

<sup>2526</sup> ILO-IPEC, *Trafficking and other Worst Forms of Child Labour, Project Document, 2006*, cover page, 69.

<sup>2527</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 9, 2008.

<sup>2528</sup> Catholic Relief Services, *Moldova Employment and Training Alliance (META)*, Status Report, Chisinau, October 31, 2008.

## Mongolia

### *Selected Statistics and Indicators on Child Labor*<sup>2529</sup>

Population, children, 5-14 years, 2005:	571,782
Working children, 5-14 years (%), 2005:	11.3
Working boys, 5-14 years (%), 2005:	12.9
Working girls, 5-14 years (%), 2005:	9.8
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	16
Compulsory education age:	16
Free public education:	Yes
Gross primary enrollment rate (%), 2007:	99.9
Net primary enrollment rate (%), 2007:	88.8
School attendance, children 5-14 years (%), 2005:	86.9
Survival rate to grade 5 (%), 2006:	84.1
ILO Convention 138:	12/16/2002
ILO Convention 182:	2/26/2001
CRC:	7/5/1990
CRCOPAC:	10/6/2004
CRCOPSC:	6/27/2003
Palermo:	6/27/2008*
ILO-IPEC participating country:	Yes

\*Accession

### **Incidence and Nature of Child Labor**

Children in rural areas of Mongolia herd and tend livestock, collect animal dung for fire, and gather fruit and nuts.<sup>2530</sup> In urban areas, children sort vegetables, wash cars, polish shoes, rag pick, and work as porters.<sup>2531</sup> Children 5 to 17 years are engaged in coal, gold, and fluor spar mining. One third of children working in gold mining work underground.<sup>2532</sup> It has been reported that some

children work with mercury and explosives.<sup>2533</sup> The National Human Rights Commission of Mongolia estimates that there are 40 to 50 horse racing events each year, and at each event, approximately 2,000 children between 6 and 16 years are engaged as jockeys.<sup>2534</sup>

Child prostitution is a problem in Mongolia. Children are trafficked internally for commercial sexual exploitation, as well as for labor exploitation.<sup>2535</sup> Girls are trafficked internationally.<sup>2536</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 16 years, with some exceptions. Children 15 years may work with the permission of a parent or guardian.<sup>2537</sup> Children 14 years of age may work in vocational education programs, with the consent of a parent or guardian and the State central administration responsible for labor issues.<sup>2538</sup> Minors, those under 18 years, may not be employed in any occupation that harms their health or mental development.<sup>2539</sup> Minors also cannot be employed in a job listed on the Government's "List of Jobs Prohibited to Minors." This list was updated in 2008 to include hazardous workplace conditions in both formal and informal sectors.<sup>2540</sup> Children 14 and 15 years may not work more than 30 hours a week, and children 16 and 17 years of age may not work more than 36 hours per week.<sup>2541</sup> Children must pass a medical examination prior to employment. They are prohibited from working under abnormal conditions, overtime, on public holidays, or on weekends.<sup>2542</sup> Employers found to be in violation of these prohibitions will be fined.<sup>2543</sup> Labor inspectorates are in charge of enforcing these prohibitions. USDOS noted that the low number of inspectors and the increasing

number of enterprises resulted in limited enforcement of labor laws.<sup>2544</sup> There are currently 87 labor inspectors countrywide.<sup>2545</sup>

Forced labor is prohibited in the Constitution.<sup>2546</sup> Mongolian law prohibits the use of children in exploitive activities, such as forced labor and begging.<sup>2547</sup> Forcing a child to work is punishable by imprisonment of up to 4 years or a fine.<sup>2548</sup>

The minimum age for military conscription is 18 years.<sup>2549</sup> There are no laws that regulate the activities of children under 18 years at military schools, such as the participation in military practice and use of military techniques.<sup>2550</sup>

Trafficking of a minor for exploitation is punishable by imprisonment of 5 to 10 years; if the victim is trafficked internationally, the prison term increases to 10 to 15 years.<sup>2551</sup> In March 2008, the anti-trafficking provision was amended to allow the prosecution of recruiting, holding, and transporting trafficking victims. As a result, prosecutions and sentencing of offenders increased.<sup>2552</sup>

Production and distribution of pornographic materials involving a person under 16 years are punishable by imprisonment of 1 to 3 months or fines. Inducing a child under 16 years to engage in these crimes is also punishable by imprisonment of 3 to 6 months or a fine; if committed by an organized group, the punishment is imprisonment for up to 5 years.<sup>2553</sup> The crime of inducing a person to engage in prostitution through fraudulent or violent means is punishable by fines or 3 to 6 months of incarceration.<sup>2554</sup> The keeping of a brothel and pimping are punishable by a prison term of up to 3 years or a fine. If the crime is committed by an organized group, the punishment is a prison term of 3 to 5 years.<sup>2555</sup>

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

The Government of Mongolia is implementing the National Program for Child Development and Protection (2002-2010). The objectives of this program include the protection of minors from trafficking and commercial sexual exploitation

and the eradication of worst forms of child labor.<sup>2556</sup> The Mongolian Government is also continuing the National Program on Protection from Trafficking of Children and Women with the Purpose of Sexual Exploitation for 2005-2014. This program aims to establish a legal system for preventing human trafficking and sexual exploitation, increase the community's awareness of these issues, and provide better assistance to victims.<sup>2557</sup> In 2008, a Government's resolution gave local authorities the responsibility of removing children from mining and providing them with social services.<sup>2558</sup> Additionally, the Government adopted the Sub-program for Developing Small-scale Mining, which aims to eliminate child labor in the mining sector by 2015.<sup>2559</sup> The Government Action Plan (2008-2012) was adopted. This plan includes the objectives of ending hazardous child labor, child trafficking, forced labor, child prostitution, and other illegal activities by 2012.<sup>2560</sup>

The Government supported anti-trafficking training for civil servants, such as the police, immigration officials, and border officials. In addition, the Government distributed NGO-sponsored anti-trafficking pamphlets in passports and train tickets.<sup>2561</sup> The Government is also working with IOM on a program to assist with the repatriation of trafficking victims and the provision of counseling and other services.<sup>2562</sup>

In response to the global economic crisis, in January 2009, the Ministry of Social Welfare, the Confederation of Mongolian Trade Unions, and the Mongolian Employers Federation signed a MOU, which creates a social partnership to prevent the use of child labor as a means of cheap labor.<sup>2563</sup>

The Government of Mongolia is implementing a 4-year USDOL-funded USD 2.9 million ILO-IPEC project to support the Government's Timebound Measures through 2009. The project is designed to strengthen the country's ability to take action against the worst forms of child labor, and to develop an area-based intervention model at the local level.<sup>2564</sup> The project aims to withdraw 2,400 children and prevent 2,600 children from the worst forms of child labor through the provision of educational and related services.<sup>2565</sup>

<sup>2529</sup> For statistical data not cited here, see the Data Sources and Definitions section. For ratifications and ILO-IPEC membership, see the Introduction. For minimum age for admission to work, see Government of Mongolia, *Law on Labour of Mongolia*, (July 1, 1999), article 109; available from <http://www.investmongolia.com/law25.pdf>. For age to which education is compulsory, see U.S. Department of State, "Mongolia," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119049.htm>. For free public education, see Government of Mongolia, *Constitution of Mongolia, 1992*, (January 13, 1992), article 16 (7); available from [http://www.servat.unibe.ch/law/icl/mg00000\\_.html](http://www.servat.unibe.ch/law/icl/mg00000_.html).

<sup>2530</sup> ILO-IPEC, *Helping Hands or Shackled Lives? Understanding Child Domestic Labour and Responses to it*, Geneva, 2004, 22; available from [http://www.ilo.org/public/libdoc/ilo/2004/104B09\\_138\\_engl.pdf](http://www.ilo.org/public/libdoc/ilo/2004/104B09_138_engl.pdf). See also ILO-IPEC, *Support to the Proposed National Sub-programme to Eliminate the Worst Forms of Child Labour: Time-Bound Measures 2005*, Project Document, September 30, 2005, 4.

<sup>2531</sup> ILO-IPEC, *Time-Bound Measures, Project Document, September 2005*, 3.

<sup>2532</sup> U.S. Department of State, E-mail communication to USDOL Official, July 6, 2009. See also ILO-IPEC, *Baseline Survey on Child and Adult Workers in Informal Gold and Fluorspar Mining*, Ulaan Baatar, 2006, 8, 37. See also U.S. Department of State, "Mongolia " in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008, 184; available from <http://www.state.gov/documents/organization/105501.pdf>. See also ILO-IPEC, *Time-Bound Measures, Project Document, September 2005*, 3.

<sup>2533</sup> ILO-IPEC, *Baseline Survey on Child and Adult Workers in Informal Gold and Fluorspar Mining*, 8 and 37. See also ILO-IPEC, *Time-Bound Measures, Project Document, September 2005*, 3. See also U.S. Department of State, E-mail communication, July 6, 2009.

<sup>2534</sup> ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182) Mongolia (ratification: 2001)*, [online] 2006 [cited January 2, 2009]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=18894&chapter=9&query=%28C29%2C+C105%2C+C138%2C+C182%29+%40ref+%2B+%28Mongolia%29+%40ref+%2B+%23YEAR%3E2000&highlight=&querytype=bool&context=0>.

<sup>2535</sup> U.S. Department of State, "Trafficking in Persons Report- 2008: Mongolia," 184. See also ILO-IPEC, *Time-Bound Measures, Project Document, September 2005*, 3. See also U.S. Department of State, "Country Reports- 2008: Mongolia," section 5.

<sup>2536</sup> U.S. Department of State, "Trafficking in Persons Report- 2008: Mongolia," 184.

<sup>2537</sup> Government of Mongolia, *Labour Law of Mongolia*, articles 109.1 and 109.2.

<sup>2538</sup> *Ibid.*, article 109.3.

<sup>2539</sup> *Ibid.*, article 109.4.

<sup>2540</sup> *Ibid.*, article 109.5. See also ILO NATLEX National Labor Law Database, *Order of the Minister for Health and Social Welfare establishing the lists of jobs prohibited to women and minors*, accessed January 2, 2009, 4-12; available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/57614/63028/F757012132/MNG57614.PDF>.

See also U.S. Embassy- Ulaanbaatar, *reporting*, January 16, 2009. See also ILO-IPEC, *Support to the Proposed National Sub-programme to Eliminate the Worst Forms of Child Labour: Time-Bound Measures*, Technical Progress Report, Geneva, March 2009, 4.

<sup>2541</sup> Government of Mongolia, *Labour Law of Mongolia*, article 71.1.

<sup>2542</sup> *Ibid.*, articles 110.1-110.3.

<sup>2543</sup> *Ibid.*, article 141.1.6.

<sup>2544</sup> U.S. Department of State, "Country Reports- 2008: Mongolia," section 6d.

<sup>2545</sup> U.S. Embassy- Ulaanbaatar, *reporting, January 16, 2009*.

<sup>2546</sup> Government of Mongolia, *Constitution of Mongolia, 1992*, article 16.4.

<sup>2547</sup> ILO-IPEC, *National Programme for the Prevention and Elimination of Child Labour in Mongolia, Phase II*, Status Report, Geneva, June 16, 2003, annex II, 3.

<sup>2548</sup> Government of Mongolia, *Criminal Code of Mongolia*, (2002), article 121; available from <http://www.unhcr.org/refworld/docid/3ed919fd.html>.

<sup>2549</sup> Coalition to Stop the Use of Child Soldiers, "Mongolia," in *Child Soldiers Global Report 2008*, London, 2008, 236; available from [www.childsoldiersglobalreport.org/files/country\\_pdfs/FINAL\\_2008\\_Global\\_Report.pdf](http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf).

<sup>2550</sup> UN Committee on the Rights of the Child, *Initial Report of Mongolia to the UN Committee on the Rights of the Child Concerning Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*, November, 2007, para 14; available from [www.essex.ac.uk/armedcon/story\\_id/000809.doc](http://www.essex.ac.uk/armedcon/story_id/000809.doc).

<sup>2551</sup> U.S. Embassy- Ulaanbaatar, *reporting*, February 21, 2009.

<sup>2552</sup> U.S. Department of State, "Trafficking in Persons Report- 2008: Mongolia," 184. See also U.S. Embassy- Ulaanbaatar, *reporting, February 21, 2009*.

<sup>2553</sup> Government of Mongolia, *Criminal Code of Mongolia*, article 123.

<sup>2554</sup> *Ibid.*, article 124.1.

<sup>2555</sup> *Ibid.*, articles 124.2 and 124.3.

<sup>2556</sup> Government of Mongolia, *National Programme of Action for the Development and Protection of Children 2002-2010*, Ulaanbaatar, December 2002, 18-19, 23; available from <http://www.unicef.org/mongolia/UNICEFNPAEng.pdf>.

<sup>2557</sup> UNICEF, *The Launch of the National Plan of Action on Trafficking and Protection of Children and Women from Commercial Sexual Exploitation*, [online] [cited January 2, 2009]; available from [http://www.unicef.org/mongolia/media\\_3758.html](http://www.unicef.org/mongolia/media_3758.html).

<sup>2558</sup> U.S. Embassy- Ulaanbaatar, *reporting, January 16, 2009*.

<sup>2559</sup> ILO-IPEC, *Time-Bound Measures, Technical Progress Report, March 2009*, 3.

<sup>2560</sup> *Ibid.*, 2.

<sup>2561</sup> U.S. Department of State, "Trafficking in Persons Report- 2008: Mongolia," 184.

<sup>2562</sup> *Ibid.*, 185.

<sup>2563</sup> ILO-IPEC, *Time-Bound Measures, Technical Progress Report, March 2009*, 3.

<sup>2564</sup> ILO-IPEC, *Support to the Proposed National Sub-programme to Eliminate the Worst Forms of Child Labour: Time-Bound Measures, Technical Progress Report*, Geneva, September 2008, 1.

<sup>2565</sup> ILO-IPEC, *Time-Bound Measures, Project Document, September 2005*, 41.

## Montenegro

### *Selected Statistics and Indicators on Child Labor*<sup>2566</sup>

Population, children, 5-14 years, 2005:	99,990
Working children, 5-14 years (%), 2005:	12.9
Working boys, 5-14 years (%), 2005:	14.6
Working girls, 5-14 years (%), 2005:	11.0
Working children by sector (%), 5-14 years:	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%):	-
Net primary enrollment rate (%):	-
School attendance, children 5-14 years, 2006 (%):	87.7
Survival rate to grade 5 (%):	-
ILO Convention 138:	6/3/2006
ILO Convention 182:	6/3/2006
CRC:	10/23/2006**
CRCOPAC:	5/2/2007**
CRCOPSC:	10/23/2006**
Palermo:	10/23/2006**
ILO-IPEC participating country:	No

\*In practice, must pay for various school expenses

\*\*Succession

### **Incidence and Nature of Child Labor**

Children in Montenegro can be found working on family farms. Roma children also work in the informal sector, selling small items or washing car windows; they also are often found begging to assist their families.<sup>2567</sup> Montenegro is primarily a transit country for girls trafficked to Western Europe for the purpose of sexual exploitation.<sup>2568</sup>

### **Child Labor Laws and Enforcement**

The minimum age for employment is 15 years.<sup>2569</sup> Children under 18 years are not permitted to work in jobs that involve particularly difficult physical or dangerous work, overtime and night work, underground work, or underwater work.<sup>2570</sup> The law provides for monetary penalties for violation of these provisions.<sup>2571</sup>

Forced labor is prohibited.<sup>2572</sup> Trafficking in persons is prohibited, and the trafficking of a minor is punishable by 3 to 10 years of imprisonment.<sup>2573</sup> Procuring a minor for prostitution is punishable by 3 months to 5 years of imprisonment, while inciting a minor into prostitution is punishable by 1 to 10 years of imprisonment.<sup>2574</sup> Using children in the production of pornography is punishable by 6 months to 5 years of imprisonment.<sup>2575</sup> The minimum age to volunteer for the Montenegrin military is 18 years.<sup>2576</sup>