



Economic and Social Council

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Committee on Economic, Social and Cultural Rights

List of issues in relation to the fourth periodic report of Mongolia*

I. General information

1. Bearing in mind that treaties ratified by the State party are directly applicable in national legal order, please provide information on those cases, if any, in which the Covenant has been invoked in and/or applied by domestic courts. Please also update the Committee on the measures taken to revise existing laws and regulations with a view to bringing them in compliance with the provisions of the Covenant.
2. Please provide updated information on the mandate of and budget allocated to the National Human Rights Commission. Please also describe steps taken to follow up on recommendations made by the Commission.

II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Article 1, paragraph 2 – Free disposal of natural wealth and resources

3. Please provide information on the institutional processes in place to ensure the effective participation of herding communities that live in rural areas in decision-making on issues that affect them, and provide information on prior consultations already conducted with those communities in relation to mining activities that affect them.
4. Please provide information on the process by which the State party responds to reports of human rights violations, loss of means of livelihood and environmental degradation caused by development and extractive projects. Please also indicate how successful the use of judicial and other remedies has been in ensuring that herders are given access to their traditional herding lands in cases where the State party has granted concession contracts that impede such access.

* Adopted by the pre-sessional working group at its fifty-fourth session (1-5 December 2014).



Article 2, paragraph 1 – Maximum available resources

5. Further to paragraph 16 of the report of the State party (E/C.12/MNG/4), in which it acknowledged that the majority of goods and services was produced by the private sector, please provide more information on efforts by the State party to achieve progressively the full realization of the rights guaranteed under the Covenant. Please also provide information on the existing regulatory framework and processes for ensuring that development and extractive projects bring tangible benefits to local communities.

6. Please explain if and how the mining boom in the State party has increased the incidence of corruption. More generally, please indicate the measures taken to reinforce public confidence in State authorities and officials, and provide information on the protection afforded to persons reporting corruption cases.

Article 2, paragraph 2 – Non-discrimination

7. Please comment on the human development indicator gap between persons living in rural areas and those in urban areas, which reveals that rural people do not enjoy economic, social and cultural rights on an equal footing to those people living in urban areas. Please describe all measures taken to tackle the precarious situation of persons living in isolated rural areas, particularly herders.

8. Please indicate the measures taken to improve access of persons with disabilities to public facilities, including education and health-care facilities, as well as cultural centres.

Article 3 – Equal rights of men and women

9. Please describe the measures taken to raise the representation of women in power-sharing and decision-making positions; address traditional stereotypes that are impediments to the equal participation of women in political, economic, social and cultural life; and address occupational segregation by sex whereby women are mainly occupied in low-paying jobs in the health, education, retail trade and informal sectors. Please also describe the impact that the (2011) Gender Equality Law has had thus far in realizing these goals.

III. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Article 6 – The right to work

10. Please describe all measures taken to reduce the high rate of unemployment in the State party and ensure that economic growth is translated into creating more jobs. In particular, provide information on addressing the groups most vulnerable to unemployment, including herders who have lost their livestock, persons with disabilities and young people.

11. Please indicate the extent of enforcement of the requirement that companies with more than 25 employees comprise 4 per cent persons with disabilities. Please also explain what steps have been taken to integrate the concept of reasonable accommodation in the legislation of the State party, including as regards obligations for employers.

Article 7 – The right to just and favourable conditions of work

12. Please inform the Committee if the State party envisages raising the current minimum wage to allow a decent living for workers and their families. Please also inform the Committee on measures taken to improve health and safety standards in work places, particularly in the construction, energy and mining industries, and to render work inspections more effective.

13. Please provide information on how sexual harassment in the workplace is addressed.

Article 8 – Trade union rights

14. Please provide information on measures taken to ensure that the right to freedom of association is respected and that employees can freely form or join unions.

Article 9 – The right to social security

15. Please provide information on the measures taken to reform the social security system and update the Committee on the status of the draft law mentioned in paragraph 86 of the report of the State party. Please also provide detailed information how these reforms aim to alleviate the situation of disadvantaged and marginalized individuals and groups, including older people, persons with disabilities and children, and explain how successful the existing social security schemes have been.

Article 10 – Protection of the family, mothers and children

16. Please indicate the steps taken to address the persistence of gender-based violence, and provide data on the number of investigations of cases of gender-based violence in recent years, including prosecutions, convictions and sanctions imposed.

17. Please describe steps taken to tackle the phenomenon of street children.

Please elaborate on measures taken to combat child involvement in dangerous and hazardous work, particularly in mining and horseracing, including through the implementation of Governmental Order No. 107. Please also inform the Committee on the steps foreseen to raise the minimum age for horseracing, and provide statistical data on child involvement in horseracing as jockeys, including related child injuries and fatalities in recent years.

Article 11 – The right to an adequate standard of living

18. Please describe the impact that poverty reduction measures have had on the situation of disadvantaged and marginalized individuals and groups, including women, children, persons with disabilities and herders living in isolated conditions.

19. Please provide information on the measures taken by the State party to ensure access to adequate housing, including water and sanitation facilities, in particular for families living in *ger* districts. Please also provide information on the “Ger Area Development Regulation” (2014), and explain how it complies with the right to adequate housing and international standards that govern forced evictions.

Please provide updated information on the measures taken to improve access to clean drinking water and reduce regional disparities in such access, and explain the progress achieved in accessing improved sanitation across the country.

Article 12 – The right to physical and mental health

20. Please provide information on the steps taken to address contamination of soil and water as a result of mining operations.

21. Please inform the Committee of the measures taken to mitigate the impact of air pollution on the health of the population, particularly in Ulaanbaatar city and *ger* districts.

22. Please provide updated information on the measures taken to improve access to quality sexual, reproductive and maternal health services, and to reduce disparities in such access, particularly among adolescents and Kazakh women. Furthermore, please indicate what steps are envisaged to ensure that informed consent is obtained from women with disabilities who undergo abortion or sterilization.

Articles 13 and 14 – The right to education

23. Please update the Committee on the progress achieved in reducing school dropout rates across the country, particularly among boys, children from ethnic and linguistic minorities and children living in remote areas.

Article 15 – The right to culture

24. Please provide information on the measures taken by the State party to guarantee to all individuals and communities the right to participate in cultural life, including through the use of Internet access.
