



# Convention on the Rights of the Child

Distr.: General  
7 November 2016

Original: English  
English, French and Spanish only

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## Committee on the Rights of the Child

### Seventy-fifth session

15 May-2 June 2017

Item 4 of the provisional agenda

### Consideration of reports of States parties

## List of issues in relation to the fifth periodic report of Mongolia

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 23 February 2017. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

### Part I

1. With regard to public budgeting for children, please inform the Committee about measures taken to safeguard the protection of children's rights during periods of economic recession. Please provide more detailed information on measures taken to prevent corruption.
2. Please provide information on measures taken to ensure that the activities of business enterprises, including extractive industries, fully respect the enjoyment of the rights of the child and that remedies are provided in case of violation. Please also provide information on how disputes over land and water between extractive industries and herder communities have been resolved.
3. Please inform the Committee about measures taken to implement existing anti-discrimination legislation in practice, and indicate whether discrimination against lesbian, gay, bisexual, transgender and intersex children is prohibited by law.
4. Please provide more detailed information on how the best interests of the child are guaranteed in the draft family law, the Criminal Code, the 2016 law on child protection, the 2016 law on the rights of the child and other recently adopted or amended laws. Please provide concrete examples of cases in which the best interests of the child have been taken into consideration in judicial and administrative decisions.
5. Please provide information on the impact of the 2011 strategy to promote child participation, including how the outcomes of the children's forums have been reflected in laws and policies at the national and local levels. Please also provide information on

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measures taken to ensure that teachers, health professionals, social workers, parents and caregivers respect and protect children's right to privacy.

6. Please provide information on follow-up to the Committee's recommendations on child abuse and neglect (see CRC/C/MNG/CO/3-4, para. 47), including with regard to the 2016 laws on child protection and on the rights of the child. Please inform the Committee about complaint procedures available to children in detention, including in prisons and police custody, in relation to inhuman or degrading treatment or punishment.

7. Please update the Committee about the measures taken to monitor and control the quality of care in alternative care settings for children who have lost their parents or live separately from them, such as residential institutions, including those for children with disabilities, foster care, informal care, adoptive families, school dormitories and religious schools.

8. Please provide information on the law on the rights of persons with disabilities that was adopted in February 2016, including on the budget allocated to, and monitoring mechanisms for, its implementation.

9. Please provide information on the regulation of marketing of breastmilk substitutes and unhealthy foods; the involvement of children in the development, implementation and monitoring of laws and policies on adolescent health; adolescents' access to contraceptives and sexual and reproductive health education; and measures taken to protect children from air pollution.

10. Please update the Committee on the measures taken to protect children's lives, health and standard of living from the negative impacts of climate change, environmental degradation as a consequence of the activities of extractive industries, and rapid urbanization. Please indicate how children are involved in the development, implementation and monitoring of responses to those challenges.

11. Please clarify how the quality of education in public and private schools is monitored; whether poor children receive support to pay for school uniforms, transportation costs and any other additional costs to access education; whether boys living in monasteries have access to the full range of basic education; and the purpose of and services provided by 24-hour kindergartens.

12. Please provide information on laws and policies that provide comprehensive protection and support to children in street situations. Please also provide information on the outcome of the 2012-2016 national programme to eradicate the worst forms of child labour and on the current status of the legal reform on the protection of child jockeys (see CRC/C/MNG/5, para. 164).

13. Please indicate the measures the State party has taken to amend the relevant legislative provisions to fully incorporate articles 2 and 3 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Please also indicate the measures taken to prohibit online child sexual exploitation and to promote online safety for children, and to respond to the improper financial gains from adoptions referred to in the State party report (CRC/C/MNG/5, para. 97).

14. Please indicate the measures the State party has taken to ensure that violations of the provisions of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict regarding the recruitment and involvement of children in hostilities are explicitly criminalized in the State party's legislation. Please also indicate what measures the State party has taken to ensure that military codes, manuals and other military directives are in accordance with the Optional Protocol.

## Part II

15. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

- (a) New bills or laws, and their respective regulations;
- (b) New institutions (and their mandates) or institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

## Part III

### Data, statistics and other information, if available

16. Please provide consolidated information for the past three years on the budget lines regarding children and social sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources.

17. Please provide, if available, updated statistical data disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, as relevant, for the past three years, on:

- (a) The number of professionally qualified social workers working with children (per 10,000 children), disaggregated by the geographic location where they are posted;
- (b) The number of complaints submitted by children in detention about torture, inhuman or degrading treatment or punishment, and the number of perpetrators prosecuted and convicted for such offences against children;
- (c) The prevalence of child obesity, overweight, stunting and micronutrient deficiency;
- (d) The prevalence of HIV/AIDS, including mother-to-child transmission of HIV, and sexually transmitted infections among adolescents;
- (e) Access to antiretroviral medicines and treatment;
- (f) The prevalence of mental ill-health among children;
- (g) The prevalence of alcohol, tobacco and other substance consumption and abuse among children;
- (h) The prevalence of teenage pregnancies;
- (i) Access to improved water sources and sanitation in homes and schools;
- (j) The number of child victims of sexual exploitation and abuse, disaggregated by online and offline exploitation and abuse.

18. Please provide data disaggregated by age, sex, socioeconomic background, ethnic origin and geographic location regarding the situation of children deprived of a family environment, for the past three years, on the number of children:

- (a) Living in residential institutions;
- (b) Living in foster care;

(c) Living in child-headed households.

19. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past three years, on the number of children with disabilities:

(a) Living with their families;

(b) Living in institutions;

(c) Attending early childhood development education centres, such as kindergartens;

(d) Attending regular primary schools;

(e) Attending regular secondary schools;

(f) Attending special schools;

(g) Out of school;

(h) Abandoned by their families.

20. Please provide the Committee with an update of any data in the report that may have been outdated by more recent data collected or other new developments.

21. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.

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