

**Economic and Social Council**

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Committee on Economic, Social and Cultural Rights**List of issues prior to submission of the fifth periodic report of Mongolia***

1. The State party is requested to submit in writing the information requested below (21,200 words maximum) by 31 October 2020.

A. Issues of particular relevance**Right to just and favourable conditions of work (art. 7), right to social security (art. 9) and right to an adequate standard of living (art. 11)**

2. Please provide information on: (a) the measures taken to ensure that wages are fair and to regulate wages to combat the phenomenon of the working poor; (b) the impact of the social welfare support programme on those living in poverty or at risk of poverty in both urban and rural areas; and (c) the measures taken to improve the effectiveness of social welfare programmes, to strengthen coordination among them or to consolidate them and to ensure they are inclusive.

Right to an adequate standard of living (food and water) (art. 11)

3. Please provide information on the mechanisms in place, including any legal framework, to protect herders' rights to pasture, hay land and water resources and to ensure effective and meaningful consultation with affected local communities, including nomadic populations, in carrying out mining projects. Please provide information on the remedies available to those affected and statistics indicating the extent to which such mechanisms have been used.

Right to an adequate standard of living (housing) (art. 11)

4. Please provide information, including statistics, on the mechanisms in place to safeguard the rights of the populations affected by the measures taken to reduce informal settlements in *ger* areas and on access to basic services in those areas.

B. Ongoing implementation of the Covenant**Status of the Covenant in the domestic legal order (art. 2 (1))**

5. Taking into account that treaties ratified by the State party are directly applicable in the domestic 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

* Adopted by the pre-sessional working group at its 65th session (21–25 October 2019).



Committee on the measures taken to revise existing laws and regulations with a view to bringing them into compliance with the provisions of the Covenant.

Human rights defenders

6. Please describe whether the State party intends to strengthen the protection of human rights defenders, including by adopting a law to protect non-governmental organizations.

Maximum available resources (art. 2 (1))

7. In order to allow the Committee to assess whether the State party uses the maximum of its available resources for the realization of Covenant rights, please provide information on the changes, over the past 10 years (2009–2019), in:

(a) The proportion of people living below the poverty line and the level of inequality, defined as the ratio of the total income of the richest 10 per cent of the population to the total income of the poorest 40 per cent of the population;

(b) The proportion of government revenue that is generated from taxes;

(c) The tax rates levied on corporate profits and on personal income, the value added tax rate (excluding taxes on luxury items, on tobacco and alcohol, on sugared drinks and snacks and on gasoline), and the percentage of total revenue that is generated from the personal income tax collected from the richest decile of the population;

(d) Public expenditure as a percentage of gross domestic product and the proportion of the total public budget that is allocated to social spending (social security, food, water and sanitation, housing, health and education);

(e) Absolute levels of social spending adjusted for inflation.

Business and economic, social and cultural rights

8. Please provide information on the steps taken to ensure that businesses operating under the State party's jurisdiction, whether in the national territory or abroad, have a duty to exercise human rights due diligence in their operations and business relationships.

Equality between women and men (art. 3) and right to just and favourable conditions of work (art. 7)

9. Please provide information, including statistics, on the impact of the implementation of the Law on the Promotion of Gender Equality (2011) and on the measures taken: (a) to enhance the economic opportunities of women, including in terms of access to employment and entrepreneurship; (b) to facilitate the reconciliation of people's professional and private lives so as to raise the employment rate of women; (c) to guarantee the principle of equal pay for work of equal value; (d) to combat occupational segregation; and (e) to accelerate the formalization of the employment of women, who are disproportionately employed in the informal economy.

Right to work (art. 6)

10. Please provide information, including statistics, on the impact of the Employment Promotion Law, the Labour Code and employment promotion programmes, particularly as regards persons with disabilities, herders and youth, in particular educated youth.

Right to just and favourable conditions of work (art. 7)

11. Please explain the impact of the measures adopted to prevent accidents and work-related diseases and how the State party ensures that occupational health services are available to all workers, particularly those who work in the mining sector. Please provide information, including statistics, on measures adopted to address the shortage of trained labour inspectors.

Protection of the family (art. 10)

12. Please provide information on the measures in place to raise public awareness of gender-based violence, including on measures targeting perpetrators.

Right to an adequate standard of living (water and sanitation) (art. 11)

13. Please describe the steps taken to address the gap between urban and rural areas and, in urban centres, between areas where most people live in a *ger* and areas where most people live in an apartment as regards adequate access to safe drinking water and sanitation.

14. Please provide information on the impact of measures such as the amendment to the Law on Water Pollution Fees on safeguarding peoples' livelihoods from the adverse impacts of water pollution and on reducing water pollution. Please also provide information on the measures in place to ensure that people, in particular those living in rural areas and herders, have access to and understand site-specific information related to water pollution.

Right to an adequate standard of living (food) (art. 11)

15. Please provide information on:

(a) Measures taken to ensure that the food distribution system is inclusive and safe, including measures on access to information on food safety;

(b) Steps taken to combat obesity and imbalanced diets.

Right to the enjoyment of the highest attainable standard of health (art. 12)

16. Please provide information, including relevant statistics, on the impact on peoples' access to health care of the legislative changes that have been made in the area of health care, including the 2015 amendment to the Law on Health Insurance and the 2016 enactment of a law on medical Services. Please provide information, including relevant statistics, on the impact of programmes that address the prevalence of communicable and non-communicable diseases that are highly represented among the population (liver cancer, hepatitis B and hepatitis C) and the measures taken to ensure the confidentiality of individuals' medical history as regards HIV.

17. Please provide information, including statistics, on the extent to which mental health services are available and accessible throughout the territory of the State party, including services specifically aimed at supporting alcoholics and young people suffering from depression.

18. Please provide information on the measures adopted to ensure that women and girls with disabilities are not subjected to forced abortion, sterilization or contraception and are supported in decision-making processes linked to the exercise of their right to sexual and reproductive health. Please provide information on the procedures and practices of girls' health screening programmes, the measures in place to prohibit virginity testing and the measures in place to ensure confidentiality and the support needs identified by such health exams.

19. Please provide information on:

(a) The impact of the implementation of the laws and regulations concerning air pollution, including the national programme for reducing air and environmental pollution, referring to the evolution of the data on concentrations and emissions of air pollutants;

(b) The steps taken to shift towards clean and affordable energy.

Right to education (art. 13)

20. Please provide information on the measures taken to ensure an inclusive education for children with disabilities, as recommended by the Committee, and on the impact of those measures, including statistics allowing to assess the impacts of such measures.

Cultural rights (art. 15)

21. Please provide information on the impact of the implementation of laws and policies aimed at preserving the cultural heritage, including the Law on the Protection of Cultural Heritage (2014) and the national policy for arts and culture.

C. Good practices

22. Please provide information on good practices in policy formulation and implementation that have been developed by the State party during the reporting period and that have effectively contributed to the realization of economic, social and cultural rights, in particular for marginalized and disadvantaged individuals and groups. Please indicate how the Committee's previous concluding observations (E/C.12/MNG/CO/4) have been taken into account in developing such practices.
