



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

Pre-session working group

Forty-second session

20 October-7 November 2008

**List of issues and questions with regard to the consideration of
periodic reports***

Mongolia**

The pre-session working group examined the combined fifth, sixth and seventh periodic reports of Mongolia (CEDAW/C/MNG/7).

Preparation of the report

1. Please provide more detailed information on the process of preparing the combined fifth, sixth and seventh periodic reports of Mongolia. This information should indicate which government departments and institutions were involved and the nature and extent of their participation, whether consultations were held with non-governmental organizations and whether the report was adopted by the Government and presented to Parliament.

Constitution, legislation and national machinery for the advancement of women

2. It is noted that the Convention is self-executing under Mongolian law. Please give examples of case-law where the Convention has been cited in national courts during the period under review. Please indicate whether training has been provided to law enforcement agencies, lawyers, judges and magistrates on the Convention and its Optional Protocol, as well as the Committee's general recommendations.

3. Please describe the mechanisms and remedies available to women with complaints of gender-based discrimination. How effective are the independent mechanisms,

* The page numbering in this list of issues and questions refers to the English version of the report.

** The present report is being issued without formal editing.



such as the Mongolian National Commission on Human Rights mentioned in page 5 of the report, in dealing with discrimination issues based on sex?

4. The report indicates that: “the Law on the Mongolian National Commission on Human Rights provides that a Mongolian citizen alone or together with others can file a complaint with the National Commission on Human Rights under the law if he/she considers that a business entity, organization, official or individual violated the human rights and freedoms guaranteed by the Constitution of Mongolia and international treaties” and that “During the past four years the National Commission reviewed and resolved complaints from 100 to 160 citizens on violation of human rights and freedoms” (p. 6). Please indicate the number of cases of gender-based discrimination brought to the National Commission on Human Rights by women in the past five years and the outcome of such cases. Please indicate what steps have been taken to increase legal literacy among women, in particular in relation to their equal rights in marriage, to inheritance and land ownership.

5. Please provide additional information about the National Committee on Gender Equality described in page 9 of the report and specify its structure, level of authority, functions and human and financial resources. Please clarify the current status of the National Council on Gender Equality for the advancement of women in Mongolia. Also indicate which body is in charge of coordination and integration of gender issues of various sectoral policies and programmes.

6. In view of the 2004 assessment of the National Programme for Gender Equality adopted in 2002 (p.8), please describe briefly the outcome of the assessment. Please also indicate steps that have been taken to implement the second stage of the workplan and how its implementation is being monitored and evaluated.

7. Please provide information about the scope and content of the draft law on gender equality, including a time-bound plan for the enactment of this law.

8. Please describe the current status and progress achieved in the implementation of the “Special Three-Year Plan to implement the Convention on the Elimination of All Forms of Discrimination against Women” mentioned in the report (p.9), including detailed information outlining the goals, objectives and strategies of the Plan.

Sex roles and stereotyping

9. According to the report, “though nowadays students have a rather different understanding of the roles of men and women in the social life, including understanding about young family relations”, there is still “a trend not to accept proposals made by women at the decision-making level” (page 17). Please describe what educational measures and awareness campaigns have been taken by the State party to eliminate gender-role stereotypes or patriarchal attitudes that confine women and girls to traditional roles.

Violence against women

10. Please provide data on the incidence of, and trends in, violence against women, including rape and domestic violence as well as information on the number of prosecutions and convictions in domestic violence cases during the last five years, including cases where the Law on Fighting against Domestic Violence (p.6) was invoked.

11. Please provide information on the strategy and policy measures for the protection of the victims of violence, including legal and medical support, psychosocial counselling, shelter homes, emergency hotlines as well as the punishment and rehabilitation, if applicable, of perpetrators.

12. Please provide information about the process of data collection on complaints regarding all forms of violence against women from complaint to closure, and public dissemination of such data.

Trafficking and exploitation of women in prostitution

13. Page 8 of the report indicates that the cross-border trafficking of children and women for the purpose of sexual exploitation is on the rise. Please provide information about the implementation of the “National Program to Protect People from Sale, Especially from Use of Children and Women for Sexual Exploitation” of 2005 (p. 8), including details of its monitoring and evaluation mechanisms and the results achieved in its implementation. Does the Programme envisage specific measures aimed for the physical and psychological recovery and social reintegration of girls and women who have been victims of trafficking and sexual exploitation? Please indicate whether there are any plans to enact a law to combat trafficking in women and children.

14. Please describe the results of the implementation of the legislation against obscenity and the amendment of the 1998 Law on Fighting against Obscenity which is currently in the process of review by the Ministry of Justice and Home Affairs (p.8).

15. Please provide statistics on the number of women and young girls engaged in prostitution. Please elaborate on laws or measures adopted to prevent and punish the exploitation of prostitution as well as measures taken to provide rehabilitation and support for the social reintegration of women who wish to leave prostitution.

Participation of women in political and public life

16. The report provides information on temporary special measures that have been instituted to accelerate equality between women and men in education (p. 10) and in decision-making bodies (p.34). However, the report goes on to state that “the representation of women in the national parliament has declined sharply and is well below the international 30 per cent target set at the 1995 United Nations Fourth World Conference on

Women” and that “these low rates extend to all levels of political decision making” (p.34). Please elaborate on the impact to date of the amended law on Parliamentary Elections adopted in 2006 (p.35) and any concrete results achieved in reducing and eliminating discrimination against women in the political sphere. What are the mechanisms for raising campaign funds for women candidates which is cited as limiting women’s participation in active politics? Are registration fees required, and if so, please indicate the amount.

17. In view of the fact that there is only 0.2 per cent representation of women at the State Secretary level (p. 36), please indicate whether special measures or quota are in place to accelerate women’s participation at top policy-making level, both in administration and foreign service in accordance with the Convention’s article 4.1 and the general recommendation No. 25.

Employment

18. The report mentions that the evaluation of the first phase (2003-2005) of the National Programme for Gender Equality had identified sexual harassment as one of the issues that need to be addressed (p. 26-27). The Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.47, para. 12) also noted discrimination against pregnant women and sexual harassment of women in the workplace as a concern. Please indicate what additional measures are in place or envisaged to tackle the problems faced by women in the workplace despite the law in place prohibiting discrimination in the workplace.

19. The report states that “there is no system of retraining unemployed women” (p. 29) and that as a result, women are resorting to work in the informal sector where employees do not receive social welfare and health insurance. Please indicate whether there are plans to introduce vocational education and training for unemployed girls and women in the near future. In view of the increasing number of women who work in the informal sector (p.29), please describe the strategies in place to support women in the informal sector, particularly in rural areas, to gain access to markets and technology and access to credit, social security and health services.

20. Page 29 of the report states: “gender gap is seen in the amount of average salary owing to the fact that men are majority in high paid economic activities and women are majority in less paid service sector”, despite the high educational achievement of Mongolian women. What measures are being considered to re-evaluate jobs in female-dominated sectors, as compared to jobs in male-dominated sector for the public labour market ? Are policies being envisaged to revise salaries in the female-dominated sectors of the public labour market?

21. The report notes that “the weakening of the day-care institutions for preschool children during the transition period is one of the factors to adversely influence the capacity of women in competing freely in the labour market” (p. 27). Please indicate whether any

measures have been taken to establish adequate and affordable day-care centres in order to eliminate discrimination against women who are mothers in the labour market.

22. Please provide information about the nature and the extent of rural-to-urban migration which is reportedly on the rise and its impact on women. Please provide information on any policies and strategies in place to protect the rights of such migrant women workers.

Health

23. Notwithstanding the success achieved by the State party in reducing the incidence of maternal mortality, it is noted that 7 per cent of the maternal deaths between 2000 and 2004 resulted from abortion and 54.5 per cent of the deaths occurred due to complications relating to unsafe abortion (p.23). The report goes on to state that, according to the 2001 survey by the Public Health Institution among the 900 women who had an abortion, 52.4 per cent of them had repeated abortion, and that one third of women who had had repeated abortions had never used any contraceptive method (p.23). Please provide information on strategies in place to ensure women's access to affordable reproductive and sexual health services and family planning education programmes and their availability to particular groups, such as adolescents of both sexes and rural women.

24. The report indicates that there are several factors which make the spread of HIV/AIDS likely in Mongolia (p.24). Please provide information on the number of women currently infected with HIV/AIDS and the availability of antiretroviral medication and psychosocial services for women with HIV/AIDS and their children. Please indicate whether existing programmes to combat HIV/AIDS integrate a gender perspective. Are there any special measures for prevention in place that target women and adolescent girls?

Rural women

25. The report notes several problems faced by rural women in the face of increasing urban-rural disparities (p. 3), including poverty (p. 25) and lack of access to health-care services (p. 18, 21) and quality education (p. 17). It is noted that one of the focus areas of the National Program for Gender Equality is "Gender Equality in Rural Development" (p. 8). Please provide details of whether the Program focuses on enhancing rural women's standard of living through increased access to education, health-care services, clean water, electricity and sanitation, economic opportunities, land ownership and participation in decision-making processes related to development planning.

Vulnerable groups of women

26. The report states that the number of female-headed households increased 16-fold between 2000 and 2004, half of them with 3-5 children and that they are particularly prone to unemployment and poverty (p. 26). Please describe measures in place to support and

alleviate the plight of women in poverty, in particular those who head households, including measures to facilitate their access to land and credit.

27. In its concluding comments on the combined third and fourth periodic report of Mongolia (A/56/38, paras. 234-278), the Committee expressed concern that: “Mongolia places the responsibility of family and childcare exclusively on women, particularly as the population policy encourages women to have large families. It notes that this situation encourages their marginalization in the economy and exacerbates poverty” (ibid., para. 269) Please describe what specific measures have been taken to address the situation and with what results.

28. Please provide information on the situation of older women and women with disabilities. Page 30 of the report indicates that 2.8 per cent of the total population is registered disabled. What are the time-bound programmes and policies in place to protect the rights of these women to have decent work where applicable, affordable health services and affordable housing. Please also indicate whether the State party plans to ratify the Convention on the Rights of Persons with Disabilities.
