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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Report of the Special Rapporteur on violence against women, its causes and consequences, Reem Alsalem, on her visit to Mongolia

Comments by the State*

* The present document is being issued without formal editing.



1. The Government thanks the Special Rapporteur on Violence against Women, its causes and consequences, Reem Alsalem for the report on her visit to Mongolia from 29 November to 8 December 2021, and welcomes the opportunity to respond to the report.
2. The Government regrets that planned visits to service centers for victims of gender-based violence and meetings with local level officials were not realized due to unforeseen Covid-19-related circumstances.
3. Concerning paragraph 12 of the Report, the Government kindly notes that the Infringements Law (2017) has subjected certain acts defined in the Law on Combating Domestic Violence to administrative offense or infringement. For instance, paragraph 4 of Article 5.4 of the Law subjects the offense of beating a person in family relationship, forcing him or her to act against his/her will, restricting contact with others, and infringing on their right to own, use, and dispose of personal and common property, to compulsory training and imprisonment for a period of 7 to 30 days, provided that such offence does not invoke criminal liability. Repeated, recurrent or “frequent” occurrence of this offense lays ground for aggravation of sanctions and criminal liability. Article 11.7, paragraph 1, of the Criminal Code provides for “limitation of free travel right from six months to one year, or imprisonment for a term from six months to one year, if a person in family relationship is systematically beaten, cruelly and ill treated, subjected to suffering, or whose right to possess, use and dispose of personal and common property is violated.
4. Concerning paragraph 21 of the Report, the Government provides the following supplementary information: The National Committee on Gender Equality is a state and public advisory body responsible for cross-sectorial policy coordination, comprising representation of 35 organizations including State Secretaries of 10 line ministries, representatives of 12 government agencies and 13 non-governmental organizations to ensure equal participation of State and civil society organizations and sustainability of related activity. The National Committee operates with 31 sub-committees in 21 aimags and 9 districts of the capital city of Ulaanbaatar and 14 sub-councils in line ministries. The Secretariat of the National Committee has 14 staff members; in addition, 14 gender specialists are working in line ministries and 31 in local level. The specialists serve as secretaries of gender sub-committees and sub-councils and work on gender issues in addition to their main duties. Gender sub-programmes have been approved in 21 aimags and 9 districts of the capital city of Ulaanbaatar. In addition, 12 line ministries have adopted their gender-responsive sectoral policies. Work is underway to develop a gender-responsive policy for the energy sector. Additionally, the National Committee will, as put forward in its Action Plan for 2022, work to provide technical and methodological assistance to the newly established Ministry of Culture and the Ministry of e-Development and Communications in developing their sectoral gender policies.
5. Concerning paragraph 30 of the Report, the Government provides the following information on additional steps taken in regard to protection of women victims of domestic violence and trafficking:
 - a) The Ministry of Justice and Home Affairs of Mongolia, with financial support from the United States Department of State, and the Asia Foundation, implemented, in 2017-2019, the project “Victim-centered approach in proceedings of victims of trafficking – Capacity building” and, within the framework of the project, organized training courses for trainers. The courses were attended by more than 700 judges, prosecutors, police officers, staff of the General Authority on Border Protection and the Immigration Agency of Mongolia, as well as about 2,000 students from the University of the Home Affairs.
 - b) Within the framework of the project “Strengthening the capacity of law enforcement officers in combating gender-based violence in Mongolia” implemented by the Ministry of Justice and Home Affairs in cooperation with the International Development Law Organization, trainings were provided to judges, prosecutors and police officers on the victims of domestic violence.
6. Concerning paragraph 34 of the Report, the Government kindly notes that pursuant to Article 11.1.4 of the Law on Combating Domestic Violence, the Minister of Justice and Home Affairs issued Order A/25 in 2017 on “Procedures for maintaining statistics and data on domestic violence, compiling a database, and on information exchange between law

enforcement and other relevant organizations". In accordance with these procedures, the police authorities maintain a general database running detailed registry on every victim of domestic violence.

7. Concerning paragraph 39 of the Report, the Government kindly notes that "Regulations on temporary protection of child victims of violence" and "Regulations on the application of security measures for the temporary placement of witnesses and victims in safe places" were approved by Order A/39 of 2017 and Order A/73 of 2021 of the Minister of Justice and Home Affairs respectively, and "Regulation on providing services to children affected by domestic violence" was adopted by Order A/148 of 2020 of the Minister of Labor and Social Welfare. These regulations enforce the protection of victims of violence in the process of their transportation or return to shelters.

8. Concerning paragraph 43 of the Report, the Government kindly notes that the Law on Witness and Victim Protection has established the legal basis for protecting the lives and health of witnesses and victims, providing them with information, support and assistance in criminal proceedings. According to Article 23 of the Law, witness and victim protection functions shall be performed by special victim protection units at the police authority, the Anti-Corruption Agency, and the General Intelligence Agency, respectively.
