



15/07/2020

RAP/RCha/ALB/ADD11(2020)

EUROPEAN SOCIAL CHARTER

Addendum to
11th National Report on the implementation of the European
Social Charter
submitted by

THE GOVERNMENT OF ALBANIA

Information on measures taken to combat forced labour

Information registered by the Secretariat on
15 July 2020

CYCLE 2020

Information on measures taken to combat forced labour.

In Albania, the Labor Code provides in Article 98 “It is prohibited to employ minors under the age of 16. Exceptions are cases when juveniles between the ages of 14 and 16 are employed during school holidays only in light work that does not harm the health of the child. Juveniles from the age of 14 until the age of 16 may be subject to professional counseling and training. ”

To ensure the protection of children from improper work in practice and in violation of the legal framework, the State Agency for the Rights and Protection of the Child is the institution responsible for coordinating and organizing the integrated child protection system, as well as monitoring the implementation of children's rights in Albania.

Law No. 18/2017 “On the Rights and Protection of the Child”, in Article 24 provides: The child is protected from economic exploitation, according to the provisions of the Criminal Code, which includes the performance of any work that:

- a) presents risks to physical and mental health, well-being and its overall development;
- b) violates education;
- c) is obligatory.

After the approval of DCM 129/2019 DCM “On procedures for identification, immediate assistance and referral of exploited children, including children in street situation” and the amendment of the National Plan for Child Protection from economic exploitation, including children in situ situation 61 municipalities of the country have recognized their obligation to set up field teams to identify economically exploited children. From the mapping made by the municipalities, in the last quarter of 2019 the field teams in the municipalities are functional: Tirana, Durrës, Shkodra, Vlora, Korça, Bulqiza, Elbasan, Fier, Kruja, Kavaja, Himara, Selenica, Peqin, Pogradec, Ersekë, Maliq , Divjakë, Gramsh, Mat, Roskovec, Pustec, Berat. (Total 22 municipalities have set up field teams). These teams have continued to be active throughout 2020.

During 2019, 272 cases of children in street situations have been identified by field teams and by May 2020, 127 cases of children in economic exploitation situations have been identified. Each identified case refers to the responsible structures and has received the necessary services. The most important of these can be listed:

- Registration of any child who is identified as unregistered in the National Registry of Civil Status by completing the necessary documentation and following the appropriate procedures.
- Vaccination of any child identified as unvaccinated.
- Medical visits to health institutions for children and support with medication
- Registration in schools and kindergartens

- Parental employment
- Reference for attending day care centers for children
- Placement in a social care institution in case of the highest interest of the child
- Taking protection measures according to Law 18/2017 “On the rights and protection of the child”

There are a number of reasons, such as the difficult economic situation, the low educational level of the parents, social problems, which force children of compulsory school age to work. Children who work and do not attend school are contingent on school dropout, while those who work and attend school are at risk of dropping out.

As part of the inclusion, the Ministry of Education, Sports and Youth (MASR) is involved in the design and implementation of several national strategies, action plans and, in cooperation with line ministries, NGOs, foundations and interested partners in the field of education, is working to reduce school dropout, in order to provide quality education services to all children of compulsory school age, creating equal opportunities at all levels of the education system.

In 2018, MASR, the Ministry of Interior and the Ministry of Health and Social Protection, signed the Cooperation Agreement protocolled in MASR with no. 7522 prot., Dated 12.07.2018, at the Ministry of Interior with no. 8649 prot., Dated 22.10.2018 and in the Ministry of Health and Social Protection with no. 6084 prot., Dated 23.10.2018, "On the identification and enrollment in school of all children of compulsory school age".

Children belonging to vulnerable groups such as Roma and Egyptian, orphans, children with disabilities, third and above children coming from the same family, children with blind status, victims of trafficking, students in institutions of detention / serving a sentence, students admitted to the oncology service, children of retired police officers, children with retired parents, children with parents with disabilities receive free textbooks based on DCM no. 212, dated 16.03.2011 “On some additions and an amendment to Decision no. 107, dated 10.02.2010 of the Council of Ministers "On the publication, printing, distribution and sale of textbooks of the pre-university education system", DCM no. 707, dated 26.08.2015 “On some changes and additions to Decision no. 107, dated 10.2.2010 of the Council of Ministers "On the publication, printing, distribution and sale of textbooks of the pre-university education system", as amended.

Currently, the Albanian government has decided to treat 800 students with scholarships who may be contingent on dropping out of school. This is based on DCM 666, dated 10.10.2019 "On financial quotas and scholarships for students of pre-university education in public educational institutions", as amended. This DCM has been drafted based on article 57 of the Constitution of the Republic of Albania, articles 6, 19 and 28 of law no. 48/2018 “On some additions and changes to law no. 69/2012, "On the pre-university education system in the Republic of Albania", as amended, as well as a set of other legal acts that address specific categories of children and students attending pre-university education, in order to help students, children of families in which they are enrolled in basic education, but in financial difficulties. All these policies pursued by MASR affect the increase of attendance of basic education by children of compulsory school age and prevent labour exploitation.

Forced labour statistics from State Labour Inspectorate

Regarding the unpaid overtime, where the State Inspectorate of Labor and Social Services bases it, in violation of article 91 point 1,2 and 3, for the years is as follows:

For the period 2017-2019, 1096 violations of this article have been identified

Year	No. of inspected subject	No of employees	No. of informal employees
2017	7958	182154	607
2018	12297	291244	1580
2019	13079	296808	2879
January – June 2020	2814	71631	175

For the period January-June 2020, 152 violations of this article were identified.