

**U.S. Department of Labor Request for Information
on Child Labor and Forced Labor**
December 14, 2012

SECTION I: WORST FORMS OF CHILD LABOR

This request for information will contribute to the U.S. Department of Labor's (USDOL) twelfth annual report under the Trade and Development Act of 2000, to be published in September 2013. The following questions outline the types of information USDOL includes in this report. Please review your country's 2011 profile available at: <http://www.dol.gov/ilab/programs/ocft/2011TDAByCountry.htm> . **You do not need to respond to all questions, only those that address gaps in information, areas requiring clarification, or updates for the period January-December 2012.** For definitions and terms used for USDOL's reports, please see the "DEFINITIONS" section at the end of this request.

A: INFORMATION REQUESTED

ASSESSMENT

USDOL welcomes any corrections, additions, feedback, or updates relevant to the assessment made in the 2011 report regarding your country's advancement in efforts to address the worst forms of child labor. Please see attached, "Appendix II: TDA Criteria and Corresponding Guidance Questions," which contains the list of questions that will be considered in making assessments for 2012. These questions cover the same topics as those covered in the request for information below.

1) PREVALENCE AND SECTORAL DISTRIBUTION OF THE WORST FORMS OF CHILD LABOR:

Please respond to gaps in information or areas requiring clarification noted in this section of your country's 2011 TDA profile, and provide any updates for 2012.

1. In what sectors or activities were children involved in worst forms of child labor? Examples include hazardous work in broad sectors such as agriculture or construction; street work or domestic service in third party homes; commercial sexual exploitation of children; and use of children in illicit activities such as forced begging or drug trafficking.
2. Did the government collect or publish data on exploitive child labor during the period? If so, is the government willing to share the raw data ("data set") with USDOL for further analysis?

2) LAWS AND REGULATIONS ON THE WORST FORMS OF CHILD LABOR:

Please respond to gaps in information or areas requiring clarification noted in this section of your country's 2011 TDA profile, and provide any updates for 2012.

1. What, if any, **new** laws or regulations were enacted during the reporting period in regard to the worst forms of child labor? Relevant laws would include those that pertain to the minimum age for employment, minimum age for hazardous work, prohibition of hazardous work activities to children (including a list of prohibited occupations/activities), age to which education is compulsory, guarantee of free education, minimum age for military recruitment, and laws prohibiting engagement of a child in forced labor, trafficking, prostitution, pornography, or use of a child for illegal activities (including drug trafficking). Please name each law and list date enacted, and if available, provide a copy of the legal text.

Labor Law of Montenegro, under Article 16, paragraph 2, as a general condition of employment provides for a minimum age limit of 15 years age.

In addition, Article 17 of the Law stipulates that a person under 18 years of age may enter into employment contract only with the written consent of a parent, adoptive parent or a guardian, provided that such work does not endanger the health, morals or education of a person i.e. if such work is not prohibited by law. To conclude employment contract for this category of persons, in addition to aforementioned consent, it is required to obtain the finding of a competent health authority, which determines the ability to perform tasks for which a child signs the employment contract, and ascertains that such activities are not harmful to the health of the person.

The Labor Law provides for special protection of youth at work. This category includes employees aged 15 to 18 years. In this regard, the amendments to the Labor Law of December 2011 prescribe that employees younger than 18 years are entitled to a weekly rest period of at least two consecutive days, one of which is Sunday (Article 62, paragraph 6), while the right to annual home leave is for a minimum period of 24 working days, while for other employees the leave is allowed for 20 days the minimum (Article 65, paragraph 2).

In addition, under current arrangements, employees younger than 18 years old cannot work in the workplace with the prevailing hard physical labor, underground or under water, or jobs that can have detrimental or increased risk to their health and life (Article 104), nor can they be instructed to work at night, and more than full time. Exceptionally, they may be assigned to work at night, if it is necessary to continue the work that was interrupted by natural disasters or to prevent damage to raw and other materials.

3) GOVERNMENT TASK FORCES OR COMMISSIONS ON CHILD LABOR:

Please respond to gaps in information or areas requiring clarification noted in this section of your country's 2011 TDA profile, and provide any updates for 2012.

1. Has the government established any task forces or commissions to coordinate government efforts on issues of worst forms of child labor overall? Has the government established any such bodies to focus on a particular worst form of child labor, such as child trafficking or begging? If any of the above bodies exist, please describe their composition and any activities undertaken in 2012.

The Government of Montenegro established in 2007 the Council for the Rights of the Child, with a following mission: to monitor the implementation of the National Plan of Action for Children; protect and promote children's rights in social welfare and child care, health care, education and other areas of importance to the protection of the rights and interests of the child; monitor the implementation of regulations relating to the protection of the rights of the child; monitor the performance of the obligations of Montenegro stemming from the Convention on the Rights of the Child and other international documents relating to the protection of children's rights; initiate the adoption of regulations for the promotion and protection of children's rights; promote cooperation with local governments in the process of implementation and protection of children's rights; promote cooperation with non-governmental organizations in the implementation and protection of children's rights; to inform the public about the rights of the child and report on the rights of the child. The Council, in carrying out planned activities, cooperates with UN agencies and other international organizations concerned with the protection of children's rights.

The Council has 14 members (Minister of Labor and Social Welfare, Minister of Finance, Minister of Health, Minister of Education and Sport, Minister of Justice, Minister of Interior, Minister of Culture, a child at the proposal of the Center for the Rights of the child of Montenegro, a representative of the Secretariat for Legislation, director of the Institute of Statistics, representatives of public and cultural life at the proposal of the Ministry of Labor and Social Welfare, and three representatives of non-governmental organizations dealing with the protection of children's rights, at the proposal of the Ministry of Labor and Social Welfare).

During the year 2012, the Council for the Rights of the Child did not consider the issues of child trafficking, begging or the worst forms of child labor.

4) INSTITUTIONS AND MECHANISMS FOR ENFORCEMENT OF LABOR LAWS REGARDING CHILD LABOR AND HAZARDOUS CHILD LABOR:

Please respond to gaps in information or areas requiring clarification noted in this section of your country's 2011 TDA profile, and provide any updates for 2012.

Note: If information about enforcement activities is from a period other than 2012, please indicate the time period to which the data refers. In cases where information is not available, please indicate whether the government does not collect/maintain the

information or whether information is maintained but the government does not make it publicly available.

1. What agency or agencies was/were responsible for the enforcement of laws relating to hazardous child labor?
2. If multiple agencies were responsible for enforcement, were there mechanisms for coordinating enforcement actions? If yes, please describe the coordination mechanism.
3. How many inspectors did the government employ to enforce laws against child labor?
4. What amount of funding and other resources (office facilities, vehicles, etc.) were provided to agencies responsible for inspections?
5. Did inspectors receive training on hazardous child labor? Please describe.
6. How many inspections involving child labor were carried out? Were inspections carried out in sectors in which children work? How many child labor violations were found?
7. Are there systems for referring children found during inspections to appropriate social services? How many children were removed and/or assisted as a result of inspections?

In Montenegro, 10 CSWs have been established, working in all municipalities (21 municipalities). CSWs, when it comes to protecting children, work in accordance with the Law on Social and Child Protection, Family Law and other regulations that determine their competence, particularly in the area of juvenile justice. The Law on Social and Child Protection stipulates grounds for the exercise of the rights provided for within this law. Under the Family Law, the jurisdiction of the Centers for Social Work relates to the exercise of parental rights, guardianship, family placement (foster care), adoption, giving proper opinions to the courts which are responsible for the actions related to the protection of children (entrusting children, deprivation of parental rights, etc.). In the field of juvenile justice centers for social work give opinions and adequate reports to courts and in certain cases represent interests of children before courts.

There are ongoing activities aimed at development of a database, which is to provide accurate data on certain categories of children and assistance given to them.

8. How many penalties or citations for child labor violations were issued?
9. In cases in which penalties were applied, such as fines, were the fines collected? How are the fines utilized by the Government?

5) INSTITUTIONAL MECHANISMS FOR EFFECTIVE ENFORCEMENT OF CRIMINAL LAWS ON CHILD FORCED LABOR/TRAFFICKING, COMMERCIAL SEXUAL EXPLOITATION AND USE OF CHILDREN IN ILLICIT ACTIVITIES:

Please respond to gaps in information or areas requiring clarification noted in this section of your country's 2011 TDA profile, and provide any updates for 2012.

Note: If information about enforcement activities is from a period other than 2012, please indicate the time period to which the data refers. In cases where information is not available, please indicate whether the government does not collect/maintain the

information or whether information is maintained but the government does not make it publicly available.

1. What agencies were responsible for enforcement of criminal laws against child forced labor/trafficking, commercial sexual exploitation, and/or use of children in illicit activities? (Please provide separate responses per type of offense as needed.)
2. If multiple agencies were responsible, do they coordinate activities? If yes, please describe the coordination mechanism.
3. How many investigators did the government employ to enforce laws against the worst forms of child labor mentioned above?
4. What amount of funding and other resources (office facilities, vehicles, etc.) were provided to agencies responsible for investigations?
5. Did investigators receive training on the relevant worst forms of child labor named above? Please describe.
6. How many investigations or prosecutions involving any of these worst forms were carried out? Were investigations/prosecutions carried out in areas where such crimes occur? How many violations involving any of the worst forms of child labor were found?
7. Are there systems for referring children found during investigations to appropriate social services? How many children were removed and/or assisted as a result of investigations?
8. How many convictions were reached?
9. In cases in which convictions were reached, such as jail sentences, were the sentences carried out?

6) GOVERNMENT POLICIES ON CHILD LABOR:

Please respond to gaps in information or areas requiring clarification noted in this section of your country's 2011 TDA profile, and provide any updates for 2012.

1. Did the government have any policies or plans that specifically address child labor or any of its forms? Please describe.
2. If there are such policies or plans, please describe any agencies designated to implement each plan, actions identified within the plan, timelines for implementation, and any other concrete measures. Please provide a copy of such plan(s) if possible.
3. Please describe actions taken under the plan(s) during 2012.
4. Did the government have poverty reduction, development, educational or other social policies, such as Poverty Reduction Strategy Papers, etc., that did not explicitly address the worst forms of child labor or any one of the worst forms of child labor, but that might have had an impact on them or it? If so, have any studies been conducted to assess the impact of such a policy on the worst forms of child labor?

The Government of Montenegro adopted the Development and Poverty Reduction Strategy 2007-2011. The Government concluded that the country needs not adopt a new strategy, as individual strategies covering the areas that were the subject of the above mentioned strategy are to be adopted. The Government of Montenegro adopted the

Strategy for the Development of Social and Child Protection in Montenegro for the period 2008-2012. The Strategy for the Development of Social and Child Protection in Montenegro for the period 2013-2017 is being drafted at present. The main objective of the Strategy for the Development of Social and Child Protection is to develop an integrated social and child protection, through the development of efficient services network, capacity building and by guaranteeing the fundamental rights which provide protection to families, individuals and groups in the least restrictive environment to activate their potential, which can prevent, eliminate or mitigate the main risks to which citizens are exposed. The Strategy does not deal with explicit forms of child labor, however, measures stipulated within the Strategy relate to the protection of families and children, and therefore have an impact on the prevention of child labor. The measures envisaged in the Strategy are mainly realized by applying the Law on Social and Child Protection ("Official Gazette of Republic of Montenegro" No. 78/05), which lays down the basic rights to social protection and basic rights from the child protection system whose beneficiaries are children within the family or as individuals. The Law particularly protects: incapable for work and unprotected; children without parental care; children with physical, mental or sensory disability; abused and neglected children, children with behavior disorders. The basic rights of social protection are: family allowance (note: monthly social assistance), personal disability allowance, care and assistance of another person, placement in institutions, foster placement, assistance for the education of children and youth with special needs, health care, funeral costs and one-off financial support. Fundamental child protection rights are: equipment for newborn babies, child allowances, benefits based on child's birth, salaries for part-time work for mothers, and holiday and recreation for children. The fundamental right to social protection is a family allowance to a child as a family member, provided that the child is under 18 years old and attends school. If a child is between the ages of 15 and 18 and he/she does not attend school, the child needs to be registered as unemployed with the competent body. These conditions equally apply to children when it comes to achieving child allowance as a fundamental right of children to child protection. Although a study to evaluate the impact of policies in the field of social and child protection on the worst forms of child labor has not been conducted, we believe that the prescribed conditions to exercise these rights i.e. attendance of school and records with the authorities in case of children aged 15-18 years who are not attending school. The competent authority helps children who are registered as unemployed find an employment through retraining programs and additional trainings. Number of children using the right to family allowance and the right to child allowance is about 20,000. To better protect children without parental care, the Government of Montenegro adopted the Strategy for the development of foster care in Montenegro, with the Action Plan for the period 2012-2016. The National Action Plan for Children 2013-2017 is currently drafted.

The Government of Montenegro has established a Council for the Rights of the Child, whose job is to primarily protect and promote children's rights in social welfare and child protection, health care, education and other areas of importance to the protection of the rights and interests of the child.

5. If there are such policies/plans described in question 4, please describe actions taken under the plan(s) during 2012 and provide a copy of such plan(s) if possible.

Strategy for the Development of Social and Child Protection for the period 2008-2012 represented the basis for the implementation of the project "Social Welfare and Child Care System Reform: Enhancing Social Inclusion". The project is implemented by the European Union (IPA 2010). The partners in this project are the Ministry of Labor and Social Welfare and the Ministry of Education, with the support from the European Commission, UNDP, UNICEF and Dominus. Implementation of the project began in January 2011, with the duration of up to June 2013.

The project Component 2 "Social Welfare Reform", and the Result 1 "Improved central level social system capacity to plan, commission and manage decentralization of existing and introduction of innovative social services", achieved the following: (1) the Draft Law on Social and Child Protection defined the legal prerequisite for the formation of a new sector in the Ministry of Labor and Social Welfare for the development and improvement of social services and child protection, (2) The analysis and mapping of social services in all municipalities was conducted and created a database of local social services, (3) Defined and piloted in six municipalities the procedures and criteria for financial support to providers of social services.

Within the project Component 3 "Child Care System Reform" and Result 1 "Policies and legislation in the area of child and social protection harmonized with the relevant international standards, and the Institute for Social Welfare established for the purpose of standardization and quality assurance of child care services", the following activities were carried out: (1) Proposal of the Law on Social and Child Protection, adopted by the Government of Montenegro, is largely in line with international standards, (2) the draft Law on Social and Child Protection defined legal prerequisites for the formation of a new sector in the Ministry of Labor and Social Welfare for the development and improvement of social and child protection. The project envisages developing standards for social services and child protection, and training 100 relevant representatives of the child care system and non-governmental sector, where the standards for day care centers were drafted for children with disabilities, shelters for children victims of domestic violence and foster care. Also, under this component, it is planned to develop a Child Protection database and 10 Local Plans of Action for child protection, in which the following activities were carried out: (1) Electronic databases of child protection created and installed in all the centers for social work and Ministry of Labor and Social Welfare, (2) Local plans of action for children conducted in eight municipalities, with the support of UNICEF. Within this project, the local plan of action for children was adopted in Cetinje and supported in three municipalities. As a Result 2 of the Component 2 it was defined to "enhance capacities of social welfare, health and education professionals to provide children and families with preventive and inclusive programs", and the following activities were implemented: (1) A large number of trainings, workshops, panel discussions with over 900 participants were organized, (2) Training on family counseling was undergone by 10% of professionals from the centers for social work, (3) Complete training on fostering was undergone by 16% specialists of centers for social work, (4) Analysis has been carried of the organizations and capacities of the centers for social work, and the Rulebook on organization, norms and standards of social welfare centers is

currently developed. The project aims to reduce the admission of children in institutions by 10%.

Activities as regards the Law on Social and Child Protection relate to the established rights in the field of social and child protection. Pursuant to the said Law, the number of beneficiaries of individual rights in 2012 amounted to: family allowance -14,776 families with 44,876 members; child allowance - 10,846 families with 20,726 children, foster care -402 users; care and assistance of another person – 7884 beneficiaries, personal disability allowance – 1758; compensations for maternity leave - 5,944 beneficiaries.

7) SOCIAL PROGRAMS TO ELIMINATE OR PREVENT CHILD LABOR:

Please respond to gaps in information or areas requiring clarification noted in this section of your country's 2011 TDA profile, and provide any updates for 2012.

1. Did the government participate in or implement any programs specifically to address child labor in 2012? Please describe types of services provided and number of children served if applicable.
2. Did the government address child labor through poverty reduction, development, educational or other social programs, such as conditional cash transfer programs or eligibility for school meals, etc? Please describe. If available, provide information on the impact of such programs on child labor.

Documents in the field of social and child protection are listed in response to the previous question and their content does not relate directly to the issue of child labor, but it deals with the measures and activities to protect children. Cash transfers or financial compensation in the field of social and child protection are stipulated by the Law on Social and Child Protection. The amount of family allowance for families without income per month is: single-member family €63.50, two-member family €76.20, three-member family €91.50, four-member family €108.00, and five-member family €120.70. The amount of the personal disability allowance is €108.00 per month, care and assistance of another person €63.00, placement in an institution €140 -€450 (depending on the type of institution).

The allowance for children on a monthly basis amounts to: for users of financial allowance €19.00, for children with physical, mental and sensory disabilities, who can be trained to live and work independently €25.50, for children with physical, mental or sensory disability, that cannot be trained to live and work independently €31.80 and for children without parental care €31.80. Height of allowance for a newborn child is €105.

In addition to the rights set forth in the said law to protect the family, the Government of Montenegro adopted the program that applies to the subsidy on electricity bills for the most vulnerable population and program relating to the procurement of textbooks for different groups of children (children beneficiaries of family allowance and children without parental care).

Documents relating to the protection of children are not adopted as programs related to child labor, but as programs dealing with the protection of children and thereby indirectly affect the issues of child labor, and in that regard no studies on the impact of these programs on the field of social and child protection have been analyzed.

3. Were the programs targeted to the children at greatest risk of involvement in child labor? Which children?

The programs are aimed at at-risk population of children such as: children from economically disadvantaged families, children with physical, mental and sensory disabilities, abused and neglected children, orphans and children with behavior disorders.

4. Did the government provide funding to the programs described above? If so, please provide the amount and duration of funding. Or, if the government provided in-kind support, please describe the nature of the support.

For rights under the Law on Social and Child Protection funds are provided from the budget of Montenegro. The Budget of Montenegro provides funds for the duration of which the individual rights are established and in year 2012 for such purposes a total of around €57 million was allocated.

In order to protect the most vulnerable groups of the population the Government of Montenegro adopted the Program that applies to the subsidy on electricity bills for the most vulnerable population and Program relating to the procurement of textbooks for different groups of children (children beneficiaries of family allowance and children without parental care).

8) RESPONSE TO “SUGGESTIONS FOR GOVERNMENT ACTION” IN THE 2011 PROFILE

1. USDOL will continue to assess each country’s individual advancement toward eliminating the worst forms of child labor during the current reporting period compared with previous years. The implementation of suggested government actions will be one of the criterion considered in that assessment. USDOL welcomes any corrections, additions, feedback, or updates to efforts undertaken by the government that address the specific suggestions for government action noted at the conclusion of your country’s 2011 profile.

B: QUESTIONS

Questions regarding this information request may be directed to Tina McCarter at (202) 693-4846 or mccarter.tina@dol.gov or Karrie Peterson at (202) 693-4897 or Peterson.Karrie.M@dol.gov.

SECTION II: CHILD LABOR AND FORCED LABOR IN THE PRODUCTION OF GOODS

This request for information will contribute to USDOL's periodic updates to the **Trafficking Victims Protection Reauthorization Act (TVPRA) and Executive Order (EO) 13126 Lists**. We seek your response to the following questions for the period January 2007 to the present.

A: INFORMATION REQUESTED

1) EVIDENCE OF CHILD LABOR, FORCED ADULT LABOR, OR FORCED CHILD LABOR IN THE PRODUCTION OF GOODS:

1. USDOL seeks any comments or new information on goods that appear on the current TVPRA and EO Lists. Please view these reports at:
<http://www.dol.gov/ILAB/programs/ocft/tvpra.htm> (TVPRA) and
<http://www.dol.gov/ILAB/regs/eo13126/main.htm> (EO).
2. USDOL also seeks information on other goods that may be produced with child labor, forced adult labor, or forced child labor.
 - For each good please specify whether child labor, forced adult labor, or forced child labor is occurring.
 - For each good, please explain the nature of the exploitation. Please describe the conditions of employment and/or causes of these problems.
 - For each good, please provide any supporting evidence to demonstrate the occurrence or prevalence of child labor, forced labor, or forced child labor

2) HOST GOVERNMENT/AUTHORITIES, INDUSTRY, OR NGO EFFORTS SPECIFICALLY TO COMBAT EXPLOITIVE CHILD LABOR OR FORCED LABOR OF ADULTS OR CHILDREN IN THE PRODUCTION OF THE GOOD:

1. Have any efforts been undertaken by your government, private industry, or civil society groups to address problems of child labor, forced adult labor, or forced child labor in the specific industries in which they occur? Please describe.
2. Have these efforts been proven to *significantly reduce if not eliminate* forced or child labor in the production of the particular good in question?
3. Please provide any supporting evidence to demonstrate that the reduction or elimination has taken place.

[PLEASE NOTE: USDOL has established the following standard of evidence that child labor or forced labor has been “significantly reduced if not eliminated” through the December 15, 2010 Initial Determination to remove Charcoal from Brazil from the EO List of products made with forced or indentured child labor:

Charcoal from Brazil was removed from the EO List in the “final determination” published on May 31, 2011 but was proposed for removal in the “initial determination” published on December 15, 2010 and open for public comment through February 15,

2011. In the course of its research in 2010, USDOL received recent, credible, and appropriately corroborated information from various sources pointing to a significant reduction of this problem. The key documentation included the following:

- Government of Brazil (GOB) enforcement data: From 2007-2010, the Government had conducted 1,924 labor inspections in 23 states and found no child under 18 working under forced labor conditions in charcoal production.
- Corroboration of the validity and reliability of the GOB data from independent local and international organizations.
- Independent civil society data: Two NGOs provided their own charcoal industry monitoring data, which shows a very significant reduction in forced child labor in recent years.
- Comprehensive GOB approach: the GOB has strong laws and policies on child and forced labor; specialized mechanisms in place to enforce these labor laws, even in remote areas; significant resources dedicated to these enforcement efforts; meaningful victim services; openness and transparency with enforcement data; and free public dissemination of civil society data. All of these factors help to ensure that the changes are systemic and sustainable, and will deter forced child labor from occurring again in the future.]

B: QUESTIONS

Questions regarding the TVPRA List/EO List request for information may be directed to Leyla Strotkamp at (202) 693-4813 or Strotkamp.Leyla@dol.gov, or Austin Pedersen at (202) 693-4867 or Pedersen.Austin.M@dol.gov.

SECTION III: DEFINITIONS

CHILD LABOR

WORST FORMS OF CHILD LABOR: As established in the conference report accompanying the TDA of 2000 and as originally established in ILO Convention 182, the worst forms of child labor comprise:

- (A) All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;
- (B) The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- (C) The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in relevant international treaties; or
- (D) Any work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

[**PLEASE NOTE:** The final category of the worst forms of child labor (D), is commonly referred to as “hazardous child labor.” Individual countries/territories have the

responsibility to define what additional work activities beyond those covered in A through C, are likely to harm children and be considered hazardous.]

INTERNATIONAL STANDARDS RELEVANT TO CHILD LABOR

For the full text of ILO Convention 182, see <http://www.ilo.org/ilolex/english/convdisp1.htm>; for Recommendation 190, which accompanies the Convention, see <http://www.ilo.org/ilolex/english/recdisp1.htm>.

In addition, ILO Convention 138 sets standards for the minimum age for admission to employment and the minimum age for hazardous work. For the full text of this Convention, see <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C138>.

FORCED LABOR

For the purpose of these requests, the term "forced labor" closely follows the definition in ILO Convention 29: "All work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily, and includes indentured labor." It also includes forced labor as defined under the Trafficking Victims Protection Act (TVPA) of 2000, as amended, to constitute work provided or obtained by force, fraud, or coercion, including: (1) By threats of serious harm to, or physical restraint against any person; (2) by means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or (3) by means of the abuse or threatened abuse of law or the legal process.

FORCED OR INDENTURED CHILD LABOR: All work or service (1) exacted from any person under the age of 18 under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily; or (2) performed by any person under the age of 18 pursuant to a contract the enforcement of which can be accomplished by process or penalties.

INTERNATIONAL STANDARDS RELEVANT TO FORCED LABOR

For the full text of ILO Convention 29, see <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C029>.

In addition, ILO Convention 105 commits signatories to "suppress and not make use of any form of forced or compulsory labor—

- (A) as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system;
- (B) as a method of mobilising and using labour for purposes of economic development;
- (C) as a means of labour discipline;

- (D) as a punishment for having participated in strikes;
- (E) as a means of racial, social, national or religious discrimination.”

For the full text of this Convention, see <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C105>.

GOOD OR PRODUCT

For the purpose of these requests, goods/products means goods, wares, articles, materials, items, supplies, and merchandise. A good can be a raw material (e.g., iron ore), a commodity (e.g., soybeans), a component (e.g., car parts), or a finished product (e.g., the car). USDOL is interested not only in goods produced for export, but also in goods extracted/produced for domestic consumption.