

*In 2014, Kosovo made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government conducted a study on child labor as part of the implementation of its National Strategy and Action Plan for the Prevention and Elimination of Child Labor in Kosovo (SAP). The Government also drafted the 2014–2020 Sectorial Strategy and Action Plan to address issues of child labor in Kosovo. In addition, the Government issued two decisions determining the roles and responsibilities of educational institutions and agriculture sector employees in preventing and eliminating child labor. However, children in Kosovo are engaged in child labor, including in street work and in the worst forms of child labor, including in commercial sexual exploitation. Children from minority communities continue to face barriers to accessing education. In addition, both the Labor Inspectorate and the Kosovo Police's Directorate of Trafficking in Human Being Investigation face gaps in the availability of resources and the collection and publishing of data on enforcement efforts.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kosovo are engaged in child labor, including in street work.(1-5) Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(1, 2, 5-7) Data on key indicators on children's work and education are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		Unavailable

Source for primary completion rate was unavailable from UNESCO Institute for Statistics, 2015.(8)

Data were unavailable from Understanding Children's Work Project's analysis, 2015.(9)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Farming, activities unknown (2-5, 10)
	Forestry,* activities unknown (2, 5)
Industry	Mining, including for coal*† (4, 5, 11, 12)
Services	Street work, including vending small items,† transporting goods,† and begging† (1-5, 10, 12)
	Scavenging (2, 3, 5, 10)
Categorical Worst Forms of Child Labor‡	Forced begging sometimes as a result of human trafficking (1, 6, 7)
	Commercial sexual exploitation sometimes as a result of human trafficking (1, 2, 5-7, 13)
	Used in illicit activities* (2, 5)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

# Kosovo

## MODERATE ADVANCEMENT

Kosovo is a source and destination country for child trafficking. The majority of child trafficking victims in Kosovo are girls ages 14 to 17, who are primarily trafficked domestically for commercial sexual exploitation.(6, 13, 14)







Children from Kosovo and neighboring countries were also subjected to forced begging in Kosovo.(13) The majority of children involved in begging and other street work are members of the Roma, Ashkali, and Egyptian minority ethnic groups.(1, 3) Roma, Ashkali, and Egyptian children, as well as children from Albania, are sometimes subject to forced begging by criminal groups.(1, 6)

Children from the Ashkali, Egyptian, and Roma communities continue to experience difficulty accessing education. A shortage of native-language teachers continues to contribute to low school attendance rates for ethnic minority children, despite some Government efforts to ensure the right to native language education.(4, 15) In addition, the prohibitively high fee for birth registration leaves some children in these communities without registration. Lack of birth registration sometimes hampers children from enrolling in schools.(4, 15, 16)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Kosovo is not a UN member country; therefore, the Government is not eligible to ratify any ILO or other UN conventions. Article 22 of Kosovo's Constitution, however, incorporates the UN CRC by reference.(17)

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	N/A
 ILO C. 182, Worst Forms of Child Labor	N/A
 UN CRC	N/A
 UN CRC Optional Protocol on Armed Conflict	N/A
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	N/A
 Palermo Protocol on Trafficking in Persons	N/A

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 7 of the Labor Law (18)
Minimum Age for Hazardous Work	Yes	18	Articles 20, 23, 26-28, and 45 of the Labor Law (18)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Administrative Instruction 05/2013 (AI 05/2013) (12, 19)
Prohibition of Forced Labor	Yes		Article 6 of the Labor Law; Article 169 of the Criminal Code (18, 20)
Prohibition of Child Trafficking	Yes		Articles 171 and 231 of the Criminal Code; Law No. 04/L-218 on the Prevention and Elimination of Human Trafficking and Protection of the Victims of Trafficking (20, 21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 231, 237, 238, 241, and 242 of the Criminal Code (20)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	NA*		
Minimum Age for Voluntary Military Service	Yes	18	Article 13 of the Kosovo Law No. 03/L-046 on the Kosovo Security Force (22)
Compulsory Education Age	Yes	15	Article 9 of the Kosovo Law No. 04/L-032 on Pre-University Education (23)
Free Public Education	Yes		Article 9 of the Kosovo Law No. 04/L-032 on Pre-University Education (11, 23, 24)

\* No conscription (22)

In January 2014, the Kosovo Ministry of Education, Science, and Technology (MEST) issued Decision 217, which establishes the roles and responsibilities of educational institutions in preventing and eliminating hazardous child labor.<sup>(5)</sup> Decision 217 requires schools to be the primary identifier of child labor practices at the community level and obligates schools to notify the local Municipal Local Action Committee (MLAC) when action is needed. The decision also requires schools to raise community awareness on the issue of child labor.<sup>(16)</sup>

Also in January 2014, the Ministry of Agriculture, Forestry, and Rural Development (MAFRD) issued Decision 185, which obligates MAFRD employees to participate in the prevention and elimination of hazardous child labor in the agriculture sector.<sup>(5)</sup> Decision 185 will result in increased awareness of the issue of child labor within municipal departments of agriculture, and will also mobilize personnel in these departments to raise awareness among farmers and their families.<sup>(16)</sup>

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Welfare (MLSW) Labor Inspectorate	Conduct inspections to enforce labor laws, including child labor laws, with a focus on protecting children who are legally employed. Refer all cases of children under age 15 involved in hazardous child labor practices to the MLSW Regional Centers for Social Work. <sup>(5)</sup>
MLSW Department of Social Welfare	Investigate for underage child labor. <sup>(24)</sup>
MLSW Regional Centers for Social Work	Address cases of children under age 15 involved in child labor and enter these cases into a nationwide database accessible by all relevant stakeholders. <sup>(5)</sup>
Kosovo Police	Enforce criminal laws against forced child labor and commercial sexual exploitation of children. Enforce criminal laws against human trafficking, including child trafficking, through the Directorate of Trafficking in Human Beings Investigation (DTHBI). <sup>(5)</sup>
Ministry of Justice	Enforce criminal laws against forced child labor, child trafficking, and commercial sexual exploitation of children. <sup>(5)</sup>
Ministry of Education, Science, and Technology (MEST)	Ensure that students have an appropriate balance of school and work hours through the work of education inspectors. <sup>(25)</sup>

Law enforcement agencies in Kosovo took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor and Social Welfare (MLSW) Labor Inspectorate employed 51 inspectors.<sup>(5)</sup> The Labor Committee of the Kosovo Assembly has noted that the Labor Inspectorate's budget, personnel, resources for transportation, and equipment are insufficient to effectively enforce labor laws.<sup>(5, 11)</sup> Labor inspectors did not receive any training, including on the worst forms of child labor, during the reporting period.<sup>(5)</sup>

The Labor Inspectorate is authorized to conduct both announced and unannounced inspections in all relevant sectors, both proactively and in response to complaints. However, due to a significant lack of resources, the Labor Inspectorate was only able to conduct unannounced inspections in the construction industry.<sup>(5)</sup> In 2014, the Labor Inspectorate conducted 9,337 inspections, which included inspecting for child labor. The Labor Inspectorate did not find cases of child labor during any of these inspections.<sup>(5)</sup> The MLSW's Regional Centers for Social Work identified 206 children engaged in child labor in agriculture, street work, scavenging, and mining. The DSW was able to remove 46 of these children from hazardous work situations and reintroduce them into the education system.<sup>(5)</sup>

#### *Criminal Law Enforcement*

In 2014, the Kosovo Police's Directorate of Trafficking in Human Being Investigation (DTHBI) Victim's Assistance Unit had 54 investigators. During the year, these investigators received training on cyber child pornography, street child labor, and interviewing at-risk victims, including children.<sup>(5)</sup> The Kosovo Police report the number of investigators to be adequate. However, in its annual report, the DTHBI notes that it still lacks sufficient funding for official vehicles and advanced technology for undercover investigations.<sup>(5)</sup>

During 2014, the DTHBI did not report any investigations of the worst forms of child labor.<sup>(5)</sup> The Kosovo Police reported having removed 18 children from prostitution. These children were referred to the Regional Centers for Social Work, or to shelters for human trafficking victims. However, the Kosovo Police do not systematically track whether children involved in child labor were referred to providers of social services as a result of the investigations.<sup>(5)</sup> The Kosovo Judicial Council does not publish quantitative data on cases tried; therefore information on the number of prosecutions, convictions, and implementation of penalties related to criminal laws on child labor was not available.<sup>(5)</sup>

Research found that judges and prosecutors sometimes incompletely or incorrectly apply the legal framework for human trafficking, which hinders effective prosecutions. Human trafficking incidents have sometimes been classified as less severe offenses, resulting in lighter penalties for the perpetrators.<sup>(6, 26)</sup>

In addition, a source reported that cases of child begging are only investigated when the child involved is being prosecuted for a crime, and that there are no investigations into whether children engaged in begging are subject to forced labor or use in illicit activities. The Director of the Center for Social Work (CSW) in Pristina has stated that although the CSW undertakes to remove beggars from the street on a bimonthly basis in cooperation with the Kosovo Police, there are no shelters or rehabilitation centers to which child beggars can be referred, nor are there any facilities capable of providing social reintegration services to children who have been used for begging activities.<sup>(1, 27)</sup>

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Kosovo Committee for Prevention and Elimination of Child Labor	Oversee and provide policy guidance for activities to prevent and eliminate child labor. Members consist of representatives from government agencies, the Kosovo Police, trade unions, the Kosovo Chamber of Commerce, and a child protection NGO. <sup>(11)</sup>
Counter-Trafficking Inter-Ministerial Working Group	Coordinate policy implementation, monitoring, and reporting on the implementation of actions to combat trafficking, including child trafficking. Efforts are led by a National Anti-Trafficking Coordinator through the Ministry of Interior Affairs (MOIA). <sup>(7, 28)</sup>
Child Labor Monitoring System (CLMS)	Coordinate approach to child labor at the municipal level, including by overseeing Municipal Local Action Committees. Addresses child labor by promoting best practices, documenting child labor trends in specific sectors, planning for measures to be undertaken at the local level for the prevention and elimination of the worst forms of child labor, and evaluating the efficiency of existing responses at local levels. <sup>(5)</sup>
Municipal Local Action Committees (MLACs)	Coordinate municipal-level approach to preventing and eliminating child labor, and report to the CLMS. Members consist of representatives from local schools, municipal education departments, the Kosovo Police, and the MLSW. <sup>(11, 16)</sup> In 2014, MLACs continued activities to prevent and eliminate child labor, despite government formation delays that stalled state-level coordination mechanisms. <sup>(16)</sup>

All 38 municipalities in Kosovo have a Directorate of Health and Social Welfare and a Municipal Center for Social Work (CSW) as child labor monitoring bodies.<sup>(27)</sup> Directorates and CSWs are individually responsible for monitoring the child labor situation in a given municipality, and they share data at the local level. Although data are periodically shared among municipalities on an informal basis, and despite the existence of the Child Labor Monitoring System, government officials, representatives of international organizations, and NGOs reported that the Government lacks a sustainable and comprehensive mechanism to collect nationwide data on child labor, analyze lessons learned, and take follow-up actions.<sup>(11, 16, 27, 29)</sup>

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Kosovo has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Strategy and Action Plan (SAP) for the Prevention and Elimination of Child Labor in Kosovo (2010–2016)	Aims to eliminate the worst forms of child labor in Kosovo by 2016, with a focus on prevention, as well as withdrawal of children from the worst forms of child labor, protection of young workers, and integration of gender concerns into anti-child labor efforts.(30)
National Strategy and Action Plan against Trafficking in Human Beings (2011–2014)	Calls for the elimination of trafficking and organized crime in Kosovo through four main strategies: (1) prevention of trafficking; (2) protection of victims and witnesses; (3) prosecution of trafficking crimes; and (4) special protection for children.(14) According to the most recent reports from early 2013, the National Anti-Trafficking Coordinator led regular meetings to review the Plan and revise standard operating procedures. The procedures were aligned with the goal of the new Criminal Code and Criminal Procedure Code to focus on achievable objectives and activities; they included requirements for the police and social workers to communicate with victims' advocates after they have identified potential trafficking victims.(28)
Strategy for the Integration of Roma, Ashkali, and Egyptian Communities (2009–2015)	Promotes the protection of the Ashkali, Egyptian, and Roma communities, and calls for their full integration into Kosovar society. Includes actions in various areas, including education, and establishes a fund specifically dedicated to improving these communities' access to educational opportunities.(31)

In 2014, the MLSW drafted a 2014–2020 Sectorial Strategy and an Action Plan for 2014–2016 that includes actions to address child labor.(5) The strategy aims to increase the effectiveness of the MLACs and to review the database of social assistance beneficiaries to ensure that children vulnerable to worst forms of child labor are included.(16) The Government also drafted a 2014–2019 Anti-Trafficking in Persons National Action Plan and National Strategy.(13) Neither plan was adopted during the reporting period, in part due to a 6-month delay in government formation after early elections were held in June.(13)

During 2014, the Government did not allocate funds for the National Strategy and Action Plan for the Prevention and Elimination of Child Labor.(16) The MLSW used residual implementation funding allocated from previous years to support activities in 2014. The MLSW reported that this funding was inadequate.(16)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Kosovo funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8). The Government has other programs that may have an impact on child labor, including its worst forms.

**Table 8. Social Programs to Address Child Labor**

Program	Description
Kosovo Shelter Coalition and Hope and Homes for Children‡	MLSW-funded coalition of 8 NGOs that provide shelter to victims of trafficking and domestic violence, as well as at-risk youth.(13) Beneficiaries include Hope and Homes for Children, which provides services only to victims of child trafficking. In 2014, the Government increased funding to the Coalition by more than \$160,000.(7, 13)
Social Assistance Benefits*‡	MLSW program that provides monthly social assistance benefits to needy families. Benefits are increased per child, conditioned on the child's school attendance.(11) In 2014, the MLSW began to fully implement new data collection software that categorizes social welfare recipients to reduce fraud, which resulted in reducing the number of families and individuals who received social welfare. In 2014, the number of social welfare recipients dropped to 27,389 families with approximately 60,000 children, compared to 29,500 families with approximately 65,000 children in 2013.(5) The amount received per family varies from \$45 to \$90 per month, based on the number of family members.(16)
Study on Child Labor Practices	UNICEF-funded study on child labor practices implemented by the MLSW in cooperation with the Kosovo Agency of Statistics and the ILO as part of a general study on labor practices in Kosovo. Originally intended by the SAP to be conducted in 2013, the study was conducted in 2014, and the report is expected to be finalized and published in June 2015.(5, 15)
Free School Meals and Text Books*‡	MEST program that provides free school meals for children up to age 15, and free textbooks through fifth grade.(11)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
<i>Social Inclusion and Improvement of Living Conditions for Roma, Ashkali, and Egyptians, and Other Vulnerable Groups in Kosovo (2009–2015)</i> ‡	Government and foreign donor-funded project implemented by Terre des Hommes and a local NGO.(32) Focuses on four basic areas: (1) empowerment and advocacy; (2) basic, secondary, and tertiary education; (3) sanitation and housing; and (4) vocational education, employment, and income to improve the lives of minority communities in Kosovo. Based on the Government's Strategy for the Integration of Ashkali, Egyptian, and Roma communities.(32)
Minority Support Project*	USAID-funded project implemented with the Government; goals include connecting Kosovo minorities with government social assistance. Part of USAID's Strategic Plan in Kosovo.(33–35) USAID also supports implementation of another project focused on Kosovo's education sector, and a third project in Northern Kosovo to promote integration by targeting areas of economic integration, community development, and capacity building.(29)
Trafficking Awareness Campaign‡	Annual government program to raise awareness of human trafficking among potential trafficking victims. In 2014, focused on potential victims of child trafficking.(13)

\*The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Kosovo.

In addition, the MLSW Department of Social Welfare reported that the social welfare does not adequately meet Kosovo's social welfare needs.(16)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Kosovo (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law prohibits the use of children in all illicit activities.	2013 – 2014
Enforcement	Increase the Labor Inspectorate's budget, number of personnel, and access to needed resources to facilitate effective targeting and investigation of cases of child labor, including ensuring that unannounced inspections are conducted in all relevant sectors.	2009 – 2014
	Provide training to labor inspectors on child labor issues.	2009 – 2014
	Improve the collection and publication of data on the results of investigations related to criminal laws against child labor, including the number of related prosecutions, convictions, the implementation of penalties, and the referral of children found in child labor to appropriate services.	2009 – 2014
	Provide the DHTBI with sufficient funding to facilitate effective enforcement of laws against child trafficking.	2014
	Ensure that the penalties in the legal framework regulating the crime of human trafficking are correctly applied, including by providing training to prosecutors and judges on the legal framework for human trafficking.	2012 – 2014
	Routinely target and investigate cases of child begging to ensure that children are not subject to situations of forced labor or exploitation by criminal groups.	2014
Coordination	Strengthen the Child Labor Monitoring System to better collect and analyze data on child labor, and to synthesize data and develop appropriate policy responses at the national and municipal levels.	2013 – 2014
Government Policies	Provide adequate funding to implement the National Strategy and Action Plan for the Prevention and Elimination of Child Labor.	2014
Social Programs	Increase efforts to address barriers to education for children from the Ashkali, Egyptian, and Roma communities, including lack of birth registration and lack of teachers from minority communities.	2011 – 2014
	Develop an infrastructure for the provision of social services to children found in street work, including begging.	2014
	Assess the impact that existing programs may have on child labor.	2011 – 2014
	Increase funding for the MLSW Social Assistance benefits program and other social welfare programs.	2013 – 2014



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