



International
Labour
Organization

ILO-IPEC STEPS TO **ELIMINATE** THE WORST FORMS OF **CHILD** **LABOUR** IN KOSOVO

(as defined by UN Security Council Resolution 1244)



Decent Work
Technical Support
Team and Country
Office for Central
and Eastern Europe

International
Programme on
the Elimination
of Child Labour

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International Programme on the Elimination of Child Labour

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CHILD LABOUR IN KOSOVO¹

Poverty, barriers to education (accessibility, affordability, quality, relevance) and tolerant attitudes to child labour push a high number of children to enter child labour as early as 10 years old. In addition, due to a temporary “value vacuum”, family and community values have broken down and consequently increased the vulnerability of children. The streets have become the main place for the socialization of many children due to lack of proper supervision and care.

Statistical data is scarce, but child labour in Kosovo is visibly widespread. According to the data from 2007², 45 per cent of Kosovo’s population is poor³, while 15 per cent of the population lives in extreme poverty⁴, which means that they lack basic living conditions. Meanwhile, according to the 2005 World Bank Report on Poverty Assessment, poverty does not equally affect children of different age groups. Extreme poverty affects 17.3 percent of children of pre-school age and 19.6 percent of children of ages 6-14 (the age group that falls into the compulsory education category).

Child labour is not seen as detrimental to child development by parents living in poverty. The main sectors in which the worst forms of child labour occur in Kosovo are: street work, hazardous work in agriculture and forestry, scavenging and the exploitation of natural assets, trafficking in children for labour and sexual exploitation, use of children for illicit activities.

THE LEGAL FRAMEWORK ON CHILD LABOUR

Kosovo Constitution contains provisions related to the right of the children to protection and care necessary for their wellbeing, including the right to protection from violence, maltreatment and exploitation.

The Labour Law (No.03/L –212) defines the minimum age for employment at 15 years of age. Labour relation with a person between fifteen (15) and eighteen (18) years of age, may be established for light work that does not represent a risk to his/her health or development.

The Criminal Code (Law No 03/L-002) defines the criminal offences committed against a child for trial of adults including violation of family obligations, facilitation of prostitution, abuse of children in pornography, use of children in armed conflict, use of children for illicit activities, establishing slavery, slavery-like conditions, and forced labour relations.

The Administrative Instruction on Prevention and Immediate Prohibition of Hazardous Child Labour (17/2008) includes hazardous sectors and hazardous generic activities to be banned as a matter of priority in Kosovo.

¹ As defined by UN Security Council Resolution 1244, hereafter Kosovo

² Poverty Assessment, World Bank and SOK, October 2007

³ Live on less than 1,42 Euro per day per person

⁴ Live under the level of extreme poverty, on less than 0,93 Euro per day per person

INSTITUTIONAL FRAMEWORK ON CHILD LABOUR

Since 2004, the Ministry of Labour and Social Welfare (MSLW) proved its commitment to addressing child labour issue through the following actions:

- Signing a Memorandum of Understanding for the implementation of the ILO International Program on the Elimination of Child Labour (IPEC) by the Special Representative of UN Secretary-General and Minister of Labour and Social Welfare, in 2005;
- Establishing a Child Labour Unit in the MSLW in March 2005;
- Establishing the Kosovo Committee for the Prevention and Elimination of Child Labour (hereafter Committee) with decision No. 5 / 166 of the Prime Minister of Kosovo on 13 December 2005;
- Providing institutional support and ensuring active participation of public institutions at both central and local levels in piloting of different interventions in addressing child labour supported by ILO-IPEC during 2004-2009;
- Initiating the process of establishment of Child Labour Monitoring System, in accordance with Article 5 of the ILO Convention No. 182, to serve as a basis for formalizing standard operating procedures for:
 - identification, removal, support and protection of children involved in worst forms of child labour,
 - documentation of child labour trends in specific economic sectors,
 - evaluation of the efficiency of the existing response to child labour at central and local levels, including recommendations and guidelines for concrete actions and policy development.
- Drafting a Kosovo Action Plan for Prevention and Elimination of the Worst Forms of Child Labour (2011-2013), to set time-bound targets and provide clear evidence of public authorities' commitment in terms of responsibilities and budget allocation for the implementation.



First meeting of the Technical Working Group for drafting the Strategy for Prevention and Elimination of Child Labour (2011-2016)

ILO IPEC IN KOSOVO

In 2004, the ILO and the Ministry of Labour and Social Welfare launched the International Programme on the Elimination of Child Labour (IPEC) in Kosovo. Since then, ILO-IPEC has been providing technical and financial assistance to the authorities, social partners and civil society to eliminate the worst forms of child labour under the sub-regional programming framework, **Project of Technical Assistance against Labour and Sexual Exploitation of Children, including Trafficking, in countries of Central and Eastern Europe (PROTECT CEE)**. Under this programming umbrella, the following sub-regional projects were implemented in Kosovo:

- “Combating Child Labour in selected Stability Pact countries: Capacity Building and Direct Action – Sub-regional Programme with Focus on the Worst Forms of Child Labour (Worst Forms of Child Labour)” (October 2003–June 2008, funded by the German Government),
- “Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)” (October 2006 – December 2009, funded by the US Department of Labor).
- “Support for policy level and up-scaling activities for Combating Child Labour in Central and Eastern Europe” (January – December 2010, funded by the German Government)

During April 2009–June 2010, the ILO-IPEC in Kosovo also implemented **a project**, funded by the Italian Government. Under this project, the ILO-IPEC supported the drafting process of a gender-sensitive Kosovo Action Plan (KAP) for Prevention and Elimination of Worst Forms of Child Labour based on consultations with key stakeholders. In addition, the ILO-IPEC worked to empower the public authorities, workers’ and employers’ organizations with a firm knowledge of ILO core conventions, including child labour, and built their capacity to participate in formulation and implementation of the Kosovo Action Plan, resource mobilization and awareness raising activities on ILO fundamental principles and rights at work including prevention and elimination of child labour.

The current ILO project in Kosovo (Jan–Dec 2011) aims at supporting the process of implementation of the Kosovo Action Plan (KAP) for Prevention and Elimination of Worst Forms of Child Labour, mainly by enhancing the capacity of key stakeholders at central and local level in addressing child labour issues.

ILO IPEC STRATEGY

Combination of policy-related **upstream** interventions to create a conducive environment on the elimination of the worst forms of child labour with **downstream** service-oriented activities at the community level for children and their families.

IPEC main pillars of interventions

1. Mainstreaming child labour into legal and policy frameworks
2. Increasing the knowledge base on the Worst Forms of Child Labour
3. Enhancing the capacity of Government officials, workers’ and employer’s organizations, NGOs
4. Awareness raising activities
5. Implementation of the Child Labour Monitoring Systems (CLMS) in order to identify child labourers and children at risk to enter WFCL, refer them to services and track them to ensure that they have satisfactory alternatives.
6. Providing direct services to working children and children at risk to work.

MAINSTREAMING CHILD LABOUR INTO LEGAL AND POLICY FRAMEWORKS

As a result of the advocacy work carried out by the ILO-IPEC Kosovo and its partners, child labour issues have been mainstreamed into the following legal and policy documents:

- The **Strategy and Action Plan against Trafficking in Human Beings 2008-2011** (approved by the Council of Ministers on 31 July 2008). The main directions focus on prevention of trafficking and re-trafficking, protection of victims and witnesses, investigation and prosecution. Child protection, including child labour, is specifically highlighted as a cross-cutting issue throughout the document.
- The **Strategy and Action Plan for Human Rights 2009-2011** (approved by the Government on 3 December 2008). Child labour is directly addressed in the document under the component on the rights of the child, focusing on elimination of the Worst Forms of Child Labour.
- The **Administrative Instruction on Prevention and Immediate Prohibition of Hazardous Child Labour in Kosovo** was approved by the Government on 17 September 2008 and entered into force on 25 September 2008. It lists the hazardous sectors and activities to be banned as a matter of priority and provides for regular collection and analysis of data on child labour situation, specifying the role and the mandate of different institutions in this process.
- The **Strategy and Action Plan for Protection of Children's Rights 2009-2013** (approved through the Government Decision no. 07/69 from 19 June 2009). Section 5.1 specifically addresses protection of children against hazardous child labour, Section 5.5 addresses prevention of trafficking and protection of children victims of trafficking and Objective 6 addresses Juvenile Justice.
- The **European Partnership Action Plan** (approved through the Government Decision no. 4/78 from 13 August 2009). Setting up a specific database on child labour and replication of the Child Labour Monitoring System Kosovo wide are key actions under the short term priority "Adopt and implement adequate legislation in order to ensure legal protection of children".

INCREASING THE KNOWLEDGE BASE ON THE WORST FORMS OF CHILD LABOUR

- Overview on Child Labour Monitoring (translated and published in Albanian and Serb), 2005
- Child Labour Monitoring Technical Support Sheets for Labour Inspectors (translated and published in Albanian and Serb), 2005
- Handbook for Junior Journalists on Child Labour, (English, Albanian and Serb), 2006
- Briefing document on Hazardous Child Labour in Kosovo, (English, Albanian and Serb), 2006
- Selection from the ACTRAV brochures "Trade Unions and Child Labour" (Albanian and Serb), 2009.
- Selections from the ACT/EMP brochures "Employers and Child Labour" (Albanian and Serb), 2009.
- Profile of the Social Security System in Kosovo (within the meaning of UNSC resolution 1244), (English, Albanian and Serb), 2010.
- Report on mapping the legislation and policies (action plans and strategies) on child labour and youth employment in Kosovo (English, Albanian and Serb), 2010.
- Booklet: "How to prevent and eliminate the WFCL: What can employers do" (Albanian, English and Serb), 2010.
- Booklet: "How to prevent and eliminate the WFCL: What can trade unions do" (Albanian, English and Serb), 2010.



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Two day workshop with municipal branches of Trade Union of Education Science and Culture (SBASHK)

ENHANCING THE CAPACITY OF GOVERNMENT OFFICIALS, WORKERS' AND EMPLOYERS' ORGANISATIONS, NGOs

Government officials including representatives of the Prime Minister's Office-Office on Good Governance, Ministry of Labour and Social Welfare, Ministry of Education Science and Technology, Ministry of Culture Youth and Sports, Ministry of Justice, Ministry of Agriculture Forestry and Rural Development, Ministry of Health, Institute for Public Health, Occupational Safety and Health Institute were trained to properly address child labour issues.

Teachers, social work officials, labour inspectors, agriculture inspectors, police and civil society organisations were trained on child labour issues because they are the first people who can help children at risk or victims of child labour and their families.

Representatives of trade unions and employers organisations, including the Kosovo Union of Independent Trade Unions, Trade Union of Education, Science and Culture, Kosovo Chamber of Commerce, Kosovo Business Alliance and American Chamber of Commerce were trained on child labour issues and participated in the awareness raising and advocacy campaigns against the Worst Forms of Child Labour.



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Round table with employers organised by the Kosovo Chamber of Commerce

AWARENESS RAISING ACTIVITIES

Several awareness raising activities were organised to call attention to the fact that child labour is mentally, physically, socially and morally dangerous and harmful to children. The main focus of these activities was the 12th of June, World Day Against Child Labour, celebrated each year with active participation of children, trade unions, employers' organisations and civil society. Major events include:

- **An Analytical Documentary Film** on the Worst Forms of Child Labour in Kosovo produced in 2007.
- **A Public Service Announcement (45 seconds)** aired several times per day in June 2007 by RTK public TV. The announcement includes several images of children working in hazardous activities in agriculture and the message transmitted is "Let's put an end to hazardous child labour in agriculture...together we can make it".
- **A theatre play on child labour (with a focus on girls' labour)** prepared in 2009 by ARTPOLIS NGO to raise awareness on child labour in Kosovo and encourage youth participation in promotion of child rights. The theatre play was performed in Pristina, Obiliq, Gjilan, Mitrovica, Glogovc and Prizren with participation of **800 children, teachers, parents and representatives of Municipal Directorates of Education**.
- **A photo exhibition** of children involved in child labour in Kosovo taken by a professional photographer was presented during the End of Year Event 2008 organised by the American Chamber of Commerce with participation of 80 representatives of the business community and other partner organizations.
- **140 children demonstrated showing the message "Go for the Goal: End Child Labour" and "Red Card to Child Labour"** in Pristina in 2010. The march started from the building of the national TV RTK, where children met with the Director-General to discuss their concerns about the child labour situation in Kosovo and the media's role in raising the awareness of the general public on child labour issues. The march was organized by the Ministry of Culture, Youth and Sports.
- **150 children** at risk and children involved in the Worst Forms of Child Labour from 5 elementary schools in Pristina, Gjilan and Prizren participated in football and other sports activities outside school hours organized between 31 May - 11 June 2010 (6 activities per school) organized to mark the World Day Against Child Labour. A **final activity with the slogan "Go for the goal-end child labour"** was organized on 12 June 2010 in a football stadium in Pristina with the participation of 178 children.



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IMPLEMENTATION OF CHILD LABOUR MONITORING SYSTEMS (CLMS)

The Child Labour Monitoring System (CLMS) aims at:

- Identifying child labourers and assessing the risks to which they are exposed;
- Referring child labourers to services for rehabilitation and/or providing them with risk reduction support as a temporary approach;
- Tracking them to verify that they have been removed and/or that the risk has been eliminated and that they access satisfactory alternatives.

The Child Labour Monitoring System in Kosovo has contributed to the mainstreaming of child labour issues into systems of governance by institutionalizing the process of identification and withdrawal of girls and boys from the worst forms of child labour.

Main achievements in establishing Child Labour Monitoring System in Kosovo include the following:

- Institutional framework of CLM at the central level, including the Technical Working Group on Child Labor Monitoring mandated to a) support the establishment and functioning of local structures of CLM was established by the decision of the Kosovo Committee for the Prevention and Elimination of Child Labor in March 2007;
- A Core Team of trainers, representatives of the Ministry of Labour and Social Welfare, Ministry of Education, Science and Technology, Ministry of Culture, Youth and Sports, Department of Justice, Trade Union of Education and Science and NGOs were trained on CLMS and certified by ILO-IPEC and the MLSW to be able to conduct training sessions with their colleagues and other relevant institutions active in addressing the situation of child labour;
- Kosovo CLM Profile endorsed by the Kosovo Committee for Prevention and Elimination of CL that provides for establishment of LACs Kosovo wide based on the lessons learnt from the pilot areas;
- A Guide for trainers on the processes of developing CLM System is available;
- Case Management and CLM Forms are standardized by the MLSW in order to be used by the CSW Kosovo wide;
- Child Labour is included as a separate category in the central data base of the MLSW, March 2008;

- Case Management process for children withdrawn from WFCL was piloted in six municipalities in Kosovo;
- The institutional framework at local level including Local Action Committees (LACs) on CLMS to: a/ coordinate CLMS activities, b/ review child labour consolidated data from the Centres for Social Work, c/ prepare annual action plans for addressing child labour at municipality level and d/ provide recommendations on further actions in strengthening the local response to child labour was piloted during 2005-2009 in six municipalities.
- A report with recommendations for replication of CLM System Kosovo wide based on the interviews undertaken with members of the LACs and implementing partners in the six piloted municipalities on CLM impact, challenges and recommendations approved by the Kosovo Committee for the Prevention and Elimination of Child Labor in the meeting of October 13, 2009.
- A work plan for replication of CLM System Kosovo wide prepared by the ISP in consultations with the TWG on CLM and ILO IPEC in line with report with recommendations endorsed by the Committee
- Following ILO IPEC support for establishment of CLM System in Kosovo, the replication of Child Labour Monitoring System was included as a priority for the Institute for Social Policy in the Action Plan of the Ministry of Labour and Social Welfare (MLSW) for 2010. During 2010, the Institute for Social Policies-MLSW conducted high level meetings in the 25 new municipalities with the Mayors of the Municipal Assemblies (Vitia, Kaçanik, Shtime, Suhareka, Lipjan, Peja, Malisheva, Klina, Fushë Kosova, Skenderaj, Vushtrri, Mamusha, Rahovecit, Junik, Deçan, Podujeva, Hanit i Elezi, Klllokot, Istog, Gjakova, Kamenica, Ranillug, Novobërda and Graçanica). Formal agreements on setting up CLMS LACs in the 25 above-mentioned municipalities were concluded between the Institute for Social Policies-Ministry of Labour and Social Welfare and the respective Mayors of Municipalities.

PROVIDING DIRECT SERVICES TO WORKING CHILDREN AND CHILDREN AT RISK

Many children at risk of entering child labour and children involved in the Worst Forms of Child Labour have received direct support in the framework of IPEC programmes. Children received educational and non-educational services, including: mainstreaming into the education system, catch up classes, after school classes, career guidance, non-formal education, mentoring or tutoring, vocational educational training, in-company training, job placement for children of legal working age, material support (clothes, books and school supplies, transportation and sets of tools/equipment for vocational training courses, etc.).

Moreover, family members of working children were referred to Employment Offices and provided with career guidance sessions, vocational trainings, job placement and working tools to support self-employment, as well as counselling sessions on hazards and risks related to child labour in the street and in agriculture.



Edona Berisha-Kida © ILO



Edona Berisha-Kida © ILO

WAYS FORWARD

Linkages between Child Labour and Youth Employment

While child labour is unacceptable and must be eliminated, neglecting the potential of young people is an economic and social waste that economies cannot afford. If not adequately addressed, the impact of the crisis on children and youth can jeopardize countries' human capital and generate long term consequences on economies in our region.

Effective action on child labour and youth employment needs to be based on a full recognition of their linkages. An integrated perspective is therefore required in the development of adequate strategies. As a smooth transition from school to work begins with an adequate preparation for the labour market, strategies to improve young people's chances need to be complemented by efforts to eliminate child labour and to improve adults' employment prospects.

Linkages between Child Labour and Social Protection

Alongside broader economic and social development strategies, an important key to addressing poverty is the establishment or strengthening of social protection to provide support to those in need. Making social protection more focused on children's welfare has the potential to benefit not only children, but also their families, communities and national development as a whole.

It is extremely important to better link social protection with policies aimed at child labour elimination, based on the recent UN Social Protection Floor Initiative which aims at ensuring access to essential services and social transfers for poor and vulnerable populations. "Building blocks" for a social protection floor could include measures such as: cash transfer programmes, services and transfers related to childcare, food security programmes, school grants, school feeding programmes, and other social assistance programmes.



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