

ALBANIA 2021 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Republic of Albania is a parliamentary democracy. The constitution vests legislative authority in the unicameral parliament (the Assembly), which elects both the prime minister and the president. The prime minister heads the government, while the president has limited executive power. On April 25, the country held parliamentary elections. The Organization for Security and Cooperation in Europe found that the elections were generally well organized, voters had a choice of candidates who were able to campaign freely, and the Central Election Commission adequately managed its obligations. The Organization for Security and Cooperation in Europe report, however, highlighted several deficiencies, including vote buying, leaking of sensitive personal data, and significant advantage gained by the ruling party due to incumbency.

The Ministry of Interior oversees the Guard of the Republic and the State Police, which includes the Border and Migration Police. The State Police are primarily responsible for internal security. The Guard of the Republic protects senior state officials, foreign dignitaries, and certain state properties. The Ministry of Defense oversees the armed forces. The State Intelligence Service is responsible to the prime minister, gathers information, and carries out foreign intelligence and counterintelligence activities. Civilian authorities maintained effective control over the security forces. There were some allegations of abuses by members of the security forces.

Significant human rights issues included: problems with the independence of the judiciary as it continued to undergo vetting; restrictions on free expression and the press; and pervasive corruption in all branches of government and municipal institutions.

Impunity remained a problem, although the Specialized Anticorruption Body and anticorruption courts made significant progress during the year in investigating, prosecuting, and convicting senior officials and organized criminals.

such as a natural catastrophe, a state of war, extraordinary situations, and cases where the freedom of elections is at risk.

The law provides limited protection to domestic and migrant workers. Labor unions were generally weak and politicized. Workers who engage in illegal strikes may be compelled to pay for any damages due to the strike action.

The government did not effectively enforce the law. Resources for conducting inspections and remedying violations were not adequate. The labor inspectorate inspected 8 percent of businesses in the country. Penalties were rarely enforced and were not commensurate with those under other laws related to the denial of civil rights. Of 45 fines that were imposed, only 17 were collected as of July. Administrative and judicial procedures were subject to lengthy delays and appeals. Arbitration procedures allowed for significant delays that limited worker protections against antiunion activity.

Civilian workers in all fields have the constitutional right to organize and bargain collectively, and the law establishes procedures for the protection of workers' rights through collective bargaining agreements. Unions representing public-sector employees negotiated directly with the government. Effective collective bargaining remained difficult because employers often resisted union organizing and activities. In this environment, collective bargaining agreements, once reached, were difficult to enforce.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, but the government did not always effectively enforce the law. Lack of coordination among ministries and the sporadic implementation of standard operating procedures hampered enforcement. Penalties for violations were commensurate with those for other serious crimes but were seldom enforced. Some law enforcement organizations and the victim advocates at the prosecutors' offices received training in a victim-centered approach to victims of human trafficking. The government continued to identify victims of forced labor and prosecuted and convicted a small number of traffickers.

The Labor Inspectorate reported no cases of forced labor in the formal sector

during the year. (See section 7.c. for cases involving children in forced labor in the informal sector.) Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits most of the worst forms of child labor, but gaps exist in the legal framework, such as lack of prohibitions for using children in illicit activities. The law sets the minimum age of employment at 16 but allows children at the age of 15 to be employed in “light” work that does not interfere with school. Children younger than 18 may generally only work in jobs categorized as “light.” Children may work up to two hours per day and up to 10 hours per week when school is in session, and up to six hours per day and 30 hours per week when school is not in session. Children who are 16 or 17 may work up to six hours per day and up to 30 hours per week if the labor is part of their vocational education. By law the State Inspectorate for Labor and Social Services (SILSS) under the Ministry of Finance and Economy is responsible for enforcing minimum age requirements through the courts, but it did not adequately enforce the law. Penalties for violations were rarely assessed and were not commensurate with those of other serious crimes.

Labor inspectors investigated the formal labor sector, whereas most child labor occurred in the informal sector. Children engaged in gathering recyclable metals and plastic, small-scale agricultural harvesting, selling small goods in the informal sector, serving drinks and food in bars and restaurants, the clothing industry, and mining. There were reports that children worked as shop vendors, vehicle washers, textile factory workers, or shoeshine boys. The number of children engaged in street-related activities (such as begging or selling items) increased during the summer, particularly around tourist areas. The NGO Nisma ARSIS reported an increasing number of children in street situations used for drug distribution.

Children were subjected to forced begging and criminal activity. Some children begging on the street were second- or third-generation beggars. Research suggested that begging started as early as the age of four or five. While the law prohibits the exploitation of children for begging, police generally did not enforce it, although they made greater efforts to do so during the year. In several cases, police detained parents of children found begging in the street and referred

children for appropriate child services care. The State Agency on Children's Rights continued to identify and manage cases of street children identified by mobile identification units.

In 2013, the most recent year for which statistics were available, the government's statistical agency and the International Labor Organization estimated that 54,000 children were engaged in forced labor domestically. An estimated 43,000 children worked in farms and fishing, 4,400 in the services sector, and 2,200 in hotels and restaurants. Nearly 5 percent of children were child laborers. The State Agency for Protection of Children Rights identified 166 children in street situations as of June.

SILSS did not carry out inspections for child labor unless there was a specific complaint. Most labor inspections occurred in shoe and textile factories, call centers, and retail enterprises; officials found some instances of child labor during their inspections. As of July, SILSS reported 91 children younger than 18 registered to work, of whom 40 were employed in manufacturing enterprises and 42 in the hotel, bar, and restaurant industry.

The NGO Terre des Hommes reported that the COVID-19 pandemic may have worsened child labor violations. Restriction of movement and other measures against COVID-19 produced new exploitation trends, such as door-to-door begging and afternoon and night street work.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

d. Discrimination with Respect to Employment and Occupation

Labor laws prohibit employment discrimination based on race, skin color, gender, age, physical or mental disability, political beliefs, language, nationality, religion, family, HIV or AIDS status, or social origin. The government did not enforce the law, and penalties for violations were not commensurate with those under other laws related to denials of civil rights. The commissioner for protection from discrimination reported that most allegations of discrimination involved race, sexual orientation, economic status, or disability.

There are laws prohibiting women from engaging in work that requires lifting more than 44 pounds.

According to the labor force survey, women were less likely to participate in the labor market. The participation in the labor force of women between the ages of 15 and 64 decreased slightly, from 61.6 percent in 2019 to 61.2 percent in 2020. The most common reasons given for nonparticipation in the paid labor market included school attendance (20.9 percent) or unpaid housework (18.8 percent). For men not active in the paid labor market, 25.7 percent cited school attendance and 0.6 percent cited housework as the reason.

e. Acceptable Conditions of Work

Wage and Hour Laws: The national minimum wage was higher than the national poverty threshold.

While the law establishes a 40-hour workweek, individual or collective agreements typically set the actual workweek. The law provides for paid annual holidays, but only employees in the formal labor market had rights to paid holidays. Many persons in the private sector worked six days a week. The law requires rest periods and premium pay for overtime, but employers did not always observe these provisions.

SILSS and tax authorities are responsible for enforcing the minimum wage and hour laws. Enforcement agencies lacked the tools to enforce collection and consequently rarely charged violators. The number of inspectors was insufficient to enforce compliance. Inspectors did have the authority to make unannounced inspections and initiate sanctions.

The government rarely enforced laws related to maximum work hours, limits on overtime, or premium pay for overtime, especially in the private sector. These laws did not apply to migrant workers or workers in the informal sector. Penalties for violations to wage and hour laws were not commensurate with those of similar crimes.

Occupational Safety and Health: Occupational safety and health standards were appropriate for the main industries, although enforcement was lacking. Experts did

not actively identify unsafe conditions in addition to responding to worker's complaints. SILSS is also responsible for occupational health and safety standards and regulations. The government did not effectively enforce occupational safety and health laws. Violations of wage and occupational safety standards occurred most frequently in the textile, footwear, construction, and mining industries. Resources and inspections were not adequate, and penalties were not commensurate with those of other similar crimes. Workers often could not remove themselves from situations that endangered their health or safety without jeopardizing their employment. Employers did not effectively protect employees in this situation.

Informal Sector: Workers in the informal sector made up 56 percent of the economy, according to the International Labor Organization's *2019 Overview of the Informal Economy in Albania*. Informal workers are not covered by wage, hour and occupational safety and health laws and the government did not provide social protections for informal workers. Government enforcement of labor laws remained largely ineffective, in part due to the extent of informal employment. Child labor primarily occurred in the informal sector (see section 7.c.).