

*In 2015, Kosovo made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government increased funding to the Ministry of Labor and Social Welfare's Social Assistance Benefits program by 25 percent, which increased benefits available to children in low income families, who are most vulnerable to situations of child labor. The Directorate of Trafficking in Human Being Investigation also conducted targeted investigations to identify child beggars who were victims of human trafficking. 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, the Labor Inspectorate continues to face financial and human resource constraints that impede its ability to conduct targeted and unannounced inspections in all relevant sectors.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kosovo are engaged in child labor, including in street work.(1-4) Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(1, 2, 4-6) A Multiple Indicator Cluster Survey (MICS) conducted from 2013 to 2014 determined that 5,398 children in Kosovo were engaged in child labor.(7) A parallel MICS targeting the Roma, Ashkali, and Egyptian communities in Kosovo found that 2,168 children from these communities were engaged in child labor.(8) 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

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2015.(9)

Data were unavailable from Understanding Children's Work Project's analysis, 2015.(10)

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 (2-4, 11, 12)
	Forestry,* activities unknown (2, 13)
Industry	Mining, including for coal*† (3, 4, 14, 15)
Services	Street work, including vending small items,† transporting goods,† and begging† (1-4, 11, 14, 15)
	Scavenging at dumpsites (2, 4, 11)
	Cleaning hotels and offices* (12)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced begging sometimes as a result of human trafficking (1, 5, 16)
	Commercial sexual exploitation sometimes as a result of human trafficking (2, 4, 5, 16)
	Use in illicit activities* (2, 4)

\* 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 is a source and destination country for child trafficking. The majority of child trafficking victims are girls ages 14 to 17, who are primarily trafficked domestically for commercial sexual exploitation.(5, 17, 18)




Children from Kosovo and neighboring countries are also subjected to forced begging in Kosovo, sometimes by organized criminal groups.(1, 5, 18) The majority of children involved in begging and other street work are members of the Roma, Ashkali, and Egyptian minority ethnic groups.(1)

Children from the Ashkali, Egyptian, and Roma communities continue to experience difficulty accessing education.(19) A shortage of native-language teachers continues to contribute to low school attendance rates among ethnic minority children, despite some government efforts to ensure the right to native-language education.(3, 20) In addition, the prohibitively high fee for birth registration leaves some children in these communities without registration, which sometimes prevents children from enrolling in schools.(3, 20, 21) Children who are unable to access education are more vulnerable to exploitation in the worst forms of child labor.

## 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 into the national legal framework.(22)

**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 (23)
Minimum Age for Hazardous Work	Yes	18	Articles 20, 23, 26-28, and 45 of the Labor Law (23)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Administrative Instruction 05/2013; Article 45 of the Labor Law (15, 23, 24)
Prohibition of Forced Labor	Yes		Article 6 of the Labor Law; Articles 169, 171, and 231 of the Criminal Code; Law on the Prevention and Elimination of Human Trafficking and Protection of the Victims of Trafficking (23, 25, 26)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Child Trafficking	Yes		Articles 171 and 231 of the Criminal Code; Law on the Prevention and Elimination of Human Trafficking and Protection of the Victims of Trafficking (25, 26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 231, 237, 238, 241, and 242 of the Criminal Code (25)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 13 of the Law on the Kosovo Security Force (27)
Compulsory Education Age	Yes	15‡	Article 9 of the Law on Pre-University Education (28)
Free Public Education	Yes		Article 9 of the Law on Pre-University Education (14, 28, 29)

\* No conscription (27)

‡ Age calculated based on available information

In June 2015, the Kosovo Committee for the Prevention of Hazardous Forms of Child Labor, chaired by the Minister of Labor and Social Welfare, approved a regulation reauthorizing the Committee's working group in charge of updating the prohibitions of hazardous occupations and activities prohibited for children, after its mandate expired earlier in 2015.(4, 30)

During the reporting period, the Ministry of Agriculture also proposed a draft amendment to the Law on Forestry that would ban children from working in all areas of forestry.(4) The Administrative Instruction 05/2013 already prohibits children from engaging in the collection of wild fruits, harvesting of trees, opening of holes for planting trees, and cutting and processing of wood.(15)

Article 9 of the Law on Pre-University Education makes education compulsory beginning at the start of the school year following a child's sixth birthday and continuing for five years of primary education and four years of lower secondary education. As a result, children typically complete compulsory education at age 15.(28)

Laws related to illicit activities are not sufficient, as the use, procurement, and offering of children for the production and trafficking of drugs is not criminally prohibited.(25)

### 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.(4)
MLSW Department of Social Welfare	Remove children determined to be in situations of hazardous child labor.(14)
MLSW Regional Centers for Social Work	Address cases of child labor involving children under age 15 and enter these cases into a nationwide database accessible by all relevant stakeholders. Provide social services to identified child laborers, including reintegration into school, age-appropriate employment for children ages 15 to 17, and provision of remedial classes.(4)
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.(4, 31)
Ministry of Justice	Enforce criminal laws against forced child labor, child trafficking, and commercial sexual exploitation of children.(31)
Ministry of Education, Science, and Technology	Conduct education inspections to ensure that students have an appropriate balance of school and work hours.(32)

# Kosovo

## MODERATE ADVANCEMENT

### *Labor Law Enforcement*

In 2015, labor law enforcement agencies in Kosovo took actions to combat child labor, including its worst forms (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2014	2015
Labor Inspectorate Funding	\$564,354 (31)	\$612,632 (4)
Number of Labor Inspectors	51 (31)	51 (4)
Inspectorate Authorized to Assess Penalties	Yes (31)	Yes (4)
Training for Labor Inspectors		
■ Initial Training for New Employees	No (31)	No (4)
■ Training on New Laws Related to Child Labor	No (31)	N/A
■ Refresher Courses Provided	No (31)	No (4)
Number of Labor Inspections	9,337 (31)	9,505 (4)
■ Number Conducted at Worksite	9,337 (31)	9,505 (4)
■ Number Conducted by Desk Reviews	Unknown	N/A
Number of Child Labor Violations Found	0 (31)	0 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	N/A
■ Number of Penalties Imposed That Were Collected	N/A	N/A
Routine Inspections Conducted	Yes (31)	Yes (4)
■ Routine Inspections Targeted	Yes (31)	Yes (4)
Unannounced Inspections Permitted	Yes (31)	Yes (4)
Unannounced Inspections Conducted	Yes (31)	Yes (4)
Complaint Mechanism Exists	Yes (31)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (31)	Yes (4)

Ministry of Labor and Social Welfare (MLSW) and Labor Inspectorate officials reported that the current number of labor inspectors is inadequate to fully address child labor issues in Kosovo, but that requests to increase the number of labor inspectors have been repeatedly denied since its establishment in 2002.<sup>(4)</sup> Labor Inspectorate officials also reported inadequate office space, work materials, transportation, and equipment such as official cell phones and cameras.<sup>(4)</sup> Inspectors noted that resource constraints prevented them from conducting unannounced or proactively targeted investigations outside of the construction sector in 2015.<sup>(4)</sup>

The Labor Inspectorate does not oversee the employment of children younger than age 15, the minimum age for work. Child labor involving children below the legal working age falls under the mandate of the MLSW's Regional Centers for Social Work.<sup>(4)</sup> In 2015, the Regional Centers for Social Work identified 157 children engaged in child labor in agriculture, street work, scavenging, mining, and the hotel and hospitality sectors. Of these children, 93 were permanently removed from hazardous work situations and reintegrated into schools.<sup>(4)</sup>

### *Criminal Law Enforcement*

In 2015, criminal law enforcement agencies in Kosovo took actions to combat the worst forms of child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor**

Overview of Criminal Law Enforcement	2014	2015
Training for Investigators		
■ Initial Training for New Employees	Unknown	Unknown
■ Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
■ Refresher Courses Provided	Yes (31)	Yes (4)
Number of Investigations	0 (31)	Unknown* (4)
Number of Violations Found	18 (31)	21 (4)
Number of Prosecutions Initiated	Unknown* (31)	Unknown* (4)
Number of Convictions	Unknown* (31)	Unknown* (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (31)	Yes (4)

\*The Government does not make this information publicly available.

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 is not available. Additionally, the Kosovo Police do not systematically track whether children involved in child labor are referred to providers of social services as a result of investigations.(31)

Research found that judges and prosecutors sometimes incompletely or incorrectly apply human trafficking laws, which hinders effective prosecutions. Human trafficking cases have sometimes been classified as less severe offenses, resulting in lighter penalties for the perpetrators.(5, 33)

In 2015, the Kosovo Police's Directorate of Trafficking in Human Being Investigation conducted an operation in all seven districts of Kosovo to identify child beggars who are human trafficking victims. With the assistance of the Regional Centers for Social Work and municipal police stations, 41 child beggars were interviewed.(4) None of the children interviewed were determined to be human trafficking victims. However, criminal charges were filed against the parents of eight children under Article 250 of the Criminal Code, which prohibits mistreating or abandoning a child, including by compelling a child to beg.(4, 25)

In 2015, Kosovo Police identified 13 victims of child trafficking, including 7 children subjected to commercial sexual exploitation, 5 engaged in show business, and 1 child engaged in begging.(4) All 13 children were reportedly referred to a shelter for human trafficking victims and provided with social services.(4)

In 2015, the Directorate of Trafficking in Human Being Investigation reported that, in contrast to 2014, the unit is now adequately equipped with vehicles and work equipment for undercover investigations due to a donation from the EU Rule of Law Mission in Kosovo.(4)

#### 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 8).

**Table 8. 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.(14)
Child Labor Monitoring System (CLMS)	Coordinate approach to address child labor at the municipal level, including by overseeing Municipal Local Action Committees. Address child labor by promoting best practices for the identification and provision of services to child laborers, 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.(4)
National Authority against Trafficking in Human Beings	Coordinate policy implementation, monitoring, and reporting on the implementation of actions to combat human trafficking, including child trafficking. Efforts are led by a National Anti-Trafficking Coordinator through the Ministry of Interior Affairs.(6, 30, 34)
Municipal Local Action Committees	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.(14, 21)

All 38 municipalities in Kosovo have a Directorate of Health and Social Welfare and a Municipal Center for Social Work (CSW) that serve as child labor monitoring bodies.(21) Directorates and CSWs are individually responsible for monitoring the child labor situation in a given municipality, and they share data at the local level.(14, 21, 29) In late 2013, the MLSW began using new software to collect and process data on labor violations, and to make these data available to all ministries and law enforcement bodies.(4) Despite this technological advance, however, the Child Labor Monitoring System lacks quality data analysis and would benefit from an increased focus on using data to develop meaningful policy responses to identified child labor issues.(30)

### 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 9).

**Table 9. Policies Related to Child Labor**

Policy	Description
National Strategy and Action Plan for the Prevention and Elimination of Child Labor in Kosovo (2011–2016)	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.(35)
National Strategy and Action Plan against Trafficking in Persons (2015–2019)†	Aims to prevent and combat human trafficking, through awareness-raising, increased victim identification, and strengthened investigation and prosecution of human trafficking cases. Also aims to coordinate provision of services to victims.(36) Action plan includes the goal of conducting and publishing research on children transiting Kosovo, Albania, and Macedonia, who are at high risk for human trafficking.(37)
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 established a fund specifically dedicated to improving these communities' access to educational opportunities.(38)

† Policy was approved during the reporting period.

In 2015, the MLSW reported that the lack of human and financial resources continues to constrain the full implementation of the National Strategy and Action Plan for the Prevention and Elimination of Child Labor in Kosovo.(4)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Kosovo funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

**Table 10. Social Programs to Address Child Labor**

Program	Description
Kosovo Shelter Coalition and Hope and Homes for Children†	MLSW-funded coalition of eight NGOs that provide shelter to victims of human trafficking and domestic violence, as well as at-risk youth.(18) Beneficiaries include the NGO Hope and Homes for Children, which provides services only to victims of child trafficking.(6, 18)
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.(14) In November 2015, the Government approved the MLSW's recommendation to increase social assistance funding by 25 percent.(4)
Free School Meals and Text Books†	Ministry of Education, Science, and Technology program that provides free school meals for children up to age 15, and free textbooks through fifth grade.(14)
Social Inclusion and Improvement of Living Conditions for Roma, Ashkali, and Egyptians, and Other Vulnerable Groups in Kosovo (2013–2016)†	Government and foreign donor-funded project implemented by Terre des Hommes and a local NGO.(39) Focuses on four basic areas: empowerment and advocacy; basic, secondary, and tertiary education; sanitation and housing; and 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.(39)
Trafficking Awareness Campaign†	Annual government program to raise awareness of human trafficking among potential human trafficking victims.(18)

† Program is funded by the Government of Kosovo.

Although children begging is a problem in Kosovo, the Director of the Center for Social Work in Pristina has stated that 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 these children.(1, 21)

## 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 11).

**Table 11. 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, including the use, procurement, and offering of children for the production and trafficking of drugs.	2013 – 2015
Enforcement	Provide initial training and refresher courses on laws related to child labor to labor inspectors.	2009 – 2015
	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 – 2015
	Make publicly available all information on the training of criminal law enforcement officials.	2015
	Improve the collection and publication of data on the number and results of investigations related to criminal violations of child labor laws, including the number of related prosecutions, convictions, the implementation of penalties, and the referral of children found in child labor to appropriate services.	2009 – 2015
	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 – 2015
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 – 2015
Government Policies	Provide adequate funding to implement the National Strategy and Action Plan for the Prevention and Elimination of Child Labor in Kosovo.	2014 – 2015
Social Programs	Increase efforts to address barriers to education for children from the Ashkali, Egyptian, and Roma communities, including the lack of birth registration and of native-language teachers from minority communities.	2011 – 2015
	Develop an infrastructure for the provision of social services to children found in street work, including begging.	2014 – 2015

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