

In 2016, Kosovo made a significant advancement to eliminate the worst forms of child labor. The Government drafted the Law on Child Protection, which would prohibit the use of children in illicit activities, and reauthorized the Committee for Prevention and Elimination of Child Labor to monitor child labor issues. The Government also increased funding for labor inspections and approved a new policy to improve education access for Roma, Ashkali, and Egyptian children. In addition, the Government funded and participated in programs that include the goal of eliminating or preventing child labor and improving education access for children vulnerable to child labor. However, children in Kosovo engage in the worst forms of child labor, including in commercial sexual exploitation and street work. 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 inspections in all relevant sectors.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kosovo engage in the worst forms of child labor, including in commercial sexual exploitation and street work.(1-6) 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 to 14	11.7 (324,764)
Attending School (%)	5 to 14	95.4
Combining Work and School (%)	7 to 14	13.1
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2016.(9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 5, 2014.(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 (3, 11)
	Forestry, activities unknown (12)
Industry	Mining, including for coal† (3, 4, 13, 14)
Services	Street work,† including vending small items,† transporting goods,† and begging† (1, 3, 4, 11, 13-15)
	Scavenging at dumpsites† (3, 4, 11)
	Cleaning hotels and offices (16)

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, 4, 6, 17-19)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3-6, 17)
	Use in illicit activities (3, 16)

[†] 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, especially of girls, who are sometimes coerced into forced labor by organized criminal groups.(5, 6, 20) Children from Kosovo and neighboring countries are also subjected to forced begging in Kosovo, with the majority coming from the Roma, Ashkali, and Egyptian minority ethnic groups.(1, 4, 6, 20) Ashkali, Egyptian, and Roma children, especially girls, continue to experience difficulty accessing education.(21-23) Birth certification is required for attending school in Kosovo. Some Roma children have challenges obtaining a birth certificate, which makes school enrollment difficult.(23-26) Children out of school are vulnerable to engage in the worst forms of child labor.

In addition, non-state armed groups, such as the Islamic State of Iraq and Syria (ISIS), recruited parents, along with their children, from Kosovo for use in armed conflict in Syria.(27, 28)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Kosovo has ratified no key international conventions concerning child labor (Table 3).

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

Kosovo is not a UN member country; therefore, the Government is not eligible to ratify international conventions concerning child labor. Article 22 of Kosovo’s Constitution, however, incorporates the UN CRC into the national legal framework.(29)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Kosovo’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 7 of the Labor Law (30)
Minimum Age for Hazardous Work	Yes	18	Articles 20, 23, 26–27, and 45 of the Labor Law (30)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Administrative Instruction No. 05/2013; Article 45 of the Labor Law; Administrative Instruction No. 2008 (14, 30, 31)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
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 (30, 32, 33)
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 (32, 33)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 231, 237–238, and 241–242 of the Criminal Code (32)
Prohibition of Using Children in Illicit Activities	No		Articles 273–282 of the Criminal Code (32)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 13 of the Law on the Kosovo Security Force (34)
Non-state Compulsory	No		Article 153 of the Criminal Code (32)
Compulsory Education Age	Yes	15 [‡]	Article 9 of the Law on Pre-University Education (35)
Free Public Education	Yes		Article 9 of the Law on Pre-University Education (35)

* No conscription (34)

‡ Age calculated based on available information (35)

The Government approved a draft Law on Child Protection and it was submitted to a standing committee for further action.(36) The draft law would criminalize violence, abuse, exploitation, and neglect of children, including child beggars, and would prohibit the use of children in illicit activities.(5, 36)

The Criminal Code does not specifically prohibit recruitment of children ages 16 and 17 by non-state armed groups.(32)

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). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Welfare (MLSW) Labor Inspectorate (LI)	Conduct inspections to enforce child labor laws and refer all cases of children involved in hazardous work to the MLSW Regional Centers for Social Work (Social Work Centers (SWCs)). Through regional SWCs address child labor, provide social services, and compile cases into a nationwide database.(3) Through the Department of Social Welfare, remove children engaged in hazardous child labor.(13)
Kosovo Police (KP)	Enforce criminal laws on forced child labor and commercial sexual exploitation of children. Through the Directorate of Trafficking in Human Beings, enforce laws on child trafficking.(3, 37) Operate under the Ministry of Internal Affairs (MOIA).(4)
Ministry of Justice	Enforce criminal laws on forced child labor, child trafficking, and commercial sexual exploitation of children.(37)
Ministry of Education, Science, and Technology	Conduct education inspections on students' balance of school and work hours.(38)

Labor Law Enforcement

In 2016, 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	2015	2016
Labor Inspectorate Funding	\$612,632 (3)	\$633,002 (4)
Number of Labor Inspectors	51 (3)	51 (4)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (4)
Training for Labor Inspectors		
Initial Training for New Employees	No (3)	N/A (4)
Training on New Laws Related to Child Labor	N/A	N/A (4)
Refresher Courses Provided	No (3)	No (4)
Number of Labor Inspections	9,505 (3)	6,716 (4)
Number Conducted at Worksite	9,505 (3)	6,716 (4)
Number Conducted by Desk Reviews	N/A	0 (4)
Number of Child Labor Violations Found	15 (19)	0 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	0 (4)
Number of Penalties Imposed that Were Collected	N/A	0 (4)
Routine Inspections Conducted	Yes (3)	Yes (4)
Routine Inspections Targeted	Yes (3)	Yes (26)
Unannounced Inspections Permitted	Yes (3)	Yes (4)
Unannounced Inspections Conducted	Yes (3)	Yes (4)
Complaint Mechanism Exists	Yes (3)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (4)

In 2016, Social Work Centers (SWCs) reported 61 cases of children working on the street and 53 children were taken off the streets, offered healthcare services, and returned to their families.⁽⁴⁾ In total, 18 children were referred to SWCs, of which 13 were victims of commercial sexual exploitation, 3 were in forced begging, and 2 were victims of forced labor in restaurants.⁽⁴⁾

Despite repeated requests by the Labor Inspectorate (LI) to increase personnel, the number of labor inspectors has remained the same since its inception in 2002.⁽⁴⁾ Although there was an increase in funding in 2016, the LI noted that it lacked institutional capacity and financial and material resources to address child labor, in both the formal and informal sectors, and was unable to expand unannounced inspections.⁽⁴⁾ The lack of child labor violations detected by the LI in 2016 is likely related to these gaps in institutional capacity.

Criminal Law Enforcement

In 2016, 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	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	N/A (26)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (3)	Yes (4)
Number of Investigations	Unknown* (3)	18 (4)
Number of Violations Found	21 (3)	13 (4)
Number of Prosecutions Initiated	Unknown* (3)	Unknown (4)
Number of Convictions	Unknown* (3)	Unknown (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (4)

* The Government does not publish this information.

The Kosovo Police (KP) includes 55 human trafficking investigators, 4 which are dedicated to child trafficking. In 2016, 14 investigators were trained on child abuse, investigative skills, and international legislation on child exploitation.(4, 19) The Government also organized roundtables on human trafficking, including child begging, to create greater awareness and prevention.(5) However, legal training on human trafficking for prosecutors and judges was insufficient, causing ineffective prosecutions and incorrect legal application.(4, 5, 39) In addition, better supervision of trafficking in persons (TIP) cases and specialization of prosecutors and judges is needed in order to reduce case backlog.(5)

While there was proactive screening of populations vulnerable to trafficking, a source noted that foreign forced beggars were not properly screened by the SWCs and police.(5, 18, 26) In some cases, victims were repatriated to their country of origin without referral to SWCs or police in those countries; the lack of coordination resulted in forced beggars being forcibly returned to Kosovo to beg again.(26) The KP do not systematically track whether children involved in child labor are referred to providers of social services as a result of investigations.(26, 37)

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. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Committee for Prevention and Elimination of Child Labor (KKPEPF)	Coordinate government policies to combat child labor, oversee and provide policy guidance for activities to prevent and eliminate child labor. Comprises representatives of government agencies, the KP, trade unions, and an NGO.(13) In 2016, met to discuss a new National Strategy and Action Plan for the Prevention and Elimination of Child Labor for 2017.(40) During the reporting period, the Government reauthorized the KKPEPF to monitor child labor issues.(4, 41)
Child Labor Monitoring System (CLMS)	Address child labor at the municipal level, identify and provide child services, document child labor trends, and evaluate local responses to child labor.(3)
National Agency Against Trafficking in Persons (NAATIP)	Coordinate policy implementation, monitor and report on actions to combat child trafficking through a National Anti-Trafficking Coordinator.(2, 42, 43) Chaired by MOIA. Includes representatives from the Government, NGOs, and international community.(4) In 2016, discussed anti-TIP initiatives and coordination in monthly meetings.(5)
Municipal Local Action Committees	Prevent and eliminate child labor and report to the CLMS. Members include school representatives, municipal education departments, and the KP.(13, 25)

In late 2013, the Ministry of Labor and Social Welfare (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.(3) During the reporting period, however, the Child Labor Monitoring System continued to lack quality data analysis and there was unsatisfactory data sharing between municipal authorities and the MLSW.(4, 43)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategy and Action Plan for the Prevention and Elimination of Child Labor (2011–2016)	Aims to eliminate the worst forms of child labor in Kosovo, with a focus on prevention and withdrawal of children from the worst forms of child labor, protection of young workers, and gender concerns.(44) The Government did not increase funding for activities in 2016.(4, 26)
National Strategy and Action Plan Against Trafficking in Persons (2015–2019)	Aims to prevent and combat human trafficking by awareness-raising, victim identification, and strengthening criminal law enforcement.(45, 46) In 2016, monitored policies, referral mechanisms, and assistance to victims.(5)
Strategy for the Inclusion of Roma, Ashkali, and Egyptian Communities (2016–2020)†	Focuses on inclusive education, employment, social issues, healthcare, and housing for Ashkali, Egyptian, and Roma communities. Aims to strengthen rights and full integration into society.(47)

† Policy was approved during the reporting period.

During the reporting period, the 2017–2021 Strategic Development Plan was approved, which includes early TIP identification for labor inspectors. The Government also drafted a list of TIP indicators for victim identification to ensure adequate referral to support services.(5) The Government has not included child labor elimination and prevention strategies into the Strategy for the Inclusion of Roma, Ashkali, and Egyptian Communities. In addition, the Government did not provide sufficient funds for social services for victims of child labor in the National Strategy and Action Plan for the Prevention and Elimination of Child Labor in 2016.(26)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
Kosovo Shelter Coalition and Hope and Homes for Children [†]	MLSW-funded coalition of NGOs that provide shelter to victims of human trafficking, domestic violence, and at-risk youth.(20) Continued to operate in 2016, but funding was insufficient.(4, 5)
Social Inclusion and Improvement of Living Conditions for Roma, Ashkali, and Egyptians, and Other Vulnerable Groups (2013–2016) [†]	Government and foreign donor-funded project implemented by Terre des Hommes.(48) Focused on improving the lives of minority communities through advocacy, housing, education, and employment. Based on the Government’s Strategy for the Integration of Ashkali, Egyptian, and Roma communities.(48) In 2016, the project was active and started a new phase.(4)
UN Common Development Plan (2016–2020)*	Funded and programmed by UN Kosovo Team. Focuses on international standards and human rights safeguards of migrants and the social protection and educational inclusion of Roma, Ashkali, and Egyptian communities.(49)

* Program was launched during the reporting period.

† Program is funded by the Government of Kosovo.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(4, 5, 18, 50)

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 draft Law on Child Protection is passed in order to prohibit the use of children in all illicit activities, including using, procuring, and offering of children for the production and trafficking of drugs.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Provide refresher courses to labor inspectors on laws related to child labor.	2009 – 2016
	Increase the Labor Inspectorate’s budget, number of personnel, and access to needed resources to facilitate effective targeting and investigating cases of child labor, including ensuring that unannounced inspections are conducted in all relevant sectors.	2009 – 2016
	Improve the collection, publication, and interagency sharing of data to appropriate services on the results of investigations related to criminal violations of child labor laws, including the number of related prosecutions initiated, the number of convictions, and the referral of children found in child labor.	2009 – 2016
	Ensure that the penalties in the legal framework regulating the crime of human trafficking are correctly applied, including by providing training and supervision to prosecutors and judges on the legal framework for human trafficking cases.	2012 – 2016
	Properly screen all child victims of human trafficking, especially child beggars.	2016
Coordination	Improve capacity of the Child Labor Monitoring System to better analyze data on child labor and improve data sharing between municipal authorities and the MLSW.	2013 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Government Policies	Integrate child labor elimination and prevention strategies into the Strategy for the Inclusion of Roma, Ashkali, and Egyptian Communities.	2016
	Provide sufficient funding for the National Strategy and Action Plan for the Prevention and Elimination of Child Labor so that victims of child labor receive enough social services.	2016
Social Programs	Make additional efforts to register Ashkali, Egyptian, and Roma community children at birth.	2011 – 2016
	Fully fund shelters that house child victims of trafficking.	2016

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