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²²⁸⁵ U.S. Embassy- Chisinau, reporting, May 8, 2008, para 65.

²²⁸⁶ U.S. Department of State, "Trafficking in Persons Report- 2007: Moldova."

²²⁸⁷ U.S. Department of State, "Country Reports- 2007: Moldova," section 5.

²²⁸⁸ Ibid.

²²⁸⁹ U.S. Department of State, "Trafficking in Persons Report- 2007: Moldova."

²²⁹⁰ ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Technical Progress Report, Geneva, August 31, 2007, 5.

²²⁹¹ U.S. Embassy- Chisinau, reporting, November 29, 2007,

para. 5.

²²⁹² ILO-IPEC, *Combating Trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine*, 2.

²²⁹³ ILO-IPEC, *Balkans Child Trafficking Phase II, Project Document*, cover page, 69.

²²⁹⁴ ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

²²⁹⁵ Catholic Relief Services, *Moldova Employment and Training Alliance (META)*, Technical Progress Report, Chisinau, January 31, 2008.

²²⁹⁶ U.S. Department of State, *USG Funds Obligated in FY 2007 for TIP Projects*, [online] February 2008 [cited March 14, 2008]; available from <http://www.state.gov/documents/organization/101403.pdf>.

²²⁹⁷ U.S. Embassy- Chisinau, reporting, May 8, 2008, para 2.

²²⁹⁸ Ibid., para 21.

²²⁹⁹ Ibid., para 32.

Mongolia

Selected Statistics and Indicators on Child Labor²³⁰⁰

Working children, 5-14 years (%), 2002-2003:	7.2
Working boys, 5-14 years (%), 2002-2003:	8.7
Working girls, 5-14 years (%), 2002-2003:	5.7
Working children by sector, 5-14 years (%), 2002-2003:	
- Agriculture	93.4
- Manufacturing	0.5
- Services	5.2
- Other	1
Minimum age for work:	16
Compulsory education age:	16
Free public education:	Yes
Gross primary enrollment rate (%), 2006:	101
Net primary enrollment rate (%), 2006:	91
School attendance, children 5-14 years (%), 2002-2003:	73.3
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	Associated

Incidence and Nature of Child Labor

Mongolia is traditionally a nomadic herding society, so most working children can be found in rural areas, especially engaged in activities in the livestock sector.²³⁰¹ Boys generally herd and tend livestock, while girls mostly undertake domestic tasks; milking cows and producing dairy products, collecting animal dung for fire, shearing wool, and gathering fruit and nuts.²³⁰² Children as young as 5 years are engaged in informal gold and fluor spar mining.²³⁰³ These children face severe health hazards, such as exposure to mercury and handling of explosives in the mines.²³⁰⁴ 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 the ages of 6 and 16 years are engaged as jockeys, which poses risks to the life and health of the children involved.²³⁰⁵

In urban areas, children sell goods, wash cars, polish shoes, collect and sell coal and wood, and work as porters.²³⁰⁶ Children also work informally in petty trade and scavenging in dumpsites.²³⁰⁷ Child prostitution is a problem in Mongolia. One

NGO reported that during the last 4 months of 2007, at least three underage girls were kidnapped in Ulaanbaatar and forced into sex work. There were reports of children trafficked internally for commercial sexual exploitation, as well as for labor exploitation.²³⁰⁸

Child Labor Laws and Enforcement

The law sets the minimum age for employment at 16 years, with some exceptions.²³⁰⁹ Children 15 years may work with the permission of a parent or guardian, as long as employment does not harm their health, physical growth, or moral status.²³¹⁰ Children 14 years may work in vocational education programs, with the consent and under supervision of a parent or guardian.²³¹¹ Children 14 and 15 years may not work for more than 30 hours, and children 16 and 17 years may not work for more than 36 hours per week.²³¹² Children under 18 years may not work at night, in arduous, noxious, or hot conditions, or underground.²³¹³ They are also prohibited from working overtime, on public holidays, or weekly rest days.²³¹⁴

Mongolian law prohibits the use of children in forced labor, illicit activities, begging, slavery, and work that is harmful to their health, morals, or safety.²³¹⁵ The Constitution prohibits forced labor of children,²³¹⁶ and forcing a child to work is punishable by imprisonment of up to 4 years or fines.²³¹⁷ Labor inspectorates are in charge of enforcing these prohibitions, in addition to other labor regulations. Although these inspectors have the availability to force people to immediately comply with labor laws, enforcement was limited due because of the low number of inspectors and the increasing number of independent enterprises.²³¹⁸ Trafficking of a minor is punishable by imprisonment of 5 to 10 years; if committed by an organized group, the term of imprisonment increases to 10 to 15 years.²³¹⁹ However, contacts within the Government have acknowledged that legal provisions regarding trafficking are weak and need to be amended.²³²⁰ Production and dissemination of pornographic materials involving a person under 16 years is punishable by imprisonment of 1 to 3 months or fines. Inducing a child below the age of 16 years to engage in these crimes is also punishable by a fine or by imprisonment of 3 to 6 months.²³²¹ Involving a minor in prostitution is also illegal, punishable by

fines or 1 to 3 months of incarceration. If the crime is committed repeatedly or through the use of violence or threat, the punishment is a prison term of 3 to 5 years or fines.²³²² The minimum age for military conscription is 18 years.²³²³

Despite the existing legislative measures to protect children's rights, the U.N. Committee on the Rights of the Child has expressed concern about the insufficient number of implementation measures and some contradictory provisions of domestic laws that leave children without adequate protection, including the ability of children to engage in work before reaching the compulsory school leaving age.²³²⁴ In addition, international organizations and human rights groups are expressing concern about the use of child jockeys in horse racing. The U.N. has requested that the Government ban the employment of children under 16 years as horse jockeys, but by the end of 2007 the Government had still not taken any such action.²³²⁵

In the 2006-2007 reporting period, the Government did not prosecute any trafficking offenses or convict any trafficking offenders. This marked a decline from the previous year when five cases were prosecuted and one case convicted.²³²⁶

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).²³²⁷ The Mongolian Government has also approved the National Program on Protection from Trafficking of Children and Women with the Purpose of Sexual Exploitation, to support implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography.²³²⁸ Mongolia is currently participating in a USDOL-funded USD 2.9 million ILO-IPEC project, the Mongolia Timebound Program, which is set to run 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, targeting children at risk or engaged in the worst forms of child labor; specifically, children involved in mining, commercial sexual exploitation, work in

dumpsites or marketplaces, herding, and domestic work.²³²⁹ The project aims to withdraw 2,700 children and prevent 3,300 children from the worst forms of child labor.²³³⁰

In addition, under the Timebound Program, the IPEC Program Unit of the ILO is helping to provide child victims with physical and emotional rehabilitation and reintegration services through the Adolescent Development Center. An NGO also implemented a program for preventing, protecting, and rehabilitating disadvantaged girls from sexual exploitation.²³³¹ Since 2001, about 400 girls have been involved in this program.²³³²

The Government also provided continued assistance to children who were victims of commercial sexual exploitation through support of a police program that encourages the re-entry of exploited children into school. It also began working with IOM on a program to help with the repatriation of victims through counseling and other services.²³³³ IOM, with help from other NGOs, provided trafficking-related training to police, immigration officials, and various ministry officials.²³³⁴

²³⁰⁰ For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see *Labor Law of Mongolia (as Amended)*, (January 24, 1991); available from <http://www.indiana.edu/~mongsoc/mong/laborlaw.htm>. See also U.S. Department of State, "Mongolia," in *Country Reports on Human Rights Practices- 2007*, Washington, D.C., March 11, 2008; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100530.htm>. See also *Constitution of Mongolia, 1992*, (January 13, 1992), Article 16(7); available from <http://www.law.nyu.edu/centralbankscenter/texts/Mongolia-Constitution.html>.

²³⁰¹ ILO-IPEC, *National Programme for the Prevention and Elimination of Child Labour in Mongolia (Phase II), Status Report*, Status Report, Geneva, June 16, 2003.

²³⁰² ILO-IPEC, *National Program for the Prevention and Elimination of Child Labor in Mongolia, Phase II, Project Document*, Geneva, April 9, 2002. See also 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/english/>

standards/ipecc/publ/download/cdl_2004_helpinghands_en.pdf.

²³⁰³ ILO-IPEC, *Baseline Survey on Child and Adult Workers in Informal Gold and Fluorspar Mining*, Ulaan Baatar, 2006.

²³⁰⁴ *Ibid.*, 37.

²³⁰⁵ ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182) Mongolia (ratification: 2001)*, [2006 [cited November 7, 2006]; 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>.

²³⁰⁶ ILO-IPEC, *National Program in Mongolia, Phase II, project document*, 17.

²³⁰⁷ U.S. Department of State, "Country Reports- 2007: Mongolia."

²³⁰⁸ U.S. Department of State, "Mongolia (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, D.C., June 5, 2007; available from <http://www.state.gov/documents/organization/82902.pdf>. See also U.S. Department of State, "Country Reports-2007: Mongolia."

²³⁰⁹ *Labor Law of Mongolia*, article 85. See also U.S. Department of State, "Country Reports- 2007: Mongolia." See also U.S. Embassy- Ulaanbaatar, *reporting*, December 31, 2007.

²³¹⁰ *Labor Law of Mongolia*, article 85.1.

²³¹¹ *Ibid.*

²³¹² *Ibid.*, article 26.

²³¹³ *Ibid.*, article 86.

²³¹⁴ *Ibid.*

²³¹⁵ ILO-IPEC, *National Programme Phase II, status report, June 2003*, Annex II, 3.

²³¹⁶ *Constitution of Mongolia, 1992*, article 16(4).

²³¹⁷ *Criminal Code of Mongolia*, (2002), article 121; available from <http://www.unhcr.org/cgi-bin/txis/vtx/rsd/rsddocview.pdf?tbl=RSDLEGAL&id=3ed919fd4>.

²³¹⁸ U.S. Department of State, "Country Reports- 2007: Mongolia," section 6d.

²³¹⁹ *Criminal Code of Mongolia*, article 113. See also U.S. Embassy- Ulaanbaatar, *reporting, December 31, 2007*.

²³²⁰ U.S. Embassy- Ulaanbaatar, *reporting*, March 9, 2005.

²³²¹ *Criminal Code of Mongolia*, Article 123.

²³²² U.S. Embassy- Ulaanbaatar, *reporting, December 31, 2007*.

²³²³ Coalition to Stop the Use of Child Soldiers, "Mongolia," in *Child Soldiers Global Report 2004*, London, 2004; available from http://www.child-soldiers.org/document_get.php?id=859.

²³²⁴ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding observations:*

Mongolia, CRC/C/15/Add.264, Geneva, September 21, 2005, 3; available from [http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/480889c76b2a2309c12570bc004c51a0/\\$FILE/G0544018.pdf](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/480889c76b2a2309c12570bc004c51a0/$FILE/G0544018.pdf).

²³²⁵ U.S. Department of State, "Country Reports- 2007: Mongolia."

²³²⁶ U.S. Department of State, "Trafficking in Persons Report- 2007: Mongolia."

²³²⁷ Government of Mongolia, *National Programme of Action for the Development and Protection of Children 2002-2010*, Ulaanbaatar, December 2002; available from <http://mirror.undp.org/mongolia/publications/UNICEFNPAAEng.pdf>.

²³²⁸ Government of Mongolia, *Initial Report of Mongolia to the UN Committee on the Rights of the Child*, pursuant to Optional Protocol to the Convention on the Rights of the

Child on the Sale of Children, Child Prostitution and Child Pornography, October 10, 2007; available from <http://www.pmis.gov.mn/cabinet/Document/2007/OP%20SC%20Eng%20final.doc>.

²³²⁹ 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 2006.

²³³⁰ Ibid.

²³³¹ Government of Mongolia, *Initial Report of Mongolia to the UN Committee on the Rights of the Child*.

²³³² Ibid.

²³³³ U.S. Department of State, "Trafficking in Persons Report- 2007: Mongolia."

²³³⁴ U.S. Embassy- Ulaanbaatar, *reporting, December 31, 2007*.

Montenegro

*Selected Statistics and Indicators on Child Labor*²³³⁵

Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
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 (%):	-
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No
* Must pay for miscellaneous school expenses	

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.²³³⁶ They also are often found begging.²³³⁷

Montenegro is primarily a transit country for girls trafficked to Western Europe. The IOM estimates that trafficking levels remained the same in 2007 as in 2006.²³³⁸ Roma children also have been trafficked abroad for forced begging and theft rings.²³³⁹

Child Labor Laws and Enforcement

The minimum age for employment is 15 years.²³⁴⁰ Children under 18 years are not permitted to work in jobs that involve particularly difficult physical work, overtime and night work, underground or underwater work, or in jobs that "bear a high level of risk of damaging the condition and life of the referred employees."²³⁴¹ The law provides for monetary penalties for violation of these provisions.²³⁴²

Forced labor is prohibited.²³⁴³ Trafficking in persons is prohibited, and trafficking of a minor is punishable by 3 to 10 years imprisonment.²³⁴⁴