

THE GOVERNMENT OF MONGOLIA

**MONGOLIA'S THIRD AND FOURTH REPORTS
UNDER
THE CONVENTION ON THE RIGHTS OF THE
CHILD**

Ulaanbaatar
November 2007

Foreword

The Government of Mongolia is pleased to present Mongolia's Combined Third and Fourth Reports under the Convention on the Rights of the Child to the Committee on the Rights of the Child. This report has been prepared in accordance with the Committee's Guidelines for Periodic Reports renewed in 2005 and the Concluding Observations released May 26, 2005 after the Committee discussed Mongolia's Second Periodic Report at its 39th session.

This combined Report consists of an introduction and eight chapters. Relevant statistical data and documents are annexed.

During a third reporting period of 2004-2007, the Government of Mongolia has implemented a wide variety of actions to address the suggestions and concerns of the Committee stated in the Concluding Observations. These actions have been incorporated in the *National Action Plan for Child Protection and Development for 2005-2007*.

Positive changes and growth in country's economy, technical and financial support from international banking and financing organizations, and the active participation of civil society and adolescents have shaped the successful implementation of the Convention on the Rights of the Child. The GDP growth reached 6 – 10 percent in recent years and the gross national income per capita increased to 950 USD in 2006. During 2004-2006, the Government of Mongolia allocated 13 – 18 percent of the GDP and 47 – 50 percent of the state budget to the education, health and social security sectors.

Based on surpluses of financial resources generated on a growth of prices on some exported goods, Mongolia's Development Fund was established in 2006. 140 billion MNT, nearly a half of all resources contributed to this Fund, have been allocated for families and children. All children under 18 years of age become main beneficiaries of this fund through the direct cash allowance for them.

In order to align national legislation with the principles and concepts of the Convention, the Parliament of Mongolia has developed and amended about twenty laws which regulate issues on children's health and education, as well as protection from violence and abuse at home and school. Several laws including the *Law on Social Welfare* (2005) and *Law on Education* (2006), *Criminal Procedure Law* (2007) were amended. *The Law on Monetary Assistance to the Child and Family* (2006), *Law for Citizens with Disabilities* (2005), *Law on Prevention from Iodine Deficiency by Salt Iodization* (2003), *Law on Breast Milk Substitutes* (2005), **and** *Law on Prevention of HIV/AIDS* (2004). were enacted in recent years. The Government of Mongolia has included several provisions on protecting the rights of children and supporting families in its Action Plan for 2004-2008. The measures outlined in the Action Plan have been implemented in a timely manner.

Since the Government of Mongolia assigned the Deputy Prime Minister to oversee children's and youth affairs, there has been a favourable environment for improving the coordination of policies and activities between different sectors. The National Authority for Children, an Implementing Agency under the Government of Mongolia, is working to build its capacities for coordinating inter-sectoral collaboration.

Mongolia's CRC Report

At the local level, Aimag Children's Centres, an Implementing Agency under the Aimag Governors' Offices, have been implementing their newly developed strategies. The extensive collaboration of different stakeholders for addressing children's issues has been started at the local level.

Programs which are aimed at improving the living conditions of children through their families and communities, including supplying the population with clean water, improving housing conditions and supporting sustainable livelihood have been undertaken. Within the framework of the Regional Development Policy, the road and electricity infrastructure as well as trade and service networks in rural areas are currently being renovated or newly built. This creates a favourable environment for economic and social development and the improvement of living conditions of rural citizens. In order to maximize the direct impact of increased public resources, programs such as the *Child Money* and *Allowance for Newly Married Young Couples* are being implemented. As a result of the above mentioned measures, families are getting to pay more attention to children.

With the investment from the state budget and financial aid or loans from foreign organizations, the Government of Mongolia (GoM) has been taking measures to build, renovate and extend schools and preschools in order to increase access for children living in remote rural areas or who have migrated to Ulaanbaatar for preschool and secondary education. In 2006, 17 schools with a total number of 7052 seats, and 5 kindergartens with a total capacity to accommodate 590 kids, and school dormitories with a total number of 130 beds were newly constructed. 118 school, kindergarten and dormitory buildings were repaired. There have been significant achievements in decreasing the school dropout rate, creating child-friendly learning environments and upgrading the content of education to international standards. The Education Sector Master Plan-2 aims to increase the number of kindergarten beds by 7.8 thousand, secondary school seats by 69.6 thousand, dormitory beds by 5 thousand and vocational training school seats by 3.8 thousand during 2006-2015.

The maternal and infant mortality rates and nutritional deficiencies among young children have been decreased due to government policies supporting health and medical services for children and mothers. These policies include the *Integrated Management on Child Diseases, Development of Soum Hospitals, Improvement of Health Technology and Healthy Mongolian*.

Despite the efforts on behalf of children, significant challenges remain. Rural and urban disparities and a widening gap between the rich and poor have been putting adverse affects on lives of many children.

The GoM acknowledges that much work is needed for improving a legal environment for protecting the rights of children in conflict with the law, victims of crime, violence and sexual abuse, disabled children, unsupervised children, children living in pro-poor conditions and children of parents who have migrated to other countries for a job; enhancing the child protection system at all levels; and building the capacities of local organizations working for children. There are challenges to enhancing support mechanisms for the implementation and monitoring of the Convention on the Rights of the Child (CRC) and to the development of a nationwide data collection system.

Mongolia's CRC Report

The Government of Mongolia is committed to putting more effort into addressing these challenges.

CONTENTS

	<i>Paragraphs</i>	<i>Page</i>
Foreword		2-4
Introduction	1-7	10
CHAPTER ONE		
GENERAL MEASURES FOR THE IMPLEMENTATION OF THE PROVISIONS OF THE CONVENTION	8-60	11-21
A. Measures Taken for Aligning National Legislation with the Principles of the Convention	13-19	12-13
B. International assistance or development aid programmes	20-27	13-15
C. Effective policies and regulations for protecting the best interests of children	28-33	15-16
D. Coordination and monitoring of measures on the protection of child rights	34-43	16-18
E. National and local level monitoring mechanisms for protecting the rights of the child	44-47	18-19
F. Participation of Stakeholders in Implementation of the Convention	48-52	19-20
G. Promotions of the principle and provisions of the Convention widely known to the public, the translation into official and minority language of the concluding observations of the Committee adopted after the consideration of the previous report and their wide dissemination, including through printed and electronic media	53-55	20-21
H. Information System on Implementations of CRC	56-60	21
CHAPTER TWO	61 – 67	21-22
DEFINITION OF THE CHILD		
CHAPTER THREE	68-100	23-27
GENERAL PRINCIPLES		
A. Non-discrimination	69 - 78	23-24
B. Principle of the best interests of the child	79 - 81	24-25
C. Respect for the views of the child	82 – 86	25
D. Right to life, survival and development	87 – 92	25-26
E. Rights of most vulnerable children	93-94	26
F. Registration of death of a child and investigation in suspicious cases	95-97	26-27
G. Preventing suicide among children and investigation	98-100	27

into case of suicides

CHAPTER FOUR		
CIVIL RIGHTS AND FREEDOMS	101-128	27-31
A. Name and nationality, Preservation of identity	102-103	27-28
B. Freedom of expression	104-106	28
C. Freedom of association and peaceful assembly	110-113	28
D. Protection of privacy	110-113	28
E. Access to appropriate information	114-122	29-30
F. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment	123-126	30
G. Rights of children with disabilities, children living in poverty, children born out of wedlock, asylum-seeking and refugee children and children belonging to indigenous and/or minority groups	127-128	31
CHAPTER FIVE	129-204	31-44
FAMILY ENVIRONMENT AND ALTERNATIVE CARE		
A. Parental guidance (art. 5) and Parental responsibilities	133-144	32-34
B. Separation from parents	145-148	34
C. Family reunification	149	35
D. Recovery of maintenance for the child	150	35
E. Children deprived of their family environment	151	35
F. Temporary care services	152-156	35-36
G. Adoption	157-174	36-39
H. Illicit transfer and non-return	175-177	39
I. Abuse and neglect, including recovery and reintegration	178-192	39-42
J. Protection from child abuse and neglect (art. 19), including recovery and reintegration	193-198	42-43
K. Periodic review of placement	199-202	43
L. Bilateral and multi-lateral agreements, the Convention and impact on children	203-204	44
CHAPTER SIX	205-286	44-59
BASIC HEALTH AND SOCIAL WELFARE		
A. Health and Social Welfare	205-220	44-47
B. Maternal and child health and health services	221-236	47-50

Mongolia's CRC Report

C. Adolescent health	237-244	50-51
D. Child care services	245-257	51-54
E. Disabled children	258-278	54-59
CHAPTER SEVEN	279-335	59-70
EDUCATION, LEISURE AND CULTURAL ACTIVITIES		
A. Preschool education	279-286	61-64
B. Primary and secondary education	287-310	64-66
C. Non-formal education	311-315	66
D. Vocational education	316-322	66-68
E. Tertiary education	323-324	68
F. Leisure, recreation and cultural activities	325-335	68-70
CHAPTER EIGHT	336-	70-
SPECIAL PROTECTION MEASURES		
A. Children in situations of emergency	336-339	71-72
B. Children and the administration of juvenile justice	340-346	72-75
C. Children deprived liberty	347-357	75
D. Prohibition of capital punishment and life imprisonment	358-360	75
E. Physical and psychological recovery and social reintegration	361	75-76
F. Children in situations of exploitation, including recovery and social reintegration	362--364	76-79
G. Drug abuse	365-376	79-80
H. Sexual abuse and exploitation	377-382	80-82
I. Child sale, trafficking and abduction	383-391	82-83
J. Other forms of Violence	398	83
K. Children belonging to a minority or indigenous group	399	83
L. Street children	400-403	84
M. Optional protocols	404	84
Executive Summary		85
Annexes		86-119

ACRONYMS

AIDS	Acquired Immune Deficiency Syndrome
CBSS	Convergent Basic Social Services
CRC	Convention of the Rights of the Child
CSEC	Commercial Sexual Exploitation of Child
ECPAT	End Child Prostitution, Child Pornography, and Trafficking of Children for Sexual Purposes
GDP	Gross Domestic Product
GoM	Government of Mongolia
HIV	Human Immunodeficiency Virus
ILO	International Labour Organization
IPEC	International Programme for Elimination of Child Labour
MDG	Millennium Development Goals
MOF	Ministry of Finance
MOH	Ministry of Health
MOECS	Ministry of Education, Culture and Science
MOJHA	Ministry of Justice and Home Affairs
MOSWL	Ministry of Social Welfare and Labour
NAC	National Authority for Children (formerly National Board for Children)
NHRCM	National Human Rights Commission of Mongolia
NFE	Non- Formal Education
NGO	Non-Governmental Organization
NPA	National Programme of Action for the Development and Protection of Children
NSO	National Statistical Office
SCF UK	Save the Children Fund, United Kingdom
UN	United Nations
UNICEF	United Nations Children's Fund
WHO	World Health Organization

Glossary

Aimag	Province
Bagh	Administrative unit below soum
Ger	Traditional felt dwelling
Khoroo	Administrative unit below district of Ulaanbaatar
Soum	Administrative unit below aimag
State Great Hural	Parliament
Tugruk (MNT)	Mongolian Currency Unit (exchange rate in September 15, 2007: 1US\$ equals 1,185 MNT)

INTRODUCTION

1. This is Mongolia's combined Third and Fourth Reports to the Committee on the Rights of the Child (the Committee) submitted under Article 44, paragraph 1 of the Convention on the Rights of the Child (the Convention).

2. The Committee considered the second periodic report of Mongolia (CRC/C/65/Add.32), submitted in May 2003, at its 1040th and 1041st meetings (see CRC/C/SR.1040 and 1041) held on 26 May 2005. Soon after this meeting, the Government of Mongolia received the Concluding Observations with comprehensive comments and recommendations from the Committee. In the Concluding Observations, the Committee agreed that Mongolia should submit a combined Third and Fourth Report prior to the deadline of September 2007.

3. This report is prepared in accordance with the Committee's Guidelines for Periodic Reports renewed in 2005. Accordingly, this Report updates Mongolia's previous Reports and highlights significant changes to law and practice that occurred between 2004 and 2007, including those that address the suggestions and concerns of the Committee in relation to Mongolia's Second Report. This report includes relevant statistical data from 2004 – 2006.

4. In April 2007, the Government of Mongolia set up a Working Group with the responsibility to prepare national reports under the Convention and two optional protocols. Representatives from government ministries and agencies, national and international non – governmental organizations and children were included in the Working Group. It operated in accordance with a detailed Action Plan and timeline developed at a meeting of key stakeholders. As it was set by the Action Plan, stakeholders had several consultations on all relevant information and data which were collected throughout April – June. By the end of July a draft report was released. Representatives of governmental and non-governmental organizations, the public and children participated at discussions of the Draft Report held in August. The key government ministries and agencies reviewed and commented on the Report in September. Subsequently, the Working Group revised and finalised the Report incorporating comments and suggestions generated at the discussions and revisions. At a Cabinet Meeting of October 10, 2007, a final draft was discussed and approved for the submission to the Committee.

5. About 30 non-governmental organizations working for children were actively collaborated in the preparation of the Report. Comments of nearly 2000 children from urban and rural settlements across the country were incorporated in the Report. About 100 children participated in a final discussion of the Report.

6. UNICEF Mongolia provided all necessary assistance and support throughout a preparation process.

7. Selected documents relevant to the main policy initiatives and legislative changes made by the Government of Mongolia during the reporting period are translated into English and annexed to the Report. Upon a request of the Committee, other relevant documents can be translated into English and sent to the Committee.

CHAPTER ONE
GENERAL IMPLEMENTATION OF THE CONVENTION
(Art 4, 42, 44 f)

8. Some positive changes including the 6 – 10 percent growth of GDP in recent years have been observed in Mongolia's economy since its Second Report to the Committee was submitted. The gross national income per capita was increased from 744 USD in 2005 and to 950 USD in 2006. The rapid expansion of service and mining industries in Mongolia shapes its economic growth. In addition, a significant price increase of gold and copper in world market contributes to this development. The state budget expenditures were increased by 64.4 percent from 2004 (752.5 billion MNT) to 2006 (1237.0 billion MNT). During 2004-2006, the Government of Mongolia allocated 13 – 18 percent of GDP and 47 – 50 percent of a total state budget to public sectors.

9. The Mongolian People's Revolutionary Party and Democratic Coalition won a similar number of seats in the 2004 election of the Great Hural (Mongolia's Parliament). As a result of this election, the Big Coalition Government ran the Cabinet. Subsequently, since March 2006, the Government of National Unity has been in power. The significant increase in state budget revenue is resulting in flexible policies of budget expenditure and investments at the local level. The Government of Mongolia is committed to creating opportunities within the public sector, particularly for children and families through significant increases in direct investments for them. Particularly, direct investments for children and families are significantly increased. The significant increase in the state budget revenue is resulting in flexible policies on budget expenditure and investments at local level.

10. In 2005, the Resolution No. 201 and 202 of the GoM identified five regional development support centres and introduced a National Strategy for Regional Development. Pursuant to the Resolutions, a development programme and action plan for each of the five regions were released. Required resources for implementation of the Resolutions have been allocated to the state budget. In addition, international and foreign loans and grants have been dispersed to encourage regional development policies.

11. According to the three different surveys on living standards that were conducted nationwide, the poverty headcount was 36.3 percent in 1995, 35.6 percent in 2001 and 36.1 percent in 2005. Rural to urban migration has not been decreased due to a growing interest among rural population to be closer public services and improve their livelihood. There is a direct correlation between family poverty and child poverty. Poverty in Mongolia has two forms: income poverty and opportunity poverty. Household income poverty limits a significant number of children by minimizing the opportunities to benefit from economic growth in the country. It is the main cause of many social ills including child labour, homeless children, child prostitution and juvenile crime.

12. Mongolia is determined to achieve the Millennium Development Goals. Despite Mongolia's achievements in protecting the rights of the child, there are still many issues and priorities to address, in particular, protecting the rights of children living in difficult circumstances and ensuring their access to and the quality of basic social services.

A. Measures Taken for Aligning National Legislation with the Principles of the Convention

13. Mongolia ratified the Convention on the Rights of the Child with no reservation in 1990. The State is a party of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, and of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, in October 2004. No reservations are applicable to both Protocols.

14. As a response to the recommendations outlined in Paragraph 10 of the Concluding Observations (CRC/C/15/Add.264) Mongolia has been taking certain measures on aligning national legislation with the principles of the Convention. The Parliament of Mongolia has issued a plan to review and revise Mongolia's laws and regulations by 2008. Several laws including the Law on Social Welfare, Law on Education, Family Code, Criminal Code, and Law on Criminal Procedures were planned to be amended for ensuring child rights. The Law on Monetary Assistance to the Child and Family Law(2006),on Monetary Assistance to the Child and Mother(2006), and Law on Social Welfare for Citizens with Disabilities (2006), Law on Prevention from Iodine Deficiency by Salt Iodization (2003), Law on Breast Milk Substitutes (2005), and Law on Prevention from HIV/AIDS (2004) were enacted. The Law on Primary and Secondary Education and Law on Protection of Child Rights were amended. In 2007, the Ministry of Justice and Home Affairs (MOJHA) is undertaking an assessment study "Outcomes and Implementation of a Legal Reform" and reviewing the laws and regulations endorsed since the new Constitution (1992) entered into force. In its Concluding Observations, the Committee expressed its concern of that "*the Labour Code allows children aged 14-15 years to work 30 hours per week while a compulsory school age is 17*". The Article 109.5 of the Labour Code permits: 1) a child reached 15 years of age can sign an employment contract with an approval of either parents or guardians; 2) with a purpose to obtain some apprentice skills, children of 14 years old can sign an employment contract with an approval of parents or guardian or State Administrative Organization in charge of labour issues if the job is not listed in prohibited jobs for children. The concern of the Committee has been reviewed at the Government level. However, an immediate change of the above mentioned provision has not been expected yet.

15. The Committee's recommendations stated in Paragraph 12 of the Concluding Observations released after Mongolia's submission of its Second Periodic Report have been incorporated in the Government policies and actions for children. The measures to build capacities of government agencies to protect the rights of the child; improve the access to and quality of public services including health, education and social welfare services, particularly, increase the opportunities for disabled and/or disadvantaged children have been a significant component of the Government policies and actions. Through public discussions and advocacy work around the Concluding Observations, an Action Plan of second stage of the Second National Plan of Action (NPA) for 2002-2010 covering a period of 2005-2007 was revised and has been implemented. A number of innovative ideas is being integrated in the following parts of the NPA: 1) legal reforms fit for children, 2) healthy and safe environment for children, 3) quality education for and development of children, 4) family-based child protection, 5) child and adolescent participation as well as the access to information. Working groups for evaluating the outcomes of the NPA have been formed at the national and local levels. The applications of the Committee's recommendations for providing adequate information and training in response to the new approach of the

National Authority for Children and improving the coordination of activities of this agency are described in Paragraphs 39-46 of this report.

16. Article 10 of Constitution of Mongolia states that: “*Any international agreement shall take an effect as national laws upon the entry into force of a law of ratification or accession ...*” More than 160 laws out of 373 laws of Mongolia in force have provisions stating that “*if an International treaty provides other than this law, the provisions of the International treaty shall be complied*”. The Law on International Agreement specifies that Parliament of Mongolia shall monitor implementation of any international agreement which is ratified or joined by Mongolia and when it is necessary; the Government of Mongolia shall monitor implementation of any international agreement within its competence¹. Except these provisions, there are no other legal interpretations or explanations.

17. Preparations for the accession of the Palermo Convention against Transnational Organized Crimes are taking place.

18. In cooperation with UNICEF, the Ministry of Justice and Home Affairs (MOJIA) set up a Working Group for improving conditions of a children's detention centre and pre-trial detention centres so that the legal rights of juveniles are exercised in line with international standards and rules.

19. To mainstream and ensure the steady implementation practical applications of the Convention and other international agreements to which Mongolia is signatory Supreme Court and Constitutional Court of Mongolia should develop guidelines or explanatory notes on how to interpret the provisions of international conventions and agreements. The GoM recognizes the importance of developing effective financial mechanisms to implement legal instruments.

B. International assistance or development aid programmes for children

20. The GoM has supported the Committee's recommendations delineated in Paragraph 16 of the Concluding Observations. Mongolia has been actively collaborating with United Nation's agencies as well as other international and foreign organizations.

21. UNICEF, United Nations Population Fund and World Health Organizations are implementing projects and programs for children including the Expanded Immunization Programme, Integrated Management of Childhood Illness, Safe Motherhood, Strengthening Primary Health Care through Establishing Revolving Drug Funds, Child Growth Promotion and Breastfeeding, Universal Salt Iodization/ Iodine Deficiency Disorder, Water and Environmental Sanitation, Adolescent Friendly Health Services Initiatives and Reproduction Health Programme. Health and nutrition projects and programs have contributed to improving drinking water quality and preventing mothers and infants from lack of iodine and micro elements. UNICEF initiatives including Preschool Education, Child Friendly Schools, Multi-grade Teaching, Integrated Early Childhood Development, and Survey on Learning Performance resulted in a number of positive outcomes such as the creation of child- friendly learning and teaching environment, inclusive education, a reduced number of school dropouts and increased community involvement and partnerships

¹ Page 3 – 6, issue 1, 2007 a quarterly magazine “Human Rights”

for wellbeing of children. The UN agencies have worked to change the perceptions and approaches of governmental and civil society organizations in their efforts to protect the rights of the children in conflict with law, violence against women and children, child sexual abuse or trafficking. Projects on comprehensive social services and services in emergencies were piloted and improved. New programs introduced by UN agencies in Mongolia including the Convergent Basic Social Services and National Disaster Emergencies Programmes have been models of effective services for children. Following such positive and effective collaborations, UNICEF and the Government of Mongolia signed the Agreement on Country Programme on Cooperation for 2007 -2011.

22. Mongolia is committed in expanding its collaborations on implementations of the CRC and Optional Protocols with UN agencies. The GoM supports a proposal to appoint a Special Representative in charge of Violence against Children to the UN.

23. UNESCO has been implementing projects to support children who have suffered from *zud* (natural disaster) and to improve a literacy rate among the population.

24. Since 1999, with financial assistance from the US Labour Department, the International Labour Organization-IPEC project is being implemented with the objective of contributing to the elimination and prevention of the worst forms of child labour. The current ILO-IPEC programme lasts from September 2005 through the end of 2009. Main accomplishments of the programme so far are: 1) an increased nationwide awareness of the worst forms of child labour; 2) presentations of the national data and surveys assessing the situation of working children; 3) interventions and the monitoring of child labour situations in the selected areas; 4) the training of governmental and nongovernmental organizations' staff, members of trade unions and employers; 5) the development of tools and approaches for providing services for working children; 6) the review of laws and public policies relevant to child labour.

25. International financial organizations including the World Bank and the Asian Development Bank are funding projects for Mongolian children having an important impact on wellbeing of children.

26. Mongolia is expanding its bilateral and multilateral collaboration with donor countries, their governments, communities and NGOs, and with other international organizations. For instance, Save the Children UK has undertaken two programs – Education and Child Protection. With the collaborations of government agencies, Education Program aspires to introduce different forms of preschool education, ensure protection of child rights in schools, support social workers in educational settings, and promote inclusive education opportunities for disabled children. The Child Protection Programme provides support for organizations working with unsupervised children and expands advocacy and training activities designed to protect children from corporal punishment and violence. Another main focus of the Child Protection Programme is the collaboration with Mongolian governmental and nongovernmental agencies for the development of a national child protection system. World Vision International (WVI) operates nationwide covering many rural and urban settlements and cooperating with all level government agencies, citizens and children. A total number of beneficiaries of this organization was 230 000 children and 1.2 million adults in 2006. Financial aid for supporting local developments, scholarships and projects on protection of women and children from domestic violence, children's participation, and support for children who re-

united with their families and juvenile justice are areas where World Vision remains committed. With the initiatives of Taiwanese Government and citizens, a Fund for Supporting Children and Families was established in 2006. Each year the Fund provides an approximate amount of 200,000 USD to assist children and families living in difficult circumstances and undertake several programs.

27. Mongolia provided financial and emotional support for victims of the earthquake in Japan and tsunami in East Asia.

C. Effective policies and regulations for protecting the best interests of children

28. During the reporting period, a number of policies and programs which contribute effectively to the lives of children were developed and implemented including the issuance of a birth certificate free of charge to all children and improved access to public services for rural-to-urban migrants allowing them to obtain civil registration documents or residential address changes in their documents without a fee. The Monetary Assistance to Children and Families Program strengthens the family- based development policy. This program ensures the right of the child to social welfare services reflected in Article 26 of the Convention. The Government began to implement the Child Money Program in January 2005 and the money was initially given to poor families based on certain conditions. Subsequently, with the approval of the Law on Monetary Assistance for Children and Families all children aged 0 – 18 irrespective of their living standards and family income become entitled began to receive a monthly allowance of 3000 MNT. A newly married couple gets 500 thousand MNT for one time upon their marriage registration. Also, a newly born infant gets a one - time cash assistance of 100,000 MNT pursuant to the policy “Allowance for Newborn Children”. In addition, expecting women receive a monthly allowance for one year beginning with a fifth month of pregnancy. Mothers with orders “A Glorious Motherhood” of first and second classes receive monetary assistance of 50 thousand MNT once a year. (Mothers who gave birth to five children can be awarded with the a second class order “Glorious Motherhood” and mothers who gave birth to eight children –with the first class order “Glorious Motherhood”) Parliament determines the budget for the child money annually. In 2006 each child received 3000 MNT each month; and more than 34.2 billion MNT were given to 874 thousands children; and in 2007, 189.2 billion MNT (74.6 billion MNT from State budget and 114.6 billion MNT from the Development Fund of Mongolia) are being allocated for 3,000 MNT allowance per month and plus 100,000 MNT per year for each child.

29. In April – June, 2006 UNICEF conducted a survey on the implementation of the Child Money Program and submitted its recommendations to the GoM. According to the survey, some children residing in child care institutions run by NGOs and faith based organizations, street children and children in conflict with the law had limited access to this benefit. Moreover, the amount of the monetary assistance and allowance are directly correlated to the price of precious metals in the World Market. If the price falls, the issuance of children's money can be cancelled. Even budget or political crisis would affect to this benefits².

30. The Government of Mongolia decided to issue a birth certificate free of charge beginning July 1, 2006. That decision was a big step forward to implementing Article 7 of the Convention which reads “*Each child shall have the right to be registered at birth...*”. An officer at a Citizens' Registration Unit of an aimag/district or soum registers a newly born child and issues a birth certificate.

31. 30,000 infants born in a first half of 2007 received their birth certificates free of charge.

32. In the Law on Education and Law on Primary and Secondary Education, the following specific provisions were introduced or amended:

- All forms of abuse, violence and corporal punishment shall be prohibited in education settings;
- A Code of Conduct for teachers shall be introduced and implemented;
- School management, teachers shall be responsible for ensuring that the rights and dignity of pupils, including the right to privacy are respected; the practice in schools to impose illegal fees to children and parents shall be prohibited;
- Local governments and education authorities shall be held responsible for the provision of education for all children and for creating an enabling learning environment for children from ethnic minorities;
- School curricula shall be gender sensitive;
- Fixed expenditures in all levels of public schools, all expenses related to dormitory accommodations for pupils of general secondary and vocational educational schools, some parts of meals in kindergartens, normative expenditures for each children studying in all forms of schools not excluding private schools shall be covered by the state budget. Basic education delivery via non formal education centres shall receive a state budget allocation in the same way as regular schools.
- State budget allocated to education shall be responsive to different geographical locations and sensitive to the specific learning needs of children with disabilities;
- In case of breaches of this Law, administrative or monetary sanctions shall be imposed.

The above mentioned provisions ensure the improvement of the child rights situations in schools and promote public awareness of child abuse and neglect

33. To increase child and youth participation in planning, implementing and monitoring different programs for them, the Government developed and submitted the *National Policy on Supporting Children's Participation* to the Parliament for discussions and approval.

D. Coordination and monitoring of measures on the protection of child rights

34. The Government of Mongolia is responsible for the development and implementation of national policies and programs on the protection of child rights. Implementation of the National Program for Actions (NPA) for child development and protection is a duty of the Deputy Prime Minister. He or she shall directly manage the National Authority for Children (NAC), an implementing agency of the GoM. At aimag (provincial level) and the capital city level, governors are in charge of implementing and monitoring government policies and programs for children within their competence and responsibilities. Under an Aimag Governor's Office, a Centre for Children, an implementing agency carries out programs and activities for children. Not all soum governors' offices have a staff responsible for children's issues even this position is approved by the GoM. However, social workers are appointed at all khoroos of the capital city. Almost all schools across the country have social workers.

35. The NAC is assigned to coordinate the implementation of national policies and programs for child protection and development among sectoral ministries and agencies. Central and local governmental organizations working in the area of child protection and development receive methodological and technical support from the NAC. According to its Strategic Plan the NAC shall have the following duties:

- Improve capacity building for implementation of the CRC, national laws and policies through methodological assistance to those government and non-government organizations whose mandate is development and protection of children
- Advocate for aligning national level policies and regulations with the CRC provisions; oversee other stakeholders undertaking policy and practice related to children in order to support the implementation of the CRC, NPA and other policies and programs;
- Increase capacity building of child- led organizations for the improved results and activities through the promotion of child participation, provision of necessary information and transfer of skills and competencies to work independently;
- Mobilize civil society organizations and educate children for participating in all spheres of social life; increase leadership of children in organising activities among themselves;
- Provide information to international, national and local level organizations working for/with/by children through media communications; serve the best interests of Mongolian children

36. In 2006, with the participation of children, the NAC organized a *National Forum on Child and Youth Development* and a *Forum for Disabled Children "Let's develop ourselves together"*. Participants of the first forum drafted a policy paper on child and youth development. The latter forum proposed a draft of a policy for disabled children. Moreover, the NAC has signed a bilateral contract in cooperation with some NGOs including the Mongolian Association of School Social Workers, Youth Red Cross, and National Centre for Rights of Disabled Women.

37. With the technical and financial support of UNICEF, WVI and Save the Children UK, the NAC has coordinated different types of training for professionals working for children (prosecutors, lawyers, judges, social workers, doctors, journalists and managers of relevant agencies). Types of training vary from national to regional and distance? to in-service and training cover numerous topics including child-friendly justice system, the rights of minors in conflict with law and rehabilitation and recovery services.

38. In 2004 – 2006, the Government of Mongolia allocated about 60 million MNT for coordinating the implementation of national policies and programs on the child protection and development among sectoral ministries and agencies.

39. Social and economic changes occurring in Mongolia in recent years are raising the needs for improving the NAC's capacity to coordinate the implementation of national policies and programs on child protection and development among sectoral ministries and agencies. Further development of coordinating mechanisms of NAC and capacity building of its staff is essential. Thus, the status of the NAC of being as an executive agency is necessary to be shifted into a steering agency. In relation to this shift, the national laws and regulations on a coordinating role of NAC should be reviewed and amended. Moreover, the decentralization process in public administration requires for improved capacity building at

local branches of NAC, so that they can effectively coordinate local agencies in providing social services for children. To ensure smooth implementations of state policies on children in all levels, a Child Protection Unit should be created in every soum and district. Supplying these units with skilled staff to work with/for children is essential. A significant increase in budget is needed for the smooth and effective coordination for activities.

40. The National Council for Children headed by the Prime Minister of Mongolia supervises the development of state policies on child development and protection, the allocation of social resources and the mobilization of public and private entities, communities and citizens for implementing the policies and programs. The NAC serves as an Office of the National Council for Children. National Council has the following duties:

- Advice governmental and other relevant organizations for enforcing laws and policies on child rights; coordinate and monitor the activities for implementing NPA;
- Consider to reports or presentations on child rights issues addressed by relevant organizations and authorities; and submit comments or suggestions on the reports or presentations to the Cabinet, other relevant organizations or authorities;
- Involve citizens, organizations and business entities in addressing issues on the child rights; and support their proposals and initiatives;
- Refer children, citizens, and entities to relevant organizations or authorities so that they can be awarded for their meritorious service for children;
- collaborate on programs and projects on child development and protection with other countries and their governmental or non-governmental organizations as well as international organisations;
- Perform other duties outlined in laws;

41. Pursuant to *Public Sector Finance and Management Law*, local branches of the Council for Children work under the supervision of the Aimag Governor or Mayor of the Capital City. With Aimag Governor or Mayor, a Deputy Prime Minister signs the contract for financial resources and services for children. Subsequently, the Governor establishes such a contract with a chairperson of the aimag Children's Centre. The Council for Children work under the governors of all aimags, the capital city and soums.

42. There is an immediate need to improve the performance of the Councils for Children through expanding their scope of work and responsibilities and clarifying their decisions regarding monitoring mechanisms.

43. The active involvement of all sectors and stakeholders is required for ensuring the rights of the child. In 2005, 12 members of the Parliament established a lobby group with the purpose of: listening to the voices of youth and children at the policy- and decision-making level; reflecting issues of implementation of the rights of the child in Parliamentary legal and policy documents; and aligning legislation of Mongolia with the principles of the Convention. Also, the lobby group is exploring an option to establish a sub – committee in charge of children's issues within the Parliament.

E. National and local level monitoring mechanisms for protecting the rights of the child

44. Recommendations given in Paragraph 14 of the Concluding Observations are being considered. In 2007, a *National Program on Human Rights* was approved with the main

objective of creating mechanisms for protecting human rights and expanding a legal guarantee for every citizen to exercise his or her rights. The Program identified strategies which support the GoM in implementing its duties under Article 4 of the CRC and the recommendations of the Committee. Provisions for increased commitment to and consistent participation of governmental and non-governmental organizations, citizens, local self-governing bodies, media and private sectors in ensuring human rights and freedom are included in the Report. The roles of above mentioned stakeholders in combating violations against human rights and rehabilitating violated rights are described in the Program. (*Please, see the attached Program translated into English*). The National Human Rights Commission (NHRC) covers particular human right issues in its annual report (volume). Child rights issues related to a particular topic are addressed in the report. For example, a 2004 report covered the issues related to children of national minority; a 2005 Report analyzed a status of child nutrition; and a 2006 report addressed torture, cruel and inhuman treatment against human beings.

45. The National Human Rights Commission and National Authority for Children jointly developed a "*Procedure on Selecting Child Envoys*". The Child Envoy is an alternative name for ombudsman. By 2006, 150 individuals were appointed as Child Envoys at all levels of the government. Child Envoys have been provided with training on some methods of monitoring, reporting and following up the cases of violations against the children's rights. For instance, aimag and soum Child Envoys received training for working with disabled children. However, the GoM recognizes that the Child Envoy system is in its embryo stage in both rural and urban areas.

46. The National Anti-Corruption Program and the Law against Corruption have been passed by the Parliament. Consequently, the State Authority on Anti-corruption (SAA) was established in 2006. The SAA raises public awareness on corruption and encourages the public to report cases of corruption within governmental organizations. The GoM believes that these measures will reduce ineffective bureaucracy, bribery and corruption in governmental organizations working for children and raise public awareness against corruption.

47. To support new initiatives such as Open Government and E-Government, the GoM has introduced a government information network system. Information on state policies and budget allocations is available in a website www.iltod.gov.mn. Monthly or quarterly performance reports of public service organizations are displayed on this website.

F. Participation of Stakeholders in Implementation of the Convention

48. From September through December 2005, the Government of Mongolia and the NAC organized the nationwide discussions "*Ways of Implementing Recommendations of Concluding Observations of UN Committee on the CRC*". 5000 children and adults participated in the discussions. Subsequently, ministry officials in charge of children's issues and representatives of non-governmental organizations working for/with children and summarized the results of the discussions at a national workshop. Children from many different backgrounds participated in this workshop. The comments and recommendations generated during the workshop were reflected in the second phase of the NPA.

49. In the recent years, new forms of contracting out social services to non-governmental organizations or community groups have been introduced in urban

settlements. For the near future, types, scope and funding for services to be contracted out should be extended. Particularly, development of community-based social services in rural areas will be essential. Within a framework of the Social Welfare Law, a national system to collect and compile the data on activities performed by contracted out agencies or community-based social service groups should be developed.

50. The first of June is a national holiday for children and mothers. A public agencies and private entities participate in public events where they celebrate what they did for children over the past. Activities to promote the CRC to the public take place throughout the day. In recent years, private institutions have made investments for children on this day. For instance, Mobicom, a leading mobile phone operating company contributed 10 billion MNT for launching a School Lunch Program for primary school pupils. XAS Bank initiated a savings program for vulnerable children and Erdenet Mining Company fully funded an orphanage in Orkhon province.

51. In 2005, the *Child Rights Education Centre* was established at the Mongolian State University of Education with support from UNICEF. The Centre developed and piloted the *Training Module on the Rights of the Child* for lecturers and students. In total, more than 4000 teachers attended 70 training sessions where the learning environment free from violence and pressure were promoted.

52. Although the GoM encourages broad involvement and collaboration of all stakeholders in the implementation of the CRC, there are some pressing issues related to neglectful attitudes to child rights among the public and limited competencies of organizations or individuals working for children?. The legal environment for contracting out social services to interested stakeholders is not created. Inadequate financial resources exacerbate the challenges to address child rights violations.

G. Promotions of the principle and provisions of the Convention widely known to the public, the translation into official and minority language of the concluding observations of the Committee adopted after the consideration of the previous report and their wide dissemination, including through printed and electronic media.

53. In order to implement the recommendations stated in Paragraph 21 of the Concluding Observations “develop *more creative and child-friendly methods to promote the Convention, in particular at the local level and among minorities, and through the media*”; governmental and nongovernmental organizations apply different approaches. As a result, the principles and provisions of the Convention are successfully spreading to all territorial regions and social sphere. During a third reporting period, about 50 different books and brochures were translated into Mongolian, including the Concluding Observations released from the 39th session of the CRC Committee, the UN Secretary General’s Study on Violence against Children and its version simplified for children.

54. In 2005, a team of media professionals was established under NAC. SCUUK, World Vision and other partners have been conducting training on building the capacity of the Media Team members on a regular basis. The Media Team members are engaged in preparing simplified promotional materials and images for daily newspapers, radio and TV. As a result, public awareness of and activities for ensuring on the rights of the child have increased.

55. With the support of partners, the simplified version of the Convention was printed in a form easily understandable to children. Drawings attractive to children decorated the books. This book was translated into Kazak language and distributed.

H. Information System on Implementations of CRC

56. The GoM recognizes that the implementation of recommendations in paragraph 18 in the Concluding Observations is in its beginning stages. We expect positive result from our endeavours to create a comprehensive data collection system.

57. The establishment of a State Information Centre and portals of governmental organizations is underway. It is clear that an improved information system of governmental organizations results in an enhanced information system for children's issues.

58. With UNICEF financial and technical support for refining the data collection system, the NAC and National Statistics Office (NSO) are jointly implementing a project to develop the indicators for collecting statistical data on 0 – 18 years old children at the national level through a systematized data collection procedure at national level. New indicators have been introduced, particularly segregated indicators on child protection including children with different types of disabilities, children living in difficult circumstances, children from poor families, children living in remote areas, child – migrants, unsupervised children, children in conflict with laws and children of national minorities . The GoM believes that this new system on child related data collection will be an important step in establishment of a national database on children. As a result of the project, standardized definitions on different forms of vulnerabilities will be developed. Subsequently handbook for training on data collection will be written.

59. The National Statistics Office (NSO) conducted a Multi Indicators Cluster Survey with a five year interval in 2000 and 2005. Inter-sectoral policy documents including *Integrated Early Childhood Development* and *Child Participation* were developed in a cooperation of relevant stakeholders. The implementation of a policy document, "*Integrated Early Childhood Development* was undertaken due to UNICEF financial and technical support". This document is being evaluated in 2007.

60. National Statistics Office and other governmental organizations should coordinate their efforts to collect and store the child related statistics. For instance, some statistics in health and social welfare sectors are not segregated by age groups of 0-18. None of the central government ministries and local public organizations compiles integrated data on children living in difficult situations. National statistics on child protection are not available due to a decentralized and underdeveloped child protection system. There are certain difficulties in collecting and processing some statistics on child protection issues.

CHAPTER TWO DEFINITION OF THE CHILD (Art 1)

61. For a definition of the child in the national legislation the Committee is referred to pages 11 – 15 in Third Chapter of Mongolia's Second Report. Some provisions of laws not described in previous reports are explained in the next paragraphs.

62. The *Law on Protection of the Rights of the Child* applies to and protects every child from his or her birth until the age of 18. Children of foreign citizens residing in Mongolia and children of stateless persons are also under protection of this law.

63. Article 14 of the *Civil Code* states “*legal capacity of a citizen shall start from the time of his/her birth and expire upon his/her death*” ... and “*... restriction of a citizen's legal capacity shall be prohibited ...*”. Article 15 of the same law reads “*a citizen shall be entitled to his/her full legal capacity by reaching 18 years of age*”. The concept “*full legal capacity*” means the capacity to hold rights or responsibilities for his or her actions. In accordance with laws and regulations, citizens aged 16 – 18 may have his/her full legal capacity upon his/her request and approval of his/her parents or guardians or care takers. Citizens aged 14 – 16 have incomplete legal capacity, and citizens aged 7 – 14 may have some legal capacity. Children aged up to 7 have no legal capacity. An individual who is not able to understand consequences of his/her action or to control his/her behaviours due to mental illness shall be considered as a citizen without legal capacity and guardians shall be appointed for him/her. Negations shall be conducted by his/her legal representatives (parents or guardians) on behalf of him/her.

64. Article 21 of *Criminal Code* states that persons who have attained 16 years of age at the time of committing a crime shall be subject to criminal liability. Pursuant to this article, persons of 14 to 16 years of age shall be subject to criminal liability for homicide (Article 91), deliberate infliction of a severe bodily injury (Article 96), rape (Article 126), theft in aggravating circumstances (Article 145), misappropriation (Article 146), robbery (Article 147), deliberate destruction or damage of property (Article 153) and hooliganism in aggravating circumstances (Articles 181.2 and 181.3).

65. Although Paragraph 1 of Article 9 in *Family Code* prohibits a person under the age 18 to get married, the next paragraph specifies that Paragraph 1 shall not apply to a person if he or she is under 18 is announced as a person with a full legal capacity as outlined in Civil Code.

66. Article 109 of *Labour Code* states that individuals who have reached the age of 16 shall have the right to enter into an employment contract. The *Code* also specifies that individuals who have reached the age of 15 may have an employment contract with the approval of his/her parents or guardians and in cases which are not contrary to Article 109.5 of the same code. In order to receive vocational orientation, individuals who have reached the age of 14 may enter into employment contract with the approval of his/her parents or guardians or the national government organization in charge of labour issues. Individuals under the age of 18 are prohibited from working in labour environments hazardous to their mental and physical development. A Government Member in charge of labour issues is assigned to produce a list of work places where employment of individuals under the age of 18 is prohibited.

67. The rights of the child are still being violated due to various factors including poverty, deteriorated living conditions of minorities, being unsupervised or due to domestic or other types of violence and abuse.

CHAPTER THREE

GENERAL PRINCIPLES (art 2, 3, 6 and 12)

68. For information on aligning the main principles of the Convention with national legislation the Committee is referred to pages 11 – 15 in Chapter 3 of Mongolia's Second Report.

A. Non-discrimination

69. During the past three years, within a framework of the Action Plan of the Government of Mongolia and as a follow up of the recommendations in the Concluding Observations, (paragraphs 23, 24 and 40) significant measures were taken place to protect vulnerable children from discrimination.

70. New paragraphs were added into the *Law on Education* in 2006 which stated that: "during a process of obtaining education, citizens of Mongolia shall not be discriminated against their ethnic origin, language, race, age, sex, specifics of development, health, social and employment status, religious beliefs, and views", "...persons shall have right to obtain education in their native language", and "...not to discriminate pupils". Measures and budget in support of these provisions are described in Chapter 7 of this report.

71. The limited capacity of schools is one of the reasons children living in remote areas or children of families that migrated to the capital city are not having adequate access to education. Therefore, the Government of Mongolia is building new kindergartens and schools and also expanding existing kindergartens and schools. State resources and international aid and loans have been mobilized for implementing these measures. 17 schools (with 7052 seats), 5 kindergartens for 590 children and dormitories for 130 children were built in 2006. In addition 118 schools, kindergartens and dormitories were renovated.

72. Whereas, in 2005, 7 billion MNT from the state budget and 10.9 billion MNT from international aid and loans were allocated for extending the facilities of schools and kindergartens, 9.2 billion MNT from the state budget, international aid and loans were used for this purpose in 2006.

73. Pursuant to the *Education Sector Development Master Plan*, the number of beds in kindergartens will be increased by 7.8 thousand, school seats by 69.6 thousand, dormitory beds by 5.0 thousand and seats at vocational training centres by 3.8 thousand in 2006 – 2015.

74. In 2006, the Government approved the *National Program on Supporting Citizens with Disabilities* and *Sub - program on Supporting the Participation of Children with Disabilities*. These policy documents identify measures for children with disabilities through different activities to create non-discriminative conditions for their participation in a social life and to have access to basic services.

75. A Code of Conduct for medical personnel has been developed. Pursuant to this Code, medical personnel must provide fair and equal health service for everyone without discriminations against political views, religion, ethnic origin and social status of a patient.

The Codes of Conduct should be widely introduced and promoted among medical personnel and the public.

76. In addition to providing children of national minority with an opportunity to study in their native language, it is also essential to teach them the official state language. Limited proficiency of the official state language makes minority children vulnerable to discriminations and curtails their equal access to mainstream education. The MOECS and Save the Children, UK developed a "*Program for Supporting Kazakh Children's Education*". The program proposal has been discussed widely at central and local government levels where the population consists of a significant Kazakh population. Currently, preparations to launch the Program are underway.

77. Due to a fact that teachers' job performance is being evaluated on the basis of pupils achievement tests, children who migrated to the capital city with their families (who tend to be lagging behind in their performance) tend to be discrimination from their teachers. Therefore, a teachers' job performance evaluation method should be revised. Moreover, governmental and nongovernmental organizations should work together to change teachers attitude to migrant children so that migrated children are supported rather than discriminated for their unsuccessful performance.

78. To protect children's rights appropriately, it is important to promote positive attitudes of stakeholders to children and increase responsibilities of being parents or guardians. Young children living with their families in informal mining sites or children from nomad families have limited access to health and educational services due to their parents' irresponsibility and negligence. Although legal provisions prohibiting discriminations of any kinds against children are available, it is still problematic whether children living in difficult circumstances can be treated same as their peers.

B. Best interests of the child (art. 3 and 12)

79. Paragraph 11 of Article 16 of the Constitution of Mongolia declares that the State shall protect best interests of families, mothers, infants and children. Paragraph 2, Article 4 of the *Law on Child Rights Protection* reads "*The state, individuals, private entities and organizations shall ensure the best interest of the child in their all actions; and parents, custodians and legal guardians are responsible for ensuring physical, mental and moral development and education of the child.*" Article 25.1 of the Family Code states that the child has an equal right within the family.

80. Article 14 of the *Family Code* states that custody of a child who is 7 or older shall be taken with consideration of his/her wish in a divorce case. The same article obliges parents and legal guardians to ensure the best interests of the child; and prohibits maltreatment against a child born out of wedlock. Furthermore, the *Family Code* specifies that the governor of a soum or district will appoint a legal guardian for the child if a contradiction is confirmed between the child and parents in regard of the best interests of the child. However, today, many victims of child abuse persist to suffer because this provision is not enforced.

81. Currently, the GoM is considering joining the Convention on "Protection of the Rights of Migrant Workers and Their Families". If Mongolia joins this Convention, then,

the rights of Mongolian citizens living and working in other countries and their children shall be protected.

C. Respect for the views of the child (art. 3 and 12)

82. The *Law on Protection of Children's Rights* guarantees the rights of the child to seek and receive information, enjoy freedom of association and religion, and to gather peacefully and express their views.

83. During 2004-2006, public awareness for respecting of the views of the child increased. Respect for the views of the child in the family and school environment has significantly increased. Social action had been strengthened towards banning corporal punishment against children in all settings. Governmental and non-governmental organizations collaborate to promote violence-free methods in child rearing, parenting skills training and to raise public awareness against violence and punishments within all settings.

84. The Law on Education states that respect for privacy and views of the child shall be observed in educational settings. Pursuant to this Law, representatives of parents, children and the school administration shall comprise a Steering Board of schools or kindergartens.

85. At the Asia Pacific regional level, Mongolia is recognized by its experience in supporting the participation of youth and children. Furthermore, with a purpose to reinforce this reputation, the NAC developed national policy draft and methodology for supporting the participation of youth and children. The NAC is collaborating with other stakeholders to solve the following issues identified at the national workshop "*I have a word to say...*" with the participation of at risk children: 1) the lack of citizen's identification documents; 2) violent treatment of law enforcement officers (particularly, police officers); 3) corruption among teachers; 4) limited access to health services; 5) the prostitution of girls; 6) discrimination against children living at institutions; 7) adults who don't listen to children; 8) the worst forms of child labour; and 9) limited access to education.

86. There are very few places where children and adolescents can have meetings, gatherings and participate in recreational and leisure time activities are very few

D. Right to life, survival and development (art. 6)

87. As a response to Article 44 of the Concluding Observations, the Government of Mongolia is undertaking a number of measures to refine mechanisms for protecting the rights of the child to life, survival and development and for ensuring safe, secure and violence free environment for every child.

88. The *Law on Health*, *Law on Medicines* and *Law on Citizen's Health Insurance* were amended recently. For instance, new provisions which state: "*The State shall be responsible for a payment of the services for children and mothers served by state owned health organizations*" and "*children and mothers shall be under permanent attention of the State*" were added to the *Law on Health* in January, 2006. These new provisions guarantee children under 18 years old with health services free of charge.

89. Respiratory diseases, neonatal illnesses, diarrhoea, injuries and infectious diseases have been common among young children. Heavy air pollution and contaminated environment are also affecting children's health; particularly during the winter time, the capital city gets heavily polluted by power supply stations, smokes from ger districts and auto vehicle smog. In the summer, rubbish and open toilets cause the spread of communicable diseases. The drinking water supply is one of the most important factors to the life, survival and development of the child. A the study on drinking water supply conducted by the World Bank in 2005 reported that 44.6 percent of Mongolian population received their water supply from improved water sources. The water consumption of 8 – 10 litres by a person per day living in ger districts in cities and settled areas is 5 times less than the minimum health standard.

90. Food safety and security has been a pressing issue in Mongolia because almost 70 percent of groceries are imported.

91. Informal gold mining with the use of mercury and cyanide seriously and adversely affecting the soil as well as people and animals living in the vicinity of mining places.

92. In 2003 – 2005, 43,567 children were involved in traffic and other accidents. This number is likely to increase. Most of the affected children were from families living on income below the minimum standards and most of them were involved in traffic accidents in the vicinity of either their school or home. Parental negligence and poorly maintained traffic safety facilities were main causes of those accidents.

E. Status on the implementation of the rights of most vulnerable children

93. The Law on Protection of Children's Rights classifies disadvantaged children in two groups: 1) children in emergency situations; and 2) children in difficult circumstances. Information about both groups of children is provided in Chapter 8 of this report.

94. Pursuant to the Criminal Code of Mongolia, persons under 18 are not subject to the death penalty.

F. Registration of death of a child and investigation in suspicious cases

95. Article 19 of *Civil Registration Law* states that the death of a citizen (or child) shall be reported by his/her parents, spouse, child of at least 18 years of age, relative, employer, educational organization, hospital, or army within 5 days of the death in settled areas and 10 days in remote areas. If the death was due to an external cause or if the body is found, police shall notify the Governor's Office of a respective territorial unit within 5 days after the death occurred in settled areas and 10 days in remote areas. An Office of Soum or District Governor shall register a death of a citizen based on one of the following documents: a medical certificate of death or certificate of burial or a court decision announcing the death or a certificate of a forensic hospital.

96. If a person who was arrested for a crime and detained in a law enforcement agency died during his or her service or a prisoner died in prison, the death shall be reported to a Governor of Soum or District where the deceased had a resident registration; if his/her residential address is not clear, the report goes to a Governor of the respective Soum or

District where the law enforcement agency is located. Subsequently, a death certificate shall be sent to relatives of the deceased person.

97. Out of the 1762 persons aged 0-19 died in 2004, 1016 were infants aged 0- 1; and out of 1610 persons aged 0-19 deceased in 2006, 937 were infants aged 0- 1. Whereas 40.1 percent of deaths among 0-19 years old children registered in 2004 occurred among females, in 2006 this percent was 43.7 (NSO. *2006 Statistics Year Book*). There were cases when children drowned in rivers or lakes in the summer time; or died in blizzards in the winter time. In urban settlements, uncovered manholes, ditches and wells took away lives of some children. During the past two years, the following death cases when children passed away due to cruel treatment to them were reported in the mass media: in Khuvsgul province, two children died in heavy and cold rain; and a child was disappeared in woods; in Nalaikh district of Ulaanbaatar a girl died in a heavy snow storm; and two siblings were found dead in a broken freezer. In this district, a male employer of a domestic worker woman murdered her 7 year old son.

G. Preventing suicide among children and investigation into case of suicides

98. A study found out that a main reason of suicides among children was depression caused by difficult life circumstances. In 2000, 170 young people of ages 16 – 25 were treated from an overdose of tablets at the Emergency De-toxic Centre. And 40 children aged 13 – 16 were treated from an overdose of medicines at the Infant Treatment and Research Centre. Depression was the case of the one in 20 children who tried to commit suicide; and 60 per cent of them were girls. Most of the young people who attempted to commit suicide were either unemployed or out of school. According to statistics of the Forensic Hospital, out of 745 people who committed suicide in the past five years, 5 percent were young people. A few cases of regrettable death cases were occurred due to a severe negligence for safety and security and wellbeing of children.

99. The efforts made to prevent adolescent from sexually transmitted diseases are described in Chapter 6 of this Report.

100. Some governmental and nongovernmental agencies established a network “*Public Order*” in 2003. This network organizes advocacy and training activities to prevent street violence and crime.

CHAPTER FOUR CIVIL RIGHTS AND FREEDOMS (Articles 7, 8, 1317 and 37 a)

101. For the information on civil rights and freedoms, the Committee is referred to pages 6 -7 in Chapter 2 and 11 – 15 in Chapter 3 of Mongolia's Second Report.

A. Name and nationality, preservation of identity

102. For the information on name and nationality, preservation of identity the Committee is referred to pages 6 -7 in Chapter 2 of Mongolia's Second Report.

103. Unfortunately, disclosures in which child dignity are violated can be found in mass media. A system to enforce the professional conduct and responsibilities of journalists should be improved.

B. Freedom of expression

104. Child and adolescent participation is supported widely. Representation of children in the state and provincial councils for children is secured. Participatory discussions and forums are getting popular among children. An opportunity to exercise the freedom of expressions through mass media is becoming widely available for Mongolian children. For instance, visually impaired children from Special School No.116 in Ulaanbaatar protested against the school administration with a claim to preserve their right to education.

105. A systematic approach for listening to children's voices, following up their comments and suggestions and reporting back to them should be introduced.

C. Freedom of association and peaceful assembly Freedom to think freely and have religion.

106. The Committee is referred to page 7 in Chapter 2 of Mongolia's Second Report.

107. The Committee is referred to pages 6 -7 in Chapter 2 and 13 – 15 in Chapter 3 of Mongolia's Second Report.

108. All school curricula are being redeveloped to enable children to think more freely and creatively. Writers of textbooks are required to consider this principle.

109. The Constitution guarantees citizens with freedom of religion. Tibetan Buddhism and Shamanism are the traditional religions of Mongolians. However, in recent years, different religious groups have commenced their activities in Mongolia. These religious groups offer social assistance, education and health services to families and children from vulnerable groups. Some of them proselytize children to their religions through persuasions and pressures. The care centres were provided with recommendations to terminate this practice.

D. Protection of privacy

110. The Committee is referred to pages 6 -7 in Chapter 2 of Mongolia's Second Report.

111. The statement "*a child has a right to protection from interference with his or her dignity, health, privacy, correspondence, family and home*" was added to Article 7 of the Law on Protection of Children's Rights amended in 2003.

112. Provisions on protection of privacy are included in the *Law on Personal Secrets, Law on Education, Law on Social Welfare and Law on Health*.

113. In 2005, the Ministry of Education introduced a new mechanism on ensuring a confidentiality of pupils' performance grades. Therefore, only a student himself/herself will know his/her grades. This mechanism was also introduced to entrance exams for universities and colleges.

E. Access to appropriate information

114. The *Law on Public Radio and Television*, *Law on Tobacco Control*, *Law against Dissipation*, and *Law on Advertisements* regulate the matters in regard to access to and dissemination of information.

115. The draft *Law on Access to Information* was disseminated to relevant parties for a review. The Law on Determination Procedure for Complaints from Citizens to State organisations and officials regulates the complaints and requests made by the public to the public organisations and their officers in regard to their services and decisions. In addition, the Government amended its procedure on “*A Follow up a Citizen's Complaints*” by issuing Resolution 67 in 2005. Both the law and the Resolution are designed for reforming government agencies to provide prompt and non-bureaucratic services. However, these legal instruments have no special provisions designed for the child.

116. In order to increase the access to appropriate information for youth and children, the establishment of the information technology network at the national level is important. Every administrative unit is going to be connected to the network. The Program “*Computerization for All*” offers families with different options for purchasing a computer including discounts and leasing. By 2006 statistics, 99.6 thousand households had computers at home. Four companies specializing in mobile phone operations serve 980 thousand customers. The installation of high speed fibre cables is taking place in provincial centres and local areas.

117. In the past few years many soums were connected to the central energy system and 50 thousand nomadic families gained access renewable energy sources; as a result of the increased access to electricity, in turn many children of rural Mongolia are enabled to get information from TV. 40 soum centres were connected to the central energy system during the past 3 years. Alternative energy sources have become widely available in rural areas.

118. In 2006, as a part of a project “*Increased Access to Information at Remote Areas*” the equipment necessary to transfer four main TV channels in the country was installed throughout Mongolia, covering 353 points in aimags, soums, remote districts of Ulaanbaatar and other settled areas. Radio stations in Uvs, Bayan-Ulgii and Khovd Aimags were renovated.

119. Private companies and individuals are printing newspapers, magazines and books for children. (See statistics in Annex). Two years ago, the Mongolian National Radio and Broadcasting was reformed to the Mongolian National Public Radio and Broadcasting.

120. There were two times the number of hours of children's program on the radio in 2006 as in 2002; the number of children's programs on TV increased by 1.2 times during this period. By July 2007, Mongolians were watching one state and eleven private channels. Each channel has dedicated some of its programs for children. In total all channel broadcasted 77 hours a week for children in July 2007.

121. The government supports broadcasting public TV and radio for national minorities. Radio and TV stations in Bayan-Ulgii province where the national minority-Kazakhs live were renovated.

122. Some programs aired through FM radio stations and TV channels barely meet the developmental and educational needs of children. During the hours when children have more free time, some FM radio stations and TV channels frequently broadcast programs and advertisements inappropriate for age and developmental levels of children with recurrent frequencies. Although the Government undertakes a variety of measures to improve access to appropriate information, promote transparency and efficiency in public service organizations, several studies showed that children in Mongolia still have limited access to appropriate information and/or information on services available for them.

F. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37 (a))

123. The Committee is referred to pages 6 -7 in Chapter 2 and 13 – 15 in Chapter of Mongolia's Second Report.

124. The Law on Protection of the Rights of the Child prohibits cruel, inhuman or degrading treatment or punishment against children. The Criminal Procedure Code prohibits torture during inquiry and investigation procedures. Paragraph 2 of Article 5 of *Law on Protection of the Children's Rights* states: "a child has the right to be protected from violence..." and Paragraph 4 of Article 7 reads: "It shall be prohibited to abuse physically and mentally distort, neglect, kidnap, abduct and sale the child,; traffic, exploit, slave, force a child to stay in a same condition as a slave; intentionally change or abandon; torture, and leave for or take from abroad..." Any person who violates one of these provisions shall, if not subjected to a criminal responsibility, is imposed a penalty of 40000 – 50000 MNT or 30 days of arrest, upon a decision of a Governor of the respective aimag or district.

125. To prohibit corporal punishment against children at family settings, the awareness raising campaigns have been carried out with financial and technical support from Save the Children, UK and World Vision International/Mongolia. As part of these campaigns, a book *Compassionate Tips for Parenting* was published. Some NGOs have introduced a 24 hour counselling services for parents. The following agencies provide hotline services for children:

- Child Phone-19-79 at NAC;
- Friendly Talk-464030 at the Centre for Protection of Children from Violence (NGO);
- Reproductive Health Counseling-312151 at the Adolescent Future Centre, (NGO);
- Trust Hotline-1903 and 99927644, Counselling on Prevention from Trafficking-, Centre for Gender Equality, (NGO);
- Hotline- 70150150, Equal Steps, NGO;
- Crisis Intervention Hotline- 130 at Ulaanbaatar Police Department.

The above mentioned hotline services can provide children with counselling and referral services in case of child rights violations.

126. Cases of torture or other cruel, inhuman or degrading treatment or punishment in a process of criminal investigation were noted in the Report of Committee on Human Rights and in the presentation of Manfred Novak, a UN Special Reporter on torture or other cruel, inhuman or degrading treatment or punishment. Recommendations to address the issues took place in both documents.

G. Rights of children with disabilities, children living in poverty, children born out of wedlock, asylum-seeking and refugee children and children belonging to indigenous and/or minority groups.

127. There are currently no studies on the rights of minority children and children of migrants, including refugees and asylum-seekers not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment. The laws and regulations of Mongolia apply for migrants and national minority in the same way as they serve the others.

128. In cooperation with international organizations, there have been regular activities to ensure the participation rights of vulnerable children. The national forum "*Smiling Child*" national consultation "*Respect Childhood*" and local forums of children at aimag and capital city levels have convened annually.

**CHAPTER FIVE
FAMILY ENVIRONMENT AND ALTERNATIVE CARE
(1 and 2 of art. 5, 9 -11, 18. Art. 19 -21, 25, 27 and art. 39)**

129. The Committee is referred to pages 16 – 19 in Chapter 4 of Mongolia Second Report. Actions taken to respond to the Recommendations in Article 32 of Concluding Observations and to improve the awareness of parental responsibilities, offer guidance and provide financial and other support to parents are described below.

130. The Parliament has approved the *Policy on Family* and programs including the "*Sustainable Livelihood*", "*40000 Flats*" and "*Child money*". The *Policy on Family* has planned the following actions:

- improve parenting skills;
- support family based health services;
- ensure equal participation of parents in their children's care and family income earning;
- raise awareness on child protection;
- establish a network of family based social services for vulnerable children;
- protect family members from domestic violence;
- promote a family atmosphere where everyone is respected;
- Train family specialists.

The Program on "Child Money" has become a significant measure for direct social welfare policies to families. The Program on "40000 Flats" will support young families and families with moderate and low incomes to purchase apartments through discount price or long term loan.

131. In 2007, within a framework of the Program on "40000 Flats" state bonds worth 60 billion MNT released from the state budget were issued to families with moderate and low incomes for loans to buy in total 5500 flats.

132. Mongolia recognised the rights of children to live in an environment that fits their physical, intellectual and moral development. Therefore, the standards on urban development facilities, constructions of buildings and apartments as well as transportation infrastructure. Standards on children's playgrounds and roads and stairwells for the

disabled have been developed. Monitoring and control on application of those standards are required to be enforced.

A. Parental care and responsibilities

133. Article 4 of *Family Code* states: “*commitment for healthy growth and development of the child in a family and protection of best interests of the child shall be promoted.* Article 10 of the same *Code* reads:” *Spouses shall be committed to be faithful to each other. They shall care of, respect, and support each other. They shall share equal rights and responsibility for generating family income. They shall not violate each other's rights and not to be violent towards each other. They shall track family tree changes*”. Article 25 of the same *Code* entitles the child with equal rights within the family. Article 26 states: “*parents shall have the same rights and obligations in rearing up their offspring. Their obligations for their child shall include: creating conditions to grow up healthy and resilient; providing care and nurture, instilling respect to their culture and heritages; assisting their children in obtaining basic education and getting vocational orientation; and protecting rights of the child and facilitating the child to fulfil his or her duties*”.

134. The GoM works together with NGOs to promote men's role in parenting and in creating a peaceful family atmosphere free of violence. Training and awareness raising campaigns in this regard have been undertaken.

135. 2 million MNT were allocated from State budget for actions to be taken on improving men's role as a head of the household. Also, in 2006, the *Social Welfare Fund* allocated 11 billion MNT to 22.1 thousand young couples who got married and 4 billion MNT to 41.1 thousand mothers who gave a birth.

136. The *Law on Social Welfare* states that a female over 45 years old with 4 and more children or a male over 50 shall be entitled to social security pensions. Despite the Government's effort to address issues of families, the number of female headed households was totalled in 65,000 in 2006 with the 7,000 increase if compared with 2004 statistics. Poverty, a gap in educational attainment for men and women, labour emigration by mostly men to other countries contributed to this increase of the number of households headed by females. 1,098 couples were divorced in 2004 and 1,448 couples in 2006. About 60 percent of them were couples who had been married for more than 10 years.

137. The implementation, monitoring and financing of the *Family Code* are decentralised. A Governor of an aimag or capital city or district along with local departments on social policy and other relevant agencies are responsible for the implementation, monitoring and reporting of state legislation and policies regulating family matters. At soum or khoroo level, a soum governor and social worker are obligated to implement the *Family Code*, *Law against Domestic Violence*, and *Law on Protection of Children's Rights* and *Law on Social Welfare*.

138. Article 25 of the *Family Code* entails a governor of soum or district to appoint a legal guardian for the child if a contradiction between the child and parents in regard of the best interests of the child is confirmed. Article 66 of the same Law states that soum or district governors shall take care of a full orphan or an young child whose parents are diagnosed as having limited legal capacity or no capacity or whose parents lost their rights

to be parents or whose parents are being treated at hospital for a long time or whose parents are imprisoned or individuals who have mental illness. School teachers and kindergarten instructors, medical personnel or citizens shall report violations against the right of the child to a local governor. Pursuant to Paragraph 2, Article 1 of the *the Law on Temporary Detention of Children without Supervision*, the organization for children or care institution received the unsupervised child referred by a police department shall report a local governor about the acceptance of the child at their agency within three days. The governor shall assess the child's life circumstances within three days. If the assessment reveals that the child has no one to care of him/her, the governor shall ensure to protect the best interests of the child. The governor shall register and transfer the child to a foster family. If a foster care is not available, the governor has authority and responsibilities to identify a guardian or custodian or adoption or transfer the child to residential care institutions. However, the mechanisms to implement and monitor the above mentioned provisions are not clearly defined. In addition, the public control over the implementations of the provisions is weak.

139. A job description of soum or khoroo social worker include the following tasks:

- Conduct quantitative study or needs assessment on vulnerable groups, families and citizens
- Participate in a beneficiary selection process through a preparation of relevant documents for individuals or families to get different types of social assistance including social welfare allowance, conditional financial benefits, the child money or community-based care services
- Provide groups of vulnerable people with technical and methodological support to cooperate in a team for improving their livelihood;
- Facilitate the poor or pro-poor families to get capacities to improve their living situations;
- Supply governmental and non-governmental organizations with the information about the community and collaborate with these agencies

140. The data on the activities, budget and investments for family development at local level are incomplete. Statistics on marriages, divorces and children receiving aliments are collected through Citizen's Registration and Information Offices located at provincial centres.

141. UNICEF, the MOSWL and the Child and Adolescent Centre, NGO conducted a study "Current Situation of Accidents and Injuries among Children (2003-2005)". According to the study, the number of children treated in a National Centre on Injuries and Defects and the Mother and Infant Research Centre was increased a year by year (16,199 in 2003, 16,526 in 2004, and 17, 174 in 2005). In 2005, 678 kids under 1 year, 2732 children of ages 2-4, 9401 children of ages 5-15, and 4263 adolescents of ages 16-18 were affected by accidents or injuries. 68.3 percent of a total number of 17, 174 injured children were male. The following causes of injuries among children were occurred in 2003-2005: injured while walking or running (19, 4 percent), traffic accidents (14, 9 percent), physically abused (10.3 percent), felt from tall objects (9.8 percent), felt from horses (1.9 percent) and other accidents (remaining percent).

142. Services to stop child abuse and rehabilitate victims in case of violations of the rights of the child in a family setting are not adequate. Cultural norms tolerating violent approaches in parenting and lack of protective services hinder the development of such services.

143. Article 9 of the *Law on Social Welfare* states: the “Livelihood Support Council” authorized to identify households or citizens eligible for conditional cash support, social welfare assistance, discount or community based care services shall be established in soums and khoroos”. Pursuant to this provision, pro-poor families or disabled people are granted the following allowances, discounts or services through the Fund:

- one-time cash allowance for a purchase of wood or coal;
- discount on the price of kindergarten meals for a child;
- discount on the price for special equipment including prosthesis or orthopaedic devices or a wheel chair;
- discount on the price for rehabilitation services or accommodations in sanatoriums;
- counselling services (in order to give the courage and strength to live);
- vocational training or referral to employment;
- involvement in an income generation activity;
- referral to relevant programs, projects or community based services, a temporary shelter or home care services.

The detailed information on child protection services is available in Chapter 6.

144. In order to promote non-violent parenting approaches and ban corporal punishment in a family environment, the Government has proposed an amendment to the Family Code. Participation of civil society in this activity has been encouraged.

B. Separation from parents

145. Article 14 of *Family Code* states that a court shall be involved in a marriage termination of parents with the child under 18 years of age in the following cases: a) both spouses are mutually agreed to divorce; b) or one of them initiated a divorce; or c) upon a request of a legal guardian of a parent whose loss of full legal capacity is accepted by civil law provisions.

146. The Article 12 of *Family Code* specifies: “*termination of marriage is prohibited if a wife is pregnant or the child has not reached the age of one or a person in charge is gravely sick*”. In a divorce, issues related to the child wellbeing including custody, aliment and property ownership shall be sought first by spouses with consideration of an age of the child, parent’s integrity and who has had more commitment and dedication to the child, livelihood conditions and resources; and a previous history of violence against the child. A child over 7 years old shall be consulted about his/her care option.

147. The *Criminal Code* has a provision which reads: “*imprisonment sentence for a potentially grave or grave crime can be postponed for up to 2 years if a pregnant woman or a mother or a single father of a child up to 3 years old is accused*”. This provision proves that a Mongolian society takes seriously special needs of a young child and considers parental responsibilities in equal terms.

148. No information is available about the cases when the child was separated from parents under a court decision. If parents are sentenced with imprisonment, kinship members take the child for guardianship in most cases.

C. Family reunification

149. In cooperation with the World Vision International, the Child Welfare Service Centre operating under a Police Department of the Capital City has implemented a project which has goals to reunite unsupervised children with their families and improve living conditions of their families. As a result, more than 200 children have been reunited with their families during the past three years. The MOSWL and other relevant agencies have started the preparations to implement measures on reunification of unsupervised children with their families proposed at a National Forum "Mongolian Children with their Parents".

D. Recovery of maintenance for the child (art. 27, Para. 4)

150. Restrictions, termination or recovery of parental rights are regulated by the Article 5 of *Family Code*. The court can regain parental rights if best interests of the child are guaranteed. However, parental rights are not retained if the child is adopted.

E. Children separated from family environment

151. Pursuant to the recommendations stated in Article 34 of the Concluding observations, some measures on the development of alternative care options and reunifications to a family have been undertaken. Pursuant to Article 26 of *Social Welfare Law* which states that children in difficult situations can be offered foster care, family-based care or residential care services, the standards of those services have been developed. With the collaboration of international organization, the GoM has taken programs and projects aimed at eliminating adverse factors which cause children to run away from homes.

F. Temporary care services

152. Chapter 8 of the *Family Code* regulates the matters related to a legal guardianship and foster care for the child. Article 66 of the *Family Code* states that a Governor of Soum or district shall protect the interests of full orphans (under 14 years of age) or children of those who are not able to bring up their children by considerate reasons, for example if both parents are legally incapable or with limited legal capacity, being in hospital for a long period, serving an imprisonment sentence, or their parental rights have been limited or terminated.

153. The *Family Code* also regulates the matters related to custodianship rights and responsibilities at one's own expenses (providing a home and other expenses related to education) to take care of children who are defined as being in difficult circumstances. In order to bring up children at home, a contract shall be made between the applicant and the social welfare organisation for a fixed period. The contract shall specify the conditions to bring up the child, such as support of a host family to bring up and educate the child, the rights and duties of the social welfare organisation and custodians, and rewards and other legal advantages to be provided for custodians, as well as other conditions to terminate the contract and follow-up measures. The contract is subject to early termination at the request of the custodian under such conditions as when there is a conflict or misunderstanding that has evolved within the family, or financial difficulties, or change in family status, or sickness, or the termination is deemed necessary by the children's rights institutions, or adoption, or a child is returned to his parents.

154. If the child is older than seven years, his/her consent must be obtained prior to a decision over custodianship. A child under the custodianship shall exercise the right to have an access to social welfare assistance such as accommodations, cash subsidies, and compensation for loss of the parents from the Social Welfare Fund in accordance with the *Law on Social Welfare*. In regard with the recommendations in Article 34 of Concluding Observations to improve service standards of care institutions and establish a state monitoring and control system to enforce the compliance the standards, the Government has taken a number of measures. In collaboration with international organizations, the public services agencies pilot a project to reunite residents of care institutions with their families and provide parenting skills training for families where the child is returned.

155. The Ministry of Social Welfare and Labour have submitted foster care standards to the National Centre for Standardization and Measurement. Although Paragraph 5, Article 15 of the Law on Protection Children's Rights entitles the State to support to families adopting the child in especially difficult circumstance, the measures to implement this legal provision are not clear. Article 71 of the *Family Code* reads that a governor of soum or district shall make a decision whether the child without parental care will live with a legal guardian or in a state care institution. People proposed to be guardians should be screened. If guardianship is approved, a contract shall be signed with a guardian and governor. If a care institution is only option for the child, a personal file shall be opened and all relevant information shall be recorded or filed. Local governors are responsible to monitor and follow up both options of care for children.

156. According to 2006 statistics, 5276 full orphans were registered. From them, 2000 kids are under care of guardians, 500 children reside in orphanages, and remaining orphans live in care shelters. State care options are not available unless the child is a full orphan. Temporary care services for unsupervised or run away children as well as those whose best interests are violated at home are not developed well.

G. Adoption (art. 21)

157. The GoM is committed to implement the recommendations of Article 36 of the Concluding Observations. Legal regulations on domestic and foreign adoptions are described below.

158. Chapter 7 of the *Family Code* regulates the matters of adoption. The Law states that adoption shall be take place for the best interests of the child. Adoption shall be approved by the child's biological parents. If parents do not have full legal capacity and it is not otherwise stated by the Law the child's guardian/s or the care institution shall give a permission to adopt the child. The child over 7 years old shall be consulted about his/her adoption.

159. In a regular case, a person who is interested to adopt a child shall submit his/her application to a Governor of his/her registered soum or district. Then, the Governor shall assess the application and make his/her decision within 20 days after receiving the request. Based on the approved decision, an officer from a Citizens' Registration and Information Centre shall register the adoption of the child. In the Concluding Observations, the Committee recommended the State to ensure that the placement of the child is always assessed by a competent, multidisciplinary group of authorities. However, legal provision and procedure to set up this group have not been amended yet. A governor of a respective

administrative unit may set up an informal Working Group to assess adoption request and process.

160. Pursuant to Article 56 of the *Family Code*, a governor of soum or district shall identify and register children with difficult life circumstances who may be adopted. A central government organization in charge of population issues shall keep and monitor consolidated records at national level.

161. An individual applying to adopt a child shall be a person over 18 years old with a full legal capacity and who has appropriate educational and financial means to raise a child. Adoption of a child shall be prohibited in the following cases:

- applicant is more than 60 years old;
- parental rights of applicant were terminated or suspended;
- there was a history that applicant returned an adopted child because of his/her fault
- applicant may seek financial interests in adoption of a child
- limited legal capacity or absence of legal capacity of applicant is identified by court;
- applicant has a tuberculosis;
- applicant is mentally ill;
- applicant is dependent on substance abuse;
- Applicant has criminal history or who is imprisoned.

The age limitation shall have exception only in those cases when a person who requests to adopt a child is his/her relative.

162. A citizen shall send his/her application for adoption of a child to a Governor Office of the respective soum or district where the child is registered. The application shall include: a child's name, family name, date of birth, parents' or guardian's given and family names, given and family names of the person who applied for adoption and his/her residential address registered in a local administration unit. Adoption of the child shall be recorded in a civil marriage registration database.

163. In accordance with the data from National Statistics Office, 1,861 children were adopted in 2004, 3,797 in 2005 and 2,045 in 2006. In total 7,703 children were adopted domestically. 36.8 percent of them was young children aged 0 -3, children of 3- 6 ages made up 23.7 percent and the remaining percent were children aged 7 – 18.

164. Pursuant to legal provisions, a governor of a respective administrative unit is responsible for monitoring living conditions and development of the adopted child; however, no information is available for the enforcement actions of these provisions.

165. Article 58 of *Family Code* focuses on regulating issues concerning adoption of children by foreign citizens. In 1999, Mongolia ratified the Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption. In the framework of these legal documents the Regulation of Adoption of the child of Mongolian Nationality by Foreign Citizens /the attachment to the Joint Order of Ministries of Justice and Home Affairs and Social Welfare and Labour, No .100/32 of 2001/ was adopted.

166. A foreign citizen shall apply for adoption of a child to an authorized organization of Mongolia through an authorized organization of his/her own country. This provision shall not apply to those foreign citizens who have been residing Mongolia for the last 6 months. A foreigner who is interested in adoption of the child of Mongolian nationality who is residing in a foreign country shall apply through a Diplomatic or Consular organization of Mongolia in the respective country.

167. A foreign citizen who is interested to adopt a child from Mongolia shall submit his/her application (if married then jointly) with its notarized translation along with other accompanying documents including medical certificates proving the applicant has no AIDS/HIV, TB or mental illness; a copy of a marriage certificate, a residential address proved by an authorized organization, a document certifying the applicant's financial status issued by the relevant organizations of their country and recommendation letters for the applicant issued by the central government organization in charge of population issues of his/her country.

168. The Central Government Organization in charge of population issues shall keep records on foreign citizens applied for adopting a child of Mongolian nationality; and cooperate with international organizations or relevant organizations to ensure that the adoption process fully considers the best interest of the adopted child. The Council on Adoption of Mongolian Nationality by a Foreign Citizen is set up in the MOSWL. This Council is responsible for assessing all relevant bodies and situations in regard to proposed adoption; make suggestions for more verification or make a reference for adoption; and monitor best interests and protection of the adopted child. Based on the reference from the Council, a Board of Directors in the Immigration and Naturalization Office makes a final decision on adoption. The National Centre on Citizens' Registration and Information registers the adopted child. The Centre issues three types of certificates in regard to adoption. A new birth certificate for the adopted child shall include given and family names of the child, date of birth, place of birth, given and family names of biological parents and given and family names of parents who adopted the child or guardians, the name of organization which issued the birth certificate, certificate number, date of issuance, signature of the officer and stamp. Both parties adopted and adopting the child get certificates too.

169. A decision on adoption of a child of Mongolian nationality that lives in a foreign country shall be made by a Diplomatic and Consular organization of Mongolia pursuant to provisions of relevant laws.

170. If adoption is registered in a place different than where the child's birth was registered, an officer in charge of citizens' registration and information shall send a memo notifying a registration change to a governor's office of the administration unit where the child's birth was registered. In case of termination of the adoption, based on the decision of court, an officer in charge of Citizens' Registration and Information shall amend the child's registration of the adoption and reissue the original birth certificate to his/her biological parents or guardians.

171. In 2005, 20 children of Mongolian nationality adopted to foreign citizens, and 27- in 2006. Half of those children were girls and more than 90 per cent were aged 0 – 3. 27 children were adopted by citizens of the USA, 6- by citizens of France. Other children were adopted by citizens of Germany, United Kingdom and South Korea.

172. With six countries, Mongolia is cooperating on adoption of a child of Mongolian nationality. The state agencies on adoption from Denmark, Holland are in a direct contact with the MOSWL. NGOs from Germany, Italy, France and the USA which are accredited for dealing adoption procedures have their representatives in Mongolia.

173. The mandates of organizations working on protection of children and co-operation in respect of intercountry adoption are not clarified well. Thus, an organization applied for the authorization to conduct adoption services had waited a response from a relevant government agency for three years and closed down its representative office in Mongolia.

174. Monitoring for children who were adopted by foreign citizen is needed to be improved. Pursuant to a regulation on adoption of a child of Mongolian nationality to a foreign citizen, the Immigration and Naturalization Office (implementing agency operating under the MOJHA) shall get periodical reports from foreign citizens who adopted a Mongolian child; notify a Diplomatic or Consular organization working in the country where the adopted Mongolian child is proposed to live; and appoint a civil society representative for monitoring the adopted children's conditions. However, brief reports with a photo of the child can be received. Thus, the state bodies in charge of monitoring on intercountry adoptions are searching for new ways to improve monitoring mechanisms.

H. Illicit transfer and non-return (art. 11)

175. The Government of Mongolia is intensifying its actions to protect women and children from trafficking and/or from being used for sexual exploitation. A child should not be taken abroad unless his/her parents or guardians or care takers accompany the child. There is a procedure on checking IDs of parents or guardians or care takers of the child who is being taken abroad at border points. If a child is taken abroad for treatment, a recommendation letter authorized by the MOH is required at border points. These two types of documents are mandatory at border points for crossing the border.

176. Arrival and departure declarations contain the questions about an accompanying child including given and family names, a state registration number. At border points the database for children taken abroad is established. The database helps monitoring whether the child was returned or not. However, the information on children who lived in other countries and returned to Mongolia before the application of this procedure is not available.

177. Defining a citizenship status and protecting best interests of children living abroad or children whose parents are married to foreigners are complicated.

I. Abuse and neglect, including recovery and reintegration (art. 25)

178. Follow up activities in regard to Article 38 of the Concluding Observations have been taken place in a framework of the Law against Domestic Violence and National Programme to support this law.

179. Article 7 of the Law against Domestic Violence, reads: "*the government shall adopt and implement policy and programs on combating and preventing domestic violence*". In accordance to this provision, a National Program against Domestic Violence was approved by the GoM in 2007. The Programme promotes equal rights and common interests

of family members. The goal of the Program is the implementation of measures to create peaceful family environment, promote non-violent behaviours; protect human rights in home settings and alleviate adverse factors affecting domestic violence.

180. The *Law against Domestic Violence* regulates measures to prevent from domestic violence, provide intervention, ensure safety of victims and influence positively on behaviours of perpetrators. The *Law against Domestic Violence* defines violence as follows: “*Domestic violence shall mean any intentional act or failure to act by a person mentioned in the paragraph 3 of this Law with respect to another person that infringes upon latter’s human rights and freedom, or any act that causes or contains a threat to cause harm; domestic violence stipulated in this law may have forms of physical, mental, sexual and economic violence.*” A family is conceptualized as “*family members and relatives*” described by the Family Law. This Law defines domestic violence as not only a family issue but also human rights violation which needs an immediate social response. The Ministry of Social Welfare and Labour is reviewing laws and regulations of Korea and Philippines on domestic violence, services to protect victims of domestic violence including counselling and shelters as well as standards on these services in these countries.

181. A central government organization in charge of justice and home affairs takes measures to prevent from and combat with domestic violence; and jointly with central government organization in charge of social welfare shall approve and enforce a curriculum for a mandatory training program to affect behaviours of perpetrators.

182. Local administrative units of all levels shall carry out the measures to implement a policy on preventions from and combat with domestic violence in their jurisdiction. They shall collaborate with governmental and NGOs and finance programs against domestic violence. Police units, soum or khoroo social workers and NGO shall act as executive bodies of the policies and programs against domestic violence. Coordination and collaboration of organizations in charge of combating domestic or other forms of violence and building of their capacities to deal with this social ill should be strengthened.

183. The police authority shall be obliged to carry out the following duties in preventing and combating domestic violence:

- accept and file the complaints concerning domestic violence, visit the site of violence, interrogate the offender and witness, take notes and conduct other activities as the situations require;
- explain victims about their rights; and possibilities of restricting the freedom of the offender;
- remind the offender of possibility to impose him or her administrative or criminal penalties;
- if a victim is needed an immediate medical care or safety and security of the victim in danger, bring the victim to hospital or shelter, if possible, transfer to custody of relatives in case if it is deemed necessary;
- detain the offender into a temporary custody in accordance with the Law on Administrative Liabilities if it is deemed necessary;
- deliver the offender who is under the influence of excessive use of alcohol to a temporary rehabilitation centre in a police department;
- refer the victim to a social worker for social services and inform the social worker about this referral;

- request on measures to be taken to restrict the right of the offender to a relevant authority or official; and
- Other duties as stipulated in Law.

184. A key professional to provide victims of violence with rehabilitative services is a social worker. Pursuant to the *Law against Domestic Violence* a social worker should perform the following duties:

- jointly with police officers, assess environment in which domestic violence might occur and define level of danger and threat caused by the situation;
- jointly with the police, conduct compulsory training programs for offenders aimed at changing their behaviour;
- with the help of NGOs specialized in this kind of activities, carry out training or other actions aimed at providing assistance to victims;
- take different measures to prevent from domestic violence;
- prepare reports on services provided to victims; and
- participate in creation of networking system on domestic violence data.

In the newly amended *Law on Primary and Secondary Education* a school social worker is renamed as a social worker at educational settings. A child protection role of social workers at educational settings is included in their new job description. With the financial and technical support from Save the Children, UK, a child protection curriculum was piloted in two social work schools. Since 2007-2008 academic years, the Child Protection course has been taught in social work schools.

185. Pursuant to Law against Domestic violence, offenders of domestic or any other types of violence shall get administrative or criminal measures. Since the Law entered into force in 2004, 19 cases of domestic violence passed through court proceedings.

186. A chapter *Combating Domestic Violence* was included in a legal education textbook for the public. The book was distributed to governors' offices at all levels. Within a training workshop "Comprehensive Policy on Enabling Equal Rights", the MOJHA facilitated discussions on domestic violence against children. Staff of organizations in charge of implementation of the *Law against Domestic Violence* participated in this training.

187. The Supreme Court provided the legal explanations on provisions of the *Law against Domestic Violence*. This facilitates better implementation of the Law.

188. Although a legal environment to combat domestic violence is created, the implementation of the *Law against Domestic Violence* is not sufficient. According to surveys conducted with a small number of sampling, 20 percent of population may be affected by violence²; one of three women is under violence or abuse; 95 percent of perpetrators are men³; and 41.3 percent of divorce is caused by violence⁴. These numbers

² HRCM (2006) *Human Rights in Mongolia*, a quarterly journal

³ NCAVV(2002) *Violence against Women in Mongolia: Legal Environment*

⁴ SCUK(2005) *Corporal Punishment of Children: Views of Children in Some Schools, Kindergartens, and Institutions*

demonstrate that domestic violence becomes a pressing social issue. Moreover, 55 percent of children responded that they face some forms of abuse and neglect. 26.6 percent of rape was incest and 60 percent of the victims were girls. Although the number of incest rapes has been increased year by year, unfortunately, 88 percent of these cases are being dismissed even without transfer to court.

189. Enforcement of legal provisions against incest has been not sufficient.

190. To follow up the Committee's recommendation to undertake studies on the root causes and scope of violence against children, the studies including the *Corporal Punishment of Children: Views of Children in Some Schools, Kindergartens, and Institutions* and *Children Living in Difficult Circumstances*. 42 percent of 595 respondents of the study *Corporal Punishment of Children; Views of Children in Some Schools, Kindergartens, and Institutions* answered that they get corporal punishment at home. Children are punished for not doing homework, disobeying adults, and wrongdoings. In May and June of 2007, the UNICEF, the National Human Rights Commission and the Mongolian State University of Education conducted a study *Violence against Children in Schools and Kindergartens: Ways to eliminate*. Currently, findings of the study are being introduced to the public.

191. Centres to provide families with psychological counselling operate in some aimags. Services at these centres are free. In 2007, 25 persons graduated with a baccalaureate degree in family study.

192. The General Office for Law Enforcement assigns social workers and psychologists in all agencies operating under its supervision. Aimag and district police offices started to employ psychologists to ensure that best interests of the child are protected during legal procedures including inquiry, investigation and court proceedings related to domestic violence or other forms of violence.

J. Recovery and Rehabilitation Services

193. The GoM has taken measures to develop community-based social services and rehabilitation services.

194. Since 2004, the MOSWL has supported a National Centre against Domestic Violence located in Ulaanbaatar. Moreover, branches of the Centre were established in Tuv, Selenge and Dundgobi aimags with the support of international organizations. Recently introduced public and private agencies specialized in recovery services; psychological counselling and treatment for substance abuse.

195. The MOSWL contracts out recovery and rehabilitations services, legal counselling, rehabilitation and psychological services to the National Centre against Domestic Violence so that the Centre provides The Ministry allocated 6 million MNT to the Centre in 2006. The Child Protection Shelter was established in 2006 which provides protection services for child victims of violence.

196. The NGO, Child Protection Centre, offers child victims of violence psychological counselling, receives reports on child abuse cases and train parents on good parenting. The crisis hotline "*Friendly Talk*" is available 24 hours everyday. In 2006, this NGO gave

psychological counselling in- person for 237 child victims of violence or over the hotline. 29 children received case management services. In addition, the Child Protection Centre initiated and coordinates a child protection network involving other governmental and nongovernmental organizations working for children. Networked agencies provides the following services in a coordination: a) the Infant and Mothers Health Research Centre cares for health issues related to violence; b) the General Police Department provides crisis intervention services; c) the Ulaanbaatar City Youth and Children's Centre connects children with social welfare services; d) the Ulaanbaatar City Police assists children with legal aid; and e) the National Centre against Domestic Violence offers a shelter and social services.

197. With collaboration of domestic and international NGOs, the government has taken a number of measures on child protection. As a result, journalists, camp instructors, paediatricians, and social workers receive training in child protection. Prevalent causes of child abuse and domestic violence are studied. Awareness raising materials are developed and disseminated.

198. In the past few years, the number of children vulnerable to depression, stress, addiction, behavioural disorders, suicide, running away from homes and wandering into streets has increased. The study shows that young people of 10 – 18 years old are vulnerable to all types of neglect and exclusion; 67.8 percent of them are affected by isolation (more girls than boys). Urban children tend to have more psychological problems rather than children from rural areas.

K. Periodic review of placement (art. 25)

199. Pursuant to Article 34 in the Concluding Observations, the GoM put significant efforts to improve the quality of services and develop an effective monitoring system at care institutions. In cooperation with some international organizations, the government has piloted a project for reuniting unsupervised children with their families and building capacities of their households.

200. The Ministry of Social Welfare and Labour has submitted foster care standards to the National Centre for Standardization and Measurement.

201. Although Paragraph 5, Article 15 entitles the State to support families adopting the child in especially difficult circumstance the measures to implement this legal provision are not clear. Article 71 of the *Family Code* reads that the governor of a soum or district shall make a decision as to whether the child without parental care will live with a legal guardian or in a state care institution. People proposed to be guardians should be screened. If guardianship is approved, a contract shall be signed with the guardian and governor. If a care institution is the only option for a child, a personal file shall be opened and all relevant information shall be recorded or filed. Local governors are responsible for monitoring and following up both options of care for children.

202. Child care services include preschool education services, nursing, care for vulnerable children and services directed to families. Preschool education services are described in Chapter 7; nursing and care institutions- in Chapter 6

L. Bilateral and multi-lateral agreements, the Convention and impact on children (art. 11.18, 21)

203. Mongolia has joined the optional protocol to the CRC on the sale of children, child prostitution, and child pornography and is currently preparing to sign and ratify the Protocol to Prevent, Suppress and Punish, the Trafficking of Persons Especially Women and Children supplementing United Nations Transnational Organized Crimes. Mongolia is collaborating with Sweden in organizing awareness raising and capacity building training against trafficking; and with Russia and China in monitoring the trafficking drugs across borders.

204. In 2004, Mongolia joined the international ECPAT network. Currently, 20 governmental, non – governmental and international organizations have joined this national network in Mongolia. The national network has participated in the study conducted on sexual violence and abuse; it has also developed the National Program on Protecting Children from trafficking, pornography and sexual exploitation. Since 2005, World Vision has been advocating for establishing a system on preventing and protecting children and women from sexual abuse and trafficking.

CHAPTER SIX

HEALTH AND SOCIAL WELFARE

(Art. 6, art. 18, para 3, art. 23, 24, 26 and 27 para 1 -3)

A. Health and Social Welfare

205. For relevant legal and policy information on health and social security, the Committee is referred to pages 6 – 7 in Chapter 2 of Mongolia's Second Report.

206. This Chapter provides a detailed description on actions undertaken for following up the recommendations outlined in Articles, 44, 46, 48, and 50 in the Concluding Observations.

207. The Government of Mongolia is paying special attention to improving access to health and other basic social services for nomads' children and children of marginalized groups. The Government has developed the National Programs *on Reproductive Health, Integrated Management on Child Disease, and Development of Soum Hospitals and Improvement of Health Technology*. Furthermore, the *Law on Prevention from Iodine Deficiency by Salt Iodization (2003)*, *Law on Substantive Food for Infants (2005)*, *Law on Prevention from HIV/AIDS (2003)*,” and some provision of *Health Law* have been enacted or amended.

208. The Law on Health has been amended with a provision that state-owned health organizations provide mothers and children with free services. Pursuant to the amended provisions in this law, the following health aid and services are granted free of charge for everyone:

- ambulance and crisis intervention services;

- treatment for TB, malignant cancer, contagious and mental illnesses;
- planned vaccinations;
- disinfection of sources of serious contagious infections;
- medical services and treatment during pregnancy, birth delivery and postpartum services;
- treatment for people affected by a natural disaster, accident and epidemic infectious diseases;
- treatment for people who were injured or became sick because of self defence, in the process of saving an other person's life, or preventing any other major damage;
- some cost for long term rehabilitation or hospice treatment;
- First-aid health.

209. Health services in Mongolia are provided at three levels: health services at a primary level are provided by family clinics or soum or inter-soum hospitals; health services at the secondary level are provided by aimag or district hospitals; and health services at tertiary level are provided by Ulaanbaatar based clinics and/or specialized hospitals. In 2006, in Ulaanbaatar, 730 doctors and 731 nurses worked in 224 family clinics and provided services for a population of more than one million. There are 228 soum hospitals and 34 inter-soum hospitals. 143 soum hospitals have only one doctor; 99 soum hospitals have two doctors; 9 soum hospitals have more than 3 doctors and 15 soum hospitals have no doctors. In accordance with the "Standards on Soum Hospitals Structure and Service" released in 2001, soum hospitals are divided into 3 categories depending on the population within their service range. Soum hospitals of the first category shall provide services for a population of more than 4500 and have more than 7 doctors; soum hospitals of the second category shall provide services for a population of 3001 - 4500 and have more than 3 doctors and soum hospitals of the third category shall provide services for a population of up to 3000 and have one doctor. In 2006, 23.2 percent of total hospital beds belonged to soum or inter-soum hospitals, compared to 2005, the number of patients who stayed at soum or inter-soum hospitals decreased by 6.8 percent and the number of patients who received out of hospital treatments or checkups was increased by 2.7 percent. A regulation on a package of emergency health services and supplementary health services. Financial management of these package services and out-patient services are also regulated by this document. Within a framework of Soum Hospital Development Program, remote soums received diagnostic and disinfection equipments.

210. Currently, the impacts of basic health services provided at the soum or khoroo level on children and the problems faced by children face to get these services have not been studied.

211. There are 892 doctors, 1650 medical assistants and 2325 nurses at all aimag hospitals. One fifth of total hospital beds belong to the hospitals of the secondary category. In 2005, patients stayed an average of 9.3 days in hospital was 9.3 days and in 2006 this percentage fell to 8.9 days. During the past 3 years, an overage of 28. 8 percent of the patients treated at secondary level hospitals were transferred to hospitals of the tertiary category. The percentage of patients hospitalized in secondary level hospitals increased by 4 percent between 2005 and 2006.

212. The Diagnostic and Treatment Centre of Mongolia's the eastern region is located in Dornod Aimag; the central region Centre is in Uvurkhangai Aimag and the western region Centre is in Khovd Aimag. There are 15 hospitals of the tertiary level in Ulaanbaatar.

In total, there are 780 private hospitals at the national level. In 2006, 195 doctors, 359 medical assistants and 522 nurses were working in regional diagnostic and treatment centres; there were 1147 doctors, 1673 nurses and 2218 medical assistants- at Ulaanbaatar clinics and/or specialized hospitals of the tertiary level. 25 percent of the total patients were from rural areas. The average length of stay in hospitals was 12.2 in 2006 and it fell down to 10.9 in 2006.

213. The Coordinating Agency on implementing the Master Plan on Health for 2005 - 2015 has been re-established. Training on "Methodology on Piloting Performance Based Management and Planning in Health Sector" was conducted for managers and accountants of hospitals as well as for officers of local administrative organizations; new methods for calculating operating costs for health service units are being piloted in some hospitals. The Ministry of Health considers that these measures will contribute significantly of improving health services in Mongolia. The Acton Plan on Health Management Information System Strategy has been approved. Training on establishing a network system among hospitals and compiling statistics on health related indicators are being conducted.

214. Statistics on the health sector were not validated by studies conducted in a sampling method.

215. The increase of GDP resulted in an increase of the state budget allocated for the health sector. In 2004, 77.6 billion MNT, in 2005 83.7 billion MNT and in 2006 103.1 billion MNT were allocated for the health sector. In 2006, the average health cost per person was 40 000 MNT per year. Approximately, 70 percent of the health budget is allocated from the state budget, more than 20 percent is covered by the Health Insurance Fund and the remaining 10 percent comes from incomes earned by payable services. 29.4 percent of the budget allocated for the health sector was spent for the services provided by hospitals of the primary level; 42.5 percent by hospitals of the secondary level and 28.1 percent by hospitals of the tertiary level. 3.4 percent of the total health budget was allocated for investments in this sector.

216. In order to ensure the safety of medicines, improve control over fake medicines and stop misleading marketing promotions on medicines, the Law on "Medicines and Other Health Goods" was amended. On its website, the Ministry of Health locates the information on medicines being sold in Ulaanbaatar, including their Mongolian and international names, whether the producer is registered or not in Mongolia as well as their prices. The trainings including "Promotion of Appropriate Consumption Habits on Medicines", "Proper Usage of Medicines in Hospitals" and "Participation of Medicine Suppliers in Fighting with Fake Medicines" were conducted. The information leaflets and brochures from those trainings were disseminated to the public. The standards "General Requirements for Pharmaceutical Industry" and "Structure and Performance of Pharmacists" were developed.

217. In 2005 – 2006, with financial assistance from the Government of Japan, the Revolving Fund of Medicines was established in 64 most remotely located soums of the western and eastern regions. In 2006, the Ministry of Health approved the "Procedure on Revolving Fund of Medicines" which is applied in 286 soums where the Revolving Fund of Medicines operate (there are 327 soums in Mongolia) The procedure is intended to play a significant role in improving health services at remote rural areas.

218. The Government of Mongolia collaborates with donors and international organizations on addressing issues related to the access to clean and safe water sources and improving sanitation. The Millennium Development Goals targets to provide the population with clean water through the proper usage of water and modern methods of irrigation. Clean and wasted water systems in Ulaanbaatar and Selenge, Govisumber, Govi-Altai and Uvs Aimags centres were renovated and new equipments were installed in eight aimags of the central and eastern regions. Water softening and filtering equipments were installed in more than 140 soums. The instalment of the water softening and filtering equipment in 117 soums of 17 aimags is planned. Funding resources for this project are identified and blueprints of the instalments are designed. With the financial and technical support from WHO, UNICEF and UNDP, some soum schools and hospitals are improving their hygienic and sanitation facilities.

219. During the reporting period 5.0 billion MNT from state budget and international aid were invested in increasing the access of population to clean and safe water.

220. Pursuant to the "Plan on Information and Training on Healthy Life Style", the training on and promotion of how to lead a healthy life style and to be in a good health have been organized nationwide. The Procedure on "*Health Promoting Organizations*" is being reviewed.

B. Health and health services (art.24)

221. In addition to the previously mentioned programs, the Government of Mongolia is implementing several policy documents on the protection of infants and mothers including the *Maternal Mortality Reduction Strategy*. Procedures on "*Maternity Waiting Home*" and *Management and Financing of Maternity Waiting Homes*" were approved. These procedures set standards for the services in maternity waiting homes at the soum and aimag levels. With the support of international organizations, the programs designed for improving infant health such as Neonatal Emergency Care and Neonatal Resuscitation have been implemented; and soum health workers were trained on treating infants by these new methods.

222. Family clinics offer the following health services:

- counselling for women of reproductive ages on family planning;
- prenatal checkups and care services for pregnant woman earlier and at least six times during pregnancy;
- blood tests and STD examinations for pregnant woman;
- growth and development support for young children;
- vitamins and other micro elements for children;
- The transfer of women with complicated pregnancies to hospitals of a higher level;
- postnatal care including training on breastfeeding

In 2006, there were 335 maternity waiting homes nationwide; 312 waiting homes were in soum centres, 21 waiting homes were in aimag centres and 2 in the capital city.

223. The government covers the cost of children's health services provided in hospital. However, parents buy medicines for children under five if the child is cured in a primary

level health service agency (a family clinic). Thus, parents prefer hospital stay treatment for their children.

224. The number of pregnant women who come from the most remotely located rural areas to maternity waiting homes has been steadily increasing for the past three years. In 2006, 47361 women gave birth nationwide. 8,576 of them gave birth in soum or inter – soum hospitals, 260 women gave birth at home and the remaining woman or 81.3 percent gave birth at maternity hospitals in aimags or Ulaanbaatar. 87.6 percent of the total birth was guided by professional mid-wives and doctors. 56.9 percent of the 260 women who gave birth at home were in Ulaanbaatar. 33.3 percent of maternal mortality cases in 2006 were caused by pregnancy complications, 21.2-birth complications, 15.2- post delivery complications and 30.3 percent was occurred due to other health problems. 6.1 percent of maternal deaths happened to women under 20 years old. A share of births delivered by teenage girls was 8-9 percent. Unfortunately, there were a few cases when rural women referred to higher level hospitals due to pregnancy complications died because they could not afford transportation.

225. The IMR declined by 36 percent between 2000 and 2005.

226. Policy programs such as the *Integrated Management of Childhood Illnesses* and *Early Childhood Development* were developed. The *Integrated Management of Childhood Illnesses Programs* has been piloted since 2000. The nationwide introduction of this Policy started in 2006. Within the framework of the policy, 500 parents who were migrated to and were not registered in Ulaanbaatar and low income families were trained in child care and parenting.

227. Respiratory diseases, prenatal pathologies from complications during the child birth process, injuries and poisoning prevail among children under 5 years old. TB, chicken pox, mumps and measles are the most prevalent among children. Hepatitis virus A, dysentery, food poisoning caused by bacteria, salmonella infection and diarrhoea make 21.5 percent of all contagious digestive system diseases.

228. Compulsory immunizations are being implemented in accordance with a national schedule approved by the Government. In order to prevent from contagious diseases, citizens of Mongolia, foreign citizens residing in Mongolia temporarily or permanently and persons without citizenship shall be covered by immunizations. The *Law on Immunizations* assigns mandatory vaccinations against TB, poliomyelitis, viral hepatitis B, diphtheria, chronic coughing, tetanus, and scarlet fever.

229. Pentavalent vaccinations were introduced in 11 aimags.

230. The extended programs on immunizations have been successfully implemented in Mongolia. By 2006, coverage of BCG vaccination reached 98.2 percent, vaccination of poliomyelitis- 98.3 percent and coverage of combined MMR vaccine reached 99 percent.

231. The state budget covers all costs for compulsory immunizations. Vaccines and medicines against contagious diseases shall be reserved with a 20 percent surplus annually. In 2006, 481 million MNT were budgeted for immunizations and 661 million MNT- in 2007.

232. The Government of Mongolia approved nutrition programs designed to improve supply and quality of food for children including *Food Supply and Safety and Nutritional Status, Growth Promotion and Prevention of Micronutrient Deficiency and IID Elimination through Universal Salt Iodization and Prevention of Anaemia caused by Iron Deficiency among Young Children*. Measures to revise the standards for school lunch and food intake norms at kindergartens and dormitories, increase budget for necessary expenses and improve public monitoring on quality and portions of meals have been taken. In 2005, the Minister of Health and the Minister of Education, Culture and Science approved a daily caloric norm for 0-18 years old children. In 2006, a procedure for implementing a *School Lunch Programme* was approved by the above mentioned Ministers.

233. According to the Multi- Indicators Cluster Survey (MICS), in 2005, 6.3 percent of Mongolian children under 5 were underweighted; 20.9 percent were under-stunted and 2.2 percent were suffered from wasting? Comparing the 2000 Multi Indicators Cluster Survey (MICS) to the 2005 MICS, the levels of underweight, stunting, and wasting have decreased significantly over the past five years. Specifically, the number of underweight children has decreased from 13 percent to 6 percent, and the level of wasting has decreased from 5.5 percent to 2.2 percent-decreases by half for both nutritional disorders. The level of stunting has decreased from 25 percent to 21 percent - a low decrease in comparison to other nutritional disorders. Regional disparities in terms of nutritional disorders among children under 5 years old were observed. Whereas the level of underweight was 8 percent in the Western Region, this percent was 5 in the Central Region. Only 1.1 percent of underweighted children had a severe form of this disorder. A comparison of families with one child under 5 to families with three children under 5 showed a big difference in their children's nutrition status. Malnutrition among boys and girls were similar. Whereas more girls were affected by underweight and wasting, more boys were under stunned. A higher level of child malnutrition in the Western Region can be explained by the following reasons: 1) families often have more than 5 children; 2) there is a lower level of educational attainment of parents; and 3) other factors. While a national average on the number of children under 5 per family is 1.36 ± 0.6 , in Bayan- Ulgii aimag, this average number is 1.81 ± 1.02 . A percent on exclusive breast feeding of infants less than 4 months was 79.7. When the child reached 6 months this percent falls to 38.3 percent. This decline can be explained by an increased supply of imported breast milk substitutes and early training on supplementary food. Although assortments of infant food have increased, most children 6-59 months old are fed with meat, flour, cereals and milk products.

234. The following plans and programs undertaken since 2000 have resulted in the improved nutrition status of young children:

- The government action plans and national programs developed since 2000 have had concrete goals and objectives to improve nutrition of the population of the particularly, women and children. In addition, a legal environment enabling the implementation of nutrition programs has been created.
- Mongolia has been monitoring development of children under age 2 since 2001.
- During a dzud disaster occurred in 2000-2001, children who were at high risk of malnutrition received BP-5 special food and cookies with a high caloric intake.

235. According to 2005 MICS survey, 41 percent of 6-59 month children at the national level had a deficiency of Vitamin D and the percents varied by regions and ages of children. One or two symptoms of rickets were observed at 41.5 percent of children under two. At the national level, 52.3 percent of 6-59 month children were covered with a Vitamin A

supplements. The average coverage percent was about 48- 53 with little difference between ages of children and between regions. The public and parents knew little about required doses and intake frequencies as well as the importance of this vitamin for children's health. In 2005, a prevalence of thyroid diseases among children aged 8-12 was 13.8 percent, with a 7.6 percent decline since 2000. Now, Mongolia is in a list of countries with moderate prevalence of iodine deficiency diseases.

236. Strengthening health care measures for women and children during foetal, peri-natal, antenatal, neo-natal, and postpartum periods and increasing the access to health care services in remote rural areas and peri-urban districts of bigger cities is essential. Addressing a lack of resources in rural health facilities, renovating diagnostic and treatment equipments and upgrading all three levels of health services are expected to bring more accomplishments in the health sector.

C. Adolescent Health

237. In 2004, the "*Law on Prevention of HIV and AIDS*" was amended with new provisions related to respect to confidentiality. Provisions which had some forceful measures were taken out.

238. Within the framework of the *Abstinence, Be faithful or Condoms* principle, the National Strategy on Prevention of HIV/AIDS (2002 – 2010) was adopted in 2003. In 2006, the National AIDS Committee headed by the Deputy Prime Minister was re-established and national indicators for monitoring and evaluating National Strategy on Prevention of HIV/AIDS (2002 – 2010) were developed and endorsed.

239. Since the first case of HIV infection was registered in 1992, 25 cases were detected and registered by the end of 2006; and 20 of them were registered between 2005 and 2006. 12 of 17 HIV positive males had HIV transmission due to homosexual relationships⁵. Treatment cost for AIDS is 3.6 – 10.2 million MNT per person.

240. In 2006, 12,787 cases of sexually transmitted infections (STI) were registered. Syphilis, trichomoniasis and gonorrhoea are prevailing among the STIs. 51 cases of congenital syphilis cases were registered. The increase of STI cases was high amongst the unemployed, wanderers, homeless people and people with no income.

241. Promoting the use of condoms is very important for preventing AIDS/HIV. According to the statistics prepared by the Ministry of Health the use of condoms has been increasing in the past few years.

242. With a purpose to develop a model for adolescent friendly health services which meet the developmental needs of young people, adolescent health rooms and the Future Threshold Centres were established at aimag centres and districts of Ulaanbaatar. In line with a health education standard, health education textbooks were prepared for school children.

243. Although the death rate among TB infected people has decreased in the past five years, a prevalence rate of people who got sick with TB increased from 125 in 2000 to 185.3 in 2006. Registered TB cases were higher in the central and eastern regions. 70

⁵ The Government of Mongolia (2007) A Second Report on MDGs.

percent of the people who are sick with TB are people aged 16 – 44. Measures against TB need to be linked with actions taken to reduce poverty, improve living conditions and clean the environment. The Ministry of Health needs to refine its system on early identification and complete treatment of TB among marginalized group.

244. In 2005, *the Law on Tobacco Control* was revised. The purpose of this law is to protect the population from the adverse consequences of direct and second-hand smoking. The law regulates smoking related matters among government, citizens and economic entities. This law prohibits individuals under the age of 18 from engaging in selling or purchasing tobacco products. Smoking is allowed only in permitted spaces of public places and offices. Advertisements on promoting smoking amongst children are banned. With the purpose to decrease tobacco consumption and encourage healthy behaviours, the Law states that two percent of a special tax collection on cigarettes should be contributed towards the establishment of a Fund on Promoting Healthy Lifestyle. The resources of the Fund shall be allocated to conducting control over cigarettes; implementing projects and programs on promoting healthy behaviours; preventing smoke related diseases; raising public awareness on the adverse effects of smoking; expanding services for quitting smoking; purchasing equipment and medicines for reducing smoking; and conducting studies on the adverse effects of smoking on the health and economy. Findings of the study conducted in 1997 on health related behaviours, habits and attitudes of young people showed that 16.4 percent % (334) of 2040 children covered by the study answered that they were smoking; and 65.6 percent expressed their wish to quit smoking.⁶ One of the reasons for smoking among children is the affordability of cigarettes. Cigarettes are cheaper and more accessible than drugs and alcohols. 78.7 percent of children said that someone in their family was smoking. The average age when boys started to smoke was 16.7 and the average age when girls started to smoke was 17.2. In Ulaanbaatar, the average age of children who started to smoke was younger than rural children. 40 percent of higher grade pupils had their first experience with smoking at the ages of 12 – 13 and 34.4 percent - at the age 14 – 15. Findings of the national study on alcohol consumption conducted in 1998 showed that 51.2 percent of total population was consuming alcohol on a regular basis. 71 percent of youth under the age of 20 and 54.7 percent of children under the age of 16 had experience with alcohol. Unemployment, poverty and widening gap between rich and poor are causing more drinking. Turmoil of economic factors and loss of moral and cultural values are creating a favourable condition for drinking. The *Adolescent Needs Assessment Study* (2000) showed that young people in rural and urban areas alike were starting to consume alcohol at the age of 17.6 in average. The consumption of alcohol among city youth was twice more than their counterparts in rural areas.

D. Child Care Services (art. 26 and 27)

245. The *Law on Social Welfare* was amended in 2006. Provisions of the Law stated that citizens with a disability living in poor or very poor conditions, pregnant or breastfeeding mothers, children with difficult life circumstances, single parents with low incomes and victims of violence shall be provided with social welfare benefits or

⁶ WHO (2003) *Study on Health and Development of Youth*

conditional cash allowances or discounts on social services; and community based care and specialized services.

246. Article 29 of this law assigns a Livelihood Support Council to identify children and households who meet requirement criteria to get social welfare benefits or conditional cash allowances or discounts on social services; and community based care and specialized services. The following services are available for eligible beneficiaries through the Livelihood Support Council: One time monetary coverage a year for housing and fuel cost to an extremely poor family with a disabled person whose occupational capacity is completely lost.

- Two times full compensation of the cost of a wheelchair or orthopaedic equipments for children under 18 years old.
- Full compensation of the first time payment of orthopaedic equipment or wheelchair purchased locally for disabled persons who do not receive pensions or allowances from the Social Welfare Fund; and 50 percent compensation – for the second time
- 50 percent coverage of medical treatment in a local sanatorium for an extremely poor person with the occupational disability.
- The cost of kindergarten services for one child under 4 years old of a family living below the poverty line if the family has a person with the occupational disability.
- Discount on a phone bill of a blind person from a poor family with no other members who are able to work
- Counselling to improve one's self-esteem and gain positive outlook to a life;
- Employment skills or career development counselling;
- Training on life skills;
- Assist vulnerable people to improve their livelihood through community development or income generation activities;
- Refer to projects or grants to start a small enterprise.

247. Article 14 of the Law on Protection on the Rights of the Child states that NGOs or economic entities or citizens who are interested in provide care services for children shall get permission of an authorized central government organization. The government member in charge of issues related to social welfare shall approve the procedure on the placement of the child to a care institution and work standards for care institutions. Resolution 29 from March 3, 2005 issued by the Minister of Social Welfare and Labour approved "Standards for Children's Care Institutions". Pursuant to Article 28, persons who have no relatives to support them and unable to survive independently and who needs ongoing care and treatment including the disabled, the elderly and children in difficult situations shall be entitled with a specialized care services such as the placement, food, clothes, health services, cultural and leisure time activities, emotional support, care and nurture, normal living conditions and legal advocacy.

248. The *Law on Protection of the Rights of the Child* states that NGOs or economic entities or citizens shall be responsible for creating a safe environment for the child they take care of; ensuring the child's health and wellbeing; providing food and clothes which meet the required standards; providing education; preventing the child from being involved in crime; respecting the child's views and not discriminating the child. A report on the care and services provided for children shall be submitted to the governor of an aimag or the capital city. Moreover, governors have a duty not to transfer a child for residential or other types of care services without legal justification.

249. There are seven state funded care institutions for children and five of them are located in Ulaanbaatar, two of them are in Darkhan and Erdenet. Operations of these institutions are described below:

- A State Orphanage is located in Ulaanbaatar and consists of two parts; a kindergarten and dormitory. 120 children 3-7 years old are in the kindergarten, and 140 children aged 8-18 live in the dormitory.
- The Infant Clinic Centre was established in 1991 in Ulaanbaatar. Currently, about 100 underweight and abandoned children are in care of this centre.
- The Children's Care Service Centre, a former Address Identification Centre under, under the capital city police department takes care of children who are living on streets and in apartment entrances. The centre provides the child with assistance and accommodations for up to 14 days. Then, the Centre transfers the child to his or her home.
- The Labour and Training centre provide social services to more than 140 children who are out of the supervision of their parents.
- The Life Skills Centre provides social services for 19-24 year old homeless youths.

250. About 500 children live in the above mentioned institutions. All of these children are involved in education programs appropriate for their age and development needs. The information on whether children from these care institutions enrolled in colleges or ended up with employment after the age of 18 years is not available. Only the State Orphanage has these data.

251. According to 2006 statistics, there are 46 officially registered care centres run by foreign or domestic agencies and individuals. About 1560 children attend these care centres. 20 percent of the total children who are attending these centres are orphans, 50 percent of them are semi orphans and the rest are children with both parents (MOSWL).

252. In association with other stakeholders the Ministry of Social Welfare and Labour monitored and evaluated the operations of these centres in 2006. The findings of this evaluation demonstrated that care institutions which were funded by foreign citizens or organizations were violating the Law on Protection of the Rights of the Child. For instance, the following provisions of the Law were violated: 1) *it shall be prohibited to force religious teaching on a child, to involve religious practice through misleading or deceiving the child, and to pressure a child to stay in religious schools and churches or temples;* 2) *care institutions shall submit a report on the social welfare and care services for children and their whereabouts to respective aimag or city governor.*

253. Care institutions for children lack proper management on monitoring and tracking children's in and out status with the institutions. The mechanisms to prevent and monitor child rights violations and recover effected children are still not clear at these care institutions.

254. Child care centres and child care institutions are centralized in Ulaanbaatar and in bigger cities. Due to a lack of care institutions in remote rural areas, children are being transferred to a centrally located care centres. After the child's transfer to institution, local governors are challenged to fulfil their legal responsibilities to control the situation of those children.

255. The Social Welfare Law identifies the following services as forms of community based social welfare services for vulnerable groups:

- Counselling to improve one's self-esteem and gain a positive outlook on life;
- Employment skills or career development counselling;
- Training on life skills;
- Assist vulnerable people to improve their livelihood through community development or income generating activities;
- Refer to projects or grants to start a small enterprise;
- Rehabilitation services;
- Foster care or shelter;
- Home-based care.

In 2006, the Ministry of Social Welfare and Labour adopted a *Program on Community Based Social Welfare*. This program focuses on establishing a structure to deliver community based social welfare services to disabled citizens, vulnerable children, victims of violence and homeless citizens. Pursuant to this Program the disadvantaged child can be referred to residential care, shelter care, foster care, or kindergarten services. In addition, to enhance a sustainability of projects to reunite unsupervised children with their families this Program runs the activities to create child-friendly environment at a community or family level. Awareness rising on the CRC concepts among families, communities and children is a part of this Program. However, insufficiency of funding allocated from the Social Welfare Fund to community based social services and non-transparent approaches in selection procedures for the identification of contractors to perform some social services should be addressed.

256. With the support of UNICEF, the GoM has piloted the program "Convergent Basic Social Services". The Program addresses the developmental needs of children, families and communities in remote areas and introduces new initiatives to solve problems at the community level in a convergent and holistic manner. A family empowerment strategy is a key component of the program. Families participating in this program assess their developmental needs and identify the actions to solve their problems. Within the framework of this program family members were involved in training on child development. They have learned how to monitor a growth of the child and improve their access to clean water and health services. As a result of the Program, a new model of community based social services has been developed.

257. The child protection system in Mongolia is still operating in the ways inherited from the Socialist period⁷. The current child protection system does not reflect social changes and current situations of the country's development. The findings of studies in this field show that reform of the child protection system is essential to eliminate current and potential risks, vulnerabilities and consequences associated with child maltreatment.

E. Disabled children (Art 21)

258. To implement the recommendations outlined in Paragraph 42 of the Concluding Observations, in 2006, the Government of Mongolia adopted a national programme "Support Persons with Disabilities" and sub-programme "Support participation of children with disabilities". These programmes will be implemented in two stages between 2006 and

⁷ Save the Children, UK (2006) *A Child Protection System in Mongolia*.

2012 and are aimed at addressing the challenges faced by persons with disabilities in exercising their rights and freedoms.

259. The provisions of international treaties and conventions ratified by Mongolia are integrated in more than 30 laws and regulations. Amendments to the “Law on Social Welfare of Persons with Disabilities”, “Law on Social Welfare” and “Law on Education” address disability issues. For example, according to the “Law on Education” the state is obligated to provide non-discriminatory conditions and equal access to education for children with disabilities.

260. Article 4 of the Law on Social Welfare of Persons with Disabilities states that persons with disabilities shall have equal access to social security benefits or allowance, social welfare benefits, conditional monetary compensations, alimony, discounts, specialized or, community-based care services, employment promotion services as well as health, educational, and cultural services. The Law entitles persons with disabilities to the following services from the Social Welfare Fund:

- One time monetary coverage per year for housing and fuel costs to extremely poor families with a disabled person whose occupational capacity is completely lost.
- Two times full compensation for the cost of a wheelchair or orthopaedic equipments for children under 18 years old.
- Full compensation for the first time payment of orthopaedic equipment or wheelchair purchased locally for disabled persons who do not receive pensions or allowances from the Social Welfare Fund; and 50 percent compensation – for the second time
- One time discount on the transportation fee for children with limited vision, hearing, or speech abilities if the children come from provinces to a special school in the city. Also, their accompanying person gets this discount too.
- 50 percent coverage of medical treatment in a local sanatorium for an extremely poor person with an occupational disability.
- The cost of kindergarten services for one child under 4 years old of a family living below the poverty line if the family has a person with an occupational disability.
- Discount on the phone bill of a blind person from a poor family with no other members who are able to work

A number of programs and projects undertaken by the GoM give positive influences on the health wellbeing of disabled children. “Prevention from Accidental Injuries”, “Mental Health” and “Prevention from Blindness” is examples of effective programs. Pursuant to Article 28 of the “Health Law”, the state pays for mental health treatment, hospice services and long term rehabilitations for some chronic diseases. Moreover, the Health Insurance Law entitles disabled children with discounts on selected medicines. The MOSWL supports a policy to introduce community-based rehabilitation services for disabled children. Disabled children may receive rehabilitation treatment services such as Sun or air bath, mineral waters, mud, swimming, exercises, massage, acupuncture, moxibustion or electrotherapy. Clinics in Ulaanbaatar and aimag centres provide outpatient rehabilitation treatments. Soum hospitals are limited in offering these services.

261. The legal definitions of persons with disabilities are too broad and general⁸. Article 3 of the Law on Social Security of Persons with Disabilities states: "A disabled person is a person who lost a mental, intellectual or sensual ability due to congenital or inherited disease or injury; or a person who has limited opportunities to live an independent and productive life due to body injuries." Article 18 of the Law on Social Welfare states: "the blind, deaf, dwarf or persons who lost their occupational capacity by more than 70 percent is entitled to a social welfare pension". Also, Article 23 of this Law entitles a conditional monetary assistance for the care provider of a disabled person who is under the permanent medical monitoring of a health organization or doctor unable to survive independently without care and custody and if the family is extremely poor. However, pursuant to a "List of Customary and Occupational Injuries and Diseases" approved by the Decree No A/250 of the Minister for Health and Social Welfare in 1997, persons with a light mental disability and persons with one blind eye, or no legs or no hands shall be considered as having lost their occupational capacity by 70 percent. The National Human Rights Commission's report underlined that these provisions conflict with each other and limit the rights of persons with disabilities to receive financial assistance.

262. In the future, the inclusion of a paediatrician in a disability confirmation committee and development of services appropriate to special needs of disabled children is essential. Particularly, measures to improve social services for children with severe forms of disabilities should be undertaken.

263. The National Statistical Office, Ministry of Education, Science and Culture, Ministry of Health, and Ministry of Labour and Social Welfare jointly conducted a situational map of disabled children. Based on the study's findings, policy recommendations to improve the situations for disabled children were developed. According to the survey of the National Statistical Office conducted in 2006, 37 percent of 6,897 disabled children aged 0-16 years old had acquired disabilities caused by diseases or accidents of those, 75.6 percent of them were disabled due to diseases; 18.9 percent due to accidents, 2 percent due to occupational diseases and the rest due to occupational accidents. Rural children have the risks of getting into accidents related to the traditional nomadic lifestyle, such as getting injuries by falling off a horse. In 2006, around 10,000 child jockeys participated in horse racing competitions organized nationwide and about 500 of them were injured during a race. Of these children, 39.8 percent got light injuries, 31 percent serious injuries, and 20.8 percent severe injuries⁹. Mistakes by medical personnel during child delivery processes occasionally cause acquired brain damage among new born infants. Of 6,897 children with disabilities, 1,080 children have visual impairments, 1,517 hearing and speaking disabilities, 1,663 motor disabilities, 1,457 mental disabilities, 596 cerebral disabilities, and 676 have one or more disabilities. In 2005, there were 6,025 disabled children aged 0-16, but in 2006, this number increased by 12.7 percent totalling 6,891 children (45.9 percent of these children were girl). The number of disabled children in Huvsgul, Zavkhan, and Dornod aimags and in Ulaanbaatar is high.

⁸ National Human Rights Commission of Mongolia (2007) *Human Rights Report of Mongolia pages 20 - 58*

⁹ Human Rights Report of Mongolia, 2007. National Human Rights Commission of Mongolia, pages 20 - 58

264. The annual report of the National Human Rights Commission emphasized that the rights of disabled children to health services and medical treatments are not fully respected. According to the survey "Rights of children with disabilities in Mongolia" conducted by the Association of Parents of Children with Disabilities in 2006, of 975 disabled children covered by the survey, 70.5 percent of children living in urban areas and 73 percent of children living in rural areas did not receive any rehabilitation treatment. Also, only 20 percent of these children have artificial limbs or orthopaedic equipment. The quality of wheelchairs and hearing devices supplied from social welfare organizations was not satisfactory.

265. Only persons with occupational disabilities living below the poverty line can receive benefits and services provided from the Social Welfare Fund. This causes a discrimination against disabled persons¹⁰. Moreover, some of the services and benefits are not practical and are unrealistic. For example, according to the indicators that define the poverty line, persons who graduated from institutions of higher education or vocational training schools or who own an apartment are not regarded as the poor. A person with occupational disabilities whose family lives below the poverty line can never benefit from the provision to cover 50 percent of the cost of medical treatment in a local sanatorium. Therefore, requirement indicators for social welfare assistance should be revised so that they become relevant to life situations.

266. Getting positive outcome from rehabilitation therapy largely depends on the supply of necessary equipment. A study conducted by the Ministry of Health found that an insufficient supply of medical equipment and the use of out dated or constantly used machines negatively affect the quality of therapy.

267. The National Centre of Rehabilitation Therapy provided artificial limbs and orthopaedic equipment to 1,561 persons in the first half of 2006. The centre manufactured artificial limbs and orthopaedic equipment for a total of 70,773.3 million MNT in the first half of 2006. Of these 22.9 percent were financed by the Social Welfare Fund.

268. The National Mental Health Centre has 437 doctors and other staff, a hospital with 11 departments and 450 beds, and 20 units. The department for children at this centre has 30 beds. During a study conducted by the National Human Rights Commission in 2006, there were 26 patients in the children's department (13 were girls and 13 were boys). 19 of them were receiving permanent medical treatment in the hospital and none of them had any documents. Hence, the Human Rights Commission's report noted that these children were at high risks for violations of their rights.

269. According to the Law on Social Security of Persons with Disabilities, all disabled persons. Other than those who have contagious diseases such as tuberculosis shall have the right to study at educational and vocational training institutions together with other persons. Also, Article 42 of the Law on Education states: "Facilities, equipment, tools of educational institutions shall correspond to the occupational needs of teachers, employees, and students and the special needs of students with disabilities and shall meet health and safety

¹⁰ National Human Rights Commission of Mongolia (2007) *Human Rights Report of Mongolia*, pages 20 - 58

requirements.” Article 43 of the same law reads: “The state shall be fully of charge in providing support to children with disabilities in obtaining education.” By their joint decree, the Minister of Education and the Minister of Social Welfare and Labour introduced the “Programme on Equal Access to Education for Children with Disabilities”. (2004-2008) This programme aims at the provision of basic education to all children with disabilities through supporting education of children with disabilities in mainstream regular schools and education of children with severe disabilities in special schools for disabled children. With the financial assistance from the Sweden Agency of International Development, a training called the “Methodology of teaching children with disabilities” was conducted among 852 teachers of primary schools and kindergartens from Arkhangai and Khuvsgul aimags and Khan-Uul district of Ulaanbaatar. A 32 hour training module on the methodology for teaching children with disabilities was included in the training curricula of pedagogical institutions.

270. The Ministry of Education, Science and Culture in cooperation with ADRA developed a Sign language dictionary with 3,000 words designed for children with speaking and hearing disabilities. The dictionary was published in 1,000 copies. Training on sign language was conducted in 3 aimags. More than 3,000 participants including teachers, students, staff of police departments and children's organizations, parents, and secondary school students attended the training. A training manual was developed and a training of trainers of sign language was conducted. The training of trainers of sign language was conducted in Ulaanbaatar and other aimags. 65 trainers were trained. From each aimag 2-3 trainers were prepared.

271. In cooperation with ADRA, a studio for blind children was established and 30 different types of CD training materials were copied and distributed to organizations for disabled persons in 21 aimags and 9 districts of Ulaanbaatar. A total of 17,000 USD was spent on this project which contributes to increased access to information for disabled persons. In the 2006-2007 school year, according to the agreement signed between the Ministry of Education, Science and Culture and the International Development Assistance Organization, supplies for blind children such as special paper, canes, typewriters, etc. for a total of 8000 EU was provided to 75 blind children.

272. Moreover, the “Mongolian text to speech” software was developed and distributed to the organizations for disabled persons and public libraries. This has significantly contributed to the improvement of access to information with computer assistance. A 2-day training program on how to use the software was conducted among relevant local staff.

273. The amended Law on Education includes a provision stipulating that the variable cost of education for children with disabilities shall be different from the variable costs for other children. A cabinet member in charge of the education sector shall approve the variable cost estimates for education of children with disabilities allocated from the state budget. The variable cost estimates are being developed. Increased variable costs for disabled children will set favourable grounds for improving their access to mainstream regular schools and supplying them with special learning materials.

274. To fully entitle disabled children with the right to education and development, some issues including an insufficient number of skilled workers, and teacher an incompatibility of training curricula with mainstream school courses, an undeveloped methodology on performance evaluation and school facilities inappropriate to their special

needs should be addressed in the coming years. Although residential care institutions provide some services for 0-6 year old children with mental and behavioural disorders, the question of how to educate children over 6 with these disorders residing in care institutions is not answered yet.

275. An unenthusiastic attitude of family members and the public as well as poor communication skills and low self-esteem among disabled children hinder their equal access to education.

276. The Law on the Social Security of Persons with Disabilities, the Law on Construction, and the Law on Education have provisions that require the establishment of necessary infrastructure and an environment suitable for disabled persons. The National Human Rights Commission's 2007 report concluded that, although over the past two years the state and private enterprises undertook some activities aimed at establishing a better environment for disabled persons the outcomes are not sufficient enough. Many public service organizations are located on the second floor or above, there are still no elevators and no restrooms specially designed for persons with disabilities. Also, secondary schools, cultural palaces, health centres, hospitals and shopping places do not have necessary facilities to accommodate the needs of persons with disabilities. There are no road facilities convenient for disabled persons. However Special exits for handicapped persons on wheelchairs were built at the NAC, MSWL, Children's Palace and University of Science and Technology. Also Secondary school number 15 and 80 in Ulaanbaatar improved their school facilities to meet the needs of disabled children.

277. Article 9 of the Law on Social Security of Persons with Disabilities stipulates that "TV programmes shall be produced and broadcast with sign language interpretation," Article 8 of the Law on Public Radio and Television states that "the rights of minorities, women, children, and persons with disabilities to access information shall be equally respected." However, all 16 TV channels broadcast in Mongolia do not have a sign language interpretation.

278. There is no favourable environment for children with disabilities to spend their free time or engage in sports activities.

CHAPTER SEVEN

EDUCATION, LEISURE AND CULTURAL ACTIVITIES

279. Relevant information, including on the principal legislative, judicial, administrative measures on education, leisure and cultural activities has been previously provided to the Committee in Paragraphs 11-15, Chapter 3 of Mongolia's Second Report.

280. The Article 5 of the Law on Education recognizes education as a priority for development of the country. The State shall support and coordinate educational affairs and the civil society and government shall monitor the implementation of this commitment. Several laws including the Law on Primary and Secondary Education, Law on Higher Education and Law on Vocational Education regulate educational affairs. The Mongolian education system is an integration of formal and informal study. The system includes

preschool, primary, secondary, correspondent, and higher education. Formal education has alternative forms such as the day, evening, correspondent and external study. The State regulates contents and standards of formal education. A selection of contents of non-formal education is flexible. The *Law on Primary and Secondary Education* amended in 2006 addresses the Committee's concern that the collected additional fees in schools cause financial obstacles to many children and deny their equal access to education and incidents where children have been subjected to violence in schools. The Law prohibits violence and additional fees in schools. In relation to Article 28 of the CRC, the basic legal acts that regulate this matter, namely the Constitution and the Package Law on Education, provide for the absolute right to education of every child, mandatory education till the age of 16. Primary and secondary education in public schools is free of charge. Pupils use the school premises for education and development of their interests and skills free of charge.

281. The GoM seriously considered the Committee's concerns about the remaining difficulties encountered by children, especially in rural areas of the country, in their access to education and school attendance. Thanks to constant efforts of the MOESC and international support and assistance, the gross enrolment ratio (GER) was increased to 93.7 percent in 2006 from 92.3 percent in 2005. In order to keep an appropriate teacher-pupil ratio and ensure that a school is located close to the child, measures to build, renovate or extend schools have been implemented with the financial assistance of domestic and foreign organizations including the Asian Development Bank, Japanese Government and Nordic Development Fund. In 2006, seats in schools was increased by 7052 and beds in preschool institutions –by 590. School dormitories have been renovated and their capacity to accommodate more children is getting better. Living conditions in dormitories are improved. According to the Committee's recommendations to improve schooling facilities, including by building new schools and improving heating and electricity installations in schools, the State is taking consistent actions. With the financial assistance of domestic and foreign organizations, heating systems in more than 100 soum schools, 60 kindergartens and about 100 hospitals have been renewed. In 2005-2007, 74 soum centres have been connected to the Central Power Line and 199 soum power plants on diesel fuel have been renewed. Moreover, 97 soum hospitals have been provided with solar energy generators. In regard to the Committee's recommendations, the quality of textbooks has been improved. The Ministry of Education Science and Culture is committed for development, publishing and dissemination of general education textbooks in accordance with the 12 year school system. In the 2006 -2007 school year, 47 textbooks were published in 1.8 million pieces and disseminated. 86 alternatives of 37 textbooks has been chosen and prepared for publishing. As a result, 52 percent of total textbooks have been renewed.

282. Although the GoM put considerable efforts to address all the problems noted in the Concluding Observations, some of them are still remaining and new ones are coming up due to current environmental, ecological, economical and social challenges.

283. The Government of Mongolia has developed the policy documents such as the National Program on Literacy Education, National Program on Training and Retraining of Primary and Secondary School Teachers and National Program on Basic Education for All, National Program on Distance Education, National Program on Preschool Education-2 and Education Sector Master Plan-2. The Master Plan 2 is directed to identify the long term trends for development of education in the country and improve the quality and access to primary, secondary and vocational education. The funding for implementation of the Master Plan is secured.

284. Pursuant to a Degree of the Minister of Education (2005), teachers are required to have a license to teach. The licensing process has been taking place since 2005. The Degree has a provision to invalidate or suspend a teacher's license for violations against the *Teachers Code of Ethics* and child rights. To develop the enforcement mechanisms of this Degree, the MOESC is developing a *Procedure on Licensing of Preschool and Secondary School Teachers and Invalidating Their License to Teach; Procedure on Promotion of Teaching Performance of Preschool and Secondary School Teachers; and Procedure on Retraining of Preschool and Secondary School Teachers and Others Working in a Education Sector.*

285. In 2006, the Government released a Regulation to support the MOESC initiative to run a nationwide campaign "*Education reform & Citizen's participation.*" This campaign aimed at monitoring the outcomes of education policies and reforms implemented during the past 16 years after Mongolia shifted to a market economy. During the campaign future trends of development in the education sector and management strategies to address needs of customers were identified. In addition, the programs and strategies of the MOESC were discussed among teachers and the public and integrated with the feedback from participants of discussions. Subsequently, the First National Forum of Teachers was held in April 2007. As a result of the Forum, the Action Plan for 2007-2008 with a purpose to increase the number of teachers has been introduced.

286. Mongolia has spent about seven percent of its GDP on the education sector for recent years. Whereas the budget amount allocated to the education sector totalled 145.9 billion MNT in 2004, 195.2 billion MNT were paid for this sector. 18-20 percent of total educational budget is spent on preschool education, 35-40 percent is allocated to general secondary education and 3 percent covers the expenses for dormitory maintenance. Remaining percents are distributed to vocational education and educational administration. In the recent years, investments from international donors and private sector have been increased. The Parliament increased the budget projected for the education sector in 2007 by 14.5 percent. The increased amount of budget was planned for covering the following expenditures:

- Increasing teachers salary
- Improving English teaching capacities
- Motivating teachers to work in remote rural schools (beginning 2007, a teacher from rural school gets a compensation in an amount of his or her six month salary after every five years)
- Motivating teachers to stay in public sector (the State Education Fund covers a tuition for higher education of one child of a person working in public sector)
- Purchasing of school equipments
- Covering food supply for school lunch and meals for dormitory students
- Repairing school facilities
- Maintaining soum cultural centres with at least 5 staff

A. Preschool education

287. Article 11 of the Law on Primary and Secondary Education reads "*A kindergarten is a preschool education entitlement which provides training on physical and intellectual development for children from two to a school age.*" "*A kindergarten shall follow the standards approved by the MOECS*".

288. In 2006-2007 school years, there were 10 day-care centres and 742 kindergartens in the country. 94.7 thousands children or about 60 percent of preschool age children were attending these institutions. This number was higher by 5000 kids if it was compared to 2006 statistics. 87 percent of kindergartens were state-owned, 8 percent- private, and the remaining belonged to different entities which provide preschool services to their employees. There are two forms of kindergartens: mainstream and alternative. 98 percent of kindergartens are mainstreamed. These kindergartens provide five day services a week for children living in communities where the kindergartens locate. They work from September 1 to June 1. Kindergartens carry out training programs aimed at developing speaking and basic math skills. In addition, basics of music, art and physical education are taught. Mainstream kindergartens have groups divided by ages of children. 3,186 groups operate nationwide. 664 of them run a school preparation program.

289. In 2005, a *Kindergarten Procedure* was approved by the MOESC. This *Procedure* presents innovations in teaching methodology, standards and operations of kindergartens. The *Procedure* identifies roles of kindergartens in protection of child rights and child development. Main activities in kindergartens are described in this document. The standards on training curricula, facilities, furniture and equipments, toys and teaching resources are included in the Procedure. A special provision on a kindergarten council is outlined here. The council can have 9-11 members who represent parents, kindergarten staff and other relevant agencies. The council elected for three years is entitled to identify organizational development strategies, bylaws and structures and discuss action plans and their implementations and participate in evaluation and monitoring. The council's other duties include: provide kindergarten administration with recommendations to improve the quality of training and outcomes for child development and protection, watch over the job performance of kindergarten administrators and protect wellbeing of children and staff.

290. As mentioned before, preschool education has two forms: mainstream and alternative. Alternative forms play an important role in expanding access to preschool education for disadvantaged children. 20 percent of kids involved in preschool education programs were in alternative settings. Mainstream kindergartens are responsible to provide alternative education programs for children residing at their neighbourhoods. Local governments allocate additional funding to kindergartens for running alternative education programs. Forms of alternative schools include ger (kindergarten operates in a national dwelling); different shifts in a kindergarten, hourly training or a mobile summer preschool program for children from herdsman families. Training curriculum specific for each type of alternative preschool education has been developed¹¹. In past 10 years, preschool enrolment rate was increased by 11 percent reaching 41.1 percent¹².

291. In 2006, within the framework of the Education Development Program funded by the Asian Development Bank, kindergartens received an investment in 189 thousand USD for improving a learning environment for kids. In 2006-2007, 150 kindergartens were supplied with a package of 56 items of teaching resources including toys and training

¹¹ Government of Mongolia (2004) *Report of National Summit on Children's Issues*, Ulaanbaatar

¹² MOESC (2006) *Report*

materials designed for developing children's intellectual, mental, physical, and speaking capabilities. Safety and hygiene standards of this package were high priority in a selection of each item. Each package cost 1260 USD.

292. About 10 kindergartens specialized in health care operate nationwide. There are three kindergarten-orphanages run by the State. Ministers of MOESC and MOSWL approve the procedures for these special preschool entities.

293. The core preschool curriculum module redeveloped in 2001 has been a key document to work with young kids. The curriculum has differentiated the contents to three different groups based on age specific development features of children as follows; for kids of 0-2, 3-5, and 5-6 years old. Four areas of child development are addressed in the curriculum. Regional seminars to prepare national and local trainers on new preschool education curriculum were held involving 282 people. Special education training for 206 kindergarten teachers was provided. The MOESC is developing the standards on child development. By the new standards preschool education will not be limited only by kindergarten services. The standards will promote the activities to improve family and community involvement in development of the child.

294. In 2007, 12,000 people were working at kindergartens including administrators, teachers, assistant teachers and service workers, 3700 were teachers. They are required to get a teaching license from the MOESC. The State University of Education and teachers colleges prepare kindergarten teachers.

295. In 2006, the MOESC renewed the cost and ration norms on food for per child attending a kindergarten. Parents cover a half of the food cost. A remaining 50 percent is paid by the State.

296. The Government renews the variable cost norms per child in preschool institutions each year. In 2007, expenditure on wage was set up as 210,100 MNT in the capital city; 217,300 MNT in aimag centres; 259,100 MNT in soums. Other expenses per pupil were projected as 26,500 MNT in the capital city; 29,700 MNT in aimag centres and 37,100 MNT in soums.

297. In 2005, 25.2 thousand MNT were allocated to preschool education and 29.8 thousand MNT were budgeted in 2006. The significant percent of the funding goes to heating and electricity bills, wages and food costs.

298. International assistance and support play an important role in improving the preschool education environment and performance. For instance, with the financial support and technical support from the European Union and Save the Children, UK, the project "Strengthening Preschool and Primary Education" has been implemented in 7 aimags and two districts of Ulaanbaatar. In 2006, 15 kindergartens in 7 aimags received gers, toys and other learning materials from this Project.

299. Children from herder families at remote rural areas or some children residing in ger districts of cities and towns or children from illegal mining communities have limited access to preschool education. Herders move constantly for better grasslands and water supply. Ever increasing level of desertification pushes herders to move more, far and sparsely. Therefore, the cost of social services for herder families has been increased significantly

and it affects seriously younger children who are more dependent on care of their family members. Another factor affecting some younger children is their parents' low level of education. These days, young people who were teenagers in 1990s are becoming parents. Due to social and economical hardships of 1990s, the enrolment rate was sharply decreased and many rural children did not get basic education. Now, they are grown up and face difficulties to prepare their children to schools. Thus, the importance of training for these young families to be involved in preschool training of their children is apparent.

300. In general, involvement of families and communities in preschool education is not satisfactory. Initiatives and commitments of them are needed in improving the learning environment and quality of meal and other services in kindergartens.

301. Improving access to preschool education and quality of training in kindergartens should be considered more seriously in the coming years.

B. Primary and secondary education

302. Pursuant the *Law on Primary and Secondary Education* amended in 2006 a duration of schooling has been changed. To make contents and curriculum close to international standards, primary school has extended for six years. Pupils will get a basic education after 9 years of schooling. Complete secondary education will be provided for 12 years. In conformity with this shift to 12 years of schooling, comprehensive reforms have been started including legal and policy revisions; innovations in teacher training and distributions; introductions of new standards, curricula and contents; and new approaches in financial management. Particularly, the creation of child-friendly learning environment for younger kids requires more integrated efforts from all stakeholders. The teaching plan for 12 year schooling has been developed. High school education plan has two forms: one for small schools with fewer groups of same grade classes; and another for big schools with many groups of same grade classes. The latter will have choices to study particular courses from science or social studies.

303. Article 30 of the *Law on Education* assigns a responsibility to coordinate and oversee the activities aimed at providing education for national minorities to local governors. Pursuant to this article, a local governor is in charge of creating an environment for minority children to study on their native tongue and to learn their cultural heritages. The equal access to education for Kazakh and Tuva children has been in the attention of the GoM. The Education and Cultural Department of Bayan-Olgii province where a majority of Kazakh population resides is developing standards on teaching Kazakh language. Tuva language teaching standards are developed and introduced in schools with tuva students.

304. There are 742 schools are operating nationwide. 71 of them are primary and 172 schools run a nine-year program. There are 499 schools provide 11 year schooling. 211 schools offer evening or/and correspondent study¹³. These alternative forms of education help children who are not able to attend mainstream schools to get education.

305. International development agencies including the Asian Development Bank, Nordic Development Fund and JIKA have been supportive in reforms in the educational

¹³ Save the Children (2005) *Education of Kazakh Children*

sector. Within a framework of the Education Development Program funded by the Asian Development Bank, 180 schools received a package of resources for a science lab and 150 schools were supplied with equipments and tools for vocational training. Moreover, 50 school complexes were granted from the ADB with books and teaching and learning materials in amount of 150 million MNT each. The UNICEF supplied 21 mobile teachers with a motorcycle and 10 kindergartens with toys and learning resources. With the grant from World Bank, the Project "READ" was implemented in 5 aimags supplying primary school classrooms with a library. Teachers participated in a training to improve reading skills of pupils. This year, primary schools in other aimags are receiving a grant to set up a classroom library. This project has been evaluated as a contribution for effective leisure time activities and learning tool for education. A digital library on children's books in 33 languages has been created within this project. This digital library is being piloted in some rural schools.

306. A grade book in general secondary schools has been changed into teacher's notebook in order to keep the confidentiality of student's grades. In the past, the grade book was accessible for everyone.

307. Pursuant to a 190th order of Minister of Education Science and Culture in 2004, the "Policy on Child Friendly Schools" is being implemented. This document defined the activities for executing child's basic rights in school. According to comments given by the Mongolian President, a Civic Education Curriculum has been introduced to all primary and secondary schools in 2006-2007 school years. This new course is envisioned to teach pupils social and moral values and life skills essential for their development. Prevention from traffic accidents was reflected in the "Traffic Rules" curriculum adopted by the Order No. 276 of the Minister of Education Science and Culture in 2006. The Curriculum is designed to give secondary school students a concrete understanding about traffic rules and good manners of participating in traffic. Consequently, with the cooperation of the Traffic Police, a teaching manual was developed. Beginning from the 3rd semester of 2006 to 2007 school year, this course was taught for 1-3 grade pupils as a pilot project. Schools are encouraged to set up a traffic education resource room to start teaching traffic rules. About 70 million MNT was spent on printing maps for geography and history classes and distribution to all secondary schools. In cooperation with the Mongolian National Broadcasting, the MOESC recorded the Mongolian Secret History, a famous Mongolian book into VCD and distributed to schools.

308. New education standards and curriculum require taking measures for motivating teachers for skills development, creating a favourable environment for ongoing in-service learning and reducing workloads of them. These measures are expected to enhance their capacities to upgrade the quality of education. In addition, the following measures are proposed and implemented as the stimulus for teacher development: 1) identification of appropriate strategies and policies to improve the availability of teachers; 2) enhanced legal environment for improving social conditions for teachers including increased salaries; 3) the increased number of students enrolled in higher education institutions preparing teachers; and 4) retraining activities held domestically or internationally. In the 2006- 2007 school year, 18.6 thousand teachers were involved in retraining. From them, 1,114 teachers attended national level training courses; 2443- participated in regional training seminars; and 6723- were involved in local level training events. 150 school administrators went for short-term training courses or study tours in Korea, Japan, China, Thailand, Vietnam, Canada, Holland and Turkey.

309. In the 2006- 2007 school year, 22,900 teachers were working in secondary schools. The ratio of pupils per teacher was 23.7 in secondary schools, and 31.7 students- in primary schools per teacher.

310. In the 2006- 2007 school year, 360,000 textbooks were handed to the children of poor and vulnerable families free of charge. One of four students received textbooks free of charge.

C. Non-formal education

311. The Ministry of Education Science and Culture developed 25 standards of primary and secondary education. The National Office on Standardization and Measurement approved these standards. These standards provide the opportunity for alternative forms of education.

312. The Committee's concern for a high dropout rate among rural children has been addressed. In 2006-2007, 4,372 children of ages 7-15 were involved in alternative education programs, 4,837 youth and adults attended a literacy education course. 12,447 people participated in vocational and life skills training. The National Centre of Non formal Education developed a literacy education textbook, 24 modules on alternative education programs, 39 types of resources on life skills and 7 videos. These videos were recorded into CDs and distributed to provincial branches of the Non-formal Education Centre. In cooperation with the TV 25 Broadcasting, the MOESC developed 20 sessions on secondary school subjects and 80 science fictions and broadcasted nationwide. From these programs teachers learned experiential learning methods and the public received educational information.

313. One of the reasons contributing to school dropping out is unavailability or poor conditions of school dormitories. Building new dormitories and extending old ones expanded the opportunities to improve the access to dormitory. As a result, a number of children accommodated in dormitories reached 41.1 thousand in 2005 from 33.7 thousand in 2002. 84.0 percent of pupils requested accommodations in a dormitory lived there.

314. In 2004-2005 school year, 12300 children of ages 7-15 were out of school. 61 percent of them were boys.

315. The quality of non-formal education and motivation to learn among children should be enhanced. A learning environment in non-formal school needs improvement.

D. Vocational training

316. Standards on vocational training centres were developed. These standards should be applied in establishing or renewing or licensing a new vocational and training centre or colleges with vocational training courses; and accreditation and starting new majors in training schools also should meet those standards.

317. The training module "Creating youth business enterprise" developed by the ILO was translated into a Mongolian language and modified into a Mongolian context. The Module is expected to be integrated in curricula of .for secondary and vocational schools.

Beginning this year, the Module is being piloted in five vocational training schools and 15 general education schools. To promote vocational education and training among the public and youth a campaign "Entry to Development" was conducted in May of 2007. The media was actively involved in this campaign. This campaign advertised vocational and training centres and strengthened the collaboration between employers and vocational schools. The campaign will be conducted again. Within this framework, vocational schools will organize promotional activities to introduce their programs. In addition, vocational education and schools will be promoted through radio, TV and print media in a regular basis.

318. In order to supply provinces with trained electricians and electro technicians, the German Technical Cooperation Agency is undertaking a project "Training for Power Plant Workers" at a Vocational Training Centre in Zavkhan province. Total investment of this project is 73 thousand USD. Within the Grassroots Project implemented by the Japanese Government, 90 thousand USD were invested in a Technical and Technological School in Ovorkhangai province. A College with Vocational Education Program from Dornod province renovated a Food Production Lab with the support from French NGO "Naadam". This College also opened a hair dresser and beautician lab and Internet Cafe.

319. In recent years, 2500 young people will acquire construction work skills and be employed in a rapidly growing construction sector. With support from the Japanese Fund on Poverty Reduction, the ADB has begun the project to support an informal education system on training of unemployed people in construction work. Within a framework of this project, nine vocational centres will be strengthened through activities to improve teaching contents and methods. 30 construction companies will be participating in this project. The Millennium Challenge Corporation from the USA will help Mongolia to build up the institutional framework to support a demand-driven vocational education system. A total investment of this project is proposed in 25.51 million USD. An agreement between Mongolia and USA was signed in October, 2007. The project will be funded beginning of mid 2008. The Project aims to: 1) increase employment and among unemployed and marginally employed Mongolians; 2) secure private sector participation in vocational education; 3) establish skills standards and a competency based qualification training system; 5) develop new curricula for career training; and 6) retrain teachers of vocational training centres.

320. As a result of efforts of the GoM focused on vocational education, the number of students in vocational training is increased by 1.2 thousand from last year. The funding allocated for this purpose is increased by 12.5 percent and reached 891.0 million MNT in 2006. Beginning from 2007, students of vocational training schools receive 23 thousand MNT a month. 24.7 thousand students are entitled to this stipend.

321. Strengthening regional vocational training centres has put a good start in supplying provinces with well trained workers. 24 vocational training centres renovated their practicum labs with the amount of 1 billion MNT. It was the biggest investment in vocational education sector since 1990.

322. However, the public have not enough access to the information about the vocational training. Reputation on vocational training has decreased since 1990s when factories, construction companies and agricultural farms were closed down and skilled workers lost their jobs. Due to this failure, the importance of and social value on vocational schools has been downsized. The social psychology of this development period gives more

value to higher education. Workers' wages are not rewarding. All these factors have contributed to the challenges faced by the Mongolian vocational education system. On the other hand, the youth interested to enrol in vocational training school should have a certificate of secondary school completion. This hinders school dropouts to study at vocational training schools.

E. Tertiary education

323. In 2005-2006 school year, a one-step entrance examination to enrol a tertiary education institution was replaced a two-step system which was used for many years. This new one-step exam gives young people more opportunities to enrol a university or college which they are interested to study on their own merits. The students with the highest scores have more choice to select a privileged university from a list of higher education institutions increased in numbers in the past 15 years. Also, this one-step system eliminated subjective effects on test grades.

324. Article 28, CRC that assigns the State to make higher education accessible to all on basis of capacity by every appropriate means is implemented well in the country. Currently, 142 thousand young Mongolians study in about 130 universities and colleges. The State Education Fund plays an important role in making higher education accessible to all. Students can get a loan with a discounted interest or full scholarships through this Fund. In 2006-2007, 11 thousand students received a discounted loan; 17.4 thousand students were granted full scholarships. Tuition of 18.5 students from families of government employees were covered by this Fund. In addition, banks and other private sector provide scholarships for talented students from disadvantaged families. However, the GoM has concerns on the unsatisfactory quality of higher education and limited employment opportunities for graduates.

F. Leisure time and recreation, cultural and art activities

325. Pursuant to the Article 10 of *Law on Child Rights Protection*, the Mongolian Government takes a responsibility to support educational, child/youth development, recreational and mass media organizations providing children and youth with educational and recreational activities as well as information. The MOESC is a main government body responsible for policy coordination on leisure time and recreation, cultural and art activities. The MOSWL is responsible for ensuring the safety and hygiene standards on toys or recreational facilities or equipments. Aimag governors are responsible for implementing policies on leisure time and recreation, cultural and art activities.

326. In 2005, the MOESC approved a Regulation on Funding Support for Creation of Art Work or Books for Children. However, the funding sources have not been identified yet. Thus, the Ministry of Finance and MOESC are working together to renew the Regulation and identifying secure funding sources.

327. In 2006, 339 cultural organizations carried out 4852 performances. 30 percent of audience at the performances was children.

328. There are 290 libraries nationwide. With the aid in 4.0 million USD from World Bank, the Project "READ" implemented in 383 primary schools among 21 aimags. Within this framework of this Project, through an international bidding process identified a supplier

of a classroom library for 1-4 grade pupils in each of the selected schools in soums or baghs. For the classroom libraries, 200 books were carefully selected for their informative and educational value. Each book was published in 3000 pieces. Books for after-school reading and science fictions were included in the classroom library. This project has been evaluated as a contribution for effective leisure time activities and learning tool for education. A digital library on children's books in a Mongolian language has been created within this project. A commencement of this digital library was held in November, 2006. This library is accessible on the Internet free of charge. Currently, 15 best children's books are placed in the digital library. For children who have no access to the Internet, 2000 CDs with the digital library were prepared and distributed.

329. Extracurricular activities are one of the forms of leisure time activities. Article 18 of the Primary and Secondary Education reads "*Extracurricular activities shall be directed to enrich and enforce the knowledge and skills obtained at classroom settings and develop talents and capabilities of children*". A sample curriculum on extracurricular activity shall be approved by the MOESC with collaboration of other government bodies if the activity requires professional expertise. An extracurricular class a week is officially included in an educational plan for every grade from 1 to 11. This plan is approved by a decree of the Minister of Education, Culture and Science. Thus, a payment for extracurricular activity is secured. Therefore, the outcome of extracurricular activities is expected to be improved. However, children have limited access to classrooms, cultural halls or sports gym of their school during non-school hours or weekends. Sometimes they have to pay to use of these school facilities.

330. Pupils of 1-11 grades study a Civic Education program during an extracurricular hour. All year round, schools offer different forms of after school activities including clubs, short term courses, sports, art or cultural events. Nationwide, 50 percent of pupils are involved in after school activities. Every year 150 million MNT are allocated for organizing national competitions on different subjects or cultural or art competitions. The State Education Fund awards children who took first places in these events with university scholarships.

331. In Ulaanbaatar, there are three major places specially designed for developing children during their free time through structured classes on arts, music, dance, foreign languages and technology, namely, the Mongolian Children's Palace, Centre for Children's Creative and Art Work, Palace for Young Craftsmen. About 10 provincial centres have a children's palace. In 2006-2007, 170 children studied in the Mongolian Children's Palace participated in international art, music and dance competitions and the Centre for Children's Creative and Art Work recruited 150 children in 15 different courses on 10 types of decorative arts.

332. Mongolian schools have 3 months summer break. During the summer months, children's camps play an important role for summer vacation. In 2006, 33 children's camps run nationwide engaging 40 thousand children. A few of camps are operated on a state budget. Some camps are contracted out and some are private. The Association of Camps, a NGO plays an important role in coordinating camps to follow national procedure and methodology on different activities for rest, youth development and resiliency building. With collaboration of other stakeholders, the Association developed standards for camps and their activities. The standards entered in force in July, 2007. To implement the standards, more attention is being paid to capacity building training for camps staff,

renovations of camp facilities and cooperation with government organizations for more support. The Association facilitated the International Association of Camps to hold its conference in Mongolia in September, 2007. In the recent years, a number of nationwide tours were organized for adolescents and young people including an ecology tour from the Huvsgul Lake to the Baikal Lake, a religious history tour "By the Path of Worships", walking tour "Movement and Health", and cultural tour "Homeland of Chingis Khaan". The NAC and Ministry of Transportation and Tourism organized a city tour for disabled children.

333. As a result of rapid development of information technology in the country, the number of Internet cafes and PC game centres is significantly increased. The youth, especially, boys from bigger cities and towns like spending their time and money in such places. Owners of these places let children play for long hours. Children are becoming addicted to computer games. The State Agency for Professional Inspection has taken actions for introducing and enforcing a child-sensitive timetable in these game centres. However, community monitoring should be strengthened so that the timetable is observed.

334. Some families and communities are taking initiatives to create a favourable environment for leisure time activities at their communities so that their children spend their free time effectively. The policies on urban development should reflect these initiatives and appropriate financial and human resources should be mobilized.

335. Relevant government agencies conduct a regular control on the implementation of a guideline on safety and hygiene standards on manufacturing and selling toys and report the outcomes to the public. In 2007, the Ulaanbaatar Agency for Professional Inspection reported that the standards were not observed in many toy stores. Most toys in our market are made in China. Inspections showed that some of the toys had lead, zinc and copper beyond the norms permitted by the standards by 0.0003-25.3 mg/l. The public is warned not to buy those toys.

CHAPTER EIGHT

SPECIAL PROTECTION MEASURES (Articles 22, 30, 32-36, items (b) of 37, 39, 40,)

336. Relevant information of the principal national legislations on special protection measures was previously provided to the Committee on pages 6-7 in Chapter 2, pages 11-15 in Chapter 3, and pages 16-19 in Chapter 4 of Mongolia's Second Report.

337. In 2003, the Law on Protection of Children's Rights was amended with new provisions in line with the CRC. The law prohibits involvement of children in activities harmful to their physical, psychological, moral, and intellectual development. These activities include crime, violations against laws, gambling, pornography, prostitution, conflicts among adults, substance abuse, alcohol and smoking, all forms of abuse including verbal, emotional, sexual and physical abuse, abdication, sale, trafficking, kidnapping, forcing into slavery or similar activities, neglect, abandonment, torture, use in spying or terrorist activities, forced marriage and early engagement, illegal adoption, illegal detention, and taking the child to or from Mongolia on an illegal basis. Other amended provisions of the above mentioned law prohibit citizens and entities to engage in the following activities:

forced and bonded labour, involvement of children in labour harmful to children's safety, health and moral development, exploitation of child labour, deceiving children with unfair payment, and forced begging and gaining profit using a child's name. Individuals who violated this law shall be subjected to a criminal or administrative liability.

338. The Law on Protection of Children's Rights introduced the following concepts: children in emergency situations and children in difficult circumstances. Children affected by natural disasters, epidemic diseases, accidents involving many people, and armed conflicts are classified as children in emergency situations. Full orphans, disabled, pro-poor, unsupervised, physically or emotionally disturbed children due to violence, neglect or abuse, and children engaged in hazardous labour harmful to children's wellbeing and health are described as children in difficult circumstances. Children in emergency situations can get assistance from the state when such help is needed. The state is responsible to take the following measures for children in difficult circumstances: 1) ensure access to education is available for them and assist them to go to school; 2) recover and rehabilitate them through appropriate health services; 3) provide disabled children with artificial organs and other equipment necessary for their wellbeing free of charge; 4) support families who adopted children in difficult circumstances; 5) place children in care institutions if it is necessary; 6) support families who take care of children in difficult circumstances on a volunteer basis; 7) assign a local government to support a young person leaving an orphanage with housing accommodations.

339. The category of children in difficult circumstances excludes children in a juvenile justice system and minority children whose rights are violated. The services system for children in difficult circumstances is poorly developed and the coordination of agencies working on their issues is insufficient. Prevention, protection, and rehabilitation interventions should be introduced. The mandate of the MOSWL in the child protection system should be clarified and new approaches in its performance should be introduced.

A. Children in extremely difficult situations

340. The Committee's recommendation to accede to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol has not been implemented yet.

341. Mongolia has no children involved in armed conflicts. No information is available in regard to refugee children.

342. The *Law on a War*, the *Law on War Situations* and the *Law on Preventions from Emergencies* do not include provisions about children.

343. The National Emergency Agency provides assistance to children affected by natural disasters, epidemic diseases, and accidents including many people. The GoM is entitled to make decisions on emergency assistance to children when the situation requires immediate actions.

344. In recent years, the number of people who work in informal gold or fluorspar mining has been increased. Mining camps with hundreds of people can be found around abandoned mining sites. The informal miners usually have no registrations with the local government administration nearby their camps. Thus, informal miners and their family members (if they are at the camps with their breadwinner) have limited access to social

services. They live with a high risk of becoming victims of criminal activities which are very common at informal mining sites. Children at informal mining sites are exposed to the worst forms of child labour, poisoning from chemicals used for gold processing, occupational or customary accidents, and dropping out of school. Some mining sites have serious environmental problems caused by pollutions. For instance, in Khongor soum, Darkhan-Uul province, a Chinese- Mongolian joint venture, a private gold mining company polluted the soum centre with an immense amount of cyanide nitrite disposed in an open space. Due to the pollution, animals and people were poisoned. Measures to clean the polluted site were undertaken. In Mongolia, during the summer and autumn seasons the probability of incidents of epidemic diseases with natural loci such as plague increase. This year, two people 17 and 18 years old, in Huvsgul and Gobisumber provinces were infected with the plague. Emergency and health services were provided under a strict quarantine.

345. The procedures, guidelines, and crisis intervention plans to prevent, protect and rescue children from natural disasters and accidents and ensure the safety and security of children during crisis situations are not clarified. In 2006, the National Emergency Agency and the NAC signed a memorandum of understanding on collaboration in conducting activities to improve emergency preparedness including training and campaigns among children and adolescents. With technical support from UNICEF, the National Emergency Agency and the Ministry of Agriculture and Food are cooperating to undertake a project on training and awareness raising campaigns to prevent an avian flu epidemic for the amount of 1.04 million USD allocated by the government of Japan.

346. During the reporting period some immediate concerns regarding to child safety and security emerged due to epidemic diseases, accidents involving many people (for example, aircraft crashes and civil unrests (for example a hunger strike of people who lost their savings in bankrupts of savings and credit unions). During those times, children had to leave their schools for some time and suffered from health and mental health problems. Some children even lost their parents. Crisis interventions for their wellbeing were essential. During the emergencies, measures to advocate health, hygiene, and disinfection procedures among the public were implemented. Younger children were provided with short term institutional care. Orphaned children received psycho-social support. Hunger strikers were prohibited to involve their children in their remonstrations. However, expertise and experience in crisis interventions were not adequate and the data related to emergencies were not recorded well.

B. The administration of juvenile justice (art. 40)

347. The information on the age for a criminal liability for minors and administration of juvenile justice system were provided in Mongolia's Second Report provided

348. During the period covered by the report, 1,548 juveniles were involved in 1,034 crimes in 2004, 1,332 juveniles in 891 crimes were involved in 2005. 1555 minors were involved in 1049 crime in 2006. From January to September 2007, 968 juveniles were investigated 652 crimes. According to crime reports, the majority of the crimes committed by juveniles were stealing, robbery, bullying, and crimes damaging the health of others. Juvenile crimes mostly occurred at homes, on the streets, in squares or in public places.

349. In cooperation with relevant organizations, the MOJHA conducted two assessment studies called *Juvenile Justice in Mongolia* in 2004 and *Criminal Liability Imposed on*

Minors in 2005. The studies provided recommendations for strengthening juvenile crime prevention, developing a special procedure on executing criminal proceedings in cases of minors, and preparing juvenile investigators, prosecutors, and judges. Based on these recommendations, in 2006, the MOJHA introduced a guide which permits the Chief Judge and prosecutor of a province or capital city to assign juvenile cases to investigators, prosecutors, and judges specially trained in juvenile justice proceedings. Moreover, a child rights and protection course has been included in a bachelor degree program in law schools.

350. Reflecting the recommendations stated in Article 28 of the Concluding Observations to reform legalizations on juvenile justice penalties and limit the length of pre-trial detention and deprivation of liberty of persons below 18, the MOJHA drafted an amendment to the Criminal Procedure Law. The amended law was approved by the parliament in 2007. According to new provisions, the maximum length of persons below 18 years of age in pre-trial detention was cut down from 18 months to 8 months. A court shall impose persons below 18 with half of the minimum incarceration term outlined in a relevant article of the Criminal Procedure Law. The criminal liability age of juveniles who have committed minor theft or robbery has been changed from 14 to 16.

In addition, the following changes have been made to the Criminal Procedure Law:

- 1) The participation of a defense counsel in an inquiry, interrogation or judicial examination shall be obligatory for the following suspects, accused, or defendants:
 - mute, deaf, blind, and other persons who are not able to exercise their right to defend themselves due their physical or mental defects;
 - minors;
 - persons who do not have command of Mongolian language;
 - persons to whom the death penalty may be applied;
 - other suspects, accused, or defendants if one of the suspects, accused or defendants who have contradicting interests in a case has a defense counsel;
 - persons who have no means to pay for a defense service and apply to have a defense counsel¹⁴;
- 2) Inquiry officers, investigators, and prosecutors shall finish a case proceeding within 14 days after the case has been assigned or within 21 days if additional information is needed or other measures are deemed.
- 3) A defense counsel for minor victims, witnesses, suspects or accused may make a video recording of the process of the interrogation at his own expense. A note about the recording shall be included in a written report of an inquiry officer, investigator, or prosecutor. The video recording shall be attached to a case file¹⁵.
- 4) The interrogation shall be explained beforehand to a minor summoned for interrogation and introduced to his/her rights and duties. A note to this effect shall be recorded, but it shall be prohibited to warn a minor of his/her responsibility for refusing to give or evading a testimony or for giving deliberately false testimony.
- 5) Persons who have reached 16 years of age at the time of committing a crime shall be subject to criminal liability. Persons over 16 years of age shall be informed about Article 254 (Intentional false testimony during the inquiry, investigation, or

¹⁴ Criminal Procedure Law, Article 10

¹⁵ Criminal Procedure Law, Article 10

court proceedings by a witness) and Article 255 (Illegal evasion of testimony by a witness or victim, refusal, or evasion of rendering) of the Criminal Cod.

351. Within their jurisdiction, local governors or police departments are in charge of preventing crime, stopping criminal activities, taking relevant measures, and conducting inquiries and investigations. No one may be deemed guilty of committing a crime until a judgment from a court is issued. Law enforcement agencies shall impose a suspect, accused, or dependent with arrest or detention measures. Local governor and social welfare agencies are responsible for providing rehabilitation and reintegration services.

352. The MOJHA and UNICEF have been collaborating on a pilot project to develop a model of a Juvenile Justice Committee. The pilot project is being implemented in Khentii province and Baganuur and Bayangol districts in Ulaanbaatar city. At every site, a secretary position is created for coordinating activities around this committee to process juvenile justice cases from pre-trial procedures including inquiry, interrogations, and court proceedings. The committees take responsibilities for reviewing juvenile cases and providing minors and their families with legal services including counselling, taking the minors in a surety, and linking them with community based services such as reintegration and training.

353. In order to protect minors from torture and inhuman treatment, the UNICEF and the World Vision supported the establishment of a child interrogation room in local police departments and courts. In police departments, the child protection room is used not only for giving interrogations but it also gives police the opportunity to conduct additional activities such as crime prevention, temporary custody of unsupervised children, reconciliation of juveniles with victims, and identification of offenders by children. Suspected or accused persons who have not reached 18 years of age at the time of committing a crime as well as minor victims and witnesses are interrogated in this room. In addition, a procedure which assigns supervising bodies to monitor the room usage was developed. Children's rooms in courts are expected to be an office of a juvenile judge with equipment and necessary items to conduct child friendly court proceedings.

354. To improve the access of juveniles to defence services, the Mongolian Association of Defence Counsels and the Capital City Association of Defence Counsels was set up in cooperation with the Committee of Defence Counsels for the Improvement of the Legal Environment on Juvenile Defence Services. Juveniles have limited access to defence services for several reasons including: 1) few defence counsels work in rural areas; 2) defence counsels specializing in juvenile justice are in short supply; and 3) a fee for defence services is not affordable to vulnerable groups. The state allocates no budget for covering the fees of defence services for minors. Until 2007, some of the funding for defence services for vulnerable groups was covered by the state. Currently, the funding for defence services for vulnerable groups is included in a budget package of the Minister of Justice and Home Affairs. However, since then, the Mongolian Association of Defence Counsel has been facing challenges to get the funding to cover defence services for minors.

355. The Mongolian Association of Defence Counsel thinks that new provisions in the Criminal Code and Criminal Procedure Law create an opportunity to extend defence services for minors. Thus, the association is committed to strengthening the measures for training and skills development of juvenile defence counsels.

356. Article 37.1 of the Criminal Procedure Law reads: “*in the proceedings of cases related to minor suspects, accused, and defendants, their legal representative shall take part.*” Article 40.1 of the same law states that a presence of a defense counsel is mandatory for inquiries, investigations, and court proceedings of minors. However, these provisions have not been enforced adequately.

357. Under the current legal environment, the skill levels of persons working in the justice system and negligence from families hinder children in conflict with the law to exercise their rights.

C. Children deprived liberty

358. The conditions of juvenile pre-detention centre which operates under the General Agency for Enforcement of Court Decisions have been improved. However, detention centres in provinces remain in poor conditions.

359. A juvenile detention centre works under the supervision the General Agency for Enforcement of Court Decisions and only boys are detained there. Girls serve their sentences in a special division of the prison for adult women. Out of 356 minors detained during 2004-2006, 16 were girls. An average detention term for minors was 2-5 years. In July 2006, on the occasion of the 800 anniversary of the Great Mongolian Empire, all juveniles were released from the criminal liability.

360. 70 percent of minors detained committed a crime and 60 percent of these minors detained in the pre-trial detention centre could not get a defence counsel due to their limited knowledge of their rights. A majority of them were children from families with low income or full or semi orphans¹⁶.

D. Prohibition of capital punishment and life imprisonment (art. 37 (a))

361. Relevant information on the prohibition of capital punishment and life imprisonment (art. 37 (a)) has been previously provided to the Committee.

E. Physical and psychological recovery and social reintegration (art. 39)

362. Juvenile justice manuals and informational materials for law enforcement officers have been developed during this reporting period. Non-governmental organizations conducted trainings and workshops on “child health and prevention services,” “diagnosis and treatment of HIV/AIDS and sexually transmitted diseases,” and “multi-grade teaching”.

363. Reintegration services been piloted for juveniles released from law enforcement agencies or incarcerated minors. For instance, World Vision International undertakes a project called “Open Zone” in juvenile detention centres and social reintegration services. Since 2002, 72 minors received reintegration services such as alternative or vocational education through the “Open Zone”. None of those 72 minors have been involved in criminal activities again.

¹⁶ UNICEF (2007) *Situation Analysis on Mongolian Women and Children*

364. Only police or NGOs work with juveniles released from incarceration, sentenced with alternative forms of punishments, and those in probation, or those at high risk. Health, education, social welfare, and security as well as residential administration services for juveniles are not integrated. Rehabilitation and protection services for victims of crime have not been developed yet.

F. Children in situations of exploitation, economic; child labour (art. 39)

365. Taking into account the recommendations given in Article 61 of the Concluding Observations, the ILO Conventions Nos. 138 and 182 are widely promoted among the public and children.

366. Some legal provisions which were not included in the Second Report are described in this paragraph. Article 7 in Chapter 2 of the Law on Protection of the Children's Rights reads: "*individuals, private entities, and organizations are prohibited to force children to work, involve children in activities dangerous to their survival, health and moral development, exploit children, unfairly pay children for their work, force a child to beg, or use a child's name and reputation for illegal business*". Article 109 and 110 of the Labour Code has the following provisions regulating children's involvement in labour:

- Persons who have reached 16 years of age have a right to sign an employment contract.
- The central government administrative body responsible for labour matters shall approve a list of jobs prohibited for minors. Persons who have reached 15 years of age may be admitted to employment with the permission of their parents or representatives if this will not affect their health, physical growth, or moral development.
- Persons who have reached 14 years of age may be allowed to take up employment for the purpose of imparting vocational guidance and work experience with the consent and under the supervision of their parents or representatives.
- A worker under 18 years of age shall be admitted to employment after he/she has undergone a medical examination. Half-yearly medical checkups shall be compulsory until he/she reaches 18 years of age.
- Night or overtime work or work on public holidays or weekends shall be prohibited for workers less than 18 years of age.
- The employment of persons less than 18 years of age in hazardous work situations shall be prohibited.
- The employment of persons less than 18 years of age in jobs under arduous, noxious, or hot conditions or in underground work shall be prohibited.
- It is forbidden to employ women and minors in jobs connected with lifting or carrying loads whose weight exceeds the limit prescribed for this case by the central state administrative body responsible for labour issues.
- Employers violating the above mentioned provisions shall pay a fine in amount of 15,000-30,000 MNT.

367. The Employment Support Law enacted in 2002 entitles children from vulnerable families with tuition or discounts for vocational training. The Criminal Code reads: "*forcing a child to labour shall be punishable by a fine equal to 51 to 250 times the amount of the minimum salary or imprisonment for a term of up to 4 years*".

368. The National Steering Committee on Child Labour was first established in 2000 under the Ministry of Social Welfare and Labour. The current composition of the committee was renewed in May 2006. The committee consults about and supports the mainstreaming of child labour issues in relevant policies, laws, and regulations. It also monitors their implementations and provides support to the implementation of the International Programme on the Elimination of Child Labour. Mongolia has been receiving technical support from the International Labour Organization since 1999 in tackling child labour. The achievements of the second phase (2002-2005) of the ILO-IPEC country programme are described below:

- Public awareness on adverse impacts of child labour are expanded as result of training and advocacy campaigns;
- The handbook "*Child Labour: Your Responsibilities*" was developed for public services workers. Two- step trainings involving 700 government workers were conducted nationwide;
- 2,994 dropout children were provided with non-formal training and 1,593 of them were mainstreamed into regular schools; and 587 children attended vocational skills training;
- To withdraw children from the worst forms of labour, the programme provided 281 families with the opportunity to engage in ongoing income generation projects and improve their livelihood.
- An information and development room for working children was set up in, the biggest open market *Narantuul* in UB. This room allows children working in this market to rest, watch TV, read newspapers or books, get warm, and share information amongst them. Moreover, a social worker provided 250 children with psycho-social services including family counselling, referral services, and training. In this centre, 450 children were registered as of 2007. 180 of them received health care services, 28 children returned back to school, and 36 children were involved in non-formal school in three districts;
- Public awareness on child labour has increased and the commitment and capacity of government agencies, employers, and trade unions to address child labour issues has been enhanced;
- Dropout children's access to non-formal education has increased. As a result of programmes and projects directed to them, working children have demonstrated positive changes in their lives;
- With technical and financial support from the programme, the Mongolian Red Cross implemented a project for children who were working at a garbage disposal point in Bayanzurkh District of Ulaanbaatar in 2001-2002. The same project was implemented in Songinokhairkhan District of Ulaanbaatar in 2003-2005.
- The Red Cross office of Ulaanbaatar city conducted a needs assessment at the garbage disposal point. The findings showed that 130 children of ages 8-17 were working there. This percentage made up 40 percent of all people working at the disposal point.

369. A third programme of the ILO/IPEC designed to support the national sub-programme to eliminate the Worst Forms of Child Labour in 2005- 2009 targets 6,000 children involved in sectors such as informal mining, the urban informal sector, sexual exploitation, animal husbandry, service work in resorts or recreational entities, or domestic work in other households. Direct action programmes aimed at the withdrawal and prevention from Worst Forms of Child Labour have been undertaken in Ulaanbaatar city and Uvurkhangai, Tuv, Bayankhongor, Dornogovi, and Dornod provinces where child

labour is more prevalent than in other parts of the country. Their actions include educational and social services.

370. For implementing the recommendations in Article 61 of the Concluding Observations, in 2007, the National Council for Children endorsed a National Advocacy Strategy on the Elimination of the Worst Forms of Child Labour (2007-2011). The advocacy strategy aims at raising awareness among decision makers, children, parents, media, the general public, and all concerned about the issues of child labour; putting the issue of elimination of the worst forms of child labour on the public agenda; influencing policy and legislative changes and reforms; and mobilizing relevant stakeholders. The National Authority for Children and its local branches coordinate the monitoring over the strategy's implementation.

371. In 2005, the GoM, the Mongolian Trade Union, and the Mongolia Employers' Federation (MONEF) signed a tripartite call for collaborative action to eliminate child labour in mining by 2015 and have developed an action plan to achieve this objective. From 2006, with the participation of other stakeholders, MONEF started a project targeting the withdrawal of child labourers in mining through raising community awareness and vocational training in the mining sector.

372. The NAC organized a forum called "Let's Pay Attention to Child Labour in Agriculture" on June 12, 2006. The Forum released a joint appeal and action plan concerning child labour in agriculture for 2007-2009. Key ministries including the Ministry of Social Welfare and Labour, the Ministry of Agriculture, and the MOECS signed a contract on collaborative actions to improve data collection on children working in agriculture, expand education services for rural children, and protect the rights of children working in agriculture. The Prime Minister issued official instructions to implement the action plan on improving the access to educational and social services for the development and protection of children engaged in the worst forms of child labour in agriculture. Provincial governors started overseeing the implementation of the action plan.

373. ILO/IPEC, UNICEF, and Save the Children UK conducted studies on child labour situations in Mongolia. Findings revealed that children were engaged in domestic work¹⁷, herding livestock for other families¹⁸, petty trade in open markets¹⁹, begging, mining²⁰, and other forms of child labor²¹ hazardous to their health, development, safety and security.

¹⁷ 6148 children engage in domestic work in six districts of Ulaanbaatar.

¹⁸ The 2001 study with a sampling of 225 herdsman households showed that a half of children herding livestock were paid less than adults even though they performed the same amount of work

¹⁹ By the 2002 study, over 300 children were engaged in petty trade in open markets in Ulaanbaatar.

²⁰ By the 2002 study, 1871 children worked on a regular basis in mining sector. Mercury and cyanide were used in gold processing.

²¹ A number of under age girls involved in prostitution is increasing in big cities such as Ulaanbaatar, Darkhan and Erdenet..

374. Training and other capacity building activities for state labour inspectors has been one of the measures used for strengthening monitoring and enforcement mechanisms on child labour eradication. A *handbook for labour inspectors* was published and disseminated in 2006. In September 2006, a workshop involving labour and social welfare inspectors as well as representatives of employers was held to discuss what strategies should be considered for monitoring and enforcing legal provisions regulating child labour. Representatives of the State Inspection Agency who participated in the workshop acknowledged that a national policy on child labour inspection should be developed. After the workshop, the Agency appointed a state inspector on child labour.

375. Development of child protection services is essential for children working in the informal sector.

376. The Committee's concern on child jockeys has been addressed in the following measures:

- A legal act regulating activities related to horse racing has been amended. The amended act is annexed to this report.
- The National Forum of Child Jockeys was held in May 2006 for the first time. A meeting of horse trainers and representatives of horse training associations was held at the same time as the forum. The National Sports Committee, the National Olympics Committee, the Committee for Organizing Horse Racing for National Naadam²², NAC, the Human Rights Commission, and the National Association of Horse Trainers' signed a memorandum on the Protection of the Rights of Child Jockeys.
- The National Sports Committee and NAC are working on including safety and security provisions in a sub-programme on the Development of National Sports, develop standards on protective gear for child jockeys, and advocate the Supreme Court for justifications on some provisions of the Law on Sports

G. Drug abuse

377. Article 12 of the *Law on the Control on Trafficking of Drugs and Psychotropic Substances* states that a person who is addicted to narcotics shall be provided medical treatment on their own will or shall be provided a compulsory medical treatment based on a referral from health organizations. Furthermore, the law prohibits a sale of narcotic drugs to underage children. According to relevant laws, children who abuse narcotic drugs or alcoholic beverages or engaged in prostitution shall be under a constant care of parents, guardians, police, health, educational and social welfare organizations and shall be provided with a medial care and treatment.

378. Since 1999, the Association on Protection of the Population from Drugs conducts an annual surveillance study involving 1000 persons at bigger settlements. The study revealed that, in 2004, 18 persons under 18 were involved in a drug usage; this number was 20 in 2005 and increased to 23 in 2006²³. From these statistics, it is obvious that a number

²² Naadam is a national holiday when competitions on three types of national sports including horse racing, wrestling and archery take place.

²³ National Center against Substance Abuse

of drug users are increasing. 75 percent of persons under 18 who answered that they tried drugs or narcotics reported that they used marihuana, 11 percent had psychotropic substances, 9 percent- inhalants and 4 percent intravenous substance.

379. *Cannabis ruderalis* grows in northern and eastern parts of Mongolia. An amount of addicting elements in those plants is low and they are not cultivated. Plants with addictive elements were cleaned out in 100 m² field out of the 300 square meter land with drug effective plants. By an order of the Minister of Education, in 2006, the Mental Clinic Hospital was united with the National Centre against Drug Addiction and renamed as a National Mental Health Centre. Substance abused adults and adolescents are treated in this Centre

380. 11 brands of psychotropic drugs are currently registered in Mongolia. The drugs such as aminozan and galioperidol are getting out of a stock due to their side effects and low treatment results. However, new drugs replacing the out-of-stock medicines are expensive for treatments.

381. The Coordination Council on Crime Prevention, National Centre against Drug Abuse, the Capital City Police Department and Capital City Youth Department jointly developed a proposal to include the topics on consequences of drug abuse and prevention from addiction into high school curriculum. A Programme "Drug Abuse Free School" was piloted in 12 schools and 140 peer educators were prepared to run training sessions on consequences of substance abuse. "A Handbook for Peer Educators" and other training materials were published in 1200 copies and disseminated. Non-governmental organizations including the Association on Protection of Population from Drugs, the National Centre against Alcohol Addiction and Association "Awareness" undertake prevention and training activities and provide services among adolescents and the public

382. Developing a methodology on drug abuse prevention programs and training psychologists, social workers and juvenile justice inspectors is increasing.

H. Sexual abuse and exploitation

383. In order to support the implementation of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography, the Government of Mongolia approved the National Programme on the Protection from Trafficking of Children and Women with the Purpose of Sexual Exploitation by resolution 234 on November 30, 2005. The National Programme defined the following five strategies:

- Ensure nationwide implementation of the measures outlined in national and international human rights instruments against trafficking in persons, particularly women and children and sexual exploitation;
- Create and expand a network of governmental, international, regional, national, and local organizations including child-led organizations, public sector agencies, non – governmental organizations, and private entities; ensure the involvement of these stakeholders in planning, monitoring and evaluating programs and projects aimed at the elimination of child sexual exploitation;
- Guarantee every child with the access to primary education and health services; support vulnerable families with the opportunities to enhance their livelihood;
- Improve a legal system to prevent children from sexual exploitation; criminalize child sexual exploitation and treat the sexually exploited child as a victim; change

the criminal proceeding procedure so that the case of a victimized child can be processed without the consideration of the place of the crime or where the child resides; authorize the roles of civil society and the community in the protection of children against sexual exploitation;

- Protect the rights of victims of sexual exploitation and strengthen recovery and rehabilitation services for them;
- Encourage child participation in planning, monitoring, and evaluating programs and projects to prevention child sexual exploitation.

384. In 2003, ECPAT (Elimination of Child Pornography and Child Prostitution and Trafficking), the national network of about 30 governmental and non-governmental organizations, was established to raise public awareness on the sexual exploitation of children and to strengthen the national capacity for analyzing and fighting child prostitution and trafficking. This network has been a member of the ECPAT International since February 2004.

385. With the collaboration of UNICEF, the MOSWL, and the Ministry of Justice and Home Affairs undertook a project called "Protection of Children from Violence, Sexual Exploitation and Trafficking" during 2002- 2006. Within a framework of this project, non-governmental organizations developed and disseminated promotional materials against child abuse and trafficking across the country. The UN Secretary General study on the violence against children and a handbook on child protection for Parliamentarians were translated into the Mongolian language. In June 2007, UNICEF and the Ulaanbaatar City Police Department conducted trainings on the protection of children and women from sexual exploitation and trafficking in the western region provinces including Uvs, Khovd, Bayan-Olgii, Gobi- Altai, and Zavkhan. Child inspectors, officers from local police units in soums, and staff from organizations working for children attended these trainings. The National Centre on Child Rights, an NGO, publishes the newspaper *Suuder* in 2000 copies quarterly and disseminates them free of charge in order to raise public awareness on the prevention of trafficking in persons and sexual exploitation of children and women. Another NGO, the Centre for Gender Equality, developed a number of books and promotional materials on trafficking in persons including a "Handbook for Trainers," a "Child Protection Handbook for Social Workers," a "Handbook for Policemen to Work on Child Sexual Abuse Cases," and flyers called "A Victim," "What is trafficking in Persons," and "If Your Child is Sexually Abused."

386. According to official statistics, 38 girls were sexually exploited in 2001. By 2004, the number had reached 215²⁴. In 2006, the National Occupational Inspection Agency, the Ulaanbaatar City Occupational Inspection Agency, and the Police Departments of districts in Ulaanbaatar conducted inspections in 325 service entities. Inspectors revealed 31 points where underage sex workers gathered, and exposed 24 girls engaged in sex work. These girls were referred to agencies where the girls received rehabilitation services and returned to their families. 3 pimps were imposed to criminal liabilities.

387. NGOs are actively involved in activities to prevent children from child sexual exploitation and sexual abuse and provide child victims with rehabilitation and social integration services. For instance, the National Centre for Child Rights undertook a project

²⁴ UNICEF (2007) *Situation Analysis of Children and Women in Mongolia*

on counselling for girls affected by sexual abuse and exploitation and developed a book with seven chapters called "Emergency Interventions for Girls." Through this centre 61 girls were provided with health services and 25 girls received social integration services. The Human Rights and Development, an NGO, has been proactive in conducting the following activities: 1) undertaking studies on trafficking in persons; 2) providing relevant stakeholders with successive trainings on capacity building; 3) referring the victimized child to a defense counsel and giving them legal advice; 4) analysing laws and policy documents; 5) initiating amendments to relevant laws. An NGO, Equal Steps, undertook measures to prevent girls from working in open markets for sexual exploitation. Since 2004, Equal Steps prevented 116 girls from being sexually exploited and involved about 60 girls in social welfare services.

388. Factors such as domestic violence, harsh economic conditions, and poverty lead underage girls into sex work.

389. The National Programme on the Protection of Children and Women from Trafficking with the Purpose of Sexual Exploitation has identified some services which can be implemented by NGOs under a contract basis. However, any of the NGOs has not been contracted out. Since 2005, with in collaboration of UNICEF, MOSWL has implemented a Child Protection Programme. Every year, 10,000 USD were allocated to the National ECPAT Network for activities to prevent children from sexual exploitation. Under the supervision and monitoring of MOSWL, ILO/ IPEC supported projects on the preventions from child sexual exploitation have been undertaken. For this purpose, 23,000 USD were allocated in 2001-2002 and 28,000 USD in 2003-2005. A budget of 65,000 USD has been planned for 2006-2009.

390. Unfortunately, particular groups of persons interested in exploiting underage girls in sex work have emerged. These organized groups are expanding their operations. Groups keep girls under violence and sexually exploit them. The girls are exposed to a risk of being trafficked. No studies and information on victims of sexual exploitation and abuse against children have been done.

391. Rehabilitation services and protection mechanisms for victims of sexual exploitation are not adequate. Programmes and projects on the protection or rehabilitation of victims are usually one time events for a short term, covering few persons. The services are far from the demand and are not realistic. Most projects limit their activities to seminars or forums. The outlook of local administrators, police, courts, and social welfare agencies on prevention measures from sexual exploitations, rehabilitation services, and crisis interventions for victims has not been changed.

I. Child sale, trafficking, and abduction (art. 35)

392. The factors for strengthening the implementation of recommendations noted in Article 65 of the Concluding Observations have been augmented by external and internal features including the ever increasing interest among young people to study, works or marry a foreign citizen. In addition, the tourism business is expanding its scope.

393. Central and local government organizations including MOSWL, MOJHA, MOSWL, and MOECS and their implementing agencies, governors and governor's offices

at all levels are in charge of developing and undertaking comprehensive national policy to prevent and combat sexual exploitation and trafficking of children, including the root causes and factors that place children at risk of such exploitation.

394. The departure and arrival cards to cross the Mongolian border have added an enquiry on any accompanying children. A passenger with an accompanying child should report a family and given names and the state registration number of the child. This information kept in a united database allows monitoring whether the child returned back to the country.

395. The websites www.stoptrafficking.mn, www.ecpat.mn, www.stopchildabuse.mn, and www.naiznet.mn were designed to introduce the laws, policies, and programs on protecting children and women from sexual exploitation and trafficking to the public. ECPAT Network and other organizations exchange their information through these websites. Organizations united in ECPAT Network run different programs including: 1) health education programs focused on reproductive health and HIV/AIDS preventions; 2) non-formal or vocational training; 3) psychological or legal counselling; 4) public awareness campaigns; and 5) capacity building of stakeholders. Constant efforts to involve media professionals in capacity building training give concrete results in protecting the rights of victims through reliable and valid information, preventing children from sexual exploitation and trafficking, improving understanding on the issues of trafficking among families and communities, and ensure that perpetrators are prosecuted.

396. The studies including “*Combating Human Trafficking in Mongolia: Issues and Opportunities*” and “*Attitudes and Behaviors of Girls and Women engaged in Sex Work at Service Entities or Border Points*” were conducted by NGOs.

397. In 2006, the following cases with the nature of sale, trafficking, and abduction (art. 35) were identified:

- 3 cases involving 7 victims of trafficking in persons for sexual exploitation were inquired. One of them was dismissed. The other two went through a court trial. Victims were adolescents from 15-17 old years.
- One case of the sale of a 17 year old girl for marriage in Korea was registered. This case was annulled for the reason that there was no proof that the girl was trafficked and officially married a Korean man.
- One case of the suspicion that a 13 year old girl was sold under adoption was initiated. The girl was adopted by a Chinese citizen. The case was annulled because proof on the sale was not available.

J. Other forms of violence

398. Situations of domestic and school violence are described in previous chapters.

K. Minority children

399. The rights and living situations of minority children are provided in relevant chapters of this report.

L. Street children

400. According to the recommendations of the committee in its Concluding Observations in regard to the Law on Temporary Detention of Children without Supervision, adopted in July 1994, a working group to replace this law with additional provisions in the Law on Protection of Children's Rights and Family Code was set up with joint efforts of MOSWL and MOJHA. These reforms in child protection legalizations will be focused on preventing of children from running away from their families, increased parents' roles and responsibilities, support for families in raising their children, reintegration of street children with their families, and mandatory training on parenting skills for family members of runaway children.

401. To prevent children from living on the streets and reintegrate unsupervised children to their families, the campaigns "Mongolian Children with Their Parents" and "the Meaning of Being a Human" have been organized nationwide. These campaigns were commenced in Ulaanbaatar and four regional centres. About 3,000 people including unsupervised children, parents, families, and representatives of communities attended the commencement events. The commencement held in Bayan-Olgii facilitated the dissemination of the child development approaches and family values to respect family heritage and morals of the Kazakh nation to the general public. Documentary movies, handbooks, flyers, brochures, TV programs, and TV and radio talk shows facilitated the reduction of stereotypes against street children. By the orders of the Minister of Social Welfare and Labour and the Minister of Justice and Home Affairs, local branches to coordinate these campaigns have been established. Moreover, a database of unsupervised children has been created. Services for unsupervised children including reintegrating them with their families, alternative education programs, and crime prevention training have been provided.

402. Ulaanbaatar city's Children's Address Identification Centre was renamed as the Social Welfare Services Centre. The centre provides care and protection to unsupervised and lost children until their address is identified and are returned back to their families. Within a framework of the campaign, "Mongolian Children with Their Families," this centre has spent 98.5 million MNT for social services to children.

403. In 2006, the National Centre for Children's Rights conducted a study on unsupervised children involving 1,817 children who were living in child care institutions. The findings of the study revealed that 45 percent of children answered that they chose to run away from their homes, 34 percent responded that they left their homes due to violence and neglect, and 21 percent said that they had other reasons to leave their families. The Capital City Police Department reported that 282 children lived on the streets most of the time, although they sometimes stayed in care institutions.

M. Optional protocols

404. The GoM is delighted to inform that the first reports on the implementations of the optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography and the Convention on the Rights of the Child on the involvement of children in armed conflict have been prepared and submitted with this report to the CRC Committee.

Executive Summary

Many positive changes in child wellbeing and life have been observed during this reporting period as a result of significant commitments and efforts by the Government of Mongolia in addressing the suggestions and concerns of the committee stated in the Concluding observations of Mongolia's Second Report and ensuring implementations of the CRC.

Based on the findings of this report, the GoM is dedicated to continue to keep the current level of accomplishments in the implementations of the CRC and put forth more efforts to tackle the following challenges:

- More intensive performances of the National Council for Children and its Secretariat and the National Authority for Children for enabling and protecting child rights should be secured. In particular, making the CRC and other policy documents related to children widely available to the public at large and monitoring, evaluating, and reporting processes have not been sufficient.
- Although quite a large number of policies and legal acts on child rights have been introduced, they remain as promotional documents and their enforcement is not exercised well in relevant agencies. There have been cases when children's rights are violated because not all government offices at different levels, particularly, not all governors adequately fulfill their mandate and role with regard to the promotion and protection of children's rights. The public and parents lack the initiatives and the knowledge on how to pressure government officers who are in charge of protection of children's rights to increase their accountability.
- Many issues of child protection which are not addressed currently in policy and practice should be tackled immediately. Systems on prevention services for protecting children from falling into vulnerable and risk situations, short and long term interventions for rehabilitating abused and neglected children, providing them alternative care services, and contracting some services to professional or civil society organizations are lacking. Roles of communities and families in child protection should be improved.
- An incorporated information system on child development and protection is not available. An integrated database on situations of children and implementations of child rights should be developed at national and local levels. The introduction of standardized formats for collecting and compiling national level data is essential.
- The development or enhancement of positive approaches on child protection with the consideration of cultural norms on child development and protection is important. The social psychology should be alternated so that the public at large listens to children's voices, and respect children's rights and participation.
- While improving the access to education, a quality management system on human development for preparing citizens capable to compete on the international level should be introduced. Child development is closely linked to health services for children. Enhancement of preventive health services and the free provision of medicine for children of 0-5 years of age should be addressed.

Annex 1 Regulation for Horse Races of National Grand Naadam

(Translation of selected Articles)

- The horse trainer or the owner will be in charge of ensuring that a child jockey has undertaken medical examination before the race;
- The horse trainer is in charge of ensuring that the child jockey has a full set of documents required such as health insurance and accident insurance books;
- The horse trainer will be in charge of ensuring that health services are provided to a jockey if he/she has fallen from horse and report about these cases to the health and human rights bodies;
- Monitoring group will be established for each race in order to prevent falls and injuries among jockeys and the possible fraud of replacing horses;
- Jockeys winning first 5 places of the race shall be congratulated by a praising song and not less than 20 percent of the prize shall be given to the jockey;

Chairperson of the organizing committee of the Naadam shall be responsible for reporting on the number of children participated in races, number of jockeys received medical attention or treatment and issues to be paid attention for the next Grand Naadam

Annex 2.

LAW ON THE PROTECTION OF THE RIGHTS OF THE CHILD

(The amendments made by the law on the 22nd of May 2003 and 27th of January 2005 have been incorporated in this law.)

May 5, 1996

Ulaanbaatar

CHAPTER ONE

GENERAL PROVISIONS

Article 1. Purpose of the law

The purpose of this law is to regulate the relations with regard to the protection of the rights of the child.

Article 2. Legislation on the protection of the rights of the child

1. The legislation on the protection of the rights of the child shall consist of the Constitution of Mongolia, Civil Code, this Law and other legislative acts and regulations enacted in conformity with them.
2. If the provisions of any international treaties, to which Mongolia is a party, differ from those in this law, the former shall prevail.

Article 3. Scope of the Law

1. This law shall apply to protect the rights of the child from birth until 18 years of age.

2.This law shall also apply to the children of foreign people and stateless residing within Mongolia.

Article 4. Main principles of protecting the rights of the child

The following main principles shall be followed in the protection of the rights of the child:

- 1) Respect and ensure the rights of each child, his/her parents, carer and legal guardians without discrimination on the basis of their race, language, colour, age, sex, social origin, status, place of birth, property, job, position, religion, opinion, education and health condition;
- 2) The state, individuals, private entities and organizations recognize to ensure the best interest of the child in their all actions;
- 3) Parents, carer and legal guardians are equally responsible for ensuring physical, mental and moral development and education of the child;
- 4) Ensuring a child's right to survival, development protection and participation to social life is a duty of both state and family;
- 5) A child's rights to seek and receive information, to freedom of association and religion, to reside abroad and return to home country should not contradict with the State security of Mongolia, other's rights, freedom and health, public order and national ethics.

CHAPTER TWO

RIGHTS AND DUTIES OF THE CHILD

Article 5. Right of the Child to Survival

- 1.A child has a right to a name at birth and a right to acquire a Mongolian nationality. Acquiring foreign nationality or registering foreign or stateless people's child as a Mongolian shall be regulated in accordance with applicable law and procedures.
- 2.A child has a right to grow up healthy, to live in save environment and be free from abuse. It shall be strictly prohibited to intentionally limit child's food, cloths, housing and essential items, and to provide a child with inappropriate and unsafe food.
- 3.A child has a right to live with his or her parents and to be under parents' care, right to maintain personal relations and direct contact with both parents on regular basis if a child is separated from one or both parents, and a right to express his/her opinion about living with one of the parents in case of parents' divorce or separation.
- 4.A child has a right to receive health service, benefits, care and solicitude from the State. A child must be medically checked and tested, vaccinated and covered in Health Insurance. The relations about the implementation of this provision shall be regulated by applicable laws and procedures.
- 5.A child has a right to migrate, refuge or reside in abroad with his or her parents or legal guardians, to return to home country. The residence of the child may be changed without permission of the child and his or her parents, carer or legal guardians only under legal justification.

Article 6. Right of the Child to Development

1. A child has a right to free secondary education.
2. A child has a right to inherit mother language, literacy, tradition, history and culture.
3. A child has a right to receive supports from the State for his or her physical, mental, spiritual, moral and social development.
4. A child has a right to practice or not practice religion. Upon request of parents, carer or legal guardians a child may be taught an education about religion. It shall be prohibited to force a child to religious teaching, to involve to religious practice through misleading or deceiving the child, and to pressure a child to stay religious schools and churches or temples.
5. A child has a right to thoughts and to seek and receive information. A child is prohibited to participate in or advertise actions against the state security, terrorism and other crimes, pornography and abuse. Without child's or his or her parents', carer's or legal guardian's permission it shall be prohibited to use a child for advertisement.
6. A child has a right to freely communicate with environment and community. It shall be prohibited to separate or limit a child from others.

Article 7. Right of the Child to Protection

1. A child should not be illegally separated from family and parents. A child may be separated from his or her parents only when competent authorities subject to judicial review determine in accordance with applicable law and procedure and is necessary for the best interests of the child. In that condition a child shall be under the State care.
2. A child has a right to stop legal relationship with parents, carer and legal guardians, who violated his or her rights, in accordance with applicable law and procedure, and restore his/her relationship when condition is improved.
3. A child has a right to protection from interference with his or her dignity, health, privacy, correspondence, family and home.
4. It shall be prohibited to involve a child to crime, violation, abuse, gambling games, pornography, any kinds of critics among adults, use of alcoholic drinks, cigarettes, drugs and harmful substances; to abuse physically and mentally, distort, neglect, kidnap, abduct and sale; to traffic, exploit, slave, force a child to stay in a same condition as a slave; to intentionally change, leave and lose; to torture, use in terrorist action and secret service; to force into early marriage; to illegally adopt, detain and leave for or take from abroad.
5. The governmental and non governmental organizations and authorities should respect and protect dignity of the juveniles in the prison, and support them to study, develop their capacity, and engage a work in accordance with applicable law and procedures. It shall be strictly prohibited to detain a child with adults. The Government member in charge of the justice and legislation shall approve procedures relevant with detaining and arresting a child and policy for the juvenile prison.
6. Individuals, private entities and organizations are prohibited to force children to work, to involve children to an action dangerous for their health, moral and life, to use children for exploitation, to unfairly calculate remuneration for children, to force a child to beg, and to use child's name and reputation for illegal business.

Article 8. Right of the Child to Participate in the Social Life

1. A child has a right to participate in the games, cultural activities, sports and travel that are suitable for his or her age, physical and mental development and health; and to rest. The State shall provide with supports and encouragement for children, meet requirements to participate and/or made success in the international, regional, or world competition and contests. It shall be prohibited to involve a child in the games and competitions for business interest and/or dangerous for his or her health and life.
2. A child has a right to freedom of association, peaceful assembly and to express his or her thoughts and opinions freely.
3. A child has a right to evaluate and freely express his or her thoughts about education, health, care, nursing and other services for him or her.
4. A child has a copy right for own spiritual work in accordance with applicable law and procedures.
5. A child has a right to possession and inheritance of property in accordance with justification prescribed in the law.

Article 9. The duties of the child

A child has the following basic duties:

1. to adore, respect and assist his or her parents and other people;
2. to love and protect motherland and environment;
3. to possess basic education;
4. to respect and abide the legislation, and to respect and inherit traditions and culture;
5. to protect his or her health;
6. to develop own talents and skills.

CHAPTER THREE

The State and Individuals Participation to the Protection of the Rights of the Child

Article 10. The State power for protection of the rights of the child

The Government shall have the following powers for protection of the rights of the child:

- 1) to develop state policy on the protection of the rights of the child;
- 2) to ensure the implementation of laws and regulations on the protection of the rights of the child;
- 3) to take actions to develop, adopt and implement a national programme and action plan on the child development and protection of the rights of the child;
- 4) to support and assist training, leisure, mass media, care, nursing and detention centers for children with jurisdiction to develop and protect children.

Article 11. The Citizens' Representative Khural's and Governor's power about protection of the rights of the child

1. The aimag, city, soum and district Citizens' Representative Khurals shall have the following powers for protection of the rights of the child within their respective territory:
 - 1) to define main direction of the activities on the protection of the rights of the child, and to monitor the implementation;
 - 2) to take actions to support and implement initiatives of the individuals, private entities and organizations for the development of the children and protection of their rights;
 - 3) to monitor the Government activities on the implementation of the state policy and laws and regulations for the protection of the rights of the child;
 - 4) other powers prescribed in the legislation.

2. The aimag, city, soum and district Governors shall have the following powers for protection of the rights of the child within their respective territory:
 - 1) to take actions to ensure the implementation of the laws and regulations on the protection of the rights of the child, and to support relevant initiatives;
 - 2) to develop and implement an action plan on the development of the children and protection of the rights of the child, and to report to public;
 - 3) to make decision on the establishment, closure and change of the training, cultural and leisure, mass media, care, nursing and detention centres for child development and protection, and to monitor their activities;
 - 4) to encourage the operation of the vocational training and development institutions for children, and to monitor their activities;
 - 5) to identify children living in the emergency and especially difficult circumstances, and take actions to protect their rights;
 - 6) to take a child under the State care on the basis of the court decision and request by the relevant organisation, authority or individual;
 - 7) to involve parents, carers, legal guardians, schools, police and other organizations, private entities and individuals to prevent the children, who are not under the care of parents, carer or legal guardians due to being lost, left home or other reasons, from crime and accident ;
 - 8) to take actions to create an environment for children to develop their talent and skills and to spend their free time efficiently; to monitor utilization of the buildings and facilities for children and make it used as required;
 - 9) to encourage individuals' private entities' and organizations' initiatives on the protection of the rights of the child and support child participation; to coordinate activities of the Counsel for Children;
 - 10) to develop and collect data on the children in the especially difficult circumstances in accordance with guidelines approved by the National Statistical Agency, and to submit to the state central authority in charge of social protection;
 - 11) to support activities of the social workers, who are in charge of counseling and assisting the children, their parents families, carers and legal guardians;
 - 12) other powers prescribed in the laws and regulations.

3. The bagh and khoroo Governors shall have the following powers for protection of the rights of the child:
 - 1) to monitor activities of the families, parents, carers and legal guardians on the implementation of the legislation on the protection of the rights of the child, and to review their requests, make decision and forward their requests to relevant institutions or authorities to have the requests solved;

- 2) to conduct a survey on the children within the administrative unit, to give relevant information to higher level Governors and relevant organisations, and to organize activities to support children in the especially difficult circumstances;
- 3) other powers prescribed in the law and regulations.

Article 12. Duties of the parents, carers and legal guardians

1. Parents, carers and legal guardians shall have the following duties:

- 1) to create healthy and save environment for a child to live and protect his or her health, provide him or her with adequate nutritious food, housing, clothes, toys and other required items;
- 2) to help a child to know his origin and relatives, and possess mother language, literacy, tradition, history and culture;
- 3) to develop a child to adore and respect own country, parents, siblings, relatives and other people, and to teach him or her fairness and tolerance.
- 4) to prevent and protect a child from alcohol, drugs, pornography, abuse, crime, offence and neglect.
- 5) to create a condition for a child to possess an education, and to prevent a child to engage a work dangerous for his or her health, life or moral;
- 6) to get support from and cooperate with school, community and children's and other organizations to develop child's talent and grow the child up;
- 7) to protect a child's dignity, health and privacy, to involve the child to health and other insurance and health check-ups;
- 8) to respect child's views, and to create him or her an opportunity to express his or her thoughts and opinions;
- 9) to support the child implement his or here basic duties;
- 10) to solve crimes and violations by children in accordance with applicable laws and procedures
- 11) other duties prescribed in the laws and regulations.

2. Divorce and separation of the parents shall not be a reason for them to be released from the duties prescribed in the paragraph 1 of this article.

Article 13. Duties of the individuals, private entities, and organisations

1. The individuals, private entities, and organisations shall have the following duties to protect the rights of the child:

- 1) to provide with supports to children, parents, carers, legal guardians, organisations and authorities for the protection of the rights of the child;
- 2) to show practice good for child's moral, spirit and mental; to take care for child development and grow up; and take relevant actions;
- 3) to provide children in especially difficult circumstances with all kinds or supports including physical and non physical assistance;
- 4) to report about violation of law on the protection of the rights of the child, and to request relevant organisations to take actions to stop violations;
- 5) to support and assist children's organisation, palace, camp, library, theatre, mass media, cultural and leisure centres and care centres;

- 6) not to engage a industry, trade and services that may cause negatively to child's development, to distribute information damaging child morally and developmentally, and other activities such as advertising pornography;
- 7) other duties prescribed in the laws and regulations.

CHAPTER FOUR

Social care and welfare for child

Article 14. Involving a child to social welfare activities

1. Social welfare benefits, supports and grants for child and a process to involve a child to social insurance shall be regulated by the Mongolian laws and regulations.
2. Non governmental organizations, private entities and individuals shall take a permission from state administrative authority to conduct the social welfare and care services for children
3. The Government member in charge of social welfare issues shall approve a procedure on transferring a child to care centre or orphanage and a model rule of orphanage.
4. An institution, private entities and individuals that provide social care and welfare services for children shall have the following duties:
 - 1) to create a save environment free from violence suitable the age and physical and mental development of the children and meeting all sanitary and hygiene standards and requirements;
 - 2) to protect children's health, and to involve children to health check ups, tests, vaccination and health insurance;
 - 3) to provide children with save and nutritious food, clothes and items that meet child development and hygiene;
 - 4) to cooperate with relevant entities, institutions and individuals to create a condition and possibility for children to develop and educate;
 - 5) to prevent and protect children form crimes and offences;
 - 6) to protect children, to respect children's view and non-discriminate;
 - 7) to submit a report on the social welfare and care services for children and information about child movement to respective aimag or city Governor;
 - 8) to ensure that child is not illegally transferred to care of others.

Article 15. Social welfare and care for children in the emergency and in the especially difficult circumstances

1. Children, who are in the place effected by natural disaster, epidemic disease, sudden accident and armed conflict, are considered as the children in the emergency. The Government shall decide emergency responses for children in that condition when required.
2. Children, who are full orphan or with disabilities, in the street, or suffer from mental and physical damages due to physical, mental and sexual abuse, doing a work dangerous for their health and life, are considered as children in the especially difficult circumstances. The following care, release and benefits are provided to children in the especially difficult circumstances if it is not prescribed otherwise in the law:
 - 1) to assist in possessing education and vocational education;

- 2) to provide with health rehabilitation services, and to provide their special needs free of charge;
 - 3) to provide families that adopted children in especially difficult circumstance with supports from State;
 - 4) to transfer children to care centres and to involve to care services;
 - 5) to support and assist families that voluntarily cares after children in especially difficult circumstances;
3. Local state administrative organs shall provide an orphan child, who lived in the orphanage and have no property, with housing.
4. Police, health, education, social welfare organizations, non-governmental organizations, parents, career and legal guardians shall regularly pay attention on the children who have an habit to use alcoholic drinks and drugs and that are involved in the prostitution.
5. All costs to shelters, care centres and institutions to take care for street children, children with no residential addresses, children who are impossible to stay or study at home, children whose rights are violated and children with conflict with law shall be provided from State. The above organisations may be funded by donations and supports by private entities, other organisations and individuals. Only qualified and specialized persons shall work in the institutions including detention centers, care centres and shelters for children, and all rooms shall meet health and hygiene standards.

CHAPTER FIVE

An Organisation for the Protection of the Rights of the Child and its Jurisdiction

Article 16. The jurisdiction of the central organisation for the implementation of the State direction to protect the rights of the child

1. The Government member in charge of children and youth issues shall implement and monitor the State policy for children.
2. A National Authority for Children shall be established under the Government member in charge of children and youth issues.
3. The National Authority for Children shall have the following jurisdiction:
 - 1) to conduct activities on the implementation of the state policy and law on the protection of the rights of the child;
 - 2) to monitor operations, provide with advises and methodology for the relevant organisations that work for the development and protection of children;
 - 3) to improve knowledge and capacity of staff in charge of children, and organise activities to improve their skills;
 - 4) to cooperate with non-governmental organisations for the development and protection of the children;
 - 5) to monitor implementation of the national programme on the child development and protection, and provide with recommendations;
 - 6) to collect information about and conduct survey on the child rights situation, to create a database and an integrated network;
 - 7) other duties that prescribed in the law.
4. The Government shall approve rules of the National Authority for Children.

Article 17. Local organisation for the protection of the rights of the child

1. Governors shall be in charge of the protection of the rights of the child within the respective territory.
2. An organisation for children shall be established under aimag and city Governor;
3. An organisation for children under aimag and city Governor shall have the following jurisdiction:
 - 1) to organise activities to implement state policies on the protection of the rights of the child at local level;
 - 2) to monitor activities of the local organisations for the development and protection of the children;
 - 3) to organise activities to protect, rehabilitate and involve children, whose rights are violated, to social care services;
 - 4) to organise activities to promote rights of the child with cooperation of other organisation on the basis of family and community supports;
 - 5) other duties prescribed in the law.

Article 18. The National Counsel for Children

1. The national Counsel for Children shall be established with jurisdiction to develop the state policy on the development and protection of the children, to mobilize social resources for its implementation, and to coordinate activities to involve community, other organisations, private entities and individuals.
2. The Prime Minister of Mongolia shall lead the National Counsel for Children, and the composition of the counsel shall consist of representatives from governmental, public and religious organisations, private entities, political, social and cultural leaders and individuals.
3. Administrative supports for the National Counsel for Children shall be performed by the National Authority for Children.
4. Structure of the counsel shall be approved by the Prime Minister and rule of the counsel shall be approved by the counsel itself.

Article 19. Jurisdiction of the National Counsel for Children

The National Counsel for Children shall have the following duties:

- 1) to advise the Government and the relevant organisations about the implementation of the legislation of the protection of the rights of the child, and to coordinate and monitor implementation of the national programme on the child development and protection;
- 2) to review reports by relevant organisations and authorities on the protection of the rights of the child; and to submit recommendations and comments on the further actions to Government, other relevant organisations and authorities;
- 3) to involve individuals, private entities and organisations in the solving the issues relevant with protection of the rights of the child; and to support their initiatives;
- 4) to establish a foundation for children, to approve its budget, income and expenditure, to monitor its operation, and to report and inform public;

- 5) to send its opinions and requests to award the children, individuals, private entities and organisations that made great effort for the protection of the rights of the child and good will to relevant organisations;
- 6) to cooperate with other organisations, their governmental and non-governmental organisations and international organisation for the development and protection of the children;
- 7) other duties prescribed in the law.

Article 20. Local Counsel for Children

1. A local counsel for children shall be established under aimag, city, soum and district Governor.
2. Relevant Governor shall approve a structure of the local counsel for children.
3. Administrative supports for the local counsel for children shall be performed by the organisation for children under Governor.
4. The local counsel for children shall approve its rules.

Article 21. Public organisation for child development and protection

1. Children may establish a cooperation, team or association to develop and protect children through voluntarily assembling. Education and other organisations should support and help children's voluntary organisation and provide with methodological management.
2. Adults may establish a non-governmental organisation to develop and protect children.

Article 22. Foundation for Children

A Foundation for Children shall be established under the National Counsel for Children in order to develop and protect children. The Government approves the rule of the Foundation for Children.

CHAPTER SIX

MISCELLANEOUS

Article 23 Monitoring the implementation of the legislation on the protection of the rights of the child

1. The Government, Governors at all levels, other organisations and authorities possessing power under relevant laws shall monitor the implementation of the legislation on the protection of the rights of the child in accordance with their jurisdiction. Non-governmental organisations for children and their development and protection, and its staff make public monitoring on the implementation of the legislation on the protection of the rights of the child.

Article 24 Submission of a petition or a complaint to restore the violated rights of the child

If a child thinks his or her rights are violated, a child or through his or her parents, carers, legal guardians, individuals or other organisation may submit a petition or a complain in accordance with prescribed in the law.

1. If parents, carers, legal guardians, social workers or other individuals think that child rights are violated, they may submit a petition or a complain in accordance with prescribed in the law.
2. On behalf of the child, whose rights are violated, a children's organisation and personnel in charge of child issue in the soums and khoroos may require parents, carers, legal guardians of the child and other relevant authorities, individuals and entities, and submit a petition to respective Governor and governmental organisation if it is necessary.

Article 25. Liabilities for offenders of the legislation on the protection of the rights of the child

Offenders of the Law on the Protection of the Rights of the Child, if it is not a criminal case shall be a subject to the following liabilities in accordance with the decision of the soum and district Governors:

- 1) An individual or officer offended a physical and/or mental abuse, pressure and force against a child shall be a subject to a fine of 40 000 – 50 000 tugrugs or detention up to 30 days;
- 2) An individual or officer, who intentionally limited foods, clothes, housing for children, or who intentionally gave in-adequate and in-secure food for children, shall be a subject to a fine of 35 000 – 50 000 tugrugs;
- 3) An individual or officer, who intentionally have not involved the children to vaccination and health insurance, shall be a subject to a fine of 15 000 – 20 000 tugrugs;
- 4) An individual, who refused to pay fee for his or her child, shall be a subject to pay all due fees and to a fine of up to 50 000 tugrugs or up to 30 days of imprisonment;
- 5) An individual forced the child to beg or offered a job that cause negatively to child's health shall be a subject to a fine of 10 000 – 20 000 tugrugs;
- 6) An individual and an officer, who used a child in the advertisement without child's and his or her parents' permission, used child's reputation or name for illegal interests or incomes, involved the child to the games or competitions that are dangerous for child's health and life, shall be a subject to confiscation of all relevant incomes and a fine of 30 000 – 60 000 tugrugs.
- 7) An individual and organisations that involved children to religious practices by cheating or deceiving them and/or forced a child to stay in the temple or church shall be a subject to 20 000 – 30 000 tugrugs or 50 000 – 200 000 tugrugs respectively.
- 8) An individual who left or lost his or her own child or adopted child shall be a subject to a fine of up to 50 000 tugrugs or up to 30 days imprisonment.

Article 26. Enforcement of this law

This law shall come into effect on the 1st of June 1996.

SPEAKER OF THE PARLIAMENT
OF MONGOLIA

N. BAGABANDI

1.

Action Framework for a Second Stage (2005-2007) of the National Programme of Action for the Development and Protection of Children

Planned action	Duration	Implementing Organization	Financing	
			Internal: mln. Tg	External: (\$1.000)
Part 1. Judicial reforms fit for children				
Objective 1. Amend legislation and policy provisions on protection of the rights of the child in conformity with the principle of "Children First"				
1. Based on the principles of the international conventions and treaties including United Nations Convention on the Rights of the Child, International Labour Organization Convention (ILO) No.138 on the Minimum Age of Employment and ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, conduct an assessment study on a legal environment.	2006-2007	National Authority for Children (NAC), Ministry of Justice and Interior Affairs (MoJIA), Ministry of Foreign Affairs (MoFA) Ministry of Social Welfare and Labor (MoSWL), National Human Rights Commission (NHRC), Non-governmental organization (NGO)	15.0	20.0
2. Draft a proposal of laws such as "Law on Establishing a Fund for Children and Its Allocation and Monitoring", "Law of Legal Status of Child-led Organizations" and "Law on Preschool Education"	2006-2007	NAC, Ministry of Science, Education and Culture (MoSEC), MoJIA	25.0	10.0
3. In order to enrich the legal provisions with integration of the concepts on child rights, review the following laws for	2005-2007	MoSWL, MoSEC, MoJIA, NHRC,	100.0	80.0

Mongolia's CRC Report

amending: <i>Labour Code, Package Law on Education, Social Welfare Law, Law on the National Human Rights Commission of Mongolia, Family Law, Law of the Temporary Detention of Unsupervised Children, Civil Registration Law, Law on Administrative and Territorial Divisions and Their Administration, Criminal Code, and Law of Criminal Procedures</i> ; run advocacy activities directed to policy makers to encourage them to support the proposed amendments.		NAC, General Policy Department (GPD)		
4. Develop standardized regulations for organizations providing services for children including International Children's Center <i>Nairamdal</i> , Care Center for Orphaned Children, Pre-trial Detention Center for Juveniles and Detention Center for Children in Conflict with the Law.	2006-2007	Deputy Prime Minister's Office (DPMO), MoJIA, NAC	1.0	30.0
5. Start a preparation for setting up a juvenile court; organize regional training for inspectors, investigators, judges, prosecutors, attorneys and social workers on integrating the child rights concepts into their work with juveniles.	2006-2007	MoJIA, GPD, State Prosecutors Office, Mongolian Attorneys Association (MAA), NAC, Supreme Court	10.0	50.0
6. Develop a list of games, which cause negative impacts to health and life of the child and prohibit business entities to serve under-aged persons with the listed games; design the enforcement and monitoring mechanisms to support the provisions of this regulation.	2006-2007	MoSWL, Ministry of Health (MoH), MoSEC, NAC, Aimag and Ulaanbaatar Municipality Governors	2.0	5.0
7. Assess the situations for establishing a Juvenile Justice Committee in soum and district levels and legalize this provision.	2006-2007	MoJIA, NAC, Aimag and Ulaanbaatar Municipality Governors	2.0	10.0
8. Develop the policy regulations on supporting children's participation, talents, skills and abilities and protecting their	2006-2007	Intelligential Property Bureau	3.0	10.0

Mongolia's CRC Report

author's rights to their creations and works		(IPB), NAC, Aimag and Ulaanbaatar Municipality Governors		
9. With a consideration of national characteristics, review other international conventions and treaties in which provisions on child rights are included; and ratify them if the State deems such action is needed.	2006-2007	MoFA, MoJIA, NAC	5.0	30.0
10. Develop and implement a national strategy on preventing children from discrimination	2006-2007	MoSWL, NAC, NHRC	2.0	50.0
Objective 2. Supervise the implementation of child rights provisions				
11. National Committee for Children (NCC) will call an open meeting on implementation of CRC every year; inform the public about a report " Situations of Mongolian Children" on an annual basis.	2006-2007	NAC, NHRC, Aimag and Ulaanbaatar Municipality Governors	5.0	10.0
12. Strengthen a national system on implementation of children's rights; identify job descriptions of positions such as Children's Envoy, Children's Ombudsman or Child Rights Worker; make a decision on what entity supervises and monitors them; and develop legal provisions and organizational mechanisms for executing these positions.	2006-2007	NAC, MoSEC, NHRC, Aimag and Ulaanbaatar Municipality Governors	10.0	30.0
13. Conduct a performance appraisal with all level governors on their full duties and liabilities for implementing CRC; submit their performance report for a discussion in a Citizens' Representative Hural	2006-2007	NAC, NGOs, Aimag and Ulaanbaatar Municipality Governors	6.0	5.0
14. With a broad involvement and consultations from civil society and community organizations, develop a monitoring system on implementation of international human rights conventions and treaties, which Mongolia ratified.	2006-2007	NAC, MoFA, NHRC, Aimag and Ulaanbaatar Municipality Governors,	8.0	10.0
15. Conduct regional training on implementation of strategic plans of government organizations responsible for	2006-2007	NAC, National Statistics Office	20.0	40.0

Mongolia's CRC Report

ensuring children's rights; set up an information and research database on situations of children.		(NSO), Regional Councils, Aimag and Ulaanbaatar Municipality Governors		
16. Improve the performance and conditions of pre-trial detention center and juvenile detention center in conformity with the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and United Nations Rules for the Protection of Juveniles Deprived of Their Liberty, and the Vienna Guidelines for Action on Children I the Criminal Justice System; increase a control provided by the State and civil society for accomplishing these standards.	2006-2007	NAC, SPO, NHRC, Aimag and Ulaanbaatar Municipality Governors, NGO	20.0	20.0
17. Take measures for expanding opportunities for children to submit their complaints to the National Human Rights Commission of Mongolia; and improve the follow-up actions regarding a submitted complaint.	2006-2007	NHRC, NAC, Aimag and Ulaanbaatar Municipality Governors	5.0	10.0
18. Develop indicators of community monitoring on implementation of CRC; and provide a State support to set up a child friendly environment through a variety of activities to recognize families, neighborhoods, communities, and entities that have not violated the rights of the child.	2006-2007	NCC, NAC, Aimag and Ulaanbaatar Municipality Governors, NGO, Child-led Organizations (CLO)	5.0	5.0
19. Analyze the State and local budget expenditure whether the adequate amount of financing is allocated to services and activities for children.	2006-2007	NAC, Ministry of Finance (MoF), NGO	2.0	15.0
Total amount of Part One			246.0	440.0
Part 2. Healthy and safe environment for children				
Objective 3. Build an appropriate system and structure to protect and support the health of children and adolescents				
20. Conduct a needs assessment survey aimed to identify	2005-2007	MoH, University of	20.0	20.0

Mongolia's CRC Report

the number and work locations of medical personnel specialized in children and adolescents' health; and prepare and retrain pediatricians step-by-step.		Health and Science, MoSEC		
21. Take measures to improve livelihoods of and social support for pediatricians and child health care workers for ensuring their employment stability.	2006-2007	MoH, MoF, Aimag and Ulaanbaatar Municipality Governors	50.0	10.0
22. Complete a first phase of preparation for granting a citizen's certificate and social security number for every newborn child immediately after birth; and improve a cooperation of civil registration and health organizations.	2006-2007	MoH, MoSWL, MoJIA, Aimag and Ulaanbaatar Municipality Governors	10.0	20.0
Objective 4. Provide children and adolescents with child friendly health services and assistance				
23. Refine health services and assistance for children in conformity with the Millennium Development Goals; continue to undertake the programmes for reducing infant and under five mortality including "Integrated Management of Childhood Illnesses" and "Fetal and Infant Assistant and Services"	2005-2007	MoH, Aimag and Ulaanbaatar Municipality Governors	100.0	200.0
24. Supply soums and baghs with the immunization and cold chain materials; cover all newborn infants with B hepatitis vaccination within 24 hours of their birth; start to use the new system of immunization which consists of five types of antigens including diphtheria-whooping cough-tetanus-Hepatitis B.	2005-2007	MoH, Aimag and Ulaanbaatar Municipality Governors	500.0	200.0
25. Develop and execute the standards on health services for children and adolescents.	2006-2007	MoH, Aimag and Ulaanbaatar Municipality Governors	150.0	50.0
26. Increase the training opportunities for parents and legal guardians of disabled children to learn rehabilitation	2006-2007	MoH, MoSWL, Aimag and	100.0	60.0

Mongolia's CRC Report

treatment methods.		Ulaanbaatar Municipality Governors		
--------------------	--	--	--	--

Mongolia's CRC Report

27. Take special measures designed for providing health services for vulnerable children including vaccination, prevention and remedial treatment.	2005-2007	MoH, Aimag and Ulaanbaatar Municipality Governors	200.0	600.0
28. Train the public on healthy consumption of medical goods; train the public to alter their shot-dependant mindset and teach people to refuse unnecessary injections; establish Revolving Drug Funds in soums; make measures to supply these funds with 13 types of the medicines for treating childhood illnesses.	2006-2007	MoH, Aimag and Ulaanbaatar Municipality Governors	100.0	50.0
Objective 5. Provide children and adolescents with proper nutrition and increase a supply of safe food				
29. Develop standards on meals provided in kindergartens and schools and take measures to fulfill the standards.	2006-2007	MoSEC, MoF, MoH, Aimag and Ulaanbaatar Municipality Governors	60.0	10.0
30. Improve a control on children's food production and supply.	2005-2007	MoH, Ministry of Food and Agriculture (MoFag), Ministry of Industry and Trade (MoIT), General Customs Office (GCO), State Inspection Agency (SIA), business entities.	10.0	10.0

Mongolia's CRC Report

31. In line with Millennium Development Goals, take measures to increase food access for infants and children under five; advocate the Law on Breast-milk Substitutes for an enactment and prepare for implementation.	2005-2007	MoH, Public Health Institute (PHI) Aimag and Ulaanbaatar Municipality Governors	50.0	15.0
32. Develop a National Strategy on Preventing Women and Children from Deficiency in Micronutrients and execute the strategy	2005-2007	MoSWL, MoH, NGOs	50.0	100.0
Objective 6. Improve the environment for the healthy development of children				
33. Supply children with safe drinking water; increase access and number of shower houses, sinks and latrines in organizations serving children.	2005-2007	MoH, Ministry of Nature and Environment (MoNE), MoSEC, Aimag and Ulaanbaatar Municipality Governors, NGO	150.0	200.0
34. Improve a control on production and supply of children's clothes, toys, school supplies and equipments.	2006-2007	MoSEC, MoIT, MoH, Aimag and Ulaanbaatar Municipality Governors, State Inspection Agency, NGO	50.0	10.0

Mongolia's CRC Report

35. Set up a legal environment for compensating losses and damages to children's health and life caused by environmental pollutions or ill practices of human beings; enforce accused bodies to pay charges for losses and damages caused by their unwell activities; and allocate some portion of these charges for implementing the measures to build a healthy environment for child development and survival.	2006-2007	MoNE, Ministry of Constructions and Urban Development, Ministry of Transportation and Tourism (MTT), MoF, MoH, MoJIA, NAC	50.0	5.0
36. Develop mechanisms to collect the detailed information on children's deaths and injuries caused by accidents or traumas.	2006-2007	MoSWL, MoH, GPD, NAC, State Center of Civil Registration and Information	5.0	20.0
Objective 7. Improve adolescent health behaviors				
37. Develop and implement the formal and informal education modules to improve adolescent health behaviors; provide families with distance education on health care.	2006-2007	MoH, MoSEC, MoSWL, NGO, Aimag and Ulaanbaatar Municipality Governors	100.0	30.0
38. Lift up standards on a variety of social services provided for children and adolescents including counseling, stress management, healthy life style, and health prevention to an international level.	2006-2007	MoH, Aimag and Ulaanbaatar Municipality Governors, NGO	20.0	100.0
39. Prevent children from a fluorine deficiency; encourage	2006-2007	MoH, MoSEC, NGO	10.0	50.0

Mongolia's CRC Report

children to obtain basic hygiene practices such as cleaning teeth and washing hands.				
40. Increase participation of parents, caretakers and social workers in interventions to prevent AIDS/HIV and STDs.	2006-2007	MoH, MoSEC, MoSWL, NAC, Aimag and Ulaanbaatar Municipality Governors, NGO	50.0	260.0
41. Expand training, advocacy and information dissemination activities aimed at providing children and adolescents with knowledge, attitude and skills needed to build up a healthy body and mind.	2006-2007	MoH, MoSEC, MoSWL, NAC, National Committee on Sports, Aimag and Ulaanbaatar Municipality Governors, NGO	100.0	250.0
42. Considering sports as an essential tool for building up a healthy body and mind and using a leisure time efficiently as well as developing talents and skills, involve more and more children in physical education and sports.	2006-2007	MoH, MoSEC, NAC, National Committee on Sports, Aimag and Ulaanbaatar Municipality Governors, NGO	150.0	50.0
43. Include an ecology education that helps pupils to learn national traditions and customs related to a environmental conservation into a secondary school curriculum.	Since 2005	MoNE, MoH, MoSEC, NAC Aimag and Ulaanbaatar Municipality Governors governors,	100.0	100.0

		NGO		
Total Budget of Part Two			2185.0	2420.0
Part 3. Quality education and upbringing for children				
Objective 8. Increase number of children enrolled in pre-school education and refine the pre-school curriculum and methodology				
44. In each aimag, set up an interdisciplinary team consisting of pediatricians, orthopedists, social workers and other specialists working for children whose main tasks expected to do are counseling and training; use a sign language and subtitling in TV programmes.	Since 2006	MoSEC, MoH, Aimag and Ulaanbaatar Municipality Governors	10.0	200.0
45. Develop approaches to expand the access to pre-school education; increase participation and support of governmental and non-governmental organizations in teacher training and resource mobilizing to increase a salary of pre-school teachers.	Since 2006	MoSEC, Aimag and Ulaanbaatar Municipality Governors, NGO	100.0	20.0
46. Develop training modules of a short day or an hour schooling in kindergartens; provide parents with knowledge and skills to nurture and educate their children through distance education on TV or radio.	2006-2007	MoSEC, Aimag and Ulaanbaatar Municipality Governors, NGO	50.0	50.0
47. Conduct a study on growth and development of children; take measures to involve disabled children in inclusive education.	Since 2006	MoSEC, MoH, MoSWL Aimag and Ulaanbaatar Municipality Governors	10.0	50.0
48. Expand activities to provide methodological guidance and technical support to the Information, Training and Methodology Center for Preschool Education	Since 2006	MoSEC, Aimag and Ulaanbaatar Municipality Governors, NGO	5.0	20.0
49. Integrate budget allocation and expenditure planning with the total number of preschool age children; include a variable cost for children of herdsmen families from rural	Since 2006	MoSEC, MoF Aimag and Ulaanbaatar Municipality	5.0	100.0

Mongolia's CRC Report

and remote areas in a total budget of preschool education		Governors		
50. Improve the curriculum of teacher training and retraining; and take measures to increase the salary of preschool teachers and assistance teachers.	2005-2007	MoSEC, Aimag and Ulaanbaatar Municipality Governors	5.0	200.0
Objective 9. Improve the quality of and access to basic education; provide children with a equal opportunity to education, and expand vocational education and life skills training				
51. Develop job requirement and description of a dormitory teacher's responsibilities; write a guidebook for dormitory teachers; and conduct training for them.	2006-2007	MoSEC, Aimag and Ulaanbaatar Municipality Governors , NGO	20.0	10.0
52. Develop and implement a school lunch programme.	2006-2007	MoSEC, MoH, NAC	100.0	300.0
53. Provide minority children with the support for increasing their access to education.	2006-2007	MoSWL, MoSEC, MoJIA, Aimag and Ulaanbaatar Municipality Governors, NGO	20.0	20.0
54. With considerations of specific characteristics of each region, implement a policy on educational provisions for disabled children.	2006-2007	MoSEC, MoF, Aimag and Ulaanbaatar Municipality Governors, NGO	40.0	30.0
55. Create a Sign Language Dictionary for children with hearing and speaking impairments.	Since 2006	MoSEC, Aimag and Ulaanbaatar Municipality Governors	20.0	10.0
56. Conduct Sign Language training for lawyers and attorneys, social workers, teachers and pupils in secondary schools.	2006-2007	MoSEC, MoH, MoF, MoSWL, Aimag and Ulaanbaatar Municipality Governors, NGO	15.0	20.0
57. Involve students of teacher training institutions in Sign	2006-2007	MoSEC, MoSWL,	5.0	

Mongolia's CRC Report

language training for trainers		Aimag and Ulaanbaatar Municipality Governors		
58. Support schools to set up a “Rehabilitation Room” for providing more opportunities of inclusive education for disabled children.	2006-2007	MoSEC, Aimag and Ulaanbaatar Municipality Governors, NGO	50.0	50.0
59. Develop and pilot a module curriculum of a course “ <i>Child Rights Education</i> ”; introduce the curriculum to teacher training institutions; establish a “ <i>Child Rights Education Center</i> ”	2006-2007	MoSEC, Aimag and Ulaanbaatar Municipality Governors, NAC, NGO	20.0	50.0
60. With participation of the public, run activities aimed at preventing children from road accidents; disseminate the best practices in this regard.	2006-2007	MoSEC, MoJIA, Aimag and Ulaanbaatar Municipality Governors, NGO	20.0	30.0
61. Undertake the activities directed to prevent children in difficult circumstances from school dropping out; grant an continuing education as one of the indicators of a child friendly school.	2006-2007	MoSEC, MoSWL, NAC, Aimag and Ulaanbaatar Municipality Governors, NGO	10.0	100.0
62. Provide teachers of a mainstream school with a serial of training on inclusive education for disabled children; and develop a guidebook on inclusive education.	2006-2007	MoSEC, NAC, Aimag and Ulaanbaatar Municipality Governors, NGO, CLO	20.0	20.0
63. Improve access to and quality of remedial education services for school dropout children through increased efficiency of financing mechanisms on budget allocations.	2005-2007	MoSEC, MoF, Aimag and Ulaanbaatar	400.0	100.0

Mongolia's CRC Report

		Municipality Governors , NGO		
64. Increase an enrollment rate of vocational training and long or short-term training for children in difficult circumstances.	2005-2007	MoSEC, MoSWL, MoIT, MoFag, Aimag and Ulaanbaatar Municipality Governors	100.0	50.0
Objective 10. Create a favorable environment for developing talents and skills of children through an increased availability of leisure time facilities and extra-curricular activities.				
65. Improve a comfort in facilities where children and youth are provided with the educational and leisure time services to develop their talents and skills; and invest into capital repair of leisure time facilities including Palaces or Centers of Culture in cities and towns.	2006-2007	MoSEC, MoF, NAC Aimag and Ulaanbaatar Municipality Governors, NGO	1500.0	50.0
66. Implement extracurricular activities on cultural and community patterns by an integrated plan; review the possibilities of hourly payment or recognition award for professionals who work with children in these activities.	2005-2007	MoSEC, Aimag and Ulaanbaatar Municipality Governors, NGO	5.0	20.0
67. Support initiatives to organize a youth trip to travel the historical and cultural memorials and sites and learn national traditions and customs.	2006-2007	MoSEC, MoNE, MTT, Aimag and Ulaanbaatar Municipality Governors , NGO	10.0	20.0
68. Expand activities of a Puppet Theatre in local provinces.	2006-2007	MoSEC, Aimag and Ulaanbaatar Municipality Governors.	20.0	10.0

Mongolia's CRC Report

69. Require attaching leisure time facilities for children and youth including sports gym and playgrounds to newly- built apartment complexes; increase a size of the green spaces.	2007	Ministry of Construction and Urban Development, Aimag and Ulaanbaatar Municipality Governors	10.0	
70. Encourage community initiatives to build playgrounds in ger districts of aimag centers and Ulaanbaatar.	2006-2007	Ministry of Construction and Urban Development, Aimag and Ulaanbaatar Municipality Governors	20.0	
71. Build Culture and Leisure Time Centers in the most populated settlements.	2007	MoSEC, MoF, Ministry of Construction and Urban Development (MCUD), DPMO, Regional Councils, Aimag and Ulaanbaatar Municipality Governors	100.0	
72. Expand the esthetics training through different kinds of art; in theatres and other art institutions, organize training to develop children's talents.	2005-2007	MoSEC, MoF, Aimag and Ulaanbaatar Municipality Governors, NGO	100.0	50.0
73. Support activities to develop a domestic tourist route for children and youth to introduce their motherland to them.	2006-2007	MoSEC, MTT, MoNE, NGO	100.0	10.0

Mongolia's CRC Report

74. Facilitate kindergartens and schools to participate in a national programme “ Horse Fiddle and Long Song”	2006-2007	MoSEC, Aimag and Ulaanbaatar Municipality Governors, NGO	50.0	10.0
75. In order to provide the support for children attending international competitions and tournaments, set up a “Fund for Supporting Children’s Talents” in aimags and districts.	2006-2007	MoSEC, Aimag and Ulaanbaatar Municipality Governors	20.0	
76. Organize a training-show in different regions involving teachers of music, art and other art related subjects; refine the approaches to mobilize governmental and nongovernmental organizations specialized in art and culture, professionals and parents in providing esthetics and ethics education to children.	2006-2007	MoSEC, Aimag and Ulaanbaatar Municipality Governors, International Children’s Center Nairamdal, Mongolian Children’ Palace, Children’s Creative and Art Works Center, NGO,	20.0	
77. Mobilize pensioners in providing life skills training for children; and recognize their work for children with an award “ Best Home Teacher”	2005-2007	NAC, Aimag and Ulaanbaatar Municipality Governors, Mongolian Elderly Persons Association.	10.0	
78. Allocating the relevant budget step by step, set up “Information Center” in schools connecting their libraries to the Internet.	2005-2007	MoSEC, Aimag and Ulaanbaatar Municipality Governors	20.0	200.0
79. Take measures to increase training resources including necessary equipment and instruments in school gyms and music classrooms.	2006-2007	MoSEC, Aimag and Ulaanbaatar Municipality	150.0	100.0

Mongolia's CRC Report

		Governors		
80. Manage school library services to meet needs of pupils; and improve a library environment.	2006-2007	MoSEC, Aimag and Ulaanbaatar Municipality Governors, NGO	50.0	50.0
Total Budget of Part 3			3210.0	1950.0
Part 4. Family-based child protection				
Objective 11. Improve the lives of children in difficult circumstances by improving their family environment and expanding social services for them.				
81. Expand a coverage of convergent basic social services; and announce the year of 2007 by “Year of Strengthening a Household through Convergent Basic Social Services”	2006-2007	MoSWL, NAC, Aimag and Ulaanbaatar Municipality Governors, NGO	250.0	150.0
82. Develop a curriculum and handbook for a self study on parenting skills; and provide professional assistance to parents for acquiring knowledge and skills essential for child development and upbringing.	2006-2007	NAC, MoSWL, MoSEC, MoH, NGO	150.0	20.0
83. Provide single parent families and families with children in difficult circumstances with the social welfare services in an one-window system.	2006-2007	MoSWL, MCUD, Ministry of Fuel and Energy, Aimag and Ulaanbaatar Municipality Governors, NGO	300.0	100.0
84. Take immediate preventive measures to avoid separation of children from their family environment and to reduce the number of children living in institutions; and implement programmes to recognize families and individuals offering an adoption or foster care or other family-based alternative care for children in difficult circumstances.	2006-2007	MoSWL, MoSEC, NAC, Aimag and Ulaanbaatar Municipality Governors , NGO	25.0	100.0

Mongolia's CRC Report

85. Improve legalization on international adoption.	2006-2007	MoSWL, MoJIA, NAC, GPD, NHRC	25.0	20.0
86. Develop and implement a strategic plan to solve the following problems faced by unsupervised children: <ul style="list-style-type: none"> • Change negative attitudes of the public towards unsupervised children • Cover these children with the convergent basic social services • Support community-based child protection services 	2006-2007	MoSWL, MoSEC, NAC, Aimag and Ulaanbaatar Municipality Governors, NGO	200.0	100.0
87. Develop a policy proposal on a free provision of a birth certificate for children born in very poor families.	2006-2007	MoSWL, MoJIA, Aimag and Ulaanbaatar Municipality Governors	2.0	10.0
Objective 12. Take measures to prevent children from violence and crime and protect the rights of children in conflict with the law				
88. Develop programmes and projects to protect children from violence, abuse and crime.	2006-2007	MoSWL, MFE, MCUD, GPD, NAC Aimag and Ulaanbaatar Municipality Governors, NGO	100.0	100.0
89. Develop programmes and projects; provide the families and children affected by violence, abuse, and crime with a shelter and psychosocial services.	2005-2007	MoSWL, NAC, National Agency of Labour and Welfare Services, and Aimag and Ulaanbaatar Municipality Governors, NGO	100.0	100.0
90. Implement an integrated strategy aimed at changing public attitudes to violence; conduct training and advocacy activities; inform the outcome of the strategy	2006-2007	MoSWL, NAC, GPD, Aimag and Ulaanbaatar	200.0	100.0

Mongolia's CRC Report

implementation to the public every year.		Municipality Governors, NGO		
91. Conduct a nation-wide study on child abuse and violence and make recommendations to eliminate these practices.	2006-	MoSWL, NAC, NHRC, NGO	10.0	30.0
92. Set up a room in regional centers that supports child-sensitive and effective complaint mechanisms and equip the room with necessary tools; develop and enforce a free advocacy service for children in conflict with the law.	2005-2007	NAC, GPD, MoF, , Aimag and Ulaanbaatar Municipality Governors, NGO	10.0	50.0
93. According to the Article 69.2 in the Criminal Code, develop a policy on establishing a "Training Center for Character and General Education".	2006-2007	MoJ A, NAC, Ulaanbaatar Municipality Governors,	100.0	200.0
Objective 13. Strengthen actions to eliminate the worst forms of child labour.				
94. Expand prevention and monitoring activities aimed at alienating children from the seven types of hazardous work defined as the worst forms of child labour.	2005-2007	MoSWL, MoIT, , Aimag and Ulaanbaatar Municipality Governors, NAC, employers, Trade Unions, NGO	100.0	25.0
95. Revise a list of jobs prohibited for children; and inform the public with the revised list.	2006-2007	MoSWL, MoIT, SIA, Aimag and Ulaanbaatar Municipality Governors,, NAC, NGO	50.0	50.0
96. Conduct a nationwide study on child labour and regional training aimed at influencing public attitudes on child labour by undertaking awareness-raising campaigns.	2006-2007	MoSWL, MoIT, NSO , Aimag and Ulaanbaatar Municipality	60.0	200.0

Mongolia's CRC Report

		Governors, NGO		
97. Refine the assessment, monitoring and evaluation tools of conducting a survey on child labour; define what extend child labour is correlated with poverty, migration and school drop outing with; undertake pilot projects in selected sites.	2006-2007	MoSWL, MoIT, SIA, Aimag and Ulaanbaatar Municipality Governors, NAC, employers, Tade Unions, NGO	50.0	600.0
98. Provide social welfare services for children in difficult situations through their families selected for poverty reduction or household livelihood support projects; provide their family members with vocational training and employment opportunities	2006-2007	MoSWL, MoIT, , Aimag and Ulaanbaatar Municipality Governors, NGO	200.0	100.0
99. Improve the reporting and monitoring of child labour in the country by increasing the involvement of government and civil society organizations; and report the outcome of these activities to the public on the “International Day of Elimination of Child labour”.	2005-2007	SIA, MoSWL, MoIT, MoFA, , Aimag and Ulaanbaatar Municipality Governors, employers, Trade Unions, NGO	100.0	200.0
100. Undertake a comprehensive study to assess the health conditions and occupational safety of children involved in traditional art and sports activities including horse racing and contortion businesses; then refine legalization regarding these forms of child labour; and undertake awareness-raising campaigns on ensuring children's safety.	2005-2007	Aimag and Ulaanbaatar Municipality Governors, NAC, National Center of Sports, Naadam Subcommittee, NGOs.	50.0	40.0
Objective 14. Strengthen national capacity to protect children from natural disasters including drought, dzud, flood, fire, and infectious diseases.				

Mongolia's CRC Report

101. With organizations working for children, sign a contract on prevention and crisis intervention activities during natural disasters, epidemic diseases and accidents that may affect a big size of population	2006-2007	General Agency of Emergency Management NAC, , Aimag and Ulaanbaatar Municipality Governors, NGO	250.0	200.0
102. Prepare volunteers and specialists to assist children affected by disasters or catastrophes; provide training and support for youth groups, which are formed for a volunteer work during disasters.	2006-2007	General Agency of Emergency Management, MoSWL, MoH, MoSEC, MoNE, NAC, Aimag and Ulaanbaatar Municipality Governors, NGO	100.0	50.0
Total Budget of Part Four			2432.0	2545.0
Part 5. Child and adolescent participation and access to information				
Objective 15. Strengthen community collaboration to improve the roles of child-led organizations and encourage children's participation				
103. Develop and enact a policy to support child participation; conduct regional training on approaches that facilitates child-led organizations involving teachers, social workers and methodologists of children's center.	2006-2007	NAC, MoSEC, Aimag and Ulaanbaatar Municipality Governors, NGO	70.0	100.0
104. Mobilizing families and communities, expand and regularize training and advocacy activities to increase child participation in all spheres of social and cultural life.	2005-2007	NAC, MoSEC, MoSWL, Aimag and Ulaanbaatar Municipality Governors, NGO	50.0	10.0

Mongolia's CRC Report

105. Collaborate with child led organizations to support child and youth development and participation, particularly, to provide children in difficult circumstances with the opportunities to be heard and express their opinions.	2006-2007	MoSEC, MoSWL, NAC, Aimag and Ulaanbaatar Municipality Governors, NGO	15.0	50.0
Objective 16. Encourage children and adolescents to enjoy their rights and express their opinion freely				
106. Motivate the public for respecting children's rights to express their opinion in their families and schools; and expand life skills training for children and youth.	2005-2007	NAC, Ministries, Aimag and Ulaanbaatar Municipality Governors, NGO	10.0	15.0
107. In collaboration with child-led organizations, undertake the activities for developing children's skills to assess and evaluate the programmes and services designed for children.	2006-2007	NAC, MoSEC, Aimag and Ulaanbaatar Municipality Governors, NGO	5.0	5.0
108. Organize a National Children's Submit and local children's conference on a regular basis; ensure the funding for these events by allocating the estimated amount of funding into the government and local budget.	2005-2007	NAC, Aimag and Ulaanbaatar Municipality Governors, NGO	50.0	20.0
Objective 17. Expand community and government support to facilitate children to use information technology in searching, selecting, analyzing, utilizing and disseminating information.				
109. Support different types of media channels for educational and informational broadcasting for children and take measures to protect and prevent children from adverse effects of the media.	2006-2007	MoSEC, Authority of Public Radio and TV, Information and Communication Technology Office, NAC, Mongolian National Association of TVs.	10.0	20.0
110. Provide journalists and other media professionals with training and retraining to prepare them to be specialized in	2005-2007	NGO, Aimag and Ulaanbaatar	10.0	30.0

Mongolia's CRC Report

children's issues.		Municipality Governors		
111. Using a newly developed module on skills of expressing their opinions through the media, train children and adolescents	2006-2007	NAC, MoSEC, Aimag and Ulaanbaatar Municipality Governors, NGO	5.0	50.0
			225.0	300.0
Part 6. Capacity building for national organizations for children				
Objective 18. Improve the capacity of national children's organizations in conformity with the demands of the new century				
112. Step by step implement capacity building activities for primary and middle level government organizations.	2006-2007	NAC, Ministries, Governors,, Aimag and Ulaanbaatar Municipality Governors, NGO	10.0	80.0
113. Advance child rights training for citizens, communities and professionals; and provide prepared trainers with continuing education on human rights involving them in specialized training on child rights.	2006-2007	NAC, Ministries, NCC, Aimag and Ulaanbaatar Municipality Governors, NGO	10.0	50.0
114. Study the possibilities of assigning a youth worker or setting up a new unit specialized in working with children in conflict with the law to law enforcement agencies including Police, prosecutor's office, court and attorney councils.	2006-2007	MoJIA, MAA, NCC, Aimag and Ulaanbaatar Municipality Governors, NGO	50.0	40.0
115. In higher education institutions that prepare teachers, social workers and law enforcement officers, increase credit hours for teaching the courses on social psychology, pedagogy and child rights.	2006-2007	MoSEC, NAC, NHRC, NGO	20.0	20.0
Budget for Part Six			90.0	190.0
Total budget			8388.0	7845.0