



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND

www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: registry@ohchr.org – cedaw@ohchr.org

REFERENCE: AA/follow-up/Mongolia/52

19 September 2012

Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the combined fifth to seventh periodic report of Mongolia at the Committee's forty-second session, held in October - November 2008. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/MNG/CO/7). You may recall that in the concluding observations, the Committee requested Mongolia to provide, within two years, further information regarding the specific areas of concern identified by the Committee in paragraphs 12 and 22 of the concluding observations.

The Committee welcomes the follow-up report received on 7 November 2010 under the CEDAW follow-up procedure (CEDAW/C/MNG/CO/7/Add.1). At its fifty-second session, held in July 2012 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 12** of the concluding observations on “the speedy adoption of the draft law on gender equality that includes a definition of direct and indirect discrimination in line with article 1 of the Convention, and which applies to both public and private employers”: The State party indicated that the Law on Promotion of Gender Equality of 13 February 2011 guarantees equal rights for men and women in political, economic, social, cultural and family relations within the society and equal rights to employment, industrial relations, culture and education. It prohibits any gender-based discrimination in various spheres including hiring, training and education, pay and promotion, and granting scholarship. However, the State party failed to indicate whether the law includes a definition of direct and indirect discrimination. The Committee considered that the recommendation had **been partially implemented**.

Regarding the recommendation “to encourage the speedy adoption of the draft law on gender equality that provides a basis for applying temporary special measures according to article 4, paragraph 1, of the Convention and general recommendation 25”: The State party indicated that the law established quota in managerial positions across the public administration. The Government has approved a programme to implement the quotas. The Committee considered that the recommendation had **been implemented**.

H. E. Mr. Luvsantseren ORGIL
Permanent Representative
of Mongolia to the United Nations
Chemin des Mollies 4
1293 Bellevue

E-mail: mongolie@bluewin.ch



The Committee recommends that the State party provide, **in its next periodic report**, additional information on the steps taken to ensure that the newly adopted law on Gender Equality prohibits both direct and indirect gender-based discrimination by both public and private actors, in all spheres of society; and the steps taken to implement quotas in other areas than public administration.

Regarding the recommendation made in **paragraph 22** of the concluding observations “to put in place an institutional mechanism, either by strengthening and restructuring the National Committee on Gender Equality, or by establishing a separate machinery that recognizes the specificity of discrimination against women and is exclusively responsible for the promotion of formal and substantive equality and the monitoring of the practical realization of the principle of substantive equality of women and men”: The State party indicated that the Law on Promotion of Gender Equality establishes a specific unit in charge of gender equality and strengthens the national structure and system on gender equality. While the State party failed to expressly indicate to what extent the Committee on Gender Equality recognizes the specificity of discrimination against women and how its restructuration enables it to promote and monitor the practical realization of formal and substantive equality, it is assumed that, following the adoption of the Law on Promotion of Gender Equality, the Committee on Gender Equality recognizes discrimination against women and monitors the realization of substantive equality. The Committee considered that the recommendation had **been implemented**.

Concerning the recommendation “to endow at the highest political level such a mechanism with the necessary authority and human and financial resources to promote effectively the implementation of the Convention and enjoyment by women of their human rights across all fields by coordinating and monitoring gender mainstreaming in all areas”: The State party indicated that, under the Law on Promotion of Gender Equality, the Prime Minister is the Head of the National Committee on Gender Equality and manages its coordination. While it indicated that the National Committee on Gender Equality has subordinating boards in local areas and Government organizations with obligations and responsibilities in ensuring gender equality, the State party failed to expressly indicate whether the Committee has the necessary human and financial resources. The Committee considered that the recommendation had been **partially implemented**.

Concerning the recommendation “to establish gender focal points in different ministries, provide them with adequate gender training and link them with the national machinery”: The State party indicated that the National Committee on Gender Equality shall have subordinating boards in local areas and Government organizations with their responsibilities in ensuring gender equality. The Committee considered that the recommendation had **been implemented**.

The Committee recommends that the State party provide, **in its next periodic report**, information on the human and financial resources allocated to the National Committee on Gender Equality to promote the implementation of the Convention and enjoyment by women of their human rights across all fields; and on whether the subordinating boards of the National Committee on Gender Equality in local areas and Government organizations have necessary authority to carry out the task of focal points in different ministries.



The Committee looks forward to pursuing its constructive dialogue with the authorities of Mongolia on the implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

A handwritten signature in black ink that reads "Barbara Bailey" with a decorative flourish at the end.

Barbara Bailey
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women