Madame President,

Excellencies,

Distinguished delegates,

Ladies and Gentlemen,

It is my great pleasure and honour to introduce the Third National Report on the Human Rights Situation in Mongolia.

Mongolia has adopted and started implementing long-term policy documents in its effort to ensure human rights, freedom and equal opportunity for its citizens. For instance:

In May 2020, the State Great Khural (Parliament) approved the “Vision-2050: Long-term Development Policy of Mongolia,” along with its Action plan for 2021 – 2050, and set forth a broad range of comprehensive goals whilst affirming the fundamental priorities set out in the “Mongolian Sustainable Development Concept 2030”, which are to strengthen democratic governance, to maintain ecological balance, to eliminate all forms of poverty and to create a society dominated by middle-income class.

In the “Vision-2050” long-term development policy document, Mongolia has set forth goals to create equal opportunity for everyone to have access to high quality education; to build a system for lifelong education and to consider education as the basis for personal development, family livelihood as well as nation’s development; to promote active and healthy lifestyle; to develop high quality, accessible and effective health care system; to create healthy and comfortable living environment; to ensure supply of healthy food; to improve health care services, in particular, to develop comprehensive and accessible maternal health care services; to reduce adverse factors that adds to disease and death rate through developing health care insurance system; to reduce child mortality and malnourishment; to balance labor economy; to foster knowledge based economy; and to ensure jobs and income to every citizen.

During this global pandemic of Covid-19, Mongolia has adopted to implement the Law of Mongolia on Preventing, Fighting and Mitigating the Adverse Socio-Economic Impact of Covid-19. The new Law enabled the Government to take timely action to prevent and contain Covid-19 pandemic, maintain medical care preparedness in the event of medical emergency, ensure coordination between professional organizations and take measures to reduce adverse socio-economic impact of the pandemic.

Mongolia revised its Law on International Treaties in 2016 and, as per this revision, it has become mandatory to integrate treaty provisions and obligations into existing domestic laws or adopt a new law when the implementation of treaty to be ratified or acceded to requires such action. This was an important step for Mongolia to bring its national legislation into conformity with the relevant international treaties in a more interrelated and consistent manner.

**Madame President,**

As follow-up to the second cycle of UPR, the Government of Mongolia adopted an Action Plan to implement the recommendations received and, to monitor its implementation, established a non-executive Council comprising representatives from state and civil society organizations. In the beginning of each year, the Council reviewed the implementation progress and discussed openly the achievements, challenges and shortcomings in the given year.

In preparing the mid-term report on the implementation of the recommendations as well as this Third National Report, the Government organized consultative meetings together with the National Human Rights Commission and the Human Rights NGOs’ Forum that comprise over fifty human rights’ NGOs in Mongolia. This had crucial impact on the improvement and implementation of the legal framework of human rights in the country. We wish to note that the improvements in the situation of human rights in Mongolia were a result of joint efforts of the Government and civil society organizations.

In December 2018, Mongolia submitted its voluntary mid-term report on the implementation of the recommendations.

**Madame President,**

I would like to briefly address the improvements we have achieved since the submission of the Third National Report.

On 10 January 2020, the Parliament adopted the amendment to the Law on Administrative Offences where defamation offence was removed from being considered as administration offence. Also, the Government drafted amendments to the Criminal Code which proposes to remove state organizations from being considered as victims of dissemination of false information crime and to no longer consider accusing or suspecting a politically exposed person of a crime while expressing one’s opinion as dissemination of false information crime.

Currently, the Government is working to develop a legal framework to ensure citizens’ right to information on the basis of international best practices, and has prepared a draft revision of the Law on Information Transparency and Right to Information, which categorizes data held by government organizations as public, limited and closed data, with each one being regulated separately, sets out detailed data protection regulations for public and limited data types, and defines the responsible government organizations, their system and scope of data monitoring.

Mongolia has prepared an initial draft of the Law on Personal Data Protection, and as per this draft, collection, processing and use of personal data will require permission from the owner, and personal data will be prohibited to be used for purposes other than its intended purpose when collected. This Law will also regulate relations between data collectors and providers, protect and prevent disclosure of personal data, and provide legal framework for organizations that are mandated to protect personal data.

I would like to highlight that Mongolia has made significant progress on increasing women’s participation in decision making. In the 2016 Parliamentary election, 13 women were elected as parliament members, which was the highest among the parliamentary elections since the adoption of the democratic Constitution of 1992. Although the 2020 Parliamentary elections did not see an increase in this number, women’s participation has once again been secured achieving the same ratio in the legislature. Furthermore, the Government revised the Law on Local Representatives in 2020, which, for the first time, set forth a requirement that there shall be a minimum of 20 percent representation from each gender, thus ensuring at least 20 percent of the candidates to be female. In the 2016-2020 local representatives election, 23-24 percent of the elected representatives were women, which indicates the tendency of increase in women leadership in the local governance.

The Government has also amended the Law on Health Insurance to introduce optimal financial instruments that are based on medical industry practices, increase the number of health care services, ensure semi-independent administration of hospitals, improve state budget and health insurance through transitioning to one purchaser model with a view to carrying out reforms directed at easing the citizen’s financial burden associated with health care.

**Madame President,**

The Government of Mongolia is taking timely and multifaceted measures to support individuals and businesses during the Covid-19 pandemic and its associated restrictions. The Government focused its efforts on recovering the economy through supporting the vulnerable groups of the society, ensuring that people stay employed so that they continued to have income, and through providing support to companies and employers. For instance:

The Government adopted the Resolution No.167 on the “Second comprehensive measure to revive the economy and improve social welfare of vulnerable groups during the Covid-19 pandemic,”. As per this resolution, Mongolia increased its child benefit amount to MNT 100,000 (approximately 36 usd) during the months between 1 April 2020 and 1 October 2020 which amounted to allocation of MNT 438.4 billion (equals to 157 million usd) to 1,162,779 children. This number as well includes four thousand children of Mongolian citizens who reside abroad. The Government has decided to extend this measure until the end of 2020 which would cost additional MNT 852 billion (estimated as 305 million usd).

During this novel Covid-19 pandemic, the Government also focused its activities on decreasing the stress level of the citizens, preventing domestic violence and protecting victims through providing social and psychological advice on online platforms, and disseminating various videos, posters and content through social media network.

**Madame President,**

As we have limited time, please allow us to provide response to the questions raised in advance by Slovenia, Germany, United Kingdom of Great Britain and Northern Ireland, Lichtenstein, Belgium and Uruguay, rather than repeating each of the issues that are already incorporated in the report. Please note that some of the questions are overlapping.

The Parliament ratified the Kampala Amendments on the Crime of Aggression together with the amendments on war crimes to the Rome Statute of International Criminal Court on 31st January 2020. It is with great pleasure to inform that the instrument of ratification is being prepared to be delivered to the depositary - the UN Secretary General at a convenient time in the near future.

The Law on the National Human Rights Commission of Mongolia has been revised in conformity with the Paris Principles. The revised Law defines the mandates of the independent members and the unit responsible for prevention of torture, creates a national preventive mechanism, and at the same time, requires that members of the National Human Rights Commission be appointed on the basis of open selection procedures, and the Commission to have adequate budget to operate impartially. The Law specifies the rights and duties of the Commission, sanctions for the persons that violated the law and includes other detailed regulations.

In June 2020, pursuant to the revised Law, a parliamentary hearing was held to consider a total 19 candidates as per the open selection of the members for the National Human Rights Commission as well as the member responsible for prevention of torture. The selected candidates will be appointed in the 2020 Regular Autumn Session of the Parliament.

Draft law on the Legal Status of Human Rights Defenders was initiated by a Parliament member and submitted to the Parliament on 11 May 2020. The draft Law provides for the first time the definition of “Human Rights’ Defender”, sets out the legal status of human rights’ defenders and creates the legal environment for protection and restoring of violated rights of human rights defenders.

A working group in charge of revising the Law on the Freedom of Media has been established at the Ministry of Justice and Home Affairs. Strengthening the freedom to publish, providing option for journalists to keep their sources confidential, disclosing shareholders of media companies to public and improving the system of self-regulation of the media will be addressed in the revised version. In addition, the working group is studying the legal frameworks and best practices of countries that rank high on the Press Freedom index.

The Government drafted a Law on Non-profit Legal Entities and submitted to the Parliament on 2 December 2019. The draft Law ensures citizens’ freedom of association as declared in the Constitution of Mongolia, supports the development of civil society, and aims to regulate common relations concerning the legal status and operations of the non-profit legal entities.

The Parliament adopted amendments to the Law on Administrative Offences on 10 January 2020, under which “sexual harassment” is now considered as administrative offence. Moreover, the Government has drafted revision of the Labour Code and Article 8 of the draft Code also includes prohibitions against sexual harassments.

The Government has taken multitude actions against the worst forms of child labor. To ensure the efficient implementation of the Law on Children’s Rights, Law on Child Protection and the Law against Domestic Violence, the Government has approved the relevant rules and regulations and standards accordingly.

Sice 2017, a significant progress has been made in the financing of social services for the development and protection of children, the Parliament has approved the funding MNT 8 billion (approximately 3 million usd) for child protection expenditures which is an eight-fold increase.

In 2017, the Government adopted the Resolution No. 270 on the “Programme on Child Protection and Development for 2017-2021.” Consequently, within the framework of this programme, winter horse racing has been prohibited and the “Child Labor Prohibition List” and “List of Jobs Prohibited for Minors” have been amended and are regularly monitored. The Government has also revised the standard, MNS 6264:2018, for safety clothing and equipment of national child jockeys, and has begun registering child jockeys by bio scanners, improved the coverage of the accident insurance and established the information database.

Together with the International Labor Organization, the Government developed a 12-set training handbooks for the “Rights, Duties and Participation of Children, Families and Youth” and prepared 30 trainers. Since 2018, the Government has been organizing trainings for the state child rights inspectors on annual basis and conducting inspections in accordance with the relevant plans. The National Commission for Children adopted a resolution to require the relevant ministries and government agencies to include a requirement to comply with the “List of Jobs Prohibited for Minors” in their applicable regulation or procedure for issuing licenses as well as the contracts to be concluded with economic entities and companies operating in the mining, tourism, wood, manufacturing and service industries. The Commission is collaborating with the civil society organizations and citizens to improve their participation and monitoring.

The revised Criminal Code criminalizes discrimination. As defined in this Code, act of discrimination based on sexual orientation and gender identity is included within the definition of the crime of discrimination, thus constituting legal guarantee to protect people with different sexual orientation and gender identities. Within the criminal justice reform, the principle of non-discrimination based on sexual orientation and gender identity has been reflected in several other laws and regulations.

In 2018 and 2019, by the orders of the Minister of Labor and Social Welfare, and within the framework of the Youth development month, the Government organized the “Equality & Pride Days”, at the initiative and participation of the civil society organizations, to call for understanding and to show respect for LGBTIQ people in our society, and to stop human rights violations against LGBT people, as well as the “Hope and Possibility” marathon which promoted public and youth’s engagement against all forms of discrimination.

The Government has made significant efforts in combating against domestic violence. Mongolia allocated MNT 1.083 billion (approximately 387 million usd) during 2016 – 2020 for establishing domestic violence one stop service centers and temporary shelters, and MNT 1.183 billion (equals to 423 million usd) on operational costs, victim protection services and capacity building. Domestic Violence Unit within the Police structure has been established with functions to ensure the implementation of the Law Against Domestic Violence, to implement relevant preventive measures, to collaborate with other governmental and non-governmental organizations and to provide training and guidance to local police authorities. Previously, Mongolia had 53 officers nationwide (30 in the Capital City and 23 in the provinces). On 21st October 2020, the Government of Mongolia released a decision to increase this number to assign one police inspector per 8,000 children to improve prevention of crimes against children.

**Madame President,**

Mongolia has made significant progress with regard to harmonizing its national laws with the international treaties to which Mongolia is a party. Going forward, further efforts and comprehensive actions are needed to be taken to enhance the implementation of laws, and strengthen vital human and financial resources for this purpose.

We are now ready to respond to your questions and comments.

I thank you for your attention.