



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

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Chairperson: Mr. Grossman

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 19 of the Convention

Initial report of Mongolia (continued) (CAT/C/MNG/1; HRI/CORE/MNG/2005)

1. *At the invitation of the Chairperson, the members of the delegation of Mongolia took places at the Committee table.*
2. **The Chairperson** invited the delegation of Mongolia to reply to the questions raised by Committee members at the previous meeting.
3. **Mr. Bayasgalan** (Mongolia) said that a working group had drafted the preliminary version of Mongolia's initial report and submitted it to the National Human Rights Commission for comment. The final version of the report had been posted on an official website for the benefit of the general public. No feedback had been received either from the Commission or from NGOs.
4. During the four-day state of emergency declared on 1 July 2008, four people had been shot dead and one had died of carbon monoxide poisoning. The Investigation Unit of the General Police Department had investigated six junior police officers and four senior officers in connection with the shootings. Six officers had been acquitted on the ground of insufficient evidence and four had been released under the 2010 Amnesty Law.
5. The National Human Rights Commission was a totally independent body and complied fully with the Principles relating to the Status of National Institutions (Paris Principles) and had been granted "A" status by the International Coordinating Committee. Its independent mandate had not been affected by the state of emergency.
6. Forty per cent of the criminal cases recorded annually in Mongolia concerned minor offences, which did not entail pretrial detention. Fifty per cent constituted serious offences entailing pretrial detention of not more than four months and the remainder constituted very serious offences entailing pretrial detention for a maximum period of 12 months.
7. Pursuant to article 10 of the Constitution, international treaties to which Mongolia was a party were incorporated in domestic legislation and became legally binding. The Criminal Code had been amended in February 2008 to align domestic legislation with the provisions of the Convention. For instance, an investigator who committed acts of torture causing physical injury was liable to a term of imprisonment of up to 15 years pursuant to article 251 of the Criminal Code. The definition of torture corresponded to that contained in article 1 of the Convention.
8. With regard to the observation that the penalties prescribed under articles 96, 98 and 100 of the Criminal Code were unduly lenient, he said that the articles were applicable to injuries resulting from a conflict between two individuals without the involvement of a public official.
9. An Investigation Unit had been established in the General Prosecutor's Office to deal with crimes committed by investigators and prosecutors. According to the latest figures available, 188 torture complaints had been investigated. As a result, 38 criminal cases had been registered, of which 10 had been referred to a prosecutor's office for further investigation. In 2003, for example, a police officer in Omnogovi Province had been charged with the criminal offence of beating up a suspect. In 2007 a police officer had been imprisoned for two years and one month for using coercion to obtain evidence.
10. Pursuant to article 59 of the Code of Criminal Procedure, police officers could in certain circumstances request the relevant prosecutor's office to place a suspect in custody

for 24 hours. The period could be extended for a further 48 hours. Only 30 per cent of detainees were held for more than 72 hours.

11. Article 30 of the law relating to the deportation of foreign citizens stipulated that aliens should be deported for the following reasons: entering the country with an invalid passport or a forged document; failing to leave the country when their visa expired or their residence permit was withdrawn or annulled; engaging in paid employment without a work permit or engaging in employment other than that for which the work permit was issued; committing a criminal offence involving drug abuse; or contributing to the spread of HIV/AIDS. Decisions on such matters were taken by the Office of Migration and Naturalization and could be appealed to the Administrative Court, which could annul the decision if it concluded that it was unjustified. Most cases of deportation involved persons engaging in illegal business activities; many of them were Chinese nationals who had entered the country on a tourist visa.

12. The Government had discussed the possibility of ratifying the 1951 Convention relating the Status of Refugees in 2007 and had referred the matter to the Mongolian Security Council. If the Council approved the proposal, it would be forwarded to the parliament for its endorsement.

13. The extradition of Mongolian citizens was regulated by article 46 of the Code of Criminal Procedure and by bilateral agreements. There were no specific provisions concerning criminal cases.

14. Training courses for police officers and prosecutors were organized during the period from November to April each year. The curriculum included extensive information regarding the prohibition of torture. The code of conduct applicable to investigators and prosecutors also contained provisions dealing with torture and ill-treatment. Moreover, although the Istanbul Protocol was not legally binding, the guidelines and standards it contained were cited extensively in the courses.

15. A question had been asked about Denjiin Myanga detention centre, which had more than 200 inmates but a capacity of only 150. The General Prosecutor's Office and the Special Inspection Office exercised regular oversight of detention centres. The competent prosecutor visited the centres once a month. Quarterly and semi-annual inspections were also arranged and special visits were made if specific complaints were received. Six detention centres that had failed to meet the requisite standards had been closed down. The remaining centres complied fully with the standards. The persons held at Denjiin Myanga were charged with administrative rather than criminal offences. The conditions admittedly left a great deal to be desired. In general, high priority was being given to the improvement of conditions in detention centres. The building of a pretrial detention centre for 1,000 people would be completed before the end of the year. Gants Khudag detention centre would be closed down.

16. Priority had also been given in recent years to the reconstruction and renovation of prisons. More than 10 prisons had been renovated in accordance with international standards and equipped with new buildings. He drew attention to a recent publication containing "before and after" photographs. Some 3,500 prisoners, i.e. more than 50 per cent, had so far benefited from the improved conditions. Several million Mongolian togrogs had been invested in the project. Foreign experts and professional organizations had visited the prisons and concluded that the conditions complied with international standards.

17. All death sentences were now commuted to 30-year prison sentences. People serving such sentences had the right to learn foreign languages and computer skills. High nutrition standards were imposed and supervised on a daily basis by the General Prosecutor's Office.

18. Following ratification of the Convention and its incorporation in domestic legislation, there had been a reduction in the number of persons sentenced for acts of torture or ill-treatment under the Criminal Code. Some officials had been dismissed following administrative proceedings. He agreed that there was a need to compile statistical data on such cases.

19. Victims and witnesses had in the past been offered protection under the Code of Criminal Procedure, but there were plans to enact special legislation for the purpose. A working group had been set up to draft a preliminary version, which would be considered at the spring 2011 parliamentary session. The experience of countries such as Canada would be taken into account.

20. In accordance with article 16 (14) of the Constitution, Mongolian citizens enjoyed the right to be compensated for damage illegally caused by other persons. Under article 493 (2) of the Code of Criminal Procedure, if the damage was caused by the unlawful act of a public official, the State would be liable for compensation – for example, if an injury occurred during arrest or detention or enforced medical treatment. Property damage was reimbursed. Provision for rehabilitation could be made where psychological harm had been inflicted. Legal counselling was also offered under the Code of Criminal Procedure. When a court awarded compensation, the victim submitted an invoice and the Government made the requisite payment from a special fund. According to the latest statistics, over 500 million togrogs had been paid to more than 20 small businesses in respect of unlawful acts by police officers, investigators and prosecutors. An amendment to the Special Government Funds Law had been drafted in order to make more compensation available. The amendment stipulated that the State would provide compensation for 12 types of criminal case identified in the Criminal Code and the Code of Criminal Procedure, including cases of torture under article 251 of the Criminal Code.

21. A member of the Committee had asked whether the moratorium on the death penalty announced by the President would eventually lead to the abolition of capital punishment. The Government officially supported accession to the second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. The relevant standing parliamentary committees had already approved the proposal and a plenary session of parliament was likely to endorse it in the near future.

22. Mongolia had not yet recognized the competence of the Committee under article 22 of the Convention to receive and consider communications from or on behalf of individuals subject to its jurisdiction.

23. A total of 20,373 criminal cases had been registered in 2009: of those, 38.6 per cent concerned minor offences and 49.1 per cent concerned less serious offences; 28.6 per cent of all offences had been committed under the influence of alcohol; 10.6 per cent had been committed by women and 4.8 per cent by minors.

24. Trafficking in young women and girls was a major concern. The Government had decided to enact legislation concerning trafficking in persons which would regulate the legal status of victims and the legal and medical services that should be made available to them. As many Mongolian girls were allegedly the victims of such practices in Macao, Mongolia had signed a memorandum of understanding with Macao on 18 October 2010 on cooperation in combating human trafficking. It was hoped that the memorandum would serve as a model for other countries.

25. The Government planned to develop a list of the worst forms of child labour practised in the country and introduce legislative amendments incorporating the Committee's recommendations and those made during the universal periodic review (UPR) to address the issue.

26. While there was no specific provision in the Criminal Code on marital rape, the issue was covered in the Domestic Violence Law. Domestic violence was declining in the country, and special programmes had been set up for women, including four shelters in Ulaanbaatar for domestic violence victims. In the future, a whole network of such shelters would be established throughout the country. Also, parliament was currently considering a bill on compensation for victims of torture. The Government recognized that violations of the rights of sexual minorities were a major concern, and it planned to work together with the lesbian, gay, bisexual and transgender (LGBT) centre to raise public awareness and train police officers on the rights of those minorities.

27. Since responsibility for detention centres had been transferred from the police to the Court Decision Enforcement Authority in 2002, the decision to detain an individual was no longer influenced by the biased attitude of some investigators and police officers, and arbitrary changes of rooms no longer occurred. Detention periods for minors were different from those for adults outlined in paragraph 134 of his country's report. The initial detention period for minors was one month, which could be extended for a maximum of eight months in the case of very serious offences. Police officers could detain a suspect for up to 24 hours, at which point the Court Decision Enforcement Authority would make a decision about further detention.

28. International treaties to which Mongolia was a party had the same legal status as domestic legislation. However, intensive training for judges was needed on those treaties. The Ministry of Foreign Affairs and Trade had thus published a reference book including the Convention against Torture and all other treaties to which Mongolia was a party.

29. If a foreign national committed an offence in Mongolia, his Government would handle the case in accordance with domestic laws; the foreign national had the right to appeal to a Mongolian court. Foreigners could also appeal deportation decisions to the Administrative Court. The Government would consider introducing legislative amendments on any acts of torture committed during the deportation process.

30. Since Mongolia did not recognize dual citizenship, members of the Kazakh minority who had settled in Kazakhstan, obtained Kazakh citizenship and then returned to Mongolia had to apply for recovery of their Mongolian citizenship. The President had granted citizenship in about 200 such cases. With the recent boom in the mining industry, protecting the rights of miners in small mining companies was a critical issue for the Government. Until recently there had been no regulation of small-scale mining, but parliament had recently passed an amendment to the Mining Law allowing miners in small companies to form cooperatives, which gave them some protection.

31. Regarding the structure of the justice system, the Supreme Court was the highest court in the country, followed by the *Aimag* courts and the Capital City Court, while the lowest courts were the *soum*, the *intersoum* and district courts. Judges were nominated by the General Council of Courts and then appointed by the President for a term of six years. The independence of judges was regulated by the Code of Criminal Procedure and the Administrative Code, and international experts had concluded that the appointment procedure for judges was in full compliance with international standards.

32. The definition of torture as set out in the Criminal Code was the same as the definition in the Convention. The visit of the Special Rapporteur on the question of torture had been very useful, and the Government had taken several measures to implement his recommendations, such as amending the Criminal Code on 1 February 2008 to include a definition of torture in line with that of the Convention, reducing the period of detention and improving prison conditions. Ten new prisons had been built, and a pretrial detention centre would be completed in the current year.

33. He was not aware of any specific reports of sexual minorities being ill-treated by the police, but in the future the LGBT centre could pass on any such reports to the authorities.
34. Currently, the Government did provide certain information to the relatives and legal counsel of individuals who had been sentenced to death. If Mongolia ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, it might amend or repeal certain laws on that question.
35. While he could not deny that testimony was sometimes obtained by force, such testimony could not be considered in a court of law. If testimony was acquired by illegal means, then criminal sanctions were applicable. Regarding the case of Munkhbayar Baatar, he had died while in custody in a “sobering-up” cell as a result of the misuse of special handcuffs used to restrain him. The case had been investigated by the authorities, and the police officer involved had been sentenced to 7 years’ imprisonment.
36. Article 30 of the Criminal Code stated that an unsuccessful attempt to commit an offence was punishable. Victims of torture, defined as individuals who had suffered physically or non-physically from torture, had the right to compensation and medical treatment. Assistance from international experts on how to assess non-physical or psychological damage would be welcome. If the victim died, his or her children could inherit the right to compensation.
37. While articles 14 and 19 of the Constitution served as the legal basis for regulating hate crimes, the question of hate crimes was not explicitly incorporated in Mongolian law. That matter had also been raised during the UPR, so his Government would need to study it in order to see how it could be covered in the Criminal Code. Through its diplomatic missions abroad, the Government frequently exchanged information on the situation and livelihood of Mongolian citizens living abroad, and bilateral agreements on legal aid had been concluded with more than 20 countries. More than 15,000 Mongolians were currently living and working in the Republic of Korea, and some of them had been injured or killed because labour safety regulations had not been obeyed.
38. In many cases, Mongolian women who married foreign men through a mediator became victims of domestic violence, and such marriages were considered a form of trafficking in persons. The Government had signed a bilateral memorandum of understanding on the issue with Macao and planned to sign similar agreements with other Governments in the future. The police and law enforcement officials were taking a strong stance against such mediators.
39. It was true that Mr. Bat Khurts, a high-ranking official in the Mongolian civil service, had been arrested in London. His delegation trusted that the issue would be resolved in a fair manner with full respect for human rights.
40. **Mr. Bruni**, First Country Rapporteur, asked whether torture was prohibited under article 100 or article 251 of the Criminal Code. It appeared that article 44 (1) of the Criminal Code contradicted the provisions of article 2 (3) of the Convention, which specified that an order from a superior officer or a public authority could not be invoked as a justification of torture. He would welcome the delegation’s comments on that question.
41. He wished to know whether the special isolation regime, under which detainees served 30-year prison sentences in virtual isolation, was still in force, particularly as the Special Rapporteur on torture had concluded that the regime amounted to cruel and inhuman treatment, if not torture.
42. In the light of the Government’s information that, since 2007, of the 744 torture-related cases that had been brought, there had been only 1 conviction (A/HRC/13/39/Add.6, p. 6), he asked how allegations of impunity could be denied.

43. He welcomed the State party's intention to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, and encouraged it to make a declaration under article 22 of the Convention against Torture. Given that 6 of the 50 most recent death sentences had been commuted to life imprisonment, he asked about the situation of the remaining 44 prisoners on death row, particularly as the Special Rapporteur on torture had indicated that conditions for those on death row were extremely poor.

44. **Ms. Kleopas**, Second Country Rapporteur, asked the delegation to comment on NGO reports that the new definition of torture in the State party's criminal legislation applied to investigators and inspectors only, and not to all public officials. She noted that the definition should also include provisions on attempts to perpetrate torture and complicity or participation in torture. In any case, without a specific definition of torture, she failed to understand how the State party could prosecute that crime or impose appropriate penalties. As the Special Rapporteur on torture had noted in 2010, despite the State party's legislative efforts to criminalize torture, the definition of torture was not in line with the requirements of articles 1 and 4 of the Convention. She referred the State party to the Committee's general comment No. 2 on the implementation of article 2 of the Convention.

45. Recalling the State party's obligation under articles 12 and 13 of the Convention to investigate any reasonable allegation of torture, she noted that reports of impunity were widespread. She would be particularly interested to hear the delegation's comments concerning the case of Ts. Zandankhuu.

46. While welcoming the State party's plans to enact specific legislation on trafficking in persons and the bilateral agreement it had concluded with Macao, she remained concerned at the lack of protection available to victims of trafficking. The State party should take immediate steps to rectify that situation, at least by supporting NGOs that could provide victims with adequate shelter and care. It was also necessary to raise awareness, particularly among the police and prosecutors, of the problem of trafficking in persons, since very few cases were currently prosecuted or even investigated.

47. She urged the Government to amend its legislation to ensure that marital rape was classified as domestic violence. In addition, the State party should take steps to provide adequate assistance to victims of domestic violence. In particular, it should ensure that women in rural areas had immediate means of redress and protection, including protection orders, access to safe shelters, and medical and rehabilitation assistance. It should develop a system to gather statistics on the number of cases of violations of the provisions of the Convention, disaggregated by age, gender and type of offence.

48. She asked whether evidence that was obtained without the presence of a lawyer was admitted in courts, and whether the State party planned to start making video recordings of investigations in order to ensure that confessions were not obtained through torture.

49. She requested clarification of whether the new law the State party planned to adopt would provide for an enforceable right in the context of civil law, irrespective of whether a perpetrator of torture had been convicted.

50. She asked how members were appointed to the National Human Rights Commission, whether NGOs were consulted on the membership and whether the State party would be able to strengthen the Commission by allocating sufficient funds to it to enable it to carry out its mandate.

51. **Ms. Gaer** said she remained concerned that, while the definition of torture in the Convention was fully incorporated in domestic legislation, it did not appear in a specific statute of domestic legislation. She failed to understand, given that situation, how a person could be charged with the crime of torture in the State party. She would particularly

welcome any examples of cases in which charges of torture had been brought for any reason based on discrimination of any kind.

52. She asked whether the authorities had taken any action against the nationalist and xenophobic groups that had threatened Chinese residents in the State party.

53. Given that the most recent report of the Special Rapporteur on torture had indicated that the State party had not followed up any of his recommendations, she asked whether the Government planned to prepare a report on the measures it had taken in response to those recommendations.

54. She asked whether the Government had chosen not to examine any of the reported cases of discrimination against members of sexual minorities that the Committee had communicated to it. While she understood that the LGBT centre was able to submit reports of discrimination against members of sexual minorities to the authorities, it remained unclear to which body that NGO should deliver such reports without fear of reprisals.

55. She asked whether the relatives of people who had been subjected to the death penalty in the past had been provided with information concerning their loved ones.

56. It would be useful to know under which article of the Criminal Code the prison officer responsible for the death of Munkhbayar Baatar had been charged, whether the officer remained in prison and whether the victim's family had received any compensation. Turning to the alleged torture of Damien Enkhbat in prison in 2006, she asked whether there had ever been any investigation into his treatment and whether anyone had been disciplined or punished in relation to that case.

57. **Ms. Sveaass** commended the State party for its efforts to raise awareness of the rights of members of sexual minorities. Given the reports the Committee had received of violations of those people's rights, she encouraged the Government to ensure that they had a means of bringing complaints without fear reprisals.

58. In the light of the events of 1 July 2008, she would welcome information on the steps the State party was taking to rebuild public confidence in the police.

59. She requested additional details on the legal safeguards in place for people who were involuntarily hospitalized in psychiatric hospitals, and asked whether the National Human Rights Commission conducted regular unannounced monitoring visits to those institutions. It would be useful to know if there had been any efforts to introduce training programmes on mental health, particularly as the number of medical staff with expertise in psychology and psychiatry was low.

60. While welcoming the State party's prohibition of corporal punishment in schools, she failed to understand why it had not also been explicitly prohibited in alternative care settings and in the home. She urged the Government to remedy that situation as soon as possible.

61. **Mr. Mariño Menéndez** asked whether the Convention was considered to be an international agreement to which Mongolia was a party for the purposes of ensuring the international jurisdiction of the Criminal Code, as indicated in paragraph 68 (c) of the initial report.

62. It would be useful to know whether the Government planned to amend the 1993 Law on the Legal Status of Foreign Citizens, given that the situation with regard to migrants, asylum-seekers and refugees had changed significantly since 1993.

63. **Mr. Wang Xuexian** asked whether the State party planned to amend its Criminal Code to include hate crimes, or whether it would enact a separate law to prohibit such crimes.

64. He enquired whether the State party could confirm reports that, between 2004 and 2007, 326 Mongolian workers had died while living and working in the Republic of Korea.

65. **Ms. Belmir** said that she had received partial replies to some of her questions. The delegation had maintained that some progress had been made with the time taken to bring pretrial detainees before a judge. Nevertheless, the information in paragraph 153 of the State party's report concerning the installation of camera surveillance systems in order to prevent detainees from being arbitrarily removed and intimidated to admit their guilt did not guarantee that forced confessions would not be obtained from adults or minors in detention. It appeared that a prosecutor could issue a sanction before a case had been referred to a judge: she wished to know why, since that would amount to a prejudgement of the case.

66. With reference to paragraph 79 of the initial report, she wished to know what criteria were used to determine the seriousness of a crime and thus the length of time for which pretrial detention could be extended.

67. Lastly, it was difficult to accept that victims of human trafficking for sexual exploitation should be obliged to prove that they did not know that a contract offering work as a singer or a dancer would automatically include the provision of sexual services.

68. **The Chairperson**, speaking as a member of the Committee, said that it was very useful to know that human rights treaties were directly applicable in Mongolian courts as soon as they had been ratified. Nevertheless, all judges, especially those lacking knowledge of international law, would need to receive training on how to effectively implement human rights treaties. Since the treaties would have been ratified by the national parliament, their implementation could not be interpreted as an attack on the country's sovereignty.

69. He sought clarification on how the Convention had been incorporated and how torture was defined in Mongolia's criminal legislation. It was not clear whether mental suffering per se was included as a form of torture.

70. It was also a matter of concern that article 44 (1) of the Mongolian Criminal Code seemed to protect a subordinate from accountability for unwittingly obeying illegal orders or decrees; under domestic legislation only the person giving the order would be responsible. According to article 2 (3) of the Convention, obeying orders was not a valid defence. It was important that the State party should accede to the 1951 Convention relating to the Status of Refugees.

71. Was the maximum penalty for the crime of torture two years and, if so, did the State party have plans to change it? Torture was a serious crime and needed to be punished accordingly.

72. On the question of training, had the police manual on human rights and torture been drafted in consultation with civil society? Did it include cases and a full definition of torture in accordance with international law?

73. He asked whether there an expeditious compensation procedure in Mongolia and what information was available on its success.

74. He wished to know whether the State party planned to make the moratorium on the death penalty permanent.

75. **Mr. Bayasgalan** (Mongolia), responding to questions raised, agreed that the Convention definition of torture should be included in domestic legislation. Even where the Convention had not been incorporated into domestic law, its articles had been legally binding since 2002 and they were directly applicable by judges. Several articles in the Criminal Code, including articles 248, 249 and 251, dealt with torture and provided for penalties of up to 10 years' imprisonment.

76. The State party did not have clear numbers on torture cases but it recognized the need to collate statistical data on that issue.

77. With respect to article 44 (1) of the Criminal Code and the responsibility of the person giving the order, he could confirm that the person carrying out the order would also be liable in situations where the action taken had been illegal.

78. Crimes which had been subject to the death penalty now carried a maximum penalty of 30 years' imprisonment. Conditions in the prisons where death-row prisoners were held would be harsher than normal prison conditions, but they were still fully compliant with international standards.

79. Information on how to bring a complaint concerning torture was available to all citizens. A number of complaints of torture had been investigated but the majority had been dropped because there had been no grounds to bring criminal proceedings. In some cases where it had not been possible to bring criminal proceedings, administrative sanctions, including dismissal from office, had been imposed.

80. He acknowledged that officials investigating torture cases often had a limited understanding of the nature of torture and that it was important that systematic training should be provided for police officers. Mongolia would benefit from the expertise of international organizations in planning such training in order to combat the culture of torture in Mongolia.

81. All death penalties had been commuted to 30 years' imprisonment since the moratorium on the death penalty had been introduced in 2010; prior to that date, the death penalty had been carried out.

82. A working group had been set up to review and amend the Criminal Code and the Code of Criminal Procedure. The State party intended to harmonize domestic legislation with the Convention and to introduce a definition of torture that was Convention-compliant; it would benefit greatly from outside expertise in achieving that goal.

83. A special investigation unit had been set up by the General Prosecutor's Office to deal with cases of alleged torture involving the police. The independent supervision afforded by that unit restricted the possibility of bias in dealing with such cases.

84. Concerning the events of 1 July 2008, a total of 731 people had been placed in custody: of that number, 574 had been investigated and released on bail and 157 had been kept in detention following decisions by the courts. Relatives and lawyers of minors had been informed of their detention within 12 hours. Detainees had been allowed visits in accordance with an established schedule. Four members of parliament and the head of the National Human Rights Commission had also visited the detention centres. A working group of 51 investigators had been established to ensure that the cases were dealt with in a timely manner. A special law had been enacted to ensure that compensation was paid to the victims of the events.

85. Human trafficking was a fairly new phenomenon in Mongolia. NGOs were playing a crucial role in assisting the State party in tackling the problem through the introduction of anti-human-trafficking projects. Four domestic violence shelters had been established through which it was possible to obtain medical, social and legal assistance. Further domestic violence shelters were planned. Legal aid centres had been set up in 21 provinces to assist people from poor and vulnerable groups.

86. The National Human Rights Commission was independent and sufficient funds had been provided for it to carry out its mandate. Three permanent commissioners were assigned to the Commission by parliament and it carried out its duties in accordance with the Paris Principles.

87. Improving the capacity to deal with torture cases presented major problems for the State party. With regard to allegations of ill-treatment, notably against Chinese citizens, certain NGOs had been involved in hate crimes and in protecting nationalistic views. The inclusion of more detailed reference to hate crimes would be studied during the amendment of the Criminal Code.

88. Limited information was available on the ill-treatment of LGBTs. It would not be possible to establish a special unit, but further training on the treatment of sexual minorities could be provided for police officers and other enforcement officials. Complaints concerning ill-treatment of sexual minorities could be made to the Ministry of Justice and the National Human Rights Commission.

89. In the past, information had been provided to relatives of persons subject to the death penalty in accordance with the law.

90. It was understood that further thought needed to be given to addressing the psychological effects of torture.

91. The State party would study the question of its accession to the 1951 Convention relating to the Status of Refugees and give its views in the near future.

92. Surveillance cameras had been installed in some detention centres and more would be introduced when funds permitted.

93. The period of pretrial detention had been considerably shortened and improvements would continue to be made in that area.

94. NGOs had been included in the development of training on human rights and torture. Compensation was paid to victims as soon as possible after a claim had been submitted.

95. He thanked the Committee for its invaluable recommendations.

96. **The Chairperson** thanked the delegation for its cooperation. The Committee looked forward to continuing its constructive dialogue with Mongolia.

The meeting rose at 1.05 p.m.