

Speech of Mrs. G. Narangerel
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63rd session on the National 8,9th Periodic Reports of Mongolia
on implementation of Convention on the
Elimination of All Forms of Discrimination against Women

Honorable Madame Chair,
Distinguished Convention Committee members,

First of all, please allow me to express our sincere gratitude on behalf of the Government of Mongolia for the discussion of the 8 and 9th periodic I reports of Mongolia on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

The Government of Mongolia submitted the combined 8,9th reports on the implementation of the Convention in 2014, and answers to the additional 21 questions related to the reports in November 2015.

In recent years Mongolia has achieved certain progress towards protecting rights of women and girls, increasing their capacity and improving conditions for ensuring gender equality.

The Government of Mongolia has been consistently incorporating and implementing the **CEDAW** and the Beijing Declaration and Platform for Action in its national laws, legislations, policies and programs. For example, the Parliament of Mongolia adopted the Law on Promotion of Gender Equality in 2011 and the Government of Mongolia approved the **Midterm Strategy and Action Plan** in 2013 to implement the above-mentioned law. This created the legal environment to promote gender equality in the political, economical, social, cultural and family relations.

Mongolia has been striving towards eliminating all forms of discrimination against women and has successfully reflected this goal in its national policies and legislation.

Women in today's Mongolia stand for their political, economic, social, cultural, and reproductive rights and find solutions to pressing issues jointly through ensuring societal participation.

The Government of Mongolia jointly with women's organizations has organized the following international and national forums:

Forum "Family Value" 2013

Forum "Social Development- Men's Participation" 2013

Forum "Women's Development Policy - Reform "

Forum "Women's Development and Participation" 2015

"Asia Youth Forum" 2015.

Recommendations to guarantee the participation of women, to define family based policies on development of women, the capacity building of local organizations to create non violent environment for women and children, to ensure the gender equality, to increase the participation of men in the fight against discrimination that came out from the above fora were sent to all levels of central and local governments and has resulted into a concrete action on ensuring inclusion of these issues into new legislation and amended laws.

Madam Chair,

As of the end of 2014 the rate of implementation of main activities under Comprehensive National Development Strategy of Mongolia based on the Millennium Development Goals reached 73.6 percent which is by 8.5 units higher than the implementation rate in 2013.

Mongolia successfully has reached several targets of the Millennium Development Goals, one of which is decrease in maternal mortality. Measures undertaken to protect women's health and decrease maternal mortality has resulted in reaching the Millennium Development Goals objective on maternal mortality – the country decreased maternal mortality to 26 persons per 100.000 life births.

Moreover, within the scope of **the focal goal of “Human and Social Development of Mongolia”** the gender content was reflected in all training curriculums which played a significant importance in raising awareness about the CEDAW concept to public and contributed to the goal of changing stereotypes about roles and responsibilities of men and women.

Madame Chair,

It is a pleasure to inform that on 5 December 2015 the Parliament of Mongolia approved the Long Term Development Policy of Mongolia, 2016-2030 that corresponds to the Sustainable Development Goals adopted by the UN General Assembly. The Policy consists of 45 goals combined into 4 main chapters.

Under the Sustainable Social Development goal of the Policy emphasizes “equal participation of women and men in social development and creating a favorable environment for equal access to social wealth”. Thus Mongolia has incorporated the CEDAW principles into its long-term development policy to assure consistent implementation of the Convention.

On 26 November 2015 the Mongolian Parliament has approved the Law on Development Policy Planning that will ensure consistency of programs and projects with the country's long and mid-term policies and ensuring allocation of budget for implementation. This will improve correlation and continuity of policies and effective implementation.

In order to coordinate the nationwide gender policy the National Committee on Gender Equality headed by the Prime Minister of Mongolia was established in 2005. As of Resolution #

437 of the Government of Mongolia of 2 November 2015 the positions of Vice Ministers of Ministries became redundant therefore the structure of National Committee on Gender Equality is undergoing changes and the proposed amendments shall be approved. By the resolution # 382 of 2015 of the Government of Mongolia the Secretariat of the National Committee on Gender Equality is transferred under the Deputy Chair of National Committee on Gender Equality and currently is within the work scope of the Minister of Population Development and Social Protection.

Now please, allow me to briefly introduce the progress and actions taken by Mongolia towards the implementation of the Convention since the submission of the above reports and additional information.

Legal, legislative reforms

Honorable Madame Chair,
Esteemed Committee Members,

At the 70th Session of the UN General Assembly Mongolia was elected to be a member of the UN Human Rights Council by the vote of 172 member states of the UN.

It is a pleasure to inform that within the scope of legislative reforms implemented by the Government of Mongolia in 2015 important amendments to the Criminal Code, Law on Elections and Law on Rights of Disabled Persons and new laws on Misdemeanor and on Childcare Services that would play an important role in improving the status of women, were adopted.

More specifically, the adoption of the revised Criminal Code on 3 December 2015 gave a new leverage to protection of human rights, freedoms and justice. According to the revised Criminal Code for the first time in Mongolia domestic violence is criminalized and **heavier penalties are**

envisioned for intentional homicide or implication of health damage to a victim of domestic violence. The Criminal Code now has specific new types of penalties necessary to ensure victim's life, health and safety.

In addition, widespread crimes committed against girls, women and sexuality minorities as sexual exploitation, sexual harassment, discrimination, threat, stalking were newly added to the list of crimes so that perpetrators won't be avoiding penalty due to reconciliation with victim.

New provisions were added on primary concern issues of crime against child and crime against sexual sovereignty. According to it more severe penalties are to be imposed on perpetrator of violence against child in case of damages caused to child by parental, supervisor and guardian neglect and imposition of punishment.

In connection with the Criminal Code the Law on Misdemeanor was approved by the Parliament of Mongolia on 4 December 2015. This Law incorporates the existing Administrative Law and classifies administrative violations interpreted in over 220 different laws and related penalties. In the Law on Misdemeanor oversees such cases as not informing about violence, changing purpose of temporary shelter facilities, utilization of those facilities for other purposes, for violating rules of entering shelters and unpermitted entrance to shelters. The above laws will be put in force from 1 September 2016.

With regard to human rights protection the Law on Combating Trafficking in Humans was enacted in 2012. The Law defined trafficking in humans in compliance with the "Palermo" Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children.

The Ministry of Justice is developing the National Program on Combating Trafficking in Humans" for submission to the Government. The Law on Witness and Victim Protection was passed in 2013. The law stipulates undertaking protection measures as ensuring physical safety, placement in temporary safe shelters and change of appearance for victims and persons

whose lives and health are in danger. Responsibilities and duties for protecting safety of victims and persons in danger are assigned to Police Departments, Detective Services, the Marshall Service, the Independent Authority against Corruption and the General Intelligence Agency.

Law on Providing Legal Assistance to the Indigent Defendants was approved in 2013 providing the rights for poor citizens to be defended by the public defenders during investigation process and court trails.

The Parliament of Mongolia approved the Law on Rights of Persons with Disabilities on 5 February 2016. For the very first time this Law specifically stipulated protection of the rights of women with disabilities in line with the Convention of Rights of Persons with Disabilities. For example, the Law stipulates the government's responsibilities in protecting reproductive health rights of women with disabilities, preventing from domestic and sexual violence and harassment and providing healthcare, legal, psychological and other quality professional services as required.

At the same time the Parliament of Mongolia approved the Law on Childcare Services on 2 July 2015 . This Law supports employment opportunities for women in time of notable shortage of kindergartens and offers possibilities for increasing household income and allowing women and men to equally participate in the social life.

Within the scope of the Global Strategy for Women's and Children's Health initiated by the UN Convention on Elimination of All Forms of Discrimination against Women and the Secretary General of the UN, the Ministry of Health and Sports of Mongolia has initiated and developed a concept of the Law on Mother's and Child's Health which was approved by the Government. The Law concept is geared towards reducing maternal and child morbidity and mortality thus providing for a steady population growth that is one of the main pillars of the national security. Further the Law concept aims at improving quality of life and setting conditions for raising physically and mentally healthy Mongolian people.

Women's participation in the political and decision-making levels

Women make up 51,7 percent of the total population of Mongolia. 60,7 percent of the Mongolian women have higher education. Therefore currently 59,1 percent of all public servants are women. However gender ratio isn't sufficient in the decision-making level and every efforts is being undertaken to sustainably increase political participation of women. Eleven women were elected to the Parliament during the 2012 parliament election. They united into a Women's Caucus that is active in promoting women rights, gender equality, increasing women's participation and representation in all social sectors, as well as vocal on issues of child protection, family development, protection of the rights of senior citizens and persons with disabilities.

In the Law on Elections approved on 21 December 2011 a provision that "... percentage of women candidates nominated by parties and coalitions shall not be below 20 percent" has changed now into "... representation of any sex shall be no less than 30 percent ...". The amended Law on Elections manifested a considerable progress in ensuring participation and representation of women in decision-making and ensuring gender equality.

Due to this Law the political parties have been undertaking initiatives to envision a provision of having form 20-40 percent of women in their decision –making bodies to be reflected in party rules.

Education

The recommendations on eliminating gender stereotypes through education were delivered by the CEDAW Committee after discussing the combined 5,6,7th periodic reports of Mongolia on implementation of the Convention on Elimination of All types of Discrimination against Women. The following measures were undertaken to gender equality and gender mainstreaming into all educational standards and curriculums:

A) General Education curriculum:

- Based on revision and content analyses of gender equality issues in school curriculums gender content was reflected into secondary education school curriculum standards, programs and textbooks on all subjects from grade 1 to 12 /total of 160 training programs/.
- Authors of 58 types of textbooks covering general education school grades from 6 till 12 were involved in the staged methodological trainings on gender based violence and the textbook contents were renewed.
- For teachers and graduating students of Pedagogical University of Mongolia a 6 steps trainings on methodology of organizing lessons by reflecting gender issues were organized in 2014.

B) Life-long education program:

- Access to education for young adolescent mothers is limited therefore the Centre on Life-long education was established next to the Ministry of Education, Culture and Sciences. As of 2015, 360 centers on lifelong education were opened nationwide.
- EP training program "Life Skills" was enhanced with the content of prevention from gender-based violence and approved by the Educational Institute. Within the scope of renewed content the trainings on methodology were organized in the targeted 11 aimags among 83 methodologists -- in total of 325 social workers and teachers.
- * Within the framework of the Government's Youth Development 2013-2017 Project implemented in partnership with UNFPA, "Life Skills Cabinets" were established in 5 districts of the capital city and 11 provinces to help young people in the countryside to grow into responsible, confident and positive adults. Due to these cabinets access to life skills learning, health and educational services has improved.

B) Higher education curriculum.

- Ministry of Education, Culture and Sciences jointly with Asia Development Bank are implementing the Higher Education Reform Project. Within the scope of this project in the bachelor degree curriculums of the universities and colleges the general content and core textbooks were analyzed on comprising gender equality concept. Policy recommendations on comprising gender equality concepts in curriculums will be developed. Moreover, in the ethical rules of the higher education organizations gender analyses are to be conducted and gender sensitive model rule on ethics to be developed. Within the scope of higher education reforms the “Program on Gender Equality Activities” was developed. The appropriate resolutions of gender balance in higher education by formalizing regulations through recommendations, assessment and monitoring are ensured by the program.

Labor

With a view to intensify the implementation of Mongolian Millennium development goals-based National comprehensive policy goals and to ensure the implementation of the 8th goal to promote decent employment through the sustainable economical growth of the 17 sustainable development goals up to 2030 approved by the UN General Assembly, the Ministry of Labour drafted and submitted to Cabinet the employment policy for up to 2026.

Since the revision in 1999, 18 time amendments were made to the Labor Law. Currently, the Government elaborated and approved by the Cabinet the revised concepts of the Labour Law; consequently, elaborated draft law which is ready to be discussed by the Government.

In 2014 the NHRC conducted the study on “The gender equality in the labor relations” defined by the article 11 of the Law on Promotion of Gender Equality and provided the responsibilities and duties of an employer in details. Consequently, the article 6 of the draft law newly reflects provisions of prevention of discrimination at work, and work place harassment. Also, the principle of “non-discrimination” in defining the salary level was added which plays an important role in preventing and confronting the gender based discrimination.

In the draft labor law the specific regulation prohibits any form of discrimination and restriction of the employee’s freedom. Any employer is obliged to provide working conditions free of discrimination, sexual harassment, abuse and is imposed to legal liability in the case of failure to do so.

The current law on Personal privacy covers areas of the health of an individual and anyone with access to the related information through the work related channels have duties to keep it confidential.

The draft law on Labor contains specific provisions prohibiting to enquire on personal privacy, collect information, demand the analyses on AIDs/HIV and pregnancy tests, refuse to hire based on the health conditions if those conditions are not obstacles for the fulfillment of the work duties, or terminate the labor contract by the initiative of an employer.

Health

Within the scope of the “ Healthy Mongolian” Program the Government of Mongolia aims to provide citizens with opportunities to have access to health diagnostics, treatment, and health services at international standards that to be selected by transparent and fair competition and free choice. As a result we are happy to inform you that the health indicator of the Millennium Development Goals was successfully met: mothers, infants and children up to 5 mortality rate of has progressively declined. Mongolia also is one of eight countries that met the goal of stopping and limiting HIV/AIDS.

The significant legal reforms are on the way to further consolidate the above achievements and improve the quality and access to the health aid and services. For example, the Parliament approved the Law on Hygiene in February 2016 and has submitted the revised Law on Pharmaceuticals and Medical Equipment” and a new Law on Healthcare Services. Moreover, the concepts of the Law on Mother and Child, the Law on Infant’s and Young Child’s Nutrition, and the Law on Medical Professional Liability Insurance were approved and the draft laws are being developed, all targeting the quality improvement of healthcare services targeted to women, mothers and children.

Mongolia has approved and has been successfully implementing the Government approved National Program on Reproductive Health 2012-2016 and the 2011-2015 Strategy on Health of Mother and Infant issued by the Ministerial order, both targeting maternal mortality issue.

Pregnant women residing in remote areas, particularly with pregnancy complications are provided with conditions for safe birth by being placed in Maternity Rest Lounge prior to birth. There are 341 Maternity Rest Lounges set up all over the country that are actively used by 60-80 percent of pregnant mothers who reside in sub-provinces or soums and in even smaller territorial units, baghs. Thus, the

establishment of Maternity Rest Lounges played a significant role in decreasing maternal mortality, moreover it became the best practice to be shared for countries in the Asia Pacific region.

At the same time capacity development trainings are regularly organized for urban and rural doctors and health care staff by providing national and international in-house and online trainings to facilitate transfer of new knowledge and exchange of experiences.

The system of transfer of high risk pregnant women or women who developed pregnancy complications to the secondary and tertiary health care institutions was established and nationwide distance diagnostic of women, pregnant women and infants is introduced and practiced.

If in 2005 45326 births were registered in Mongolia this number increased by 44 percent by 2015 reaching 80434 births a year. In connection to the birth growth in the capital city and 11 aimags new maternity houses and hospitals were built adding 895 new beds to maternity wards. In 2013, diagnostic centers were established in 11 provinces near the Provincial General Hospitals and Perinatalogical Centre was established at the Mother and Child Centre in Ulaanbaatar. All this has helped improving diagnostics and treatment of mothers.

Mongolia is in the list of countries least affected by HIV/AIDS. As of 2014, total of 181 cases of HIV/AIDS were registered in the country. Out of the total registered cases 17.8 percent are women. 10 HIV infected women became pregnant and 10 children were born to HIV infected mothers. They all are HIV-free and under doctor's control.

Our country is sparsely populated, therefore the danger of breaking confidentiality of HIV infected pregnant women in rural areas constitute certain risks. Previously trained doctors and professionals to provide required assistance were scarce. Due to the above mentioned factors the patients used to be transferred to the National Center of Infectious Diseases to give birth.

In 2014, Mongolia passed revised standard on Abortion Related Services and the procedure on Regulation of Abortion. In the framework of implementation of the National Strategy "Safety and Sustainability of Reproductive Health Drugs and Devices procurement and provision of birth control pills and contraceptives were financed by UNFPA. Since 2009 the financing was reflected in the state budget,

eventually increasing it yearly and in 2009 it reached MNT 50 mln and in 2014 it increased up to MNT 210 mln. The distribution to girls and women is free of charge.

According to a 2010 study the unsatisfied need for a family planning was 22 percent which in 2013 decreased to 16 percent.

Adolescents and young adults are offered free consultations on sexual, reproduction and psychological health issues and offer free diagnostics , treatment and consultations on STD/HIV/AIDs, give away free contraceptives all aimags and districts .

Starting in 2014 every September the Ministry of Health and Sports a Month of the Student Health and provide information to students and youth unwanted pregnancy, sexually transmitted diseases and HIV/AIDs, contraception use, and family planning.

In order to provide equal access to healthcare for the sexuality minorities and to eliminate discrimination in health care setting regular trainings and advocacy were organized to health care workers, law enforcement officers and media representatives as well as to the target groups. For example, in 2015 within the scope of Global Fund's Project on Fighting AIDS, Tuberculosis and Malaria partner NGOs jointly organized activities on prevention of HIV infection, providing knowledge on sexual health, covering diagnoses of HIV, syphilis, hepatitis B, C viruses, and offering treatments with the funding equal of around 370 mln MNT. In 2015 out of total MSM and transgender people 40 percent have come for the voluntary counselling, diagnostics and treatment.

In order to ensure the CEDAW implementation local hospitals are providing assistance and services for HIV infected pregnant women. It includes: advocacy meetings with authorities of province and district general hospitals, regional diagnostic centers, maternity hospitals, specialized centers on providing services and assistance for HIV infected mothers and children locally, also step by step trainings on preventing mother-to-child transmission of HIV doctors and midwives.

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Social protection (child, family)

The Government of Mongolia is paying particular attention to the development and protection of women and the goals and objectives of 2012-2016 government action programs are targeting those goals. The Ministry of Population Development and Social Protection has established a division of Child, Family and Women Development and is working actively to improve the legal environment for the

provision of legal protection of women, supporting the women development and ensuring the social protection. For example:

The policy on population development prioritizing the gender equality is exercised by the State. By adopting the policy document on population development the opportunities for fulfilling the Human right based development orientation declared by the Universal Declaration of Human Rights and Constitution of Mongolia on respecting human rights, providing the opportunities to live in the human, and democratic civil society are created.

President of Mongolia presented for the approval the law on "Childcare Services" to the parliament which was approved on the 2nd of July 2015. In Mongolia, nationwide 1 child out of 3 is not provided by the preschool education services. The law allows for the child outside the kindergarten services to have equal opportunities , in addition it supports the employment of 31 413 people such as parents, caretakers who are not able to work which eventually leads to the advantage of having secure guaranteed income for the family and supports the household development.

The Parliament of Mongolia ratified the Law on Protection of Child Rights on 5 February 2016. The laws are abiding to the Convention's concepts and principles. For example, by the law on Child Rights in compliance with the article 5 of the Convention the full responsibilities, duties, participation of the state organizations, citizens, legal subjects towards a child and protection of Child rights, duties and directives were defined in detail, and structures providing child rights, freedom and relations of implementation are regulated. Moreover, in the law on Child Protection the relations of all aspects of social environment such as family, education, health, online world linked to the child protection are regulated which is allied with the article 14 of the Convention on sufficient provision of health services, specifically the right to receive information, consultation and services on the family planning.

The law on the Family was approved in 1999 in Mongolia and during the period of implementation as part of social and economical transitions there were immense number of changes in the citizens' ideology, attitude, values, relation, and measurements. It is naturally created the demand and need to revise the law. In the draft law the protection of citizens of Mongolia, compliance with international practices, and regulations against discrimination are being reflected. Specifically, the couple planning to

marry is not obligated to provide HIV or AIDs analyses and any citizen applying for the adoption of a child regardless of having HIV or AIDs virus shall be eligible to adopt a child.

On the 3 December of 2015 Parliament of Mongolia passed the Law on the Joint Pension. The law plays an important role in improving the life quality of the elderly and increasing the family value. In Mongolia as of 2014 there are 27.1 thousand senior citizens living alone out of whom 69.5 percent are women of 55 years old or above. The law regulates the relation of a wife and husband who lived together for 15 years or above and paid no less than 20 years of pension insurance and fee. In case of widowhood any side shall be able to receive the pension of the past partner during the lifetime. This is the proof of State's exceptional attention to the senior women's social security.

The Ministry of Population and Development together with UNESCO and NGOs working with issues of Disability conducted a study on the types of abuse and harassment faced by women and girls with disabilities in selected areas in 2015. The recommendations of the report are being carefully considered and incorporated into action plan.

Madame Chair,

The Mongolian state is taking numerous actions to support women's advancement and participation in social life and to protect women's rights. Nevertheless there are still challenges we face in terms of policy and practical regulations:

The statistics show that domestic violence is on the rise in Mongolia. For example, in 2014, 1076 cases of crimes perpetrated by domestic violence were registered. This number increased by 26 percent as of 2015 reached 1356. Therefore, there is call for critical legislative reforms, particularly there is an urge to immediately approve the revised laws on Combating Domestic Violence and The Law on Family Law.

As of today gender statistics show information classified by sex within 50 indicators of 8 categories. In order to develop and implement the gender sensitive policies and programs it is essential to have more precise indicators for the gender statistics.

There are no registered cases of official complaints to the police department in regard to the violation of rights of LBT people by law enforcement agencies such as discrimination, persecution or refusal to accept their complaints. However, there is an urgent need for cooperation with the National Human Rights Commission and civil society organizations and other actors on implementation of international agreements and conventions Mongolia is a party to and implementation of recommendations on the assurance of LBT people's right to study, work, receive health services, respect and honor their human, rights.

Madame Chair,

Please, permit me to convey the request for the need of methodological support and assistance by the Committee to improve legal environment and to ensure effective implementation of measures to guarantee gender equality.

There is no sufficient budget for the implementation of the Law on Promotion of Gender Equality and its Midterm Strategy Plan as the allocated financial resources are limited by mere recurrent expenditure. The contribution and role of international donor organizations in contributing funds to ensure the implementation of gender policy, national capacity building and gender equality is high and continues to be important as of today.

We trust and believe in the establishment of opportunities to further improve policies and actions to ensure enjoyments of all human rights and freedoms embodied in the UN Convention on Elimination of All Forms of Discrimination against Women. Cross-sectoral co-operation and participation and joint efforts of the state and civil society organizations to create appropriate financial and organizational structural mechanisms to ensure gender equality and women's empowerment and a greater public awareness and understanding of gender equality are expected to make a profound difference.

Thank you for the attention.