

In 2018, Kosovo made a moderate advancement to eliminate the worst forms of child labor. The government passed a new Criminal Code that prohibited the recruitment of children into non-state armed groups and increased penalties for producing, using, or involving children in the production, possession, or procurement of child pornography. Teachers in Prizren Municipality were also trained on identifying children at risk of being trafficked, and the Kosovo Police received child trafficking training, including on the use of children in commercial sexual exploitation and illicit activities. In addition, the government enacted a Children's Rights Action Plan for 2019 to 2021 that aims to improve the social, economic, and legislative rights of children. However, children in Kosovo engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in street work. The labor inspectorate and Centers for Social Welfare continue to face financial and human resource constraints that may impede their ability to adequately address child labor problems. In addition, human trafficking shelters lack sufficient funding to properly accommodate and treat child trafficking victims.



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. Children also perform dangerous tasks in street work. (1-4) No recent data were available, but a Multiple Indicator Cluster Survey (MICS) conducted from 2013 to 2014 determined that 5,398 children in Kosovo were engaged in child labor. (5) A parallel MICS targeting the Roma, Ashkali, and Balkan Egyptian communities in Kosovo found that 2,168 children from these communities were engaged in child labor. (6) Table 1 provides key indicators on children's work and education in Kosovo. Data on some of these indicators 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 (Unavailable)
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, 2019. (7)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5, 2013-2014. (8)

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 (2,9,10)
	Forestry, activities unknown (11,12)
Industry	Construction and manufacturing (2,10,12)
Services	Street work, [†] including vending small items, [†] transporting goods, [†] and begging [†] (1,2,9)
	Scavenging at dumpsites [†] (2,9,13)

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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 (1,3,4)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2-4,11,12)
	Use in illicit activities (14)

† 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. (3,4,15) Children are sometimes coerced into forced labor, such as in massage parlors by organized criminal groups. (3,4,16-18) Kosovo children and children from neighboring countries, especially Albania, are also subjected to forced begging, primarily in Prizren and Pristina, with most coming from the Roma, Ashkali, and Balkan Egyptian minority ethnic groups. (1,2,3,12,16,19-23) Economically vulnerable Kosovo children are also forced to work in construction and agriculture to support their families. (12)

Ashkali, Balkan Egyptian, and Roma children, especially girls, sometimes experience difficulty accessing education, because birth certification is required for attending school in Kosovo. (2,11,24-28) Some Ashkali, Balkan Egyptian, and Roma children have challenges obtaining a birth certificate, which makes school enrollment difficult. (2,29,30,28) Children who do not attend school are vulnerable to the worst forms of child labor. (31)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Kosovo holds a unique status vis-à-vis UN recognition that complicates its ratification of international agreements (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

Article 22 of Kosovo’s Constitution incorporates the UN CRC into its national legal framework. (32) Despite Kosovo’s unique status, the country works with the UN through the Common Development Plan (2016–2020), which is implemented by the UN Kosovo Team, focusing on promoting international standards and human rights. (67)

The government’s laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 7 of the Labor Law (33)
Minimum Age for Hazardous Work	Yes	18	Articles 20, 23, 26–27, and 45 of the Labor Law (33)
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 (33-35)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article 6 of the Labor Law; Articles 163 and 165 of the Criminal Code; Law on the Prevention and Elimination of Human Trafficking and Protection of the Victims of Trafficking (33,36,37)
Prohibition of Child Trafficking	Yes		Articles 165 and 166 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 (36-38)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 232 and 234 of the Criminal Code (37)
Prohibition of Using Children in Illicit Activities	Yes		Articles 267–273 of the Criminal Code; Article 36 of the Law on Child Protection (37,39)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 6 of the Law on the Kosovo Security Force (40)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 149 of the Criminal Code; Articles 39–39 Law on Child Protection (37,39)
Compulsory Education Age	Yes	15‡	Article 9 of the Law on Pre-University Education (41)
Free Public Education	Yes		Article 9 of the Law on Pre-University Education (41)

* No conscription (42)

‡ Age calculated based on available information (41)

The government approved the draft Law on Child Protection at its first reading in October 2018 and passed it in June 2019. (2,20,39,43-45) The law criminalizes violence, abuse, exploitation, and neglect of children, including using a child as a beggar, and prohibits the use of children in additional illicit activities. (17,39)

The government enacted a new Criminal Code that increased penalties for producing, using, or involving children in the production, possession, or procurement of child pornography. (2,3,37,46) In addition, it prohibits the recruitment of children by non-state armed groups. (37)

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) and elsewhere in the government 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	Conducts inspections to enforce child labor laws and refers all cases of children involved in hazardous work to MLSW Regional Centers for Social Work (CSWs). Through regional CSWs, provides social services to impacted children who are found begging or are victims of human trafficking, and compiles cases into a nationwide database. (14) The Department of Social Welfare removes children engaged in hazardous child labor. (47)
Kosovo Police (KP)	Enforces criminal laws on forced child labor and commercial sexual exploitation of children. Through the Anti-Trafficking Unit, enforces laws on child trafficking. (14,48) Operates under the Ministry of Internal Affairs (MOIA). (43)
Ministry of Justice	Enforces criminal laws on forced child labor, child trafficking, and commercial sexual exploitation of children through special anti-human trafficking coordinators and mechanisms. (48,49) In 2018, appointed a special coordinator for human trafficking in western Kosovo. (3)
Ministry of Education, Science, and Technology	Conducts education inspections on balance of students' school and work hours. (50)

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In 2018, the labor inspectorate (LI) and Kosovo Police (KP) Anti-Trafficking Unit continued to forward cases to Centers for Social Work (CSWs) or NGO-run human trafficking shelters, as needed. (2) However, there was limited inter-ministerial communication between the Ministry of Internal Affairs (MOIA) and MLSW. (15,51) The MOIA, MLSW, and NGOs expressed the limited capacity of CSWs to address cases of child labor due to limited human resource capacity, knowledge of child labor issues, and coordination with the MLSW. (2,10,12,21,23)

Labor Law Enforcement

In 2018, 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 training on child labor for labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$722,855 (11)	\$710,841 (2)
Number of Labor Inspectors	49 (11)	40 (2)
Inspectorate Authorized to Assess Penalties	Yes (11)	Yes (2)
Initial Training for New Labor Inspectors	Yes (11)	Yes (2)
Training on New Laws Related to Child Labor	No (11)	No (2)
Refresher Courses Provided	Yes (11)	No (2)
Number of Labor Inspections Conducted	6,656 (11)	8,512 (2)
Number Conducted at Worksite	6,656 (11)	8,512 (2)
Number of Child Labor Violations Found	1 (11)	1 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (11)	1 (2)
Number of Child Labor Penalties Imposed that Were Collected	0 (11,52)	Unknown (2)
Routine Inspections Conducted	Yes (11)	Yes (2)
Routine Inspections Targeted	Yes (11)	Yes (2)
Unannounced Inspections Permitted	Yes (11)	Yes (2)
Unannounced Inspections Conducted	Yes (11)	Yes (2)
Complaint Mechanism Exists	Yes (11)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (2)

In 2018, inspections were conducted in the public and private sectors, with a special focus on the construction sector, an industry in which child labor is known to occur. (2,11) Labor inspectors have the authority to conduct inspections in all formal sectors, but they do not have the jurisdiction allowing them to investigate informal sectors. (2,11) The LI did not employ Serbian-speaking staff and did not conduct inspections in areas with ethnic Serb majorities. (2,10,15) Labor inspectors have the authority to inspect private farms; however, due to a lack of human resource capacity to adequately cover all sectors and regions, the CSWs, which also face human resource and budgetary constraints, typically conduct these inspections. (2,10,11,31,46,51,53)

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. (2,11,49,54,55) Labor inspectors receive initial training when hired; however, these trainings do not cover child labor as a separate category. (11,15) In 2018, the LI reported a lack of refresher trainings on child labor, including on hazardous child labor laws. (11,52,56)

The LI's mandate allows it to investigate for working children between ages 15 and 18 who have entered into an employment contract for a limited period of time. When child labor is discovered, the LI issues the penalty and works with the KP to remove the child from child labor. (2) During the reporting period, one violation was found and referred to the KP; however, according to NGO and media reports, the number of cases reported does not fully reflect the actual number of child labor cases. (2,12,15)

Criminal Law Enforcement

In 2018, 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

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (11)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (11)	Yes (2)
Refresher Courses Provided	Yes (11)	Yes (2)
Number of Investigations	19 (49)	12 (3)
Number of Violations Found	19 (49)	12 (3)
Number of Prosecutions Initiated	Unknown (11)	Unknown (2)
Number of Convictions	Unknown (11)	Unknown (2)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (15)	Unknown (15)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (2)

During the reporting period, judges and prosecutors, including 22 newly appointed prosecutors, received training on anti-human trafficking. Teachers in Prizren Municipality were trained on identifying children at risk of being trafficked and the KP received child trafficking training, including on the use of children in commercial sexual exploitation and illicit activities. (2,3) The KP reported that resources and trainings for the KP related to child labor were sufficient in 2018. (2,3)

Legal training on human trafficking for prosecutors and judges was insufficient, causing inadequate prosecutions and incorrect legal application. (11,16,17,43,54) In addition, better supervision and standardized data collection of human trafficking cases, as well as specialization of prosecutors and judges, would improve the pace and quality of case processing. (3,22,31,54,55)

The KP systematically tracks the children referred to CSWs as a result of investigations conducted by its domestic violence and trafficking units. (11,30,48) However, CSWs reported the need for a shelter and short-term care services for child labor victims. (2) In addition, CSWs did not adequately identify cases of forced begging, which are typically classified as parental neglect or abuse. (3)

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 adequate 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 & Description
Committee for Prevention and Elimination of Child Labor	Coordinates government policies to combat child labor. Oversees and provides policy guidance for activities to prevent and eliminate child labor. Comprises representatives of government agencies, the KP, trade unions, and an NGO. (47) Chaired by MLSW. (11) Active in 2018. (2,54)
Child Labor Monitoring System	Addresses child labor at the municipal level, identifies and provides existing child services, documents child labor trends, and evaluates local responses to child labor. (14)
National Agency Against Trafficking in Persons	Coordinates policy implementation, and monitors and reports on actions to combat child trafficking through a National Anti-Trafficking Coordinator (NATC). (16,56,57) NATC is a deputy Interior Minister. (15,52) Includes representatives from the government, judiciary, municipal offices, NGOs, and the international community. (43,52) Met regularly in 2018 with a focus on improving border collaboration on human trafficking with Albania and reviewing the National Action Plan. (3)
Municipal Local Action Committees	Prevent and eliminate child labor and report to the Child Labor Monitoring System. Members include representatives from schools, municipal education departments, and the KP. (29,47) Active in 2018. (54)

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In late 2013, the MLSW began using new software to collect and process data on labor violations and make these data available to all ministries and law enforcement bodies. (14) 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. (10,11,15,43,57)

V. GOVERNMENT POLICIES ON CHILD LABOR

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

Table 9. Key Policies Related to Child Labor

Policy	Description
Children's Rights Action Plan (2019–2021)†	Aims to improve social, economic, and legislative rights and protection of children through developing institutions at the local and national levels. (54,58) Includes an accompanying Children's Rights Strategy (2019–2023). (54,58) The Strategy includes five objectives, one of which is the prevention, protection, and reintegration of child laborers. (54)
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. (59,60) In 2018, helped improve the government's ability to combat trafficking of children involved in begging and other illicit commerce. (2) The KP participated in raids, awareness campaigns, and trainings to combat child labor.
Strategy for the Inclusion of Roma and Ashkali 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. (61) A special educational component promotes inclusive education for children from these communities. (62)
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 Balkan Egyptian communities. Establishes regulations at the municipality level to facilitate preschool enrollment and raises awareness on school attendance and enrollment. (63) Active in 2018. (54)
Regulation on the Implementation of the Rights of Children Through a Child Friendly Municipal Governance System†	Protects and promotes the rights of children. (64) Ensures that municipalities are child friendly and guarantees that all children receive social services, education, and safety. (64) Includes a draft Strategy and Action Plan. (54,65) In 2018, the Regulation on the Implementation of the Rights of Children was approved at the local levels. (54)

† Policy was approved during the reporting period.

The government has not included child labor elimination and prevention strategies into the Strategy for the Inclusion of Roma and Ashkali Communities, and very little progress was made on the Strategy due to absence of political will and budget limitations. (15,52,54,66)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, 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 funding.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Measurement, Awareness-Raising, and Policy Engagement (MAPI6) Project on Child Labor and Forced Labor†	USDOL-funded global project implemented by the ILO to (1) improve the knowledge base on child labor, forced labor, and human trafficking; (2) improve awareness of these issues through the use of data-driven techniques; (3) strengthen policies and improve the capacity of governments and other stakeholders to combat child labor, forced labor, and human trafficking through national, regional, and global initiatives; and (4) strengthen partnerships to accelerate progress in combating child labor, forced labor, and human trafficking. In 2018, USDOL conducted a workshop to identify how to combat child labor in the country. (51) Additional information is available on the USDOL website.
Hope and Homes for Children†	Government-funded NGO shelter. Accommodates child victims of abuse or human trafficking. (53) Active in 2018 by caring for child victims of human trafficking. (53,54)
UN Common Development Plan (2016–2020)	Funded and implemented by the UN Kosovo Team. Focuses on promoting international standards and human rights safeguards of migrants and the social protection and educational inclusion of the Roma, Ashkali, and Balkan Egyptian communities. (67) Active in 2018. (54)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Hotline†	Government-operated hotline for victims of domestic violence and human trafficking. Increased the total number of operators from one to two in 2018. (3) In 2018, received 929 calls, 8 of which were related to human trafficking. (3)

† Program is funded by the Republic of Kosovo.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (3,68)

The government continued to support social assistance to at-risk families and provided free school meals and textbooks. (2) In addition, three municipalities established interagency case management roundtables, led by the CSWs, to encourage tackling child abuse at the local level. (2,21,69) However, Hope and Homes for Children and reintegration services for victims of human trafficking did not receive sufficient funding. (3,54)

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
Enforcement	Ensure that staff members at Centers for Social Work have sufficient capacity and resources, such as personnel and training, to address the specific needs of child labor victims and properly screen child beggars.	2018
	Publish information on labor and criminal law enforcement, including the number of child labor penalties imposed that were collected, number of criminal law enforcement prosecutions initiated, and number of convictions related to child labor.	2018
	Ensure mechanisms exist to enforce protections for children in the informal sector.	2017 – 2018
	Ensure that labor inspectors conduct child labor inspections on private farms and in areas with ethnic-Serb majorities.	2017 – 2018
	Incorporate topics on child labor in trainings for new employees and refresher courses, and ensure trainings on new child labor laws for all labor inspectors.	2017 – 2018
	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 – 2018
Coordination	Increase inter-ministerial communication within the Ministry of Internal Affairs and between the Ministry of Internal Affairs and the Ministry of Labor and Social Welfare to adequately combat child labor and commercial sexual exploitation.	2012 – 2018
	Improve the capacity of the Child Labor Monitoring System to better analyze data on child labor and improve data sharing between municipal authorities and the Ministry of Labor and Social Welfare.	2013 – 2018
Government Policies	Integrate child labor elimination and prevention strategies into the Strategy for the Inclusion of Roma and Ashkali Communities.	2016 – 2018
	Fully fund and implement the Strategy for the Inclusion of Roma and Ashkali Communities so that victims of child labor receive sufficient social services.	2016 – 2018
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2018
	Make additional efforts to register Ashkali, Balkan Egyptian, and Roma children at birth.	2011 – 2018
	Fully fund and operate shelters that house child victims of trafficking for interviewing and accommodating child victims.	2016 – 2018

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