 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 in gross and net primary school enrollment rates in the 1990-2000 period as well as lower rates for the year 2000. The Albanian government reported the gross primary enrollment rate as 90 percent and the net primary enrollment rate as 81 percent for 2000. See Human Development Promotion Center (HDPC), *The Albanian Response to the Millennium Development Goals*, Tirana, May 2002, 19.

¹²⁰ Government of Albania, *MICS 2: Albania*, 20, 41.

¹²¹ Hazizaj, *The Vicious Circle*, Section 1.2. A recent study indicates that more than 17 percent of child dropouts left school to work. See Maksudaj, *Joint East West Research Project*, 6.

Child Labor Laws and Enforcement

The Labor Code sets the minimum age of employment at 16 years. Minors ages 14 to 18 years may seek employment during school holidays, but are only permitted to work in light jobs, which are determined by the Council of Ministers.¹²² Labor Act No. 7724 prohibits night work by children younger than 18 years of age and limits their work to 6 hours per day.¹²³ 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.¹²⁴ The Labor Code also prohibits forced or compulsory labor.¹²⁵

The Labor Inspectorate within the Ministry of Labor is responsible for enforcing the country's labor and child labor laws as they pertain to registered businesses. Labor inspections of factories carried out in the first half of 2004 found only 0.01 percent of the employees were underage.¹²⁶ The Criminal Code prohibits prostitution, and the penalty is more severe when a girl minor is solicited for prostitution.¹²⁷ A 2001 amendment to the Criminal Code set penalties for trafficking, including 15 to 20 years imprisonment for trafficking of minors. While trafficking prosecutions are rare, the government took steps to improve enforcement, including a number of arrests of traffickers, investigations of police involvement in trafficking, and the establishment of an Organized Crime Task Force to improve its handling of high profile trafficking cases. In addition, the government created a Child Trafficking Working Group to focus special attention on child victims of trafficking.¹²⁸ The government has also improved its enforcement and interdiction capabilities at border crossings and at ports resulting in several arrests of child traffickers.¹²⁹

¹²² The Ministry of Labor may enforce minimum age requirements through the courts, but no recent cases of this actually occurring are known. See U.S. Department of State, *Country Reports- 2003: Albania*, Section 6d. The employment of children is punishable by a fine, as stated in Article 60 of the Law for Pre-University Education. See Hazizaj, *The Vicious Circle*, Section 6.2.

¹²³ Children under 18 year can work up to 2 hours overtime. See Government of Albania, Labor Act No. 7724, (June 1993), sections 5, 7 and 9; available from <http://natlex.ilo.org/txt/E93ALB01.htm>.

¹²⁴ Furthermore, Article 54(3) of 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), [cited May 10, 2004]; available from <http://www.ipls.org/services/constitution/const98/cp2.html>.

¹²⁵ U.S. Department of State, *Country Reports- 2003: Albania*, Section 6c.

¹²⁶ The majority of factories inspected were shoe and textile companies. More than 70 percent of the underage workers were girls. The fine for employing an underage worker is normally 20 to 30 times the monthly minimum wage of the employee. See U.S. Embassy- Tirana, *unclassified telegram no. 1329*.

¹²⁷ Government of Albania, *Penal Code*, Article 114; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaAlbania.asp>.

¹²⁸ U.S. Department of State, *Country Reports- 2003: Albania*, Section 6f. See also U.S. Department of State, *Trafficking in Persons Report- 2004: Albania*, Washington, DC, June 14, 2004; available from <http://www.state.gov/g/tip/rls/tiprpt/2004/33192.htm>. See also U.S. Embassy- Tirana, *unclassified telegram no. 1329*.

¹²⁹ U.S. Embassy- Tirana, *unclassified telegram no. 0813*, May 2003. See also U.S. Department of State, *Trafficking in Persons Report- 2004: Albania*.

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

A number of national strategies, including the Government of Albania's 2001-2006 National Strategy for Children, the Poverty Reduction Strategy Paper, and Strategies on Education and Social Services, have integrated child labor concerns.¹³⁰ The Ministry of Labor's Child Labor Unit provides training to labor inspectors on identification and monitoring of child labor.¹³¹ The government also has in place an 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.¹³²

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)	✓

Officially opened in 2003, the government's Linza Center 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.¹³³ Albania is also part of a joint declaration with other Southeastern European countries to better assist victims of trafficking.¹³⁴ Despite these efforts, most of the direct services for child victims of trafficking continue to be provided by the NGO community.¹³⁵

The government is also participating in a 3-year USDOL-funded ILO-IPEC 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.¹³⁶ IOM is conducting prevention and reintegration activities in collaboration with the government, including training for law enforcement, media campaigns, teacher

¹³⁰ 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 [cited May 24, 2004]; available from <http://www.unicef.org/albania/publications/nationalstrategy.pdf>.

¹³¹ U.S. Embassy- Tirana, *unclassified telegram no. 1329*.

¹³² The National Anti-Trafficking Strategy of 2003-2004 updates the existing National Strategy to Combat Trafficking of Human Beings 2001-2004. See Republic of Albania, *Albanian National Anti-trafficking Strategy: Action Plan: September 2003-September 2004*, Council of Ministers, Cabinet of the Minister of State to the Prime Minister, October 2003. A sub-group on child trafficking, led by the Minister of State, has been established and has developed a draft National Strategy of Trafficking in Children and a National Plan of Action. See ILO-IPEC, *ILO-IPEC Child Trafficking Project, technical progress report, 2*.

¹³³ U.S. Embassy- Tirana, electronic communication to USDOL official, February 19, 2004.

¹³⁴ 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, [cited May 24, 2004]; available from <http://www.rferl.org/nca/features/2002/12/13122002200939.asp>.

¹³⁵ Maksutaj, *Joint East West Research Project*, 23. See also U.S. Embassy- Tirana, *unclassified telegram no. 1329*.

¹³⁶ Albania is part of a USD 1.5 million regional project. As part of earlier efforts by ILO-IPEC, there is now a functioning National Steering Committee on Child Labor and a Child Labor Unit within the Ministry of Labor and Social Affairs. See ILO-IPEC, *ILO-IPEC Child Trafficking Project, project document*. See also ILO-IPEC, *ILO-IPEC Child Trafficking Project, technical progress report, 2*.

training and development of education materials, and the provision of educational, training and other services to trafficking victims.¹³⁷ UNICEF is working with the Government of Albania and local NGOs to combat child trafficking through prevention, protection and repatriation measures.¹³⁸ 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.¹³⁹

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 2015.¹⁴⁰

¹³⁷ International Organization for Migration, *IOM Tirana’s Counter Trafficking Projects*, April 2004. 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>.

¹³⁸ UNICEF, *Summary of Programs*, [online] [cited May 6, 2004]; available from http://www.unicef.org/albania/what_we_do/summary.htm.

¹³⁹ 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. See also U.S. Embassy- Tirana, electronic communication dated February 19, 2004.

¹⁴⁰ 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:34424,0.html>.