



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

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against Women**

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**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

**List of issues and questions in relation to the combined
eighth and ninth periodic reports of Mongolia**

Addendum

Replies of Mongolia*

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Note: The present document is being circulated in English, French and Spanish only.

* The present document is being issued without formal editing.

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General

1. In the report of the State party (CEDAW/C/MNG/8-9), it is stated that the National Statistics Office is working on the methodologies of using gender statistical basic indicators and linking the gender statistical database with that of different ministries and is planning to create a national-level database disaggregated by sex (p. 5). Please provide updated information on the current status of the database.

2. The provisions on the integration of gender statistical basic indicators are included into the National Programme on Development of Official Statistics 2011-2015, the Law on Promotion of Gender Equality, the Mid-term Strategy of the Implementation of the Law on Promotion of Gender Equality (2013-2016), its action plan and other policy papers and programmes. Within the framework of the action plan of the Mid-term Strategy to implement the Law on Gender Equality, the National Statistics Office (NSO) is working on the identification of the gender statistical basic indicators, development of methodologies in line with the international standards by making official and administrative information gender-sensitive and identifying information sources. The action plan for improvements is being implemented, including the following:

- The list of 14 chapters and 216 indicators, including the scope of the gender statistics indicators, understanding, definition and methodologies, were developed and were approved by the Order No. 1/104 of the Head of the NSO dated 12.09.2013 and has been enforced;
- The Gender Statistics Bulletin 2014 was developed in accordance with the approved indicators. It consisted from 7 chapters (Population, Health, Education, Employment, Crime and Violence, Power and Decision-making, Gender index) and 50 indicators related to gender. The information from 1900 to 2013 from aimags and capital city were disaggregated by gender and was published;
- The dynamic statistics of multiple years were developed based on gender-disaggregated indicators. The information was posted on the NSO's statistics database, www.1212.mn, in May 2015 and disseminated to the public. A total of 49 indicators were disaggregated by the year the census was conducted, aimag, capital city and sex for the years 1900-2014 and distributed.
- "Measuring Asset Ownership and Entrepreneurship from a Gender Perspective", the pilot study is being conducted with the support from the United Nations Statistics Office and the Asian Development Bank. Upon the completion of this study, methodology guidelines on measuring asset ownership will be developed and sent to the United Nations Statistics Office along with the report of the pilot study. Data collection started from 18 September of 2015 in nine aimags.

Constitutional, legislative and institutional framework

3. It is indicated in the report that new draft versions of the family law and the labour law have been elaborated (p. 9). Please provide updated information on the current status and content of those drafts, as well as information on any other relevant new legislation, strategies and plans of action relating to women's rights that were adopted during the reporting period. In the light of the Committee's

previous concluding observations ([CEDAW/C/MNG/CO/7](#), para. 12) and its follow-up letter dated 19 September 2012, please indicate whether the law on gender equality prohibits both direct and indirect gender-based discrimination by both public and private actors in all spheres of society.

4. The Decree No. 38 of the State Great Khural of Mongolia of 2009 has determined the main directions of the improvements of the Mongolian laws until 2012. One of the main directions of this document is “the revision of the Family Law, particularly, clarification of responsibilities of those, who breached the parental duties; adoption of a child to foreign citizen, and legalization of relations to monitor adopted children”. Furthermore, principles with regards to voluntary and equality of both sides to create a family, mutual consent in resolutions of family problems, raising children in their families, state support to the families to sustain, the principles of protection of child’s best interests were legalized.

5. The Family Law also regulates the relations of protection of legal rights of a child and parents, marriage, end of marriage, conditions and rules for marriage annulment, issues related to property and non-property relations, child adoption, custody and care.

6. The Family Law regulates relations associated with family, parents, child rights, protection of legally protected interests, marriage, annulment of marriage, approval of conditions and rules of termination of divorce, family members’ property and non-property relations, child adoption, a care of a child in the family circumstances, a child support and a provision of a child care.

7. Direct and indirect gender-based discriminations are prohibited in the amendments of the Law on Labour and of the Law on Public Service. Also the law on promotion of gender equality applies equally to economic entities and organizations operating on the territory of Mongolia and to citizens of Mongolia, and, if an international treaty ratified by Mongolia does not provide otherwise, to all international and foreign organizations and foreign citizens and aliens operating or residing on the territory of Mongolia.

8. The article 6 of the Law on Promotion of Gender Equality prohibits the gender discrimination.¹

9. The regulations related to basic international labour rights, freedoms of association, collective agreements and bargaining, promotion of gender equality and non-discrimination in labour relations, elimination of child labour and prohibition of forced labour are being reflected in the national legislation and regulations. The draft of revised version of the Law on Labour has been submitted to the State Great Khural and has been discussed. The new provisions on prevention from workplace harassment and workplace discrimination have been added to the revised draft. For instance:

Article 6. Prohibition of discrimination in labour relations

6.1. Direct or indirect discrimination, or conclusion of limitation or advantage based on nationality, race, colour, age, sex, health status, pregnancy, sexual orientation, appearance, disability, social origin, social and marital

¹ Articles 6.1, 6.2 and 6.3, Law on Promotion of Gender Equality, 2011.

status, special family responsibilities, wealth, religion, opinion and political opinion, is prohibited in occupational and labour relations.

6.2. The prohibitions referred in the article 6.1 are valid in all employment relations, such as employment relation formation, employment, preservation of workplace, in occupational and skills obtainment.

6.3. Employers are obliged to create conditions free from discrimination in occupational and labour relations.

6.8 If an employee deems discriminated in occupational or labour relations, he/she has the right to complaint to the authorities. If an employer deems, he did not discriminate, he shall prove it.

10. The amendments are made in remuneration arrangements, where wages and salaries shall be in line with professional levels. The establishment of the system of professional levels also been reflected in the amendments. Moreover, equal salaries of employees who perform same labour value are reflected in the revised draft of the Law on Labour.

Temporary special measures

11. The report provides limited information on the use of temporary special measures during the reporting period. Please provide specific examples of such measures, their inclusion in national policies and programmes and their concrete implementation with a view to promoting and accelerating the realization of substantive equality between women and men, in line with article 4 of the Convention and the Committee's general recommendation No. 25 on the subject. Please provide information on whether the revised draft of the law on elections, political parties and political financing provides specific measures for programmes and civil service training to promote the participation of women in political and public life and for recruiting, financially assisting and training women candidates.

Presidential Elections Law/21 December 2012/

3. Primary elections shall have universal suffrage.

Law on Political Parties/25 January 2005/

5.1.3. To provide for the members to enter in the board of directors, to candidate for election, to provide with equal opportunities without discrimination of nationality, race, age, sex, wealth, and work position to get elected;

Law on the Election of the State Great Hural of Mongolia (15 December 2011)

6.1. An eligible voting citizen is entitled to participate in an election without discrimination on the grounds of ethnicity, language, race, sex, social origin and status, property, employment, occupation, religion, opinion, and education.

27.2. At least 20 per cent of the candidates of the parties and coalitions shall be women.

31.1. If following a candidate's registration pursuant to article 29.12 and 29.13 hereof and public announcement pursuant to article 29.17 of this law,

his/her removal from the list of candidates is justifiable under this Law, the General Election Commission or district committee shall make a decision thereof and make it public.

Law on the Election of Citizens' Representatives Hural of Aimags, the Capital City, Soums and Districts/27 August 1996/

3.2. The voter shall be residing at the territory of aimag, city, soum and district at the polling day and be 18 years old, all persons shall have a right to vote without any discrimination on any ground such as nationality, language, colour, sex, social and economic status, employment, official position, religion, other opinion and education. Only a person whose mental disorder was declared by a Court and medical certificate and a citizen who is serving imprisonment has no right to participation in elections.

Law on Referendum/19 October 1995/

3.2. The voter shall be residing at the territory of aimag, city, soum and district at the polling day and be 18 years old, all persons shall have a right to vote without any discrimination on any ground such as nationality, language, colour, sex, social and economic status, employment, official position, religion, other opinion and education. Only a person whose mental disorder was declared by a Court and medical certificate and a citizen who is serving imprisonment has no right to participation in elections.

Stereotypes

12. The existence of gender stereotypes in the State party is acknowledged in the report and it is stated that there is still a lot to be done in terms of improving relevant policies, programmes and action plans, strengthening the capacities of experts and institutions, conducting systematic assessments and evaluations, raising funds and allocating budgets, as well as identifying specific "cultural" policies (p. 10). Please provide detailed updated information on whether the above-mentioned measures to combat stereotypical attitudes have been taken and whether the results have been evaluated.

13. The measures such as publications of articles, broadcast of television programmes, are planned to combat gender stereotypical attitudes. Moreover, the Media Council was established under the National Gender Committee (NGC) in accordance with the Government resolution No. 34 of 2013 that has approved the mid-term strategy and action plan of the implementation of the Law on Gender Equality. One of the functions of this Media Council of the NGC is to create a culture of gender equality and promote public awareness against gender discrimination, organize activities against stereotypes when women and girls are considered as symbols of beauty, sex and reproductive objects. Furthermore, the Media Council is doing advocacy work to incorporate gender equality into the policies of editorial departments of media institutions. In addition, the Media council is working closely with the Parliamentary Journalism Association and "Diamond" Club, the group of women owned media companies. However, we still need to improve the mechanisms to enforce gender equality.

14. The training for capacity building of journalists on gender was conducted by the NGC and guidelines been developed. Also, journalists are involved in the

training programmes organized together with the Flinders University, Australia. In addition, we work closely with the non-governmental organizations working in the media as well as national networks.

15. Eight hours of topics related to gender are included in the training curricula of “Development Journalism” class of the Faculty of Journalistic of the Mongolian National University of Education. Non-formal 2-3 days trainings are conducted by the non-governmental organizations, such as Press Institute and Globe International.

16. Moreover, the NGC, the Government of Mongolia, together with the Globe International, the non-governmental organization, have translated the Gender-sensitive Indicators for Media that was released by the United Nations Educational, Scientific and Cultural Organization (UNESCO). These gender-sensitive indicators are being piloted in chosen media institutions.

Violence against women

17. It is acknowledged in the report that there is no established mechanism to protect the rights of victims and survivors of violence and that no budget has been allocated for that purpose (p. 8). It is indicated that draft amendments to the law on combating domestic violence have been submitted to the parliament for review. Please provide updated information on the current status and content of those amendments and indicate whether a special mechanism has been established to protect women who are victims of violence. Please also provide information on measures taken to ensure that women have access to justice, in accordance with the Committee’s general recommendation No. 33 on the subject. Please indicate whether marital rape is criminalized and whether ex officio prosecution can be initiated for that crime.

18. The President of Mongolia has proposed an amendment to the Law on Combating Domestic Violence and submitted to the Parliament. The draft law reflects the following changes to be regulated:

1. Expanded scope of the law, so that witnesses, partners, family members, guardians, the guarded, caregivers, the cared, individuals living with a concerning family under any particular reason, born or foster child who lives separately, birth or foster parents and siblings, divorced spouses who have a child (children) are covered by the regulations of the Law. This helps to change the practice of most of the victims were left outside legal protection and to cover them with protection.

2. Changed the practice of considering most of the domestic violence cases only as infringement and criminalized with along with definition of due sentences. As a result of criminalizing domestic violence, the conditions to impose punishment on perpetrators are built. Moreover, victims shall be able to receive double protections specified in the Law on protection of victims and witnesses and the Law on law enforcement service.

3. Corrected the lack of coordination among organizations to combat and prevent domestic violence and to protect victims, and missing duties of some of the ministries, assigned duties of coordinating multisectoral response to domestic violence to the Sub-committee headed by the Minister of Justice, defined detailed roles and responsibilities of line ministries responsible for education, culture and health and tasked relevant organizations to train and specialize their respective employees.

4. Improved the non-comprehensive, uncategorized and spare legalized services for victims and uncertainties of who shall provide what services under which procedures. In addition, the amendment provided for regulations of funding such services from the state and local budgets.

5. Reflected a combination of stage-based monitoring and community control over implementation of the Law. Accordingly, regulations for monitoring the implementation of the Law through joint teams of vertical structure from Parliament to Government, Government to the Sub-committee on combating domestic violence, the Sub-committee to Ministerial and Local sub-committees, Local sub-committees to Soums, baghs and khoroos and officers have been provided as well.

19. In its thirteenth report on the status of human rights and freedoms in Mongolia, the Commission provided specific case and quantitative data to show the current legal framework to combat domestic violence in Mongolia is insufficient to ensure victim's physical safety and reflected recommendations to amend the Law on Combating Domestic Violence and to renew relevant legislation in compliance with the requirements for detection and suppression of domestic violence, prompt and effective protection of the safety of the victim and optimization of punishment system for perpetrators. The report has been submitted to the Human Rights Sub-Committee of the Parliament of Mongolia.

20. It is indicated that there is only one State-run shelter for victims of domestic violence and that the State party is looking into the possibility of allocating the budget necessary to support shelters at the national level (p. 8). Please provide information on the current situation with regard to shelters, both that are run by the State and those run by non-governmental organizations, currently available to victims of domestic violence in all regions.

21. By the Order No. A/12 of the Ministry of Justice and Order No. 71 of the General Police Department, in 2014 as part of the Department of Public Order of the Ulaanbaatar city Police, the Unit on "Prevention from Domestic violence and Crime against children" was established. Within the structure of this Unit the temporary shelter was created with 23 full-time staff members: director, four security officers, four security policemen, four psychologists, three social workers, one physician/methodologist, one driver-policeman, one manager, two cooks, one plumber and one cleaning person. This temporary shelter for domestic violence victims is funded by the Ministry of Justice and started to operate from 1 April 2015. The shelter has eight rooms and has a capacity to receive 30 clients.

22. A total of 642 victims from 389 families were received since 7 April of 2015, when the temporary shelter for domestic violence victims has started to operate, out of which 3 men, 208 women, 257 boys and 174 girls. In addition, assessments were conducted and risk levels identified for total of 354 citizens, out of which 280 are women, 65 are men and 9 are girls.

23. In addition, referral services were provided to the people who called the "107" hotline of the temporary shelter and who approached in person. A total of 144 official letters were sent to the respective district police departments, units, governor's offices and to other organizations. All the related measures and actions were taken and were monitored.

24. The psychologists of the temporary shelter have provided psychological, legal and other relevant support to a total of 1,078 citizens, out of which 864 people

called the hotline “107”, 101 people visited the temporary shelter in person and 113 people called other operators.

25. From Ulaanbaatar 14,340 calls related to domestic violence received by the Emergency Information Centre’s special hotline, “102”. The database is being created from the calls received by the hotline: 1,499 persons were arrested by the Arrest Centre of the Court Decision Endorsement Department due to misbehaviour caused by alcohol; 1,529 people were placed in Detention Centre of the UB city Policy Department; 2,209 people were placed in the Detention Centres of the districts.

Trafficking and exploitation of prostitution

26. Please provide information on sentences imposed on traffickers, on measures for the early identification and protection of victims of trafficking and on the rehabilitation services available to them, especially those funded by the State. Please also provide information on the measures taken to establish bilateral and regional cooperation with regard to preventing women and girls from being trafficked, to protect the victims of trafficking and to facilitate the prosecution of perpetrators.

27. By the Ministerial Order A/47 dated 19 March 2012, the Sub-Council for the Prevention and Fight against Trafficking members were appointed. The rules and procedures were proved by the Ministerial Order No. A/85 dated 30 April 2012. Due to the changes in the government structure, the list of members of the Sub-Council was changed by the Ministerial Order No. A/11 dated 28 January 2013.

28. During this period the Sub-Council was coordinating the implementation of the Law to Prevent and Combat Human Trafficking, developing relevant rules and procedures, organizing trainings for government officials working in the field, conducting situation analysis on trafficking and developing cooperation with the relevant organizations of other countries.

29. As stated in the article 5.1.1 of the Law on Combating Human Trafficking, the draft National Programme on combating human trafficking was developed. The consultative meetings with non-governmental organizations working against human trafficking were organized and comments were received. The draft Programme is being distributed for the final comments from the ministries and being finalized.

30. Moreover, the provisions stipulated in articles 12.1.1, 12.1.2, 12.1.4 and 16.5 of the same Law, e.g. rendering medical and mental rehabilitation services, legal support and terms of allowances were drafted.

31. By the Order No. A/91, issued by the Minister of Foreign Affairs, dated 15 November 2013, the rules and procedures to implement the provisions of the article 12.1.5 of the Law to Prevent and Combat Human Trafficking, have been approved. The stipulations of the Law include provisions of temporary accommodation and food, possibility to obtain a passport or equivalent document and to send victims to home country. Also the rules and procedures to involve victims in occupational trainings and provide employment have been approved by the Order No. A/246 of the Minister of Labour on 15 November 2014.

32. In order to provide protection for witnesses and victims during the crime investigation process and to arrange legal and psychological assistance, the

Victim/Witness Support Room was opened since 7 October 2014 together with the first Court of the Primary Courts of the districts criminal cases. Thus, victims are now prevented from fear meeting a person who suspected or a person accused of committing a crime. Also, now it is possible to observe the court sessions from the Victim/Witness Support Room and not be present at the court in person and give evidence in court from the Victim/Witness Support Room.

33. Furthermore, the Agreement of Cooperation to Combat Trafficking was signed in 2010 with the Government of Macau Special Administrative Region, one of the receiving countries of human trafficking. The Agreement of Cooperation to Fight against Crime was signed in 2011 with the People's Republic of China.

34. Given that the report is silent regarding exploitation of prostitution, please provide updated information on the prevalence of the phenomenon in the State party, on the measures taken to prevent the sexual exploitation of women and girls and on the measures aimed at discouraging prostitution. Please describe the existing mechanisms for women who wish to leave prostitution.

35. In recent years, as tourism is developing in the country, organized prostitution is continuing to expand. Hence, the consultations of cooperation with the state central administrative authority in charge of tourism are taken place. Also, in July 2015, with support from the State Specialized Inspection Agency the training on human trafficking was conducted for the tourism entrepreneurs. More than 40 companies' representatives were involved in this training.

36. There were 250,000 warning bookmarks for passports, as a part of prevention activities, were developed with the support from the Asia Foundation. The warning bookmarks for passports were distributed to the border points between Mongolia and the People's Republic of China, to the Mongolian embassies, consulates abroad and railway police stations. In addition, one minute video promotion on the prevention from human trafficking is being broadcasted for 24 hours. Furthermore, the warnings will be posted in the places, such as train stations, airports and other public places.

37. The database on human trafficking information is being developed with the support from the Asia Foundation. This database will be used by governmental organizations for prevention and detection of a crime.

38. As stated in the article 5.1.1 of the Law on Combating Human Trafficking, the draft National Programme on combating human trafficking was developed. This National Programme will be implemented from 2015 to 2020. The action plan, responsible organizations and budget were developed to implement the National Programme. The 4P paradigm was used to define goal and objectives of the programme: prevention, protection, prosecution and partnerships.

Participation in political and public life

39. It is indicated in the report that 19 per cent of State secretaries and 26 per cent of ministers are women, that only 4 of 32 ambassadors working overseas are women and that no female governor of an aimag or a city has yet been appointed or elected (p. 13). It is also acknowledged that there are many obstacles preventing women from participating in political and public life. Please provide information on specific measures, including temporary special measures, such as quotas, that have been taken to improve the representation of women in the political and public spheres and

in decision-making positions. Please also indicate whether those measures include campaigns to raise awareness of the importance for society as a whole of the participation of women in decision-making and mechanisms for monitoring of the impact of those measures.

40. The article 10.1.1 of the Law on Promotion of Gender Equality stipulates that the “representation of any one sex among politically appointed civil servants shall not be less than 15 per cent on national, aimag and the capital city levels, 20 per cent on district, 25 per cent on soum and 30 per cent on khoroo levels”. As of 2015, the Government of Mongolia has two female ministers and one female deputy minister. No female governor of aimag, city, soum and district has been appointed or elected. 23.8 per cent of the 2,985 state and political officials are women and 76.1 per cent are men.

41. The article 10 of the Law on Promotion of Gender Equality affirms that at least 15 to 40 per cent at central State administration and local government bodies at all levels shall have female representation. The state administration has 19,522 employees, out of which 57.6 per cent are female and 42.4 per cent are male employees. The State Special Security Department in total has 35,070 employees, where 25.2 per cent are women and 74.8 per cent are men. Out of the 126,024 people who work as public servants, 69.6 per cent are female and 30.4 per cent are male employees.

42. The article 10 of the Law on Promotion of Gender Equality states that “representation of any one sex in decision-making positions in public administration shall not be less than 15 per cent among State secretaries and heads of agencies, 20 per cent among managers in other central agencies” ... “40 per cent among heads of secretariats, departments and divisions on aimag, city, soum, duureg and khoroo levels”. In 2015, 80 per cent or 12 of the State secretaries are male, 20 per cent or 3 are female. About 93.1 per cent or 27 are male employees among the heads of the agencies, while 6.8 per cent or 2 are female. Those working at the governor’s office of the capital city, 95.4 per cent or 21 are male employees, while 4.5 per cent or 1 employee is a female. About 81.8 per cent or 18 employees of the aimag, city Citizens’ Representative Khural secretariats are male employees, while 18.1 per cent or 4 are female employees.

Nationality

43. It is indicated in the report that, owing to the fact that 90 per cent of the citizens married to foreigners are women and that the trend is increasing, matters related to marriage contracts, property ownership and children’s nationality have become an emerging issue (p. 14). Please provide information on the current legislative provisions in that area and on measures taken to protect women married to foreigners. Please also provide information on whether women can transmit their nationality to their children and foreign husband.

44. Marriage of a Mongolian citizen to a foreign citizen on the territory of Mongolia is regulated by the Family Law and marriage shall be registered on voluntary ground of both sides.

45. If a citizen of Mongolia is willing to change his/her nationality and passed the conditions of the citizenship requirements of that country, she/he sends request to the President of Mongolia in accordance of the Immigration Law of Mongolia.

46. As of 2004 to 23 September of 2015, 1,516 persons changed their citizenship, out of which 280 are men and 1,236 are women. 884 of 1,236 immigrated women are married to foreign citizens and changed their citizenship.

47. Since August 2008, The Centre for Gender Equality is undertaking its activities for women who married to Korean men. The Centre works with the Ministry of Family and Gender equality of Republic of Korea, KOCUN and the Ministry of Population Development and Social Welfare, the General Authority for State Registration and Information and with the Embassy of Republic of Korea in Mongolia. The main endeavours taking place are:

- Organization of training “The preparation before departure from home country” for women who married to foreign men and for women, who are in the process of a change of their citizenship;
- The phone line 70111112 operates to assist persons who are in the marriage process to foreign nationals and for those who are in difficult conditions after marriage with foreign citizens.

48. The Centre organizes weekly training from 2008 to 2012 and from 2013 every second week a one-day training and in average involves 5-10 participants. During this period of time a total of 1,454 people were involved in the trainings and 2,879 calls were received by the Centre. The majority of the calls required information about training. Also information and advice were acquired to the issues related to divorce, domestic violence, pressure, visa, documents and information concerning the laws and regulations.

49. In addition, since 2010, the services to bring divorce documents from the Republic of Korea are being organized. During this period of time divorce issues of 132 Mongolian women were resolved.

Education

50. It is indicated in the report that adolescent mothers face difficulties with regard to access to education and that the Ministry of Education is encouraging women of all ages to have access to lifelong education centres (p. 14). It is also indicated that, since the 2014-2015 academic year, university students have had the possibility of taking a gender course (p. 10). Please provide information on the measures taken to ensure that all girls have equal access to free and compulsory basic education. Please also provide data on dropout rates and information on measures taken to ensure that adolescent mothers return to school at the level at which they dropped out. Please also provide information on whether any gender analysis and revision of educational materials have been conducted and whether the school curriculum includes age-appropriate education on sexual and reproductive health and rights. Please also provide information on the measures taken to include a gender course at the university level.

Measures taken to ensure equal access of girls to free and basic compulsory education

51. The right of the citizen of Mongolia to education has been stipulated in the Constitution of Mongolia (1992) as “the citizen of Mongolia has a right to education. The State shall provide universal general education free of charge ...”

This Constitutional provision also affirms the principle of non-discrimination based on sex in exercising the right to education.

52. In conformity with the Constitution of Mongolia, the Law on Education (2006) states: “Mongolian citizens shall all be given equal opportunities of receiving education in their mother tongue, and they shall not be subject to educational discrimination on account of race, creed, age, sex, social status, economic position, employment status, religion or opinion. “This provision demonstrates not only the consistency with the principles of democratic norms but also the possibilities of the citizens to exercise the rights to education and choose from variety of methods and forms of education. Also in the Law on Education, a citizen of Mongolia is obliged to receive general education.

53. Education shall be free, accessible, diverse and adjustable to individual’s development features and needs of the learner.² The parents and caregivers are obliged to provide a child mandatory basic education before she/he reaches 16 years old and have a duty not to restrain their will to learn and acquire education.³ Thus, the Law on Education guarantees girls and boys to exercise their rights in their fullest potential.

54. In order to provide accessible and quality education to the population and fulfil the citizens’ rights to education the “Policy on Education” (2015), “Package of Education Laws” (2006), “Government Action Plan” (2012-2016), “Master Plan to develop Education of Mongolia in 2006-2015” (2006), “National Programme on Education” (2010), “National Programme on Mongolian script II”, “National Programme on English” (2008), “Right Mongolian Child National Programme” (2013) have been developed and are being implemented.

55. The normative expenses per one trainee of secondary schools, evening classes of secondary schooling, distance learning and equivalent programmes for informal education are paid from the State budget. From 2009, the government policy to provide school textbooks free of charge has been implemented, where primary school textbooks are covered 100 per cent and secondary school textbooks covered 40 per cent.

56. Thanks to the measures taken above, the net enrolment of primary education reached 99.1 per cent and secondary school (6-9 grades) net enrolment reached 96.1 per cent in academic year. Girl enrolment in schools is higher than boys by 0.8 per cent to 1 per cent. As of 2014-2015 academic year statistics of secondary education schools, the gender index of students in primary school classes is 0.96 and 0.97 in secondary school classes. In other words 96 girls per 100 boys in primary schools and 97 girls per 100 boys in secondary schools.

57. With regard to school drop-outs and measures taken to return adolescent mothers back schools:

58. Although there are no specific laws and regulations associated to school drop-outs in Mongolia, the provisions of laws, policies and guidelines that prevent from and contribute to elimination of school drop-outs are in place.

59. In order to implement above provision of the Law on Education, in 2007, “Regulation of training programmes of alternative forms of primary, basic, full

² Article 5.1.3, Law on Education.

³ Article 46.2.3, Law on Education.

secondary education “was proved by the Minister of Education, Science and Culture.

60. According to this Regulation, training programme for alternative form of primary education level involves children who reached 10 years and over, while for basic and secondary education level involves children aged 15 years old and over. Provision of alternative education programmes contributes to the solution of problems that occur in the implementation of compulsory secondary education programme by improving access of all through availability of informal education. The aim of the alternative programmes is to equip students with education that requires standards of basic education and prepare them for the next stage of education, employment and life skills.

61. “Master Plan to develop Education of Mongolia in 2006-2015” that was approved by the Government of Mongolia in 2006 indicates to take the following measures to decrease number of class, semester, school dropouts and support children from vulnerable families to continue their education without school dropouts:

- To examine causes of class, semester and school dropouts and implement policies and programmes to eliminate dropouts;
- To take measures to involve children who dropped out from school within the first two years and to involve in trainings to acquire re-education from the third year;
- To develop and implement specialized “back-to-school” programme;
- To develop re-education programme and combine with informal education activities and to identify the roles and responsibilities;
- To provide vouchers for school supplies to children from families, whose incomes are lower than subsistence minimum.

62. Also, the Master Plan aims to decrease school dropouts from 67.8 per cent in 2004 to 32.2 per cent.

63. In 1992-1993 academic year, during the most severe transition year, 33,800 children dropped out from school and it comprised 8.8 per cent of all school age children. In 2014, school dropouts decreased to 0.3 per cent (1,169). Thus, these statistics demonstrate improvement of education services in the last years due to the reforms in education, efforts made to decrease school dropout and change in public attitude towards child education.

About inclusion of sexual and reproductive health, human rights education in school programmes and gender classes of universities

64. Programmes for primary, basic and full secondary education are being revised and piloted by phases from 2013 to 2017. Following activities have been implemented:

- The Core Programme for primary education was developed and piloted in 2013-2014;
- In 2014-2015 the Core programme for basic education was revised and piloted;

- In 2015-2016 the Core programme for full secondary education is being developed and piloted.

65. In revised core programmes of education subjects such as sexual and reproductive health, gender equality, gender justice and human rights and duties were included. Moreover, in primary education programme topics e.g. “People and environment”, “People and nature”, “people and society” were included (see annex 1).

Employment

66. It is indicated in the report that there is no coordination and accountability mechanism in place for complaints of discriminatory practices with regard to employment (p. 16). It is also acknowledged that there is a lack of awareness among the population in general of their rights and of the existence of the gender pay gap (p. 17) and that women are largely engaged in small trading businesses where the legal environment has not yet been established to protect their rights (p. 19). Please provide information on the measures taken to establish a complaints mechanism of which women can avail themselves, measures to introduce sanctions that can be applied to employers who discriminate against women and violate their rights and measures taken to adopt specific legislation to protect women engaging in small trading businesses. Please also provide information on measures taken to address the horizontal and vertical segregation between men and women, which results in the gender pay gap. Please provide information on the measures taken to consolidate a State policy on equal opportunities between men and women at all levels of all economic sectors, based on specific mechanisms and strategies.

67. The Law on small and medium enterprises and the Law on credit guarantee fund, which are in effect, provide equal opportunities and regulations for women in business. However, according to findings of a survey conducted by a research institute, following barriers and challenges are encountered in doing business. For 23 per cent of the survey respondents the high loan interest is a challenge, while for 20 per cent it is the high electricity charges, for 16 per cent high income taxes, for another 10 per cent it is expensive rentals, for 6 per cent the main barrier is bureaucracy and corruption, for 5 per cent it is the lack of human resource and for another 5 per cent is the high commodity prices, and for 4 per cent of the respondents the main barrier is the outdated technology and equipment. Among household entrepreneurs, 42 per cent are engaged in sewing, 37 per cent are in knitting, wool and felt making and the remaining 21 per cent are engaged in other types of business, and 72 per cent of the entrepreneurs are women aged above 35.

68. Therefore, government has emphasized employment of women and set objectives to create comfortable workplace opportunities, to supply new technologies and equipment, to issue soft loans, to provide tax exemptions and promotions and to implement policies to support women at the sales market.

69. According to the statistics of September 2015, average monthly salary is MNT 804,000 for women and MNT 904,000 for men. The difference could be associated with the fact that a majority of well-paid mining sector workplaces and high rank political positions are mainly occupied by men.

70. It is acknowledged in the report that, notwithstanding the existing provisions of the law on promotion of gender equality covering sexual harassment in the workplace, such harassment is common (p. 8) and there is a lack of awareness that it

is prohibited (p. 17). Please provide detailed information on the measures taken to oblige employers to ensure a working environment free from sexual harassment and indicate whether there are mechanisms in place for women to confidentially report incidents. Please also provide information on the data collected in order to assess the extent of the problem and identify gaps in the legal framework in that regard, and on the measures taken to raise awareness among women of the existing legal provisions protecting them from sexual harassment.

71. The existing Law on Labour does not regulate the matters of prevention from abuse and sexual harassment. The draft revision of the Law on labour, which has been submitted to the Parliament, has the following provisions to prohibit and prevent from any harassment in the labour relations:

7.1. Employer and/or any third party involved shall be prohibited to abuse an employee or an individual, any employee and/or individual shall not abuse the other side or a third party while conducting labour relations, employment or specialized in-service trainings.

7.2. Any unwanted verbal, non-verbal, or physical conduct of a sexual nature against an employee, an individual or a third party and workplace sexual harassment is prohibited.

7.3. Employer shall take the following measures towards preventing from and building intolerant environment of abuse and sexual harassment at workplace:

7.3.1. Stipulate in the internal labour regulations the interventions for prevention and suppression of workplace abuse and sexual harassment, and reflect on how to deal with complaints in this regard;

7.3.2. Develop and implement training programmes aimed at building workplace and labour relations free from abuse and sexual harassment, and disseminate openly the results to employees.

7.4. Employee who believes that he/she has been affected by abuse and sexual harassment is entitled to send a complaint as per applicable procedures.

7.5. Employer is responsible to prevent from abuse and sexual harassment at and around workplace, to remedy the circumstances and, if there is an incidence of abuse, to solve the problem within its authority.

7.6. Employer shall keep confidentiality of any complaint received as per the provision 7.4 of this Law.

72. The National Human Rights Commission (NHRC), within its mandate under the Law on promoting gender equality, has conducted a situational analysis on how the gender equality in labour relations is assured in public and private entities and other sectors, involving a total of 24 entities and 514 individuals in the city and rural areas. The findings of the survey raised the issues of a lack of favourable legal framework for prevention of workplace sexual harassment, absence of a mechanism to settle complaints of victims of workplace sexual harassment, and a lack of training and advocacy among employers and public and private entities. Accordingly, NHRC provided recommendations on setting a clear mechanism to impose punishment on officials who committed workplace sexual harassment and reflecting the procedure in the law on crimes, in its thirteenth report on the status of human rights and freedoms in Mongolia.

73. The Commission has received and settled four complaints in 2014 and six complaints in 2015 and all of them were related to gender-based violence.

74. According to information before the Committee, access to childcare facilities is limited. Please provide information on whether national legislation provides for paternity leave in both the public and private sectors, on childcare leave and flexible working arrangements and on how those provisions are implemented, indicating whether the State party has taken measures to increase the number of childcare facilities to allow women to reconcile work and family life. Please also indicate whether women who return to work after three years' paid maternity leave suffer any adverse impact on their career progression.

75. Existing regulations on labour relations of women remain the same and a provision on granting a childcare leave to father, grandmother or grandfather of labour-force age, besides birth and foster mother of a child, has been added to the law to support employees with younger children. Furthermore, extension of maternity and childcare leave for a mother who's had complicated child delivery or twins and labour regulations for "an employee with family-specific responsibilities" have been newly reflected in the law. These amendments are expected to contribute to formation of flexible regulations for granting childcare leave and employment opportunities for mothers.

Article 86. Prohibition of termination of employment agreement with an employee who is a pregnant woman or a mother (single father) with a child less than three years old

86.1. Employers shall not terminate an employment agreement, under any circumstances except the ones stipulated in the provisions 46.1.4, 46.1.5 and 46.1.6 of article 46 of the Law, with an employee who is a pregnant woman or a mother (single father) with a child less than three years old, unless the employer, its subsidiary or representative body is liquidated.

Article 87. Regulations for employees with family-specific responsibilities

87.1. At request of an employee who has family-specific responsibilities, the employer shall regulate labour relations and working hours of the employee in a flexible manner.

87.2. Employer shall not terminate an employment agreement, under any circumstances except the ones stipulated in the provisions 46.1.4, 46.1.5 and 46.1.6 of article 46 of the Law, with an employee who has family-specific responsibilities, unless the employer, its subsidiary or representative body is liquidated.

Article 88. Provision of additional breaks for breast-feeding and childcare

88.1. In addition to the regular rest breaks an additional break of at least one hour for child care and feeding shall be provided to a woman with a child under one year of age or with a child who is more than one year of age but requires special care as determined by medical conclusion; and an additional break of two hours shall be provided to a woman with twins under one year of age. At request of an employee, the additional break for childcare and feeding can be granted in the form of reduced working hours.

88.2. The provision 88.1 of this Law shall equally apply to an employee who has adopted a child under one year of age.

88.3. The additional break times for feeding and childcare shall be included in the employee's working hours.

88.4. Employer shall provide an employee with a room to breastfeed her child.

Article 90. Granting a leave for an employee who adopts a newborn child

90.1. Should a mother or a father who adopts a newborn child request, she or he shall be granted a paid leave with a compensation equal to an average monthly salary for a duration until the infant reaches 60 days of age.

Article 91. Granting childcare leave

91.1. Employer shall grant a childcare leave to an employee with a child under three years of age, at his/her request. Social insurance premiums of such employee shall be paid by the employer, while the employee is on child care leave. The relations of social insurance premium payment for the child care period shall be regulated by relevant laws and legislations.

91.2. The leave specified in the provision 91.1 of this Law can be granted to a grandfather or a grandmother.

91.3. Aspects of payment of compensation to an employee who's granted a leave as per the provisions 91.1 and 91.2 of this Law, for the leave period, shall be regulated by relevant laws and legislations, collective agreements and internal rules of the entity.

91.4. On the expiration of the period of child care leave, or prior to such expiration if requested by the employee, the employer shall be obliged to employ the mother or father in her or his previous work or position.

91.5. The provisions 91.1-91.4 of this Law shall equally apply to an employee who has adopted a child.

76. The Law on Childcare Services was approved by the Parliament of Mongolia on the date of 2 July 2015 and will be effective from 1 January 2016. At present, the preparatory work for implementation of the Law on Childcare Services is done.

77. Childcare services directed to support child care and protection, and development, to provide employment opportunities to parents and caregivers have been created.

78. Due to insufficient number of kindergartens in remote rural areas, 59,004 children aged 2-5 have no access to early childhood care and education in Mongolia. As planned, in 2016, 30 per cent of these children are to be involved in childcare services. The childcare service entities shall be paid per-head variable costs of kindergartens from the government. Expected outcomes of the law enforcement are as follows:

- Around 15,000-30,000 citizens shall have permanent workplace;

- As a result of employment of 31,413 parents and caregivers, who are unable to work due to having no one else to look after a child, household development shall be supported and regular income secured;
- Demand and supply of early childhood care and education shall be balanced;
- Current overloads of kindergartens shall be reduced.

Health

79. It is acknowledged that the rate of abortion remains high in the State party and that the accessibility and quality of family planning counselling services need to be improved (p. 20). Please provide information on the measures taken to address the high rate of abortion, including through an increase in the accessibility of modern contraceptive methods and their availability and affordability, and on the measures taken to raise awareness among women and girls of family planning. Please also indicate whether measures have been taken to ensure access by women and girls to general health services and reproductive health centres.

Decreasing the abortion rate

80. In 1989, abortion was legally permitted in Mongolia and it has created an environment for unwanted pregnancies to get appropriate solutions with assistance from specialists in hospital settings. It has significantly contributed to the reduction of maternal mortality that was mainly caused by illegal abortions. Number of abortions has been invariable in connection with opening up numerous private clinics due to the introduction of market economy on one hand, and improved registration and reporting system of abortions, on the other. Abortion care services are provided in accordance with the Decree No. 148 of 2014. Various interventions have been undertaken to decrease number of abortions:

1. Increase the use of modern contraceptive methods

81. Within the framework of the National strategy on Reproductive health commodity security and sustainable supply, starting from 2008 contraceptive drugs and commodities have started partially funded by the Government of Mongolia and distributed to girls and women through primary health care centres which have been fully supplied by the United Nations Population Fund alone. In 2009, the Government of Mongolia contributed 50 million MNT, and the share has increased progressively over the last years. Hence, the State party's share in 2010 was 85 million MNT, 100 million MNT was contributed in 2011, 150 million MNT in 2012, 180 million MNT in 2013 and 210 million MNT in 2014.

82. Unmet needs for family planning was 22 per cent in 2010 and it has decreased to 16 per cent in 2013.

83. The findings of Sample survey of social indicators in 2013 revealed that 77.3 per cent of contraceptive needs were met nationwide and the satisfied need was more than 70 per cent at all levels including regional, local, city and rural areas not dependent on level of education and livelihood.

84. The use of different contraceptive methods vary and condom use comprise 32.4 per cent, intrauterine device use 25.5 per cent, injectable 11.4 per cent, other

methods 4.6 per cent, female sterilization 1.4 per cent and Norplant comprise 0.3 per cent.

2. Improve knowledge about family planning among girls and women

85. Information about family planning is provided to everyone to increase the use of contraceptive methods. Regular information, education, communication activities on family planning and contraceptive methods have been carried out by health care organizations at different levels and reproductive health network of NGOs with assistance from various donor supported projects and programmes.

86. Information dissemination about family planning to the people has been done via all means of media outlets. About 39.9 per cent of the survey respondents said that they obtained information about family planning from television, 22.7 per cent from printed newspapers, magazines and books, 14.7 per cent from Internet, 13.9 per cent from posters, 7.2 per cent from radio and 52.2 per cent of respondents said they received information other sources.

3. Increasing access to health care, particularly reproductive health services for girls and women

87. Mongolia is a country with small number of population and with large territory and people are sparsely populated. Reproductive health services to girls and women at primary health care level have been provided by 218 family health centres and 271 soum health centres, secondary level of reproductive health care services provided by 16 aimag general hospitals, 5 regional diagnostic and treatment centres and 12 district hospitals and health centres and tertiary level of care has been provided by National health centre for Mothers and Children.

88. Mobile reproductive health care and services are available for rural women to get pregnancy diagnosis, antenatal care (ANC), family planning counselling, provision of modern contraceptives, physical examination and some diagnostic tests.

89. Percentage of women in rural areas is much higher than percentage of women living in cities to get information and education about family planning, access reproductive health services and get contraceptives free of charge.

90. Adolescent health centres have been gradually set up in all aimags and districts to provide adolescent and youth friendly services. Adolescent health centres provide reproductive and sexual health services, mental health counselling, and voluntary testing and counselling for STI/HIV/AIDS. In case of diagnosis of STIs, treatment is offered free of charge along with free distribution of contraceptive drugs and commodities.

91. According to information before the Committee, notwithstanding some progress in protecting the rights of people living with HIV, negative social attitudes and discriminatory practices continue to exist, such as compulsory HIV testing in some workplaces for the domestic workforce and pregnant HIV-positive women giving birth at the National Centre for Communicable Diseases rather than in maternity homes. It has also been reported that there are no non-discrimination laws or regulations that put in place protection for communities affected by HIV-related discrimination. Please provide information on the measures taken to adopt specific

legislation and strategies to protect HIV-positive women from discrimination and to address stigma, discrimination and violence targeted at women living with HIV.

92. In 2004, Mongolia has ratified the first law on “Prevention of HIV/AIDS”. The first version of the law had had some provisions breaching some aspects of human right and the amendments to the revised law on protecting rights of HIV-positive people and people with AIDS and delineating responsibilities and rights of HIV positive people have been made in 2012.

93. In 2011, The Government of Mongolia has endorsed “National Strategic Plan to prevent STIs and HIV/AIDS for 2010-2015” by its resolution No. 43.

94. The Strategic Plan provides an outline of interventions targeted at vulnerability of men and women to STI/HIV/AIDS, extent of damage and discrimination presented to them, provision of health and social welfare services taking into account issues of stigma and discrimination.

95. In order to implement the obligations as per the United Nations conventions, preparatory activities have been carried out local hospitals to be able to deliver health care services for HIV-positive pregnant mothers. For instance, advocacy meetings have been held for managers of RDTCs, aimag and district general hospitals and specialized health centres about provision of necessary health care services for HIV-positive mothers and children. In addition, step by step training sessions on “HIV transmission from mothers to newborns” have being conducted for ob/gyn and newborn doctors.

96. In 2014, Human Rights Commission of Mongolia has submitted proposal to the Ministry of Labour of Mongolia to make amendments in the Labour law on the following two provisions. The first amendment is to be made into the article 7.6 of the current Labour law as “It is not allowed to refuse hiring and to terminate the labour contract if health condition of a person who is diagnosed with HIV-positive and AIDS does not affect his/her daily work and/or is not in conflict working condition”. The second proposed amendment is in the article 7.7 of the current Labour law as “The employer shall not disclose information about a person’s status of HIV positivity or having AIDS when hiring and diagnosis of HIV/AIDS indicated as per the article No. 11.3 of the Law on “Prevention of HIV/AIDS”.

Rural women

97. It is indicated in the report that rural women in the State party are burdened by unpaid and continuous hard work and face many challenges (p. 17). It is also indicated that, notwithstanding the legislation in force allowing every citizen to register a plot of land under an individual’s name, land leased for business purposes is registered under men’s names in 65 per cent of cases and that the costly procedures to identify plots that have not been privatized prevent women from engaging in land privatization (p. 22). It is further indicated that existing gender inequalities prevent women from starting businesses and/or taking the lead in entrepreneurship (p. 23). Please provide information on the measures taken to increase the participation of women in political and public life, enhance their access to justice, provide them with protection, support and assistance when they are subjected to gender-based violence and ensure their access to health-care services, employment, land ownership and management and economic opportunities.

98. Within the framework of the implementation of the article 12 of the Law on Promotion of Employment, the Programme on Promotion of Employment of Herders is being implemented. The Programme strives to provide knowledge on methods and skills for animal husbandry, supports herders to increase livestock and improve haymaking, as well as assists in the procurements of dairy and animal husbandry tools and equipment.

99. Based on the soum Livelihood Support Councils' recommendations, the Aimag Employment Units select herder households and involve them in restocking activities. A total of 880 households or 1,760 herders (880 of which are women) were involved in restocking activities. Hence, 1,760 people, 880 of which are women, were employed. About 3,752,457 thousand MNT was spent to buy 21,028 sheep, 24,515 goats, 17 horses and 1,261 cattle. In Bayankhongor, Bulgan, Gobisumber, Khovd aimags total of 30,943.1 thousand MNT was spent on the trainings on dairy processing, animal shelter building, winter preparation and 192 herders were involved in those trainings. About 14,923 thousand MNT was spent on the training on entrepreneurship and duplicated numbers 334 people were involved. And about 28,423 thousand MNT was allocated to Dornogobi, Dundgobi, Khovd, Huvsugul aimags, where 202 herders involved in trainings.

Disadvantaged groups of women

100. It is acknowledged in the report that migrant women face many challenges, including discrimination and violence (p. 21). It is also indicated that the employment of women with disabilities and their social inclusion are priority issues for the State party (p. 21). Please provide information on the measures taken to ensure their access to justice, health-care services, employment, economic opportunities and social protection, indicating any programmes and strategies formulated to meet the specific needs of disadvantaged groups of women. Please also provide information on the alleged practice of removing children from mothers with a disability, based on the presumed best interest of the child.

101. The team members and guidelines of the research on the forms of violence and abuse of girls and women with disabilities have been approved by the Minister of Population Development and Social Welfare. The questionnaire for governmental and non-governmental organizations, as well as for caregivers has been developed and approved.

102. The research team has visited Dornobi aimag from 7 to 10 April of 2015. 45 disabled girls and women were requested to fill the questionnaire and six expert interviews were conducted. From 14 to 17 April, 40 questionnaires were filled and 23 expert interviews were organized in Huvsgul aimag. On 17 and 18 April the team has visited Bulgan aimag and has organized 4 expert interviews and collected 38 filled questionnaires.

103. From 6 to 8 May 2015, the research team worked in Songinokhairkahn district and received filled questionnaire from 70 disabled women and girls and has organized 11 expert interviews. From 5 to 7 May, the team organized in Khan-Uul district and received 60 questionnaires and has conducted six expert interviews. From 11 to 13 May, 50 filled questionnaires were received and 18 expert interviews were organized in Bayanzurkh district. From above mentioned aimags and districts a total of 303 questionnaires and 689 expert interviews were conducted.

104. The progress report on the study on the forms of violence and abuse of girls and women with disabilities was sent to the UNESCO.

105. The detection of disabilities and capacities of child's development were studied, particularly:

1. Development of checklists:

The following activities were carried out:

- The draft checklist for disability and delay in development for children aged 0-16 was developed;
- The consultative meetings organized and comments on compliance of checklists with the Child Development standards and on the consistency with the needs received from seven professionals of the National Rehabilitation and Development Centre;
- The checklists were introduced in the discussion sessions of the "Maternal and child health handbook" revision;
- Manuals on improvement of quality of advocacy, on support for parents and caregivers and manual of checklists of child's growth, assessments of development, delay and disabilities of children 0-6 years old were developed.

2. The following sources were translated into Mongolian to develop methodology on child's developmental delay and disabilities:

- Third version of the test by Nansy Bayley Test, scientist from the United States of America;
- The Portegy test that is used in Mumbai, India;
- The methodology of scientist Thomas Bauman of the United States;
- "The education standards of children with disabilities of USA";
- The Japanese "KIDS" assessment methodology;
- "Child Development Centre", the health, education and social rehabilitation centre, is planned to be built on the territory of twentieth khoroo of Bayangol district from grant assistance provided by the People's Republic of China.

2.2.1. The first draft of the Standard regulation for development centres that will provide health, education, social and rehabilitation services to children with disabilities, as well as will assist their families. The agreement on cooperation has been signed with the United Nations Children's Fund on the development of the Standard Regulations for the centres in 2015. The Working group to develop rules for the Centres for Child Development and Protection has been established by the Order No. [A/127](#) of the Minister of Population Development and Social Welfare, dated 1 October of 2015.

106. The report provides little information about women in detention (p. 7). Please provide information on women in detention, how the conditions of women in prisons are monitored and whether they are compatible with general international standards.

107. According to the law, women prisoners are serving the sentences in strict and regular regimes. It is stated in the Law on Court Decision Execution that women shall be detained only in women prisons, while pregnant and juvenile defenders are confined separately. No limits placed on the number of short visits and parcels to be received in women prisons. Yet, longer visits (less than 72 hours) are allowed eight times a year.

108. According to the law, woman who gave birth during imprisonment is allowed to stay with her child between 0-1 years old. The detentions, where women stay with children aged 0-1, have good conditions to raise their kids healthy in a safe environment.

109. The duration of work and vacation of women who imprisoned in regular regiment detentions complies with the Law on Labour. Certain percentage of defenders has permanent employment (garment factories, cashmere factory "Buyan").

110. The security, conduct of searches, medical check-ups are done by the same sex staff as stated in the rules and regulations.

111. According to the law, if women convict violates prison rules and regulations and those violations have no criminal characteristics, she is sent to the disciplinary detention facility for not more than 30 days.

Indigenous and minority women

112. The report is silent on the situation of indigenous women. Please provide information on the measures taken to ensure effective legal protection for indigenous women, in particular with regard to their cultural rights, rights to land, territories and resources, and representation in decision-making bodies. Please also provide information on the situation of women belonging to ethnic minorities with regard to their access to education, health care and participation in political and public life and decision-making.

113. Within "Reindeer husbandry restoration and improving life quality of reindeer herders" Programme the following activities were carried out:

- In accordance with the Order of Health Department Head, specialized doctors' medical examinations were organized in Tsagaannuursoum of Huvsgulaimag. Gynaecologists, surgeons, ultrasonographers, physicians specialized in internal medicine and paediatricians have been sent to the field. 1,088 people of western and eastern taiga, as well as people from the soum centre were involved in the medical examinations. 157 women were involved in gynaecological examinations, 28 women were pregnant, 59 women had some gynaecological pathology.
- Tuition fees of 12 female students of Tsagaannuur soum of Huvsgul aimag were funded by the State Fund.

114. In terms of participation in political, public and decision-making processes, five to six women of Tsaatan minority are members of Citizens' Representatives Khural. Also Tsaatan minority representative included in school managing and they are taking an active participation.

Marriage and family relations

115. It is reported by alternative sources that, under the family law, divorce is not available to women who are pregnant or have a child under 1 year of age and that the law authorizes judges to impose a three-month reconciliation period before granting a divorce. In the report, the State party indicates that households headed by women account for 76.2 per cent of all households headed by single persons (p. 4). Please provide information on the measures taken to amend the discriminatory provisions and eliminate reconciliation periods and restrictions for women seeking a divorce. Please also provide information on the measures taken by the State party to protect single women heads of households and deserted wives with children, especially in situations in which those women are still officially married.

116. In the draft revised Family Law that was initiated by the Government of Mongolia and submitted to the State Great Khural, the provisions on restrictions of divorce in case of domestic violence incidences have been abolished. For instance,

Article 15. Limiting the right to demand divorce

15.1. Unless otherwise provided by law, a husband with pregnant wife, spouses with a child under age of one, if one of the spouses is suffering from severe illness, none of the spouses is entitled to demand annulment of marriage.

15.2. In the cases when complaints on the ground of domestic violence are being investigated by authorities or have been proved, the limitations referred in the article 15.1 are not applicable.
