

In 2015, Mongolia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government hired 41 new labor inspectors and developed a risk assessment checklist to help investigators accurately identify victims of human trafficking, including child victims. Members of the national Coordinating Council to combat child labor resumed efforts to coordinate the Government's implementation of the National Action Plan on the Worst Forms of Child Labor after a year of inactivity. In addition, the Government collected data on exploitative child labor in Mongolia's capital city, Ulaanbaatar. However, children in Mongolia are engaged in child labor, including in herding, and in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Labor inspectors lack adequate training on laws related to child labor, and there is no referral mechanism between labor authorities and social services providers to effectively assist children identified as child laborers. The Government also lacks social programs to address child labor in certain relevant sectors.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mongolia are engaged in child labor, including in herding. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-6) The Mongolia National Child Labor Survey 2011–2012, published in 2013, indicates that 43,545 Mongolian children ages 5 to 17 are engaged in child labor, while 10,398 children are involved in hazardous work. Nine out of ten children exploited in situations of hazardous work are boys. (2) According to the survey, children's employment is more prevalent in rural areas than in urban areas. (2, 7) Table 1 provides key indicators on children's work and education in Mongolia.

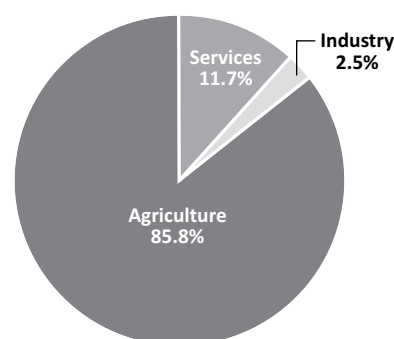
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	13.8 (60,246)
Attending School (%)	5-14 yrs.	87.6
Combining Work and School (%)	7-14 yrs.	15.1
Primary Completion Rate (%)		109.9

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2015. (8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Labor Force Survey-National Child Labor Survey, 2011–2012. (9)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Herding and animal husbandry* (1, 2, 4, 10)
Industry	Construction, including carrying* and loading bricks,* cement,* and steel framework,* mixing construction solutions such as lime* or cement,*† binding steel framework,* and cleaning at the construction site* (2, 10, 11)
	Mining† coal, gold, and fluorspar (2, 4, 10, 12-16)
Services	Horse jockeying (4, 17-20)
	Scavenging in garbage dumpsites† (2, 4, 21)
	Handling freight (2)
	Domestic work*† (10)

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**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Ticket-taking for public transportation* (10)
	Street work, including vending*† and washing cars* (2, 3, 21)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography,* sometimes as a result of human trafficking (3-6, 13, 21-23)
	Forced labor in begging and stealing* (3, 4, 22, 23)
	Forced labor in construction, mining, agriculture, horse jockeying, animal husbandry,* industrial sectors,* and contortionist work,* each sometimes as a result of human trafficking (4, 22, 23)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Mongolian children are generally trafficked internally for the purpose of commercial sexual exploitation in saunas, bars, hotels, karaoke clubs, and massage parlors.(3-6, 22) Some Mongolian children also work as jockeys in horse races. A 2015 rapid assessment found that child jockeys participating in spring races, the average age of whom is between 6 and 16 years old, face a number of health and safety hazards, including exposure to extremely cold temperatures and risk of brain and bone injuries.(20) Participation in pre-training and spring racing may also negatively impact a child’s school attendance.(20)

During the reporting period, government agencies collected data on exploitative child labor in Mongolia’s capital city. An unpublished survey conducted by the Ministry of Labor in 6 of Ulaanbaatar’s 9 districts identified 13 to 41 children engaged in child labor in major markets and dumpsites.(10) The Metropolitan Office of Child and Family Development and the Ulaanbaatar Labor and Social Welfare Departments surveyed 210 child laborers in Ulaanbaatar and found that children work in a variety of occupations, including as petty traders, car washers, bag handlers at markets, scavengers in dumpsites, assistants in construction material shops, and jockeys.(10)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Mongolia has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 109 of the Law on Labor (24)
Minimum Age for Hazardous Work	Yes	18	List of Jobs and Occupations Prohibited to Minors; Article 6 of the Law on the Protection of the Rights of the Child (25, 26)
Prohibition of Hazardous Occupations or Activities for Children	Yes		List of Jobs and Occupations Prohibited to Minors; Law on the National Naadam Holiday (25, 27)

**Table 4. Laws and Regulations Related to Child Labor (cont)**

Standard	Yes/No	Age	Related Legislation
Prohibition of Forced Labor	Yes		Articles 113, 121, and 124 of the Criminal Code; Article 7 of the Law on Labor; Article 7 of the Law on the Protection of the Rights of the Child; Article 3 of the Law on Combating Trafficking in Persons (24, 26, 28, 29)
Prohibition of Child Trafficking	Yes		Law on Combating Trafficking in Persons; Article 113 of the Criminal Code (28, 29)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 115, 123, and 124 of the Criminal Code; Combating Pornography and Prostitution Act (28, 30)
Prohibition of Using Children in Illicit Activities	Yes		Articles 114 and 192 of the Criminal Code (28)
Minimum Age for Compulsory Military Recruitment	Yes	18	Law on Civil Military Duties and the Legal Status of Military Personnel (31, 32)
Minimum Age for Voluntary Military Service	Yes	18	Law on Civil Military Duties and the Legal Status of Military Personnel (31, 32)
Compulsory Education Age	Yes	16	Article 46 of the Law on Education (33, 34)
Free Public Education	Yes		Article 16 of the Constitution of Mongolia; Article 5 of the Law on Education (35, 36)

In July 2015, the Ministry of Labor submitted a draft revised Law on Labor to parliament for discussion and review by the Standing Committee on Social Policy, Education, Culture, and Science. The draft includes additional provisions on light work and on the prohibition of the worst forms of child labor.(10, 37, 38) In February 2016, just after the close of the reporting period, the Ministry of Labor issued an order listing types of hazardous work prohibited to children, including working as a horse jockey in winter and spring races.(39, 40)

In December 2015, the Mongolian parliament approved a revised Criminal Code that criminalizes the worst forms of child labor, including the use of children for begging and to commit crimes, the sale of children, and the commercial sexual exploitation of children.(38) However, this law did not go into effect during the reporting period.(10) Therefore, during the reporting period, laws related to the commercial sexual exploitation of children were not sufficient as they do not clearly criminalize the use or offering of children in the production of pornography, or the procuring of children ages 16 and 17 for the production of pornography or pornographic performances.(28, 41)

Mongolia's Law on Labor only provides minimum age protections to children working under a labor contract, leaving children working outside of a labor contract unprotected.(24, 42) In addition, laws related to human trafficking are not sufficient as there are no provisions that specifically, criminally prohibit the trafficking of children for the purpose of commercial sexual exploitation and forced labor.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
General Agency for Specialized Inspection (GASI)	Enforce labor laws, including child labor. Conduct inspections at registered businesses.(3)
National Police Agency (NPA)	Maintain primary responsibility for investigating human trafficking cases. Coordinate with the Organized Crime Department—successor to the Criminal Police Department and the State Investigation Agency.(22) Report to the Ministry of Justice (MOJ).(21)
Organized Crime Department	Receive referrals and open a formal criminal investigation of human trafficking and sexual exploitation cases. Work with the Prosecutor's Office to decide whether to take a case to court and initiate any subsequent prosecution.(3, 43) Replaced the State Investigation Agency and the Criminal Police Department, which were merged into one office in January 2014.(21)
Metropolitan Police Department	Operate under the NPA and oversee the district police divisions of Ulaanbaatar's nine districts.(44) Enforce labor laws and identify children in hazardous labor.(3)

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**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Division for the Prevention of Domestic Violence and Crimes Against Children	Operate under the Metropolitan Police Department and protect unattended children on the streets. Identify and refer children to their parents or to Child Care and Protection Centers.(21)
General Authority for Citizenship and Migration	Register Mongolian citizens who enter and exit the country. Track children who leave Mongolia and do not return, as well as pregnant Mongolian women who leave Mongolia to give birth and return without their child.(22) Follow up with law enforcement as necessary.(22) Agency created as a result of a merger between certain units of the General Authority for Border Protection and the former Immigration Agency.(22)
Marshal ( <i>Takhar</i> ) Service	Provide protection to victims and witnesses throughout the judicial process. Work toward establishing shelters throughout the country.(21, 45)

### *Labor Law Enforcement*

In 2015, labor law enforcement agencies in Mongolia took actions to combat child labor, including its worst forms (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2014	2015
Labor Inspectorate Funding	Unknown (21)	Unknown (10)
Number of Labor Inspectors	47 (21)	88 (10)
Number of Child Labor Dedicated Inspectors	2 (21)	2 (10)
Inspectorate Authorized to Assess Penalties	Yes (21)	Yes (10)
Training for Labor Inspectors		
■ Initial Training for New Employees	No (21)	Yes (39)
■ Training on New Laws Related to Child Labor	N/A	N/A
■ Refresher Courses Provided	Yes (45)	No (10)
Number of Labor Inspections	1,054 (46)	Unknown* (10)
■ Number Conducted at Worksite	Unknown	Unknown* (10)
■ Number Conducted by Desk Reviews	Unknown	Unknown* (10)
Number of Child Labor Violations Found	63 (21)	Unknown* (10)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (21)	Unknown* (10)
■ Number of Penalties Imposed That Were Collected	N/A	Unknown (10)
Routine Inspections Conducted	Yes (21)	Yes (10)
■ Routine Inspections Targeted	Yes (21)	Yes (10)
Unannounced Inspections Permitted	No (21)	No (10)
Unannounced Inspections Conducted	N/A	N/A
Complaint Mechanism Exists	No (21)	No (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (21)	No (21, 39)

\*The Government does not make this information publicly available.

In 2015, the General Agency for Specialized Inspection (GASI) hired an additional 41 labor inspectors.(10) New inspectors participated in an initial training course that includes a component on child labor.(39) Despite this increase in labor inspectorate personnel, NGOs and government officials still reported that the number of inspectors and the state funding provided for GASI are inadequate, given the scope of the child labor problem, the growing number of businesses in the country, and GASI's broad responsibilities in the areas of labor monitoring and health and safety regulation.(3, 10, 21)

Research found that at national-level horse races, there continued to be good compliance with safety regulations for child jockeys; however, poor regulation over community-level races in rural areas continued to be an issue.(10)

### *Criminal Law Enforcement*

In 2015, criminal law enforcement agencies in Mongolia took actions to combat the worst forms of child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor**

Overview of Criminal Law Enforcement	2014	2015
Training for Investigators		
■ Initial Training for New Employees	Unknown	Unknown
■ Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
■ Refresher Courses Provided	Yes (21)	Yes (10)
Number of Investigations	Unknown	8 (40)
Number of Violations Found	Unknown	4 (40)
Number of Prosecutions Initiated	2 (21)	0 (40)
Number of Convictions	Unknown	3 (40)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (45)	Yes (47)

In 2015, the Organized Crime Department employed two agents and four investigators responsible for investigating a range of crimes, including trafficking in persons cases.<sup>(47)</sup> Research indicated that this number was inadequate to address the scope of the problem.<sup>(3, 39, 48)</sup> During the year, several entities provided training to law enforcement officials on combating human trafficking. The Gender Equality Center (GEC), a local NGO, trained 370 judges, prosecutors, and investigators on human trafficking concepts and national legislation, while the Public Safety Division of the National Police Agency ensured that deputy chiefs and officers responsible for community patrolling in every province received anti-human trafficking training.<sup>(10, 47)</sup> In addition, the Ministry of Justice provided \$4,836 to the National Law Enforcement University and the GEC to train 252 police officers and social workers in five provinces. However, despite these capacity-building efforts, police officers reported that there is a general lack of knowledge and training on how to apply criminal trafficking laws to cases of commercial sexual exploitation of children. As a result, many cases that could have been prosecuted under the trafficking article of the Criminal Code were instead prosecuted under related articles of the Criminal Code that carry lighter penalties.<sup>(3, 41, 47)</sup> In one instance, research found that a case originally prosecuted in 2014 and involving four child victims was reclassified in 2015 as a human trafficking crime under Article 113. As a result, three perpetrators were convicted and sentenced to up to 10 years in prison.<sup>(47)</sup>

During the reporting period, the Organized Crime Department collaborated with a local NGO to develop a new 11-question risk assessment checklist designed to help investigators accurately identify human trafficking victims. Investigators refer victims who meet more than five of the criteria to short- or long-term care facilities.<sup>(47)</sup> In 2015, the GEC provided assistance to 10 suspected child victims of human trafficking for the purpose of commercial sexual exploitation, most of whom were referred to the GEC by law enforcement officials.<sup>(39)</sup>

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

**Table 8. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Coordinating Council to Implement the National Action Plan for the Elimination of the Worst Forms of Child Labor (Coordinating Council)	Guide government efforts on child labor and implementation of the National Action Plan for the Elimination of the Worst Forms of Child Labor. Chaired by the Ministry of Labor (MOL), with the National Authority for Children (NAC) as the lead implementing agency. <sup>(21)</sup> Comprised of 21 organizations, including the ministries of Population Development and Social Protection, Justice, Education, and Agriculture; General Agency for Specialized Inspection; the Confederation of Mongolian Trade Unions; the ILO; and NGOs. <sup>(3, 49)</sup> In May 2015, the Coordinating Council and other key stakeholders attended a tripartite consultation workshop organized by the MOL and the NAC to discuss implementation of the National Action Plan on the Worst Forms of Child Labor. <sup>(50)</sup>
Anti-Trafficking Sub-Council (Sub-Council)	Coordinate government efforts to combat trafficking in persons and monitor implementation of anti-human trafficking legislation. Function as a part of the Council on Crime Prevention under the Ministry of Justice (MOJ). <sup>(3, 22)</sup> Currently has 15 members representing 12 different organizations, including two NGOs. Government members include the Border Protection Agency; the Ministry of Foreign Affairs; the Ministry of Health; the MOJ; the MOL; the Ministry of Population, Development, and Social Welfare; the General Authority for Citizenship and Migration; the NAC; and the National Police Agency. <sup>(22)</sup> In 2015, the Ministry of Justice allocated approximately \$23,078 for human trafficking prevention and awareness-raising activities. <sup>(39)</sup>

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### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Mongolia has established policies related to child labor, including its worst forms (Table 9).

**Table 9. Policies Related to Child Labor**

Policy	Description
National Program for the Elimination of the Worst Forms of Child Labor (2011–2016) and National Action Plan (2014–2016)	Identifies specific actions to combat child labor through 2016 through a National Action Plan for the Elimination of the Worst Forms of Child Labor. Aims to improve legal protection for children and increase children's access to health care and education.(15) In 2015, the Government allocated \$85,000 for implementation. Funding was distributed to labor agencies and local labor departments for public awareness-raising campaigns and child labor monitoring activities.(10)
State Policy on Herders	Describes the conditions and criteria for engaging children in herding, to eliminate the worst forms of child labor in that sector.(51) Activities include projects to improve housing and access to information for herders and to ensure that herder children receive an education. Each year, the Government sets aside 1 percent of its budget for implementation of the policy.(39)
National Development Strategy*	Calls for improvements in education, health, social welfare, and labor policies through 2020. Priorities include the education, safety, and health of vulnerable children.(52)
Child Protection Strategy (2011–2016)	Aims to provide child welfare programs at the local level in collaboration with NGOs and local government offices. Includes a component related to child labor prevention and elimination.(3, 53)
Strategy for Strengthening Child Protection (2010–2015)	Aimed to prevent and eliminate child labor, commercial sexual exploitation, and human trafficking. Sought to strengthen relevant legislation to protect children's rights, including the Law on Labor, and to build the capacity of child protection workers.(54)
Master Plan to Develop Education in Mongolia (2006–2015)*	Established a long-term strategic framework for promoting development in education. Focused on making education more accessible and inclusive, especially for rural students and socially vulnerable groups.(55)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

During the reporting period, relevant stakeholders reviewed the draft National Action Plan on Combating Trafficking in Persons and submitted it to the cabinet, where it currently awaits approval.(39)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Mongolia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

**Table 10. Social Programs to Address Child Labor**

Program	Description
Global Action Program on Child Labor Issues	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by The Hague Global Child Labor Conference in 2010. Aims to build the capacity of the Government and develop strategic policies to address the elimination of child labor and forced labor.(56) In 2015, finalized two reports related to child labor: a rapid assessment on child labor in the construction sector and a study on the rights of child horse jockeys in spring horse racing.(11, 20, 50) In addition, provided technical guidance to government agencies involved in the ongoing criminal law reform process to promote inclusion of provisions on forced labor and the worst forms of child labor.(57)
Shelters for Human Trafficking Victims	Government-funded, Gender Equality Center-run shelters located in Ulaanbaatar and Zamyn Uud that provide shelter and services to trafficking in persons victims, including child victims. Services include psychological counseling, medical care, legal assistance, vocational training, and reintegration assistance.(47) In 2015, assisted 10 suspected child victims of commercial sexual exploitation as a result of human trafficking.(10)
Children's Money Program†	General Agency for Social Welfare and Service, General Agency for State Registration, and Human Development Fund program that distributes approximately \$12 per month to children under age 18 from families in need.(10) Partial continuation of a former program that distributed national profits from mineral resources to funding for health insurance, pensions, and education tuition.(3, 58-60)
School Lunch Program†	Government program that subsidizes meals to encourage low-income children to attend school, particularly at the secondary level.(3)
Government Sub-Program on the Development of Small-Scale Mining (2008–2015)†	Minister for Agriculture and Industry, Minister for Energy, and local governor-implemented program that aimed to eliminate child labor in the mining sector, with provisions for providing children with informal or distance education.(16, 61)

† Program is funded by the Government of Mongolia.

As part of the 2015 World Day Against Child Labor activities, relevant government agencies collaborated with UNICEF to produce a video titled “NO to child labor, YES to quality education.” The video was used to train teachers, school social workers, members of the Board of Child Engagement, and students in 650 schools.(62)

During the previous reporting period, two programs that formerly provided shelter and social services to children working on the street were discontinued. The Address Identification Center was converted to a shelter for victims of domestic violence, and the Child Development and Protection Center became an orphanage.(21) This reduction in care centers leaves street children vulnerable to involvement in child labor.(21) Although the Government is implementing a program to address child labor in mining, research found no evidence that the Government carried out programs specifically designed to assist children working in agriculture and those working on the street.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Mongolia (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws related to labor cover all children, including those working without employment contracts.	2009 – 2015
	Ensure that laws clearly and comprehensively prohibit the use, procurement, and offering of all children under age 18 for the production of pornography and pornographic performances.	2014 – 2015
	Ensure that laws criminally prohibit child trafficking for the purpose of commercial sexual exploitation and forced labor.	2015
Enforcement	Increase the number of labor inspectors and investigators responsible for enforcing laws related to child labor, including its worst forms, in order to provide adequate coverage of the workforce.	2014 – 2015
	Institutionalize child labor training for labor inspectors, including by providing refresher courses for current inspectors.	2015
	Enforce safety standards for child jockeys, particularly at the community level.	2013 – 2015
	Strengthen the inspection system by permitting the General Agency for Specialized Inspections to conduct unannounced inspections.	2013 – 2015
	Establish a mechanism to receive child labor complaints.	2015
	Establish a referral mechanism between labor authorities and social services providers to ensure that children identified in situations of child labor receive appropriate support.	2014 – 2015
	Ensure that violations of child labor laws are investigated and charged according to appropriate law articles and that offenders are promptly prosecuted.	2011 – 2015
	Make information publicly available on the number of labor inspections conducted, the number of child labor violations found, and the number of child labor violations for which penalties were imposed and collected.	2015
Government Policies	Integrate child labor prevention and elimination strategies into the National Development Strategy and the Master Plan to Develop Education in Mongolia.	2011 – 2015
Social Programs	Restore programs that provide support services and shelter to children found working on the streets.	2014 – 2015
	Institute programs to address child labor in relevant sectors, including in herding.	2012 – 2015

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