

In 2017, Kosovo made a moderate advancement to eliminate the worst forms of child labor. The government passed the Administrative Instruction on the List of Indicators for Formal Identification of Victims of Trafficking, including early indicators for child victims. In addition, the government published a report on the results of the National Strategy and Action Plan for the Prevention and Elimination of Child Labor, including on the improvement of the child labor knowledge base, and the strengthening of institutions to address child labor. The government also passed the Kosovo Education Strategic Plan, which emphasizes the inclusion of preschool children from the Roma, Ashkali, and Egyptian communities. However, children in Kosovo engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and street work. The Labor Inspectorate continues to face financial and human resource constraints that impede its ability to conduct inspections in all relevant sectors. In addition, human trafficking shelters lack sufficient funding to properly accommodate and treat child victims of human trafficking.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kosovo engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and street work. (1; 2; 3; 4; 5; 6; 7) A Multiple Indicator Cluster Survey (MICS) conducted from 2013 to 2014 determined that 5,398 children in Kosovo were engaged in child labor. (8) 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. (9) Table 1 provides key indicators on children's work and education in Kosovo.

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, 2018. (10)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 5, 2014. (11)

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; 12; 13)
	Fishing, activities unknown (13)
	Forestry, activities unknown (14; 13)
Industry	Mining, including for coal† (3; 4; 15; 16)
	Construction and manufacturing (13)
Services	Street work,† including vending small items,† transporting goods,† and begging† (1; 3; 4; 12; 15; 16; 17)
	Scavenging at dumpsites† (3; 4; 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; 4; 6; 18; 19; 20; 7)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3; 4; 5; 6; 18; 13)
	Use in illicit activities (3)

[†] 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; 21) Children from Kosovo and neighboring countries are also subjected to forced begging in Kosovo, with most coming from the Roma, Ashkali, and Egyptian minority ethnic groups. (1; 4; 6; 21) Ashkali, Egyptian, and Roma children, especially girls, continue to experience difficulty accessing education. (22; 23; 13; 24) Birth certification is required for attending school in Kosovo. Some Ashkali, Egyptian, and Roma children have challenges obtaining a birth certificate, which makes school enrollment difficult. (25; 26; 27; 13; 24) Children who do not attend school are vulnerable to the worst forms of child labor.

II. LEGAL FRAMEWORK FOR 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. (28)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Kosovo’s legal framework to adequately protect children from child labor, including the prohibition of using children in illicit activities.

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 (29)
Minimum Age for Hazardous Work	Yes	18	Articles 20, 23, 26–27, and 45 of the Labor Law (29)
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 (16; 29; 30)
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 (29; 31; 32)
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; Articles 21–22 of Administrative Instruction No. 10/2017 (31; 32; 33)

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

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 231, 237–238, and 241–242 of the Criminal Code (31)
Prohibition of Using Children in Illicit Activities	No		Articles 273–282 of the Criminal Code (31)
Prohibition of Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 13 of the Law on the Kosovo Security Force (34)
Non-state	No		Article 153 of the Criminal Code (31)
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)

In 2016, the government approved the draft Law on Child Protection, which was submitted to a standing committee for further action. (36; 4) The 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) However, the government has not taken any further actions on this law due to elections during the reporting period. (13)

The government passed the Administrative Instruction on the List of Indicators for Formal Identification of Victims of Trafficking in Human Beings. (7; 33) It lists early indicators of human trafficking in children for social service providers, judicial authorities, and police officers. (33) In January 2018, the draft Juvenile Justice Code, which aims to ensure the best interest of a child facing criminal proceedings, passed a first reading at the Assembly. (37; 38)

The Criminal Code does not specifically prohibit recruitment of children ages 16 and 17 by non-state armed groups. (31)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor and Social Welfare (MLSW) that may hinder adequate enforcement of their child labor laws.

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, or 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. (15)
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; 39) Operates 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. (39) Appointed a special coordinator for human trafficking and established a new mechanism to monitor human trafficking cases. (7)
Ministry of Education, Science, and Technology	Conduct education inspections on students' balance of school and work hours. (40)

In 2017, the Labor Inspectorate (LI) and Kosovo Police (KP) Anti-Trafficking Unit continued to forward cases to Social Work Centers (SWCs) or trafficking shelters, as needed. (13) However, because both the National Anti-Trafficking Director and the police operate within the Ministry of Internal Affairs (MOIA), efforts are focused solely within the MOIA, with limited inter-ministerial communication. (13)

Kosovo

MODERATE ADVANCEMENT

Labor Law Enforcement

In 2017, labor law enforcement agencies in Kosovo took actions to combat child labor (Table 6). However, gaps exist within the operations of the MLSW that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2016	2017
Labor Inspectorate Funding	\$633,002 (4)	\$722,855 (13)
Number of Labor Inspectors	51 (4)	49 (13)
Inspectorate Authorized to Assess Penalties	Yes (4)	Yes (13)
Training for Labor Inspectors		
Initial Training for New Employees	N/A (4)	Yes (13)
Training on New Laws Related to Child Labor	N/A (4)	No (13)
Refresher Courses Provided	No (4)	Yes (13)
Number of Labor Inspections Conducted	6,716 (4)	6,656 (13)
Number Conducted at Worksites	6,716 (4)	6,656 (13)
Number of Child Labor Violations Found	0 (4)	1 (13)
Number of Child Labor Violations for Which Penalties were Imposed	0 (4)	0 (13)
Number of Child Labor Penalties Imposed that were Collected	0 (4)	0 (13; 41)
Routine Inspections Conducted	Yes (4)	Yes (13)
Routine Inspections Targeted	Yes (27)	Yes (13)
Unannounced Inspections Permitted	Yes (4)	Yes (13)
Unannounced Inspections Conducted	Yes (4)	Yes (13)
Complaint Mechanism Exists	Yes (4)	Yes (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (13)

Labor inspectors have the authority to conduct announced and unannounced inspections in all formal sectors, but they do not have the jurisdiction allowing them to investigate informal sectors. (13) Labor inspectors have the authority to inspect private farms and homes; however, due to a lack of human resource capacity, the SWCs typically conduct these inspections. (13; 41) The LI had an overall strategy for conducting child labor inspections and incorporated identification of child victims of human trafficking in its strategy for 2017–2021. (13; 42; 7; 43)

Labor inspectors receive initial training when hired; however, these trainings do not cover child labor. (13) In 2017, the LI reported that all inspectors received sufficient refresher training on child labor, including on hazardous child labor laws. (13; 41) Inspections were done in the public and private sectors, with a special focus on the construction sector, an industry in which child labor is known to occur. (13)

The LI's mandate allows it to investigate limited contractual employment for children between 15 and 18 years of age. According to sources, due to the LI's staffing shortage, budgetary constraints of the SWC, and poor data-sharing between central and municipal institutions, the number of child labor violations reported in 2017 does not fully represent the amount of actual child labor cases. (13; 41) Although funding was sufficient, according to the LI, the LI reported that the number of existing inspectors did not allow inspections of all sectors, including the informal sector. (13)

Criminal Law Enforcement

In 2017, criminal law enforcement agencies in Kosovo took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators and prosecutors.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor (cont)

Overview of Criminal Law Enforcement	2016	2017
Training for Investigators		
Initial Training for New Employees	N/A (27)	Yes (13)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (13)
Refresher Courses Provided	Yes (4)	Yes (13)
Number of Investigations	18 (4)	19 (7)
Number of Violations Found	13 (4)	19 (7)
Number of Prosecutions Initiated	Unknown (4)	Unknown (13)
Number of Convictions	Unknown (4)	Unknown (13)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (13)

The KP includes 55 human trafficking investigators, 4 of which are dedicated to child trafficking. The KP reported that resources and trainings related to child labor were sufficient in 2017. (13) In addition, the Center for Protection of Victims and Prevention of Human Trafficking held a training for 200 teachers on identifying child victims of human trafficking. (41) However, legal training on human trafficking for prosecutors and judges was insufficient, causing inadequate prosecutions and incorrect legal application. (4; 5; 6; 13) In addition, better supervision of human trafficking cases and specialization of prosecutors and judges is needed to reduce case backlog. (13; 7)

The KP does not systematically track whether children involved in child labor are referred to providers of social services as a result of investigations. (27; 39; 13)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role and 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. (15) Chaired by the MLSW. (13)
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, and monitor and report on actions to combat child trafficking through a National Anti-Trafficking Coordinator (NATC). (2; 44; 6) The NATC is the deputy minister of the Interior Ministry. (41) Includes representatives from the government, judiciary, municipal offices, NGOs, and the international community. (4; 41) The NATC met several times with mayors from Northern Kosovo in 2017 to discuss coordination and establish a human trafficking shelter. (7)
Municipal Local Action Committees	Prevent and eliminate child labor and report to the CLMS. Members include representatives from schools, municipal education departments, and the KP. (15; 26)

In late 2013, 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; 44; 13)

Although the Committee for Prevention and Elimination of Child Labor was active during the reporting period, it experienced limited coordination on enforcement actions. (13)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including funding.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategy and Action Plan for the Prevention and Elimination of Child Labor (2011–2017)†	Aimed 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. (42) Extended for 2017. (13) During the reporting period, the government published a report with the results of the Action Plan, including improvement of the child labor knowledge base and strengthening of institutions to address child labor. (45)
National Strategy and Action Plan Against Trafficking in Persons (2015–2019)	Aims to prevent and combat human trafficking by raising awareness, identifying victims, and strengthening criminal law enforcement. (46; 47) Policy was active in 2017, including facilitating interagency coordination on human trafficking. (41; 7; 38)
Strategy for the Inclusion of Roma, Ashkali, and Egyptian Communities (2016–2020)	Focuses on employment, social issues, healthcare, and housing for the Ashkali and Roma communities. Aims to strengthen rights and full integration into society. (48) A special educational component promotes inclusive education for the children of these communities. (49) Active in 2017. (41)
Kosovo Education Strategic Plan (2017–2021)†	Emphasizes the inclusion of vulnerable minorities in the education system, especially for preschool children of the Roma, Ashkali, and Egyptian communities. Establishes regulations at the municipality level to facilitate preschool enrollment and raises awareness on school attendance and enrollment. (50)

† Policy was approved during the reporting period.

Although the government is currently drafting a Strategic Plan on Children’s Rights for 2019–2022, the government has not included child labor elimination and prevention strategies into the Strategy for the Inclusion of Roma, Ashkali, and Egyptian Communities. (41) 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 2017. (41) Also, very little progress was made in the Strategy for the Inclusion of Roma, Ashkali, and Egyptian Communities due to budget limitations. (41; 38)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including implementation of all programs.

Table 10. Key Social Programs to Address Child Labor‡

Program	Description
Hope and Homes for Children†	Government-funded NGO shelter. Accommodates child victims of abuse or human trafficking. Operated in 2017 and sheltered 29 children. (13; 38)
UN Common Development Plan (2016–2020)	Funded and programmed by the UN Kosovo Team. Focuses on international standards and human rights safeguards of migrants and the social protection and educational inclusion of the Roma, Ashkali, and Egyptian communities. (51) Active in 2017. (41)

† 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. (52; 13; 41)

The Kosovo Shelter Coalition did not operate in 2017. (13; 21) In addition, the Pristina SWC reported needing a shelter for interviewing and providing accommodation to child victims, and the Hope for Homes Children Shelter reported insufficient funding. (13; 7)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Kosovo (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the draft Law on Child Protection is passed to prohibit the use of children in all illicit activities, including using, procuring, and offering children for the production and trafficking of drugs.	2016 – 2017
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2017

Table 11. Suggested Government Actions to Eliminate Child Labor (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase inter-ministerial communication within the MOIA to adequately combat commercial sexual exploitation.	2017
	Ensure that labor inspectors conduct child labor inspections on private farms, in homes, and in the informal sectors.	2017
	Incorporate topics on child labor in trainings for new employees and refresher courses, as well as ensure trainings on new child labor laws for all labor inspectors.	2017
	Increase the number of labor inspectors and access to informal sectors to investigate all cases of child labor.	2017
	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 – 2017
	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 – 2017
Coordination	Improve the capacity of the CLMS to better analyze data on child labor and improve data sharing between municipal authorities and the MLSW.	2013 – 2017
	Increase the coordination role of the Committee for Prevention and Elimination of Child Labor.	2017
Government Policies	Integrate child labor elimination and prevention strategies into the Strategy for the Inclusion of Roma, Ashkali, and Egyptian Communities.	2016 – 2017
	Provide sufficient funding for the National Strategy and Action Plan for the Prevention and Elimination of Child Labor and the Strategy for the Inclusion of Roma, Ashkali, and Egyptian Communities so that victims of child labor receive sufficient social services.	2016 – 2017
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017
	Make additional efforts to register Ashkali, Egyptian, and Roma children at birth.	2011 – 2017
	Fully fund and operate shelters that house child victims of trafficking, including creating a shelter for the Pristina SWC for interviewing and accommodating child victims.	2016 – 2017

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