**Mongolia**

**Government Policies and Programs to Eliminate the Worst Forms of Child Labor**

The Government of Mongolia has been a member of ILO-IPEC since 1999.2381 The National Council for Children, established in 1994 and led by the Prime Minister, reviews policies and mobilizes resources for the protection of children.2382 The National Children’s Committee, under the Minister for Social Welfare and Labor (MOSWL), oversees the implementation of the government’s policies on children and provides training to government officials, NGOs, and child specialists.2383 In 1999, an ILO-IPEC country program funded by USDOL began to build capacity among institutions to combat child labor, raise awareness, and sponsor activities to remove children from work in mining, prostitution, the informal sector (including scavenging in dump sites), and livestock herding.2384

The government provides funds to shelters for vulnerable children.2385 In conjunction with local governments, Save the Children UK works with vulnerable children, such as children living on the streets, by supporting shelters and providing services, and performs advocacy and capacity building.2386 USAID has supported vocational education for teenagers,2387 and the World Bank initiated a project to provide microfinance to vulnerable rural families.2388

Since 2000, the government has provided school materials to children from poor families to encourage them to stay in the formal school system.2389 In 1997, the Ministry of Education, Culture and Science established a Non-Formal Education Center to provide assistance and training

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2383 It was recently upgraded to agency status, and renamed the National Children’s Board. Ibid., 29.


2389 Between 2000-2002, approximately 70,000 children received one-time assistance of this nature. ILO-IPEC, *National Program in Mongolia, Phase II*, project document, 12.
on non-formal education (NFE) techniques, materials and curricula. In 1992, the government established a fund to assist children from poor families with free clothing and school materials. The Asian Development Bank is supporting a program to make the education sector more effective, cost efficient and sustainable. The program will also assist the government to implement a Second Education Development Project (SEDP) that will improve access to and quality of education at the basic, non-formal and secondary levels, and create a technical education and vocational training program that teaches skills geared to the local context.

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 1.4 percent of children ages 10 to 14 years in Mongolia were working. Children herd livestock and work as domestic servants. Other children sell goods, polish shoes, act as porters, scavenge for saleable materials, beg, and act as grave diggers. Children also work in informal coal mining, either in the mines or scavenging for coal outside, as well as in informal gold mining. There are increasing numbers of children living on the streets in the capital, Ulaan Baatar, who may be at risk of engaging in hazardous activities.

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2390 The Non-Formal Education Centers exist in each province, and provide training and education to people of various ages. In addition, vocational education facilities have been decreasing since the transition to a market economy and far fewer students are now able to access those resources. Tuition for vocational schools is charged to meet budget shortfalls, tending to exclude children from poorer families. Ibid., 12-13, 30.


2396 Ts. Ariuntungalag, “Child Labour in Mongolia” (Ulaan Baatar: Save the Children Fund, 1998), as quoted in Ibid., 16.

2397 Most mines were closed almost a decade ago, but since many of the openings still exist, in practice coal mining continues. For a discussion of the conditions children face working in the sector, see pages 22 to 23 of the Mongolian Women’s Federation Study, commissioned by ILO-IPEC in 2000, as cited in Ibid.

2398 Children do not work in formal (registered) gold mining due to labor inspections and high rates of adult participation, but children are engaged in illegal informal mining, in which individuals work in former gold mines year-long, or in legal mines when they are not in actual operation, such as during winter months. Ibid., 23-25.
work. Urban children often work in small enterprises such as food shops, or in light industry. To a lesser extent, children are engaged in commercial sexual exploitation. There is increasing concern about the trafficking of persons due to factors such as weak border controls and low public awareness, but comprehensive information about the nature and extent of trafficking in Mongolia is not available.

Article 16 of the Mongolian Constitution provides free basic education. The Educational Law was revised in May 2002 to expand compulsory education to nine years of schooling, lower the age of enrollment to age 7, and formally define the NFE structure. The revised Law on Primary and Secondary Education of May 2002 directs local governments to cover the costs of NFE. Children who enroll in NFE are entitled to take the formal school exams in order to receive primary or secondary school certifications. The new Law on Vocational Education was also adopted in May 2002, providing public funds to cover the cost of primary level vocational courses and dormitory costs for students. The law also allows students to join short skills training courses without providing a certificate of completion for compulsory schooling. In 1998, the gross primary enrollment rate was 93.7 percent. The net primary enrollment rate was 85.4 percent, with 87.1 percent of girls enrolled versus only 83.7 percent of boys. At the national level, 75.6 percent of children ages 7 to 12 are in attendance at the primary school level. Young boys often leave school to assist their families with livestock. Because Mongolia is largely rural, the government subsidizes dormitories to allow children to stay near schools.


2400 ILO-IPEC, National Program in Mongolia, Phase II, project document, 21.

2401 Ibid., 18-20.

2402 In addition, the extent to which children are victims of trafficking is uncertain. U.S. Department of State, Country Reports-2001: Mongolia, 1110-12, Section 6f.


2405 ILO-IPEC, National Program in Mongolia, Phase II, project document, 11.


2407 World Bank, World Development Indicators 2002.


2409 According to the report, young males tend to leave school in order to assist with the family herds: about 40 percent of students at the secondary level are males, whereas only 20 percent at the tertiary level are males. Asian Development Bank, Country Assistance Plans- Mongolia, Section I.C.1, “Gender Issues,” item 19.

Child Labor Laws and Enforcement

Article 109 of the Labor Law sets the minimum age of employment at 16 years, although children aged 15 may work with the permission of a parent or guardian. Children aged 14 may be engaged in vocational training or employment with the permission of both the parent or guardian and MOSWL. The Labor Law prohibits minors from being required to work overtime, on holidays or on weekends, and limits the hours of legal employment based on the age of the minor. In 1999, the government developed a list of prohibited hazardous employment activities for minors. The Criminal Code of Mongolia was revised in January 2002 to prohibit trafficking in persons and forced child labor. Trafficking of children incurs a 10 to 15 year prison term, and violation of forced child labor provisions are punishable by a fine or up to four years imprisonment. The Criminal Code also prohibits prostitution below the age of 16, and penalties apply to organizers, customers and providers of prostitution. Penalties range from monetary fines to imprisonment for up to five years. The production and dissemination of pornographic materials involving children is also illegal under the Criminal Code, with imprisonment of up to two years or correctional work for a maximum of one and a half years, or a monetary fine.

The State Labor and Social Welfare Inspection Agency under MOSWL is responsible for enforcing child labor laws, and recently began collecting data on children engaged in hazardous work. However, labor inspectors rarely inspect medium and small enterprises. In November 2000, the U.S. Customs Service issued a detaining order against clothing manufactured by a foreign-owned factory in Mongolia, alleging that the factory had used forced child labor in the manufacture of its products. The detention order was revoked in July 2001.

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2411 Children aged 14 and 15 may not work more than 30 hours, and children aged 16 and 17 may not work more than 36 hours per week. Article 141.1.6 assesses the penalty for violation of child labor laws at between 15,000 and 30,000 tugriks (USD 14 to 27). Government of Mongolia, Labor Law, (Ulaan Baatar: “Bit Service” Co., Ltd., with permission of the Ministry of Justice, May 5, 1999), Articles 71, 109-110, and 141. For currency conversion, see FX Converter, [cited August 30, 2002]; available from http://www.carosta.de/frames/convert.htm.


2415 ILO-IPEC, National Program in Mongolia, Phase II, project document, 28-29.

2416 The order was issued pursuant to U.S. law (19 U.S.C. 1307) after a determination that the factory manufactured textiles using forced labor. Factory working conditions were allegedly substandard, and management was failing to pay overtime correctly. U.S. Customs, U.S. Customs Commissioner Issues Detention Order on Clothing Produced in Mongolia with Forced Child Labor, press release, Washington, D.C., November 28, 2000, [cited August 30, 2002]; available from www.customs.gov/hot-new/pressrel/2000/1128-00.htm.