



Mongolian Women's Fund

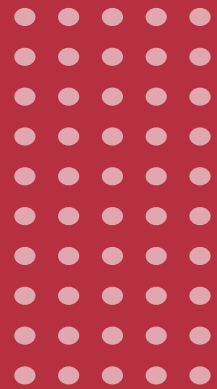


# THE STATUS OF WOMEN'S RIGHTS IN MONGOLIA

2015-2019



Ulaanbaatar city, Mongolia  
2020



*'The Status of Women's Rights in Mongolia: 2015 – 2019' Research Report is developed within the project scope of "Convention on the Elimination of Discrimination against Women (CEDAW) Implementation in Mongolia" funded by Women's Fund Asia.*



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# FOREWORD



Mongolia ratified the UN Convention on the Elimination of All Forms of Discrimination against Women in 1981 without any reservations. Since the adoption of the Democratic Constitution in 1990, which respects human rights and equality, our country has made great legal and systemic progress in ensuring and protecting women's rights. However, women's rights and gender equality are not sufficiently secured in terms of legislation, policy, their implementation, culture, public perception and stereotypes.

«**The status of women's rights in Mongolia: 2015–2019**» study was conducted to raise issues in culture, systems, legal environment and gender stereotypes that obstruct equal opportunities for men and women to participate in all social, political and economic relations, and to explore opportunities for equal access to social resources for men and women, and their equal contribution to development.

The study identifies the current situation and status of gender-based violence, women's politics, decision-making participation, rural herder women's issues, women's rights in health, education, marriage, family and employment relations, and the implementation of rights. The purpose is to clarify the root causes and underlying factors of inadequacy.

The study determines the current status of gender equality and explores the situation of gender-based violence, participation in politics and decision-making, the issues face by rural women herders, the issues in health, education, marriage, family and labor relations. The purpose of the study is to assess the realization of women's rights, clarify the causes and contributing factors of inadequate realization.

The report is an evidence-based document that provides a comprehensive overview and analysis of the current situation of women's rights in the country and can be used by groups, international organizations, governmental and non-governmental organizations working in all spheres, at grassroots, policy, advocacy levels, for their public awareness raising and advocacy works.

G. Zoljargalan, MSW, lecturer and researcher at the School of Public Health, Mongolian National University of Medical Sciences and T. Tsogzolmaa, LL.M were senior researchers, who developed the research methodology, analyzed the data and prepared the report. Researchers, who led research teams on data collection were S. Dondov, lawyer, Chair of the Human Rights Center for Citizens, M. Bolormaa, Head of the Women Leader Foundation, N. Bayarsaikhan, Head of the Steps Without Border, S. Ariunaa, Head of the Mongolian Women's Employment Support Federation. We would like to, also, thank all activists and civil society organizations, experts and researchers for their collaboration.

We would like to thank the team of the International Women's Rights Action Watch in Asia and the Pacific (IWRAP) and the national gender expert J. Zanaa for their methodology advices and support in all research activities, and to L. Bolor who translated the report into English language.

And, we would also like to thank all the participants who took part in our survey, generously shared their knowledge, skills and experience, and exchanged views.

MONGOLIAN WOMEN'S FUND

**LIST OF ACRONYMS**

CC	Criminal Code
CEDAW	Convention on Elimination of All Forms of Discrimination against Women
CRC	Citizens' Representatives Council
CSO	Civil society organization
CSC	Civil Service Council
DP	Democratic Party
FYCDA	Family, Youth and Child Development Agency
GADPwD	General Agency for Development of Persons with Disabilities
GBV	Gender-based violence
GDP	Gross Domestic Product
HR	Human rights
HT	Human Trafficking
IO	International organization
JGC	Judicial General Council
LPGE	Law on Promotion of Gender Equality
MDG	Millennium development goals
MECSS	Ministry of Education, Culture, Science and Sports
MLSW	Ministry of Labor and Social Welfare
MNG	Mongolia
MO	Media outlet
MoFA	Ministry of Foreign Affairs
MoH	Ministry of Health
MoJHA	Ministry of Justice and Home Affairs
MPP	Mongolian People's Party
NCGE	National Committee on Gender Equality of Mongolia
NCVET	National Council for Vocational Education and Training
NEMA	National Emergency Management Agency
NGO	Non-governmental organization
NHRC	National Human Rights Commission of Mongolia
NPA	National Police Agency
NSO	National Statistics Office
PoM	Parliament of Mongolia
RH	Reproductive health
SDC	Swiss Agency for Development and Cooperation
SDG	Sustainable Development Goal
SEC	Secondary education school
SGPO	State General Prosecutor's Office
SHWP	Sexual Harassment in Work Place
SME	Small and medium enterprises
UN	United Nations
UPR	Universal Periodic Review
VET	Vocational education training

# 1

## RESEARCH METHODOLOGY

### PURPOSE OF THE STUDY

The main purpose of this study was to assess the status of women's rights in Mongolia by assessing the implementation of the Convention on the Elimination of All Forms of Discrimination against Women. The results of the study will be used as the main source for development of a "Shadow Report" which will accompany the 10th periodic report of Government of Mongolia on the implementation of the Convention, so the scope of the study covered the period 2015-2019.

### *Objective of the study*

1. To identify actions taken by the Government of Mongolia over the past four years, in accordance with the recommendations on implementation of the Convention on the Elimination of All Forms of Discrimination against Women, measure the progress and determine future priorities;
2. To identify women's human rights violations in Mongolia and the factors that contribute to these violations.

### RESEARCH QUESTIONS:

We have identified the following areas for analysis of women's human rights in Mongolia:

1. Gender-based violence (domestic violence, human trafficking, sexual harassment in the workplace, sexual violence and rape)
2. Women's participation in decision-making
3. National system for improving the welfare of women
4. Rural women's issues
5. Women's employment issues
6. Marriage and family relationships
7. Women's education
8. Women's health

In order to develop research questions in these areas, CEDAW and a list of areas to be covered in the 10th Periodic Report by State were used as the main source. The research guidelines were formulated in the following way:

- I. What is the current situation of women in the selected areas (above mentioned 8 areas)?
- II. What cultural, political and socio-economic factors contributed to the violation of these women's rights?
- III. How do the current laws and programs in Mongolia guarantee or violate women's rights in these areas?
- IV. What actions did the Government of Mongolia take to ensure the implementation of CEDAW during the period 2015-2019, and what are their results?



## RESEARCH METHODS:

We conducted this study using the following research methods.

### I. Document analysis / literature review

In examining the situation of women's rights in Mongolia, we analyzed the current legislation, national programs and research reports on women's rights in general and issues selected for this study issued by government organizations and international organizations between 2015 and 2019. The content analysis methodology was used in the analysis, and a methodology for document research was developed for each area (Appendix 1). The methodology is based on the key research questions, CEDAW, and the list of issues to be addressed in the 10th Periodic Report of State on implementation of CEDAW. As part of the fact-finding study, we analyzed a total of 44 laws, 13 national programs, and about 40 research reports.

### II. Qualitative research

Based on the results of the document analysis, key informant interviews and focus group discussions were conducted with target groups and experts in order to study in depth the factors influencing women's rights violations and the ways to address them. Key informant interviews and focus group discussions were conducted according to pre-designed questions (Appendix 2). Prior to the start of the qualitative study, the researchers, who were involved in data collection, received brief guidelines on research ethics and issues to consider when collecting survey data.

### III. Quantitative research

Due to the lack of previous research on women's employment, including the employment of women with young children, a questionnaire survey was conducted to obtain more information on the situation. (Appendix 3)

**Research methods used in this study are listed for each of the selected areas (Table 1).**

	Document analysis	KII (experts and women from the target groups)	Focus group discussions	Survey
Gender-based violence	✓	25	✗	✗
Women's participation in decision-making	✓	20	3	✗
Challenges faced by rural women	✓	12	3	✗
Women's employment	✓	7	3	718

*\*8-10 participants were involved in each focus group discussion*

#### **IV. Participatory research**

The study was conducted by over 19 representatives of women's rights NGOs, who worked in four teams.

Representatives of civil society organizations and women's rights NGOs from Ulaanbaatar city, Bayan-Ulgii, Arkhangai, and Zavkhan aimags partnered with Mongolian Women's Fund and senior researchers, who led the research, and participated in all areas of the research and the decision-making process, such as, discussion and design of the scope and areas of the research, selection of the women's rights issues to include in the study; development of the research methodologies; identification of the sources of document review, data collection, analysis of the quantitative and qualitative data, compilation of the results and writing of the report.

It is an important step for a social research, especially, for a research that focuses on the most vulnerable groups and the issues they face, in order to raise these issues with policy-makers, to ensure the participation of representatives of civil society organizations working with these groups at all levels of research consultation and decision-making, with their participation being a voice for their own rights than a beneficiary of the research.

#### **SAMPLING:**

The global outbreak of COVID-19, hampered the data collection. Therefore, we used purposive sampling method for qualitative research. The survey was conducted online and involved 718 people.

Research data analysis:

- Content analysis was performed, using the framework matrix, to analyze the data collected during the document analysis and the qualitative research
- Content analysis was performed to analyze the qualitative data (Appendix 4).
- Quantitative data was processed with the SPSS software.

#### **RESEARCH TEAM:**

International Consultant:

- International Women's Rights Action Watch Asia Pacific (IWRAP Asia Pacific)

National Consultant:

- J. Zanaa, National Gender Expert

Research project coordinator:

- Ch. Uyanga, Monitoring and Evaluation Officer, Mongolian Women's Fund;

Senior researchers:

- G. Zoljargalan, MSW, Lecturer and Researcher at the School of Public Health, Mongolian National University of Medical Sciences;
- T. Tsogzolmaa, LL.M, Gender Equality Center NGO;

### Gender-based violence (domestic violence; human trafficking; sexual violence and rape; sexual harassment in workplace), and marriage and family:

Research team leader:

- S. Dondov, Lawyer, Chair of Human Rights Center for Citizens;

Researchers:

- N. Arvintaria, Executive Director, National Center against Violence
- T. Tsogzolmaa, LLM, Gender Equality Center NGO;
- B. Bolormaa, Program Coordinator, Mongolian National Association of Wheelchair Users;
- T. Narantsetseg, Admin&Finance officer, MonFemNet National Network;

### Women's participation in decision-making:

Research team leader:

- M. Bolormaa, Chair, Women Leader Foundation;

Researchers:

- B. Batstsengel, Advisor on Media and Public Relations, Women Leader Foundation;
- A. Otgonchimeg, Chair, Parent-Teacher Association;
- P. Davaanamjil, Grant-making Program Coordinator, Mongolian Women's Fund;

### Rural women:

Research team leader:

- N. Bayarsaikhan, Chair, Steps Without Borders;

Researchers:

- Khaisa Zauresh, Executive Director, "Arular" Association of Kazakh Women
- M. Dulamjav, Executive Director, Evolving Development Network, Zavkhan province;
- G. Bayarkhuu, Liberal Women's Brain Pool, Arkhangai branch;

### Women's employment rights, health, education:

Research team leader:

- Sh. Ariunaa, Chair, Mongolian Women's Employment Support Federation, Ulaanbaatar

Researchers:

- B. Altanchimeg, General Coordinator, Reproductive Rights Network;
- Ts. Bujidmaa, PhD, Chair, Liberal Women's Brain Pool;
- Ts. Ogtontungalag, Head of Labor Monitoring and Legal Policy Department, Confederation of Mongolian Trade Union;
- A. Oyundalai, Coordinator, Mongolian Women's Employment Support Federation, Khuvsgul branch;
- T. Erkhembayar, Researcher, Social Work Service and Evaluation Center;
- N. Erdenesuvd, Coordinator, Mongolian Women's Employment Support Federation, Uvurkhangai branch;

### Edited by:

- Ch. Uyanga, Monitoring & Evaluation Officer, Mongolian Women's Fund

### GENDER-BASED VIOLENCE

1. Since the enactment of the revised version of the Law on Combating Domestic Violence (2017), the number of domestic violence offence cases, registered by the police, has almost doubled compared to 2017, while the number of criminal cases under Article 11.7 (domestic violence) of the Criminal Code has a tendency to decrease. Although the number of reported crimes is declining, the number of injuries, deaths due to domestic violence, and the number of child victims of domestic violence are on the rise. Fifteen people have died in domestic violence since the revised version of the Law on Combating Domestic Violence was passed.
2. The Law on Combating Domestic Violence states that the provision of services to victims shall take into account the needs of children, people with disabilities and people with mental illnesses, but there are no services that meet the needs of women with disabilities. Girls and women with hearing impairments do not have a special call number, equipment, or trained human resources in case of domestic violence or sexual violence; shelters and one-stop service centers are not accessible to persons in wheelchairs and visually impaired people; no sign language interpreters and guides are available at legal, judicial and health service organizations, which means that victims with disabilities are not able to fully exercise their right
3. In January 2020, Article 6.26 of the Law on Infringement of Mongolia included a provision stating that sexual harassment in the workplace is punishable by fines, compulsory training, arrests, and an employer, which fails to include regulations on the prevention of sexual harassment in workplace and the redress of grievances in its internal labor policies, shall be fined. This provision was included in the law as a result of the advocacy work of civil society organizations, which required a legal regulation of sexual harassment in work place.
4. The number of rape crimes, registered with the police, is constantly increasing. During the last 3 years, one case per day has been registered and investigated. About 80% of the victims are girls and young women of ages 10-29, and 46.8% are girls of ages 8-17.
5. The rights of victims of sexual violence to confidentiality and protection are violated during court proceedings. One-stop centers for victims of sexual violence and rape, with provision of special services and rehabilitation, do not exist. Therefore, victims have to go to all the organizations on their own, which is emotionally, psychologically and financially damaging.
6. There is a lack of qualified and experienced specialists in Mongolia, and specialists do not have an understanding of trauma-informed systems of care. Victims of sexual violence and rape do not receive financial compensation for emotional damage and its rehabilitation. The court determines the damage only on the basis of bills for medical treatment and physical rehabilitation.
7. Although the legal environment for the prevention and resolution of human trafficking has been reformed and improved, the detection and resolution of this type of crime is insufficient. According to the National Police Agency, during the period from 2015 and until the end of the first quarter of 2020, 19 out of 45 criminal cases, registered with the police for "trafficking in human beings" (Article 113 of the Criminal Code of 2002; Article 13.1 of the Criminal Code of 2015), were resolved. This means that only 37 percent of cases registered with the police are resolved by the courts. Moreover, in 2017, no criminal cases related to human trafficking were resolved in courts at all. This indicates a lack of legal framework and actual resources to combat human trafficking.

8. In recent years, detection of human trafficking for labor exploitation is insufficient. The lack of awareness among citizens leads to women and girls becoming victims, people fail to identify victims and report to law enforcement agencies, illegal exploitation of labor in small and medium enterprises, private enterprises, companies, and by herders is common. No single case of labor exploitation, trafficking in human blood or organs has been resolved by the courts or reported to the police.
9. Law enforcement operations to detect crimes of human trafficking are conducted in Ulaanbaatar only. Therefore, it is necessary to expand the existing structure that combats this type of crime, and establish a national-wide structure. There is, also, a need to establish a special unit to investigate crimes related to human trafficking, or to increase the number of detectives, as well as provide them with special training.

### WOMEN'S PARTICIPATION IN DECISION-MAKING

10. As a measure to increase women's participation in decision-making, Mongolia set the quota for women's participation in politics at no less than 30 percent, as per the LPGE. However, it was reduced to 20 percent. Currently, the share of women is 17.4% in the Parliament, 0.7% in the Government, 7.7% among the Deputy Ministries, 3.3% in the implementing agencies, and 18.2% in the local government. This special measure remains in contradiction with the Constitution and the principles of CEDAW.
11. Since 2008, political parties in Mongolia have turned the electoral system and the nomination process into a business, with candidates paying 50-100 million or more to their parties. This situation creates not only the perception that people with money are elected, but, specifically, restricts women's participation, creates financial burden and economic discrimination.
12. Mongolian women's rights are not fulfilled due to gender stereotypes. For example, it is common attitude for women to tolerate violence, obey their husbands, even if disagree, and give decision-making power to their husbands. The tendency to blame women persists in all spheres of the society.
13. In addition to the gender stereotypes, stereotypes about certain social groups, also, exist in the society. For example, the stereotype that women with disabilities are incapable of making decisions about their own reproductive health and that their families should be involved in their lives is common among the public and service providers. As a result, the right of women with disabilities to receive reproductive health service and to make their own decisions is being violated.

### RURAL WOMEN

14. As of the end of 2019, 119,000 female herders live in 171,605 herder households, and the livestock sector accounts for 30 percent of the total employed population. Livestock breeding has been distributed into traditional nomadic and farming types. The Government's focus on the intensive livestock farming over the past decade has weakened the government policies, support, and social services for traditional nomadic herders.
15. There is a lack of comprehensive and well-grounded research in Mongolia on the implementation of the right of rural women to be free from discrimination. Their rights, as a research topic, have not been fully recognized and fully explored, the data and information have not been fully produced.
16. In Mongolia, 1 in 3 people is poor and 1 is just above the poverty line, which puts them at risk of poverty, if sudden economic, climate and health crisis abrupt. Although the share of the rural population in the total population is relatively small, the poverty rate in rural areas is prone to fluctuation, and the traditional nomadic herders, who highly depend on environment, are extremely vulnerable to poverty.

17. In order to access medical services at a nearest family group practice/soum hospitals, herders have to travel an average of 25 km, to access medical services at a province/district hospitals, they have to travel an average of 90 km, and to access medical services at a specialized hospital in the capital city, they have to travel an average of 1800 km, for a one-way trip.
18. In rural areas, 30.8 percent of the population is poor, which is slightly higher than the urban poverty rate (27.2 percent). Poverty varies between urban and rural areas, as well as geographically. The poverty incidence in Ulaanbaatar is lower than in the aimag centers, and in the soum centers is lower than in remote rural areas.

## WOMEN'S EMPLOYMENT

19. According to 2018 statistics, the poverty rate in 2018 was 28.4 percent, which is slightly lower than in 2016. However, when the poverty line was increased by 25 percent, 14.9 percent of the total population, or 474.8 thousand people, became at risk of poverty.
20. According to the National Statistics Office, in the fourth quarter of 2019, 594,368 of the total labor force of 1,293,579 people in Mongolia were women. Women account for 52.4 percent of the total registered unemployed. The national median wage in the third quarter of 2019 was MNT 1,287,600, but, when differentiated by gender, is 1,040,200 MNT for women, or 19.3% lower for women.
21. Pregnant women, women with young children experience employment discrimination. For example, a survey of 718 women revealed that 22.1% had received employment termination notices during their pregnancy and maternity leave, and 37% had experienced some form of discrimination. The respondents, also, reported that the biggest barriers to women's employment were the lack of babysitters, the lack of access to kindergartens, and the coincidence of kindergarten drop-off and pick-up hours with their work hours.
22. The system of management of labor in Mongolia is inadequate. In addition, due to the lack of labor inspectors, there is no supervision in the workplace, no preventive measures are taken, and complaints and comments, related to the right to work, are not resolved
23. The government implements certain social welfare programs to ensure the social security of mothers on paid leave (Tsalintai Eej program) and single mothers with many children. However, the cash benefits provided under these programs are inadequate for livelihood and are subject to termination in the case of paid employment. This approach encourages the stereotype that "women have a duty to have children and to take care of their families at home".
24. In the last two years, Mongolia's average annual GDP growth per capita has been 4.4 percent. One-third of this growth depends on the mining sector, which employs only about 6 percent of the workforce. Employees do not benefit equally from this mining-based economic growth, and many low-skilled service workers, including women, unable to acquire the benefits of the growth.

## WOMEN'S HEALTH

25. As of 2018, the top five cancer types among women are liver (33%), cervix (12.4%), stomach (10.3%), breast (8.1%), and esophagus (5.9%). 372 new cases of cervical cancer were registered, so the national rate is 23.2 per 100,000 women. In Darkhan-Uul, Selenge, Dornod, Govisumber, Gobi-Altai, Bayankhongor, Khentii, Umnugovi and Dundgovi aimags the rate is higher than the national average of 23.2 per 100,000 women. At the time of diagnosis, 49.0% of all cases of cervical cancer were diagnosed in stage 2, which is not lower than the previous year.

26. Reproductive health care is available in Mongolia, but remains a challenge for women with disabilities. For example, the 18th Report of NHRC on the Situation of Human Rights and Freedoms in Mongolia (2019) states that Family Group Practices do not have gynecologists or they are inexperienced, the wait-time for visits to district hospitals is 1-2 months, hospitals do not have sign language interpreters, doctors have high workload and their communication skills are poor, which makes it difficult to obtain these services from health facilities. In addition, women with mental disabilities are forced to receive contraceptive injections in both urban and rural areas, and, in case of refusal, health care workers and family doctors threaten with termination of welfare benefits and care, and enforce contraceptive injections.
27. Due to insufficient budgets in soum hospitals, medicines are scarce and patients need to purchase them from own pockets. Also, medicine is very expensive in rural areas, and the price of the same medicine varies greatly depending on the country of production, Expensive medicine is likely to bring the best results, but, poor herders, who can't afford it, purchase the cheapest or take loans to purchase expensive medicine, which puts economic pressure on women herders.

### WOMEN'S EDUCATION

28. 20.2 percent of all children, or one in five children, do not have access to pre-school education, mainly children from poor and migrant households in urban areas, herders' children and children with disabilities. The effectiveness and coherence of policies and interventions in the social and economic sectors to meet the goals of pre-school education and support early childhood development have not been sufficiently sustainable.
29. There are no specific studies on women's and girls' education, and research reports do not address this. There are no comprehensive statistics on sexually abused and pregnant girls, and no comprehensive services are available to them.
30. Article 12.3 of the Law on Promotion of Gender Equality states that results of programs and activities on gender equality, identified breaches and measures to redress these breaches shall be included in annual reports of an education institution. Results of a program or activities to promote gender equality should serve as an indicator in measuring the performance of principals and directors of schools and kindergartens. However, school administrators do not have sufficient understanding of the law.

### MARRIAGE AND FAMILY RELATIONS

31. According to the report of National Statistics Office, divorce rates were 3,873 in 2015, 4,003 in 2016, 3,945 in 2017, 4,201 in 2018, and 4,262 in 2019. The majority of these families have lived together for more than seven years.
32. The Family Law regulates child support payments to be 50 percent of the standard of living for children aged 0-11 and 100 percent for children over 11 years of age, which does not meet the basic needs of divorced women and their children. For example, the minimum living wage in 2020 is MNT 230,000, the minimum wage is MNT 420,000, and the average salary is about MNT 1,200,000. Therefore, steps need to be taken to create and improve the legal environment for establishing child support in line with the minimum wage or the average wage.
33. The court determines child support, but the decision is not enforced at court decision enforcement stage. Defendant is not paying child support for reasons such as "unemployed", "incapacitated (sick)", or "serving a prison sentence".
34. The 1999 Family Law has been amended five times, yet, it is inconsistent with the social changes and

the social reforms that have taken places in the country. In 2016, the revised draft law included a “child support fund” that provides for penalties for late payment of child support. However, the regulation was removed during the discussion of the draft law due to lack of support from policy makers.





# **CHAPTER 1: GENDER-BASED VIOLENCE**

# 1

## RESULTS OF DOCUMENT REVIEW

### CURRENT SITUATION:

#### Domestic violence:

- Since the enactment of the revised version of the Law on Combating Domestic Violence (2017), the number of domestic violence offence cases, registered by the police, has almost doubled compared to 2017, while the number of criminal cases under Article 11.7 (domestic violence) of the Criminal Code has a tendency to decrease (National Center against Violence, 2019a; National Center against Violence, 2018). Although the number of reported crimes is declining, the number of injuries, deaths due to domestic violence, and the number of child victims of domestic violence are on the rise. Fifteen people have died in domestic violence since the revised version of the Law on Combating Domestic Violence was passed (National Center against Violence, 2019b). About 60 percent of domestic violence crimes and offenses are committed in Ulaanbaatar, and 92.4 percent of all victims are women (National Center against Violence, 2019a).
- Surveys conducted in 2014 and 2015 show that 15 percent of herder households have domestic violence problems; most of the cases occur in the age groups between 35 and 49; and rural women are more likely to tolerate sexual and physical violence (NCGE, 2019, p. 58). According to the report of Survey on Gender-Based Violence (2018), the proportion of women who have been physically and sexually abused varies by aimag and capital city, with Darkhan-Uul, Umnugovi, Govisumber, Bulgan and Khovd aimags having the highest rates. Many girls and women live in remote areas, they did not or are not able to report to the police, do not have access to services (NCGE, 2019).
- The Law on Combating Domestic Violence states that the provision of services to victims shall take into account the needs of children, people with disabilities and people with mental illnesses, but there are no services that meet the needs of women with disabilities. Girls and women with hearing impairments do not have a special call number, equipment, or trained human resources in case of domestic violence or sexual violence; shelters and one-stop service centers are not accessible to persons in wheelchairs and visually impaired people; no sign language interpreters and guides are available at legal, judicial and health service organizations (National Human Rights Commission, 2018).

#### Human trafficking:

- An independent Law on Combating Trafficking in Persons was adopted in 2012, and amendments were made to Article 113 of the Criminal Code, which deals with the crime of human trafficking. The legal environment for prevention and resolution of human trafficking has been improving, but, due to the nature of this type of crime and the lack of protection and support for victims, detection is insufficient and the number of cases resolved by the courts is low. According to the police reports, in 2014-2016, a total of 17 cases involving 30 victims had been detected and investigated. However, according to the data from the Gender Equality Center, an organization that works with victims of human trafficking, 129 victims of human trafficking received services from the organization. The majority of victims of human trafficking are young girls and women, men of working age, and a substantial percentage are children and adolescents (S. Dondov, 2018).

#### Sexual harassment in work place:

- Studies conducted since 2016 on gender, education, employment, and sexual harassment in the workplace show that sexual harassment in the workplace is a real problem in the society (Gender Equality Center,

2018; NCGE, 2019; Research Institute on Social Policy and Development, 2016; L. Ganbaatar, 2019; National Human Rights Commission, 2017). The first survey on sexual harassment in the workplace was conducted in 2004. According to the survey report, one in five respondents experienced SHWP, and one in three respondents knew someone who experienced SHWP. A study, conducted 13 years later, showed that these numbers have not changed. The surveys, conducted in 2004 and in 2017, revealed that employees of state-owned companies were more likely to become victims of this type of offences and crimes. Including a provision on combatting SHWP in the Law on Gender Equality in 2011 and a regulation for NHRC to review and resolve grievances related to SHWP became the first step in addressing this violation. However, enforcement of the law is inadequate due to the gaps in understanding between the National Human Rights Commission and the CGE (Gender Equality Center, 2018).

- An online survey, commissioned by the Mongolian Women's Fund in 2016, covered 753 people, of which 86.8 percent were women and 93.6 percent had higher education. The results of the survey showed that 98% of sexual harassment in the workplace was committed by men, and 84.3% of men, who committed sexual harassment, were of age 30-59. Also, the survey reported that the perpetrators took advantage of their positions and threatened with their power over salary, bonuses, promotion, labor contracts. In addition, the respondents reported that 97.5 percent of 204 perpetrators were men, and that 88.2 percent of them had higher education and held positions of power. It is, also, noteworthy that government agencies account for 57.6 percent of the victims and 42.8 percent of the perpetrators, which raises doubts about the ethical standards, appointment procedures and performance measurement of public officials (Coalition of NGOs to Combat SHWP, 2016).
- A total of 42 organizations and associations operate under the Department of Physical Culture and Sports and, as of the first 6 months of 2019, employed 704 people, with 215 or 30.5 percent being women. None of the 42 organizations are led by women. In the sports sector, female athletes, who have been sexually harassed and abused, are often silent because of a fear of disqualification from the national team, loss of their right to participate in competitions, dismissal from the sports altogether. Also, it is related to the athletes' lack of legal awareness or knowledge. The 2019 study concluded that there is a need for support and cooperation in order to promote of the concept of gender equality; protect from gender-based violence, especially, sexual harassment; build awareness on prevention of sexual harassment; add articles and provisions in the policies and regulations; develop and implement gender action plans, in line with the sector's gender policy (Women Leader Foundation, 2019).
- Cases have been registered when girls dropped out from schools due to sexual harassment in the school environment, and even committed suicides by jumping from the roofs of schools and apartment building. Another area of concern is training, rehearsal and education in the sector of arts and culture. Girls and women are sexually harassed, which prevents them from professional development of their talents and professional success. In social media, 25 percent of women and 13 percent of men of age 18-24 experienced sexual harassment, according to a report by the Coalition of NGOs to Combat SHWP (NCGE, 2019, p. 61).

#### Sexual violence and rape:

- The number of rapes registered with the police has been consistently increasing, especially, in the last three years with, approximately, one case per day registered and investigated. About 80% of the victims are girls and young women aged 10-29, and 46.8% are girls aged 8-17 (Gender Equality Center, 2019; B.Enkhbold, S.Gantulga, B.Munkhzul, 2019). Although rape of minors, especially girls, is on the rise, including incest, there is a lack of legal framework to protect the rights of young children, especially girls, who are victims of such crimes. As the results of a study, conducted by the General Prosecutor's Office in 2019, show, rapes committed by a relative or an acquaintance are not reported to the police, and, even if it is reported, adults "negotiate" with each other and the child is victimized, which causes

doubts on whether they fully represent the victim's interests. Official statistics show that crimes against sexual rights and bodily integrity have increased by 30 percent. But, in most cases, victims do not report, when reported, victims' cases are dismissed, they withdraw their complaints, negotiate with offenders. Therefore, civil society organizations included a separate national report on this type of crime for United Nations Human Rights Council for its 3d UPR cycle (Gender Equality Center, 2019). Perpetrators, who committed sexual violence, tend to do it more than once. More than half of women (54.1%), who have been sexually abused by their partners, experienced sexual abuse several times in the last 12 months, while 45.5 percent have been sexually abused by their partner several times (2-5) in their relationship. One in seven women (14 percent) has been sexually abused, at least once, in their lifetime, compared with 2.6 percent in the past 12 months. 14 percent of women, who have had a partner in the past and have a partner, have been sexually abused by someone else, which is relatively high compared to other countries in the Asia-Pacific region (National Statistics Office, 2018).

- The incidence of rape cases in rural areas increased by 48.4 percent in 2017 and by 48.0 percent in 2018. About 70 percent of perpetrators are locals, while the number of Ulaanbaatar residents is relatively low. By location, 34 cases or 50.0 percent took place in Ulaanbaatar, 3 or 4.4 percent in the western region, 13 or 19.1 percent in the eastern region, 2 or 2.9 percent in the Khangai region, and 16 or 23.5 percent in the central region (B.Enkhbold, S.Gantulga, B. Munkhzul, 2019).
- 7.5 percent of herders know someone who experienced violence in the past 2 years. And, 3.7 percent of them experienced sexual violence, as they reported. 83.4 percent of herders, or 4 out of 5 herders who knew someone who experienced violence, provided help to the victim. 4 out of 5 herders believe that there is no organization working to combat violence in their area (MMCG, 2017, p. 116).
- Among women, who participated in a study Naked Truth about Violence, very few women shared their experiences about sexual abuse committed by partners, and most of them were women over the age of 35. Women with disabilities, also, reported cases of this type of violence. Partner sexual violence is always accompanied by physical violence (National Statistics Office, 2018, p. 51).
- According to a survey, conducted among women with disabilities who have been sexually abused, the perpetrator was a stranger (24%), an acquaintance (24%), a friend (19%), a co-worker (6%), a relative (7%), a boyfriend (7%), and a stepfather (5%) (Mongolian National Wheelchair Users Association; National Human Rights Commission, 2019).



## POLICY ANALYSIS: SUPPORTIVE REGULATIONS

### Domestic violence:

- In 2016, a revised version of the **Law on Combating Domestic Violence** (State Bulletin, №5, 2017) was approved. Since the law was passed, the law enforcement has been assessed as good. For example, the Ministry of Justice and Home Affairs and the Coordination Council for Crime Prevention have established Sub-Councils on "Domestic Violence" and "Prevention of Violence against Children". Out of 33 implementing regulations, 31 regulations were approved. A total of 14 temporary shelters and 14 One-Stop Service Centers have been established nationwide.
- The revised **Criminal Code of 2015** (State Bulletin, №7, 2016) criminalizes «**persistent**» domestic violence. Threats and harassment were also criminalized and will be prosecuted.
- The **Law on Infringement of 2015** (State Bulletin, №24, 2017) states, that committing physical violence against a family member, enforcing an action or inaction against his/her will, restricting contacts with others, violating the right to own, use and dispose individual and shared property, will be punished with compulsory training and/or detention for 7-30 days. Also, non-compliance with the "**reporting obligation**" under the Domestic Violence Law, violation of temporary shelter regulations, change of purpose of temporary shelter or use for other purposes, will be punished with fines.
- The **Criminal Procedure Code** of 2015 (State Bulletin, №23, 2017) included the protection of **victims of domestic violence, the simplified procedures, and the restrictions** during criminal proceedings.
- **Law on Primary and Secondary Education, Law on Higher Education, Law on Preschool Education** included regulations to identify children who experienced or at-risk of experiencing violence, inform relevant organizations, provide support for accessing legal services, resolve conflicts through methods of non-violence, provide training on self-protection knowledge and communication skills.
- Article 15.1.11 of the **Law on the Prosecutor's Office** (State Bulletin, №24, 2017) stipulates that if a prosecutor has made a conclusion to prosecute or dismiss a crime of homicide involving domestic violence, a conclusion shall be made.
- The **Law on Procedure for Administrative Cases** (State Bulletin, №8, 2002) specifies the types of preliminary measures to be taken in relation to family matters. A judge can issue orders to support a minor or a non-working parent, to keep the child with one of the parents, to order the spouses to live separately, to order a financial support for the spouse, to order a prohibition to transfer, gift, sell the apartment and joint property, to order a payment of an appropriate percentage of court-related expenditures in advance, to set a time for family reconciliation.
- Article 7.2 of the **Law on Crime Prevention** (State Bulletin, №42, 2019) states that measures shall be taken to create an environment of intolerance, suppression and prevention of all forms of violence (7.2.8), within the framework of the general guidelines for the prevention of crimes and offences.
- Article 18.1.4 of the **Law on Social Welfare** (State Bulletin, №8, 2012) stipulates for provision of temporary shelter services to victims of violence, as part of the types of community-based welfare services. Article 19.2.1 of the same law stipulates for provision of specialized care services to the elderly, who experienced violence and are not eligible for community-based welfare services.
- The **Law on Promotion of Gender Equality** (State Bulletin, №8, 2011) states that, persons, who directly discriminated on the basis of sex in family relations, shall attend compulsory behavior-change training, in accordance with the Law on Combating Domestic Violence (26.3).

- According to the **Family Law** (State Bulletin, №30, 1999), if, during the dissolution process the spouses could not determine, whose custody to give children in, how to maintain the child or the spouse who lost capacity to earn for living, and how to share their common ownership property, the court has the discretion to decide whose custody to give children in, what is the amount of alimony, and how to share the property, considering children's age, parental prudence, economical circumstances and possibility, morality and whether any violence has been committed. Also, grounds for the court's decision on the share of common ownership property for each of family members are due to the health of spouses, the interests of children, whether common owned property was used for undue purposes or hidden, whose wrongdoing led to dissolution of marriage.
- Article 28.4 of the **Law on the Rights of Persons with Disabilities** (State Bulletin, №9, 2016) states that law enforcement agencies, children's rights advocates, educational and other government agencies shall implement measures designed to protect and prevent children from becoming victim of family violence, sexual abuse and criminal acts. The Article 29.1.2 of the same law states that effective measure shall be taken to prevent and reduce risks of women with disabilities from becoming victims of violence, pressure and crimes. The Article 29.1.3 regulates the delivery of professional level health, legal, psychological and other types of services for women with disabilities, who have become victims of family violence, sexual abuse and crimes, and the alignment of these services with their mentality, age, physical and intellectual ability. And, the Article 29.1.4 states that witness and victim defense facility should be tailor-made to the needs and requirements of women with disabilities.
- The **Law on Social Protection of Elders** (State Bulletin, №13, 2017) states that "violence against the elderly" means an action or inaction, in which a person violates the rights and freedoms of an elderly person, causing or threatening to harm his or her life, health, body or mind. The law stipulates for the provision of services to the elderly to protect them from domestic violence and, if necessary, to provide services to the elderly on protection from violence, per the relevant laws.
- The **Law on Protection of Witnesses and Victims** (State Bulletin, №30, 2013) provides a legal basis for protecting the lives and health of witnesses and victims during criminal proceedings, and for providing them with information, support and assistance.
- The **National Security Concept of Mongolia** (Parliament, 2010) states that creating healthy and safe living conditions and environment, ensuring food security, guaranteeing secure residence and protecting them from becoming a victim of crime or assault is the basis of ensuring human security for Mongolians.

#### Human trafficking:

- In 2012, the **Law on Combating Trafficking in Persons** (State Bulletin, №23, 2017) was **adopted**. The law specifically lays down obligations for the Ministry of Justice and Home Affairs, the Ministry of Foreign Affairs, the Ministry of Labor and Social Welfare, the Ministry of Education, Culture and Science, the Police, the General Authority of Citizenship and Migration, the Professional Inspection Agency, the Family, Child and Youth Development Agency, and Governors and Citizens' Representatives Councils at all levels. In addition, the Ministry of Health is responsible for approving and enforcing procedures on provision of medical services and mental rehabilitation services to victims; the Ministry of Labor and Social Welfare for approving and enforcing procedures on provision of employment and vocational training to victims; the Ministry of Justice and Home Affairs on provision of legal assistance to victims and protection of their reputation and safety, in collaboration with the State General Prosecutor's Office, and provision to victims abroad of temporary shelters, food, passport or equivalent documents, and repatriation.
- Article 12.3 of the revised **Criminal Code** (CPC, No.: 7, 2016) states that "use of force or a threat to use

force; enforcement of sexual intercourse with others, without restriction of the right to travel but with abuse of power over property, position and other circumstances" shall be considered a crime of sexual exploitation". And, Article 13.1 of the same law states that the crime of trafficking in persons, committed against adults, shall be punishable by imprisonment for a term of 2-8 years, and, committed against minors, shall be punishable by imprisonment for a term of 5-12 years. It, also, criminalizes attempts, complicity, organization and management of trafficking in persons, as well as preparation to commit human trafficking, which are to be prosecuted as crime of human trafficking.

- The **Criminal Procedure Code** of 2015 (State Bulletin, №23, 2017) and the **Law on Protection of Witnesses and Victims** (State Bulletin, №30, 2013) stated the following as the measures to be taken for victim's protection: warning the accused, limiting the accused's actions, providing physical protection, ensuring confidentiality of information, supplying with personal protection equipment, placement in a temporary safe house, relocation, change of victim's ID documents, change of victim's appearance.
- Provision 6.5 of the Article 6 of the **Law on Advertisement** (State Bulletin, № 23, 2002) prohibits advertisement that could lead to an action or operation that breach laws or regulations of Mongolia, to lead violence, pornography or the action that damages human life, health or safety.
- Article 1 of the **Law on Combating Pornography and Prostitution Act** (State Bulletin, №3, 1998) states, "The purpose of this law shall be to regulate relations connected with combatting advertisement of pornography, prostitution and its solicitation, and control of erotic advertisement and services".
- Article 1 of the **Law on Organ Donors** (State Bulletin, №6, 2018) states that the purpose of this law is "to regulate relations connected to the rights and responsibilities of governmental and non-governmental organizations, business entities, officials and citizens on voluntary, free of charge donation of blood, cells and organs, transplantation and protection of blood safety, in order to protect human health and save lives".

#### Sexual harassment in workplace:

- For the first time in Mongolia, the term "sexual harassment in the workplace" was included in 2011 in the **Law on Promotion of Gender Equality**, which brought a positive change in the legal environment. The roles and responsibilities of the National Committee on Gender Equality and the National Human Rights Commission, the entities to play the key roles in enforcement of this law, were outlined respectively as well. For example, the NHRC is responsible for receiving and resolving complaints on sexual harassment in the workplace. The National Committee on Gender Equality is responsible for working with governmental and non-governmental organizations to implement preventive measures.
- In 2017, a revised version of the **Law on Civil Service** (State Bulletin, №1, 2018) was approved. Article 39 of the Law lists the prohibited actions by core civil servants, and ... Article 39.1.4 prohibits misuse of power of public positions, blackmailing others for personal interests and sexual harassment, discrimination and exploitation. There are four categories of civil service in Mongolia: political, administrative, special, and public support. Core civil servants include civil servants in public administration and special state service positions. Thus, Article 39 of the law prohibits the actions by core civil servants, excluding civil servants in political and public support services. In addition, Article 48 of the Law provides for the imposition of disciplinary punishment to core civil servants, and subjects them to disciplinary sanctions due to violation of provisions stipulated in the Articles 37 and 39 of the Law.
- The **Law on Infringement** (State Bulletin, T24, 2017) was amended on January 10, 2020 and made "**sexual harassment**" an offence. Article 6.26 of the Law states that any act of "sexual harassment", meaning verbal, physical and other forms of expression of sexual intentions with consequences including

loss of job, reputation or income, as well as emotional distress, will incur a fine of 1,000 units (1 unit equivalent to MNT 1,000), a compulsory training, or imprisonment for 7 to 30 days. Also, a fine of **1,500 units** will be imposed on an employer for failure to comply with the responsibility to include in its internal policies the measures on prevention of sexual harassment in the workplace and resolution of grievances.

#### Sexual violence and rape:

- The **Law on Medical Care and Services** (State Bulletin, №21, 2016) stipulates that the cost of medical and mental health rehabilitation services for victims of physical and sexual violence and exploitation is estimated on case-based calculation and financed by the state. **The Law on Health** (State Bulletin, №21, 2011) stipulates that the state is responsible for the payment of medical and mental health rehabilitation services to victims of physical and sexual violence and exploitation, which is a victim-friendly arrangement.
- Article 7.1 of the **Law on the Rights of the Child** (State Bulletin, №9, 2016) states that children have the right to protection from crime, violence, corporal punishment, psychological abuse, neglect and any form of exploitation in all areas of the society.

### NON-SUPPORTIVE REGULATIONS:

#### Domestic violence:

- It is difficult to prove violence as «**regular**», as stated in the Article 11.7 of the Criminal Code, and there are cases of evasion of punishment.
- The revised Law on Combating Domestic Violence was adopted, but no budget has allocated in the **state budget** specifically for implementation of the law. This creates a risk for the sustainability of the One-Stop-Shops and Temporary Shelters, which are dedicated to ensure the safety of victims. In addition, training for law enforcements professionals, such as police officers, doctors, teachers, and social workers, does not provide a unified curriculum, content, and are not conducted regularly, leading to inability to respond effectively to domestic violence. The lack of professionals in rural areas, such as police officers, social workers, psychologists, as well as high staff turnover, makes it difficult to effectively combat domestic violence. Some soums do not have professional social workers.
- Some work, service and supply standards of the police are not implemented, and today there are 4,585 vacancies in the police.
- Implementation of compulsory behavior training for perpetrators is inadequate. Compulsory behavioral training for those convicted of domestic violence is provided by the police and the judiciary, but the budget for teachers, classrooms, supplies has not been resolved.
- The inclusion of arrests in the Law on Violations without any other options does not reduce the number of domestic violence cases and creates double victimization for women.
- The National Security Concept of Mongolia does not address the issue of prevention of domestic violence.
- The Law on Witness and Victim Protection provides the protection in a way that victims and witnesses cannot be protected under this law prior to the initiation of a criminal case.





### Human trafficking:

- **Article 13.1 of the Criminal Code** states that the main difference between sexual exploitation and human trafficking is that it does not restrict the victim's right to travel, which is an ill-fitting regulation. Victims of trafficking appear to be legally free to travel, without direct restrictions, but are psychologically dependent on criminals due to fear, harassment, and other circumstances. Thus, they are unable to escape from the criminal, and are unable to defend themselves by appealing to law enforcement, filing a complaint, or informing others. So, it is unreasonable to assume that the right to travel is not restricted.
- **The Law on Witness and Victim Protection** provides for high level of protection, such as personal protection, protection of confidentiality of information, provision of special equipment, communication devices, relocation, and change of documents, appearance change and disguise. But these protection measures are not available to victims of trafficking defined by Law on Combating Trafficking in Persons.
- In addition, if the victim of human trafficking is not identified as a victim in a criminal case, the victim cannot access the protection and support specified in the implementing regulations of the **Law on Combating Trafficking in Persons**. These are the Procedure for Providing Medical Assistance to Witnesses and Victims, the Procedure for Applying Security Protection Measures to Ensure the Confidentiality of Witness and Victim Information, and the Temporary Security Protection Measure for Relocation of Witnesses and Victims.

### Sexual harassment in workplace:

- Provisions for assistance to victims of sexual harassment in the workplace are inadequate. Due to the lack of regulations, SHWP victims have no place to go for services and protection, social work services are not available to them to date. Also, the victim's job security is a problem that needs to be addressed through an amendment.
- According to the Article 6 of Law on Civil Service,... the civil service is divided to political, public administration, special state service and public support service positions. Article 6.2 of the same law considers that public administration and special state service positions to be core civil servants. Thus, political and public service positions cannot be subject to the disciplinary sanctions specified in Article 39 of this Law.

### Sexual violence and rape:

- The revised 2015 Criminal Code reduces the fines by 5-22 times for "18-year-olds, who were able to know or knew that the victim was older than 14 years but under the age of 16, and had intentional sexual intercourse". Pregnancy and transmission of diseases were considered aggravating circumstances under the 2002 Criminal Code. However, this was removed by the new law and is a setback for the protection of children from sexual abuse.
- The rights of victims of sexual violence to confidentiality and protection are violated during court proceedings. One-stop centers for victims of sexual violence and rape, that provide special services and rehabilitation, do not exist. Therefore, victims have to go to all the organizations on their own, which is emotionally, psychologically and financially damaging. There is a lack of qualified and experienced specialists in Mongolia, and specialists do not have an understanding of trauma-informed systems of care.

- Victims of sexual violence and rape do not receive financial compensation for emotional damage and its rehabilitation. The court determines the damage only on the basis of bills for medical treatment and physical rehabilitation.
- Article 12.2 of the revised Criminal Code inaccurately describes the crime of "satisfaction of sexual desire in unnatural manner". The law states, "if the victim consented to sexual intercourse, but during the sexual intercourse, used force against the will of the victim, threatened to use force, ridiculed to satisfy sexual desire in unnatural manner...", which leaves out other forms of satisfaction of sexual desire in unnatural manner. For example, it is not clear how to regulate satisfaction of sexual desire in unnatural manner through intimidation, threat or deceit without having sexual intercourse. In other words, there are gaps in crimes (acts) of rape and sexual violence, and there is an opportunity for perpetrators of some acts of sexual violence to evade prosecution.



## FACTORS CONTRIBUTING TO THE ISSUES:

### Traditional culture:

- Our reviews and studies show that traditional gender stereotypes and perception on men and women remain strong to this day (NCGE, 2019; MMCG, 2017; National Statistics Office, 2018). As a result, there is a widespread tendency among women to tolerate violence, obey their husbands, even if they disagree, and give right to decision-making to husbands (NCGE, 2019; National Statistics Office, 2018). In addition, older men and men living in rural areas are more likely to blame women. This may be directly related to the traditional perceptions and attitudes of these men on family relationships. For example, men, who participated in a survey on gender-based violence (2018), used phrases such as «man is the backbone of a household» and «there is an inherited patriarchal tradition», regardless of their geographic location and age.

### Policy environment:

- In its 2014 report, the National Human Rights Commission indicated a need to streamline sanctions for perpetrators, as arrests and fines for perpetrators are more likely to result in resentment toward the victim, pressure and financial distress on the victim, due to the detention of the main breadwinner, rather than protect the victim. However, the arrangement remains in place (National Human Rights Commission, 2018).
- The rights of victims of sexual violence to confidentiality and protection are violated during court proceedings. One-stop centers for victims of sexual violence and rape, that provide special services and rehabilitation, do not exist. Therefore, victims have to go to all the organizations on their own, which is emotionally, psychologically and financially damaging. There is a lack of qualified and experienced specialists in Mongolia, and specialists do not have an understanding of trauma-informed systems of care. Victims of sexual violence and rape do not receive financial compensation for emotional damage and its rehabilitation. The court determines the damage only on the basis of bills for medical treatment and physical rehabilitation (Gender Equality Center, 2019). Also, the reduction of maximum sentence for rape and the abolition of the death penalty have mitigated the punishment approach of 2002 Criminal Code (B.Enkhbold, S.Gantulga, & B.Munkhzul, 2019).

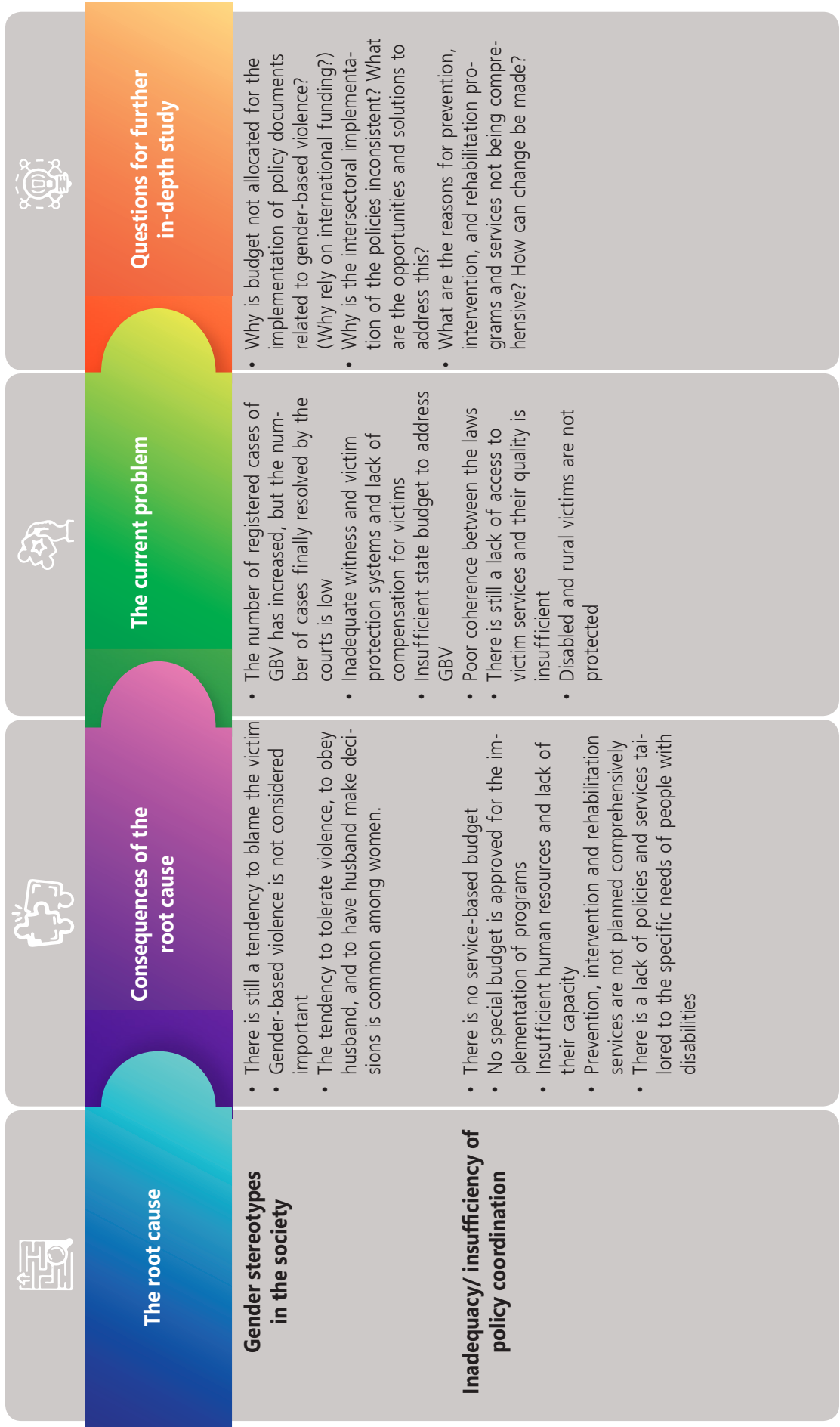
ACTIONS TAKEN BY THE GOVERNMENT OF MONGOLIA IN 2015-2019 AGAINST GENDER BASED VIOLENCE

The activities implemented at the level of the Government of Mongolia were categorized in the following 5 categories based on the information provided by relevant government agencies: policy improvement, budget, resolution of cases related to gender based violence, training and research. Total of 11 official letters requesting information were sent, of which 10 were responded. The National Human Rights Commission has not responded.

Names	Policy improvement				Budget				Resolution of cases related to gender based violence				Training			Research				
	DV	HT	SHWP	SV,RC	DV	HT	SHWP	SV,RC	DV	HT	SHWP	SV,RC	DV	HT	SHWP	SV,RC	DV	HT	SHWP	SV,RC
1 MoJHA, CCCP of Mongolia	✓	✓	✓	✗	✓	✓	✗	✗	✗	✗	✗	✗	✓	✓	✗	✗	✓	✓	✗	✗
2 MLSW	✓	✓	✗	✓	✓	✗	✗	✗	✗	✗	✗	✗	✓	✗	✗	✗	✓	✗	✗	✗
3 MoH	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
4 MECSS	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
5 JGC	✓	✗	✗	✗	✗	✗	✗	✗	✓	✓	✗	✗	✓	✓	✗	✗	✓	✓	✗	✗
6 SGPO	✗	✓	✗	✗	✗	✗	✗	✗	The SGPO did not respond to comments on 26 human trafficking cases requested by CEDAW Committee.				✗	✗	✗	✗	✗	✗	✗	
7 NPA	✓	✗	✗	✗	✗	✗	✗	✗	✓	✓	✗	✗	✓	✗	✓	✗	✓	✗	✗	✗
8 FYCDA	✓	✗	✗	✗	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
9 GADPwD	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
10 NCGE	✗	✗	✗	✗	✓	✗	✗	✗	✗	✗	✗	✗	✓	✗	✗	✗	✓	✗	✗	✗
11 NHRC	Did not respond																			

DV=domestic violence, HT=human trafficking, SHWP=sexual harassment in workplace, SV, RC=sexual violence, rape crime  
 ✓ Yes ✗ No

KEY FINDINGS FROM THE DOCUMENT ANALYSIS:  
**GENDER-BASED VIOLENCE**



# 2

## RESULTS OF THE QUALITATIVE RESEARCH

Based on the results of the document review, a qualitative study was conducted to identify and clarify the following research issues.

- Legal framework for combating gender-based violence, connections and gaps in legislation,
- Current situation and challenges of protection of victims of gender-based violence
- Case resolution, implementation of legislation, and issues to be considered in the future

For the study, a total of 19 experts, representing the judiciary, law enforcement and non-governmental organizations, were interviewed

### Policy environment:

- The Law on Witness and Victim Protection was adopted in 2013 and the Marshals General Authority was established in 2014. In 2016, the Marshals General Authority was disbanded and transferred to law enforcement. There is a lack of regulation on psychological protection for witnesses and victims. Also, there are no specific budgets or resources to manage the social protection of witnesses and victims. The Witness and Victim Protection Department plays a protective role. No control is performed. The number of witnesses and victims has increased since the transfer of this duty to the police. 40 witnesses and victims received the protection in 2016, 51 in 2017 and 130 in 2019.
- In the January 2020, the revised 2015 Criminal Code was amended and Article 12.6 of the Law, considered an act of "organizing prostitution" a crime. It provides for a six-month to three-year travel ban or six-month to three-year imprisonment for inducing or engaging others in prostitution. In addition, the law provides for a restriction of the right to travel for a period of one to five years or imprisonment for a term of one to five years for setting up, financing, organizing brothels, or provision of means of transport or premises for engaging in prostitution. Article 6.18.4 of the Law on Infringements stipulates that a person who engages in sexual intercourse for money or paid for sexual intercourse shall be subject to a fine of 50 units, with confiscation of illegally gained income.
- Some provisions of the revised Criminal Code need to be consolidated. For example, the Article 13.1 of the Criminal Code on "Trafficking in persons" and Article 12.3 of the Law on "Sexual exploitation" need to be consolidated. The reason is that sexual exploitation is a form of human trafficking. However, only one word of the law, "restriction the right to travel", differentiates these two provisions. The most important and urgent issue is to ensure that victims of trafficking are protected from influences by others and placed in a separate rehabilitation service place until the case is finally resolved.
- It is important to address the issue of compensation to victims and it is necessary to fully implement the Article 15 of the Law on Combating Trafficking in Persons on compensation.
- To improve the legal environment for bodily integrity, in particular, to review the sentencing for those who commit this type of crime. The sexual and reproductive rights of women with disabilities are seriously violated, and there is a high risk that women with disabilities will be exposed to this type of crime.



### Protection, services and support for victims:

- Provisions for assistance to victims of sexual harassment in the workplace are inadequate. Due to the lack of regulations, SHWP victims have no place to go for services and protection, social work services are not available to them to date.
- There is an important need to raise public awareness for combatting and prevention of sexual harassment in the workplace.
- This type of crime is often committed by high-ranking officials. It also creates all types of conditions for the perpetrator to evade punishment and for the victim to withdraw the case. Victims have no protection. There is no consistent support or support organization.
- To develop psychological services and increase the number of qualified staff and specialists.

### Case resolution, human resources:

- Sexual exploitation of human trafficking is being detected, but other types of trafficking offences and crimes, such as "labor exploitation" and "blood and organ trafficking", are not detected. Crime detection is limited to Ulaanbaatar only. Therefore, to increase the structure to combat this type of crime and create a national structure;
- There is a need to establish a special unit to investigate crimes related to human trafficking or increase the number of detectives and intensify their training.
- To establish a one-stop-shop, with comprehensive services for victims of sexual violence and rape, especially for girls;
- To train professional psychologists: there is a need to create services based on mental trauma, and even to establish a structure.

## CONCLUSION

- **The legal environment and legislation on combating gender-based violence remain inconsistent and has gaps.** For example, the definitions of “victim” are different in the Criminal Code, the Law on Combating Domestic Violence, the Law on Combating Trafficking in Persons, and the Law on Witness and Victim Protection. Due to the lack of a common understanding in terms of the understanding and application of the legislation, there is a need to clarify how to apply in legal and judicial practices some provisions that specify each case in offence and criminal cases on domestic violence, human trafficking and sexual violence and rape.
- **Victim protection and case resolution remain inadequate.** The Law on Witness and Victim Protection stipulates that victims’ and witnesses’ life and health will be protected, they will be provided with information, support and assistance during criminal proceedings, which means that victims and witnesses are not able to receive protection prior to the initiation of a criminal case. In 2017, no court decisions on human trafficking were made. Also, due to the lack of any legal regulations on assistance to victims of sexual harassment in the workplace, they have no place to go for services and protection, social work services are not available to them, their jobs are not secured, which indicates a problem and the need for amendments. There is a lack of services that meet the needs of people with special needs, and the services currently provided do not meet their needs. Women with disabilities, especially women with hearing impairments, do not have sign language interpreters, women in wheelchairs often have limited access to entrances and exits in buildings, and women with visual impairments often lack a guide, which makes their access to services restricted.
- **Laws, regulations and national programs do not have budgets, required for their implementation, and funding is not specifically reflected in the state budget.** Budget for the implementation of the Law on Combating Domestic Violence is not allocated and is implemented by donations from international organizations only. In the absence of a specific budget, all activities under these projects are short-term, unsustainable, and face a risk of discontinuation of the victim services, once the projects end.
- **Inter-sectoral coordination and connection is weak.** National Program, under the Law on Combating Domestic Violence, must be produced, but it has not yet been approved. There is a lack of coordination between the sectors responsible for the implementation of the law. In particular, the rehabilitation and psychiatric services and the implementation of their procedures are insufficient.
- **There is no unified database on registration and resolution of domestic violence and human trafficking offenses and crimes.** It is not possible to view overall statistics on domestic violence, because the information provided by the police, prosecutors and courts on how domestic violence cases have been resolved is not included in the unified database.
- **There is a need to regularize the training of law enforcement and judicial officials.** To take steps to eliminate stereotypes and reduce victim blaming through training. There is a strong tendency to blame victims at all levels of the legal organizations. Currently, one-time trainings are organized, with the support of international organizations. Training activities are not regular.





## RECOMMENDATIONS:

### On improving the policy environment:

1. To improve inter-sectoral coordination: to expand the activities of the Sub-Councils on Combating Trafficking in Persons and on Domestic Violence, to establish a permanent structure, and intensify their activities to ensure inter-sectoral coordination;
2. To develop a National Program on Combatting Domestic Violence, to allocate specific budget;
3. To establish a unified database on registration and resolution of domestic violence and human trafficking offences and crimes;
4. To consolidate the definition of a victim in the Criminal Code of Mongolia, the Law on Protection of Witnesses and Victims, and the Law on Combating Trafficking in Persons;
5. To establish an integrated victim detection structure and mechanism;
6. To ensure that sentences imposed on criminals are on target and to prevent avoiding sentencing;
7. As there are no regulations to provide assistance to victims of sexual harassment in the workplace, to develop and apply regulations on where to go for victims of sexual harassment, on who will provide social work services to them, and how to ensure the victim's job security;
8. To evaluate the laws in Mongolia on compensation for victims, to identify gaps and duplications in the laws, and amend the criminal and civil legislation to reflect the conditions for compensating victims;
9. There is a need to consolidate some provisions of the 2015 Criminal Code. For example, to consolidate Article 12.3 on sexual exploitation and Article 13.1 of the same law on human trafficking;
10. To expand the structure and the activities of the Organized Crime Unit and to establish a specialized investigation unit.

### On improving the protection and support for victims:

1. To provide direct assistance to victims of human trafficking, to establish a system of rehabilitation services, and to include funding for services in the annual state budget;
2. There is a lack of services that meet the needs of people with special needs. To set up sign language interpreters services for women with hearing impairments; to make entrances and exits accessible for women in wheelchairs, and to provide guides for visually impaired women.
3. To provide a full range of services to ensure and protect the bodily integrity of girls and women, to convert services and assistance into one-stop services, to create opportunities for provision of medical services, forensic examination, interviews, psychological services and legal assistance in one place;
4. Due to the lack of legal regulations on assistance to victims of sexual harassment in the workplace, they have no place to go for services and protection, social work services are not available to them, their jobs are not secured, to develop regulations;

### On prevention measures:

1. To take a holistic approach to the issue of gender-based violence, not to neglect any of prevention, response or rehabilitation services;

2. To monitor labor exploitation and pregnant women crossing the border, and to focus on detecting sexual exploitation crimes in mining areas;
3. To develop training module and regularly organize training for physicians and teachers on how to work with victims, on the right sequence of services, on gender equality, discrimination, victim's rights, and the identification of signs of violence, in order to prevent sexual violence and double victimization;
4. To establish a system of regular training for the judiciary and prosecutors and law enforcement officials;



**CHAPTER 2:  
WOMEN'S PARTICIPATION  
IN DECISION-MAKING**

# 1

## RESULTS OF THE DOCUMENT REVIEW

### CURRENT SITUATION

- Since 2005, the number of women running for Parliament has increased, reaching 32 percent of all candidates from all political parties. The number of female members has increased from 3 to 13 since 1992. However, the MDG target of 30.0 percent women's participation in politics and decision-making was not met in 2015. The percentage of women elected to parliament in 2016 was 17.1 percent, a record high, but still below the world average (23.7 percent in 2017) and the East Asia and Pacific region average (19.7 percent in 2017). In the 2017 Gender Gap Report, Mongolia ranked 107th out of 144 countries in terms of political power. In 2005, 33.7 percent of public servants in decision-making positions were women. This figure was 25.2 percent in 2015 due to structural changes and staff reductions, but increased again after the 2016 election and reached 34.3 percent in 2017. The share of women among heads in public administration has gradually increased since 2012, reaching 24.0 percent in 2017. The share of women among officials in public administration decreased from 28.9 percent in 2012 to 25.8 percent in 2016, after the changes in government structure and staffing. However, this number has increased since 2016, and in 2019 it was 38.7 (NCGE, 2019)
- According to Transparency International's annual Global Corruption Perceptions Index, Mongolia ranked 72nd in 2015 with 39 points, 87th in 2016 with 38 points, and 103rd in 2017 with 36 points, which demonstrates that corruption in Mongolia has worsened, falling by 31 places in three years. According to Global Competitiveness Report 2017-2018 of the World Economic Forum, Mongolia ranked 101st out of 137 countries, including ranking 108th in terms of institutional quality and 125th in terms of public confidence in politicians. This shows that for Mongolia's competitiveness the rating is worst for the quality of institutions, including the credibility of politicians. (Glass Party Coalition Against Corruption, 2018)
- As a result of the 2016 aimag, soum, capital city and district elections, 26.7 percent of the representatives in soum and district Citizens Representatives' Councils, 27.8 percent of their presidium members and 13.8 percent of chairpersons of the Councils were women. However, there are no women governors and Council chairpersons in aimags and in the capital city (NCGE, 2019)
- The documents and materials we reviewed did not examine the political participation of vulnerable, disabled, and sexual minority women.

#### The national system for gender equality, protection and improvement of women's rights:

- Parliament adopted the Law on Gender Equality by the Parliament in 2011. Following the adoption of the law, National Committee on Gender Equality was established, and the number of sub-committees and councils on gender equality at the local levels has doubled. As of now, sub-committees operate in the capital city, 21 aimags and 9 districts, and sub-councils operate in 13 central public administration agencies.
- Since 2015, a Gender Expert Group, comprising of gender experts, a Media Council and a Gender Consortium have been established under the National Committee on Gender Equality, and, for the first time, gender trainers have been trained. These groups work nationwide.
- Although there is no independent state agency to monitor the implementation of women's rights, the National Committee on Gender Equality, chaired by the Prime Minister, is responsible for coordination and protection of women's policies at the levels of ministries, NGOs, aimag and local gender sub-committees and councils.



## POLICY ANALYSIS: SUPPORTIVE REGULATIONS

- The **Constitution of Mongolia** of 1992 (Parliament, Constitution of Mongolia, State Bulletin №1, 1992) provides for equal rights for men and women to participate, directly or through a representative body, in governance matters, to be elected and elect to public offices, to enjoy equal rights in political and economic spheres, social, cultural and family lives, to file petitions and complaints, and to hold peaceful demonstrations.
- The **Law on Protection of Gender Equality** (State Bulletin №8, 2011) was adopted. The Article 10.1.1 of this law states that representation of any one sex among politically appointed civil servants shall not be less than 15 percent on national, aimag and the capital city levels, 20 percent on district, 25 percent on soum and 30 percent on khoroo levels, thus, complying with the temporary special measures to increase women's political participation and confirming the quota.
- Although the **Law on Political Parties** (State Bulletin №7, 2005) does not make much progress in ensuring women's political rights, Article 5.1.3 of the Law stipulates for provision for the members to enter in the board of directors, to candidate for election, and for provision of equal opportunities without discrimination of nationality, race, age, sex, wealth, and work position to get elected. Also, Article 11.2.8 of the Law states that party rules should include the following common principles, including nomination to election, selection of employees and gender equality.
- The **Law on Parliamentary Elections of Mongolia** (State Bulletin, №49, 2019) was approved, and Article 30.2 of the law states that ... parties and coalitions shall allocate at least 20 percent of candidacy for each gender.
- The **Law on Elections of Citizens' Representatives Councils in Aimag, Capital City, Soum and Districts** (Parliament of Mongolia, 2020) was approved, and Article 29.2 of the law stipulates that at least 20 percent of candidates from parties and coalitions must be of one gender.
- According to Article 31.4 of the **Civil Service Law** (State Bulletin, №1, 2018), for an individual, who has satisfied requirements for the certain civil service position, his/her right to serve in the civil service shall not be discriminated based on ethnicity, race, age, gender, social background and status, wealth, employment, job position, religion, affiliation to public or other organizations.
- Article 12.9 of the **Law on the National Human Rights Commission** (Parliament of Mongolia, 2020) stipulates that gender equality shall be taken into account when appointing members of the Commission, and that at least 40 percent shall be of one gender.
- **The Law on the Rights of Persons with Disabilities** (Parliament of Mongolia, №9, 2016) states that "discrimination on the basis of disability" means any distinction, exclusion on the basis of disability which restricts persons with disabilities to exercise basic human rights and fundamental freedoms in political, economic, social, cultural field on an equal basis with others and to access distribution of social wealth, contribute to the development and to be supplied with appropriate devices. The Article 4.1.11 of the same law states that "right to live independently" means the ability of persons with disability to make and independent decision on the issues concerning their lives and exercise freedom of choice and participate in all aspects of social life. The Article 6.3 states that persons with disabilities have a right to live in favorable and risk free environment, to study and to take part in decision making process and to exercise political rights. Also, the Article 6.3.6 prohibits restriction of the right of persons with disabilities to participate in developing, implementing and exercising control over enforcement of policy and decisions and restrict their rights to vote for and be elected.
- **The Mongolia Sustainable Development Vision-2030** (Parliament of Mongolia, Resolution 19, 2016) approved the program and regulated to "create a favorable environment for equal access to the benefits of social wealth by ensuring equal gender participation in social development".

- **The Government Action Plan for 2016–2020** (Parliament of Mongolia, Resolution 45, 2016) states that “gender equality and women’s participation in decision-making will be enhanced”, thus, guiding state policies and legislation to aim at ensuring gender equality.

#### NON-SUPPORTIVE REGULATIONS:

- Article 30.4 of the Election Law states that ... the issue of nominating a candidate by a party shall be discussed at a meeting of the party’s Congress or central representative body, by **secret ballot**, and decided by a majority vote.
- There is no desire to increase the quota for women candidates to 30 percent when the amendments made to the Law on the Elections of Parliament.

#### FACTORS INFLUENCING THE PROBLEM:

##### Culture and tradition:

- The traditional belief that policy-making and decision-making are for men is still strong. For example, a research on women’s participation in politics continues to show that men are considered to be better decision-makers, have stronger “backbone” and more in-depth approach to issues. There is, also, an old-fashioned tendency in the family to serve food and tea to the head of the household first, for a husband to sit at the top side of the Ger, for men to start and lead meetings, which reinforces the status and cultural norms that men are key decision-makers. This, also, affects the political environment. Men hold key leadership positions in political parties, and women hold administrative and deputy leadership positions. That contributes to the prevailing view that men’s political leadership capacity is better than women’s. Also, women, have a greater role in managing household chores, which limits their ability to participate actively in politics, the study said. This is particularly the case in rural areas. Culturally, the traditional attitude to respect men undermines women’s self-confidence and makes them feel less fit to run for office, according to the survey respondents. (International Republican Institute, 2016). All candidates must be included in media pre-election programs such as public debates. However, the survey participants reported that the media hosts and organizers do not provide equal opportunities for each candidate to speak on an equal footing, so, mainly, male candidates speak. Also, it was reported that male candidates have larger networks, so they were more likely to appear in the media and could negotiate fees (p. 17).

##### Policy environment:

- Policies to increase women’s political participation have not been effective due to unclear responsibilities for violations of elections and other related laws, lack of policy support for women, and weak oversight of policy implementation. For example, the Election Law was amended on May 5, 2016, which stated that, at least, 20 percent of candidates from parties and coalitions must be of one gender. The quota for women candidates from political parties and coalitions was set at 30 percent based on the international best practices, but was changed to 20 percent in 2012 and 2016, before the election, with an explanation that there is insufficient number of women candidates. No legal restrictions exist that prohibit women from appearing in media, as part of the legal right to run election campaign. But, at the same time, no any privileges provided (International Republican Institute, 2016). In addition, a study of the legal environment for political party financing in Mongolia found that candidates’ party deposits exceeded the statutory donation limit by several times, creating a loophole that negated the effectiveness of the legislation. Such high levels of financial contributions are the major barrier to women’s and youth participation in politics, who lack economic opportunities and networks. The study emphasized that government funding does not provide for support to participation of young and female party members in decision-making and participation in elections, and argued that the current system had many legal

shortcomings, and limited oversight and responsibilities by the authorized bodies (International Institute for Democracy and Electoral Assistance; Open Society Forum, 2018).

#### Internal organization of political parties:

- Political parties are not taking concrete steps to ensure gender equality. For example, the recent elections have shown that parties did not violate gender quotas, but women-candidates were allocated to the election districts where they were less likely to be elected, indicating a lack of political will to ensure gender equality in practice. (International Institute for Democracy and Electoral Assistance; Open Society Forum, 2018, p. 16). Women candidates who had been interviewed with this research have the same position. For example, in a survey of women's participation in politics, they shared that parties tend to nominate strong women candidates to run against each other in the same district and compete with each other. This situation means that only one of the two female candidates will be elected, which will lead to a split of votes, increasing the likelihood that a male candidate will be elected, while the two strongest female candidates will lose. A study reported that parties allocated female candidates to district where they will not be elected, with the purpose to meet legal quotas (International Republican Institute, 2016, p. 15).
- Political parties have 20-40 percent quota in their charters for women to sit in party decision-making bodies. For example, their charters, the charters state that 51 of the 154 members of the Democratic Party's National Consultative Committee are to be women, 20 percent of members of the Mongolian People's Party's Conference and Board are women, and 50 percent of members of the Civic Will Green Party's board are to be women. This suggests that the number of women members of Parliament has increased and that parties are taking the initiative, but the will of political parties to remove barriers to increasing women's participation in decision-making remains important.
- Parties nominate candidates who are supported by the party leadership, well-known, meet the party's requirements, and are capable to or can provide financial support to the party. These criteria put women in a deadlock. It is, also, common for male party members to run in elections, with female members, often, providing backup support (International Republican Institute, 2016, p. 13).

#### Social factors:

- The society is more susceptible to men, than women, being active in formal and informal areas of the society. The disparity is more evident in rural areas. Women are, sometimes, reluctant to attend high-level meetings to avoid public defamation, the respondents in the study reported (International Republican Institute, 2016). The social perception, that female candidates are vulnerable to gossip and rumors, discourages women from running for office, further reducing the number of women, who are likely to become political leaders (p. 16). Women-candidates are often less known to public, than their male counterparts, and they encounter many roadblocks in their campaigning, thus, spending more time and financial resources to promote themselves.



### Economic factors:

- Women, predominantly, work in the public service sector, such as education and health, while men, mostly, work in business, mining and infrastructure sectors. Most political parties do not provide financial assistance to their candidates and believe that candidates should finance themselves. In such cases, low-paid, economically disadvantaged women are forced to take loans from banks and compete with financially sustainable men (International Republican Institute, 2016, p. 9). Male candidates, who are well-known and financially viable, are more likely to win national elections. Almost all respondents of this study reported, they were unable to use the media during the campaign due to financial constraints (p. 17). Another problem in the Mongolian political system is that women and young people have limited opportunities to participate in politics on an equal basis, and women's and youth participation in politics is restricted, due the lack of financial resources (International Institute for Democracy and Electoral Assistance; Open Society Forum, 2018).



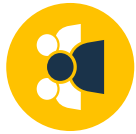


## ACTIONS TAKEN BY THE GOVERNMENT OF MONGOLIA IN 2015-2019 TO ENSURE WOMEN'S PARTICIPATION IN DECISION-MAKING

The activities implemented at the level of the Government of Mongolia were categorized in the following 4 categories based on the information provided by relevant government agencies: policy improvement, budget, training and research. Total of 11 official letters requesting information were sent, of which 10 responded. The National Human Rights Commission has not responded..

	Names	Policy improve- ment	Budget	Training	Research
1	MoJHA, CCCP of Mongolia	✗	✗	✗	✗
2	MLSW	✗	✗	✗	✗
3	MoH	✗	✗	✗	✗
4	MECSS	✗	✗	✗	✗
5	JGC	✗	✗	✗	✗
6	SGPO	✗	✗	✗	✗
7	NPA	✗	✗	✗	✗
8	FYCDA	✗	✗	✗	✗
9	GADPwD	✗	✗	✗	✗
10	NCGE	✓	✓	✓	✓
11	NHRC	Did not respond			

✓ Yes   ✗ No



RESULTS OF THE DOCUMENT REVIEW :

**Women's participation in decision-making**



# 2

## RESULTS OF THE QUALITATIVE RESEARCH



Based on the results of the document review, we conducted a qualitative study to explore the following research issues. These include:

- What are the challenges that impede the implementation of the current positive structure (legal environment and party rules)? How to address them?
- What are the key solutions to increase women's participation in party decision-making levels?
- What support do women candidates need? How can that support be guaranteed?

The qualitative survey involved senior officials from the political party, women, who participated as candidates in the past elections for the Parliament and the Citizens' Representatives Councils, and experts in political and gender studies. A total of 17 one-on-one interviews and 2 focus group discussions were conducted.

### Challenges in the implementation of policies aimed at increasing women's participation in decision-making and further measures:

- Article 10 of the Law on Promotion of Gender Equality provides for the implementation of quotas to increase women's participation in politics and decision-making. However, the survey participants reported that the implementation of the law is insufficient and that it is necessary to conduct, on regular basis, monitoring of the implementation and the development of action plans for its implementation. In particular, it is necessary to develop and implement a four-year work plan to implement the law at the local level, for all political parties.
- In addition, the survey participants believe that the implementation of the law is insufficient due to the lack of awareness and knowledge on gender equality among the public and government officials. Although this type of training is available and conducted, it does not reach the public, the society, political parties, government organizations little support to women. Therefore, it is necessary to carry out public campaigns to eliminate gender stereotypes and raise awareness of the importance and meaning of gender equality, the survey participants consider.
- On the other hand, some survey participants noted that the National Committee on Gender Equality, which is responsible for enforcing the law, lacks human resources, knowledge and experience. The national gender system of Mongolia is a collective of organizations and units responsible for enforcing the Law on Promotion of Gender Equality. This system can be categorized into national, aimag, capital city, soum, and district levels:
  1. At the national level: Parliament, Group of women-members of Parliament, NHRC, Civil Service Council, NSO, Government, NCGE and its Secretariat, and ministries;
  2. At the aimag and capital city level: aimag and capital city CRCs, administrations, local sub-councils, gender experts, and local CSOs;
  3. At the soum and district level: soum and district CRCs, administrations, sub-committees, gender experts, and CSOs.
- National Committee on Gender Equality was established in 2005. The Committee is chaired by Prime Minister of Mongolia. According to Article 18.1 of the Law on Gender Equality,

“The National Committee on Gender Equality is a public body composed of non-staff members and is responsible to ensure equal participation of the public and the government in and sustainability of the implementation of gender equality policies. The National Committee on Gender Equality shall have a Secretariat”, and the Article 18.3 (18.3.1-18.3.12) defines the functions of the Committee. The NCGE Secretariat had a staff of 8 people until 2020, which did not provide sufficient human resources, skills and organization to coordinate and monitor the implementation of the law, inter-sectoral regulations, and the national programs.

- In April 2020, the Government of Mongolia increased the number of positions from 8 to 14 by a Government Resolution No. 80. A national team of gender experts was established in 2013 under the auspices of the NSC. However, there is a lack of budget and funding to support, expand, and professionalize the affiliated team of gender experts, and there is a need to expand the team of experts.
- The Law on Promotion of Gender Equality stipulates that there should be specialized gender specialists in the public service. However, to date, gender issues are handled by public administration specialists. This obstructs the establishment of gender equality, the dissemination and development of awareness and knowledge about gender equality in the public service.
- Within the framework of the projects and programs, implemented with the support of foreign donors, the GCE implements measures to improve its training base, technology and methodology, and trains trainers.

#### Challenges and solutions to increase women's participation in political parties:

- Political parties do not have a clear understanding on how to follow the provisions of the Law on Protection of Gender Equality and the National Program for Gender Equality. Only as parliamentary elections approach, they strive to ensure that 20 percent of the 76 candidates are women, to fulfill the requirement of the Parliamentary Election Law. The process of nominating candidates is governed by the internal rules and regulations of political parties, so there is no single principle. So, it is more harmful to women.
- Political parties include in their internal regulations a quota for the election of women to party governing bodies. According to the rules, 30 percent of the members of the MPP Conference must be women, and 51 out of 280 members of the DP National Policy Committee must be women. The survey showed that the rules and regulations of other parties must be carefully scrutinized and compared.
- Quotas set by political parties apply only to the highest levels of leadership and do not apply to other levels, such as party leaders and advisory councils, which means that they are narrow-focused, lack the political will, and lack internal democracy.
- There is also a lack of financial and human resources to support women. Therefore, it is necessary to pay attention to the structure of the implementation of the provisions of the Election Law in the party structure, as well as to the amendments to the Law on Political Parties. To achieve the goal 5 of SDG from 2020 and by 2030, it is necessary to amend the Law on Parliamentary Elections and lobby for a 30 percent quota for women candidates and, even, for a **“reserved seats quota”**.



## The required support for women:

### 1. Financial support

- Women are more active at the primary and secondary levels of political parties. According to the interviewed party leaders, more than 50 percent of the DP and MPP members are women. Despite the desire of women to participate in internal party governance and at the decision-making level, party deposits and taxes continue to create a double burden on women, limiting their participation and creating a glass wall. In Mongolia, since 2008, political parties have transformed the electoral system and the process of nominating candidates into political business.
- Party rules and regulations on party recruitment, promotion in the internal party structure, selection of candidates, candidate nomination procedures and decisions are closed and most of them are unclear. Most political party leaders are men and they have been reluctant to support women's participation.
- Political parties limit women's participations to meeting quotas only, because they do not understand well the importance of supporting women and increasing their participation.

### 2. To strengthen women's skills and develop their collaboration

- In order to increase women's participation in decision-making, it is necessary to train women and support women's political leadership. The respondents indicated that they lack experience in this area and that they do not meet current needs.
- Women's organizations, associated with political parties, do not pursue a systematic policy of involving women in politics. One of the problems caused by gender stereotypes is that women are less motivated to run for office, despite their skills and abilities, according to the respondents. Lack of efforts on the part of women themselves and lack of cooperation between women in power are also obstacles to increasing the real participation of women.
- One of the functions of a political party is the strategic training of its human resources. Thus, the training of women and youth through the party's personnel policy and the creation of a database will have a positive impact on the further development of the party. Although the parties have research organizations, their Think Tank's potential and capacities are not enough.
- It is effective to train, prepare and organize women's political leadership in accordance with a step-by-step training program. For example, implementation of regular training programs will have a significant impact on increasing the participation of women in the decision making process, if held before or after them running for primary-level party positions, soum and district CRCs, aimag and capital-city middle-level party positions, aimag and capital-city CRCs, as well as before and after their appointment to positions in administrative bodies, or running as candidates in parliamentary election.
- Women should be more research-oriented and able to express their views on political, social and economic issues. One of the steps to success is to create a permanent women's support group and establish collaboration network with women's NGOs.
- Elected women representatives and women's human rights organizations should work together to build relationships.

## CONCLUSION:

1. The mechanism for the implementation of quotas established in the Law on Protection of Gender Equality is insufficient.
2. There is a weak support system for women at all levels of political parties, and women's participation in decision-making at the party level is low. Therefore, political parties need to create policies and opportunities to support women on regular basis.
3. Women candidates have poor financial capacity and low support from others.
4. There is no change in the perception that women are less capable and less likely to participate in politics, or in public attitudes and gender stereotypes that compare them to male politicians.

## RECOMMENDATIONS:

### On improvement of the policy environment:

1. To increase the quota from 20 percent to 30 percent, specified in the Law on Parliamentary Elections, and carry out advocacy work on the reserved seats quota;
2. To include a group of provisions on the support of gender equality and women in the Law on Political Parties;

### In the area of specialization:

1. To develop a special training program to improve the knowledge and skills of women and organize regular continuous training at a professional level;
2. To cooperate with the media on significance of dignity, values and participation of women and create a dedicated group of journalists;

### On improvement of the national system:

1. To clearly reflect the roles and responsibilities of NCGE members;
2. To create the structure and organization of the NCGE Secretariat, with the status of an independent government body;
3. To develop a policy of systematic training for gender personnel;
4. To evaluate the activities of NCGE branches and councils, conduct regular gender monitoring and audit
5. To increase funding and budget to support gender activities of NCGE branches, councils and committees, and create a gender-sensitive budgeting.
6. To create, under the leadership of the NCGE, a special group to take special temporary measures provided for by the Law on Promotion of Gender Equality and to increase women's participation in politics and decision-making.
7. The perception that women are less capable to participate in politics, as well as public perceptions and gender stereotypes that compare them to male politicians, have not changed. Therefore, to raise public awareness and develop a positive attitude towards women's political participation.



## **CHAPTER 3: RURAL WOMEN**

# 1

## RESULTS OF THE DOCUMENT REVIEW

### CURRENT SITUATION:

#### Women living in rural areas:

- According to the World Bank's Development Indicators, Mongolia has good maternal and reproductive health indicators not only in the region, but globally. Mongolia created a strong legal environment to promote maternal health and has been able to reduce maternal mortality by acceding to relevant international treaties and conventions, incorporating maternal and child health into its constitution, and including it into the LPGE, state policies and programs on maternal and child health. Mongolian mothers have the opportunity to receive free health care services during pregnancy, childbirth and postpartum periods, as well as the establishment of recreation areas for mothers at risk in rural areas and the introduction of telemedicine services. However, initiatives by the Ministry of Health, in collaboration with international partners, to establish youth-friendly clinics and develop sexual health programs for youth are not available to children and youth in remote rural areas (NCGE, 2019). There has also been an increase in complications during pregnancy due to dust from coal mining and transport, and a shortage of healthcare workers has led to overwork of obstetricians and nurses, lack of rest and sleep, and frustration for clients. The study also found an increasing prevalence of syphilis among pregnant women (Institute for Policy Research, 2018). This suggests that reproductive health services must be tailored to the needs of the local population.
- There are some problems associated with children's education in rural areas. For example, families, usually, live separately when their children start school at age of six. Most of the 1,200 respondents said that the introduction of 6-year-olds to school has a negative impact on the health, safety, education of children, and family economics and relationship (NCGE, 2019). The number of households that cannot afford to buy clothes and school supplies for their children has increased due to poverty, and poor rural households cannot afford housing and food for their children (Family, Youth and Child Development Agency, 2018, p. 29). While much work is being done to separate boys and girls toilets, policy planning should take into account the fact that rural schools and dormitories have outdoor toilets that do not meet the hygiene needs of girls and pose a risk of violence, especially, when lighting is limited or absent (NCGE, 2019, p. 43).
- Migration from rural to urban areas continues, in some parts of rural areas the population is declining and most migrants are of working age, young people, especially young women, which leads to an imbalance in age and gender among urban and rural population (NCGE, 2019, p. 38). Women play a key role in decision-making, whether they are the head of the household or not. According to a study by the International Organization for Migration, the discontinuation of legal migration in 2017 has led to an increase in the number of undocumented residents (page 38). In addition, the decline in the number of marriages in the Khangai, Central and Eastern regions, between 2005 and 2018, indicates a trend towards shrinking of population in rural areas (p. 38). In some areas, while the population is declining, the concentration of the population in areas related to mining has increased, and the issues that accompany it are increasing. For example, a survey of residents of Tsogttsetsii soum showed that the vast majority of the population believed that the increase in the population increased the burden and reduced access to social services, while 41 percent said that theft had increased and that many were concerned about the safety of girls and women (Institute for Policy Studies, 2018, p. 45). In the interviews with high school students, they pointed out that a large mobile population, passing through



the Tsogttsetsii soum center and working in nearby areas, poses a danger to girls. There are many drunk strangers in the evening. There are cases where girls and women walking alone are named, intimidated and embarrassed. Concerns about the own safety and the safety of family members have increased. The study also found that there is an increased risk of domestic violence due to long hours of coal transportation by truck drivers, their working conditions, stress, alcohol abuse and drinking while on vacation (p. 52).

- In rural areas, 30.8 percent of the population is poor, which is slightly higher than the urban poverty rate (27.2 percent). Poverty varies between urban and rural areas as well as between different rural areas. Poverty rate in Ulaanbaatar is lower than in aimags and centers, poverty rate is lower compared to remote rural areas (National Statistics Office, World Bank, 2019)
- Group interviews with women and men farmers in the Orkhon and Selenge aimags showed that support from the Agricultural Support Fund is less accessible to women and young people. Women's businesses are smaller, have smaller working capital, fewer workers, and rely heavily on infrastructure such as water, sanitation, electricity and heating, yet, this infrastructure is restricted in Ger districts of the city and in rural areas. There is also a tendency to register land in men's names and inherit it to men, especially in rural areas. A 2013 survey of 800 urban and rural households found that women inherited only 27.2 percent of the land. 80 percent of all SMEs are micro businesses, and more than half are concentrated in the capital, while the share of SMEs working in the agricultural and manufacturing sectors is small, no more than 15 percent. The share of women among livestock breeders has been declining since 2012, reaching 42.8 percent in 2018 (NCGE, 2019, p. 29). A 2013 survey of 800 urban and rural households found that women inherited only 27.2 percent of the land. Eighty percent of all SMEs are small businesses, more than half of which are concentrated in the capital city, while the share of SMEs working in the agricultural and manufacturing sectors is small, no more than 15 percent. The proportion of women among herders has declined since 2012 to 42.8 percent in 2018 (NCGE, 2019, p. 29).
- The number of Internet users in Mongolia increased from 0.8 percent of the population in 2005 to 92.9 percent in 2018. The number of registered users of mobile phones for the same period increased 9.5 times. Rural residents not only communicate on mobile phones, but also actively participate in social media networks. This allows, especially, rural women, to keep up with information, participate in all aspects of public life, and receive the information they need in a timely manner, while taking care of household work. For example, the National Emergency Management Agency (NEMA) provides severe weather warnings to all household members via mobile phones, enabling all household members to protect themselves from natural disasters (NCGE, 2019, p. 33).

#### Women herders:

- 36.2% of herders (over 15 years old) or 2 out of 5 herders have had health problems in the last 12 months (as of August 2017). 47.9% of herders with health problems are men and 52.1% are women (MMCG, 2017, p. 27). Women herders seek medical attention during pregnancy complications and high blood pressure. Men herders, on the other hand, seek medical attention for injuries, poisoning and diseases of the digestive system. Herders have to travel an average of 35.5 km (minimum 1 km, maximum 700 km) to receive medical service in case of health problems. 26% of herders rate medical services as poor. The herders assessed the medical services as due to doctors' poor knowledge and skills (28.4%) and poor communication skills (20.0%) (p. 28). In general, herders from remote rural areas live 29.9 km from the hospitals in the soum centers and 123.5 km from the aimag general hospitals, which makes medical services less accessible to herders compared to residents of the capital, aimag centers and soum centers. In addition, herders have limited information about animal diseases, do not know the symptoms

of these diseases, do not have an infection control routine to protect themselves from diseases, and have little understanding of how to treat animal carcasses (Labor and Welfare Research Institute, 2018, p. 61). Discussions with the group of agricultural experts revealed that finding solutions to provide hot water, improved sanitation facilities, washing machines and the Internet to herders' households is vital, especially for improving the health and quality of life of young women herders. In particular, there is an urgent need for eco-friendly sanitation facilities and portable sanitation and hygiene equipment, adapted to the specifics of the Gobi and Khangai regions (NCGE, 2019, p. 32).

- 62.8% of herders over 18, or 3 out of 5 herders, have basic and complete secondary education. Herders have different levels of education by gender. 36.9% of men herders over age of 18 and 54.5% of women herders over age of 18 have a complete secondary education. However, 20.6% of herders aged 20-29 have a university degree (MMCG, 2017). According to the Herders' Welfare Survey (2018), the proportion of uneducated herders aged 30-34 is relatively high (10.6 percent). 97.9 percent of 425 children of ages 6-15 from the surveyed herder households attended school, and 2.1 percent did not attend school. In terms of location, there are no out-of-school children among the herders in the capital, 1.3 percent of herders in aimag centers and 7.1 percent of herders in soum centers did not attend school. However, 98.3 percent of rural herders did enroll their children in school, while 1.7 percent did not. By gender, out-of-school children are all boys. When the reasons, why children aged 6-15 years do not attend school, were explored, 25.0% of children did not attend school due to illness (disability), 16.7% helped around the house, 16.7% did not want to go to school, 16.7% did not reach school age (by one month) and for 8.3% fathers and mothers did not want to send to school, 8.3 percent have no financial means, and 8.3 percent do not go to school for other reasons. For adults, when asked about their attendance of new professional and vocational training in the last 12 months, 8.7 percent said "yes" and 91.3 percent said "no". Herders in the soum centers and in the capital receive additional training. But, for rural herders, only 4.9 percent of them receive training and 95.1 percent do not receive any training.
- During the year, the workload for women is 11.1 hours per day, and for men it is 9.2 hours. While women spend more time, men are more likely to make decisions on large family purchases and spending. In addition, women have fewer opportunities to participate and lead public activities and events. As far as property is concerned, it is usually registered in the possession/property of the husband or in the name of the husband (Swiss Agency for Development and Cooperation SDC, 2015)
- Herder households usually use drinking water from unprotected wells with hand pumps. In spring, summer and autumn, 6 out of 10 families of herders take their drinking water from unprotected hand-pump wells. In winter, an average of 16 herder households use one source of drinking water. In spring and summer, the average drinking water source is used by an average of 14 herder households, and in the fall by 13 herder households (MMCG, 2017, p. 30).
- Ethnicity affects marriage. For ethnic groups, such as Hamnigan, Bayad, Durwood, Uzemchin, Myangad, Uryankhai, Kazakh, Zakhchin, Torguud, Khoton, Tuva, Darkhad, Kalmyk, Uzbek, foreigners with Mongolian citizenship (except for Russia and China) and Tsaatan, the proportion of the population that is not married at all is higher than the national average (NCGE, 2019, p. 39). Domestic violence is another issue related to family relationships, and a 2015 survey found that 15 percent of herder households have had domestic violence, with families of age 35–49 being predominant in this group. Services for victims of domestic violence must be tailored to the specific circumstances of nomadic herders, especially, women herders (p. 58). In addition, 73.6% of female-headed households live in rural areas, 45.4% of women in female-headed households are widows and 31.5% have official marriage registration (MMCG, 2017, p. 23). The average annual household income of female-headed herder households is 32.2% lower than the average annual household income of herder households (p. 69).
- Project teams of the Mongolian Women's Fund conducted a "Gender Impact Assessment in Mining Areas"

in the Arkhangai and Zavkhan aimags (2018) among 95 women herders' pastoralists, within a framework of "Environmental Justice and Women's Rights" project. The results of the survey showed that local residents are not consulted prior to the start of mining operations. Also, the local government does not consult with local citizens during the process of issuance of mining permits for mining companies and does not disclose contracts with companies to the public. 85% of respondents said that they did not have the opportunity to express their opinions, views and positions related to the mining in their areas. Herders receive information about the plan on mining from neighbors and friends. Mining has resulted in many negative impacts such as decreased rainfall, depletion of water resources, drought, dust, desertification, reduced plant species and decreased yields. This led to spending more time on herding, disputes over pastures, and misunderstandings among herders. Men also go to other aimags and soums to graze livestock.

## POLICY ANALYSIS: SUPPORTIVE REGULATIONS

- The **Constitution of Mongolia** was amended on November 14, 2019, and an amendment in Article 6.2 states that citizens have the right to know about environmental impact of the use of mineral resources as part of their right to live in a healthy and safe environment.
- Article 16.7 of the **Constitution of Mongolia** states the right to education. The state provides basic general education free of charge. This means that every citizen has the right to education, regardless of geographic location. However, Article 13.6 of the **Law on Promotion of Gender Equality** states the right of persons with low income, or living in remote areas or from ethnic minorities to safe motherhood and childcare shall be protected, and the state shall carry out measures to improve access and quality of services necessary to ensuring these rights. Article 43.2.8 of the **Law on Education** provides favorable environment for preparing the workforce by providing loans and scholarships from the "**Education Loan Fund**" for students and master students who are studying upon the order and contract of the local soums. The Education Loan Fund is one of 22 special public funds, and the formation, distribution, management, organization and oversight of this Fund are governed by the **Law on Special Public Funds**. The law was revised and approved in 2019, and consists of 6 chapters and 287 articles. In addition, the Government has enacted a **Universal Service Obligation Fund** to establish new networks, and to introduce, expand, and upgrade the telecommunications technologies in order to provide essential telecommunications services **to remote communities and the underserved population at real prices. It aims to deliver public services** to remote areas.
- The **Law on Health** clarifies the state policy in the field of public health and provides for the responsibility of the state to pay for certain types of health care services to citizens, in accordance with the Constitution of Mongolia.
- The **Law on Allocation of Land to Mongolian Citizens for Ownership** (State Bulletin, № 27, 2002) came into force in 2003. The law has been amended seven times since its enactment. The right to free land ownership for Mongolian citizens, especially for joint ownership for family use, will be extended from 5 years to 10 years, until 2028. This expanded the right of Mongolian citizens to own land once for free for family use. This makes it possible to own land for family use for free.
- The **Law on Information Transparency and the Right to Information** (State Bulletin, # 26, 2011) provides citizens and legal entities with the right to receive information from state-funded national and local organizations, excluding information prohibited by laws for the protection of human rights, freedoms, national security and the legitimate interests of organizations. This makes it possible not to infringe on public interests and, yet, to obtain information necessary to restore the violated rights.
- The **General Administrative Law** (State Bulletin, №28, 2015) was approved by the Parliament of

Mongolia and came into force in 2016. In this context, the executive body shall exercise its executive power to issue administrative acts and administrative norms, and, prior to the approval of an administrative contract, shall provide explanations and suggestions to persons whose rights and legitimate interests may be affected about the circumstances related to the adoption of administrative decisions. This has the advantage of preventing conflicts of interest between citizens and legal entities.

- **Action Program of the Government of Mongolia for 2016–2020** (Parliament of Mongolia, Resolution №45, 2016) set a goal to support livestock producers with soft loan, investment, insurance, flexible tax policy and protect them from price fluctuations of raw materials and to expand the coverage of the special fund set up to support animal husbandry development in order to offset hardships faced by herders so that to ensure income and livelihood of herder households. Article 2.67 of the Program states to create a legal environment to exploit secondary mineral resources and bring the process of mine rehabilitation and the closure up to the international standards. Article 4.1.5 of the Program states to elaborate and implement strategies on diminishing and adapting to the effects of climate change, establish an environment and climate fund and strengthen national capacity.
- **Article 3.1.2 of the National Program on Improving Legal Education for All** (Government of Mongolia, Resolution №50, 2018) states to develop legal education content for target group citizens, such as visually and hearing impaired persons, the elderly and children, which is tailored to their age, mental characteristics, general and special needs, in accordance with human rights-based approaches and methodologies. And, Article 3.2.5 states to train personnel (sign language interpreters, psychologists) to provide legal information, counseling and assistance to people with disabilities, the elderly and children.
- **The National Program on Gender Equality** (2017-2021) defines the policy on women herders. It provides for analysis on whether gender equality is ensured in policies and measures to support small and medium enterprises of herder and farmer households, and submission of recommendations to relevant organizations and decision makers, and monitoring of their implementation /3.1.5/.
- Article 3.2.2 of the **National Population Development Policy (2016–2025)** states that, for the implementation of a direction to “maintain the migration of people at a reasonable level”, the government shall create favorable living and working conditions in rural areas, and incentivize rural migration, which will, in turn, increase the share of the rural population in the total population and keep the balance between urban and rural areas.
- **National Program on Maternal, Child and Reproductive Health** (2016-2020) states to organize training for persons with disabilities on reproductive health, prevention of gender-based violence, access to health care and services, and to develop and distribute promotional materials in Braille /3.4.1.5/.
- In 2019, the Government approved the **National Program to Promote Small and Medium-sized Enterprises** (2018-2020) to ensure the implementation of the Law on Small and Medium Enterprises. Within the framework of this program, a **“One Village – One Product”** campaign will be organized to support the business and employment of rural residents, to create branded products at the local level, and to increase the independence and creativity of small and medium-sized enterprises.
- Mongolia’s population reached 3.2 million in 2019, of which more than one million are young people aged 15 to 34. Young people make up 33.7 percent of the total population and 46.5 percent of the working-age population. Thus, the National Program to Promote Youth Development was approved in 2019 as an annex to the Government Decision No. 171. The main goal of the program is to create favorable conditions for young people so that they can actively participate in social, political, economic and cultural life and make a real contribution to development. Thus, the intention is to develop citizens who are patriots of the country and proud of their independence, history, language and culture, cherish

the environment, are aware of their responsibilities to themselves, their families and society, as well as of their rights and obligations under the laws. Also, it aims to ensure that young people are free from discrimination on the basis of age, **sex**, race, education, citizenship, ethnicity, religion, belief, sexual orientation, gender identity, self-expression, mental and physical abilities. The public policies must be based on the principle of respect to their rights.

- In **Mongolia Sustainable Development Vision 2030**, Mongolia aspires to increase its GNI per capita to USD 17,500 and to be leading middle-income countries based on per capita income, end poverty in all its forms, reduce income inequality and have 80 percent of the population in the middle and upper-middle income classes, increase life expectancy at birth to 78 years, be placed among first 70 countries on the ranking of countries by the human development index, preserve ecological balance and to be placed among first 30 countries on the rankings of the countries by the Green economy index in the world, rank among first 40 countries by the Doing Business Index and among first 70 countries by the Global Competitiveness Index in the world, build professional, stable and participative governance, free of corruption that is adept at implementing development policies at all levels.
- In 2018, **Government of Mongolia adopted "Three-Pillars Development Policy"** and defined that the pivot of Mongolia's development are a good government, Mongolian people and Mongolian wealth. Therefore, the Government has defined three strategies which include «Multi-pillar economic development policy», «Stable, accountable and disciplined governance promoting justice» and «Human centered social policy», with 27 goals to be implemented under the «One policy-One State» concept.

## NON-SUPPORTIVE REGULATIONS

- The Constitution of Mongolia was amended on November 14, 2019, and an amendment in Article 6.2 states that the land, except that in citizen's private ownership, as well as the subsoil benefits with its mineral wealth, forests, water resources, and game is the public property of the State. From May 25, 2020, the law will regulate the basis to allocate a major part of benefits from strategic mineral deposits to the people, in accordance with the principle that natural resources are the public property. However, the terms «**public property of the state**», «**subsoil benefits**» and «**major part of benefits**» in this article are flawed and suggest that they may become anti-environmental regulations in the future.
- One of the 22 funds reflected in the **Law on Government Special Funds** is the "Agricultural Support Fund". The fund is designed to support farming and animal husbandry, and rural citizens and women are not aware of this.
- The purpose of the **Law on Small and Medium Enterprises** is to diversify small and medium enterprises and services, increase their competitiveness, increase employment and increase their share in the economy. The Article 4.1.1 defines small and medium enterprises as companies with up to 200 employees, with annual sales of up to 2.5 billion MNT, which operate in the fields of production, trade and services.
- The **Law on Education** was amended in 2018, and **Article 31.1.12** states that the appointment of principals of secondary schools and directors of kindergartens will be based on the results of the selection of the city department of education, and their dismissal will be based on the implementation of their performance contract and the proposal of the aimag and the city departments of education. This amendment will be enacted on July 1, 2020. This is a political appointment and the vertical system runs the risk of not hiring qualified civil servants.
- Rural women living in remote areas often do not have access to quality health care, despite the fact that every citizen has to have access to quality health care from anywhere. For example, **Article 43.1.2 of the Health Law stipulates a right to choose a family doctor, which is not feasible for rural residents.**

- **Article on cessation of the right of land owner in the Law on Allocation of Land to Mongolian Citizens for Ownership** is considered to be a regulation to devalue citizen's property. According to the Article 34.3, if it becomes impossible to return the expropriated land, the owner shall be compensated for the value of the land and the damages according to the market rate of that time or the damages shall be compensated by allocating other land not worse than the expropriated land by its status and quality.

## FACTORS INFLUENCING THE PROBLEM:

### Culture and tradition:

- In addition to the strong tradition that property must be registered in the name of the head of household, there is a strong tradition that parents who marry their son, especially in rural areas, prepare a house for a young couple and that leads to increased gender gap in property ownership. In addition, the group discussions showed that women's entrepreneurship in Mongolia often depends on their families, their husbands and partners. Researchers believe that, when gender norms remain unchanged, supporting only women's entrepreneurship and leaving out men will bring negative impact on family relationship, as there is a history of negative impact on family relations in supporting women's entrepreneurship. Therefore, it could be a solution to encourage family members, men and women, to participate together in the business activities and share property ownership at the household and micro levels (NCGE, 2019, p. 30)
- Despite the existing legal environment and the increased public awareness, women still tend to tolerate violence. Research has shown that this trend is more prevalent in rural areas and increases with the age of women, but decreases with increasing educational attainment (NCGE, 2019, p. 58).
- The inability of women to participate in social and community life is due to the need to focus on household chores and to care for children and the elderly. In addition, factors such as inability to drive, social stereotypes that do not support women's participation, and a lack of time and space are contributing.

ACTIONS TAKEN BY THE GOVERNMENT OF MONGOLIA IN 2015-2019 TO ENSURE THE RIGHTS OF WOMEN IN  
RURAL AREAS

The activities implemented at the level of the Government of Mongolia were categorized in the following 4 categories based on the information provided by relevant government agencies: policy improvement, budget, training and research. Total of 11 official letters requesting information were sent, of which 10 responded. The National Human Rights Commission has not responded.

	Names	Policy Improvement	Budget	Training	Research
1	MoJHA, CCCP of Mongolia	✗	✗	✗	✗
2	MLSW	✓	✗	✗	✗
3	MoH	✗	✗	✗	✗
4	MECSS	✗	✗	✗	✗
5	JGC	✗	✗	✗	✗
6	SGPO	✗	✗	✗	✗
7	NPA	✗	✗	✗	✗
8	FYCDA	✗	✗	✗	✗
9	GADPwD	✗	✗	✗	✗
10	NCGE	✗	✗	✗	✗
11	NHRC	Did not respond			

✓ Yes ✗ No

RESULTS OF THE DOCUMENT REVIEW :

Challenges faced by women herders





# 2

## RESULTS OF THE QUALITATIVE RESEARCH

Based on the results of the document review, we conducted qualitative research to identify the following research issues:

- What regulations should be adopted to increase the economic opportunities for herders, reduce their poverty and protect them from poverty?
- What needs to be changed in order to adapt the existing system of planning and delivery of government activities and services (health, education) to the specifics of herders' lives?
- How can herders' participation in local decision-making be addressed and their participation increased?

The qualitative survey involved women herders, former soum and bagh governors, herders and rural development experts, and included a total of 3 focus group discussions and 12 one-on-one interviews.

### Challenges and solutions to increase the economic capacity of herders:

- According to the survey participants, there are no specific policies and measures to reduce poverty and prevent poverty, which meet the specific needs of herders and support their participation, and there is no budgeted funding for it.
- Herders are addressed in the policy and activities of the government as a homogeneous group. Also, there are stereotypes that, as a social group, herders have no education and they need to be cared for, and nomadic herding is private property. However, many factors affect the quality of life of herders, such as the area in which they live, the size of their livestock, the number of families, and their standard of living.
- In terms of the women's right to access information and the right to use information to improve their quality of life, women herders lack access to information and, therefore, suffer from poverty. In overall, herders lack the skills to receive, process and use information. The quality and timeliness of information disseminated to herders need to be improved. Women herders, often, receive information from informal sources, which leads to missed opportunities, inability to access basic services, or receive poor quality services.
- Due to the active mining operations in their areas, herders are locked to own pastures and they have to spend more time and money to access water and public services in soum centers. This poses a risk of unplanned economic costs.
- Herders receive cash only twice a year (by selling cashmere in the spring and selling livestock in the fall), which is not always enough to meet the basic needs of households and women, according to the respondents.

### Access to and quality of social services such as health care and education:

- Women herders do not have access to adequate health care and do not even have access to basic health care. In case of any health risk, herders usually use random medicines available at home, and herders lack access to preventive examinations, diagnostics and treatment before the disease worsens. The main factor is that nomadic herders cannot leave livestock and household property unattended and unprotected for a long time. Poor and disadvantaged households usually seek formal health care when their illness is at a severe stage and that, commonly, has a detrimental effect on their economic situation.
- Women herders continue to lack access to reproductive health and family planning information and services. Rural women need to know not only be aware of own health, but, also, of patient care and the proper use of drugs. But, the government does not provide this much-needed service. Further research is required on the fact that rural pharmacy services exploit this need and provide a variety of painkillers without a doctor's prescription. There is currently no research on this issue.
- In Mongolia, the number of women herders with basic education considerably exceeds the number of male herders with basic education. Unfortunately, no life skills or other training are delivered to herders. It is imperative for rural women to acquire new knowledge and skills based on the achievements of life skills and social development, learn new methods and technologies that make work easier and improve their quality of life, and learn to build community groups and cooperatives. There is an urgent need to develop teaching methods adapted to nomadic culture and its specific needs, and create opportunities for long-term employment for herders.
- Many herders shared that women herders, despite their low incomes, take great risks and work hard to send their children to universities, but their children, once graduated, are not able to make living through their professions and live independently. Therefore, it is necessary to study the issue of quality of life of herders and their families and its connection to access to formal and informal education.

### Herders' participation in decision-making process:

- The involvement of citizens in decision-making processes on any development issue in Mongolia has not been fully implemented. In Mongolia, rural population is sparse and they are nomadic pastoralists. Thus, involving women, who live and work in extreme conditions from sunrise to sunset, requires special measures.
- Among the women interviewed, they participate in local CRCs, but their participation is not regular. The limited participation in decision-making is due to the fact that women herders have a lot of household work, they have no one to take care of children in their absence. Also, women are reluctant to attend these meetings, since there is more focus on information distribution rather than open discussions, women lack skills to speak in public.
- Herders want their voices to be heard in the decision-making process, and this should be done by forming groups of herders living in close proximity to soum centers, with rotating leadership, reaching herders rather than requiring them to travel to soum centers (this could arrange by phone or online platforms), setting herder quotas in CRCs, according to the survey participants.

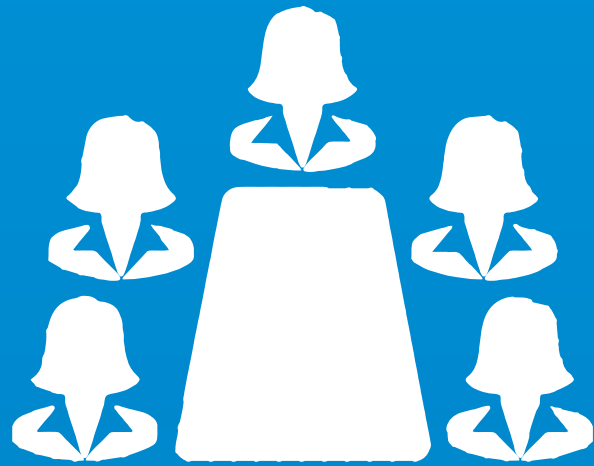
## CONCLUSION:

- **Poverty is higher in rural areas than in urban areas.** Although the share of the rural population in the total population of Mongolia is small, the rural poverty rate has increased by 10.1 points. Poverty and vulnerability to poverty are high at the soum level, especially, for herders,
- **The right of rural women to live in a healthy and safe environment is extremely vulnerable.** Rural women's labor is not valued as a national producer of industrial raw materials or a strategic food producer (air and soil pollution, unsafe drinking water, lack of social security, domestic violence, underpaid and undervalued work with long-hours, lack of health care, including reproductive health care, sexual harassment, violence, etc.)
- **Rural women's participation in decision-making on any development issue is not guaranteed.** Rural women are nomadic pastoralists, they work 18 hours a day, live in large, sparsely populated areas. No legal framework and structure have been set up that consider national specifics and support rural women's opportunities to participate and make choices in governance.
- **Rural women and family members do not have access to quality education and, consequently, to quality of life.** There are very few opportunities to exercise the right to education and to live a quality of life due to the lack of opportunities to access life-long education, to develop family businesses, to provide quality education to their children, to make choices.
- **The contribution of rural women to development and their benefits from development are very small.** The differing quality of life attributed them with a "welfare" status, which is, mainly, measured by the degree to which they benefit from development and their contribution to social development. It affects the most marginalized women, ethnic minorities, the elderly and single women. Yet, no specific policies, measures and budgets are available to support them. Rural women's rights activists, who make efforts to express their views and defend their interests, are at high risk and lack government and social protection.



## RECOMMENDATIONS:

- To implement specific policies and programs to train women herders in the skills of primary processing of livestock raw materials and production of some final products, based on the characteristics of their everyday work and nomadic culture;
- To include a quota of up to 20 percent of existing funds, such as the Soum Development Fund and the SME Fund, to support women herders
- To establish a system of product liability, as every herder is a household producer with a stamp;
- To establish a system and mechanism on information dissemination suited to the nomadic nature of herders, their scattered locations, long working hours of women herders and their work conditions. The government, international organizations and non-governmental organizations should radically reform their methods and attitudes towards involving women herders in target groups, and employ rights-based approach when organizing meetings and trainings for women herders;
- To establish a legal environment for social and health impact assessment;
- To establish a mobile outreach system suitable to a nomadic, mobile population
- To take measures to cherish and protect the limited resources of clean groundwater; to terminate the technology of gold mining with groundwater resources;
- To bring to the attention of decision-makers and researchers the family, social and political issues faced by women herders from the areas affected by natural disasters, climate change, pasture migration and mining;
- To engage herders in the abandonment of mining, which is unbeneficial for the local economies, destroys the nature and causes water scarcity.



**CHAPTER 4:  
WOMEN'S EMPLOYMENT**

# 1

## RESULTS OF THE DOCUMENT REVIEW

### CURRENT SITUATION:

- According to the database of the National Statistics Office, in the 4th quarter of 2019, 594,368 people out of 1,293,579 thousand people in the total labor force were women. 49.7% are women. Women also make up 6.6 percent of the unemployment rate. The national average wage in the third quarter of 2019 was MNT 1,287,600, but, for women it is MNT 1,040,200, which is 19.3% lower for women, when compared by gender (National Statistics Office, 2020).
- In terms of labor force participation in 2014, 2015, and 2016, men's rate were 68.6, 68.1, and 67.3, while women's were 56.2, 55.4, and 54.2. In other words, women's participation was consistently lower and is declining. According to the 2016 data, women are more affected by the economic crisis. Their labor force participation rate has declined by 2 percent since 2010 and reached 54.2 percent in 2016 (NSO, Labor Force Participation Level 2004-2016, 2016).
- According to the report of a Study on Fundamental Principles and Rights at Workplace in Small and Medium-Sized Enterprise: Trade and Service, Wool/Cashmere sectors" (2017), 61.1 percent of workers receive one copy of an employment contract (trade sector 56.7%, wool and cashmere sector 70,9%). The results were not sex-aggregated, but 27 percent of the respondents were men and 73 percent were women. In addition, 14 percent of participants reported that they worked on a trial basis for some time before entering into an employment contract. There are also cases of non-payment of wages during a trial period (National Human Rights Commission, 2017, pp. 66-68). The study also found that "management harassment in the workplace" is real and that the targets are women, in terms of gender, young people of ages 18-30, in terms of age, and people with disabilities (p. 71).
- The number of women, who are economically inactive due to caring for children, the elderly and the disabled, increased from 87,000 in 2015 to about 110,000 in 2018 (Report on the Situation of the Group's Rights, 3rd report to the UN Human Rights Council, 2019).
- In addition, working women are involved more than men in household chores and caregiving to family members. Such inequality affects the country's economic growth, social development and productivity, and this inequality grows over time. (International Labor Organization, 2019).
- In a survey of 100 self-employed women, 31.5% stated that they did not have an employment contract, and 31.4% stated that they submitted their IDs and personal funds, as collateral, when getting a job, which indicates that there is a form of forced labor, as defined by the International Labor Organization (Mongolian Women's Labor Support Association, 2019a; Mongolian Women's Labor Support Association, 2019b).
- Women do not have equal access to economic opportunities. According to the National Statistics Office, when 5 sectors with the highest paid and lowest paid jobs were listed with sex-disaggregated data of employees in each sector, 70% of the labor force in the sectors with the highest paid jobs are men, while women make up about 70% in the low-paid sectors. (Report on the Situation of the Group's Rights, 3d report to the UN Human Rights Council, 2019)

- The employer is obliged to pay equal wages to male and female employees who work in the same job and to comply with legal requirements. However, the law does not provide for equal pay for equal work. (International Labor Organization, 2019, p. 29).
- The time spent on unpaid work does not decrease. The average fell from 4.8 in 2011 to 4.3 in 2015, which is highly unsatisfactory (NSO, Time Use Survey, 2015). Young women face great barriers in entering and returning to the labor market. Unemployment rate among young women is higher than among young men and is expected to increase from year to year. Young women earn 1.4 times less than young men, and women predominate in unpaid work (UNFPA, 2016).
- In Mongolia, there are 103.6 thousand disabled persons or 3.3 percent of the total population, of which 46.3 thousand or 44.6 percent are women (Ministry of Labor and Social Welfare, JICA, 2017). 19 percent of working age persons with disabilities are employed.
- As of May 2017, the level of labor inspectors in Mongolia was 0.826, which means that there are eight labor inspectors per 10,000 workers. In terms of human resources, such a lack of supervision in the workplace, a lack of precautions, and unresolved complaints and suggestions can arise. (International Labor Organization, 2019, p. 38). Such shortcomings in human resources are likely to lead to weak workplace oversight, lack of preventive measures, and unresolved grievances (International Labor Organization, 2019, p. 38).
- Mongolia has good policies and programs on sustainable development, gender equality, full and productive employment, but their implementation is insufficient. This is due to a lack of political will, weak management capacity, a lack of experience in sex-disaggregated data analysis, and a lack of knowledge and experience on how to use the analysis in policy planning and budget allocation (International Labor Organization, 2019, p. 57)

## POLICY ANALYSIS: SUPPORTIVE REGULATIONS

- The national policy document of the Government of Mongolia addresses the employment of **vulnerable women, especially the elderly and people with low income** as follows. Provision 3.3.26 of the Action Program of The Government of Mongolia 2016-2020 states to expand the care, rehabilitation and nursing services for the elderly and support the establishment of private nursing homes. Also, Provision 4.5.1 of the **National Population Development Policy (2016–2025)** states to encourage the creation of permanent jobs and the creation of jobs suitable for the working capacity of the elderly and people with disabilities; Provision 4.5.5 states to increase employment opportunities for women and people with disabilities.
- To achieve the goals of the child rights and child protection laws, the government has established regulations for the provision of **child care services** in a number of national policy documents. For example, the **Action Program of the Government of Mongolia for 2016–2020** states to provide equal, inclusive, practical education services, allow every child in urban areas to enroll in a kindergarten, offer free public transportation between home and school, and eliminate three-shifts in schools, offer a choice to rural children to enroll between the ages of 6 and 8, and improve dormitory conditions, implement **"Every child in a Kindergarten"** program to allow all children in urban areas enroll in kindergartens. **Mongolia Sustainable Development Vision 2030** aims to ensure that every child is enrolled at pre-school education facilities, meeting the standard requirements and providing the basis for learning the Mongolian language and culture, expand the types and forms of the pre-school education system, improve their quality, and build an environment in which 70 percent of all pre-school age children are enrolled at pre-school education facilities. **National Program on Maternal and Reproductive Health** made an important step and included in the reformed program the regulations to improve conditions for



women's childbearing and child caring, as well as strengthening legal mechanisms to prevent unjustified dismissals and wage cuts for pregnant women, nursing mothers, single women who are heads of household.

- Government of Mongolia included regulations on its support to **women entrepreneurs** in its **Action Program and in the National Program** for Small and Medium Enterprises. The Action Program of the Government of Mongolia for 2016–2020 states that it will support domestic business owners by extending periods for overdue tax fees, fines, penalties and tax repayment, and reopen their closed accounts (1.15), offer long-term, soft loans in support to small, medium enterprises (SMEs) that have been in continuous operation for at least five years and that have created new jobs (1.17). The **National Program for Small and Medium Enterprises** states it will provide policy support for management of small and medium-sized enterprises, strengthening the competitiveness and development of start-up businesses (4.1.6) and support for the exploration of domestic and international business opportunities, provide information and focus on developing e-commerce (4.5.2).
- In accordance with Article 5 of the **Law on Setting Minimum Standard of Living of Mongolia**, the «**minimum standard of living**» has been defined by regions. Article 3 of the Law states that the minimum living standard of the population is the minimum consumption in monetary terms, and the minimum consumption is a scientifically determined quantity of goods and services defined in a basket of food and non-food products to meet basic human needs.
- Women and vulnerable groups are at a higher risk of poverty. To this end, the government has included a number of specific provisions in the following documents to ensure and protect the rights of women living in poverty. **Article 3.2.1.9 of the National Security Concept of Mongolia** states to protect the domestic labor market while undertaking a consistent strategy on eradication of poverty by creating secure jobs. **Article 3.3.2 of the Action Program of the Government of Mongolia for 2016–2020** states to improve and adjust to reality the indicators and methodology for evaluating household income, expenditure and poverty level. Article 4.5.6 of the **“National Population Development Program 2016–2025”** states to involve the homeless, unemployed and low-income able-bodied people in vocational training, involve them in work and provide them with a permanent job and income. **Phase 1 or Program for 2016–2020 of Mongolia’s Sustainable Development Concept 2030**, aims to create an economic and legal environment for the poor to have a permanent source of income, direct the social welfare system to the target group, and reduce the poverty rate to 18 percent.
- Article 4.1.1 of the **Law on the Rights of Persons with Disabilities** of 2016 states that “persons with disabilities” means those who have physical, intellectual, mental and sensory impairments, which in interaction with various barriers; hinder them from fully and effectively participating in social lives. As the number of people with disabilities increases, it is important to protect them, especially the rights of women and children. For that, the Government of Mongolia has included provisions on the employment of women with disabilities in the following policy documents. According to the **Labor Law**, a business entity or organization with 25 or more employees must employ a person(s) with disability in four or more percent of their positions, reduce working hours for employees with disabilities, extend vacation leave. Also, it requires to set quota for the employment of people with disabilities in business entities, and imposes fines/fees for non-compliance. **Employment Promotion Law** states that, in order to increase employment of people with disabilities and create jobs, financial assistance and incentives will be provided to people with disabilities themselves and to employers who provide jobs for people with disabilities. Article 3.1.8 of the **National Program on Promotion of Gender Equality** states to support gender-sensitive policies to improve the standard of living of low-income single parents with many children or with children with disability; **Mongolia’s Sustainable Development Concept 2030** states to ensure equal participation for citizens with disabilities, and provide opportunities to be employed; Article 4.3.8 of the **National Population Development Program** sets to improve living standards





by supporting large families, people with disabilities and single parents, as well as the elderly; the **Regional Development Strategy of Mongolia** includes sustainable implementation of employment, orientation and mediation services for targeted youth, women and people with disabilities (5.3.15). **National Program on Promotion of Human Rights, Participation and Development of Persons with Disabilities** was approved by Government of Mongolia in 2017. The program is implemented in 2018-2020 and its goals are to enforce the **Law on the Rights of Persons with Disabilities**, to ensure that persons with disabilities participate in social life on an equal basis, to increase their opportunities to live in favorable conditions and develop themselves, change public attitude towards disability and create disabled-friendly society. The program has 8 main objectives.

- In order to support the **employment of women herders**, the following 3 programs have been specially regulated. The **Regional Development Strategy of Mongolia** states to develop knowledge, skills and competencies for young herders so that they can learn entrepreneurship, traditional herding methods, improve their livelihoods and improve quality and access to lifelong learning (5.2.11); the **National Program on Promotion of Gender Equality** sets to analyze whether gender equality is ensured in policies and measures to support small and medium-sized enterprises of households, herders and farmers, submit recommendations to relevant organizations and decision-makers and monitor their implementation (3.1.5), to conduct gender research and analysis on the situation of young women and men herders, discuss the results at the national level and take measures to incorporate recommendations into policy and planning (3.2.7); the **National Population Development Program** aims to support the entrepreneurship of herders, small and medium-sized entities of farmers with supply of modern equipment, technology and energy, and create the financial, economic and legal environment for sustainable production (4.2.4).
- The Constitution of Mongolia states that every citizen has the right to **free choice of employment**, favorable conditions of work, remuneration, rest, and private enterprise and that no one may be unlawfully forced to work. To this end, national documents guarantee that there will be no discrimination in any work. For example, the **National Security Concept of Mongolia** states to take resolute actions against any development which discriminates against citizens on the basis of nationality, religion, faith, gender or belief, instigating favoritism to persons based on place of birth or violating human rights and freedoms and consequently disrupting national unity and social stability (3.3.3.4). The **National Program on Promotion of Gender Equality** defines and introduces indicators to assess the implementation of measures to prevent labor exploitation and any forms of discrimination in the workplace, obliges public and private organizations and business entities to conditions of intolerance towards these violations in the internal labor rules (3.1.1). The **National Population Development Program** (2016-2025) prohibits discrimination on the basis of ethnicity, race, age, sex, religion, location, social and health status, and sexual orientation (2.1.3). In order to ensure women's rights, the government abolished the list of workplaces where women were prohibited from working. This list not only hindered women's employment, but also negatively affected women interested in working in the mining sector. The **National Program on Promotion of Gender Equality** states to analyze whether gender equality is ensured in protecting the health of seasonal workers, artisanal miners, herders and vulnerable groups (3.1.11); the **National Security Concept of Mongolia** states that a transparent and responsible mining and mineral resource industry shall be developed while derived revenues shall be redirected to ensuring short-term and medium-term sustainable economic development, establishing a multi-pillared economic structure, supporting human development and developing education, health and public sports (3.2.1.3).
- According to the **Law on Social Welfare** of 2012, that extends the retirement age for women in order to ensure equal employment and pension opportunities, men over 60 and women over 55 are entitled to social security pension. Also, the law allows single mothers over the age of 45 (or single men over the age of 50) with 4 children under the age of 18 to be eligible for social security pensions. Also, the **Law on Pensions and Benefits from the Social Insurance Fund** of 1994 was amended by the Parliament on February 2, 2018. According to Article 61 of the **Law on Procedure to Amend the Law on Pensions**

and **Benefits provided by the Social Insurance Fund** and the **Law on Pensions and Benefits** provided by the Social Welfare Fund, men at the age of 60 and women at the age of 55 are entitled to receive social security pension at own request, and, if the insurance fee has been paid, to extend the minimum required period by 3 months per year, until 2038.

- In terms of policy, the following programs reflect the promotion and protection of women's employment and the reduction of women's unemployment.
- **Mongolia's Sustainable Development Concept 2030** assures to ensure equal participation of working age populations in the labor markets, and keep the employment rate high, and promote employment, raise the working-age population's economic activeness to 66 percent, reduce unemployment rate to 6 percent in the labor force. Article 4.5.2 of the **National Population Development Program (2016-2025)** is specifically designed to increase the economic activity of the working age population to 68 percent and decrease the unemployment rate to 4 percent by providing start-up support to those who want to work or start own businesses.
- Article 2.2.6.3 of the **National Program on Maternal and Reproductive Health** regulates to improve conditions for women's childbearing and child caring, as well as strengthening legal mechanisms to prevent unjustified dismissals and wage cuts for pregnant women, nursing mothers, single women who are heads of household. The **National Program on Youth Development** states that family planning not only reduces health costs, but also supports family well-being by promoting women's rights and increasing their access to education and employment (4.2.3).
- The principle of non-discrimination in the workplace is reflected in the following national policies, namely, the **National Program on Population Development (2016-2025)** prohibits discrimination on the basis of ethnicity, race, age, sex, religion, territory, social and health status, and sexual orientation; Article 2.1.2 of the **Regional Development Strategy of Mongolia** states to create conditions for young people to be free from discrimination by age, sex, race, education, citizenship, ethnicity, religion, beliefs, sexual orientation, gender identity, expression, mental and physical abilities, and to direct state policy to respect and protect their rights; and, per the **National Program on Maternal, Child and Reproductive Health**, the Government will take into account the implementation of Mongolia's international agreements, including the Convention on the Elimination of All Forms of Discrimination against Women, and the implementation of UN recommendations. It also specifies measures to accede to all agreements on the promotion of women's rights, such as the **Declaration on the Elimination of Violence against Women** (2.2.6.6).
- The Mongolian **Law on Promotion of Gender Equality** provides for the reduction of stereotypes related to women's employment. In addition to the law, a national program is developed to ensure the implementation of the law, with the guidelines for implementation of the program. Therefore, in the framework of reducing stereotypes and raising public awareness: Article 6.3.5 of the **National Program on Promotion of Gender Equality** states that the media should work to raise public awareness on gender equality and zero tolerance for gender discrimination and violence, and eliminate gender stereotypes and attitudes. organize public education; Article 3.3.1.5 of the **National Program on Youth Development** states to organize training on reproductive health, prevention of gender-based violence, access to health care and services for people with disabilities, development and distribution of educational materials in Braille; Article 2.5.1 of **National Program on Population Development (2016- 2025)** states to reflect the principle of gender equality in all sectors.

## CONFLICTING REGULATIONS:

1. In 2017, the Parliament passed the **Law on Infringements** with 17 chapters and 17 articles. The purpose of the law is to strengthen the justice system by criminalizing actions and inactions that violate the law and the administrative rules associated with it, and punish the person or legal entity who committed violation. Article 10.16 of the Labor Law, states that a person shall be fined one hundred and fifty units and a legal entity shall be fined one thousand and five hundred units, if violated the law. One unit is equivalent to 1000 MNT. The law does not address discrimination in the workplace and it is not considered a violation.
2. Employment policies and activities are not aimed at ensuring women's right to work, and they are not consistent. Appropriate measures should be taken in accordance with Articles 1, 2 and 3 of the Convention on the Elimination of All Forms of Discrimination against Women. However, the Ministry of Labor and Social Welfare believes that the state's non-discriminatory obligations under Article 7.2 of the Labor Law and Article 11.1 of the LPGE will be pursued in the same way without giving preference to either men or women.

## FACTORS INFLUENCING THE PROBLEM:

### Culture and tradition:

- Recent research on the challenges women face in doing business suggests that women lack business and management skills, information, and networking skills, they lack of time, the cultural norms hinder women from leading the private sector. Also, they lack collateral and real estate, which prevents them from receiving financial services. (NCGE, 2019)

### Legal regulations:

- Although the economic performance has improved as a result of the macro-level policies, it can be seen that the some key measures did not achieve their objectives due to policy planning errors and lack of work organization of the implementing bodies. (Implementation of Mongolia's Economic and Social Development Guidelines for 2018: General Audit Results, p. 4, 2018)
- The Mongolia's Sustainable Development Vision 2030 defines the level of economic activity and unemployment rate to be achieved at each stage. But, the indicators of the 6 employment promotion programs do not include indicators for increased economic growth and decreased unemployment. This gap creates uncertainty in the measurement of the policy implementation. (Civil Society Report on Implementation of SDGs, p. 27, 2019).
- Mongolia has a relatively good legal environment for ensuring gender equality, but its implementation is insufficient. This is due to a number of factors, including the lack of gender-sensitive policies and programs, weak governance capacity, lack of sex-disaggregated data and poor use of it, and the lack of gender analysis and data in policy planning and budget allocation (International Labor Organization, 2019, p. 74)
- Gender policy has been approved in the sector of population, labor and social protection, but it is not implemented, experts in this sector have weak gender sensitivity, and it is not clear how to implement the policy. Women provide care for young children, the disabled and the elderly, thus, their economic

inactivity increases, employment opportunities decline and they face increasing shortage of income. As a result, women lose their income and financial strength, leading to domestic and economic violence. As a result, women lose income and financial power, and are at risk of domestic and economic violence (OSI, 2019, p. 6).

#### Social factors:

- Despite the government policies and programs to support employment, the number of women unable to work because of “childcare and care for family member” is increasing every year. It is necessary to consider and regulate the availability of kindergartens, childcare services, remote work opportunities and flexible working hours, which directly affect the increase in women’s employment (Civil Society Report on Implementation of SDGs, 2019, p. 40).
- In order to enable women and men to work equally in the socio-economic sphere and to have their work equally valued in the society, girls and boys should have equal access not only to vocational training, but also “be provided with equal opportunities and conditions to participate in formal and non-formal education to reduce the gap between adult men and women, and with equal access to continuing education services” (NCGE, 2019, p. 45).

#### Economic factors:

- The average annual growth rate of labor productivity increased rapidly to 11.2 percent in 2012, but declined to -1.8 percent by 2015. As a result of the government efforts, labor productivity increased to 1.2 percent in 2016, but has not recovered to the level of pre-crisis years. (International Labor Organization, 2019, p. 31).

## ACTIONS TAKEN BY THE GOVERNMENT OF MONGOLIA IN 2015-2019 TO ENSURE WOMEN'S EMPLOYMENT

The activities implemented at the level of the Government of Mongolia were categorized in the following 4 categories based on the information provided by relevant government agencies: policy improvement, budget, training and research. Total of 11 official letters requesting information were sent, of which 10 responded. The National Human Rights Commission has not responded.

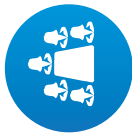
	Names	Policy Improvement	Budget	Training	Research
1	MoJHA, CCCP of Mongolia	✗	✗	✗	✗
2	MLSW	✗	✓	✗	✓
3	MoH	✗	✗	✗	✗
4	MECSS	✗	✗	✗	✗
5	JGC	✗	✗	✗	✗
6	SGPO	✗	✗	✗	✗
7	NPA	✗	✗	✗	✗
8	FYCDA	✗	✗	✗	✗
9	GADPwD	✗	✗	✗	✗
10	NCGE	✗	✗	✗	✗
11	NHRC	Did not respond			

✓ Yes ✗ No



RESULTS OF THE DOCUMENT REVIEW :

**Issues for women's employment**



# 2

## RESULTS OF THE QUALITATIVE RESEARCH

Based on the results of the case study, a qualitative study was conducted to identify the following research issues:

- How does Mongolia's policy and legal environment influence the violation of women's labor rights?
- Who should do what and what can be done to protect women's labor rights and to increase their labor participation (and what are the possible solutions)?

For this purpose, a total of 5 group interviews and 5 one-on-one interviews were conducted with researchers, consultants, government officials, employers and officials specializing in labor relations.

### RESEARCH RESULTS:

In terms of legal environment:

- In order to ensure the right of women to work in our country, we are pursuing a policy to ensure gender equality in the labor sector. An economics researcher emphasized, research on women's labor force participation, the roles they play, and value attributed to women's labor in family and the society are weak in our country. Also, all respondents expressed a lack of policies and programs aimed at people working in the informal economy.
- Although there is a policy to promote equality in the employment sector, there is a need to assess whether policy planning is gender sensitive, to use the results of the previous studies and international conventions in policy making.
- There is a need to study in depth the labor of women herders, especially, of women herders who work for wage.
- We must support women to improve their skills and provide them with valuable jobs and job opportunities.
- There is a need to study the problems of women working in the informal sector, to ensure their labor rights and economic equality by expanding childcare services, providing more incentives for working women, providing childcare benefits and support, and the state taking full responsibility for their social security or social insurance contributions.
- There is a need to ensure and support women's rights through employment, based on economic participation, rather than support women through social welfare policies.
- The participation of women in GDP needs to be clarified. There is a growing perception around the world that goods and services produced by women should be part of GDP. Accordingly, employment policies need to be harmonized and improved.
- There is a need to improve the system for resolving labor disputes and establishing control. For that, both employer and employee representatives should be involved. Information on conflict prevention, employment rights and decent employment should be widely disseminated.
- Equal pay for equal work is required.



## „THE STATUS OF WOMEN'S EMPLOYMENT RIGHTS“

### RESULTS OF THE ONLINE SURVEY

Between April 3d and 10th of 2020, 718 women participated in an online survey (58 women were from the target groups of women herders, working women with young children).

570 or 79% of the total participants have children aged 0-3, 14.3% of the total participants were of age 18-25, 70.8% of age 26-40 and 7.7% of age 41-54 years old. 411 people participated from Ulaanbaatar, 183 people from aimags and 98 people from soums.

#### Key findings from the online survey on women's labor rights:

- In terms of employment challenges, 74.4 percent (n = 502) said there were no babysitters, 42.2 percent (n = 285) said that kindergarten pick-up and drop-off hours overlapped with their working hours, and 30 percent (n = 221) said that there is limited access to day-care centers. ,
- 28.2 percent of respondents (n = 666) did not have an employment contract with the employer. Also, 12.4 percent complained about the right to work to their employers.
- 51.7 percent (n = 371) of the total number of survey participants were covered by formal social insurance, 8.9 percent by voluntary social insurance, and the remaining 36.2 percent were not covered by social insurance.
- 159 or 5 percent of the participants were required to resign during pregnancy, of which 68.2 percent or 107 women accepted the requirement and 31.8 percent did not accept.
- 266 respondents answered “yes” and 400 respondents answered “no” to a question on experiencing harassment and discrimination in the workplace. The respondents reported that the management discriminated them in some way, did raise salaries and bonuses, as well as discriminated on the grounds that they have small children.

#### CONCLUSION:

1. The Mongolian government is taking certain steps to improve the policy environment for employment support. However, these policy are not consistent and the impact of regulations on women's employment is unclear and needs to be further explored
2. The implementation of the Labor Law needs to be improved and brought into line with international treaties to which Mongolia is a party. It is, also, necessary to create a common understanding among participants in employment relationships. Women are subjected to workplace harassment and discrimination, and an anti-discrimination legal environment needs to be established.
3. Complaints remain unresolved due to inadequate systems and mechanisms for resolving labor disputes.
4. The most difficult problem for working women is the lack of access to childcare services.

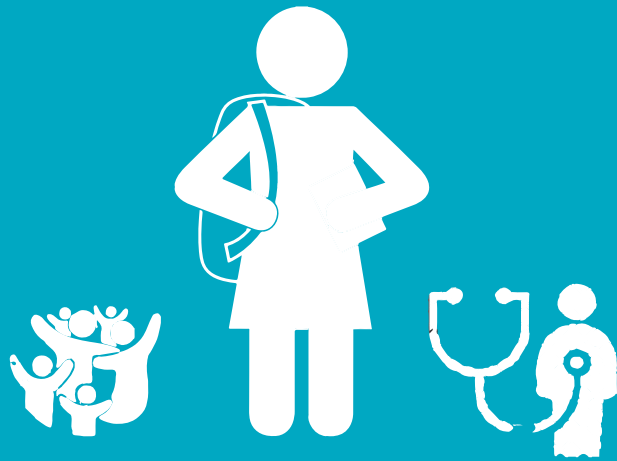


**RECOMMENDATIONS:**

1. To adopt immediately a revised version of the 1999 Labor Law, bring it in line with international treaties to which Mongolia is a party.
2. To improve the system for resolving labor disputes and establish control.
3. To take the following appropriate measures to promote equality in women's employment and participation in economic life through public policies:
  - a. To provide conditions for women to work and earn after giving birth, increase access to childcare and kindergarten services, and provide childcare cash allowances not only to mothers but also to child caregivers (grandparents, brothers, sisters, etc.)
  - b. To focus on maintaining labor skills of stay-at-home mothers who had a child and provide care for the child
4. To employ a comprehensive approach to employment issues, with the social welfare and social security systems that support employment, to adopt and implement an employment promotion law and special employment promotion programs in line with the principle "from welfare to employment".
5. To promote decent employment and create women-friendly jobs and work conditions:
  - a. To create women-friendly work environment and to ensure workplace safety and hygiene that is friendly to women
  - b. To increase the responsibility of the private sector to maintain a work-life balance, provide flexible working hours, remote work opportunities and introduce performance measuring system that is based on productivity, not on hours
6. To formulate and implement specific policies and programs to eliminate forms of discrimination against women in labor relations







**CHAPTER 5:**  
**OTHER WOMEN'S RIGHTS ISSUES**  
**(HEALTH, EDUCATION, MARRIAGE, FAMILY)**

# 1

## RESULTS OF THE DOCUMENT REVIEW

### CURRENT SITUATION:

#### Reproductive health:

- Mongolia's 2018 health indicators show that maternal and child mortality and abortion have declined over the past 10 years. As of 2018, 5.5 percent of the total number of women undergoing abortions was under the age of 20, and the abortion rate in this age group increased by 0.3 percent compared to the previous year (Center for Health Development, 2019). According to the National Police Agency data, in 2018, the number of underage pregnancies increased by 466 cases or 31.7 percent, abortions by 73 cases or 35.7 percent, and girls who gave birth by cases 393 or 44.4 percent, respectively. Pregnancy, abortion and childbirth among underage girls have rapidly increased and are expected to increase, and work, targeting this group, is needed.
- 540.6 per 1000 women of reproductive age used modern methods of contraception in 2015, or 54.1 percent of women aged 15–49 years. In 2018, 550 per 1000 women of reproductive age used contraceptives, or 55.0 percent of women aged 15–49 years old. In terms of location, the use of modern contraceptive methods is 49% in Ulaanbaatar and 11.4% at the bagh level. It should, also, be noted that the percentage of women using contraception is less than 40% in Bulgan, Uvs, Khovd and Khentii aimags. In 2018, 57.4% of all STD cases were women and 42.6% were men. As for the age group, 12.5 percent are 15-19 years old, 26.7 percent are 20-24 years old, 23.3 percent are 25-29 years old, 15.3 percent are 30-34 years old, 9.2 percent are 35-39 years old, and other age groups are 13 percent (Center for Health Development, 2019; Center for Health Development, 2016)
- Reproductive health is a problem for women with disabilities. For example, according to the 18th Annual Report on Human Rights and Freedoms of NHRC (2019), 16 percent of the surveyed women with disabilities received information about reproductive health from doctors and specialists, and 84 percent from friends, family members, the Internet, and the media. In 2015, the Committee on the Rights of Persons with Disabilities highlighted in its report to the Government of Mongolia that 51 percent of women with disabilities receive such information from TV, but information disseminated through TV is not available to persons with visual and hearing impairments (p. 72). Family Group Practices do not have gynecologists or they are inexperienced, the wait-time for visits to district hospitals is 1-2 months, hospitals do not have sign language interpreters, doctors have high workload and their communication skills are poor, which makes it difficult to obtain these services from health facilities, according to the group discussion participants. In addition, individual and group interviews with women with mental disabilities revealed that women with mental disabilities are forced to receive contraceptive injections in both urban and rural areas, and, in case of refusal, health care workers and family doctors threaten them with termination of welfare benefits and services, and enforce contraceptive injections. In some aimags, this work is organized on quarterly basis (p.85). Respondents reported that the most commonly used contraceptive methods are IUDs, pills, and calendar. However, the respondents shared that it was difficult to explain to doctors and health workers the financial constraints and inaccessibility of health centers as the obstacles for contraception (p. 83).



## Cancer:

- As of 2018, the top five cancer types among women are liver (33%), cervix (12.4%), stomach (10.3%), breast (8.1%), and esophagus (5.9%). 372 new cases of cervical cancer were registered, so the national rate is 23.2 per 100,000 women. In Darkhan-Uul, Selenge, Dornod, Govisumber, Gobi-Altai, Bayankhongor, Khentii, Umnugovi and Dundgovi aimags the rate is higher than the national average of 23.2 per 100,000 women. At the time of diagnosis, 49.0% of all cases of cervical cancer were diagnosed in stage 2, which is not lower than in the previous year (Center for Health Development, 2019).

## Women's education:

- As of the end of 2019, Mongolia ranks 71st out of 153 countries (0.993) in terms of education level, which is one of the key indicators of the annual gender gap index calculated by the World Economic Forum (National Statistics Office, 2019)
- "Gender Analysis of Primary and Secondary Education" is the first comprehensive gender analysis, conducted as part of a project "Education for Sustainable Development" by the Government of Mongolia and the SDC project. According to the study, Mongolia's education system has undergone a series of reforms over the past decade. For example, the general education system was changed three times, the curriculum was reformed in three stages, the admission age was lowered from eight to six, and the general education curriculum gradually expanded to 12 years during the period from 2007 to 2015. The first class, who will complete the full 12-year curriculum, will graduate in 2020 (Research Institute for Social Policy and Development, 2016)
- Aimag and district education departments do not provide gender guidelines to schools, which is likely to lead to lack of awareness on gender equality and non-fulfillment of the Law on Promotion of Gender Equality. Article 12.3 of the Law on Promotion of Gender Equality states that results of programs and activities on gender equality, identified breaches and measures to address these breaches shall be included in annual reports of education institutions. Results of a program or activities to promote gender equality should serve as an indicator in measuring the performance of principals and directors of schools and kindergartens. However, school administrators do not have sufficient understanding of the law (Social Policy and Development Research Institute, 2016)
- 20.2 percent of all children, or one in five children, do not have access to pre-school education, mainly children from poor and migrant households in urban areas, herders' children and children with disabilities. The effectiveness and coherence of policies and interventions in the social and economic sectors to meet the goals of pre-school education and support early childhood development have not been sufficiently sustainable (MECSS, 2019, p.7).
- The number of people moving from rural areas to the capital and aimag centers is increasing every year, and the capacity of social service organizations, including schools, are unable to cope with migration. The number of schools with 3 shifts has not been decreasing. Class size load is normal throughout the country, but varies by regions and locations. Bagh schools have the lowest class sizes and the city schools have the largest. Thus, the growing migration, different class sizes loads in urban and rural areas have a negative impact on the quality and results of the educational services. And, this is a serious problem not only in the education sector, but in the society. Therefore, a new school mapping must be introduced that optimizes the structure, types and locations of secondary schools and is aligned with Regional Development Strategy of Mongolia. In addition, a detailed assessment of the learning environment, dormitory conditions and learning materials should be carried out. There is a need to develop and implement a plan for the gradual reconstruction of school and dormitories so that the principles of learning can be implemented, learning environment as well as living conditions, necessary for students,



are created (MECSS, 2019, p. 9).

- Vocational education and training management systems are ineffective and opportunities for cross-sectoral coordination are limited. There is a need to move towards a more efficient and efficient governance system that is in line with international standards by creating and supporting cross-sectoral public administration organizations for TVET. There is a need to move to a more efficient and effective management system that meets international standards, to establish and sustain a public administration body to run TVET on a cross-sectoral basis. This transition can be solved by raising the status of the TVET schools. This decision is an effective solution for reforming the system of training qualified workers and solving key issues not only in the field of vocational education and training, but also in the field of social development. (MECSS, 2019, p. 11)
- 91.2% of women and 86.3% of men over 25 have secondary and higher levels of education (National Statistics Office, 2018). The average share of women in the population with higher education in 2011-2018 was 58.3 percent. The literacy rate of the population aged 15-24 is 97.6 percent for men and 99.3 percent for women.
- The Gender Balance Index for higher education students, or the number of female students per 100 male students enrolled in higher education, has decreased since the 2014-2015 school year, but has been increasing since the 2015-2016 school year ((NSO, Analysis of the main indicators of higher education and the factors affecting it, p.7, 2019).
- In the secondary schools, 49.8% of full-time students are girls and 50.2% are boys, of which girls comprise 48.9% in primary school, 49.7% in middle school and 53.7% in high school. 63.2% of all university and college students are women.
- There are no special studies on the education of women and girls, and this is not reflected in research and study reports. Despite the fact that comprehensive national studies have been started and carried out to ensure the implementation and improvement of educational standards and curricula, the lack of unified policy, regulation, funding and human resources continue to affect their comprehensive and sustainable implementation, within the framework of the overall goal (MECSS, 2019, p.10). On the positive side, some specific issues related to the education of people with disabilities have been included.
- Although legal documents of educational institutions such as school internal policies, code of conduct and rules contain provisions on gender-based violence and discrimination, they do not include specific measures of retaliation and prevention (Ts.Odgerel et al. 2016).
- In 2006, the ratio of boys and girls at the secondary education level was 1.14, and at the higher education level was 1.64. But, in 2018 it increased to 1.11 and 1.43, respectively, but it has not kept pace with positive changes in the world. In terms of enrollment, gender inequality index fell from 0.704 in 2006 to 0.780 in 2018, falling from rank 20 to 70 (Ts.Odgerel et al. 2016).
- Mongolian women have the necessary education and skills, but are not able to turn them into opportunities and advantages (IRIM Research Institute, 2017). Although the proportion of women with higher education among the populations has increased, the quota at the decision-making level has not reached the quota set by the Law on Promotion of Gender Equality. They, also, lack the opportunities to use their education and actively participate in the labor market. They also lack the opportunity to use their education and actively participate in the labor market. The majority of women, especially in rural areas, work in the informal sector and in unpaid household chores, and women's participation in the business sector is much lower than that of men (World Bank, 2019).
- There are no policies and programs to prevent discrimination against women in the education sector, and



the content, methodology and standards of education assessment do not reflect the values of gender equality, intolerance of violence and elimination of gender stereotypes.

- The results of the study show that the needs of women and men, girls and boys with disabilities remain unmet in education and health care services (Ministry of Education, Culture and Science, 2019, p. 11).
- Occupations in the labor market are, often, classified by sex. Gender inequality persists in terms of wages. (MECS, 2019, p. 145)

#### Marriage and family relationships:

- According to the National Statistics Office, the number of divorces was 3,873 in 2015, 4,003 in 2016, 3,945 in 2017, 4,201 in 2018, and 4,262 in 2019. The report shows that divorces are prevailing among couples with 7 or more years of marriage (NSO, Number of divorces, 2019)
- According to 2017 statistics, 1.9 out of 1000 marriages end in divorce (FYCDA, World Vision Mongolia, 2018). And, according to 2018 statistics, 2 out of every 1000 marriages end in divorce.
- State stamp duty is one of the most difficult problems for victims of domestic violence and unemployed women with young children when it comes to divorce, child custody and property claims. A family with two children and a two-room apartment must pay about 600,000 (six hundred thousand) thousand MNT in state stamps to get divorced. The amount of the state stamp duty to be paid to the court is too high due to the fact that the divorce claim and the accompanying claims for child custody, child support, support for a disabled spouse and division of joint property are treated as separate claims. The fact that the court decides separately on divorce, child custody, benefits and property disputes and sets the size of the stamp separately imposes a significant financial burden on the plaintiff's right to go to court. This burden affects in particular those plaintiffs who experience domestic violence, have low incomes and young children. Article 8.3 of the Civil Procedure Code provides that in divorce procedure "the plaintiff is exempted from the state stamp duty by the judge's order if his/her insolvency is established by his/her explanation, other evidences or if there are other grounds provided by law". Many plaintiffs, who have filed for divorce as a result of actual domestic violence, suffer in terms of health and emotional well-being, are displaced, lack regular income, have young children and their security is at risk. In such situation, it is difficult to collect numerous evidence, and even if they are provided, the judge often does not consider them sufficient (NCAV, 2018).
- The amount of child allowances is small. The connection between divorce and child support is linked to the minimum level of living standard, which, on the one hand, seems to guarantee a minimum standard of living for the child, but on the other hand, limits the conditions for better support and avoids the obligation to support the child as much as possible. Consequently, it is necessary to make the law more flexible, to ensure the specific needs of children are met and their living conditions are not worsened, taking into account the level of income of the parent paying child support. Or, the wording of the law on the child support amount should be changed to «no less» than the minimum standard of living. The date for payment of child support should begin from the moment one of the parties ceased to be responsible for the maintenance of the child, not after a court decision on divorce. The court determines the child support payment, but the decision is not executed when it comes to court decision execution stage. The defendant does not pay child support for reasons such as «unemployed», «incapacitated (sick)» or «serving a prison sentence» (NCAV, 2018).



## POLICY ANALYSIS: SUPPORTIVE REGULATIONS

### Health:

- Article 13.4 of the **General Administrative Law** states that if a disabled person participates in administrative decision-making, that person may involve interpreters using sign language or special characters.
- **Labor Law** provides for reduced working hours for employees with disabilities, extended vacation leave, sets quota for the employment of people with disabilities in business entities, and imposes fines/fees for non-compliance.
- **Employment Promotion Law** provides for reimbursement of an appropriate percentage of wages paid to employers of persons with a disabilities (60 percent), as well as bonuses equal to 5 and 10 times the minimum wage if the employee is employed for more than one year.

### Education:

- According to **Law on Education**, civic education in Mongolia should have many options for meeting the personal and developmental needs of students; children with mild disabilities can be in the same group with other children in kindergartens, and up to 2 children with severe disabilities can be in on group.
- **Construction Law** states that construction must meet the needs of persons with disabilities and construction, blueprint and design of buildings must include the requirements for disabled people.
- **The Urban Development Law** provides for compliance with the norms and procedures for infrastructure planning that are friendly to people with disabilities, and prohibits the issuance of permits for any urban and construction solutions, projects, Internet and social infrastructure projects that do not meet these conditions.
- According to the **Law on Road Transport**, Governor of each respective level shall make a decision for public transport services, such as announcement of stops for persons with vision impairment, placement of the names, addresses and directions, in a written or visual form, at each stop for persons with hearing disabilities.
- The **Law on Labor Safety and Hygiene** states that requirements for labor safety and hygiene shall be unified in the territory of Mongolia. Article 16.1 of the Law states that workplace conditions for disabled persons shall be fit to their ability to work and Article 16.2 states that workplace for disabled persons shall be equipped in a way which will allow them free movement of entry and exit.
- **Mongolia Sustainable Development Vision 2030** states to ensure equal participation for citizens with physical disabilities, and provide opportunities to be employed within the framework of principles for achieving the sustainable social development.
- **The National Population Development Policy (2016–2025)** includes improving the availability, quality and safety of health care, health services, medicines, medical devices and equipment required for well-being of pregnant women, women of reproductive age, mothers and infants; improving and expanding social protection services for pregnant women, mothers and infants; providing families and women with high-quality, affordable and comprehensive services for family planning, such as pregnancy spacing and number of children, that is responsive to the reproductive rights of women. And, National Program on Maternal, Child and Reproductive Health (2016-2020) provides for a step-by-step increase in funding





for contraception; promotion and advocacy targeting decision-makers for the implementation of family planning policies and decisions at all levels of health services.

- **Action Program of the Government of Mongolia for 2016–2020** states to pursue the policy to ensure the participation of people with disabilities in social life.
- Article 4 of the **Law on Education** states that “the goals of the education of Mongolia are to develop mental, moral and physical abilities, and to instill a sense of humanity and independency in learning, working and sustaining life”. Also, it states that civic education in Mongolia should have many options for meeting the personal and developmental needs of students; children with mild disabilities can be in the same group with other children in kindergartens, and up to 2 children with severe disabilities can be in on group.
- The **Law on Vocational Education** defines the purpose, content, management and organizational structure of vocational education. It states the needs of the labor market and the demands of employers to be reflected in vocational education, skills training and professional development training, and regulates the relationships related to the rights and obligations of participants. The structure and composition of the vocational education includes vocational education and training centers that provide training services to people with disabilities. And, teachers will be regularly involved in capacity building and professional development training.
- Strategic Objective 2 of the **National Educational Program 2010–2021**, approved by the Government of Mongolia in 2010, states that “development and adherence to standards of educational services” shall be followed as part of the objective “to define the criteria for educational standards based on the achievements of science and technology”.
- The **State Policy on Education (2014–2024)** was approved in 2015 as an annex to the resolution #12 by the Parliament of Mongolia. The goal of the Policy is to create a comprehensive system of actions that will allow every citizen to develop their talents and abilities, work productively, acquire the knowledge, skills and abilities necessary for a happy life, respect morality and humanism, and inherit common national values.
- **Action Program of the Government of Mongolia for 2016–2020** states to create conditions for children with disabilities to study together with their mates and improve required infrastructure and to support entities and institutions that provide training and development services for disabled children and workplace for disabled citizens.
- **The Program to Support Employment of Persons with Disabilities** aims to increase the number of permanent jobs for people with disabilities and maintain their employment through preparation for employment, job placement, self-employment and employment training for people with disabilities; support through incentives, financial support, special employment services and activities.
- In 2017, the Government approved **National Program on Promoting Rights and Participation and Development of Persons with Disabilities (2018–2022)**. The program aims to ensure the implementation of the **Law on the Rights of Persons with Disabilities**, to create conditions for people with disabilities to participate fully in all social relations, to deliver their voices to the public and decision-making levels, to build a positive perception and attitude towards disability; and to prevent disability.
- The **National Program for the Development of Vocational and Technical Education** aims to improve the quality, accessibility and efficiency of vocational and technical education in line with Mongolia’s development policy, labor market demand and needs, and the needs, talents and interests of citizens. The program, also, aims to align vocational education and training sector reform with labor market



needs; create and develop 26 practical public-private partnership models and diversify them in line with industrial development needs; update vocational education and training standards and curricula; train teachers to be qualified engineers and technicians, improve their training skills; bring learning conditions up to date; provide textbooks and teaching materials; introduce needs-based services; and create an enabling legal environment. The program states to **"increase equal access to vocational education and training for people with disabilities"**. Assessment of the Program will be conducted in 2019, to evaluate the achievement of mid-term target, and in 2021, to assess the achievement of the end target. It will be monitored and evaluated whether the implementation target has been reached in 2019 and the target in 2021.

#### Marriage and family relationships:

- **The Family Law** was passed in 1999 with 9 chapters and 76 articles. The Law states to regulate relations in regards marriage, divorce, the procedure of divorce settlement, the property and non-property relations of the family members, adoption, taking in custody.
- **Civil Procedure Code of Mongolia** The law provides for the types of preliminary measures related to family matters. The judge can issue an order to support a minor or a disabled parent, keep the child with one of the parents, live separately, support the spouse, prohibit the transfer, sale, donation or disposal of apartment and joint property, pay the appropriate percentage of court fees, and set a deadline for reconciliation through mediation.
- Article 14 of the **Law on Promotion of Gender Equality** addresses the guarantees of equal rights in family relations, ensures equal rights and equal participation of men and women in marriage and family relations, in particular, in marriage, divorce, family planning, protection from unwanted pregnancies, disposal of common property and income, as well as prohibits the violation of the rights and freedoms of others, gender restrictions and discrimination. It, also, defines the role of parents in setting an example, through behavior and family upbringing, on gender equality and non-discrimination, and enshrines the concept of unpaid house labor as a contribution to social wealth and the household economy.
- **The Law on the Rights of the Child** was adopted in 2016 and it defines the full rights of state organizations, parents, guardians, custodians, citizens and legal entities that are responsible for the protection of children's rights, and the establishment of a child protection system.
- **The Law on Child Protection** was adopted in 2016 and defines child protection in the family and the role of the parties, regulates relations related to prevention, protection and response to neglect, harassment, exploitation of children, all forms of violence against children, and provides detailed information on public services.
- **"Mongolia Sustainable Development Vision 2030"** set goals to increase the availability and accessibility of jobs, end all forms of poverty, and expand the middle classes in the society to 80 percent of the population, to increase the enrollment rate in primary and vocational education to 100 percent, to improve the living environment of the Mongolian people to lead a healthy and long life; increase life expectancy at birth to 78 years, and to be placed among first 70 countries on the ranking of countries by the human development index.
- Article 7 of the **Law on State Stamp Duties (State Bulletin, №1, 2011)** sets the percentage of stamp duty to be collected by a court in resolving legal disputes. The 2011 amendment sets a fee of "MNT 70,200 for non-property claims as well as claims that cannot be valued".

#### CONFLICTING REGULATIONS:



### Health:

- **National Program on Maternal, Child and Reproductive Health** (2016-2020) ignores specific reproductive health needs, such as infertility, menopause, and sexual and reproductive health.

### Education:

- There are currently no conflicting regulations. However, a detailed study of the legal environment in the education sector is needed.
- The Law on Promotion of Gender Equality regulates the elimination of stereotypes, but there are no regulations on how to reflect this in the education sector.

### Marriage and family relationships:

- Article 40 of the **Family Law** (1999) stipulates that the amount of support is determined in two ways, depending on age, including "fifty percent of minimum living expenditure of the region per child of age under 11" and the minimum living expenditure per child of age between 11-16 (until 18 if studying), and after, if the child is unable to work.
- The **Law on State Stamp Duties (2010)** states to pay 70,200 MNT in fees for divorce claims. The courts charge different fees in different cases of divorce.

## FACTORS INFLUENCING THE PROBLEM:

### Factors affecting the reproductive health of women with disabilities:

#### Legal regulations:

- Reproductive health facilities of the aimag and district general hospitals provide no access to examination beds for women with physical disabilities, reception services do not provide check-in services accommodated to the needs of women with visual and hearing impairments, hospitals do not have sign language interpreters. In addition, paper-work and documentation of reproductive health care providers of all levels do not include questions about women with disabilities. So there is no national data on what types of services these women receive and how many women receive them each year. Due to the lack of this kind of research and data, there is no policy or planning on this issue and, therefore, the services are not tailored to the specific needs of women with disabilities (National Human Rights Commission, 2019, p. 69).



#### Cultural, traditional and social factors:

- The perception that women and young people with disabilities do not need to have sex, that they cannot or should not marry or have children limits their access to information, freedom from violence, and to safe and secure reproductive health care. In addition, welfare services for people with disabilities in Mongolia are provided in the form of reliance on family and payment of cash benefits are made to caregivers. So, family members strongly impact the rights of people with disabilities to make decisions in their own interests, live independently, marry, have sexual partners, and have children. The NHRC emphasizes that ensuring the reproductive rights of women with disabilities is the responsibility of the state, the data and research should be documented and communicated to politicians, decision-makers and the public (National Human Rights Commission, 2019, p. 69).



## ACTIONS TAKEN BY THE GOVERNMENT OF MONGOLIA IN 2015-2019

The activities implemented at the level of the Government of Mongolia were categorized in the following 4 categories based on the information provided by relevant government agencies: policy improvement, budget, training and research. Total of 11 official letters requesting information were sent, of which 10 responded. The National Human Rights Commission has not responded.

Names	Policy Improvement				Budget		Training			Research		
	H	E	M,F	H	E	M,F	H	E	M,F	H	E	M,F
1 MoJHA, CCCP of Mongolia	X	X	X	X	X	X	X	X	X	X	X	X
2 MLSW	X	X	X	X	X	X	X	X	X	X	X	X
3 MoH	✓	X	X	✓	X	X	X	X	X	X	X	X
4 MECSS	X	✓	X	X	✓	X	X	✓	X	X	✓	X
5 JGC	X	X	X	X	X	X	X	X	X	X	X	X
6 SGPO	X	X	X	X	X	X	X	X	X	X	X	X
7 NPA	X	X	X	X	X	X	X	X	X	X	X	✓
8 FYCDA	X	X	X	X	X	X	X	X	X	X	X	X
9 GADPwD	X	X	X	X	X	X	X	X	X	X	X	X
10 NCGE	X	X	X	X	X	X	X	X	X	X	X	X
11 NHRC	Did not respond											

H=Health, E=Education, M,F=Marriage, family

✓ Yes

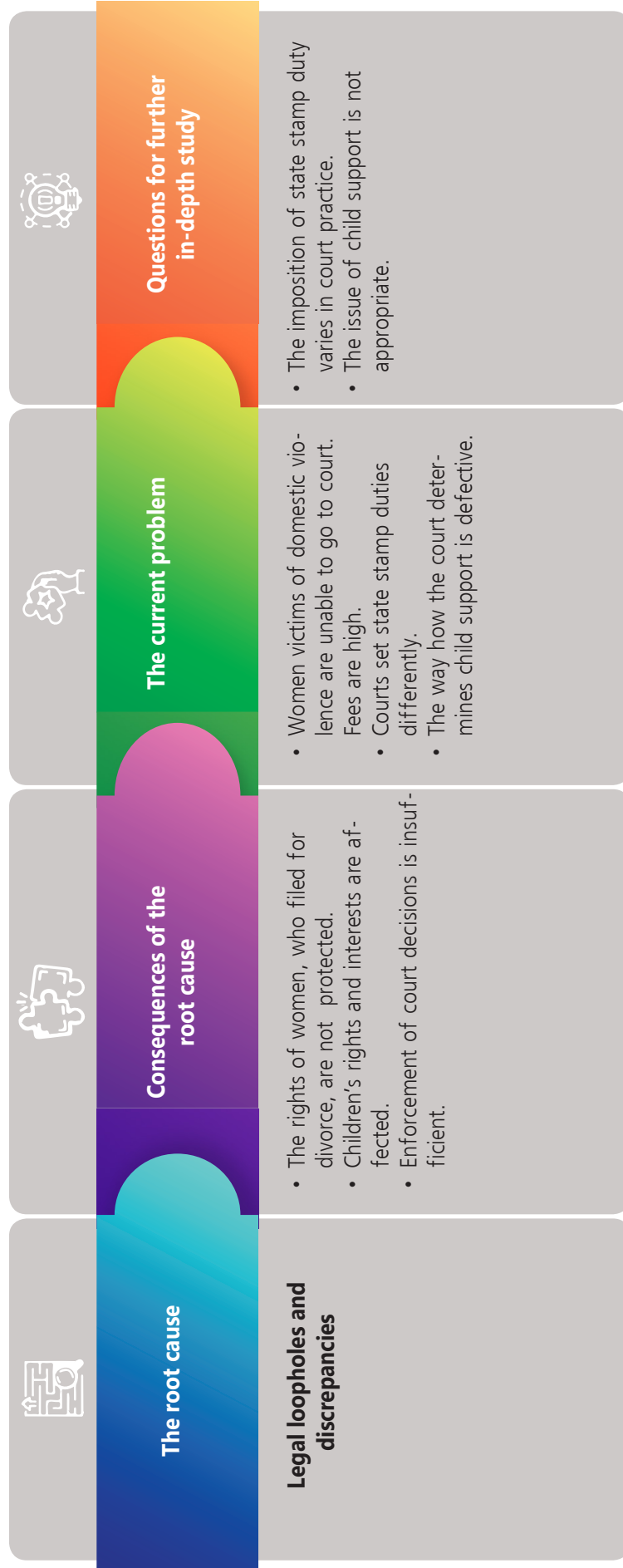
✗ No





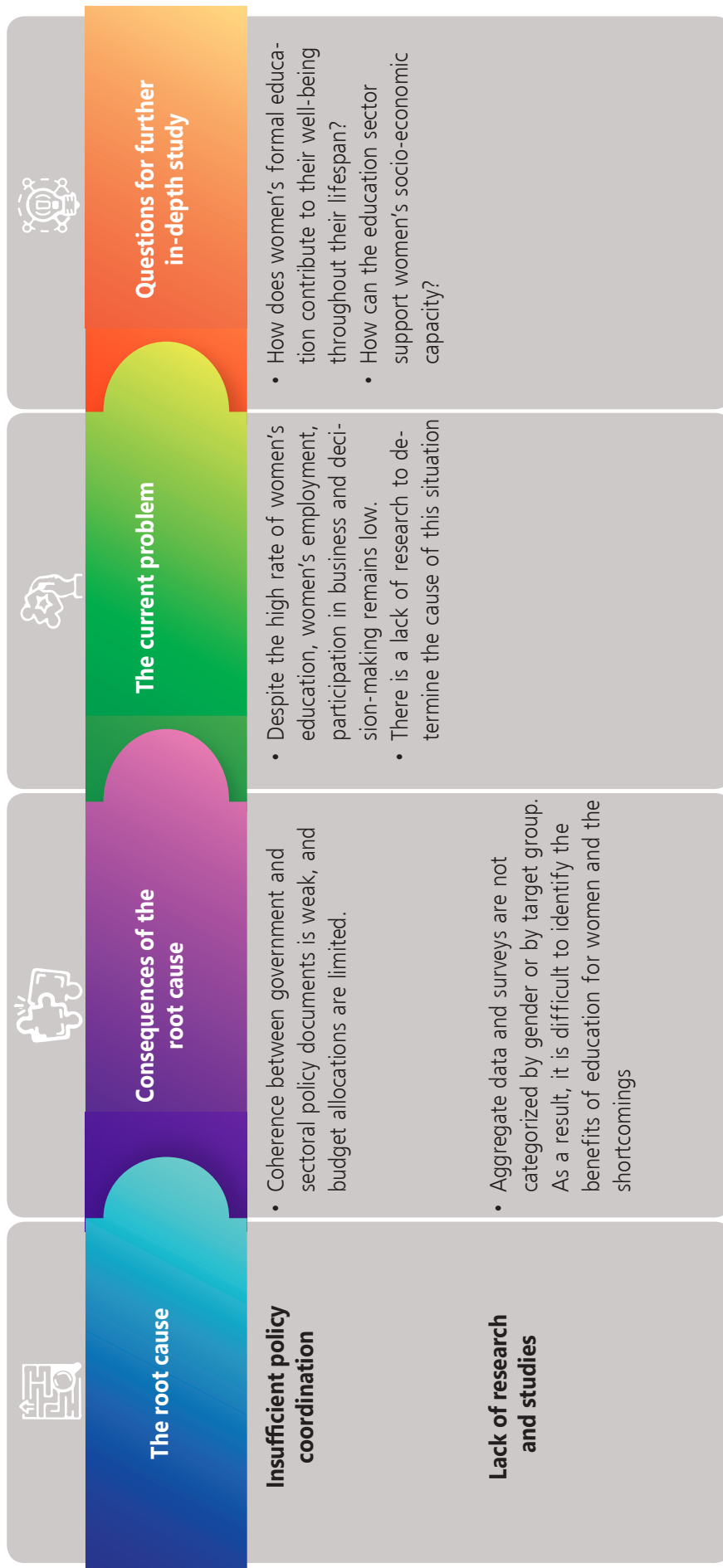
RESULTS OF THE DOCUMENT REVIEW :

**Marriage and family relationships**



RESULTS OF THE DOCUMENT REVIEW :

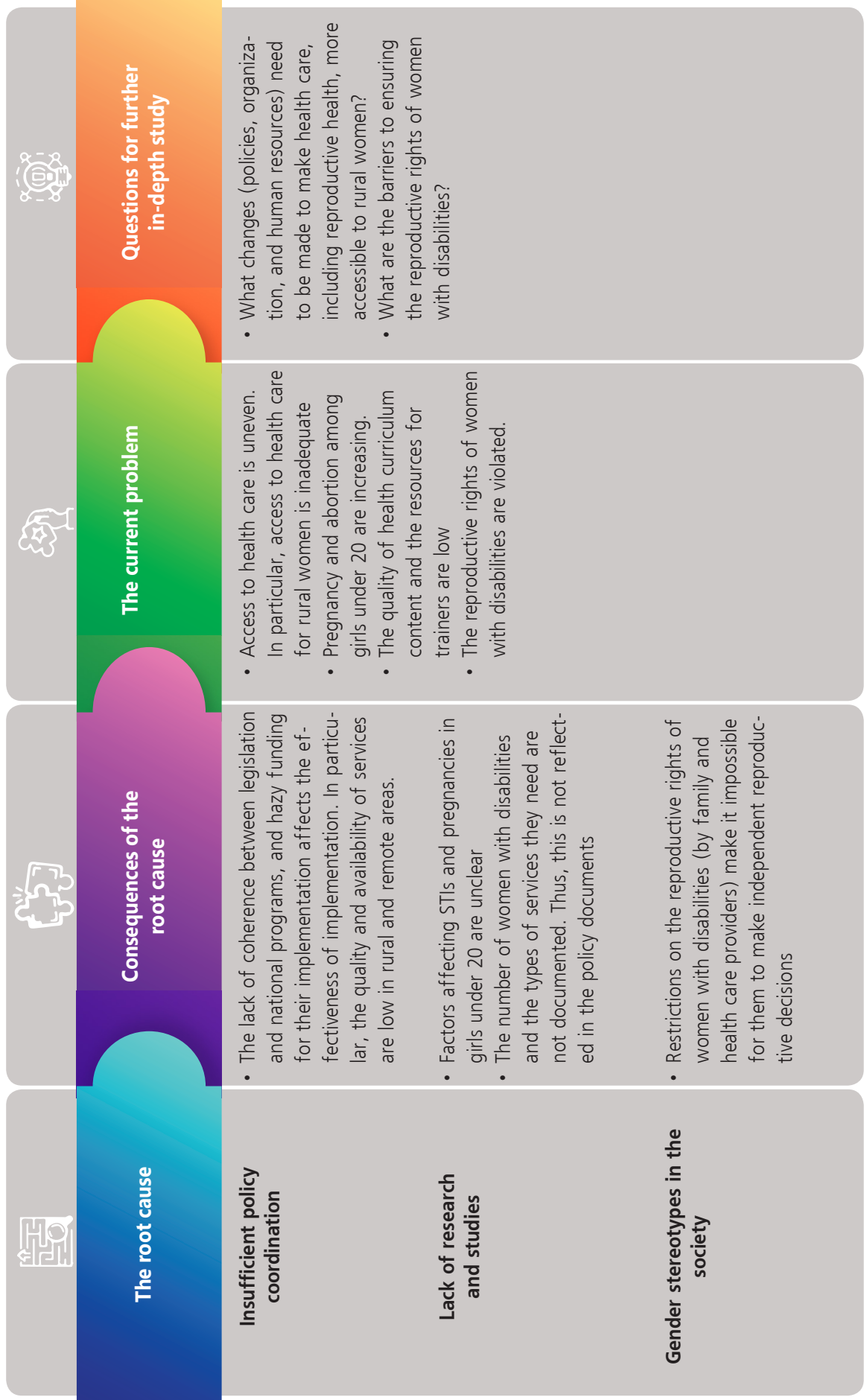
**Women's education issues**





RESULTS OF THE DOCUMENT REVIEW :

Women's Health Issues





## CONCLUSION:

### HEALTH

1. The problem that needs to be addressed in connection with the reproductive health of women is the increasing number of pregnancies and abortions among girls under 20 years of age. In the Bulgan, Umnugovi and Darkhan-Uul aimags, this number is significantly higher than in other aimags.
2. Attention must be paid to the use of contraceptives by women, which varies by the capital, soums and bagh levels, and, also, by aimags.
3. STDs are the most common diseases in the country and women are most vulnerable to them.
4. The reproductive health rights of women with disabilities are not fulfilled and they do not have access to reproductive health services and training tailored to their specific needs.
5. The effectiveness of the implementation of policy on women's health is insufficient due to lack of coherence between legislation and national programs and insufficient funding for the implementation of programs.
6. The quality and availability of medical services must be improved. Particular attention should be paid to the health of rural women living in remote areas.

### MARRIAGE

1. In civil proceedings, the state stamp duty is calculated differently, and the claim is charged on a case-by-case basis.
2. Enforcement of court decisions on child support is insufficient.

### EDUCATION

1. Although women have a high level of education, women's participation in the business sector is low, many women work in the informal sector, and women's participation in decision-making is below the legal quota. This suggests that, in addition to formal education, which does not limit women's access to education and skills development, lifelong education or non-formal education may be needed to increase their socio-economic capacity.
2. To determine the benefits of education for women, it is necessary to adequately produce sex-disaggregated data in all sectors of education and compare them with indicators in other social sectors.
3. The strategic objectives and basic principles of national education programs do not reflect gender equality, elimination of all forms of discrimination against women, gender-sensitive planning and analysis.



## RECOMMENDATIONS

### WOMEN'S HEALTH

#### To improve the policy environment:

1. To address and improve the inconsistencies between the legislation and national programs and the uncertainty of funding allocation for program implementation;
2. To create reproductive health services tailored to the needs of women with disabilities;
3. To create conditions, opportunities and resources for the employment of qualified medical personnel in rural areas in order to address the unequal quality of and access to health services in rural areas;
4. To facilitate the provision of public health services to meet the needs of women herders;
5. To focus on the health of rural women living in remote areas. For that, to provide aimags with modern equipment for the provision of comprehensive mobile medical diagnostic services, as well as conduct regular medical examinations and preventive measures for women herders in remote soums and baghs.

### WOMEN'S EDUCATION

1. To conduct studies and compare statistics from all education sectors with statistics from other social sectors to assess the benefits of education for women;
2. To align education sector policies with other development policies, to initiate studies and evaluations for ensuring the rights of traditional nomadic pastoralists;
3. To incorporate in the strategic goals and basic principles of national programs in the field of education the notions of gender equality, elimination of all forms of discrimination against women, gender-sensitive planning and analysis, and elimination of gender stereotypes; to implement them accordingly;
4. To tailor the existing system of primary education for the specific characteristics of rural children, in accordance with traditional nomadic culture, and to develop different methods of education for them;
5. To register data on violations of the rights of girls and women in the education sector and incorporate them into policies and plans for education and other sectors.

### MARRIAGE AND FAMILY RELATIONSHIP

1. To clarify the government policies supporting family development, to approve budgets for the policy implementation;
2. To urgently approve the revised draft of the 1999 Family Law;
3. The amount of child support to be based on the parents' salary and income, and to be paid at the minimum wage regardless of child's age. Also, to explore additional allowances for children with special needs;
4. To exempt the claims related to domestic violence and child support from state stamp duty;



5. To create a legal environment in the divorce proceedings, especially when the interests of the child are affected, to have a child inspector to protect the rights of the child until the divorce case is resolved.



# ANNEX 1: RESEARCH METHODOLOGY

## GENDER BASED VIOLENCE

### 1. Document Analysis/ Literature Review:

#### 1.1 Policy document analysis

CEDAW Article	National Laws and Policies/ National Programs	Whether it meets with its goal	Practicality		
			Positive impacts (indicate article)	Negative impacts (indicate article)	Challenges (include examples)

#### 1.2 Analysis on Reports of Researches/studies

##### Gender based Violence:

Main question	Sub questions
Current situation of domestic violence	At national level
	At local level
	Herder women
	Women with disability
	Sexual minority women
	Marginalized women (ethnic minorities, the elderly, women in poverty etc.)
Actions taken by the Government of Mongolia to ensure the implementation of CEDAW during the period 2015-2019	Government action/intervention/service to resolve this issue?
	The NGOs accreditation that have been providing services to citizens; government collaboration with these allying NGOs
	Women with disability
	Marginalized women (ethnic minorities, the elderly, women in poverty etc.)
	Sexual minority women
	Policy improvement
	Allocation in the state budget
	Human resource training and capacity strengthening
	Accessibility and sufficiency of One-stop service centers
	Accessibility of shelters

Data and information on women's human rights violation (2015-2019)	Data and information provided by the National Police Agency
	Data and information provided by the State Prosecutor's Office
	Data and information provided by the Judicial General Council
	Number of complaints filed to NHRC (SHWP, complaints regarding women's human rights violations)
	Data and information provided by NGOs
Challenges to fulfill women's human rights	Culture and tradition
	Laws and regulations
	Society
	Documentation, facts, cases
Research conclusion and recommendations	

### Human Trafficking

Main question	Sub questions
Current situation of human trafficking	At national level
	At local level
	Herder women
	Women with disability
	Sexual minority women
Actions taken by the Government of Mongolia to ensure the implementation of CEDAW during the period 2015-2019	Government action/intervention/service to resolve this issue?
	The NGOs accreditation that have been providing services to citizens; government collaboration with these allying NGOs
	Women with disability
	Marginalized women (ethnic minorities, the elderly, women in poverty etc.)
	Sexual minority women
	Policy improvement
	Allocation in the state budget
	Human resource training and capacity strengthening
	Accessibility and sufficiency of One-stop service centers
	Accessibility of shelters

Data and information on women's human rights violations (2015-2019)	Data and information provided by the National Police Agency
	Data and information provided by the State Prosecutor's Office
	Data and information provided by the Judicial General Council
	Number of complaints filed to NHRC (SHWP, complaints regarding women's human rights violations)
	Data and information provided by NGOs
Challenges to fulfill women's human rights	Culture and tradition
	Laws and regulations
	Society
	Documentation, facts, cases
Research conclusion and recommendations	

### Sexual Harassment in the Workplace

Main question	Sub questions
Current situation of Sexual harassment in the work place	At national level
	At local level
	Herder women
	Women with disability
	Sexual minority women
Actions taken by the Government of Mongolia to ensure the implementation of CEDAW during the period 2015-2019	Government action/intervention/service to resolve this issue?
	The NGOs accreditation that have been providing services to citizens; government collaboration with these allying NGOs
	Women with disability
	Marginalized women (ethnic minorities, the elderly, women in poverty etc.)
	Sexual minority women
	Policy improvement
	Allocation in the state budget
	Human resource training and capacity strengthening
	Accessibility and sufficiency of One-stop service centers
	Accessibility of shelters
Data and information on women's human rights violations (2015-2019)	Data and information provided by the National Police Agency
	Data and information provided by the State Prosecutor's Office
	Data and information provided by the Judicial General Council

	Number of complaints filed to NHRC (SHWP, complaints regarding women's human rights violations)
	Data and information provided by NGOs
Challenges to fulfill women's human rights	Culture and tradition
	Laws and regulations
	Society
	Documentation, facts, cases
Research conclusion and recommendations	

### Sexual Violence and Rape

Main question	Sub questions
Current situation of sexual violence and rape	At national level
	At local level
	Herder women
	Women with disability
	Sexual minority women
	Marginalized women (ethnic minorities, the elderly, women in poverty etc.)
Actions taken by the Government of Mongolia to ensure the implementation of CEDAW during the period 2015-2019	Government action/intervention/service to resolve this issue?
	The NGOs accreditation that have been providing services to citizens; government collaboration with these allying NGOs
	Women with disability
	Marginalized women (ethnic minorities, the elderly, women in poverty etc.)
	Sexual minority women
	Policy improvement
	Allocation in the state budget
	Human resource training and capacity strengthening
	Accessibility and sufficiency of One-stop service centers
	Accessibility of shelters
Data and information on women's human rights violations (2015-2019)	Data and information provided by the National Police Agency
	Data and information provided by the State Prosecutor's Office
	Data and information provided by the Judicial General Council
	Number of complaints filed to NHRC (SHWP, complaints regarding women's human rights violations)
	Data and information provided by NGOs

Challenges to fulfill women's human rights	Culture and tradition
	Laws and regulations
	Society
	Documentation, facts, cases
Research conclusion and recommendations	

## 2. Qualitative Research:

### *Guiding questions for one-on-one interview*

#### *Legal environment:*

1. How well do you know the Convention on the Elimination of All Forms of Discrimination against Women? If so, is it used as a resource in decision-making?
2. How well do you know the Mongolian government's policy on women's rights? What are your thoughts on this?
3. Can you mention from the work being done to prevent GBV? How effective do you think these activities are? If not, how can it be improved?
4. Do you think that the legal environment for combating domestic violence, human trafficking, sexual harassment in the workplace, sexual violence and rape is adequate and effective?
  - If yes, give examples?
  - If not, why?
5. Is the Government proactive in combating gender-based violence? What do you think?
  - Is the cross-sectoral policy clear?
  - Is there an adequate operating budget for cross-sectoral policy implementation? Has a specific state budget been approved?
  - What do you think needs to be done to improve cross-sectoral policy?
6. Is the legal punishment of perpetrators adequate? If not, what legal provisions should be changed and how?

#### *Service:*

7. How would you assess the services provided to victims of gender-based violence?
8. Is the service environment and policy clear?
9. Are comprehensive social work intervention provided to victims? If not, why?



10. Is there adequate government financial support for victim services? If not enough, why not?
11. Is there adequate number of human resources to work with victims? Are there qualified human resources?

*Resolution of the case:*

12. To clarify resolution of cases of victims of domestic violence and human trafficking
  - What are the difficulties in investigating violations and crimes?
  - Your opinion on the appropriateness of the punishment imposed on perpetrators
  - What do you think about victims of this types of crimes? Can they protect themselves? Do the needs of special groups such as people with disabilities, elderly, and rural people differ?
  - Is the victim protection policy appropriate? If not, how can it be improved?
  - Time spent on resolution of cases

*Further actions:*

13. What needs to be done to improve the detection, suppression and prevention of these violations and crimes, especially by the judiciary, law enforcement and public administration organizations?
  - In terms of legal environment
  - For cross-sectoral policy
14. What else can you say on the topic of the research?

*Qualitative data analysis template:*

	Governmental organizations	Non-governmental organizations (NGOs)	Victims
Legal environment			
Services and interventions			
Case resolution			
Issues to consider in the future			
CONCLUSION:			
Recommendations:			

## WOMEN'S PARTICIPATION IN DECISION-MAKING

### 1. Document Analysis/ Literature Review:

#### 1.1 Policy document analysis

CEDAW Article	National Laws and Policies/ National Programs	Whether it meets with its goal	Practicality		
			Positive impacts (indicate article)	Negative impacts (indicate article)	Challenges (include examples)

#### 1.2 Analysis on Reports of Researches/studies

##### Women's participation in Decision-making:

Main question	Sub questions
Current situation	Women's participation in Decision-making at the national level
	Women's participation in Decision-making at the local level
	Rural women's political participation
	Disabled women's political participation
	Sexual minority women's political participation
	Marginalized (ethnic minority, the elderly, in poverty) women's political participation
Actions taken by the Government of Mongolia to ensure the implementation of CEDAW during the period 2015-2019	Number of women members of parliament, actions towards increase of quota of women candidates to election
	Public awareness raising
	Human resource training and capacity strengthening
	Ensure sexual minority women's political participation
	Ensure marginalized (ethnic minority, the elderly, in poverty) women's political participation
Challenges to fulfill women's human rights	Culture and tradition
	Laws and regulations
	Society
	Documentation, facts, cases
Research conclusion and recommendations	

### National system for improving women's welfare:

Main question	Sub questions
Current situation	At national level
	At local level
	Herder women
	Women with disability
	Sexual minority women
	Marginalized women (ethnic minorities, the elderly, women in poverty etc.)
Actions taken by the Government of Mongolia to ensure the implementation of CEDAW during the period 2015-2019	Implementation and progress of National Program for Gender Equality
	Budget strengthening of National Committee on Gender Equality
	Human resource capacity strengthening of National Committee on Gender Equality
	Technical capacity strengthening of National Committee on Gender Equality
Challenges to fulfill women's human rights	Culture and tradition
	Laws and regulations
	Society
	Documentation, facts, cases
Research conclusion and recommendations	

## 2. Qualitative Research

### Focus group discussion questions

#### Structure:

1. Our country has a quota of 10-30 percent for women's participation in politics, public administration and special government services within the framework of the Constitution, Law on Gender Equality, and National Program on Gender Equality, but we have not been able to achieve this goal. Previous researches and studies have shown that societal attitudes toward women, their economic capacity, and intra-party support are some of the factors contributing to this. In your opinion, are there any other obstacles to the implementation of this policies?
2. Why do you think are the reasons that women in rural areas cannot run for National Parliament?
3. Do you think quota should be set in rural areas?
  - If yes, why?
  - If not, why?
  - Please, describe positive and negative aspects of that

#### Internal party support:

4. What could be the reason for the lack of women's participation and support within the party other than stereotypes and financial resources?
5. Who should do what to increase the real participation of women in the party?
  - In the policy environment
  - In a party environment
  - In terms of public attitudes

#### About skills support:

6. What kind of support do female candidates need?
  - In terms of skills
  - In terms of societal support
  - In terms of financial support
  - To support multi-group representation
7. What opportunities and solutions do you think are available in the current situation to make these supports a reality?
8. What are the challenges in participation of representatives of various groups (disabled, LGBTI, herder, etc.) at the local and parliamentary decision-making levels?
9. What else do you want to add?

#### One-on-one interview questions

##### Structure:

1. Our country has a quota of 10-30 percent for women's participation in politics, public administration and special government services within the framework of the Constitution, Law on Gender Equality, and National Program on Gender Equality, but we have not been able to achieve this goal. Previous researches and studies have shown that societal attitudes toward women, their economic capacity, and intra-party support are some of the factors contributing to this. In your opinion, are there any other obstacles to the implementation of this policies?
2. Could maintaining a seat quota be a solution to ensure women's participation at the decision-making level? If answer is yes, ask about how that can be a guarantee
  - If answer is yes, ask about how that can be a guarantee
  - If answer is not, ask why
3. Your ideas on improving national systems and mechanisms for women's rights, whether the current system can fully solve the problem and protect women's rights, and whether there should be a separate structure

- If yes, why
  - If not, why
4. What do you think about having an independent procedural law against discrimination?
  5. What could be the reason for the lack of women's participation and support for women within the party other than stereotypes and financial resources?
  6. What are the challenges in participation of representatives of special groups (disabled, LGBTI, herder, etc.)?
  7. Who should do what to increase the real participation of women in the party?
    - In the policy environment
    - In a party environment
    - In terms of public attitudes
  8. What support should be provided to women candidates?
    - In terms of skills
    - In terms of societal support
    - In terms of financial support
    - What else do you have to add?

#### Expert interviews

1. 1. Our country has a quota of 10-30 percent for women's participation in politics, public administration and special government services within the framework of the Constitution, Law on Gender Equality, and National Program on Gender Equality, but we have not been able to achieve this goal. Previous researches and studies have shown that societal attitudes toward women, their economic capacity, and intra-party support are some of the factors contributing to this. In your opinion, are there any other obstacles to the implementation of this policies?
2. Could maintaining a seat quota be a solution to ensure women's participation at the decision-making level?
  - If answer is yes, ask about how that can be a guarantee
  - If answer is not, ask why
3. Your ideas on improving national systems and mechanisms for women's rights, whether the current system can fully solve the problem and protect women's rights, and whether there should be a separate structure
  - If yes, why
  - If not, why
4. What do you think about having an independent procedural law against discrimination?
5. What could be the reason for the lack of women's participation and support for women within the party other than stereotypes and financial resources?

6. What are the challenges in participation of representatives of special groups (disabled, LGBTI, herder, etc.)?
7. Who should do what to increase the real participation of women in the party?
  - In the policy environment
  - In a party environment
  - In terms of public attitudes
8. What support should be provided to women candidates?
  - In terms of skills
  - In terms of societal support
  - In terms of financial support
9. What else do you have to add?

#### One-on-one interviews with party leaders

1. Our country has a quota of 10-30 percent for women's participation in politics, public administration and special government services within the framework of the Constitution, Law on Gender Equality, and National Program on Gender Equality, but we have not been able to achieve this goal. Previous researches and studies have shown that societal attitudes toward women, their economic capacity, and intra-party support are some of the factors contributing to this. In your opinion, are there any other obstacles to the implementation of this policies?
2. Could maintaining a seat quota be a solution to ensure women's participation at the decision-making level?
  - If answer is yes, ask about how it can a guarantee
  - If answer is not, ask why
3. What could be the reasons for the lack of women's participation and support for women within the party other than stereotypes and financial resources?
4. What are the opportunities for participation of representatives of special groups (disabled, LGBTI, herder, etc.)?
5. Who should do what to increase the real participation of women in the party?
  - In the policy environment
  - In a party environment
  - In terms of public attitudes
6. What support should be provided to women candidates?
  - In terms of skills
  - In terms of societal support
  - In terms of financial support
7. What else do you have to add?

Qualitative data analysis template:

	Political party	Expert	Women candidates (in the city and rural areas)
For system and mechanism improvement			
Internal party support			
Support women			
Conclusion:			
Recommendations:			

## RURAL WOMEN

### 1. Document Analysis/ Literature Review:

#### 1.1 Policy document analysis

CEDAW Article	National Laws and Policies/ National Programs	Whether it meets with its goal	Practicality		
			Positive impacts (indicate article)	Negative impacts (indicate article)	Challenges (include examples)

#### 1.2 Analysis on Reports of Researches/studies

##### Rural women:

Main question	Sub questions
Current situation of rural women	Finance
	Health
	Education
	Food security and shortage
	Environment
	Society and family
	Loan and financial support
	Women with disability
	Sexual minority women
	Marginalized women (ethnic minorities, the elderly, women in poverty etc.)
	Finance

Current situation of rural herder women	Health
	Education
	Food security and shortage
	Environment
	Society and family
	Loan and financial support
	Women with disability
	Sexual minority women
	Marginalized women (ethnic minorities, the elderly, women in poverty etc.)
Actions taken by the Government of Mongolia to ensure the implementation of CEDAW during the period 2015-2019	Rural development of strategy including gender issues; measures for ensuring rural women's participation in it.
	Climate change and disaster resilience measures; developing policy for disaster risk reduction and action plan inclusive of gender issues; measures for ensuring rural women's participation in it.
	Developing policy and strategy for mining industry including gender issues; measures for ensuring rural women's participation in it.
	Poverty reduction
	Trainings for justice for rural women, education for rural women, industrial skill building
	Formal employment, income generation activities, micro loan, land ownership improvement
	Needs-based housing for women, safe water, health care and service, access to hygiene
	State budget allocation
Human resource training and capacity strengthening	
Data and information on women's human rights violations (2015-2019)	Number of complaints filed to NHRC
	Data and information provided by NGOs
Challenges to fulfill women's human rights	Culture and tradition
	Laws and regulations
	Society
	Documentation, facts, cases
Research conclusion and recommendations	



## 2. Qualitative Research

### Focus group discussion questions

1. What specific measures are taken in your area to improve the quality of life of rural women, especially herder women?
2. Do these measures bring impact to the quality of your life and lives of other local women herders in your area?
  - a. If yes, how?
  - b. If not, why?
3. Natural factors such as climate change, dzud, drought, as well as human factors are considered the main factors in the decline/deterioration in the quality of life of herder women. Have any of these factors influenced you? If yes, please, give examples?
4. In general, what other than environmental factors are contributing to herders' poverty?
5. How can herders, especially women, overcome these issues and avoid re-exposure to these risks? What opportunities do you need that can support you?
6. If you were the bagh governor, province governor, government or parliament, what would you do to address these challenges women herders face each year? What decisions and solutions do you want them to make?
  1. National-level government
  2. Local-level government
  3. Herders themselves
7. For what purpose and how many times have you received medical services in the past 12 months? If not, why prevented you from receiving medical services?
8. Have you received any training, knowledge, or information in the past 12 months? If so, what kind?
9. What do you want health (including reproductive health) and educational services for herders (not only for children and youth, but also for adults, such as life skills, business management, environment, etc.) be like?
  - In terms of methods
  - In terms of human resources
10. How much are you involved in the local decision-making process?
11. Previous research and studies have shown that herders are unable to attend local meetings due to their own inactive participation, impossibility to manage household chores and leave for meetings, and lack of driving skills. In your opinion, what other factors contribute to the low level of citizens' participation, especially women's participation?
12. What can be done to change this situation? How can the voices of women herders be brought to those who make decisions about their lives and livelihoods?
13. What else do you have to add?

### One-on-one interview questions

1. What specific measures are in place to improve the quality of life, economic capacity of rural women, especially herder women?
2. Do these measures bring impact to the quality of life of herders' households in your area?
  - If yes, how?
  - If not, why?
3. Natural factors such as dzud, drought are considered the main factors in the decline/deterioration in the quality of life of herders' households. What other than environmental factors contribute to the poverty of herders? If yes, please, give examples?
4. What are the specific government policies to prevent and protect herders from poverty?
5. What needs to be done to address herders' poverty and vulnerability in a way that is effective for herders, especially women?
  - National-level government
  - Local-level government
  - Herders themselves
6. What issues in your area need to be addressed in relation to women's health and education (lifelong learning, non-formal education)?
7. What do you think are the causes of these problems?
8. Quality of social services such as health and education differ in rural areas, and people have to travel long distances to obtain such services, there are number of issues such as lack of human resources, dormitories, access to schools, and security. It is also common for children from herder families to be separated from families in order to attend school. In addition, there is a lack of opportunities for adults to increase their knowledge and education in our country. In general, what changes need to be made to make these health and education services more accessible to herders?
  - At policy level
  - At implementation/coordination level
  - In terms of human resources
9. What measures does the government take to involve herders in the decision-making process? What are the strengths and weaknesses?
10. What are the opportunities and ways to increase citizens' participation?
11. What else do you have to add?

Qualitative data analysis template:

	Experts	Governmental organizations	Herder/rural women
Strengthening economic capacity, poverty prevention			
Improving health care service			
Improving education (especially informal education) access and quality			
Issues related to rights to employment and solutions			
Increase herders participation in decision-making			
Conclusion:			
Recommendations:			

**OTHER WOMEN'S RIGHTS ISSUES** (EMPLOYMENT, HEALTH, EDUCATION, MARRIAGE, FAMILY)

1. Document Analysis/ Literature Review:

1.1 Policy document analysis

CEDAW Article	National Laws and Policies/ National Programs	Whether it meets with its goal	Practicality		
			Positive impacts (indicate article)	Negative impacts (indicate article)	Challenges (include examples)

1.2 Analysis on Reports of Researches/studies

Family and marriage:

Main question	Sub questions
Current situation of domestic violence	At national level
	At local level
	Herder women
	Women with disability
	Sexual minority women
Actions taken by the Government of Mongolia to ensure the implementation of CEDAW during the period 2015-2019	Family and child support amount sufficiency/adequacy
	Property ownership and management during a divorce
	Women with disability
	Marginalized women (ethnic minorities, the elderly, women in poverty etc.)
	Sexual minority women

	State budget allocation
	Human resource training and capacity strengthening
Data and information on women's human rights violations (2015-2019)	Data and information provided by the Judicial General Council
	Data and information provided by the Court Decision Enforcement Agency
	Number of complaints filed to NHRC (SHWP, complaints regarding women's human rights violations)
	Data and information provided by NGOs
Challenges to fulfill women's human rights	Culture and tradition
	Laws and regulations
	Society
	Documentation, facts, cases
Research conclusion and recommendations	

Health:

Main question	Sub questions
Current situation of women's health	Reproductive health
	Air pollution
	Cancer among women (cervix, breast cancer etc.)
	Health care service and access to rural herder women
	Health care service and access to women with disability
	Health care service and access to sexual minority women
Actions taken by the Government of Mongolia to ensure the implementation of CEDAW during the period 2015-2019	Women and girls' rights to health protection (amendments)
	Content/action for prevention of gender based discrimination in health sector
	Health care system for disabled women and girls (human resource capacity strengthening training, access to information etc.)
	Health care system for sexual minority women (human resource capacity strengthening training, access to information etc.)
	Health care system for marginalized women and girls (human resource capacity strengthening training, access to information etc.)
	Sexual and reproductive education
	Improve access to contraception and reduce its cost
	Actions to reduce damages and harms from air pollutions
	Cervix cancer prevention (human resource capacity strengthening training etc.)
	Increase of number of hospitals/health care centers that are friendly to adolescent girls

	Increase funding for food, nutrition and reproductive health care services for pregnant women and new mothers
Data and information on women's human rights violations (2015-2019)	Data and information provided by the Judicial General Council
	Number of complaints filed to NHRC (SHWP, complaints regarding women's human rights violations)
	Data and information provided by NGOs
Challenges to fulfill women's human rights	Culture and tradition
	Laws and regulations
	Society
	Documentation, facts, cases
Research conclusion and recommendations	

### Employment:

Main question	Sub questions
Current situation of women's employment	Women in labor market
	Unemployment of women
	Employment of women with disability
	Employment of sexual minority women
	Herder women's employment
	Marginalized women's (ethnic minorities, the elderly, women in poverty etc.) employment
	Child care centers/facilities accessibility and capacity
	Women in business
	Women in poverty
	Gender based violence prevention in recruitment process
Actions taken by the Government of Mongolia to ensure the implementation of CEDAW during the period 2015-2019	Actions against discrimination in a workplace
	Support disabled women's employment
	Ensure sexual minority women's rights to employment
	Ensure marginalized women's (ethnic minorities, the elderly, women in poverty etc.) rights to employment
	Ensure immigrant women's rights to employment
	Strengthen capacity of national system for labor monitoring
	Review list of workplace and sector that women are not allowed to work, and improve workplace condition, occupational safety and health in mining industrial sector.

	Increase eligibility age of women for social security pension (retirement) to have equal opportunity as men in employment and retirement
	Raise public awareness of gender stereotype in employment
	Actions to empower and strengthen women's economic capacity
	Actions to improve women's access to loan and financial activity
	Actions to reduce women's poverty
Data and information on women's human rights violations (2015-2019)	Number of cases filed to a court
	Number of cases resolved by a court
	Number of cases court decision took place
	Number of complaints filed to NHRC (SHWP, complaints regarding women's human rights violations)
	Data and information provided by NGOs
Law implementation gap	Provisions and articles of the laws that are not enforced/implemented
	Women's rights issues that are not included in any laws
Factors contributing to the issue	Issues and challenges of women in informal sector and business
	Culture and tradition
	Laws and regulations
	Society
	Documentation, facts, cases
Research conclusion and recommendations	

## Education:

Main question	Sub questions
Current situation of women's education	Women's education (literacy, education level)
	Disabled women's education (literacy, education level)
	Sexual minority women's education (literacy, education level)
	Marginalized women's (ethnic minorities, the elderly, women in poverty etc.) education (literacy, education level)

Actions taken by the Government of Mongolia to ensure the implementation of CEDAW during the period 2015-2019	Prevention of gender based discrimination context included in education process
	Increase of disabled girls and women's access to education (training for teachers, amendment in legislations etc.)
	Increase of sexual minority women's access to education (training for teachers, amendment in legislations etc.)
	Increase of marginalized women's (ethnic minorities, the elderly, women in poverty etc.) access to education (training for teachers, amendment in legislations etc.)
	Actions for supporting underage and pregnant girls and young women to get continuous education and participate in social activities
	Sexual harassment and violence cases in education sector resolved by court
	Gender awareness raising in education sector
Data and information on women's human rights violations (2015-2019)	Data and information provided by the Judicial General Council
	Number of complaints filed to NHRC
	Data and information provided by NGOs
Factors contributing to the issue	Culture and tradition
	Laws and regulations
	Society
	Documentation, facts, cases
Research conclusion and recommendations	

## 2. Qualitative Research

### Marriage and family:

#### *Guiding questions for one-on-one interview (Women who filed for divorce in a civil court)*

1. Do you think legal framework on divorce can protect women's rights? If yes, why? / If no, why?
2. How long did it take you to file for divorce in civil and administrative proceedings?
3. How many children do you have? How old are the children? Where do they study? Do they go to kindergarten?
4. What is your monthly income?
5. How much did you pay for the state stamp duty when filing a claim?
6. How long did it take to resolve the claim?
7. Were there any difficulties in providing evidence? If so, what was the problem?
8. How was the joint property of family members resolved?
9. Has the child support been set right for you? Are you able to receive the child support ordered by the court?
10. What else do you want to add?

### *Guiding questions for one-on-one interview (Civil judge)*

1. What do you think of the current legal regulations of family relations?
2. Do the current legal regulations of family relations fully comply with protection of women's rights? Do you have any suggestions for improvement?
  - In terms of the legal environment
  - At the policy level
  - At the level of law enforcement agencies
3. How to improve the regulations of property rights of family members?
4. What are your thoughts on the state stamp duty of a divorce lawsuit? Why is the fee charged to each family member?
5. What can be done to improve the regulation of child allowances and benefits?
  - In terms of policy
  - In terms of legal regulation
6. What is your opinion on the implementation of the court decision related to divorce?
7. What regulations would you propose to improve the legal framework for resolving the claims of victims of domestic violence and child custody?
8. What else do you want to add?

### **Employment:**

### *Guiding questions for focus group discussion*

1. What do you think are the advantages and challenges of having female employees?
2. Do you have any difficulties to ensure women's rights to employment (maternity leave, social insurance contribution, taking care of a child)? If so, please describe. How do you resolve these issues?
3. Do you make employment contracts with your employees? If yes, is it legal document? If not, why?
4. Have you even been involved in employment support program? Has it supported an employer?
5. How do you collaborate with district and soum public service organizations?
6. What are the criteria for selecting employees? Do you take gender into account? If so, why?
7. How do you calculate salaries and bonuses for your employees? Are they paid the same? If not, why not?
8. What do you think needs to be done to protect and improve women's labor rights?
  - by government
  - by employers
  - by employees



9. Is there a need for a special government policy to support women's employment? If so, what type of policy?
10. What else do you have to add?

*Guiding questions for one-on-one interviews with experts:*

1. What do you think are the current problems women face in terms of employment, the problems women face when employed in the informal sector?
  - a) If yes, what are these?
  - b) If not, what are these?
3. Is there a need for a special government policy to support women's employment?
4. What challenges do employers face when ensuring women's employment opportunities?
5. Is the employment policy gender sensitive and provides equal rights for men and women? What measures can be effective to eliminate gender insensitivity?
  - a) By state
  - b) By employer
  - c) Others
6. How can women be supported to enjoy equal labor opportunities in fast-growing sectors, especially mining?
  - a) At policy level
  - b) By employers
7. What arrangements do you think need to be made to eliminate unequal pay and benefits for the same work?
  - a) By the state
  - b) By employers
8. How do you think the informal sector can be transferred to the formal sector? For example, how do you think it is possible to regulate the labor rights of women herders? If so, why
9. What do you think needs to be done at the policy and legal framework level and at the level of their implementation to ensure women herders labor rights, including a decent wage commensurate with the work done, safe work environment, and access to social services?
10. What are your thoughts on the national labor inspection system?
11. How can labor rights disputes be effectively resolved? Also, what the cross-sectoral policy coordination should look like?

- a) By the state
  - b) By employers
  - c) By labor unions
  - d) By others
12. What are the opportunities to address discrimination and harassment in the workplace?
- a) In legal framework
  - b) In organizational policies and procedures
  - c) Other
13. Due to the fact that women care for young children, disabled and elderly family members, they become less active in terms of employment, they face declining employment opportunities, and lack income. What can be done to increase women's economic activity in the future?
14. What are your thoughts on the reasons why women with high education are unemployed and on the factors contributing to that?
15. What else do you have to add?

### Online survey

#### *Women's employment*

The purpose of this study is to identify employment challenges for pregnant women and women with young children. We will use the information you provide for research purposes only and no personal information will be used.

1. Your age:
2. Marital status
  1. Legally married
  2. Live together
  3. Separated
  4. Divorced
  5. Widowed
3. Your employment status
  1. I am employed, full-time work
  2. I have part-time work
  3. I am on maternity leave (skip to question 7)
4. I am unemployed (skip to question 7)

4. If employed, which sector do you work in?
  1. State organization
  2. Private company
  3. Small and medium enterprise
  4. Service sector (hairdresser, cook, sales person, etc.)
  5. Herder
5. Do you have a labor contract with your employer?
  1. Yes
  2. No
  3. Other
6. Are you covered by social insurance?
  1. Yes, per my labor contract
  2. Yes, per voluntary payments
  3. No
7. Do you face any of the following challenges related to your employment (you can choose more than one option)
  1. No child care at home
  2. No access to child care service (expensive, deficient)
  3. Kindergarten drop-off and pick-up hours and my work hours overlap
  4. High workload
  5. Work overtime
  6. Employer's negative attitude
  7. Work with no pay
  8. Lack of education and skills
  9. Other (write)
8. Have you ever been asked to quit your job when you were pregnant or on maternity leave?
  1. Yes
  2. No
9. If yes, did you accept the employer's notice?
  1. Yes
  2. No

10. Have you ever been discriminated against or harassed by management, employers or the colleagues in your workplace?
  1. Yes
  2. No
  
11. If yes, which of the following have you experienced? (you can choose more than one option)
  1. Discrimination by age
  2. Discrimination by gender
  3. Harassment by manager
  4. No increase in salary or bonuses
  5. No career promotion
  6. Salary collateral
  7. Barter payment of salary
  8. Discrimination based on political views
  9. Other (please write) .....
  
12. Have you ever filed a complaint about a violation of your right to work?
  1. Yes
  2. No (skip to question 16)
  
13. If yes, which office did you file your complaint with?
  1. Human resource officer
  2. Trade union
  3. Dispute settlement commission
  4. Civil court
  5. Other
  
14. How was your complaint resolved?
  1. In my favor
  2. In favor of the employer
  
15. In your opinion, who should do what to support the employment of pregnant women and women with young children?
  
16. Do you have anything to add?

Thank you

Qualitative Research нь мэдээлэлд дүн шинжилгээ хийх загвар

Family and marriage:

	Judiciary organization	Complainant
Legal environment		
Health care service		
Case resolution		
Issues to consider in the future		
Conclusion:		
Recommendations:		

Employment:

	Expert	Governmental organization	Employer
Legal environment			
Disputes related to employment and its resolution			
Actions to promote women's rights			
Actions for employers to hire women			
Current situation of resolution of labor disputes and approaches to improve its monitoring system			
Conclusion:			
Recommendations:			

## ANNEX 2:

### ACTIONS TAKEN BY THE GOVERNMENT OF MONGOLIA IN 2015-2019 TO ENSURE FULFILLMENT OF WOMEN'S RIGHTS

The activities implemented at the level of the Government of Mongolia were categorized in the following 5 categories based on the information provided by relevant government agencies: policy improvement, resolution of cases related to gender based violence, training, research and budget. Total of 11 official letters requesting information were sent, of which 10 were responded. The National Human Rights Commission has not responded.



Names	Gender-based violence				Women's participation in Decision-making	Rural women	Other women's rights issues				
	domestic violence	human trafficking	sexual harassment in workplace	sexual violence, rape crime			Employment	Health	Education		
1 MoJHA, CCCP of Mongolia	✓	✓	✓	✗	✗	✗	✗	✗	✗	✗	✗
2 MLSW	✓	✓	✗	✓	✗	✓	✗	✗	✗	✗	✗
3 MoH	✗	✗	✗	✗	✗	✗	✗	✓	✗	✗	✗
4 MECSS	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✓
5 JGC	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
6 SGPO	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
7 NPA	✗	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗
8 FYCDA	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
9 GADPwD	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
10 NCGE	✗	✗	✗	✗	✓	✗	✗	✗	✗	✗	✗
11 NHRC	Did not respond										

#### Further issues that will need to be considered:

- Take actions to improve coherences of national laws and policies, eliminate loopholes in the laws;
- Facilitate initiatives of passing new law on anti-discrimination based on CEDAW principals.

## RESOLUTION OF CASES RELATED TO GENDER BASED VIOLENCE

	Names	Gender-based violence				Explanatory note Тайлбар
		Domestic violence	Human trafficking	Sexual harassment in workplace	Sexual violence, rape crime	
1	MoJHA, CCCP of Mongolia	X	X	X	X	
2	MLSW	X	X	X	X	
3	MoH	X	X	X	X	
4	MECSS	X	X	X	X	
5	JGC	✓	✓	X	✓	
6	SGPO	The SGPO did not respond to comments on 26 human trafficking cases requested by CEDAW Committee.				
7	NPA	✓	✓	X	✓	
8	FYCDA	X	X	X	X	
9	GADPwD	X	X	X	X	
10	NCGE	X	X	X	X	
11	NHRC	Did not respond				

### Further issues that will need to be considered:

- The General Council of the Judiciary submitted a statement that information on whether CEDAW was cited or applied in court decisions was not registered in a research and information database of the judiciary and no cases had involved its application in the last five years.
- SGPO responded that it is not possible to provide such information (resolution of cases related to GBV) due to reform of the unified electronic registration system related to amendments to the Criminal Code.
- According to the National Police Agency data, in 2018, the number of underage pregnancies increased by 466 cases or 31.7 percent, abortions by 73 cases or 35.7 percent, and girls who gave birth by cases 393 or 44.4 percent, respectively. Pregnancy, abortion and childbirth among underage girls have rapidly increased and are expected to increase, and work, targeting this group, is needed.

# TRAINING

Names	Gender-based violence				Women's participation in Decision-making	Rural women	Other women's rights issues		
	domestic violence	human trafficking	sexual harassment in workplace	sexual violence, rape crime			Employment	Health	Education
1 MoJHA, CCCP of Mongolia	✓	✓	✗	✓	✗	✗	✗	✗	✗
2 MLSW	✓	✗	✗	✓	✗	✗	✗	✗	✗
3 MoH	✗	✗	✗	✗	✗	✗	✗	✗	✗
4 MECSS	✗	✗	✗	✗	✗	✗	✗	✗	✓
5 JGC	✓	✓	✗	✗	✗	✗	✗	✗	✗
6 SGPO	✓	✗	✓	✗	✗	✗	✗	✗	✗
7 NPA	✓	✗	✗	✗	✗	✗	✗	✗	✗
8 FYCDA	✓	✗	✗	✗	✗	✗	✗	✗	✗
9 GADPwD	✓	✗	✗	✗	✗	✗	✗	✗	✗
10 NCGE	✓	✗	✓	✗	✓	✗	✗	✗	✗
NHRC	Did not respond								

### Further issues that will need to be considered

- Government organizations do not conduct trainings regularly on gender, GBV, and one-time trainings are organized, with the support of international organizations.
- Establish a system of regular training for the judiciary and prosecutors and law enforcement officials in specialization of human rights; allocate budget for training session.





## RESEARCH

Names	Gender-based violence				Women's participation in Decision-making	Rural women	Other women's rights issues			Marriage
	domestic violence	human trafficking	sexual harassment in workplace	sexual violence, rape crime			Employment	Health	Education	
1 MoJHA, CCCP of Mongolia	✓	✓	✗	✗	✗	✗	✗	✗	✗	✗
2 MLSW	✓	✗	✗	✗	✗	✗	✗	✓	✗	✗
3 MoH	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
4 MECSS	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
5 JGC	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
6 SGPO	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
7 NPA	✓	✓	✗	✓	✗	✗	✗	✗	✗	✗
8 FYCDA	✗	✗	✗	✗	✗	✗	✗	✗	✗	✓
9 GADPwD	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
10 NCGE	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗
11 NHRC	Did not respond									

### Further issues that will need to be considered:

- "The Naked Truth about Violence 2018" a research by Swiss Agency for Development and Cooperation and UNFPA has been used as a main source for women's human rights implementation;
- No actions have been taking for providing continuing education to pregnant teens, education young mothers, and supporting them to actively participating in social life;
- No data on pregnant teens and young mothers going back to school;
- No data on cases of sexual harassment in education sector, case investigation and resolution of cases.

# BUDGET

Names	Gender-based violence				Women's participation in Decision-making	Rural women	Other women's rights issues		
	domestic violence	human trafficking	sexual harassment in workplace	sexual violence, rape crime			Employment	Health	Education
1 MoJHA, CCCP of Mongolia	✓	✓	✗	✗	✗	✗	✗	✗	✗
2 MLSW	✓	✗	✗	✗	✗	✗	✗	✗	✗
3 MoH	✗	✗	✗	✗	✗	✗	✓	✗	✗
4 MECSS	✗	✗	✗	✗	✗	✗	✗	✗	✓
5 JGC	✗	✗	✗	✗	✗	✗	✗	✗	✗
6 SGPO	✗	✗	✗	✗	✗	✗	✗	✗	✗
7 NPA	✗	✗	✗	✗	✗	✗	✗	✗	✗
8 FYCDA	✓	✗	✗	✓	✗	✗	✗	✗	✓
9 GADPwD	✗	✗	✗	✗	✗	✗	✗	✗	✗
10 NCGE	✓	✗	✗	✗	✓	✗	✗	✗	✗
11 NHRC	Did not respond.								

### Further issues that will need to be considered:

- Current activities are being implemented with support of international donor organizations. It is at risk of depending too much of donor organizations' contribution for combating GBV. Thus, budget should be allocated to funding for promoting women's human rights and combating GBV.

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