



Human Rights Council
Working Group on the Universal Periodic Review
Thirty-sixth session
4–15 May 2020

Summary of Stakeholders' submissions on Mongolia*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 21 stakeholders' submissions¹ to the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles.

II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles

2. The National Human Rights Commission of Mongolia (NHRCM) stated that further could be done at all levels to improve the implementation of legislation and policies to ensure better alignment between Mongolia's international obligations and national mechanisms.²

3. The NHRCM concluded that the Government of Mongolia needed to align the relevant national legislation with the International Covenant on Civil and Political Rights to protect the rights of whistle-blowers and the source of information, including amending the existing *Criminal Code 2015* to ensure protections for journalists and the Law on Infringement.³

4. The NHRCM affirmed that Mongolia had seen several positive developments that had contributed to some level of progress in the human rights situation of the country, however, there had been some setbacks in the area of the national legal framework.⁴

5. The NHRCM noted that the Ministry of Justice and Home Affairs established a working group that drafted a new law on the National Human Rights Commission of Mongolia, which was in conformity with the Paris Principles and contained the provisions

* The present document was not edited before being sent to United Nations translation services.



that strengthen the independence of the NHRCM and provide a transparent and inclusive selection and appointment process of Commissioners.⁵

6. According to the NHRCM, the Government has failed to draft or implement comprehensive anti-discrimination legislation that would ensure the legal protection of all individuals regardless of age, race, ethnicity, gender identity, sexual orientation, ability, religion or political belief.⁶

7. The NHRCM observed that Mongolia provided legal protections to protect people from discrimination and harassment based on their sexual orientation, gender identity, intersex status or gender expression within the scope of the provision of crime of “discrimination” in the new Criminal Code 2015 and terms of “hate crime”. However, further training and awareness raising activities for investigators and prosecutors were required.⁷

8. The NHRCM acknowledged that Mongolia should establish a state body to prevent criminal cases of torture, which has yet to implement this recommendation,⁸ and establish an independent body to investigate crimes of torture.⁹

9. The NHRCM stated that a database to register victims and suspects of human trafficking was established. It, nonetheless, recommended that the Government invest in repairing and upgrading the database so that it is fit for purpose.¹⁰

10. The NHRCM welcomed a reduction in the maternal mortality rate from 2015 to 2017 and encouraged the Government to continue to take action to improve child and maternal health focusing on ensuring comprehensive sexuality education for adolescents and preventing them from risky behaviours.¹¹

11. The NHRCM further acknowledged that the enforcement of the *Law on the Promotion of Gender Equality 2011* was inadequate, while the overall understanding of gender equality among civil servants was still in its infancy. Even though it could be understood as the minimum 40 per cent quota of any gender in overall public service set in the law was implemented, the majority of leadership of decision making positions was still held by men, and the minimum percentage quotas of positions of certain levels set in the law were not effectively ensured.¹²

12. The NHRCM commended the Government for the renewal of the *Law against Domestic Violence*, nevertheless, expressed concerns about the application of the law and other relevant legislation.¹³ It recommended that police officials undertake training on how to conduct a threat assessment in a way that is effective and protects victims, and to increase staff and budget of police in this regard.¹⁴

13. The NHRCM commended the Government of Mongolia for adopting the *Law on Child Rights* and the *Law on Child Protection* and issuing a national plan of action thereon.¹⁵ However, the violations of the rights of the child had not decreased.¹⁶ It also expressed concern that horseracing by children was a popular tradition in Mongolia, which is a dangerous practice with fatalities not uncommon.¹⁷

14. The NHRCM commended the Government of Mongolia for passing the *Law on Rights of People with Disabilities 2016*, and developing a national plan of action thereon. In addition, it noted the establishment of an agency in charge of the development of persons with disabilities as a major positive step. However, greater effort needed to be taken to ensure an enabling environment, and that legislation is implemented effectively by service providers, civil servants and the public.¹⁸ It also noted that the Government failed to address increasing employment opportunities for people with disabilities in the national action plan.¹⁹

15. The NHRCM mentioned that further training of health professionals and an increase in accessible sexual and reproductive health information and services for persons with disabilities was required.²⁰ It highlighted the necessity to increase infrastructure investment and encourage the private sector to make businesses and buildings accessible in order to meet the needs of people with disabilities.²¹ It also highlighted the need to continue to foster accessible environments for children with disabilities so that they can attend school like other children.²²

III. Information provided by other stakeholders

A. Scope of international obligations²³ and cooperation with international human rights mechanisms and bodies²⁴

16. Amnesty International (AI) recommended that Mongolia ratify the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.²⁵

17. Joint Submission 4 (JS4) observed that Mongolia was not a party to the 1954 Convention relating to the Status of Stateless Persons or the 1961 Convention on the Reduction of Statelessness, although it was a party to many other international human rights treaties that provide for the right to a nationality.²⁶

18. International Campaign to Abolish Nuclear Weapons (ICAN) recommended that Mongolia sign and ratify the UN Treaty on the Prohibition of Nuclear Weapons as a matter of international urgency.²⁷

19. Mongolian Human Rights NGO Forum (MHRF) noted that Mongolia had not implemented the recommendation to recognize the competence of the Committee against Torture to receive individual communications in accordance with the CAT.²⁸

B. National human rights framework²⁹

20. Joint Submission 3 (JS3) reported that the national human rights mechanism in Mongolia was not adequately formed. It recommended that Mongolia: improve the draft Law on Human Rights Defenders and enact it immediately; accelerate the work to revise the law governing the National Human Rights Commission in line with the Paris Principles; and restore the implementation of the National Programme on Protection and Promotion of Human Rights.³⁰

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

*Equality and non-discrimination*³¹

21. LGBT Centre of Mongolia (LGBTCM) observed that the Mongolian Constitution provided for the equality of all persons lawfully resident within the state before the law and courts.³² It also noted that discrimination was not defined leaving the scope of protection and the forms of prohibited discrimination unclear. The Constitution did not specifically require the adoption of positive action measures to address substantive inequalities in line with international standards and best practice. The list of prohibited grounds omitted reference to several personal characteristics recognised under international law, including sexual orientation and gender identity.³³

22. LGBTCM also noted that Mongolia had failed to adopt comprehensive equality legislation in line with its international human rights obligations.³⁴ It recommended that Mongolia adopt a comprehensive equality legislation prohibiting all forms of discrimination on all grounds recognized in international law, including sexual orientation and gender identity; require the adoption of positive action measures to address substantive inequalities;³⁵ and launch a public awareness-raising campaign to fight and prevent discrimination and violence against lesbian, gay, bisexual, transsexual and inter-sex persons and to promote tolerance.³⁶

23. LGBTCM claimed that there was a lack of information on sexual orientation and gender identity, and that stereotypes regarding lesbian, gay, bisexual, transsexual and inter-sex persons (LGBTI) were prevalent. Violence and discrimination at home and in schools appeared common, and had been identified as a major barrier to the realisation of rights for

LGBTI children.³⁷ LGBTCM recommended that Mongolia: introduce a universal non-discrimination policy that is inclusive of sexual orientation and gender identity/expression in all educational institutions in order to ensure a safe environment for LGBTI youth to develop and express themselves without fear of retribution by faculty or peers.³⁸

24. LGBTCM recommended that Mongolia improve the implementation of the new Criminal Law to protect minorities from hate crimes; ensure privacy and confidentiality of information; emphasize education and conciliation; provide for speedy and effective criminal, administrative and civil remedies.³⁹

*Development, the environment, and business and human rights*⁴⁰

25. Rivers without Boundaries-Mongolia (RWB-Mongolia) reported that uncontrolled coal extraction and transport on bare soil destroyed and contaminated pastures and water and living environment of nomadic herders, which was leading to conflicts between local herders and coal transporters with potential social division and even transboundary conflicts, which may have implications for attainment of SDG-16 targets.⁴¹ Further, it concluded that processing factories in the mining sector had been rushing through without assessing potential negative impacts and mitigation measures to protect the rights of population to safe and healthy living environment, to access traditional natural resources, to home and sustainable livelihood, which was being violated across urban and rural areas.⁴²

26. RWB-Mongolia recommended that Mongolia carry out strategic impact assessments of all current energy, mining and heavy industry, transportation and infrastructure policies and programmes to bring them into coherence with SDGs, international environmental and human rights commitments; adopt resettlement and compensation policies; adopt legal provisions requiring projects with high negative impact (A Category) to carry out human rights impact assessments and human rights due diligence; create a mandate of an independent Ombudsman to receive and resolve environmental cases; and revise Mongolian national standards for chemical substances applied in mining, energy, construction and other infrastructure sectors to comply with the World Health Organization standards for human health.⁴³

2. Civil and political rights

*Right to life, liberty and security of person*⁴⁴

27. AI mentioned that the new Criminal Code, which came into effect on 1 July 2017, abolished the death penalty for all crimes and included, for the first time, a definition of torture that broadly reflected the definition outlined in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and imposed criminal responsibility on any accomplice involved in committing the crime of torture. However, AI regretted that the President sought to reinstate the death penalty for crimes related to sexual violence committed against children in 2018. The Government had not taken sufficient steps to create a complaints mechanism to provide for prompt and impartial investigations into allegations of torture and other ill-treatment.⁴⁵

28. MHRF mentioned that ill-treatment was still not considered as criminal offence.⁴⁶

29. MHRF and AI recommended that Mongolia: ensure that all complaints and reports of torture and other ill-treatment, including by law enforcement officials, are investigated promptly; establish immediately an effective National Preventive Mechanism as required by the Optional Protocol to CAT; ensure that victims of torture and other ill-treatment have an enforceable right to redress, including fair and adequate compensation and rehabilitation; and provide training for judges, prosecutors, lawyers, law enforcement personnel, health professionals, psychologists, shelter service providers, welfare officers, military personnel and other specialists on the provisions of CAT and the absolute prohibition of torture.⁴⁷

30. LGBTCM recommended that Mongolia provide continued training for the law enforcement and judicial sectors on the prevalence of sexuality and gender-based violence against LGBTI persons; and provide social services and support for sexual minorities who are victims of familial violence.⁴⁸

*Administration of justice, including impunity, and the rule of law*⁴⁹

31. Youth Policy Watch (YPW) reported that human rights violations such as poverty, environmental pollution, and degradation, irresponsible mining, unemployment in Mongolia, were directly and indirectly connected with the political parties.⁵⁰

32. MHRF asserted that the new Criminal Code was still contrary to the “fight against impunity” commitment. It also stated that it was inappropriate that undercover investigation was conducted, based on the permission of the prosecutor, since undercover investigation jeopardized the right to safety.⁵¹

33. MHRF also stated that Mongolia was still using detention as the most common measure of restraint and still had no alternatives to detention. Recently, a number of attempts were made to incite the public to: support mandatory detention for those who were accused of corruption and abuse of power offences; blame prosecutors for not requesting detention; and influence judges through news media.⁵²

*Fundamental freedoms and the right to participate in public and political life*⁵³

34. European Centre for Law and Justice (ECLJ) acknowledged that some religious organisations faced bureaucratic harassment and barriers to registration.⁵⁴ In this regard, ECLJ urged Mongolia to: review its current method for registering religious organizations within the country; ensure that religious organizations can freely operate; to prevent the stifling of religious growth within the country; and implement a more transparent and uniform registration process.⁵⁵

35. Globe International Center (GIC) highlighted that politicians and high authorities had used defamation laws to target media and journalists.⁵⁶ Besides, the main problem in defamation law was the failure to provide for a defence in cases of reasonable public interest information.⁵⁷ In this regard, GIC recommended that Mongolia: take immediate actions to implement the accepted recommendations on safeguarding freedom of information as stated in Article 10 of the Constitution and in fulfilling its pledges before the international community.⁵⁸

36. AI stated that human rights defenders in Mongolia were under attack on many levels and often labelled by pro-government actors as “undesirables”, “trouble makers”, “foreign agents” or “opponents of the state”. AI noted reports of discrimination, intimidation, harassment, police intimidation and stigmatization against human rights defenders.⁵⁹ The Office for Democratic Institutions and Human Rights (OSCE-ODIHR) reported the lack of legal protection, including from strict laws on criminal defamation.⁶⁰

37. AI recommended that Mongolia: adopt and implement legislation that recognizes and protects human rights defenders and ensure that they can carry out their legitimate activities to promote and defend human rights; effectively address threats, attacks, harassment and intimidation against human rights defenders, including by thoroughly, promptly and independently investigating human rights violations and abuses against them, bringing the perpetrators to justice in fair trials and providing effective remedies and adequate reparation to the victims; ensure that the Administrative Offence Act is not misused to target or harass human rights defenders and refrain from bringing criminal charges or any other proceedings or administrative measures against them that stem solely from the peaceful exercise of their human rights; and ensure that the provisions on funding to civil society actors in the proposed amendments to the NGO Law are in compliance with international human rights obligations and commitments and are not misused to hinder the work or endanger the safety of civil society actors.⁶¹

38. Joint Submission 7 (JS7) stated that national legislation enshrined regulation regarding citizen participation and engagement, including youth participation in the Law on Promotion of Youth Development. It noted that in reality, meaningful and real participation was not fully supported and integrated into policy and decision-making processes. Most initiatives from the Government saw youth as passive beneficiaries only with a tokenism approach.⁶²

39. OSCE-ODIHR observed that the 29 June 2016 Elections were conducted in an orderly manner following a competitive campaign, during which freedoms of assembly and

association were respected.⁶³ It also noted that the 26 June 2017 Presidential Election was competitive and well-organized featuring a short yet fierce campaign. According to OSCE-ODIHR, freedoms of assembly and expression were generally respected,⁶⁴ while noting that the second round of voting, the first-ever presidential runoff, took place against the backdrop of legal uncertainty. It, however, noted that the period between the two rounds was tainted by instances of blurring the line between governing and campaigning, as well as widespread allegations of vote-buying. It further noted that calling on voters to cast blank ballots in protest was a distinct feature of the runoff.⁶⁵

40. YPW recommended that Mongolia: legalize the centralization of reports from each political party in relevant state organizations and publicize in its official website in a transparent manner; define specific procedures on publication and review, including detailed timelines for analysis and uploading process after submission of political parties reports and the list of duties of relevant state organizations; strengthen the National Audit Office through a legal environment conducive to working independently with sufficient resources; and limit the right to stand for election in compliance with principles of justice, defined punishments, its types of measures and portion in correlation with context, characteristics and amount of damage.⁶⁶

Prohibition of all forms of slavery⁶⁷

41. Gender Equality Center (GEC) stated that even though there was a stand-alone law against human trafficking, the implementation was being insufficient. It also highlighted that the State's effort to combat human trafficking was being limited by organizing conferences and workshops. It also noted that there was no trained officials or specialized unit that provided services to victims of trafficking in social welfare and social protection sectors, and that no information was provided on prosecution of cases.⁶⁸

42. In this connection, GEC recommended that Mongolia: develop an annual national report on fighting against human trafficking; conduct research and analysis on emerging trends of human trafficking methods; impose appropriate sentences for human trafficking cases distinguishing from other similar crimes; increase the number of specialized officials to fight against human trafficking; create a permanent structure to train law enforcement and judicial organization officials in fighting human trafficking and support permanent operation of the training centers and monitor the results regularly; conduct an assessment of Mongolian laws and regulations on compensation to victims; investigate duplications and loopholes in the laws; reflect, rationalize and implement conditions in criminal and civil laws to fully compensate damages for victims of human trafficking; create opportunity to provide comprehensive and permanent assistance and services for victims of human trafficking; and approve annual government budget specifically for direct assistance and rehabilitation programme for victims by the Government.⁶⁹

3. Economic, social and cultural rights

Right to work and to just and favourable conditions of work⁷⁰

43. Joint Submission 6 (JS6) called for special attention to be paid to the widespread employment rights violations. It also expressed concern that employment rights policies were not gender responsive, while 98 per cent of victims of workplace sexual harassment and 79 per cent of victims of workplace harassment were women.⁷¹

44. In this regard, JS6 noted that women could not have access to equal economic opportunities. Girls and women, especially herding women, worked in difficult circumstances for the lowest paid or even unpaid jobs. It also highlighted that it was very common that due to insufficient childcare services, women were forced to leave their jobs for extended periods of time to look after their children until they entered school.⁷²

45. As such, JS6 recommended that Mongolia: build the gender-based policy implementation capacities of all civil servants, particularly labour, social welfare and finance sector employees; take special action to activate the economic participation of women to ensure their labour rights and create a favourable employment environment; and consider workplace sexual harassment a crime.⁷³

*Right to an adequate standard of living*⁷⁴

46. AI reported that the absence of clear and adequate government regulations, effective consultation, and monitoring, made individuals affected by re-development vulnerable to a range of human rights violations, in particular their right to adequate housing. The current legal and regulatory framework was not in line with Mongolia's obligations to respect, protect and fulfill these rights, and placed a large number of residents at risk or in a situation of permanent uncertainty about their housing situation.⁷⁵

47. AI recommended that Mongolia: prohibit forced evictions, including those resulting from land acquisition and re-development, and strengthen safeguards in current legislation, including the Urban Development Law; and protect housing rights defenders from politically motivated defamation charges under Article 6.21 of the Administrative Offence Act, and ensure that they are able to carry out their activities to defend housing rights without undue interference.⁷⁶

*Right to health*⁷⁷

48. Joint Submission 5 (JS5) concluded that people were financing up to 40 per cent of the health expenses from their own pockets, while the health insurance fund was not fulfilling its key purpose. Although people of all income strata suffered from increased financial pressure related to health costs, young families that were dealing with illnesses exacerbated by air pollution were among the most heavily affected.⁷⁸ It recommended that Mongolia: ensure universal and equitable health insurance coverage; improve the structure of health financing; introduce private health insurance schemes; and develop a legal environment for a dual health insurance system.⁷⁹

49. Mongolian Family Welfare Association (MFWA) stated that family planning services were not accessible and the use of contraceptives was decreasing among women of reproductive age (15-49 years).⁸⁰ It also highlighted that there was a lack of confidentiality, lack of human resources, work overload, and contraceptive shortages affecting the poor quality of family planning services, which in turn reduced the interest of clients to access family planning services.⁸¹

50. MFWA noted that the Mongolian Government announced its intention to reduce maternal and child mortality through the implementation of Maternal and Child Health and Reproductive Health National Programme in the 2016–2020 Action Plan of the Government of Mongolia. The Programme aimed to reduce unwanted pregnancies and abortions, by increasing access to family planning services. However, it highlighted that there were no programmes or policy documents that outlined the level of contraceptive usage among women of reproductive age for the period of 2020–2030, in order to ensure that these policy objectives or the 2030 Agenda for Sustainable Development commitments were achieved.⁸²

51. Joint Submission 2 (JS2) acknowledged that some sexual and reproductive health and rights were not exercised: for instance, teenagers and young people did not have access to comprehensive information and services and were not able to make informed decisions on their part, which increases the vulnerability and associated risks.⁸³ Besides, abortion was a widespread method to terminate unwanted pregnancies, however, information and awareness about safe abortion services were not readily available to girls and young women.⁸⁴

52. MFWA recommended that Mongolia: conduct a nationwide survey on the existing contraceptive methods and demand for each product, as well as on the modern contraceptives offered in the market by the health insurance in order to inform and develop a comprehensive policy that ensures the provision of comprehensive family planning services and commodities beyond 2020; increase access to all secondary and tertiary health care facilities and permit all obstetrics and gynaecologists the right to write prescription contraceptives at discounted price from social insurance; and develop and implement a nationwide education campaign to sensitize the population, including young women, on the use of different methods of family planning.⁸⁵

53. JS2 recommended that the Government: prioritize public awareness-raising on sexual and reproductive health rights issues; allocate a specific budget for comprehensive sexuality education and reproductive health services for adolescents and youth; and take all necessary

measures to increase the variety of contraceptives supplies and services at adolescent reproductive health centres.⁸⁶

54. LGBTCM recommended that Mongolia: enable LGBTI people to access needs-based healthcare and ensure that healthcare providers are informed about both the physical and psychological issues that pertain to sexual minorities, and that equality and non-discrimination are prescribed as ethical standards in the provision of healthcare.⁸⁷

*Right to education*⁸⁸

55. Joint Submission 1 (JS1) affirmed that the state budget and investment in education had been substantially increased in order to enrol all children in kindergartens and primary and secondary schools with a special emphasis being placed on the availability of schools and kindergartens.⁸⁹ However, it noted that the inclusive education of children with disabilities in regular schools remained a challenge, because Mongolia was a sparsely populated country with a vast territory.⁹⁰

56. JS7 recommended that Mongolia ensure equitable and quality education to all as a solution against social barriers.⁹¹ JS1 also recommended that the Government: set the goal and work to make compulsory pre-school education in order to invest in the wellbeing of future citizens; use parity index to measure group differences in enrolment and participation in learning process and learning outcomes; develop and approve national programmes aligning with the concept of inclusion in education; and enhance the flexibility of education provision by recognizing knowledge and skills acquired in a non-formal education institutions.⁹²

4. Rights of specific persons or groups

*Women*⁹³

57. National Center Against Violence (NCAV) observed that the Law on Combating Domestic Violence had been revised and approved following the Criminal Code Reform Act, which had created a comprehensive legal environment.⁹⁴ In addition, it reported that due to domestic violence, an increasing number of injury, loss of life, and child abuse tended to increase. Regarding the adoption of the Law on Combating Domestic Violence, it noted that the Government had not yet allocated the budget for ensuring its full implementation, and that there was a lack of regular training to police officers, doctors, teachers, social workers who are responsible under the law for combating domestic violence.⁹⁵

58. In this regard, NCAV recommended that the Government: implement the Law on Combating Domestic Violence and allocate the costs of delivery of services to the state budget; take effective actions to create positive approach on preventing domestic violence; improve inter-sectoral coordination and collaboration within the field of combating domestic violence; conduct regular training with comprehensive programme and content for specialists; and resolve the cost-effectiveness of mandatory behaviour change training.⁹⁶

59. JS7 stressed that women were not able to enjoy their rights to fully participate in social and economic life, due to violence against them. It noted a survey showing that 29.7 per cent of women who had or have spouses were victims of physical violence and 11.9 per cent of all respondents were encountered with physical violence within the last 12 months.⁹⁷ It also noted that women were having much more suicide cases than men.⁹⁸

60. Dulguun Foundation (DUL) reported that during the last three years, a total of 947 cases of sexual abuse were reported to Police. It highlighted that rape crime increased by around 30 per cent each year. However, it also emphasized that this number could not fully represent the reality of sexual abuse and rape cases because most cases were unreported, dismissed when reported, and left unsolved when victims returned the claims, compromised or negotiated with the offenders.⁹⁹ It also expressed concern that there was a lack of adequate legal environment to fight against sexual abuse.¹⁰⁰

61. DUL further stated that there was no one-stop centre that provided all required services for victims of sexual abuse and rape. It also expressed concerns that there was a lack of professionals in government organizations, and about lack of knowledge about trauma,

psychological damages, and characteristics of survivors. It further noted that it was common to misuse their power over victims and blame them.¹⁰¹

62. DUL recommended that Mongolia: improve the legal environment with the development of a standard on investigation and prosecution of rape and sexual abuse cases; create legal mechanisms to calculate and compensate for non-materialistic damages such as psychological damages of victims of sexual abuse, and distribute the rehabilitation treatment expenses to the offenders; protect the rights of sexual abuse victims to have privacy and of protection during the prosecution process; and enhance knowledge about prevention from sexual abuse among the general public.¹⁰²

*Children*¹⁰³

63. JS1 stated that noticeable progress was made in child protection areas by ensuring safe, child-friendly environments in schools, dormitories, and kindergartens in relation to the prevention of non-discrimination, violence, and bullying in education establishments. It also noted that the code of ethics for teachers had been revised and approved.¹⁰⁴

64. JS6 stated that it was increasingly necessary to improve the role of the Government in managing, supporting, controlling and coordinating all stakeholders in respecting and protecting the rights of children in all spheres of society. In this regard, it highlighted that every entity and legal body was seeking the opportunities and methods to implement child protection policies and establish parental councils within their teams in order to implement the principles of respecting children's rights and promoting childcare skills of parents.¹⁰⁵

65. JS7 reported that violence against children caused lifelong traumatic impacts to anyone regardless of their characteristics and diversity and led them to become violent perpetrators in the future, noting that one third of spouses of women victims were beaten in their childhoods.¹⁰⁶

66. GEC reported that criminal cases such as labour exploitation by forcing children to work in informal sectors, as horserace jockeys, and working as contortionists, housemaids, beggars and herders, had been registered at Police but had never been prosecuted by the court. None of the cases were considered and sentenced as criminal offence of human trafficking.¹⁰⁷

67. JS4 recommended that Mongolia: strengthen efforts to provide all children with proof of their legal identity through immediate birth registration, including Kazakh children and rural migrants to (peri-)urban settlements; and take all necessary measures in line with obligations under the Convention on the Rights of the Child to grant Mongolian citizenship to all children residing in the country.¹⁰⁸

*Persons with disabilities*¹⁰⁹

68. JS1 observed that in 2016, the Law on the Rights of Persons with Disabilities was adopted by the Parliament.¹¹⁰ On the other hand, JS6 reported that policies were basically set but the implementation mechanism that enabled full participation of people with disabilities in social life was missing.¹¹¹ JS6 expressed concern that persons with disabilities were commonly discriminated against in the country.¹¹²

69. JS1 asserted that the majority of children who were out of school or dropped out of their schools were children and young people with disabilities.¹¹³

70. JS6 recommended that Mongolia: increase budget and financing for ensuring rights of people with disabilities; allocate an adequate budget to guarantee the rights of people with disabilities that will enable them to live independently; and improve the teaching qualities of special schools and put restrictions on organization of special classes in schools.¹¹⁴

*Refugees and asylum seekers*¹¹⁵

71. JS4 expressed concern that refugees did not have access to necessary services such as health care and education, nor were they allowed to work. It also highlighted that asylum seekers generally did not have access to government-provided basic services such as health care and education.¹¹⁶

Stateless persons

72. JS4 mentioned that legislative loopholes had rendered members of ethnic minority groups in Mongolia at risk of statelessness, specifically, Kazakh minority.¹¹⁷

73. JS4 recommended that Mongolia: ensure that stateless people and their children have access to government services, including basic health, education, and other social services during the registration process; improve registration of persons who previously held Mongolian nationality and expedite procedures for (re-)acquisition of Mongolian nationality; and ensure that the planned 2020 Mongolian National Population Census is conducted with comprehensive disaggregated data on statelessness in Mongolia.¹¹⁸

Notes

- ¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a national human rights institution with “A” status).

*Civil society**Individual submissions:*

AI	Amnesty International, London (United Kingdom of Great Britain and Northern Ireland);
DUL	Dulguun Foundation, Ulaanbaatar (Mongolia);
ECLJ	The European Centre for Law and Justice, Strasbourg (France);
GEC	Gender Equality Center, Ulaanbaatar (Mongolia);
GIC	Globe International Center, Ulaanbaatar (Mongolia);
ICAN	International Campaign to Abolish Nuclear Weapons, Geneva (Switzerland);
LGBTM	LGBT Centre of Mongolia, Ulaanbaatar (Mongolia);
MFWA	Mongolian Family Welfare Association, Ulaanbaatar (Mongolia);
MHRF	Mongolian Human Rights NGO Forum, Ulaanbaatar (Mongolia);
NCAV	National Center Against Violence, Ulaanbaatar (Mongolia);
RWB	Rivers without Boundaries, Ulaanbaatar (Mongolia);
YPW	Youth Policy Watch, Ulaanbaatar (Mongolia).

Joint submissions:

JS1	Joint submission 1 submitted by: All for Education! National Civil Society Coalition Mongolia, Ulaanbaatar (Mongolia);
JS2	Joint submission 2 submitted by: MONFEMNET National Network Mongolia, Ulaanbaatar (Mongolia); Asian-Pacific Resource and Research Centre for Women (ARROW), Kuala Lumpur (Malaysia);
JS3	Joint submission 3 submitted by: Хүний эрх хөгжил төв; and Global Meridian NGO, Ulaanbaatar (Mongolia);
JS4	Joint submission 4 submitted by: Child Education Institute of Mongolia; and Institute on Statelessness and Inclusion, Eindhoven (Netherlands);
JS5	Joint submission 5 submitted by: MONFEMNET National Network, “Step by Step for Development” NGO, “Our Participation Advocacy” NGO, “Women in the 21st Century” NGO, “DemoCrazy Youth Center” NGO, “Center for Citizens’ Alliance” NGO, “Human Rights Center for Aiding Citizens” NGO, “Kazakh Women’s “Arular” Union” NGO, “Liberal Women’s Brain Pool” NGO, “Princess” Center for Protecting Girls’ and Young Women’s Rights” NGO, “Oyu Tolgoi Watch” NGO, “Women for Change” NGO, “Steps Without Borders” NGO, “Law and Human Rights Center” NGO, “Center for Human Rights and Development” NGO, “National Center against Violence” NGO, “Women and Life Center” NGO, “Women Leaders Foundation” NGO, “Men-

Healthy Family Center” NGO, “Beautiful hearts” NGO, “Mongolian Center for Social Liberation, “Tuva eej” NGO, Mongolian Family Welfare Association NGO, Ulaanbaatar (Mongolia);

JS6

Joint submission 6 submitted by: Монголын Эмэгтэйчүүдийн Хөдөлмөрийг Дэмжих Холбоо, Ulaanbaatar (Mongolia);

JS7

Joint submission 7 submitted by: Mongolian Youth Council, Wind of Change NGO, Democrazy youth center NGO, Universal progress NGO, Youth LEAD Mongolia NGO, YPEER Mongolia NGO, Youth Policy Watch NGO, Ulaanbaatar (Mongolia).

National human rights institution:

NHRCM

National Human Rights Commission of Mongolia*, Ulaanbaatar (Mongolia).

Regional intergovernmental organization(s):

OSCE-ODIHR

Office for Democratic Institutions and Human Rights (ODIHR), Organization for Security and Cooperation in Europe (OSCE), Warsaw (Poland).

² NHRCM, para. 34.

³ NHRCM, para. 7.

⁴ NHRCM, para. 3.

⁵ NHRCM, para. 6.

⁶ NHRCM, para. 14.

⁷ NHRCM, para. 29.

⁸ NHRCM, para. 9.

⁹ NHRCM, para. 10.

¹⁰ NHRCM, para. 33.

¹¹ NHRCM, paras. 18-19.

¹² NHRCM, para. 22.

¹³ NHRCM, para. 30.

¹⁴ NHRCM, paras. 31-32.

¹⁵ NHRCM, para. 15.

¹⁶ NHRCM, para. 16.

¹⁷ NHRCM, para. 17.

¹⁸ NHRCM, para. 24.

¹⁹ NHRCM, para. 25.

²⁰ NHRCM, para. 26.

²¹ NHRCM, para. 27.

²² NHRCM, para. 28.

²³ The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;

ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

- ²⁴ For relevant recommendations, see A/HRC/30/6/Add.1, paras. 108.1, 108.4, 108.8–17, 108.36, 108.38–39, 108.62, 108.66, 108.75, 108.89, 108.134 and 108.161.
- ²⁵ AI, p. 5.
- ²⁶ JS4, para. 11.
- ²⁷ ICAN, p. 1.
- ²⁸ MHRF, para. 2.
- ²⁹ For relevant recommendations, see A/HRC/30/6/Add.1, paras. 108.3, 108.18–23, 108.25–35, 108.37, 108.40–42, 108.45, 108.49, 108.54, 108.57–59, 108.61, 108.63–64, 108.67, 108.71, 108.74, 108.83, 108.86–88, 108.92–93, 108.96–97, 108.99, 108.101–103, 108.105, 108.109, 108.113, 108.117–118, 108.121, 108.123, 108.131–132, 108.136, 108.139, 108.154, 108.162 and 108.164.
- ³⁰ JS3, para. 24.
- ³¹ For relevant recommendations, see A/HRC/30/6/Add.1, paras. 108.50–51, 108.53, 108.55–56 and 108.60.
- ³² LGBTCM, para. 4.
- ³³ LGBTCM, para. 5.
- ³⁴ LGBTCM, para. 6.
- ³⁵ LGBTCM, para. 7.
- ³⁶ LGBTCM, para. 20.
- ³⁷ LGBTCM, para. 12.
- ³⁸ LGBTCM, para. 17.
- ³⁹ LGBTCM, para. 16.
- ⁴⁰ For relevant recommendations, see A/HRC/30/6/Add.1, paras. 108.129–130 and 108.163.
- ⁴¹ RWB-Mongolia, para. 8.
- ⁴² RWB-Mongolia, para. 11.
- ⁴³ RWB-Mongolia, para. 16.
- ⁴⁴ For relevant recommendations, see A/HRC/30/6/Add.1, paras. 108.2, 108.5–7, 108.65, 108.68–70, 108.72, 108.76–80, 108.82–83, 108.126 and 108.160.
- ⁴⁵ AI, p. 1.
- ⁴⁶ MHRF, para. 3.
- ⁴⁷ MHRF, para. 12 and AI, pp. 4-5.
- ⁴⁸ LGBTCM, para. 16.
- ⁴⁹ For relevant recommendations, see A/HRC/30/6/Add.1, paras. 108.52, 108.104, 108.111, 108.124–125 and 108.127.
- ⁵⁰ YPW, para. 7.
- ⁵¹ MHRF, paras. 8 and 10.
- ⁵² MHRF, para. 11.
- ⁵³ For relevant recommendations, see A/HRC/30/6/Add.1, paras. 108.133, 108.135, 108.137–138 and 108.140–142.
- ⁵⁴ ECLJ, para. 6.
- ⁵⁵ ECLJ, para. 13.
- ⁵⁶ GIC, para. 12.
- ⁵⁷ GIC, para. 13.
- ⁵⁸ GIC, para. 25.
- ⁵⁹ AI, p. 4. See also, GIC, paras. 14-15.
- ⁶⁰ OSCE, para. 12.
- ⁶¹ AI, p. 5.
- ⁶² JS7, para. 24.
- ⁶³ OSCE, para. 5.
- ⁶⁴ OSCE, para. 8.
- ⁶⁵ OSCE, para. 9.
- ⁶⁶ YPW, p. 6.
- ⁶⁷ For relevant recommendations, see A/HRC/30/6/Add.1, paras. 108.116, 108.119–120 and 108.122.
- ⁶⁸ GEC, paras. 2-5.
- ⁶⁹ GEC, p. 6.
- ⁷⁰ For relevant recommendations, see A/HRC/30/6/Add.1, paras. 108.152.
- ⁷¹ JS6, paras. 9-10.

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- 72 JS6, paras. 11-14.
73 JS6, para. 17.
74 For relevant recommendations, see A/HRC/30/6/Add.1, para. 108.143.
75 AI, p. 3.
76 AI, p. 5.
77 For relevant recommendations, see A/HRC/30/6/Add.1, paras. 108.145–149 and 108.158.
78 JS5, para. 34.
79 JS5, pp. 8-9.
80 MFWA, para. 4.
81 MFWA, para. 7.
82 MFWA, para. 12.
83 JS2, para. 13.
84 JS2, para. 15.
85 MFWA, para. 18.
86 JS2, pp. 6-7. See also, JS7, para. 36.
87 LGBTCM, para. 18.
88 For relevant recommendations, see A/HRC/30/6/Add.1, paras. 108.150–151, and 108.155–157.
89 JS1, para. 28.
90 JS1, para. 43.
91 JS7, para. VIII, 5.
92 JS1, pp. 9-11.
93 For relevant recommendations, see A/HRC/30/67Add.1, paras. 108.42, 108.44, 108.46–48, 108.85, 108.90–91, 108.94–95, 108.98 and 108.100.
94 NCAV, p. 3.
95 NCAV, p. 4.
96 NCAV, paras. 1-4.
97 JS7, para. 17.
98 JS7, para. 19.
99 DUL, p. 3.
100 DUL, p. 4.
101 DUL, p. 6.
102 DUL, pp. 6-7.
103 For relevant recommendations, see A/HRC/30/67Add.1, paras. 108.24, 108.108.106–108, 108.110, 108.112, 108.114–115 and 108.128.
104 JS1, para. 29.
105 JS6, para. 2.
106 JS7, para. 16.
107 GEC, para. 8.
108 JS4, para. 35, I-II.
109 For relevant recommendations, see A/HRC/30/67Add.1, para. 108.153.
110 JS1, para. 15.
111 JS6, para. 24.
112 JS6, para. 27.
113 JS1, p. 8.
114 JS6, para. 36.
115 For relevant recommendations, see A/HRC/30/67Add.1, paras. 108.144 and 108.159.
116 JS4, para. 34.
117 JS4, para. 27.
118 JS4, para. 35, III-V.
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