



# Convention on the Rights of the Child

Distr.: General  
7 September 2016

Original: English  
English, French and Spanish only

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Committee on the Rights of the Child

## Consideration of reports submitted by States parties under article 44 of the Convention

Fifth periodic reports of States parties due in 2014

**Mongolia\***

[Date received: 3 June 2015]

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\* The present document is being issued without formal editing.

GE.16-15524(E)



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## List of Acronyms

CRC	Committee on the Rights of the Child
GoM	Government of Mongolia
GDP	Gross Domestic Product
IAAC	Independent Authority against Corruption
LPCR	Law on Protecting Children's Rights
MoF	Ministry of Finance
MoJ	Ministry of Justice
MoFA	Ministry of Foreign Affairs
MoES	Ministry of Education and Science
MoL	Ministry of Labour
MoED	Ministry of Economic Development
MoH	Ministry of Health
MoCST	Ministry of Culture, Sports and Tourism
MoM	Ministry of Mining
MIA	Ministry of industry and Agriculture
MoPDSF	Ministry of Population Development and Social Welfare
MICS	Multiple Indicators Cluster Survey
NSO	National Statistics Office
NAC	National Authority for Children
NCC	National Council for Children
NHRC	National Human Rights Commission
NJIM	Norwegian Lutheran Mission
NGO	Non-governmental organization
SC	Save the Children
SGH	State Great Hural, Parliament of Mongolia
UN	United Nations
UNICEF	United Nations Children's fund
WVI	World Vision, International

## **Preparation process for the fifth National Report on the implementation of the United Nations' Convention on the Rights of the Child**

### **National systems for the preparation of the report**

1. Pursuant to the 1501st recommendations to the Government of Mongolia issued on January 29, 2014, the Committee on the Rights of the Child has requested the Government of Mongolia to submit its fifth report on the implementation of the United Nations' Convention on the Rights of the Child on October 20, 2014. In relation to this request, Prime Minister and the Head of the National Council for Children, Mr. Altankhuyag has issued the Resolution No. 178 dated November 17, 2013 to assign the Minister of Human Development and Social Welfare to submit the report within the requested timeframe. The working group was headed by Ms. Otgonjargal.B, the Secretary of the MoHDSW, and the secretary was Ms. Javzankhuu, Head of the Child Protection and Service Department of the NAC.

2. The working group was composed of the wide representatives from ministries, agencies and civil society organizations. In the light of implementing the Resolution of the Government, all ministries delivered their reports and statistics on the reporting period between 2009 and 2014 on the implementation of the Convention and recommendations provided by the Committee, to the working group. A first draft of the Common Core Report and the Fifth periodic Report on the Implementation of the UN's Convention on the Rights of the Child was developed by project consultants, Mr. Batkhoo, Ms. Enkhtuya. S, Ms. Tseveen, Ms. Munkhjargal and Ms. Enkhtuya. D and edited by Mr. Tuvshintugs. Ts, Mongoliana Honored Teacher.

3. NAC published the first draft of the fifth periodic report on their website in order to gather opinions from general public. In addition, nine themed consultations were held by the members of the working group involving 300 comments and recommendations received through the above mentioned actions. It was a first time for the governors of local level authorities, agencies on Children and Family Development to prepare and submit their local reports on the implementation of the Convention as per the comprehensive guidelines by the Committee. 80 percent of such authorities sent their reports to National Council For Children within the first 9 months of this year.

## **Mongolia's fifth report on the implementation of the United Nations' Conventions of the rights of the children**

### **A. General conditions for ensuring children's rights**

#### **Legal regulations, reforms and perspectives**

4. In relation to child rights legalizations, Mongolia approved nine new laws, amended 13 laws and annulled one law. Three laws, namely, Law on Human Development Fund, Law on Mediation Reconciliation, Law on Protection of Victims and Witnesses are directly apply for children. Other laws regulate issues that have indirect impact on children.

<i>Content of the Convention</i>	<i>New and amended laws in Mongolia</i>
General actions /Article 4, 6, 42 and 4	Fiscal Stability Law, 2010 Law on regulating public and private interests in public service and preventing conflict of interest, 2012 Mongolian Law on Judiciary, 2012 Law on Legal Status of Judges, 2012 Law on Legal Status of Lawyers, 2012 Law on Government Structure, 2012 Law on Marshal Services, 2013 Law on Police, 2013 Law on Human Development Fund, 2009
General principles /Article 2, 3, 6 and 12/	Law on information transparency and access to information, 2011
Civil freedom /Article 7, 8, 13-17 and clause a of Article	Law on the Legal Status of Foreign Citizens, 2010 Gender Equality Law, 2011 Law on procedures to implement the Gender Equality Law, 2011
Family environment and case. Article 5, 18, 9-11, 19-21, 25,27 and 39	Law on providing incentives for mothers with many children, 2010 Minimum wage law, 2010 Law on Air, 2012 Law on waste management, 2012 Law on Water, 2012 Penalty for water pollution, 2012 Law on Mediation Reconciliation, 2012 Law on Food, 2012 Law on ensuring food security, 2012
Health, Social Welfare/ Article 6, 18, 23, 24, 26 and Clause 1-3 of Article 27	Law on Health, 2011 Law on Social Welfare, 2012 Law on Mental Health, 2012 Law on preventing from AIDS and HIV, 2012
Education, recreation and cultural activities /Article 28, 29, 31/	Law on funding for higher education and social security of students, 2011
Special protection services /Article 22, 30, 38, 39, 40, 37 6, and 32-36	Law on participating in peacekeeping operations, 2010 Law on human trafficking, 2012 Law on victim and witness protection, 2013 Law on legal aid to for insolvent convict, 2013 Law on nullifying law on temporary detention of unsupervised children, 2013

5. In 2013, the Law on Temporary Detention of Unsupervised Children, which was in power since 1996, was nullified.

6. In 2011, a review was conducted on the implementation of the Law on Protecting Children's Rights. The review concluded that the law was insufficient in tackling the social problems affecting children's lives and it failed to provide detailed implementation mechanism for children's rights Furthermore, the review found out that the law was only mere statements of rights although clauses and principles were aligned with the Universal Declaration of Human Rights, Convention on the Rights of the Child and the Constitution of Mongolia. A working group is assigned to make the amendments into the current Law on Protecting Children's Rights of Children. In addition, an independent and procedural law on child protection is being drafted. Upon the development both laws will be submitted to State Great Hural for approvals. Labour Code, Law on great national holiday, and Law on Social Security of Disabled People are undergoing through amendments.

### Implementation of National Programme on Child Development and Protection

7. In 2010 Pursuant to the recommendations provided by the Child Rights Committee the Government of Mongolia evaluated the outcomes of the 2<sup>nd</sup> National Programme on Child Development and Protection by drawing various experts from both public sector and civil society. Assessment report of National programme of action for the development and protection of children (2002-2010), 2012.

8. The outcomes of the National Programme of action for the development and protection of children were assessed with 38 indicators within 4 categories. This assessment provided a base for establishing comprehensive database on the implementation of rights of the children. The indicators were based on the principles of children's rights and divided into the following four categories: 1) children's right to life and survival /13 indicators/; 2) children's right to education and development /9 indicators/; 3) children's rights to be protected from abuse, violence, neglect and discrimination /7 indicators/; and 4) supporting children's participation /9 indicators/.

9. A Second National Program on children's development and protection were carried out from 2002 to 2010 in three phases. This Programme planned 311 actions. The implementation performance of the program was evaluated as 74.6 percent.

10. During the time of the implementation of the National Program, health and satiety indicators had been improved considerably. Number of paediatricians/doctors for children per 1000 persons was 3.1 in 2001; reached 3.5 in 2005; and 5.0 in 2010. Under -five and infant mortality rates were 40.8 and 35 respectively in 2001 and were reduced to 30.2 and 20.27 in 2010.

Table 1  
**Indicators for children's health and safety**

#### *Healthy and safe environment for children*

<i>Key Indicators</i>	<i>National baseline indicator (2001)</i>	<i>Local baseline indicator</i>	<i>National mid-term indicator (2005)</i>	<i>Local mid- term indicators</i>	<i>National Final Indicator (2010)</i>	<i>Local Final Indicator</i>
1. Number of paediatricians/ doctors for adolescents (per 10,000 children)	3.1	5.8	3.5	8.0	5	11.3
2. Infant mortality (per 1000 live births)	30.2	20.42	20.8	19.30	19.70	20.27
3. Under five mortality (per 1000 live births)	40.8	20.09	26.1	19.91	23.5	21.31
4. Percentage of exclusive breast-feeding in the first 6 months	-	33.46	59	74.76	66	77.23
5. Percentage of underweight and stunting among children under 5	11.9/29.9.	5.36/3.53	4.3/27.5	6.54/5.42	3.3/15.3	12.44/6.15
7. Number of organizations involved in health campaigns "Healthy City/Organizations"	0/25	0.5/153	1/100	2.5/281	3/200	5/385
8. Number of child-friendly health clinics / health promotion schools	144/26	218/91	165/50	113/88	198/100	367/218

*Source:* Assessment report of National programme of action for the development and protection of children (2002-2010), 2012.

11. Performance of the target indicators for quality education and training for children was fully satisfactory. Percentage of pre-school age children enrolled in kindergartens increased to 72 percent in 2010 compared to 34 percent in 2001.

Table 2  
**Education and development indicators for Children**

<i>Quality education and training for children</i>						
<i>Key Indicators</i>	<i>National baseline indicator (2001)</i>	<i>Local baseline indicator</i>	<i>National mid-term indicator (2005)</i>	<i>Local mid-term indicator</i>	<i>National Final Indicator (2010)</i>	<i>Local Final Indicator</i>
9. Percentage of pre-school age children enrolled in kindergartens	34.0	30.27	62.0	44.72	72.0	60.63
10. Percentage of primary education enrollment	95.3	76.70	97.0	86.14	99.0	88.82
11. Percentage of basic education enrollment (gross weight)	89.7	76.67	92.0	83.83	95.0	77.01
12. Gender ratio in basic and secondary schools	52.8/58.737.27/43.28		52.0/56.038.90/45.68		51.0/54.035.44/47.74	
13. Average number of shifts in schools	2.7	1.61	2.2	1.56	1.8	1.53
14. Percentage of schools with internet access	55	6.58	75	15.61	95	43.14
15. Percentage of attendance at extra-curricular activity	20	23.72	40	37.74	60	57.02
16. Percentage of schools with accommodation for leisure	10	21.55	30	32.96	50	46.70
17. Percentage of pupils involved in art and cultural services	30	32	50	45	65	58

*Source:* Assessment report of National programme of action for the development and protection of children (2002-2010), 2012.

12. Enrolment for pre-school education was 72 percent whereas basic education enrolment was 95 percent as per 2010 education indicators.

13. Family-based child protection targets were not reflected in the development process of national program. However, during the later stages of implementation and finalization, such target indicators were identified. This clearly indicates that there was a lack of sufficient development, legal framework for the child protection services.

Table 3  
**Child Protection Indicators**

<i>Family based child protection</i>						
<i>Key Indicators</i>	<i>National baseline indicator (2001)</i>	<i>Local baseline indicator</i>	<i>National midterm indicator (2005)</i>	<i>Local midterm indicator</i>	<i>National Final Indicator (2010)</i>	<i>Local Final Indicator</i>
18. Percent of birth certificates issued	96	90.25	98	90.24	97	91.81
19. Percent of decrease for children in difficult circumstances	-	7.07	20	16.75	30	17.94

*Family based child protection*

<i>Key Indicators</i>	<i>National baseline indicator (2001)</i>	<i>Local baseline indicator</i>	<i>National midterm indicator (2005)</i>	<i>Local midterm indicator</i>	<i>National Final Indicator (2010)</i>	<i>Local Final Indicator</i>
20. Number of aimags, districts and soums providing convergent basic social services	7/10	11/12	10/20	19/19	30/50	40/40
21. Percent of decrease for children engaged in the worst forms of child labor	-	8.07	50	70	95	57
22. Percent of decrease for juvenile delinquents (per 10000 children)	-	6.57	5	10.59	10	13.06
23. Percent decrease for abused children (per 10000 children)	-	2.14	20	6.18	30	13.77

*Source:* Assessment report of national programme of action for the development and protection of children (2002-2010), 2012.

14. The evaluation recommended prioritizing the improvement of child protection systems in Mongolia. Therefore, the National Council for Children approved “Strategy for improving child protection (2010-2015)”. The Government of Mongolia later developed the action plan for the Strategy by its resolution number 341 of 2011. The Child Protection Strategy aims to prevent and protect each child from neglect, violence, abuse and exploitation. In order to reach these aims, the following three strategies are identified: 1) improving financing and management of child protection; 2) Improving child protection services; and 3) capacity building for child protection. In order to implement this Strategy, 400 to 500 million MNT budget was allocated to the National Authority for Children from the state budget per year starting from 2012.

### **Independent monitoring**

15. A number of NHRC members have not been increased although there were significant efforts to include this proposal in the amendments of the Law on NHRC. However, under the new amendment, the number of NHRC’s working group members and human resources in rural areas have increased considerably. Since 2013, representatives of the Human Right Commission have been appointed to every aimag and the capital city. During the reporting period, under the strategy and action plan to improve monitoring of child rights in Mongolia NHRC has supported the volunteers in child rights sector by appointing “Child Right Envoys”. Currently, about 300 “Child Right Envoys” have been appointed at the nationwide. However, there is still a lack of a streamlined process for supporting and providing incentives for such Envoys.

16. Head of the National Human Rights Commission and Head of the National Authority for Children approved the “Procedure on receiving, allocating and addressing complaints from children” by their joint resolution dated July 03, 2012. The procedure sets out the process of receiving, registering, and reporting complaints both in written and oral formats, sending non-addressable complaints to relevant authorities within 3 days, addressing the complaints within 30-60 days upon receiving the complaint and providing relevant responses on timely manner.

17. Within a process of joining the Optional Protocol to the Convention on the Rights of the Child on Communications Procedure, the Center for Child Rights Protection and local level government agencies jointly conducted a survey on the compliant procedures for children. According to the Child Complaint Survey, 21 percent of the children aged



between 6-9, 40.1 percent of the children aged between 10-14 and 63.6 percent of the children aged between 14-18 understood the concept of making complaints to relevant individuals. As for the children who filed complaints, 31 percent of the children within the age group of 6-9 were able to have their issues addressed, while 44 percent was not able to have it addressed and 25 percent was able to have their issues addressed sometimes. As for the 10-14 year old age group, 51 percent had their issues addressed, 13 percent was not able to have their issues addressed, 21 percent was able to have their issues addressed sometimes, while 15 percent said that they had not made any complaints before. Therefore, it is important to provide information for the children to lodge a complaint on the violations rights on their own or with the support of their caregivers and pay respect to the complaints related to the child right issues.

### **Structure and operations of the organizations for children**

18. The Government of Mongolia has taken significant measures to regularize and monitor meetings of the National Council for Children and aimag, district, soum and district level councils for children as per the clause 18 of the Law on Protecting the Children's Rights (This was explained in the clause 40 of the third and fourth report of to the Commission on the Rights of the Child). According to the performance indicator, the councils for children with regular meetings were 74 percent of total councils in 2010 and this was increased to 76 percent in 2013. The Government of Mongolia is paying special attention to mobilize the influence of members of the National Council for children, to ensure cooperation and coordination among different sectors and to increase budget allocations for children.

19. Under the Government Reform Policy which introduced 2012 elections, child development and protection functions were moved to a mandate of the Ministry of Human Development and Social Welfare in order to closely align the policies for children with the policies on families and human development. Previous recommendations by the CRC Committee were also considered in making such decision. As a result, NAC is now operating under the supervision of MoHDSW. This agency was created under the Ministry of Education in 1991 and moved to the Ministry of Labour and Social Welfare during 1992 to 1996, Ministry of Health and Social Welfare during 1996 to 2000 and Deputy Premier's Office during 2004 to 2012.

20. Until 2006, the Prime Minister was responsible for approving the strategic objectives, management, and structure of the agency. Since 2006, this mandate has been a duty of relevant ministries and authorities. The current Strategy of Action and structure was approved by the Minister of HDSW in 2012. The agency is operating with 4 main departments including Children and Family Development Department, Child Protection and Services Department, Administrative Department /with divisions on Public Relations, Foreign Cooperation and General Service/ as well as Information Research and Monitoring Department and employs 27 people. It is an implementing agency of the government, however, the coordination among ministries and agencies on the child related issues remains as a main challenge for the agency.

21. The establishment of Child Protection Departments and Centres both at local and national level in 2012 and the development of standards, regulations, various types of services in child protection policies serve as the important first step to develop child protection services in Mongolia. Although it requires time, experience and resources to develop child protection services more comprehensively at the national level, the first steps have been proven to be effective and necessary means to start the process.

22. As of 2013, 617 people are working in the child protection sector. The number of employees remained the same even after the major restructuring of agencies working for children in 2012.

Table 4  
**Number of staff working in sector for child and family development**

<i>Positions</i>	2009	2010	2011	2012	2013
Management staff	34	29	29	29	29
Executive staff	309	233	233	233	233
Service staff	174	150	156	156	156
Contractors	175	189	199	199	199
Child rights protection sector	692	601	617	617	617

*Source:* 2013 State Budget Introduction, MoF.

23. Due to the restructuring of the government offices in order to improve government structure and reduce duplication of roles and responsibilities within the framework of overcoming economic crisis, human resources of organizations for children were reduced by 90 personnels in 2010.

24. Pursuant to a decision of the Deputy Prime Minister, the sample procedure on managing a Juvenile Justice Committee at the aimag and district level was developed in order to implement UN's general principles and sample procedures to prevent children and youth from crimes and protect victims, witnesses and suspects and introduce alternative disciplinary actions in juvenile justice system. Since 2011, under this procedure, a Citizens Representative Khural of the district or aimag has approved a structure, bylaw and budget of a Juvenile Justice Committee. A governor is responsible for leading the Committee. Members of a Citizens Representative Hural, staff from governor's office, court, prosecutor's office and representatives from the citizens are included in the committee.

25. In 2012, MoHDSW conducted an assessment on the facilities and buildings for providing services for children. Total of 1511 buildings and facilities were counted during the assessment process. Based on the findings of this study, the Ministry developed its plan for renovations, improvement of maintenance and security management of the facilities.

#### **Budget, resource allocation and expenditures**

26. Since 2013, Mongolia has been developing and assessing its budget based on the new Budget Law. Under this new system, Government of Mongolia has introduced a programme-based budgeting system which allows the budget on the system for the comprehensive action plans that are implemented by different sectors.

27. In 2010, Parliament has approved the Fiscal stability law in order to reduce foreign and domestic risk factors to economic development and ensure fiscal stability. In accordance to the law, consolidated budget revenues shall be estimated by structural procedures, structural balance of consolidated budget shall have deficit with amount of not more than two percent of the GDP of particular fiscal year or be in surplus, total budget expenditure growth rate of the particular year shall not be more than the greatest of the non-mineral GDP growth rate of the particular year and the average of non-mineral GDP growth rate of 12 consecutive years preceding the particular year, net present value of government debt, calculated by excluding any Government borrowings taken for the purpose of contributing into paid-in-capital of a foreign invested mining legal entity and in accordance with a contract concluded with condition of repayment from the future profits of this legal entity, or loan guarantees issues by the Government under these conditions, shall not exceed 40 percent of gross nominal domestic product of the particular year. These regulations have created an opportunity to sustain the fiscal stability in the country.

28. According to the NSO report, in 2011, the Mongolian economic growth reached 17.5 percent, 12.3 percent in 2013 and 11.6 percent in 2013. The GDP was increased from 6.6 trillion MNT in 2008 to 19.1 trillion MNT in 2013. Therefore, Paragraph 32 of this should be modified with a consideration of NSO data.

Table 5  
**Main economic indicators of Mongolia /in million MNT/**

Indicators	2008	2009	2010	2011	2012	2013
GDP in the value of given year	6,555,569.40	6,590,637.10	9,756,588.40	13,173,763.40	16,688,419.60	19,118,002.60
GDP compared with 2005 GDP	3,963,960.00	3,913,673.20	4,162,784.90	4,891,840.40	5,498,482.40	6,144,175.30
GDP compared with 2010 GDP			9,756,588.40	11,443,578.40	12,853,406.60	14,350,131.90
Net growth or reduction	8.9	-1.3	6.4	17.3	12.3	11.6

Source: National Statistical Office.

29. In 2011, Mongolian economic growth reached 17.5 percent and maintained 13-14 percent growth rate since then. During this time period, the GDP has increased from MNT 6.4 trillion to MNT 20.5 trillion.

30. In 2012, under the new government structure, a mandate of budget allocations for the programme for supporting child protection and development was transferred to Ministry of Population Development and Social Welfare. \ 2013.

Table 6  
**Budget for human development and social protection sector /MNT million/**

Program name	2011 performance	2012 budget	2013 projection	Mid term	
				2014	2015
Total	343,872.8	517,290.4	387,460.7	439,940.0	340,087.1
Program 1. Social welfare services	150,272.4	234,708.2	80,334.9	68,274.2	80,334.9
Program 2. Social security services	187,066.8	272,785.8	294,316.6	358,316.6	245,555.8
Program 3. Supporting child protection and development	5,502.0	8,470.5	10,256.9	10,733.1	11,488.6
Program 4. Social protection policy and management	1,031.6	1,325.8	2,552.3	2,616.1	2,707.8

Source: 2013 State Budget of Mongolia, MoF.

31. Although the budget for National Authority for Children has increased in the last few years, 50 percent of the total budget goes to remuneration, bonus and incentives for employees.

Table 7  
**Budget for organizations for children/ 2012-2015**

	2011	2012	2013	2014	2015
<i>Budget indicators for organizations for children</i>	<i>Approved budget</i>	<i>Approved budget</i>	<i>Approved budget</i>	<i>Approved budget</i>	<i>Budget projections</i>
I. Total expenditure and total net loan	6,081.8	8,939.7	10,830.5	11,582.9	11,903.8
II. Total expenditures	6,081.8	8,939.7	10,830.5	11,582.9	11,903.8
IV. Current expenditures	6,081.8	8,939.7	10,830.5	11,582.9	11,903.8
Expenditures on goods and services	5,947.1	8,867.7	10,686.3	11,323.6	11,793.1
Salary, bonus and enumerations	2,446.4	3,984.0	4,487.3	5,030.1	5,558.3
Social security taxes paid by employers	268.9	437.7	490.4	553.7	611.4

*Source:* Financial data of the NAC, 2014.

32. The Government of Mongolia pays considerable attention to improving a quality of education sector in Mongolia. Therefore, government plans to increase education budget by 2-3 folds in 2015.

Table 8  
**Budget for Education Sector**

	2010	2011	2012	2013	2014	2015
Pre-school education	82,666.9	103,343.1	168,390.0	190,942.5	213,228.8	219,625.6
Secondary Education	251,699.1	319,829.2	456,129.7	493,226.5	543,526.6	559,832.4
High Education	40,309.4	34,226.9	175,242.0	149,096.0	171,961.5	177,120.3

*Source:* 2013 State Budget of Mongolia, MoF.

33. The Action Plan of the Government of Mongolia for 2012-2016 has included various targets and goals to reduce the rural and urban disparity in Mongolia.

34. Mongolian capital budget investment has reached MNT 1.5 trillion in 2013 and MNT 1.6 trillion in 2014 and 80 percent of the total capital budget investment spent for improving population livelihoods. Most of the investment was targeted at building and repairing roads, improving water supplies, increasing the number of apartments, cultural and sport services, schools, kindergartens, dormitories and medical facilities. MNT 18 billion in 2012, MNT 5 billion in 2013 and a MNT 9 billion investment was allocated to the National Authority for Children in order to build recreational facilities for children, a rehabilitation center for disabled children and maintenance work for such facilities. In addition, a private sector is providing more and more support for the organizations for children.

35. However, there is still a challenge to identify and specify the budget allocation for children in sectors other than education and National Program for Protection and Development of Children (for example: health, social welfare, emergency services for children). Therefore, Ministry of Finance and Economic Research Institute conducted a study on social sector budget analysis of 2013-2014 at national and local levels with support of UNICEF. More information can be retrieved from [www.unicef.org.mn](http://www.unicef.org.mn) and [www.Nac.gov.mn](http://www.Nac.gov.mn). The findings showed that the total budget for children equalled with six percent of GDP and this percent was stable for the past few years. In terms of public expenditures, Mongolia spent 16-19 percent of total expenditures for children in 2008-

2011. This percent was decreased to 14 percent in the past two years. The latest data showed that the expenditures per child were 617 USD in 2013.

Table 9

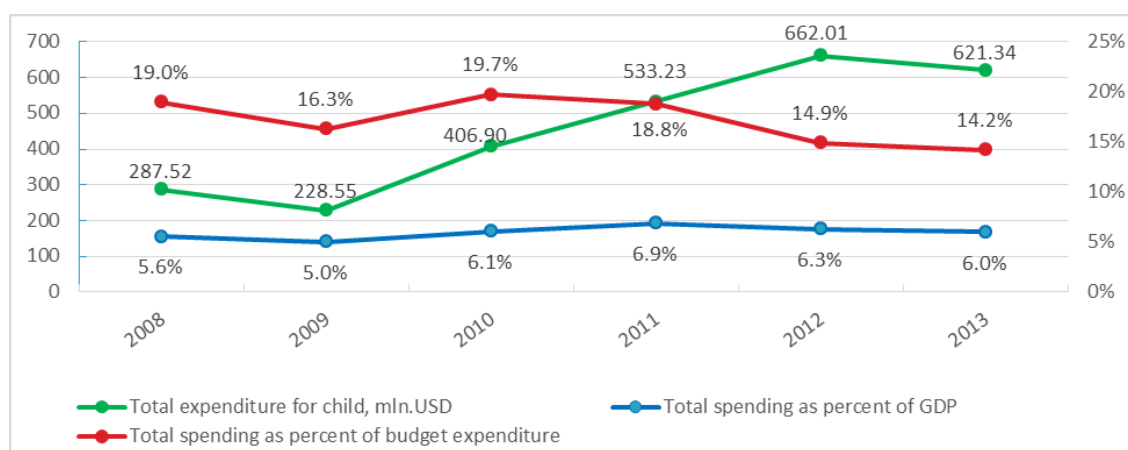
**Total investment in children as share of the GDP and as share of the total government expenditure (2008-2013)**

	2008	2009	2010	2011	2012	2013
Investment in children as share of GDP	5.56%	5.00%	6.08%	6.88%	6.30%	5.99%
Investment in children as share of budget	18.99%	16.32%	19.74%	18.82%	14.93%	14.19%
Investment in children (million USD)	287.52	228.55	406.9	533.26	662.01	621.34
Total expenditure per child in USD	272.53	220.38	398.09	539.37	657.48	617.03

*Source:* Social Sector Budgetary Analysis: Investment in Children in Mongolia. Research team's estimates.

Graph 1

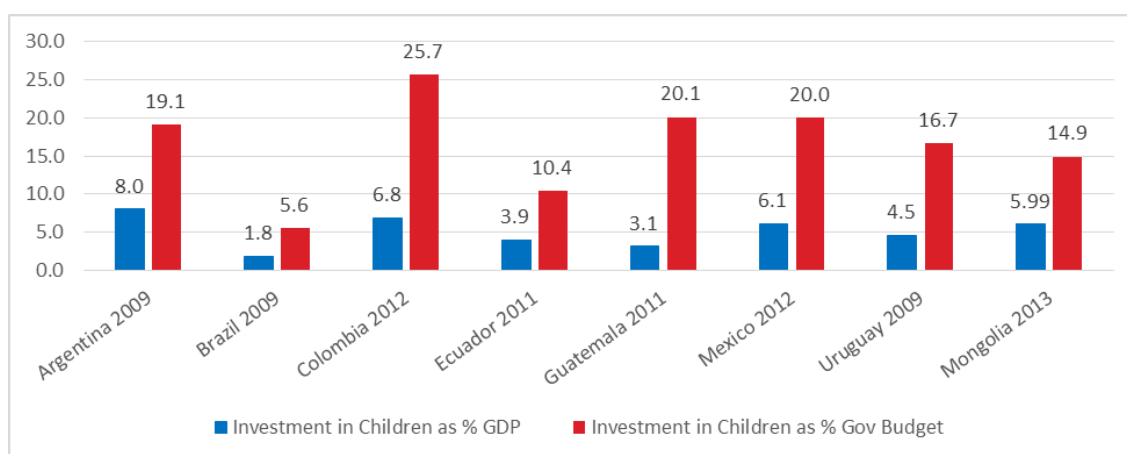
**Total social sectors spending for children, 2003-2012**



*Source:* Social Sector Budgetary Analysis: Investment in Children in Mongolia. Research team's estimates.

36. Compared to countries that have engaged in similar kinds of analysis, investment in children as a share of GDP in Mongolia (5.99 percent) is slightly above average (5 percent), while the expenditure (14.19 percent) is slightly below the 16 percent average as a share of the total government expenditure. Although the realities of the countries analysed are vastly different, it provides an interesting context. For instance, many Latin American countries' investment in children as a share of its GDP is higher than Mongolia's investments for children.

Graph 2  
Investment in Children as share of GDP and share of the total Government Budget  
in Selected Countries



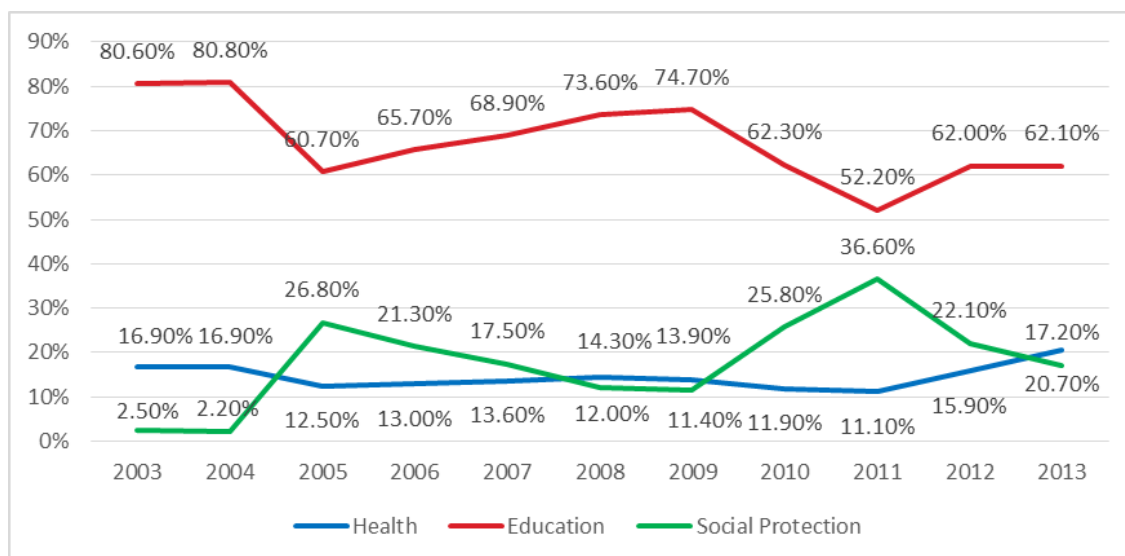
Source: Social Sector Budgetary Analysis: Investment in Children in Mongolia. Research team's estimates.

Table 10  
Investment in children by sector and per child expenditure

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Education spending (billion MNT)	72.26	88.48	97.98	125.63	168.28	268.28	274.39	318.58	388.96	571.55	655.47
Health spending, (billion MNT)	15.12	18.55	20.13	24.96	33.18	52.28	51.08	60.93	82.79	146.46	179.59
Social protection spending (billion MNT)	2.27	2.43	2.36	2.98	4.67	5.90	4.36	11.84	19.09	11.20	13.59
Child money (billion MNT)	0.00	0.00	40.90	37.77	38.22	37.98	37.60	120.19	253.74	192.38	168.60
Total spending (billion MNT)	89.65	109.46	161.38	191.34	244.35	364.44	367.37	511.55	744.58	921.59	1,056.29
0 to 19 population (thousands)	1,110.3	1,123.2	1,136.2	1,049.3	1,061.6	1,055.0	1,037.1	1,022.14	988.60	1,006.90	1007
Expenditure per child (thousand MNT)	80.74	97.45	142.03	182.35	230.17	345.44	354.22	500.47	753.17	915.27	1,048.96

Source: Social Sector Budgetary Analysis: Investment in Children in Mongolia. Research team's estimates.

Graph 3  
Share of each sector in relation to the total expenditure on children



Source: Social Sector Budgetary Analysis: Investment in Children in Mongolia. Research team's estimates.

### Corruption, conflict of interest, and monitoring mechanism

37. One of the main measures taken against corruption is that all employees of government agencies are supposed to provide the amount and source of their income to the Anti-Corruption Agency (ACA) every year. The ACA has received and monitored the income statements from 54000 government employees in 2009, 56000 in 2010, 58000 in 2011 and 45000 in 2012 respectively. A legal framework regulating ACA operations has been improved in the past few years.

38. The ACA has organized several workshops covering topics including "Basic understanding on corruption, reasons and harms of corrupt behaviors", "Legislations against corruptions", "Preventing from conflict of interest" and "National fairness and equality framework" to promote corruption intolerance and ethics among government employees. The training covered 2483 government employees in 2009, 8883 in 2010, 11798 in 2011 and 18095 in 2012 respectively.

39. The Government of Mongolia conducted a research to enrich the content of the curriculum of the "Civic education" classes for the 3<sup>rd</sup>, 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> grade students with the topics related to personal integrity.

40. The ACA "Child Integrity Survey" was conducted in 2012 and 2013 based on the methodologies developed by the Transparency International from the Republic of Korea. The children's integrity level was evaluated between the score range from 1 to 5. In 2013, the integrity level was 3.71, which showed 0.48 increase compared to 2010 and 0.78 increase compared to 2012 results. According to the survey the 12-year-old children had a highest integrity score of 3.87 while the 11-year-old children showed the lowest score of 3.51. An average score for ethics and ethical values was 3.80, an average score for positive discipline was 3.88 and average score for compliance with the law was 3.83, which showed a significant improvement compared to the previous year, while the average score for corruption tolerance was 3.35, which showed the 0.49 decrease compared to 2012 results. According to the survey, the score for the sub indicator on compliance with the law was improved considerably compared to the previous years; 0.30 increase compared to 2010 and 0.98 increase compared to 2012 were observed. If we look at the integrity score by

gender, boys scored 3.69, while girls scored 3.73, which showed that girls had more awareness on integrity related issues. The survey covered children from 7 aimags and 3 districts in Ulaanbaatar and if we look at the integrity score by region, children from rural areas scored 3.75, while children from Ulaanbaatar city score 3.66, which shows that the children from rural areas had more integrity than the children from Ulaanbaatar.

#### **Training on children's rights**

41. INHRC participates extensively in disseminating information and raising awareness of the UN Conventions on human and children's rights. The Commission has organized 23 trainings for 2996 people in 2010, 8 trainings for 2012 people in 2011, 12 trainings for 1424 people in 2012 and 9 trainings for 1895 people in 2013. The participants of the trainings were personnel from general public, public agencies, court and law enforcement agencies as well as representatives of non-government and civil society organizations. In addition, representatives of children, women, students, disabled children and LGBT groups were trained. Also, the Commission disseminates information about human rights through its biannual academic journal "Human Rights".

42. In order to improve human rights education in the informal education sector, 627 secondary school social workers and teachers were trained during the reporting period.

43. With the support of Swiss Development Agency the Commission run several advocacy activities including the academic conference on combating and reducing human trafficking and improving legal environment. In cooperation with "Human Security Research Center" NGO and other stakeholders, the Commission conducted trainings and awareness raising campaigns on the rights of disabled persons, special trainings for police officers, law enforcement agencies, investigators and social workers on human rights.

#### **Collection and utilization of data on children**

44. The NSO conducts and publishes the official statistics with 40 different indicators including data on macro economy, population, social sector, industry, science, technology, court, environment as well as sector specific statistics on monetary policy, loan, financing, customs, tax, culture, art, education, health, social security, children and food security issues. NSO has conducted about 10 surveys to identify, evaluate and assess the implementation of children's rights in cooperation with other government agencies and international organizations during 2009 and 2014. The National Statistical Office has improved significantly the quality and sampling. In 2014, the Office's budget was increased to MNT 9.3 billion, which showed the MNT 440 million increase compared to 2014 and of which MNT 4.18 billion was allocated to statistical study. In 2013, the NSO conducted "Social Indicator Cluster Survey" a first time by combining three national level regular surveys on "Health", "Reproductive Health" and "Child Development" with the total budget of MNT 1.7 billion and another MNT 1.9 billion was spent on the household social and economic survey.

#### **Multilateral and bilateral cooperation**

45. *UNICEF*. The Government of Mongolia has a rich experience of working with UNICEF. UNICEF Mongolia's Country Plan for 2012-2016 is aimed to ensure full enjoyment of children's rights, monitoring policies and implementation, evaluating and expanding child friendly policies, paying attention to allocating budget directed for children and women, and building capacity to ensure full implementation of the current legislations at the national level. The Country Plan is implemented through the following programmes: 1) social policy, investment and advocacy for ensuring children's rights; 2) integrated and inclusive interventions for young children; and; 3) integrated and inclusive interventions for children of ages from 6-18. In order to implement the programmes, UNICEF operated



on 16 million USD in 2007 to 2011 and has planned to spend USD 19 million in 2012 to 2016.

46. *World Vision International*. This is a Christian relief organization which provides emergency services and development and advocacy actions for children, their families and communities. The organization have been implementing the development programs covering 16 aimags since 1993. World Vision Mongolia's 2013 to 2017 strategic objective consists of following 5 objectives:

- To improving health of rural citizens and children;
- To provide accessible and quality education for children in child friendly environment;
- To protect children from violence and any type of risks;
- To support children and youth to be active and responsible citizens;
- To build capacity of families and communities to mitigate disaster and economic risks.

47. *Save the Children*. Save the Children in Mongolia has commenced its country program in Mongolia in 1994. From 2009, Save the Children Japan oversees the management of the country program for Mongolia. Save the Children/Mongolia has developed its "Strategic Action plan for 2012-2016 for Mongolia" in 2012. Within the framework of this strategic plan, Save the Children has three main objectives: 1) Child Protection; 2) Child Right Governance; and; 3) Education. In addition to the above-mentioned three main objectives, the Action Plan also includes the issues related to health, nutrition, HIV/AIDS, disaster management and security issues in its sub sections. Child Protection programme has implemented projects on human resource capacity building for child protection during the times of emergency at organizations for children, rehabilitation services and delivering social services to children through child centers for the children who are neglected by their parents and guardians at the capital city. Child friendly governance programme has implemented a project for children to evaluate the government budgets in order to ensure child participation in the good governance based on the local model on promoting child participation. Education program has implemented child friendly kindergarten projects at the pilot soums and pre-school education projects for herder families in remote areas in selected aimags. Within the framework of Health Programme, inter-soums advocacy work has been conducted on the issue that "No children should die from preventable causes". In addition, above three main programs also covered issues of health, nutrition, HIV/AIDS, emergency services and safety. In 2013, Save the Children invested MNT 2.4 billion for the implementation of the Action Plan and reached 29183 children.

48. Since the introduction of the rehabilitation services for disabled persons in 1991 under the initiative from AIFO Mongolia, an Italian NGO, has expanded the initiative further in cooperation with WHO and MoH and established the community based rehabilitation service centers in 9 districts and 21 aimags in Mongolia. "Tegsh Duuren" project has become a national level programme. According to the study conducted within the framework of the project, there were 11,175 disabled children of ages from 0 to 15 in 2010, 11373 in 2011, 11781 in 2012 and 11628 in 2013. The numbers show that the number of disabled children was increased by 5.4 percent in 2012 compared to 2010 and reduced by 1.2 percent in 2013 compared to 2012. Under the programme, the data on disabled persons are collected from 21 aimags and 9 districts and contributed into the comprehensive database of National Center for Rehabilitation and Development.

49. Norwegian Lutheran Mission has successfully implemented the capacity building project for first aid covering western aimags including Khovd, Gobi-Altai and Bayan-Ulgii

in 2008-2012. Since the outcomes of the project were very positive, the NLM has started the second phase of the project. The “Children’s Rights and Development” project was implemented between 2009 and 2013 and the impact assessment of the project is currently being evaluated. HLM has put substantial amount of investment in the projects on improving dormitory conditions in the western provinces and providing support and cooperation for the local municipals to improve the living conditions of rural children. The project was implemented between 2009 and 2013 to improve dormitory facilities in soums and aimags in remote regions, to change teacher’s attitudes and to implement capacity building and to promote children’s rights at local level. NLM is going to continue the second phase of the project on “Child Right and Development” in Bayan-Ulgii and Khovd aimags in 2014-2018 and main partner of the project is the National Authority for Children.

50. In order to improve livelihood of families and accessibility of education and health services for children, World Bank, Asian Development Bank and other international financial institutions, Government of the USA, Japan, Netherlands and Austria have provided financial and technical support for Mongolia.

51. 7297 Mongolian soldiers in 28 divisions were engaged in peace keeping operations in UN mandated conflict areas including Afghanistan, Sierra Leon and South Sudan. All of them attended the training on “Universal Declaration of Human Rights”, “Convention on the Rights of the Child” and its optional protocol on involvement of children in armed conflicts as well as workshops on child friendly communications and treatment of children by military personnel. As a result of this effort, there were no incidences of child rights violation by the Mongolian soldiers in the peacekeeping operations.

52. During the reporting period, registered NGOs working with children and families for the past twenty years have formed four distinct networks such as National Network on Child Protection, National Network on Eliminating Worst Forms of Child Labour, Network of Child Participation Organizations and ECPAT.

53. National Authority for Children cooperates with civil society organizations through such specialized networks as the networks not only provide cost effective solution for delivering innovative services that are not possible to be provided by the government agencies, but also provide effective and efficient means to improve well-being of children. For example, in 2011, the National Authority for Children constructed with the networks for services over MNT 2 20 million. In 2013-2014, the NAC has implemented a number of projects with the cooperation of the civil society organizations including: 1) coordination of multi-disciplinary service providers for children exposed to sexual exploitation; 2) specialized assessment of children’s well-being during the divorce court proceedings; 3) rehabilitation for children who have been sentenced with diversion measures other than detention; 4) advocacy team work for improving legal environment for child protection; and 5) counseling and assistance for the phone counsellors and operators of Hotline working for children.

## **B. Definition of the child**

54. Relevant information is reflected in the section 61-66 of the previous report.

55. Under the 12-year secondary school program, which enrolls a child at the age of 6, the child can enter a vocational education and training program at the age of 14 to 15, which allows a young person to graduate from the program at the age of 16 or 17. This creates a condition for children under the age of 18 to enter directly into a work force. As a result, changes and amendments to the relevant legislations need to be made in order to address this issue.

56. Civil Code identifies different levels of legal capacity including full legal capacity, incomplete legal capacity, some legal capacity, and no legal capacity. These levels of capacities are fully effective under the judicial procedures. A person making a contract with 14-18 year old children /under age/ need to request an approval of a legal guardian in order to receive their consent and the legal guardian should provide his or her consent within 14 days of the request in a written form. If the consent was not provided within the timeframe set forth in the law, it shall be deemed invalid. In addition, when conducting complicated diagnostics, surgeries, medical study and tests on children under 18 years of age, it is necessary to receive a written consent from the parents or legal guardians.

## **C. Basic principles of children's rights**

### **Non-discrimination**

57. Article 2 of Convention of the Rights of the Child states that the State Parties are obliged to respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other option, national, ethnic or social origin, property, disability, birth of other status. Mongolia has aligned the principles into its Constitution.

58. Although non-discrimination of children irrespective of their birth and acquired status are legally reflected under the relevant legislations, discrimination and unequal treatment of children based on social status, origin, geographical location, academic achievement as well as disability still exist in the society.

59. Due to a deepening gap in the society, it is important to take preventative measures to avoid children and youth to develop discriminative behaviours based on others wealth, origin, education, appearance and disability.

### **Respecting children's best interest**

60. Child's best interest is a legal term that defines the relations arise from a decision making on issues affecting long term safety and security of the child such as who should the child live with, from whom he or she should receive support and under what circumstances the child should have limited contacts with both or either or their parents. The clauses under the Article 3 of the Convention of the Rights of the Child has been reflected in the draft law on Family and other newly amended legislations of Mongolia.

61. A package law on judiciary reforms developed on principles of respecting human rights, particularly, children's right, has been effective since 2013. In the past seven years, 52 people lost their right to be a parent as per the court decision. Under the Family Code, such decision can be made when child maltreatment occurs. However, specialists in the child rights sector have been warning that cutting of the rights of the parent and taking children into a residential care is not a best practice. Instead of limiting rights of the negligent parents, it is better to educate those parents so that they can better care for their children. Once a parent lost his or her right to be a parent, it is very difficult to regain back the right. This creates a condition for a child to be raised away from their family. Therefore, in line with the principle on children's right to be with their families, the Government of Mongolia is implementing policy to support families. In addition, in the Criminal Code, punishment for juveniles have been adjusted to fit with the child friendly principles.

### **Right to life and survival**

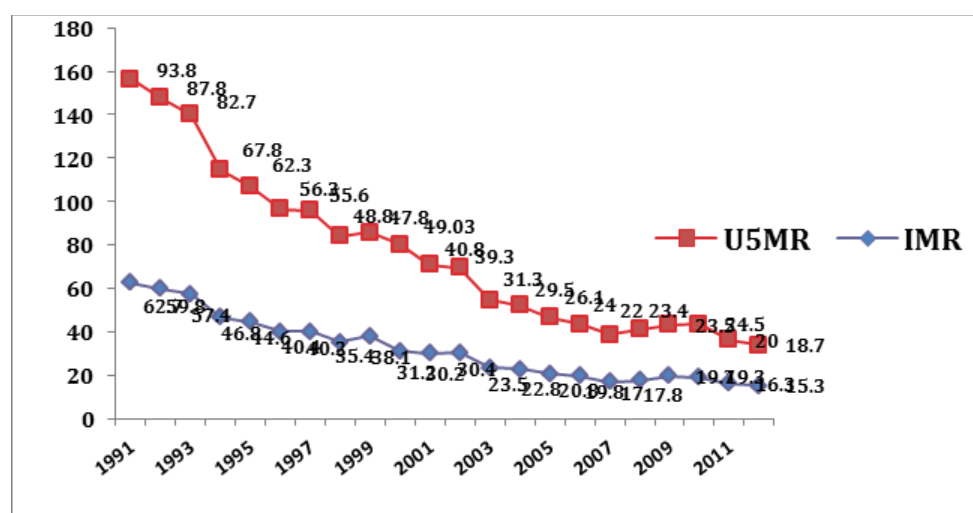
62. Children have a fundamental right to life and survival and the State is obliged to provide the children with best opportunities to development and wellbeing.

63. In 1990, a under-five mortality rate per 1000 live births was 87.5 and an infant mortality rate per 1000 live births was 63.4. These numbers were reduced to 22.1 and 17.8 in 2007, achieving the Millennium Development target. In order to reinforce the achievement, with the 25th Resolution of Parliament in 2008, Mongolia set a new target to reduce under-five mortality to 21.0 and infant mortality to 15.0 by 2015. According to the demographic data between 2009 and 2013, in average 2000 children under 18 die each year, which composes 10 percent of the total deaths in Mongolia.

64. As of 2013, mortality rates for infant and children under 5 years old has been decreased drastically in the past two decades since 1990.

Graph 4

**Mortality rates for infants and children under 5 year old between 1990 and 2013, MoH**



Source: /Red – Mortality rate of children under 5, Blue – infant mortality rate /.

65. 20 percent of the total deaths of children under 5 died outside of the hospital, which shows that 1 in 5 children does not receive sufficient medical assistance during the time of the death. This is largely due to accidents and remoteness of the herder communities.

66. The number of children dying from accidents is still quite high. In fact, 41 children in 2008, 68 in 2010, 41 in 2011, 56 in 2012 and 44 in 2013 died due to natural disasters and industrial accidents respectively. 259 children died of accidents in the past few years, of which 107 children died due to fire, 114 children drowned in lakes or rivers, 7 children hit by thunder, 5 children due to strong winds, 18 children due to flood, 2 children due to artisanal-mining accidents, 6 children died from traumas related to horseback riding accidents.

67. During 2011 and 2012, the Government of Mongolia supported the public initiative on preventing and protecting children from security risks. Within this framework, the approaches to coordinate the strategies, stakeholders and participants in public advocacy actions to prevent children from potential risk factors were developed. Working groups were formed on each core category of risks identified including household accidents, road and transport accidents, violence and abuse against children, economic exploitation and worst forms of child labor. The working groups aim to increase the awareness among and engage with parents, children and the general public on preventing from potential risks and evaluate the implementation of their actions and submit their report to the National Council for Children at the end of every year.

### **Respecting children's opinion**

68. The children are granted with the right to express their opinion either directly, or through their legal representatives in accordance with the relevant legislations at the court and administrative discussions related to children.

69. In 2011, Deputy Prime approved the "Strategy to promote child participation". The strategy aims to include mechanisms to support children's participation and opinions into legislations, procedures and regulations, to ensure children to build capacity to express and convey their opinion and views, to enable the government agencies to listen to and reflect children's opinions and their views in their decision making process on the issues related to children and report back how children's opinions were reflected into the decision and to develop a system to efficiently receive, address and provide feedback on the complaints and concerns expressed by children.

70. Pursuant to the strategy, Children's Forum is held each year in aimags, districts and the capital city, which serves as an important platform for the representatives of children to share their opinions and views as well as to express their concerns on the issues effecting them. During the reporting period, children's forums both at local and national level were held on an annual basis. The forums brought critical issues facing children such as issues of disabled children, working children and child jockeys to the attention of the general public and created an open dialogue to allow children to express their opinion and have their issues addressed at the decision making level.

## **D. Civil rights and freedom**

### **Name, nationality, registration**

71. As stated in the Family Code, a name and a family name of a child shall be given on ground of a mutual consent of parents. Governors of Soum and districts or employees of a Civil Registration Office can give the name and the family name for children found. An illegitimate child and a child whose father has not been identified by a competent government agency shall bear his/her mother's name. An adopted child shall have the name of his/her adopter.

72. In Mongolia, parents undertake a duty to register a newborn free of charge at their local Civil Registration Office within 15 days upon the child's birth date in urban centres and 30 days in soums and baghs. If a parent or both parents are unavailable, the duty to register child shall be transferred to their kin or an authorized staff of the hospital where the child was born. Child registration requires an evidence from the hospital where he/she was born, health insurance book; third-party evidence in the case evidence from the hospital is unavailable, identification cards of parents, and a marriage certificate of parents. Registration of an abandoned child should base on police evidence and certificate issued by a medical institution that determines age and sex of the child. Medical evidence shall be issued and presented if child dies before his/her registration takes place. A birth certificate is issued upon child registration and it contains information on a child name, surname, parent's name, date of birth, sex, place of birth, name of birth registering institute, birth certificate number or register number, date of issuance of birth certificate.

73. Mongolia registered 69,301 newborns in 2009, 63,853 in 2010, 72,667 in 2011, 73,205 in 2012 and 75,799 in 2013. As surveys demonstrate, the registration coverage of newborn between 0 and 11 months was 95 percent while the coverage of children aged above 12 months was 100 percent. These statistics reconfirm that Mongolia is now fully capable of providing basic social services to children using child registration data.

74. Child born to Mongolian citizens residing overseas shall be registered at a Mongolian diplomatic delegation or consulate based on the consent of parents within 30 days since birth. If one of the parents is a foreign citizen or stateless, child registration is processed through the existing procedure while taking into consideration the conditions requested or agreed upon by the parents. Child born to foreign citizens and stateless individuals residing on the Mongolian territory shall be registered in line with the designated rules. As of 2013, a birth certificate of the Mongolian Government was issued for 1111 children who were born to families in which one of the parents was a foreign citizen.

#### **Rights and freedom to access information**

75. The law on information transparency and access to information was approved in 2011. Thus, it is against the law to restrict freedom of press and mass media organizations. Child is entitled to think freely, search information and receive information. The Mongolian Law on Protecting Children's Rights forbids taking actions that threaten national security; promoting terrorism and other criminal acts, prostitution, and violence; and using child in advertisements against his/her will or against the will of his/her parents, guardians and custodians.

76. The GoM is committed to ensure the access to information for the disabled. Some of the initiatives is to design and develop textbooks accessible by the disabled undertaken by DAISY Consortium, the National committee of the blind and other government agencies with the support from the International Telecommunication Organization. Moreover, telecommunication device for deaf and hard of hearing people was introduced to emergency services such as 102, 103, and 105.

77. The Public Broadcasting Law of Mongolia entitles the use of a sign language and subtitles for public broadcasting. Also, the law reads that written information in public broadcasting shall be made accessible by blind people. The Mongolian National Broadcaster uses a sign language and subtitles for its broadcasting while other televisions started introducing subtitles. There have been step-by-step initiatives to make the Internet accessible to blind and visually impaired people.

78. The Communications Regulatory Commission of Mongolia put in place a directive on "Regulation of comments and feedback on websites" to prevent Internet users from online bullying and harassment, prostitution, and psychological attacks. Also, the regulation provides for a public display of an Internet protocol address of the users, and elimination of 200 inappropriate words from Cyberspace communication.

79. Expansion of the Internet use brings about negative impacts too. Incidences of children exposed to inappropriate information are on the rise as there are limited opportunities to apply child-specific censorship to information circulated on social media. Thus, there is a need to take measures that regulate appropriate use of Internet.

#### **Protection of children from corporal punishment**

80. None of the Mongolian laws, except for the Law on Education, forbids corporal punishment against child under all circumstances. The studies No. 3 and No. 4 on "Child and Development" as well sample surveys on social indicators demonstrate that around 45-47percent of children aged between 2-14 is exposed to corporal punishment undertaken by one of the family members. Corporal punishment carries not only physical harm but also psychological damage, and negatively impacts child's further development, body and health.

81. The General Police Department prevented and responded to violence against 261 children in 2009, 290 in 2010, 418 in 2011, 382 in 2012, and 464 in 2013. These

statistics, on one hand, indicate that violence against children is on the rise. On the other hand, coverage of services against violence of children is expanding. However, the percentage of children covered by the police service in relation to the total number of children exposed to violence is one that requires attention.

82. Prevalence of children's exposure to violence in schools, kindergartens, and other institutions that provide care for children is not declining. The police recorded 275 incidents of children's corporal punishment in 2011, 291 in 2012, and 279 incidents in 2013. Why and how children are exposed to violence at school and kindergartens remain multifaceted. There is a need to examine consequences and impacts of many factors such as risk conditions of schools and kindergartens, a student-teacher ratio, student-classroom ratio, and quality of training provided to teachers. The majority of child abuse incidences occurred in schools or kindergartens were inflicted on children by their teachers. The number of school or kindergarten teachers penalised for child abuse was increased in the past few years. Therefore, it is essential to equip teachers with positive discipline approaches, put in place mechanisms to prevent and protect children from violence, and to improve working conditions of teachers.

83. The Mongolian Parliament approved the Law against domestic violence in 2004. GoM adopted a national programme on fighting and preventing from domestic violence in 2007. Additional guidelines and regulations associated with the implementation of the law and programme were developed and put in place by government organisations including the Ministry of Justice, the Ministry of Health, and the Ministry of Population Development and Social Welfare.

84. To be able to estimate costs of providing one-stop services for violence victims, a pilot one-stop centre was established next to the general hospital of Gobi-Altai Province as well as Police Department of Zavkhan Province with support from UNFPA.

## **E. Family and care**

### **Services for families**

85. GoM established child and family development departments at the provincial and Ulaanbaatar level that are designed to enhance delivery of services for children and families. Taking into consideration population density and service demands of Ulaanbaatar, child and family development departments were established in all nine districts.

86. In Mongolia, over 1500 social workers provide social welfare services at every administrative level. The amended Law on Social Welfare reads that social workers are responsible to "ensure local level implementation of national programmes and measures adopted with purpose to support population and family development in cooperation with health, education and other sectoral officers". Thus, a two-phased training to build capacity of social workers were organized in 2013 and 2014, with the first training reaching 1217 social workers and the second reaching 1311.

87. The 2013 adoption of "MNS 6417" standards – general requirements for family counseling centres – detailed out duties and responsibilities, framework and principles for government, non-government and international organizations carrying out family services activities. Also, the standards specify the support and counseling types, stages, circumstances, and counselors' ethics. The priority issues faced by family services include preparing and building the capacity of human resources that would work and influence the most vulnerable, the unemployed, the individuals with personality disorders, people with impaired life skills, alcoholics and people prone to other addictions, and their family members. Also, there is a need to prepare human resources able to deliver specialized services.

88. Government-civil society partnership is encouraged by law. The Ministry of Population Development and Social Welfare set up a database on non-governmental organizations working to provide family and children support services. The Ministry of Population Development and Social Welfare commissioned a study “the Status, pattern and future trend of the Mongolian families” in 2013. The study report highlighted significant changes occurring in family relations, and impacts of democracy, new market arrangements, and modern mind-set on traditional family concepts and values. The report also emphasized greater tolerance towards modern or western values dominating in marriage and family associated notions. One of the conclusions of the report indicated the need to develop and implement a comprehensive programme on building capacities of the Mongolian families.

89. Pursuant to the Law on Human Development Fund approved in 2009, each citizen was entitled to average of 1.5 million MNT welfare allowance annually. In 2013, the Law on Human Development Fund was amended to provide a monthly allowance 20.000 MNT to all children aged below 18 under the “Child Money” programme. As of the end of 2013, the “Child Money” programme distributed 228.9 billion MNT to a total of 960.279 children, out of which over 60 percent put the monies into savings. In accordance with the articles 3.4 and 3.5 of the child money distribution procedure, the General Authority for Social Welfare Services registered details of the children in orphanages, childcare centres and prisons as well as unsupervised children in its database. As a result, a total of 221.9 million MNT was put into bank accounts opened for 1223 children including 884 in orphanages and childcare centres, 245 unsupervised children and 4 children in conflict with the law.

#### **Services targeted at vulnerable families and children**

90. In 2013, 65000 people from 15000 poor households produced their development plans using the guidelines on developing Household development plan. Locally, the Social insurance departments, Education departments and Health departments closely supported the initiative of Household development plan, assessed these plans using 20 indicators that are crucial for the development of family members along with referral to essential social services and provision of trainings and other capacity building initiatives. Household trainings aim at changing attitude and behaviors of family members, and improving their self-care, accountability and aspirations.

91. GoM approved the act No. 269 that is for conducting the national census of household living standards. Pursuant to this act, 2,360,000 individuals from 712,044 households. An inter-sectoral database was created to store all data collected during the census. A food stamp programme was initiated based on the database on household living standards. The programme reaches 87217 individuals from 15131 households with the lowest consumption level, thus require essential food supply. Out of the total number of beneficiaries, 47523 are adults and 39694 are children aged 0-18. Food stamps equal to 10,000 MNT per month per adult, and 5,000 per month per adult. Food stamps are distributed in rural areas as paper coupons while in 9 districts of Ulaanbaatar and 21 provincial centres e-food stamps are distributed. Moreover, 119,187 individuals from 16883 households were provided with health insurance book, an initiative implemented jointly with the Ministry of Health.

#### **Childcare services**

92. In 2013, the Minister for Population Development and Social Welfare approved the updated “Sample procedure on child care and welfare centres”. The procedure stated that the care and welfare centres are to provide temporary services to the children under 18 years old whose caretakers are deceased and there are no relatives who would take on



guardianship or children under 18 who require guardianship as determined by the council under to the Governor. These centres shall also abide by “MNS 5852:2008” standards for children’s care, welfare and protection.

93. In 2013, the National Authority for Children has commenced the issuance of permissions to childcare services providers in. This served as a preparatory stage for moving away from centralized care services and adopting alternative care. There are 39 childcare residential institutions of almost 20 organizations operating at the national level. The majority or 36 of them is located in Ulaanbaatar. Around 24 percent of children in these centres have living parents or families. The National Authority for Children operates an e-registration system and monitors relocation, and preparatory measures and outcomes of reunification with families for 1260 children reached through these childcare services /access to the [www.nac.gov.mn](http://www.nac.gov.mn) requires an administration login. /

94. The Infant Care Nursery that have been affiliated to the Ministry of Health for over the last 20 years provides residential care for infants and young children under 3 years old. However, the Ministry of Health is proposing to restructure this institution into short-term nursery which provides medical rehabilitation to under-nourished to infants from vulnerable families only. Thus, over 20 children currently being brought up in this institution need to be transferred to other care providers.

### **Adoption**

95. After joining the Hague Convention on Co-operation in Respect of Inter-Country Adoption in 1998, the adoption of child of Mongolian nationality by foreign citizen has been regulated by the Family Code and Regulation of Adoption of the Child of Mongolian Nationality approved in 2001 by the joint order of the Minister of Justice and Internal Affairs and former Minister of Social Welfare and Labour. Ministry of Population Development and Social Welfare and General Authority for Immigration and Naturalisation jointly oversee child adoption by foreign citizen, and cooperate with foreign organisations dealing with child adoption and their authorized organisations on issues pertained to adoption of a child to foreign citizens. Foreign citizens interested in adopting a child shall submit their application to Ministry of Population Development and Social Welfare through an authorized organisation of their country. The Council on Adoption affiliated to MoPDSW shall assess the application and if it deems the application to be satisfactory it will select a child from the adoption list and propose him/her to foreign applicant. If the applicant approves, the file goes to the General Authority for Immigration and Naturalisation. Based on the submitted documents the chair of the Authority issues his/her final decision on adoption. The Authority also monitors the implementation of child rights of the adopted child in conformity with effective rules and regulations.

96. Between 2009 and 2013, 10.3 thousand children were adopted by domestic families while 49 children were adopted by foreign families.

97. The incentives for domestic adoption vary. Provincial and Ulaanbaatar City reports reveal some issues. For instance, the reports indicate that child adoption incentives stem from non-necessary reasons such as monetary interests, retirement benefit for raising many children, and Glorious Mother medal and monetary benefits that accompany the medal. Additionally the reports mention about assuming the guardianship of one’s own grandchild or inability to produce children as incentives for adoption.

98. The Family Code is proposed with new amendments to align with the provisions of Article 21 of the CRC and The Hague Convention on the Protection of Children and Co-operation in Respect of Inter-country Adoption. The amendment stipulates that the mechanisms should be put in place to ensure the best interests of a child in an adoption process.

99. The issue of providing third party monitoring services for foreign adoption cases is still left unaddressed. Representatives of civil society are discontent with the bill that stipulates that the Council on Adoption shall consist of representatives of 3 governmental bodies.

## **F. Health and welfare**

### **Disabled children and social services for them**

100. The Parliament of Mongolia made amendments to the Law on Social Protection for Disabled Persons in 2013 to respect the best interests of a child. In compliance with the amendment that reads “the costs of domestically made prosthesis for disabled children under 18 years of age will be fully compensated if the current one is out of use and if it is no longer fitting due to physiological growth of a child”, 1788 children were supported through this scheme in 2013 and 892.7 million MNT was allocated from social welfare fund. In compliance with the amendment that reads “the costs of prosthesis for disabled children under 18 years of age and persons affected by work related accidents and disorders, coverable from insurance fund, and the costs of domestically made or purchased orthopaedic, wheelchair and other special facilities for rehabilitation related non subsidized disabled persons will be fully compensated once in 3 years”, 6865 citizens were covered by this scheme and 1.1 billion MNT was spent on it. “Once-a-year subsidy shall be provided for disabled children and their guardians/custodians toward commuting costs to school and kindergarten or an annual monetary assistance of 200 000 MNT will be provided for bus service”. This in turn contributes to ensuring education rights of disabled children. In 2013, 991 children were supported through this scheme and 273.9 million MNT worth investment were made.

101. 4.1 percent of the total population in Mongolia are made up by people with a disability and 20 percent of these people suffer from mental health problems. Nationwide, there are 304 registered non-government organisations working for the rights of disabled persons, out of which over 80 are active. The data on disabled children obtained by the fourth child development survey, was once again verified by 2013-2014 survey and the statistics were validated.

### **Child Health**

102. According to the Law on Health, amended and ratified by the Parliament of Mongolia in 2011, the government is responsible for the expenses of medical assistance and services for children under 18 years of age delivered by state owned health institutions. 2013 amendments to the Law stipulate that disabled children have to be under medical supervision of the designated primary and secondary health institutions and have access to medical assistance; government shall cover medicine expenses of children with developmental disorders under the age of 16; family and soum health centers shall have specialized doctors and if necessary the doctors shall assist disabled children at home upon call.

103. During the reporting period, the GoM implemented the Healthy Child Campaign in 2012 to involve children in preventative medical check-ups, evaluate their health conditions, put them under medical supervision of specialists if diagnosed with disorders and undertake rehabilitative measures in the future. In accordance with the order No. 39 issued by GoM on February 8th 2012. During the campaign, over 6200 doctors, staff and researchers of 67 health institutions were involved in carrying out medical check-ups for 83.6 percent of the total children. Records on 97.5 percent of these children were included in the integrated database. Check-up results indicate that 57 percent of children are in need

of health assistance, 45 percent suffer from digestive diseases while 20 percent suffer from respiratory diseases.

### **Maternal and infant health**

104. In order to improve maternal and infant health the GoM approved the following policy documents: 2011-2015 Maternal and Infant Health National Strategy; Maternal Mortality Reduction Strategy (2001-2004, 2005-2010); Child Safety National Strategy (2012-2015); Maternal and Infant Prevention from Vitamin and Micronutrient Deficiency; Guidelines on Treatment and Assistance to Children Born from HIV/AIDS Positive Mothers; Prevention from Birth Syphilis Strategy; Services for Every Province aimed at reaching poor and vulnerable mothers and infants; Fourth National Program on Reproductive Education; and National Strategy on Prevention of Accidents among Children (2014-2016). In 1992 the maternal mortality rate was 204 per 100 000 births and the rate was reduced to 98.8 in 2004 moving Mongolia from a high mortality rate country to medium rate country. In 2013 the rate was further dropped down to 42.6 per 100 000 births. Mongolia provides maternal and infant health services through a three- stage healthcare system encompassing the primary health institutions such as household and soum health centers; province and district hospitals, and Maternal and Infant Health Center. The primary functions of household and soum health centers are to counsel on family planning, provide pregnancy check-ups, transfer women with pregnancy complications to higher level institutions, monitor maternal and infant health after a birth, support child growth and development, provide comprehensive medical assistance in common child disease cases, monitor a healthy child growth, and involve children in immunization. Since 2010, pregnant women were provided with a Maternal and Infant Health Notebook. This notebook is used for monitoring child's health condition after birth and is an integral component of family based maternal and infant healthcare provision. By the standard, pregnant women are entitled to at least 6 medical check-ups during pregnancy period and other services such as blood and urine tests, chest X ray, ultrasound, PAP test, voluntary HIV/AIDS test and other tests on physician's recommendations. In addition, the following information are provided to mothers and their families: importance of pregnancy checkups, pregnancy diet, risk factors such as alcohol and smoking, prevention from STD, pregnancy complications, welfare services for pregnant women, importance of iron supplements and folic acid, prevention from anemia and miscarriage, organ disorders, child delivery process, late pregnancy sickness, breast handling, preparations for labour, post term pregnancy, methods to reduce labour pain, post labour period, infant care, family planning and actions to be taken upon discovery of infectious diseases.

105. Household and soum health institutions take actions on family planning, pregnancy check-ups, transferring pregnancy complication cases to higher medical institutions, monitoring mother and infant's health after birth, supporting child growth development and providing vaccinations. *Maternal and Infant Health Notebook* was introduced in 2010 to enable provision of these services. The following services are included in pregnancy check-ups: general test on blood and urine, chest X ray, ultrasound, PAP test, voluntary HIV/AIDS test etc.

### **Nutrition**

106. Since 2011, children under 5 were regularly involved in growth check-ups. The *Child Growth Support* intervention has become an important step in reducing wasting and growth disorders associated with malnourishment. Results of MICS survey indicates that among children aged under 5, growth disorders were found in 15.3 percent, wasting in 3.3percent and underweight in 1.6 percent. This suggests that the wasting indicators have reduced substantially while severe wasting indicators have reduced gradually. Over the past decade the breast feeding indicators for children under 6 month were relatively stable (50-

60 percent), yet the indicators for vitamins and micro nutrition supply do not show any improvements. 28.5 percent of children aged below 5 suffer from anemia while 21.4 percent from iron deficiency. The vitamin D deficiency was observed among 21.8 percent of the children under 5, while the vitamin A deficiency was found among 21.8 percent of surveyed children. Flour, meat, rice and milk products are prevalent in food and nourishments for children aged 6-59 month.

### **Adolescent's Health**

107. The laws on Prevention from HIV/AIDS, Mental Health and Tobacco Control were amended and approved by the Parliament of Mongolia. These laws play an integral part in improving preventative health measures for adolescents and reducing risks among them. In 2012, the GoM carried out the Healthy Child Campaign. Mongolia prioritizes the policy on Health Services for Adolescents, and as of 2013 clinics for adolescents were operating in 14 provinces and 5 districts of the capital city. In 2013, a comprehensive strategy on Health Services for Adolescents and Youth was developed by Health Ministry. The Ministry worked closely with its partners to expand this program in all provinces and districts.

108. 2012 amendments were made to the Law on HIV/AIDS Prevention with provisions on protecting human rights, especially in terms of confidentiality and remove articles on enforcement measures. In Mongolia /as of the first half of 2014/ the spread of HIV among adults is below 0.1 percent and there are 177 people recorded with HIV.

109. Amendments were made to the Law on Tobacco, to improve the legal environment to protect people from passive smoking, regulate tobacco usage, ban tobacco trade within 500m radius on school ground and ban tobacco trade by/to children under 18 years of age. 2013 Social Indicators Survey findings reveal that 17.2 percent of men aged 15-49 and 0.8 percent of women aged 15-49 had smoked before the age of 15. According to the findings, the consumption of alcohol among men in Mongolia is high relative to women. 20.9 percent of women have never tried alcohol, while 0.8 percent have tried alcohol before the age of 15.

## **G. Education, leisure and cultural activities**

### **Education Policy and Legal Reform**

110. GoM undertook step by step measures to improve the competitiveness of education sector and increase access and quality of education. Amendment bills to the Law on Education and the Law on Primary and Secondary education were developed and submitted to the Parliament of Mongolia. The amendments are focused on providing internationally acknowledged, competitive and accredited education services, transforming the secondary school system into a 5+5+2 system, strengthening institution- based professional organization system of education, ensuring credibility of education, reforming secondary school types, ensuring the safety of kindergarten and school meals and other food services, increasing measures to ensure continuing education, regulating communication in constructing buildings for schools and kindergartens and drafting site plans, complying with foreign education related documents in conformity with the procedures approved by the central public authority responsible for education, and specifying the documents on closing or merging education institutions.

111. Access to education is improved: in 2008-2011, the supply of secondary school teachers and the dormitory enrolment by students have increased by 1.9 and 4.5 percent respectively while class load is reduced by 1.5 percent. Furthermore, as a result of measures such as *School Tea* program for primary grade students, distribution of school supplies to vulnerable group children, provision of textbooks and promotion of dormitory enrolment,

the primary school attendance has increased by 3.3 percent reaching 94.8 percent compared to 2008 while the secondary school attendance has increased by 2.4 percent reaching 89.8 percent.

### **Preschool education**

112. Over the past years, Ministry of Education has introduced the measures to increase preschool attendance and improve a learning environment. Considerable improvements were observed as a result of the policy on increasing public and private kindergartens. For instance, compared to 2007-2008 school year, in 2011-2012 school year the number of public kindergartens has increased by 68 reaching 734 children, while the number of private kindergartens has increased by 43 reaching 145 kids. Thus, in 2012-2013 school year the total number of kindergartens has reached 1017 relative to 879 in 2011-2012 school year.

113. In 2011-2012 school year, the number of children attending kindergarten has increased by 11.2 thousand relative to a previous year and reached 133351 students. Moreover, 30912 children were enrolled in alternative educational programs. This indicates that the preschool attendance is increasing every year and in 2011-2012 school year it reached up to net 70.8 percent or up to about 74.9 percent.

114. Following the government's approval of the order on Average Normative of Meal Cost in 2012, meal cost has increased from 1100 to 1650 MNT, special and nursing kindergarten meal cost has increased from 1100 to 2400 MNT, 24 hour kindergarten meal cost has increased from 1600 to 2400 MNT, dormitory meal cost has increased from 1545 to 2315 MNT, and afternoon tea cost has increased from 400 to 600 MNT starting from 1 January 2013. Kindergarten menus were renewed and new methods on calculating causality of nutritional value, growth and development were instituted.

### **Secondary school**

115. Transformation of secondary schools to 12 year schooling system, commenced in 2008-2009 school year, has been carried out for the 4th year. In 2013-2014 school year, the secondary school system has been fully transformed to 12 schooling system. Within the frames of transformation of secondary schools to 12 year schooling system, preparatory arrangements were taken to enroll 6 year old children to schools and measures were taken to develop 12 year schooling plan and renew textbooks.

116. Within the scope of preparations on enrolling 6 year old children to school, 1st grade teachers were trained for 4 years and a total of 6818 teachers, 501 dormitory teachers, 624 social workers were involved. These trainings enabled 75.3 percent primary teachers to acquire methods of working with 6 year old children. Following the training of 1800 teachers to teach 6 year old children, all primary school teachers will acquire the above-mentioned training methods.

117. The 12 year schooling program for secondary schools was developed and distributed in compliance with the guidelines of methods on carrying out the new programs. By carrying out the trainings on methods in two stages every year, 76000 copies of 84 programs and guidelines were printed and distributed, and 14300 teachers in a year or 57.2 thousand teachers in 4 years were involved in seminars and trainings. Aside from programs on the table below, the draft study programs for grades 6, 7, 11, and 12 of the 12 year secondary school system are currently being developed. These programs are approved by the order of Minister of Education in 2012, and preparations for printing and distributing them with guidelines are completed.

118. New textbooks suitable for 12 year schooling program were written, and printed and distribution of books were carried out prior to school year in accordance with the transformation schedule. Moreover, new textbooks were put online. The plan on supplying secondary schools with music and physical education facilities on step by step basis was developed and implemented. In 2009-2012 year, 937.0 million MNT worth music instruments and 614.6 million MNT worth physical education equipments were supplied to schools.

119. In 46 countries of the world, 1474 school age Mongolian children are living with their families. Converting textbooks to digital format and placing them online enables children living abroad to study their mother tongue and culture.

### **Human Resource of Education Institutions**

120. In 2013, the government approved a regulation on evaluating teacher's work performance . The regulation stipulates that teachers' initiatives and achievements on developing each child's talent, improving quality of education and creating good learning environment for children are assessed based on 12 criteria of 5 groups. The results of this assessment can be used in receiving bonuses.

121. In conformity with the guidelines by the CRC, a regulation on *Professional Trainings for Teachers and Staff of Primary and Secondary Education Institutions* were approved. This regulation played an integral part in changing teaching methods and attitudes of secondary school and kindergarten teachers, staff (director, principle, training manager, social worker, methodologist, dormitory supervisors, librarians, and assistant teachers). The regulation also stipulates that training expenses of teachers employed for 1, 5, 10 years will be covered by state budget.

### **Equality in Education**

122. In 2012-2013 school year, 945 children attended kindergarten nationwide. This shows that since 2009 the attendance was increased by 15 percent.

123. In 2012, there were 655 ger kindergartens nationwide. Within the project *Provision of Preschool Education to Children of Rural and Migrated Citizens* by ADB and Education Partnership project by World Bank, new technical facilities, furniture, toys and electricity sources were supplied to ger kindergartens. Furthermore, local governments proposed to build new kindergartens and establish ger kindergartens through local development fund's investment. For instance, following the approval of 502.0 million MNT investment from local budget, "Oyu" and "Chick" kindergartens with capacity of 280 children, "Lark" kindergarten with capacity of 140 children, and extension building of kindergarten No. 18 with the capacity of 100 children were opened in Orkhon Province.

124. In 2012-2013 school years, there were 755 secondary schools in the country – 82.3 percent were state owned and 17.7 percent were private schools. 81.6 percent of the state owned schools or 507 schools were based in rural areas while 18.4 percent or 114 schools in the capital city. Out of the total schools – 7.3 percent were primary schools, 18.3 percent were secondary, 68.2 percent -higher secondary schools and 6.2 percent- complex schools.

125. In 2011-2012 school year, there were 17.6 thousand school groups nationwide. Out of the total secondary school groups - 62.7 percent studied in the first shift, 36.5 percent- in the second shift and 0.8 percent- in the 3rd shift. In this school year, 91.2 percent of the total primary class groups (8110), 100 percent (5334) of the secondary class groups, 23.1 percent (785) of the higher secondary class groups were involved in 12 year schooling program.

126. In 2012-2013 school year, 498 thousand pupils attended daytime (496,123), evening (617) and correspondence (1242) classes. 50.2 percent of the day time pupils were girls while 49.8 percent boys. In recent years the gender ratio of secondary school pupils has been relatively balanced.

127. In 2012-2013 school years, 2332 children (40.1percent female, 59.9percent male) aged 6-14 were dropped out of school. Main reasons of drop out were as follows – 35.8percent faced family crisis, 7.7percent lacked interest to study, 3.0 percent entered labour market, 34.9 percent had medical reasons, 18.5 percent had no clear reason. 35.2 percent of the total drop out cases were reported in Bayan Ulgii Province -40.9 percent faced family crisis while 36.4 percent did not provide any reasons for dropping out. Out of the total ‘out of school’ children, 54.3 percent have never attended schools while 55.7 percent attended school at some point and dropped out.

128. Pursuant the government’s resolution, set into effect from 2009, 100 percent of primary grade students and 40 percent of secondary and senior grade students can use free textbooks through their school libraries. The government supplies textbooks to all primary grade students; full orphan students at secondary or senior grade; disabled students at secondary or senior grade; students living below living wage at secondary or senior grade, and secondary or senior grade students whose 2 or more siblings are attending secondary school.

129. In 2012, 258 thousand primary school students were involved in the School Feeling (Tea) program, which was funded by 16.7 billion MNT. Regulation on Implementation of this Program was issued, providing guidelines and requirements for the school tea suppliers and determining nutritional values.

Table 11

**Data on program participants and funding**

<i>Academic years</i>	<i>Grades</i>	<i>Unit cost for meal per child</i>	<i>Number of children involved</i>	<i>Budget in million MNT</i>
2007-2008	I-IY	400	187863	16.5
2008-2009	I-Y	400	252600	18.5
2009-2010	I-V	400	280407	19.1
2010-2011	I-V	400	265700	16.1
2011-2012	I-V	400	255900	16.7

*Source:* 2013 report by MoES.

130. In 2011 the government issued a resolution on Preparatory Arrangements for Program Implementation to regulate the matters pertained to secondary school meal service and expand the school tea program to school lunch program. Pursuant to the resolution a *School Lunch program* implementation unit was established, encompassing a team of specialists of the Food Engineering and Biotechnology School of the University of Science and Technology, and food processing centres were established in DarkhanUul, Orkhon and Arkhangai province schools and in school No. 58 of Sukhbaatar district, Ulaanbaatar. A preparatory arrangement plan for the School Lunch program was approved by MOES, kitchen facility improvements were gradually carried out in secondary schools of province, soum, and bags. In 2012, 40 percent of the secondary schools were supplied with over 20 types of 21 kitchen facilities worth 47.5 million MNT, while in 2013 the government allocated 2.4 billion MNT for the supply of these facilities.

131. The GoM cooperated with 67 tailoring and 38 knitting factories affiliated to the united tailor union to supply students with non-allergic, breathable, organic and sweat absorbing uniforms that meet international standards of hygiene. In the 4th period of 2013, 1-5 grade students were supplied with uniforms. Uniforms play an important role in ensuring equality and preventing discrimination among school age children.

#### **Dormitory Availability**

132. In 2013 school year, 36,130 children were living in 506 secondary school dormitories. 52.2 percent of these children were girls. Although the dormitory capacities have been expanded since 2009 the number of children living in dormitories was dropped by 6000. In 2012, 7 new buildings were put into service through state budget funding and a total number of dormitory beds was increased by 1060 beds. 8.6 billion MNT worth renovations were made to 30 dormitory buildings and 45 school dormitories were supplied with new furniture and kitchen facilities. The MoES study reveals that there is a need for 120 new dormitories or dormitories capable of accommodating 9845 children.

133. The Khovd provincial government developed an action plan based on its own 29 indicator assessment methodology for child friendly dormitory.

134. Although school attendance among children aged was 6 increased from 91.1 percent in 2009 to 97.6 percent in 2013, 2.4 percent of the school age children were not enrolled in school. Most of them were children of herders.

135. In the reporting period, 120.2 billion MNT was allocated from the state budget into funding of constructions of 74 school buildings with 31.2 thousand seats, 35 dormitories with 4 thousand beds and 35 sport halls. By the support of the aid and loans from international community and foreign countries, 35.6 billion MNT investment was made in constructing 9 buildings with 3.9 thousand seats and in supplying them with furniture and technical facilities.

Table 12

#### **Number of new school buildings and school seats**

<i>Years</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>дүн</i>
School buildings	18	13	15	28	74
Student seats /thousands/	5,9	4.7	5,6	15.0	31.2

*Source:* MoE, 2013.

#### **Special education service**

136. A study addressing the issue of increasing literacy and re-education of army age youth was carried out. The National Center for Informal Education and Distant Learning developed 3 stage alternative learning guidelines on literacy. The guidelines were supplied to Enlightenment unofficial education centres and were utilized in trainings. In 2010-2011, 153 copies of textbooks and manuals on 45 subjects, 50 manuals on life skills, 8 series of audio lessons and 12 video lessons were supplied. These different types of learning materials were based on life skills and were adapted to students learning approaches.

137. In Mongolia the literacy rate of population aged 15 and above is 98.3 percent and is higher relative to the international level. However, in 2009-2010, 11,668 people, in 2011-2012 12200 people, in 2012-2013 11810 people were re-educated through coincided programs. 70 percent of the people who obtained re-education were male. Facilities supporting for disabled children's learning were installed in 30 new and renovated buildings that were put into service over the past years.



### **Child Protection in Education Environment**

138. The resolution issued in 2003 on providing professional category and wage raise for school social workers, increased social workers salary by 15-20 percent, improved human resource capacity and contributed in resolving social issues of students.

139. To ensure traffic safety for students, 34 schools of 5 districts serviced their 3424 students by 104 buses while 12 schools of Songinokhairkhan serviced their students by special route buses.

140. Upon the resolution issued by the Capital City Representative Khural in 2013, a patrolling campaign School Police has been carried out. In 2013, the campaign, that involved 48217 parents, detected 1500 violations on school grounds and executed over 400 preventative measures.

### **Recreational and Leisure Time Services**

141. MoES, MoSWL, and MoCST pay special attention on issues pertained to child's recreational/leisure time services and development, and cooperate with local khurals, public and business entities on these issues.

142. Through culture and art development fund, the GoM spent 7 billion MNT in 2012 and 5 billion MNT in 2013 for providing cultural and art education to children and youth, supporting art projects for children, and funding expenses associated with international and domestic tournaments and exhibitions. Programs such as *Mongolian Traditional Folk Dance, Mongolian Epic, and Mongolian Horse Head Fiddle and Long Songs* were implemented to develop national art and culture. Children were actively involved in these activities and constituted the majority of the first learners.

143. The government's funding list for 2012-2016 includes construction of 50 sports complexes, 72 sports halls, 29 cultural and sports centers and 41 cultural, sports and recreational park for children. Additionally, constructions of 1000 seat swimming pool complexes in 6 districts and ice skating rings are on their preliminary blueprint stages.

144. The main place where teenagers and youth spend their leisure time is virtual game centres. In Ulaanbaatar, there are approximately 500-700 game centers while in each province there are 5-6 game centers. Procedure on Regulating Operations of Virtual Game Centers jointly developed by MoIA, MoH, and NAC was approved by GoM in 2013. According to this procedure, the virtual game centres shall be registered, shall follow the approved time table and shall restrict the exposure of children to virtual games which are not appropriate to their ages.

## **H. Special protection measures**

### **Special protection**

145. There are no official statistics on asylum seeking or refugee children seeking protection in Mongolia. However, requests for child citizenship restoration were recorded in relation to movements and migration of Kazakh community that is a minority in Mongolia. Families migrating from Bayan-Ulgii Province, inhabited primarily by Kazakh people, to Kazakhstan renounce a Mongolian citizenship and obtain a Kazakhstan's citizenship. However, there were cases of these families returning back to Mongolia. Since Mongolia does not allow a dual citizenship, children born in Kazakhstan or children who identify as Kazakhstan's citizens as well as their families face issues of citizenship restoration and naturalization. According to the Office of Immigration, Naturalization and Foreign Citizens, there were 83 children with unresolved citizenship registered in Bayan-Ulgii Province. These children were naturalized as Mongolian citizens with six orders

issued by the President of Mongolia. Naturalization requests from another ten children are still under consideration. Some cases of children without citizenship, yet born within the territory of Mongolia from foreign citizens who worked illegally in Mongolia and were deported were reported to NAC. The need to care for these children requires that Mongolia works towards improving legal environment for dealing with such children.

#### **Children living apart from their parents**

146. Some of Mongolian children experience the short or long term separation from their parents due to several factors including: 1) lifestyle of Mongolian herders whose entire livelihood relies on pastoralism; 2) mining boom and its impacts; 3) labor migration out of Mongolia; and; 4) other social, economic and cultural factors. These children include, for instance, children living in school dormitories, children in informal care, children stationed at monasteries, and unsupervised children.

#### **Children living in school dormitories**

147. A dormitory has been always regarded as a fundamental solution by which children of herding families that move across the vast territory of Mongolia can have access to education. In the 2012-2013 school year, there were 502 dormitories nationwide accommodating 36,130 children, out of which over 90 percent were children of herding families. Children live in school dormitories throughout a schooling period, which is from 1 September to 1 July each year. School children are entitled to three school holidays, the length of which ranges from a week to three weeks. The government covers all expenses of dormitories including meal.

148. The government decision of 2008 to set the school enrolment age at six has deeply impacted the rights of pre-schoolers as well as lives of herders. Herding families face a number of challenges in their efforts to provide education to their children because 6-year old children find it hard to live and study apart from parental care and love. The participants of the 2014 Young Herders' Consultation disapproved this decision to move the school entry age to six as it proves difficult for both children and their families to comply with the new procedure.

149. In 2014, the National Authority for Children conducted a study on "the Rights of children living in dormitories to be protected". One in every two children reached through the study reported to have been victims of nicknaming and stigma because of their physical appearance, dressing, income level, and academic performance. Also, the study revealed that dormitory children are exposed to various forms of abuse, for instance, intimidation (16.9%), bullying (12.5%), mocking (22.9%), teasing (14.3%), discrimination (17.9%), and gang discrimination (18.6 %). Children expressed the concerns that they are unable to report and make complaints when they are exposed to discrimination, peer pressure, and aggressive behavior of teachers and other age groups of children they are expose.

#### **Children in informal care**

150. Extensive family support is part of Asian, hence, Mongolian culture. One of the forms of this family support is the practice of school children or university students studying far from home to stay at their relatives' and receive care and assistance. This type of support is often provided by grandparents, relatives and family friends. Such arrangement enables children to stay under their relatives' care and support while they attend school. The Population Census of 2010 by the NSO found out that 16.6 percent of children aged up to 18 lived apart from their families at the time of collecting the data.

151. Informal care is usually arranged for schoolchildren of herders, schoolchildren of rural families chose to study at urban schools to be able to pursue better quality education,

children whose parents live in other localities or are divorced, children whose parents disappeared leaving them to stay at their relatives', children whose parents are gone for work abroad or in other parts of the country , or children who ride racing horses for money and live at their horse trainers' camps.

152. Schools and child rights' organizations are the main bodies that protect the rights of children in informal care, monitor the implementation of the rights, and provide services as needed. It is especially difficult for children whose parents are dependent on alcohol or gone for long trips, jockey children and children taken in as herders by other families to access social welfare and health services. Therefore, it is important to encourage and develop innovative forms of this traditional practice of arranging informal temporary care for children as well as to ensure that children are prevented from the risks associated to this practice.

### **Unsupervised children**

153. The findings of annual operations to identify and register unsupervised children living in Ulaanbaatar City that has been carried out three times since 2012 indicated the need to provide specialized services to 50-100 children on a regular basis. These children practice regularly and are accustomed to unsupervised street lifestyle as they are either unwilling to live at home or have homeless parents, or are in conflict with their families. To reduce the number of unsupervised children, the Ulaanbaatar City Children and Family Development Department, in cooperation with the Ulaanbaatar City Police, child care organizations and civil society organizations, provided a range of services to children identified as unsupervised (157 in 2011, 65 in 2012, and 57 in 2013) including the identification of their residential address, assessment of their development needs, referral to health services, transfer to family members if deemed appropriate, and referrals of those unable to reunite with their families to temporary care services. Within the framework of these actions 11 child care centers were contracted to provide rehabilitation services to children.

154. Between 1997 and 2013, in accordance with the Law on Temporary Detention of Children without Supervision, children living on the streets were supposed to be accepted into the Child Protection and Address Identification Center with support from the Police Department. This Centre provided unsupervised children with the essential services, and referred to child care centers. The nullification of the Law on Temporary Detention of Children without Supervision in 2013 resulted in the abolition of the Address Identification Center that operated under the Ulaanbaatar City Police Department. As a consequence, the work the Child Protection and Address Identification Center used to perform was transferred to the relevant organizations on child rights' protection. Thus, the Children and Family Development Centres, newly-established in Ulaanbaatar City's nine districts, the Ulaanbaatar City's Children and Family Development Department were made responsible for receiving and servicing unsupervised children.

### **Children enrolled in religious studies at temples**

155. Traditionally, children who plan to become monks in the future enrol in religious studies at Buddhist temples and engage in Buddhism study and traditions under the supervision of the assigned Buddhist teacher. This tradition began to recover only in the 1990s when the nation pursued the path towards democracy. There is no information on the number of children studied at Buddhist temples in the 1990s. According to a study by the National Human Rights Commission, as of 2002, there were a total of 1248 children placed at religious schools and temples, out of which 29 were children aged up to 8. The number kept growing and as of 2006, there were 6522 children at temples , out of which 284 were children aged up to 8.

156. One of the criteria of the Child Money Programme, implemented since 01 July 2006, was to exclude out-of-school children and children who don't stay with their families from the programme. This criterion made the number of children at temples go down, and as of 2007 there were a total of 2251 such children, out of which 25 were children aged up to 8. In 2011, there were 1362 children at temples, out of which 15 were aged up to 8. The numbers indicate a downward trend in the number of children stationed in religious schools and temples.

157. In 2014, the NAC and the relevant local level organizations jointly organized a study on "the Conditions of children placed at Buddhist temples and children reached through religious activities". A total of 2282 children involved in the activities of Buddhist, Christian and Muslim institutions were reached through the study representing religious institutions operating in 21 provinces of Mongolia and three districts of Ulaanbaatar. Out of these 2282 children, 502 were studying at Buddhist temples while 1780 children reported to have regularly participated in the activities of the institutions of other religions. The study found out that the lack of procedures for child protection and the lack of common procedures and legal arrangements to prevent children from abuse led to insufficient understanding and knowledge of positive upbringing techniques and attitude by lamas and general staff. Religious institutions prioritize religious studies while depriving children stationed at those institutions of opportunities of receiving education that would meet present day standards, thus, violating some of the child rights. Since it is obvious that children at temples are unable to receive basic education along with their religious studies, the study by the NAC recommended to establish general education schools at regional levels that would incorporate religious studies.

### **Child labour**

158. Mongolia Child Labor Report of 2011-2012 indicated that 15.9 percent of children aged 5-17 is engaged in economic activities with 54.1 percent being boys and 45.9 percent girls. When divided to age groups, 18.8 percent belonged to 5-9 age group, 14.5 percent to 10-11, 30.8 percent to 12-14, and 35.9 percent to 15-17 age group. Further, 0.7 percent of these children was the single income source for their families.

159. Out of every 10 child workers eight were employed in the agricultural sector, one in wholesale, retailing and service centers. Also, children aged 15-17 were employed in mining, and exploration and processing plants. The study distribution analysis suggested that 1857 children aged 5-17 were engaged in non-household economic activities, out of which 65.4 percent were schoolchildren. 2 percent of child workers are employed with wage. Also, 11.1 percent of these children work under difficult and toxic, and hazardous circumstances.

160. The GoM approved a National Programme 2012-2016 to eradicate worst forms of child labor by its resolution 303 in November 2011. The programme goal is to put an end to worst forms of child labor by 2016. The programme objectives were identified as aligning the legal arrangements of child labor with the principles of the international conventions Mongolia is signatory to, building law enforcement capacity in this field, and improving availability of health, education and social services for working children and children exposed to worst forms of child labor. The programme was implemented by the Ministry of Social Welfare and Labor till 2012 and since then by the Ministry of Labor established in July 2012. The law on labour new bill is proposed to set the minimum age limit for child labor at 15.

161. A guideline for child labor monitoring was developed and distributed nationwide by the Professional Inspection Agency's order. In 2012, state labor inspectors carried out monitoring visits to business entities and organizations as per the guideline, found out that 1012 children were employed as workers, and took necessary legal actions on the cases.

The monitoring report noted that these children were primarily involved in construction, ore haulage in mining exploration, and carrying goods in the sector of light industry.

162. In Ulaanbaatar, there are four NGOs working in the field of child labor. They operate within limited resources and aim at disengaging children from worst forms of child labor, creating opportunities for them to spend pastime in groups, rehabilitating them, and providing them with personal development opportunities. In summer, working children are sent to summer camps and access personal development programmes free of charge. Based on their previous experience, these NGOs developed a project on the Standards of Delivering Day Services to Vulnerable Children and submitted to the MoPDSW.

163. Within this reporting period there was no progress on the continuation of financial assistance by the ILO/IPEC in this field because IPEC ended its programme on child labour in the country in 2011 as Mongolia moved to the list of lower middle income countries.

### **Child jockeys**

164. The wellbeing of child jockeys, a range of advocacy activities has been conducted to ensure safety of child jockeys. A registration system for child jockeys was created enabling an establishment of a database that ensured safety of each child jockey of each racing competition ([www.unaach.nac.gov.mn](http://www.unaach.nac.gov.mn)). In an effort to increase the age limit for traditional horse racing events, the relevant authorities held a public opinion poll, interviews with children, and public debates throughout a year and agreed to increase the age limit step by step. Almost 30 stakeholders signed a Memorandum to collaborate at local levels towards improving living conditions of and access to education by child jockeys, prevent them from being forced to worst forms of child labor and economic exploitation, and protect the best interests of these children.

165. A team of lawyers assessed current legal arrangements for Mongolian Naadam Festival and traditional horse racing events, and made several recommendations to the GoM. Actions to address these recommendations are underway. For instance, the relevant authorities began to work on the amendments of the National Naadam Festival Law as well as on the new bill for horse racing competitions.

166. Since it is very difficult to ban the use of children as jockeys in summer and autumn racing events, child rights organizations are working along the stance to ban the use of children aged below 16 as jockeys in high-risk winter and spring races. It is likely that the jockey children may have limited access to education services due to racing events all year around. Data at the NAC and local level Child and Family Development Departments suggested that, annually, around 10,000 children are used as jockeys during their summer holiday while 0.04 percent of these children were reported to have had serious or severe injuries and provided with the required medical services. Also, the questionnaires completed by child jockeys revealed that 50 percent of them learned to ride horse between the ages of 7 and 9, 31 percent- before they reached 7, and 20 percent learned at or after 10. The average age at which child jockeys learned how to ride a horse was 8.

167. A group of questions about child jockeys was incorporated into the NSO's Social Indicator Cluster survey 2014. The survey data analysis suggested that, nationally, 5 percent of all children aged between 4 and 15 were used as jockeys for up to a year since November 2012 (10 percent of boys and 1 percent of girls). The majority of child jockeys come from low-income families. Better education of mothers along with higher household income was correlated with reduced participation of child jockeys in horse racing events. Moreover, a half of the child jockeys reported to have had bareback riding in their last race. Also, 3 percent were injured to varying degrees during their last race. It is common among child jockeys aged 10-15 to bareback ride (60 percent) with 70 percent in the Western Region and 52 percent during small festivals in the countryside. Out of all children injured

during their last races, 5 percent were from the Khangai Region, 7 percent were coming from soum centers, 6 percent had mothers without education, and 5 percent were from families with income level below average.

168. One of the social protection issues faced by child jockeys is whether these children are covered by accident insurance, made employment contract with horse owners, and received any remuneration. 59 percent of child jockeys were covered by accident insurance when took part in their last race, 8 percent made a contract, and 37 percent received remuneration whereas 26 percent had none of these.

#### **Protecting children from armed conflicts and measures to facilitate their physical and psychological recovery as well as their social re-integration**

169. Mongolian armed force takes part in peacekeeping operations. The Ministry of Defense of Mongolia organized pre-deployment training for a total of 7207 soldiers of 48 units that served as peacekeeping force between 2009 and 2013 addressing the provisions of the UN Convention on the Rights of the Child such as not to involve children in military operations and how to handle child soldiers in their destination countries under the “Universal Declaration of Human Rights”.

170. Pursuant to Article 9.2 of the Military Duties of Citizens and the Legal Status of Military Personnel, males of ages 18-25 shall be recruited to a military service. The Paragraph 1 of the Article 17 of this Law provides for the recruitment of Mongolian citizens attained the age of 17 years as cadets for military schools. However, the Article 3.1.8 of the same law defines a “Student of military schools” as a “Student at military musical schools or at licensed military schools of primary and secondary education”.

171. In October 2010, the Minister for Defense established the “Temujin Urlug” complete general education school by his resolution No. 79, basing on the facilities of the University of Defense. The “Temujin Urlug” school accepts 7th graders-boys if they pass entry tests on math and Mongolian language, and provides education that meets standards of complete 12 years’ education programme. Moreover, the school offers advanced programmes on math and foreign languages as well as elementary military training. The school had 205 students in the 2013-2014 school year. The school staffing comprises 25 people including the school principal, the head of military faculty, the training manager, the training support manager, the social worker, the teachers, the teacher of military affairs, the librarian, and the finance officer.

172. The Military musical school was founded in 1991 by the resolution of the Minister for Defence. It had operated under the name of Permanent Training Course to Prepare Military Musicians for 21 years until it was renamed to Military musical school. In the 2013-2014 school year, out of 90 cadets, 13 study for military music conductors while the remaining 77 study for trombonists. The Military musical school recruits boys aged 14-16 after they complete a 9th grade while applying the relevant entry requirements, and delivers free vocational training for trombonist in accordance with the labor standards approved by the Ministry of Labor. Students stay in military accommodations during the first year of the training, and are provided with four-time hot meals. Also, the students are supplied with military uniforms during their study. The administration of the school, military faculty and teachers jointly organize a parent meeting once in a semester, and arranges an one-to-one parent meeting as needed.

#### **Sexual exploitation and sexual abuse of children /the Article 34/**

173. The reports on the cases of Mongolian women being trafficked to China, Macao, Hong Kong, South Korea, Singapore, Taiwan, Turkey, Israel, Japan and Malaysia, and countries in the European Union make Mongolia a source country of human trafficking, as

deemed by the General Police Department. Between 2009 and 2013, 94 cases of human trafficking were registered that involved 113 victims, out of which 54 victims were sold to the cities in China such as Erlin, Khukh Hot, Macao, and Hainan as well as Singapore, South Korea, India, Egypt, and some African countries. 41 of the victims were children aged 16-17. The remaining 40 women were victims of domestic trafficking.

174. In 2013, there were 12 criminal cases of trafficking in persons, against which legal proceedings were initiated. One of the cases involved a child victim. A criminal offence, in which 11-year old child was abducted and taken to the countryside where he was forced to herd livestock for over a year, was prosecuted by the Ulaanbaatar City Prosecutors Office and adjudicated.

175. Between 2010 and 2014, eight different studies were carried out on sexual exploitation and cross-border trafficking of children. The findings of these studies were disseminated to the relevant authorities and the general public. For instance, 2010 study on "Child prostitution and sexual exploitation of children", performed by the NSO and ILO reported 4683 prostitutes working in Ulaanbaatar, out of which 0.9 % or 43 were aged between 15 and 17 while the youngest child prostitute was aged 13. The Human Security Policy Studies Center, the National Center on the Rights of the Child and other relevant NGOs jointly conducted a study on the "Exposure of adolescent children to prostitution and sexual exploitation". 89 percent of interviewees of this study identified human trafficking as a serious issue. As per type and form of human trafficking, sexual exploitation and false marriages were identified as the most commonly occurring forms of human trafficking. 41.6 percent of the interviewees considered the population group aged 20-24 as the primary victims of human trafficking whereas 34.7 percent identified the population group aged 15-19 or adolescents and youth as the primary victims of human trafficking crimes.

176. Mongolian diplomatic missions and the Criminal Police Department worked together and repatriated a few child contortionists who were exposed to labor exploitation and human trafficking risks while working overseas as contractors.

177. The Ministry of Social Welfare and Labor and the relevant NGOs carried out a joint assessment of the implementation status of the "National program on protecting women and children from human trafficking especially for sexual exploitation", implemented till 2011. Based on the assessment findings, in 2011, the Ministry of Labor /now the Ministry of Population Development and Social Welfare/ signed a Memorandum of Cooperation with the ECPAT National Network to join forces in order to intensify the implementation of the "National program on protecting women and children from human trafficking especially for sexual exploitation".

178. The Anti-Trafficking Law of Mongolia was passed in 2011 to strengthen the mechanisms of detecting, investigating and laying charging on the offenders. Around 30 provisions of this law provide for protection of victims, 11 provisions provide for prevention and protection of children and girls, in particular from sexual exploitation. The law endorsement triggered the establishment of a Sub-Council, mandated to ensure the coordination and integration of measures against trafficking in persons, that started to operate at the end of 2012 at the Ministry of Justice.

179. It is planned that the amendments to the Mongolian Law against Pornography and Prostitution will incorporate in details the provisions of the Articles 2 and 4 of the Optional Protocols of UN Convention on the Rights of the Child that elaborate upon child trafficking, child prostitution, and child pornography.

180. The Communications Regulatory Commission, the Intellectual Property Office, the General Police Department, and the Authority for Fair Competition and Consumer Protection collaborated, and in September this year, took down 166 websites, contents of which violated the Law of Mongolia on Copyright and Related Rights, the Law against

Pornography and Prostitution, the Law on the Protection of Child Rights, the Law of Mongolia on Advertisement, the Criminal Code of Mongolia, the Competitions Law of Mongolia, the Consumer Protection Law of Mongolia, and international treaties and conventions Mongolia is signatory to.

181. The Article 113 of the Criminal Code of Mongolia prohibits all forms of human trafficking, and the endorsement of the Anti-Trafficking Law of Mongolia made it possible to append forced prostitution and forced child prostitution to the above-mentioned article.

182. The Law on Marshal Services and the Law on Witness and Victim Protection were passed on the 5th of July 2013 and entered into force on the 1st of January 2014. The Article 13 of the Law on Witness and Victim Protection that reads “Underage witnesses and victims should be provided with temporary safe shelters if agreed by their parents, legal custodians, or child rights organizations until real danger and threat is removed” is expected to positively impact the protection of child victims of sexual exploitation and human trafficking offences. The relevant authorities are working to create a legal environment to ensure safety of witnesses and victims, seeking solutions for financing such efforts, and adopting the required rules and regulations. A Witness and Victim Protection Unit was established as an affiliate to the Marshal Services Office, formed in 2014. The Unit aims at providing protection services to witnesses and victims at all phases of trial process and began to develop a National Programme for witness and victim protection in collaboration with the relevant stakeholders.

183. In accordance with the “Border Clearance Requirements for Children and Legally Incapacitated Individuals” that was approved by the order No. A/14 in 2009 of the Head of the General Authority for Border Protection, a child aged below 7 is issued with border clearance only if the child is accompanied by his/her parent, legal custodian or guardian;

184. In accordance with the Law on Social Welfare, amended in 2012, violence victims are provided with social welfare services. As prescribed in the Article 74 of the Family Code, a total of 360 individuals who provide family-based care and guardianship to children that require physical and psychological rehabilitation due to their exposure to violent acts received allowance of 167.8 million MNT.

185. In 2012, the GoM initiated and established a fund at the Ministry of Foreign Relations and Trade that is to support and provide reimbursement to Mongolian citizens - victims of criminal acts overseas. For more information, please refer to Common Core Report.

186. The General Authority for Border Protection, the Asia Foundation, the HSPSC, the Gender Equality Center, the Center for Human Rights and Development, and ECPAT National Network collaborated towards intensifying dissemination activities and training on human trafficking and sexual abuse, and regularizing protection services for victims. In 2010, the HSPSC, with an aim to incorporate a topic on the prevention of human trafficking to the general education curriculum, organized trainings on the “Prevention of human trafficking” reaching out to 670 teachers of humanitarian subjects nationwide while supplying them with the relevant guidelines. Further, the Center organized trainings on the prevention of crimes of human trafficking at the national level reaching 100,000 schoolchildren in 558 schools, which is 76.6 percent of all schools of Mongolia. The HSPSC produced 3 types of short movies about human trafficking and prevention from such crimes that aired on 3 TV channels contributing to improved understanding and knowledge of victims of sexual abuse by family members and the general public.

187. The Asia Foundation of the US, IOM, Swiss Development Agency, and business entities such as Oyu Tolgoi LLC have been providing financial and technical support towards preventing from, detecting, investigating, adjudicating, and laying charges on criminal offences of trafficking in persons as well as improving provision of services to



victims of such crimes. In 2014, Oyu Tolgoi LLC allocated 40 million MNT for a project to prevent children and families from human trafficking in the mining region.

188. There have been initiatives to strengthen international cooperation for providing victims of crimes with physical and psychological rehabilitation, rehabilitation, and repatriation services. For instance, in 2010, the GoM made an inter-governmental agreement with the Government of the Macau Special Administrative Region of China with an aim to collaborate against human trafficking. The agreement comprising 5 chapters and 20 articles also included 10 provisions that addressed prevention of child trafficking, and protection, repatriation and rehabilitation of child victims. The HSPSC organized a business meeting between 5-7 June 2014 to evaluate the implementation status of the agreement, involving the Ministry of Foreign Relations and Trade, the General Authority for Marshal Services, and the Center on Combating Crime with the support from the Asia Foundation of the US. As a result, it was agreed that the action plan for 2014-2018 would be approved and implemented.

189. The 2011 Report by the National Human Rights Commission noted that, as of 2011, over 30 NGOs were implementing 13 projects and programmes with timeframes ranging from 1 to 5 years, with support from 12 donors. 2 of them provided protective shelter to crime victims, 5 legal counseling, 4 psychological counseling, and 10 provided trainings and capacity building services. In 2014, 17 NGOs working in this field joined forces forming a “Network of NGOs against Human Trafficking”. The network members prioritize provision of rehabilitation services to crime victims and play a leading role in the efforts to introduce services such as providing educational opportunities, trainings, psychological support, and counseling to child victims.

190. Services to protect, rehabilitate and rehabilitate girls exposed to sexual exploitation and abuse are provided even at local levels. For instance, the Human Rights Commission of Gobi-Altai Province noted that Gobi-Altai Province provides “one-stop” service to female victims of violence in the form of protective sheltering, operates a “Center for Child and Family Counseling”, and collaborates with the relevant law and judicial organizations. Also the report noted that, since 2008, a total of 23 child victims of sexual abuse and exploitation were provided with rehabilitation services, psychological counseling and support by the Multidisciplinary teams. Since 2010, 2 shelters for victims of human trafficking were established. These centers are ran by the Gender Equality Center (NGO) till now. Having these shelters helps with better protection of crime victims during prosecution phase. Out of 111 victims serviced at the protective shelters, 4 were children. Child helpline 108 there were calls that sought information and advice on such crimes, and asked for emergency aid. Thus, the helpline operators have been trained in how to prevent children from sexual abuse, protect victims and provide counseling services to them. In 2013, The offender who sexually abused 23 girls aged 11-13 was charged with 25 years of imprisonment.

191. There has been a progress made towards meeting the Committee’s recommendation to improve the inter-agency information exchange and data collection. The Asia Foundation of the US jointly with the Ministry of Justice and the Sub-Council is implementing a database creation project involving the government organizations at all levels (MoPDSW, MoJ, MoH, CPD, SIA, CIRC, CaMGA etc).

192. Although the government organizations provide budget support to such services, it is insufficient to ensure sustainability of the services. According to the General Authority for Border Protection, in 2009 a total of 1300 personnel from border clearance and law enforcement agencies, in 2010 a total of 2150, in 2011 a total of 1832, in 2012 a total of 2900 and in 2013 a total of 6450 persons were reached with introductory training sessions on the prevention of children from human trafficking.

**Juvenile justice and child witnesses and victim**

193. In 2012, the “Standard Regulation for Juvenile Justice Committee” was approved by the Order 28 of the Deputy Minister. All districts of Ulaanbaatar City and provinces have established Juvenile Justice Committees headed by their respective governors. Local Juvenile Justice Committees shall explore the ways to avoid juvenile incarceration and determine other forms of punishments. Upon their consideration of youth’s situation, committees can issue a recommendation letter to the relevant authorities to suggest a appropriate diversion options for juveniles . For instance, in 2010-2013, the NAC and the relevant local organizations made such recommendations for 200 youth.

194. As specified in the Administrative Law of Mongolia, citizens reached the age of 16 are to be sued in the cases of breach of the law. The forms of the penalties assigned for the breaches of the Administrative Law are inappropriate/inapplicable for children, and there are no child-tailored options of the penalties. As a result, children in conflict with the Administrative Law are either discharged without penalty, or can be taken into custody of a law enforcement agency. The decision to take into custody enters into force within 30 days and there are no arrangements to enable these children exercise their rights to education, personal development, health, safety, and the rights to contact their parents and receive information. For instance, there have been cases in which trials conducted for administrative breaches by children aged 16-18 did not involve their legal representatives and defense lawyers. Also, there have been cases in which the parents of the underage offenders were not informed within the timeframe specified in the law.

195. The State Great Hural endorsed the Law on legal assistance for the accused in 2013 and the law became effective since January 1, 2014. A Legal Assistance Centre provides legal aid to the accused that have no resources to cover legal assistance in 9 districts, 21 provincial centers and 3 soums. Currently, the Centre has 9 staff in its headquarters, 47 defense lawyers and 4 assistant lawyers. During the time from February to June, 2014, the Centre received the applications for free legal aid from 1046 people involved in 982 cases,

196. In the past three years, 2743 youths were involved in 2021 juvenile crime cases: 907 youths were involved in 455 cases in 2010; 1163 youths in 590 cases 2011; and 673 youths in 1076 cases in 2012. There were 771 children under 15 which makes 28.1 percent of all investigated cases; 1972 youth of 16-17 years old makes 71.9 percent of all reported cases. During the past three years, a total number of 263 youths were sentenced with diversion measures. This type of sentences makes 1.1 percent of all criminal sentences. In 2010, 68 youths or 7.5 percent of juvenile crimes received a diversion as a sentence, in 2011, 63 youths or 5.4 percent of juvenile crime offenders were diverted; in 2012, 132 youths or 19.6 percent of juvenile crime offenders were sentenced with diversion. In other words, in average, 10.8 percent of juvenile offenders per year were sentenced with diversion.

197. The Pack of Judicial Laws that entered into force in 2013 provides for setting up an independent court. Thus, it is considered that all legal arrangements are in place for the creation of juvenile court. Prosecutors are monitoring proceedings of arrest, detention, and imprisonment of juvenile offenders. The Pre-trial detention center No. 461, an affiliate to the General Executive Agency of Court Decisions, as well as provincial police detention centers fully comply with the Articles 31 and 32 of the Law on Arrest and Detention of Suspects and Offenders. There are child-friendly rooms in some of the detention centers. As of 28 March 2014, there were 22 children detained in police detention centers. As of July 2014, there were 35 boys aged 14-18 serving imprisonment sentences at the only Juvenile prison of Mongolia. Girls charged with imprisonment serve their sentences in a special division for children at the prison for adult women.

198. The Basic education school with specialized vocational programmes that had operated next to the Juvenile prison till 2000 was changed to a Complete secondary education school in 2013, creating a conducive environment for child prisoners to continue their education. Young prisoners are provided with primary, lower secondary and upper secondary education based on their admission test results, and are provided with basic and secondary education certificates. The practice not to make note of imprisonment sentence on education certificates of young offenders is important for preventing them from potential discrimination in the future. As a result of vocational trainings provided to young prisoners, 539 children were awarded with vocational certificates in bakery, cooking, handcrafting, carpet weaving, knitting, carpentry, painting and decorating, and bricklaying during the last 10 years. These vocational trainings are organized with assistance from international and other NGOs.

199. Although it is specified in the Law on the Protection of the Rights of the Child that the Minister for Justice is responsible for passing rules specifically designed for the Juvenile Prison, there are no such rules in place as of now. Thus, there is one set of rules serving both adult and juvenile prisons. The current arrangement is obviously unsuited for young prisoners. The General Executive Agency of Court Decisions in collaboration with the Administration of the Juvenile Prison conducted a situational study, developed a draft on the rules for the Juvenile Prison, and submitted to MoJ. It is hoped that the bill will be approved without delay in a form that is consistent with the UN Convention on the Rights of the Child and the UN Rules for the Protection of Juveniles Deprived of Liberty.

200. The Prosecutors Office assigns prosecutors for juvenile justice proceedings using special criteria. In September 2011 the National Legal Institute organized a training of trainers on the UN Convention for the Rights of the Child and other child rights legislations involving the relevant prosecutors from the Prosecutors' Offices of Ulaanbaatar City and its districts. Also, in 2011, two sets of training for 4 times on "Crimes against underage children /sexual and labor exploitation/" involving prosecutors at local levels, in cooperation with the National Legal Institute of Mongolia. In September 2012, the State Prosecutors Office organized a training themed "Special features and implementation of legal proceedings for offences against underage children" with 55 participants from provincial courts, prosecutors' offices and police departments, in cooperation with the NAC, within the framework of the campaign "Public initiatives for the prevention of children from possible risks", carried out in Orkhon Province.

201. The Juvenile Justice Committee focuses on re-socializing juvenile offenders through providing counseling services to and involving in community services (in collaboration with the relevant organizations) the offenders who were conditionally discharged, with deferred sentence, and finished serving their sentences. Deferral of sentence was obtained for 113 juvenile offenders in 2009, 99 in 2010, 134 in 2011, 213 in 2012, and 152 in 2013, which totals at 645. Since 2012, the CaFDCs of Dornod Province and Ulaanbaatar City have been piloting and refining a risk assessment and grading programme.

202. In 2013, one case of imposing torture on under aged children was registered. It was an incidence in which two criminal police officers attempted to impose false accusations on two children using corporal punishment that inflicted injuries. The Investigative Agency under the State General Prosecutor initiated a criminal proceedings against those two police officers, and the Ulaanbaatar City's Prosecutors Office found them guilty pursuant to Article 251 of Criminal Code and the case was referred to a court trial.

### **Child helpline 108**

203. A three-year project on upgrading child helpline to systematize identification, registration and protection of child victims was commenced in June, 2014. The child helpline 108 enables children to exercise their rights to seek and find information, and ask

for an assistance. The helpline is call free, accessible 24 hours a day. It considers counseling and information feed that are to create or support warm and friendly family environment as the most important form of assistance. Also, the helpline collates data on breaches of child rights provided by the general public and the relevant organizations, and conducts a risk assessment.

204. Emergency calls are referred to a closest to a child governmental organization for a relevant response service, after being registered in the helpline system. Each referred child protection case is envisioned to be monitored for its proceeding and quality. The helpline operators are entitled to provide some technical support and advice to a case worker at local level.

205. The helpline received 7095 calls during its first three months of operation that coincided with school and kindergarten summer vacation. Calls associated with breaches of child rights and child protection makes up 63.7 percent of all calls received. Many calls reported corporal punishment of children and psychological threats. Also, a significant percentage of calls requested legal aid on guardianship over children.

#### **Responding to child welfare concerns, emergency aid**

206. It is aimed that response to child welfare concerns is implemented locally. To facilitate this process, Child Protection Units, staffed with 1-5 personnel, were established at the National Authority for Children, at the Ulaanbaatar City's Children and Family Development Authority and at the Children and Family Development Centres operating in all Ulaanbaatar districts. The Child Protection Units are in charge of responding to child protection concerns reported via the Child helpline 108.

207. In Ulaanbaatar, child protection emergency aid is provided by three units of one-stop service that operate next to hospitals. Locally, such service is available in Zavkhan and Gobi-Altai provinces. The service is not just for children but all victims of domestic violence.

#### **Case management/Referral service**

208. One of the services that is provided in response to non-emergency phone calls associated with child rights received by the child helpline and the Children and Family Development Departments and Centers is referral. Depending on the risk level and the needs of the children, their issues are referred to khoroo social workers; or their parents and guardians are provided with information about services of law, health, social welfare, civil registration, and educational institutions. It is prioritized that issues are referred to soum and khoroo social workers and addressed by the multidisciplinary teams.

209. Statistical data 2009-2013 for the Report is attached.

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