



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions prior to the submission of the tenth periodic report of Mongolia*

General

1. Please provide information and statistics, disaggregated by sex, age, ethnicity, religion and location, on the current situation of women in the State party to enable monitoring of the implementation of the Convention. In accordance with the State party's obligations under articles 1 and 2 of the Convention and in line with target 5.1 of the Sustainable Development Goals, on ending all forms of discrimination against all women and girls everywhere, as well as in the light of the Committee's previous concluding observations (CEDAW/C/MNG/CO/8-9, paras. 19, 21, 29, 32–33 and 38–39),¹ please indicate how the State party intends to improve the collection and analysis of data pertaining to the areas covered by the Convention so as to support policymaking and programme development and to measure progress towards the implementation of the Convention and promote the substantive equality of women and men, including with regard to the specific areas covered herein.

Constitutional and legislative framework

2. In the light of paragraph 9 of the Committee's previous concluding observations, please indicate whether adequate human, technical and financial resources are allocated for the implementation of laws that promote women's rights under the Constitution and of the Convention and the measures taken to promote knowledge and understanding of the Convention, the Optional Protocol and the Committee's general recommendations among government officials and to strengthen the capacity of the judiciary to invoke or apply the provisions of the Convention in court proceedings. Please provide data on the number of cases brought before the courts for discriminatory acts against women and girls under article 14, paragraph 1, of the revised Criminal Code (2017).

* Adopted by the Committee at its seventy-second session (18 February–8 March 2019).

¹ Unless otherwise indicated, paragraph numbers refer to the previous concluding observations of the Committee.



Access to justice

3. With reference to the Committee's previous concluding observations (paras. 9 (c) and 11), please inform the Committee about steps taken to ensure awareness among women of their rights under the Convention and measures taken to ensure access for women to justice and remedies, in particular for rural women. Please provide information on the measures taken to improve cooperation between the National Human Rights Commission and civil society organizations and other stakeholders to promote access to justice for all groups of women. Please indicate whether the revised draft law on the National Human Rights Commission ensures its independence and whether it will be provided with sufficient human, technical and financial resources.

National machinery for the advancement of women

4. With reference to the Committee's previous concluding observations (para. 13) and the related follow-up report submitted by the State party ([CEDAW/C/MNG/CO/8-9/Add.1](#), paras. 6–7), please indicate whether the National Committee on Gender Equality has the capacity to coordinate, monitor and evaluate the impact of the implementation of the national programme on gender equality for the period from 2017 to 2021 and the related action plan, and please provide information on the progress made towards implementing them. Please also provide information on whether the National Committee on Gender Equality is provided with adequate human, technical and financial resources to execute its mandate.

Temporary special measures

5. Please provide information on the measures taken to strengthen the implementation of article 10 of the Law on the Promotion of Gender Equality (2011) on temporary special measures, including capacity-building for all relevant State officials and the adoption of measures to encourage its use, in all areas in which women are underrepresented or disadvantaged, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures (paras. 15 and 23 (a) (i)). Please include information, including statistical data, on the enforcement, monitoring and impact of such measures. Please explain the reasons for the amendment of the Law on Elections, in 2016, which decreased the minimum quota for female candidates nominated for parliament by a political party to 20 per cent. Please also provide information on further temporary special measures taken or envisaged to accelerate the achievement of substantive gender equality in other areas of the Convention, including education, health and employment.

Stereotypes and harmful practices

6. Please provide information on the details and status of the 14 measures planned in 2017 under goal 3 of the national programme on gender equality for the period from 2017 to 2021 to eliminate discriminatory gender stereotypes about the roles of women and men in society and their social participation ([CEDAW/C/MNG/CO/8-9/Add.1](#), para. 13). Please also provide information on measures taken to increase human, technical and financial resources and to strengthen partnerships with civil society organizations and the media, including the outcome of the three-month campaign with the media, to combat discriminatory gender stereotypes and harmful practices against women and girls, as well as information on programmes on engaging men and boys ([CEDAW/C/MNG/CO/8-9/Add.1](#), paras. 23 and 26).

Gender-based violence against women

7. In the light of the Committee's previous concluding observations (para. 19) and the related follow-up report submitted by the State party ([CEDAW/C/MNG/CO/8-9/Add.1](#), para. 28), please specify measures taken to increase financial resources for the effective implementation, monitoring and enforcement of the revised Law on Combating Domestic Violence (2016) and subsequent relevant procedures. Please indicate whether those measures are targeted at all groups of women, including women with disabilities, lesbian, bisexual and transgender women, intersex persons and migrant women. With regard to redress and protection, please provide data on the number of additional shelters and one-stop service centres that provide assistance to women and girls who are victims of gender-based violence that have been established, in particular in rural areas, and on whether those shelters and centres provide adequate health and safety conditions and are accessible to women with disabilities. Please provide information on progress made towards the implementation of the procedure for the accreditation of non-governmental organizations offering services to victims, of 2017, and to strengthen partnership with non-governmental organizations that provide shelters and rehabilitation services.

8. Please provide updated data on the number of reported cases of gender-based violence, including domestic violence, against women and girls and the number of criminal investigations and prosecutions, as well as the sentences imposed on the perpetrators during the reporting period. With reference to the Committee's previous concluding observations, please indicate whether the capacity-building programmes or training sessions for judicial and law enforcement personnel listed in paragraphs 49 to 53 of the State party's follow-up report cover the strict application of legislation criminalizing gender-based violence against women. Please also provide information on the impact of the national programme on promoting the rights, inclusion and development of persons with disabilities, of 2017, on the capacity of the relevant State officials to ensure gender-sensitive procedures for women with disabilities who are victims of gender-based violence and to enhance access for such women to legal redress.

Trafficking and exploitation of prostitution

9. With reference to the Committee's previous concluding observations (para. 21), please provide information on measures taken: (a) to implement the State party's existing legislation and programmes on trafficking, including the national anti-trafficking programme for the period from 2017 to 2021, and ensure that it has adequate financial resources; (b) to develop the capacity of relevant State officials to ensure the early referral of victims of trafficking to protective services and provide gender-sensitive procedures, including indicating the outcome of the training course held in March 2017 on best practices in countering trafficking for judges, prosecutors and lawyers; and (c) to address the root causes of trafficking and prostitution and provide shelters and educational and economic opportunities for women and girls and their families, as well as exit programmes for women who wish to leave prostitution. Please also provide data on women and girls who are victims of trafficking.

10. With reference to reports that 26 trafficking cases have been discontinued due to prosecutors' insufficient knowledge of the revised Criminal Code, please provide information on steps being taken to train prosecutors so that traffickers are prosecuted and adequately punished. Please provide information on the number of prosecutions and convictions secured in cases of trafficking in women and girls. Please also provide information on measures taken by the State party to enhance victim identification mechanisms so as not to prosecute women and girls who are victims of trafficking for acts committed as a result of being subjected to trafficking.

Participation in political and public life

11. In its previous concluding observations, the Committee expressed concerns about limited access to political networks and the compulsory financial contribution known as “the candidate tax” (para. 22). Please indicate steps taken to address those obstacles and to increase the equal participation of women at all levels of political and public life, in particular in decision-making positions at both the national and local levels. In the light of the amendment of the Law on Elections in 2016, which decreased the minimum quota for women candidates for parliament, please inform the Committee of the measures taken or envisaged to increase the number of women in parliament and ensure their higher rankings on electoral lists (para. 23 (a)).

12. Please provide information on activities to raise awareness in society of the importance of the equal participation of women in decision-making (para. 23 (d)). Please also provide information on the progress made to repeal article 11, paragraph 5, of the Law on Elections, which restricts the right of persons with disabilities to vote and stand for election solely on the basis of their disability, and to amend article 11, paragraph 1, of the Law in order to include disability as prohibited grounds for discrimination (para. 23 (f)).

Education

13. Please provide information on the proportion of the national budget allocated to education. In the light of the Committee’s previous concluding observations (para. 25), please provide information on measures taken to ensure the retention of pregnant girls in school, and the reintegration of young mothers, so as to promote education among girls. Please also provide updated data, disaggregated by region and sex, for all levels of education, including the dropout rate and subsequent reentry rate among pregnant girls and young mothers and the number of girls who are absent from school because of their duties in livestock herding.

14 Please indicate whether the State party has taken steps or envisages to expand the “safe school” model ([CEDAW/C/MNG/CO/8-9/Add.1](#), para. 40) into all areas of the State party, as well as to provide rehabilitation and redress to victims of sexual violence in schools and school dormitories. Please provide data on the number of investigations, prosecutions and penalties imposed in cases of sexual violence and abuse in educational settings. Please provide information on measures taken to revise national legislation and develop policies and regulations in line with the Law on Rights of Persons with Disabilities (2016) to ensure inclusive and accessible education for women and girls with disabilities and to provide training for teachers on inclusive education and the special educational needs of women and girls with disabilities (para. 25 (d)).

Employment

15. With regard to the Committee’s previous concluding observations (para. 27) and the related follow-up report submitted by the State party ([CEDAW/C/MNG/CO/8-9/Add.1](#), para. 45), please provide information on: (a) the legal measures taken to enforce goal 1 of the national programme on gender equality for the period from 2017 to 2021, which is aimed at providing gender-sensitive work places, preventing gender-based discrimination in recruitment processes and strengthening penalties and punishment for discrimination in workplaces; and (b) the progress made with, and details of, amendments to the labour and employment promotion laws. Please also provide information on the steps taken to improve the vocational capacity of women, including women with disabilities, to enter into the formal economy and to raise awareness among employers in both the public and private sectors (para. 27 (a)).

Please indicate the outcome of the development of an assessment methodology on equal remuneration and how that methodology helps to reduce the gender pay gap.

16. In the light of the Committee's previous concluding observations (para. 27), please indicate whether the State party has taken measures: (a) to enhance the capacity of the national labour inspection system; (b) to review the list of prohibited occupations and sectors and improve working conditions and occupational health and safety, in particular in the mining industry; and (c) to raise the retirement age for women to be equal to that of men so as to ensure equal opportunities for employment and pensions. Please provide information and data on women foreign migrant workers, disaggregated by sex, age and country of origin, and the measures taken to ensure the equal application to migrant women of the labour laws applied to the general population.

17. Please provide information on the measures taken to revise the Criminal Code to include sexual harassment as a crime and to raise awareness among employers and employees of sexual harassment and the relevant provisions of the Law on the Promotion of Gender Equality (2011). Please also indicate steps taken to extend fully paid maternity leave to 120 days in the private sector to harmonize it with its application in the public sector. Please provide information on the availability and affordability of childcare facilities, which allow women to balance work and family life.

Health

18. Please provide information on measures taken to promote age-appropriate education on sexual and reproductive health and rights, to ensure that contraceptive methods are affordable, available and accessible and to provide adequate family planning services to prevent early pregnancy (para. 29 (a)). Please provide an update on progress made to implement the national maternal, child and reproductive health programme for the period from 2017 to 2021, and the national communicable diseases programme for the same period, and information on the results of monitoring their implementation. Please also indicate the steps taken to ensure access to sexual and reproductive health services and information for disadvantaged groups of women and girls and to provide training to medical personnel to respond to their specific needs (para. 29 (c)).

19. Please describe measures taken to ensure access to health services, including newly established adolescent- and youth-friendly clinics, for all children, including girls, in particular those living in rural areas and from low-income families, as recommended by the Committee on the Rights of the Child (*CRC/C/MNG/CO/5*, para. 30 (a)). Please also provide information on efforts made to prevent suicide among adolescents, in particular girls, and provide them with mental health services. Please provide information on the progress made to implement the national action plan on cervical cancer for the period from 2018 to 2021, which was approved by the Ministry of Health in March 2018, and indicate whether medical and health personnel, in particular in rural areas, receive adequate training to detect cervical cancer and breast cancer at an early stage (para. 29 (d)). Please also provide information on the measures taken to address air pollution with regard to women's health.

Economic empowerment of women

20. In the light of the concerns expressed by the Committee in its previous concluding observations about poverty among women and the lack of targeted measures to ensure their participation in decision-making in development projects (para. 30), please provide information on the measures taken to improve economic empowerment among women and to ensure access for women to anti-poverty

programmes, including financial credit, in particular for rural women and households headed by single women, and to enhance the participation of women, including older women and women with disabilities, in the design and implementation of development projects.

Rural women

21. Please indicate whether, as recommended by the Committee (para. 33), the State party has taken measures to address poverty among rural women, including women engaged in livestock herding, and ensure access for rural women to justice, education, employment in the formal sector, vocational training, income-generating opportunities, microcredit, land ownership and special provisions regarding housing, safe drinking water, health-care services and sanitation that take into account their needs. Please provide information on the impact of the following on rural women: (a) rural development strategies; (b) climate change, disaster response and risk reduction policies and action plans; and (c) industrial operations, in particular in the mining sector. Please also provide information on how those strategies, policies and plans incorporate a gender perspective, as well as on the measures taken to ensure the participation of rural women in their design and implementation. Please also provide information on steps taken to enhance the participation of rural women in decision-making, including through the use of temporary special measures to increase the number of women representatives on local councils.

Disadvantaged groups of women

22. Please provide data, disaggregated by age, ethnicity, religion and location, on the situation of disadvantaged groups of women and girls, such as those from ethnic and linguistic minority groups and indigenous groups, including Kazakh women and girls, older women and women and girls with disabilities, in particular in education, health care, protection from gender-based violence, employment, housing and participation in political and public life. With regard to women and girls with disabilities, please provide information on measures taken to implement and monitor the national programme on the promotion of human rights and the participation and development of persons with disabilities, of 2017 ([CEDAW/C/MNG/CO/8-9/Add.1](#), para. 58), as well as the Law on Rights of Persons with Disabilities (2016).

Marriage and family relations

23. Please provide information on the measures taken to repeal the discriminatory provisions contained in the family law, which restricts divorce in cases in which a wife is pregnant, a couple has a child under the age of one or one of the spouses is suffering from severe illness. With reference to the Committee's previous concluding observations (para. 37) and the fact that nearly 80 per cent of households headed by one person in the State party are headed by women, with 90 per cent of those households living below the poverty line, please describe measures in place to provide support to single mothers and single women heads of household, including efforts to secure child maintenance payments in adequate amounts and increase their family benefits. Please also provide information on the provisions with regard to the ownership and management of property upon dissolution of marriage in existing legislation and on whether the State party ensures the equal division of property in such cases regardless of the title holder, including by the amendment of the relevant legislation.

Additional information

24. Please provide any additional information deemed relevant regarding legislative, policy, administrative and any other measures taken to implement the provisions of the Convention and the Committee's concluding observations since the consideration of the combined eighth and ninth periodic reports of the State party, in 2016. Such measures may include recent laws, developments, plans and programmes, recent ratifications of human rights instruments or any other information that the State party considers relevant. Please note that, further to the issues raised herein, the State party is expected, during the dialogue, to respond to additional questions relating to areas covered by the Convention.
