United Nations A/HRC/WG.6/50/MNG/2

General Assembly

Distr.: General
18 August 2025

Original: English

Human Rights Council
Working Group on the Universal Periodic Review
Fiftieth session
Geneva, 3–14 November 2025

Mongolia

Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.[1] It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with human rights mechanisms

2. The Committee on Economic, Social and Cultural Rights recommended that Mongolia consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.[2]

3. The same Committee also recommended that Mongolia accede to the Convention relating to the Status of Refugees, the Protocol relating to the Status of Refugees, the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.[3]

4. The Human Rights Committee recommended that Mongolia strengthen its efforts to promote the effective application of the provisions of the International Covenant on Civil and Political Rights before domestic courts, including through institutionalized training of lawyers, prosecutors and judges on international human rights treaties.[4]

5. The United Nations country team recommended that Mongolia ratify the Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29), of the International Labour Organization.[5]

III. National human rights framework

1. Constitutional and legislative framework

6. The Human Rights Committee recommended that Mongolia consider amending article 19 (2) of the Constitution and the Law on the State of Emergency (1995) in order to ensure their full compliance with the requirements of article 4 of the International Covenant on Civil and Political Rights. In particular, it should guarantee that any measures introduced

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during a declared or de facto state of emergency were temporary, proportionate, strictly necessary and subject to judicial review.[6]

7. The Committee on Enforced Disappearances welcomed the amendment of the Law on the National Human Rights Commission, in 2020, to establish a national preventive mechanism against torture. It recommended that Mongolia take the legislative measures necessary to bring the definition of enforced disappearance contained in article 13.4 of the Criminal Code fully into line with the definition set out in article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance.[7]

2. Institutional infrastructure and policy measures

8. The Human Rights Committee recommended that Mongolia take appropriate measures to enhance the diversity and pluralism of the composition of the National Human Rights Commission of Mongolia and its Civil Society Council, for instance by ensuring broad public awareness of vacancies, including among ethnic and minority groups.[8] The Committee on Economic, Social and Cultural Rights recommended that Mongolia allocate adequate human, technical and financial resources to the National Human Rights Commission of Mongolia to enable it to discharge its mandate effectively and independently, including in promoting and protecting the economic, social and cultural rights enshrined in the International Covenant on Economic, Social and Cultural Rights, and in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).[9] The Committee on the Elimination of Discrimination against Women recommended that Mongolia step up efforts to increase awareness among women of the mandate of the National Human Rights Commission of Mongolia in favour of gender equality to increase awareness of complaint mechanisms and to encourage women who were victims of human rights violations to file complaints.[10]

9. The United Nations country team commended the Government of Mongolia for having adopted the National Action Plan to Respect and Protect Human Rights and Prevent, Identify and Remedy Human Rights Abuses Committed in Business Operations (2023–2027) to implement the Guiding Principles on Business and Human Rights.[11]

10. The Human Rights Committee expressed concern about reports that corruption was pervasive in Mongolia, including high-level corruption involving public officials and politicians. It noted statistical information that indicated a rise in the number of cases transferred to courts, while regretting the lack of information on convictions and sanctions handed down. It expressed concern about reports that the independence and effectiveness of the Independent Authority against Corruption was hampered by insufficient resources and political pressure from the executive branch of government.[12] The Committee on Economic, Social and Cultural Rights recommended that Mongolia further intensify the fight against corruption and evaluate and further strengthen the national anti-corruption programme, establish safe and accessible channels for reporting corruption and adopt measures to ensure the protection of anti-corruption activists, whistle-blowers and witnesses.[13]

IV. Promotion and protection of human rights

A. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

11. The Committee on Economic, Social and Cultural Rights regretted the absence of a comprehensive anti-discrimination law that covered all grounds of discrimination, including against all marginalized and disadvantaged individuals and groups.[14] The Human Rights Committee expressed concern about the low number of reported cases of discrimination and related criminal prosecutions. It recommended that Mongolia adopt, without delay, comprehensive anti-discrimination legislation that prohibited direct and indirect discrimination in the public and private spheres, including on the grounds of sexual

orientation and gender identity, and that provided effective remedies in judicial and administrative proceedings.[15]

2. Right to life, liberty and security of person, and freedom from torture

12. The Human Rights Committee recommended that Mongolia take robust measures to eradicate torture and ill-treatment, including by: (a) revising its legislation with a view to ensuring that it contained a definition of torture that was fully compliant with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Covenant on Civil and Political Rights; (b) adopting the law establishing an independent mechanism to investigate acts of torture and ill-treatment committed by public officials, ensuring that there was no institutional or hierarchical relationship between the body's investigators and the alleged perpetrators of such acts; (c) conducting prompt, thorough, effective, transparent and impartial investigations into all allegations of torture and ill-treatment, ensuring that perpetrators were prosecuted and, if convicted, punished appropriately and that victims received full reparation; and (d) taking all measures necessary to prevent torture and other cruel, inhuman or degrading treatment or punishment, including by strengthening the human rights training provided to judges, prosecutors, law enforcement officials and health and forensic personnel.[16]

13. The same Committee remained concerned by reports that poor material conditions persisted in pretrial detention centres and prisons and that access to adequate healthcare was not systematically ensured, notably at the women's prison in Ulaanbaatar. It also expressed concern about reports of the poor material conditions in the current facilities at the special education and rehabilitation centre for juvenile offenders and a reported lack of separate pretrial detention facilities for juveniles with adequate access to educational and recreational activities.[17]

14. The same Committee recommended that Mongolia: (a) take all measures necessary to require law enforcement officials to obtain an arrest warrant issued by a judicial authority in order to conduct an arrest, except in cases involving individuals apprehended in the act of committing a crime; (b) increase its efforts to promote and implement alternatives to detention, including by developing clear rules and procedures for the application of alternatives to pretrial detention, such as community supervision; (c) periodically review the length of pretrial detention with a view to determining whether it remained necessary and whether it guaranteed the right to a trial within a reasonable time; and (d) amend the Code of Criminal Procedure (2017) to ensure that defence lawyers were able to access their clients' case files from the beginning of the investigation phase and, where relevant, challenge the legality of pretrial detention.[18] The Working Group on Arbitrary Detention made similar recommendations.[19]

15. The Committee on Enforced Disappearances recommended that Mongolia consider explicitly incorporating into its domestic legislation a prohibition on carrying out an expulsion, refoulement, surrender or extradition when there were substantial grounds for believing that the person concerned might be in danger of being subjected to enforced disappearance. It also recommended that Mongolia guarantee the right to receive reparation and prompt, fair and adequate compensation of all persons who had suffered harm as a direct result of enforced disappearance.[20]

3. Administration of justice, including impunity, and the rule of law

16. The Special Rapporteur on the independence of judges and lawyers recommended that Mongolia take further steps to ensure that the role of the President in appointing judges did not risk undermining the separation of powers. She also recommended that the executive branch should not interfere with the security of judicial tenure.[21] The Human Rights Committee made similar recommendations.[22] The United Nations country team recommended that Mongolia continue combating corruption in the judiciary, law enforcement and public services.[23]

17. The Special Rapporteur on the independence of judges and lawyers recommended that defence advocates have timely access to clients and evidence as a matter of right and must be able to make copies of relevant documentation and make appropriate use of evidence.[24]

She also recommended that provisions to protect lesbian, gay, bisexual and transgender people and persons with disabilities from discrimination in the administration of justice be brought into line with international standards to ensure adequate protection and access to courts.[25]

18. The Committee on Enforced Disappearances recommended that Mongolia increase its efforts to guarantee, in law and in practice, that law enforcement or security officials who were suspected of having committed the offence of enforced disappearance were suspended from their duties until an investigation had been completed and that they did not take part in the related investigations.[26]

4. Fundamental freedoms and the right to participate in public and political life

19. The Human Rights Committee recommended that Mongolia take appropriate measures to ensure that the laws and procedures governing the registration of religious groups were applied consistently, expeditiously and without discrimination, and did not involve burdensome administrative requirements.[27]

20. The same Committee also recommended that Mongolia promptly take all measures necessary to ensure that the right to conscientious objection to military service was guaranteed in law and in practice and that alternative service was accessible to all conscientious objectors, without discrimination, and was not punitive or discriminatory in nature, cost or duration.[28]

21. The same Committee expressed concern about reports indicating a decline in freedom of expression in Mongolia, notably with regard to the operating environment for journalists and human rights defenders, some of whom had reportedly faced intimidation, unjustified defamation suits and criminal prosecution. It also expressed concern about the overly broad criminal law provisions relating to dissemination of false information that had been used to prosecute journalists, in particular journalists who investigated corruption, and limitations on the right to access information.[29] The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended that Mongolia decriminalize defamation and place it within civil defamation legislation that was in accordance with international standards.[30]

22. The Committee on Economic, Social and Cultural Rights recommended that Mongolia effectively address threats, attacks, harassment and intimidation against human rights defenders by government authorities and private corporations, including by thoroughly, promptly and independently investigating human rights violations and abuses against them, bringing the perpetrators to justice in fair trials and providing effective remedies and adequate reparation to the victims. It also recommended that Mongolia ensure that the Law on the Legal Status of Human Rights Defenders was implemented so as to empower human right defenders to the greatest extent possible, put in place safeguards to ensure that provisions of that Law, of the Criminal Code and of any other legislation were not used to prosecute and punish human rights defenders for legitimate activities and urgently investigate cases in which human rights defenders were criminalized.[31]

23. The Human Rights Committee expressed concern about reports indicating that the authorities often restricted or indirectly suppressed peaceful assemblies, in particular demonstrations expressing criticism of the Government or assemblies promoting the rights of lesbian, gay, bisexual, transgender and intersex persons. It also expressed concern about indications that police authorization would be required for assemblies using main roads, thereby potentially undermining the notification regime, as well as reports of the disproportionate use of force and arbitrary arrest and detention by law enforcement officials in order to disperse peaceful assemblies.[32]

24. The Committee on the Rights of Persons with Disabilities expressed concern that persons with disabilities, including deaf persons, persons with intellectual disabilities, persons with psychosocial disabilities, deafblind persons and women with disabilities, were underrepresented in political and public life.[33] The Human Rights Committee recommended that Mongolia remove voting restrictions based on intellectual disability, revise the blanket deprivation of voting rights for prisoners and strengthen the implementation of campaign finance regulations by ensuring effective monitoring and establishing a mechanism to address violations with appropriate sanctions.[34]

5. Right to privacy

25. The Human Rights Committee recommended that Mongolia ensure effective implementation of the Law on Personal Data Protection, adopted in 2021, including by ensuring access to effective remedies in cases where privacy rights had been violated. It also recommended that Mongolia take appropriate measures to improve awareness and understanding of data privacy laws, rights and available remedies for privacy violations among government agencies, the judiciary and law enforcement, as well as the general population.[35]

6. Right to marriage and family life

26. The Committee on the Rights of Persons with Disabilities recommended that Mongolia amend its legislation to explicitly recognize the right of persons with disabilities, including women with disabilities, persons with intellectual disabilities and persons with psychosocial disabilities, to marry, found a family and exercise parental responsibilities on an equal basis with others.[36]

7. Prohibition of all forms of slavery, including trafficking in persons

27. The Committee on the Elimination of Discrimination against Women expressed concern about: (a) the limited financial resources allocated to the implementation of the Anti-Trafficking Law, in particular preventive programmes to address the root causes of trafficking in girls from families living in poverty, and the insufficient protection and rehabilitation programmes for women and girls who were victims of trafficking; (b) the low number of complaints, investigations, prosecutions and convictions in cases of trafficking in women and girls; and (c) the lack of information on victim support and rehabilitation programmes.[37]

28. The Human Rights Committee remained concerned about the continued prevalence of trafficking in persons for the purposes of labour exploitation and sexual exploitation, noting persistent shortcomings in the identification of victims and reports of victims, notably women and girl victims of sex trafficking, being arrested and detained for acts committed as a direct result of being trafficked.[38]

29. The same Committee recommended that Mongolia increase its efforts to enforce the prohibition of forced labour and provide protection for migrant workers, including by strengthening the capacity of labour inspectors to identify and respond to forced labour, and strengthen the identification of male victims of trafficking for the purposes of labour exploitation, including by enhancing training and increasing the number of unannounced inspections, in particular in the mining and construction sectors.[39] The United Nations country team recommended that the Government take the measures necessary to ensure, both in law and in practice, that work or service requested from conscripts under compulsory military service was strictly limited to work of a purely military nature.[40]

8. Right to work and to just and favourable conditions of work

30. The Committee on Economic, Social and Cultural Rights expressed concern about reports of continuing high unemployment rates among youth, herders and persons with disabilities. It recommended that Mongolia continue its efforts to reduce unemployment and underemployment and ensure that its policies tackled the root causes thereof, in particular among youth, herders and persons with disabilities, including by taking targeted positive measures and facilitating their access to technical and vocational training opportunities, establish a national mechanism to monitor and evaluate the implementation of employment strategies, including its efforts to increase employment opportunities in rural areas, and ensure that it collected disaggregated data on employment, underemployment and unemployment.[41]

31. The same Committee expressed concern about reports that up to 25 per cent of employed workers were unable to enjoy an adequate standard of living despite being in employment, the slow progress in formalizing the employment of workers in the informal economy and the lack of information on the impact of the revised labour legislation (2021) on reducing sexual harassment in the workplace.[42]

32. The same Committee recommended that Mongolia take measures to ensure that workers, including those in the mining sector, were free to form and join trade unions and to exercise their trade union rights, including the right to strike, and take measures to ensure that all violations of trade union rights were thoroughly investigated.[43]

9. Right to social security

33. The Committee on Economic, Social and Cultural Rights welcomed the increase in social security spending by Mongolia, while expressing concern that the number of people living in poverty or at risk of poverty had decreased only slightly. While noting that pensions had been increased with the intention of adapting them to inflation, the Committee expressed concern about reports that the average monthly pension did not cover the minimum subsistence level for retired persons. It recommended that Mongolia evaluate the effectiveness of its social security system, including with regard to its ability to meaningfully improve the situation of persons living in poverty or at risk of poverty, and ensure that the monthly pension covered the minimum subsistence level for retired persons.[44] Similarly, the Committee on the Rights of Persons with Disabilities expressed concern about the inadequacy of the disability allowance and disability pension paid under the disability income and social security policy to cover the high cost of living in the country.[45]

10. Right to an adequate standard of living

34. The Committee on Economic, Social and Cultural Rights expressed concern about reports that forced evictions had resulted in homelessness in the context of the replanning of ger districts since 2015, that individuals affected by redevelopment were vulnerable to violations of human rights, including the right to adequate housing, owing to the absence of clear and adequate government regulations, effective consultation and monitoring, that individuals negatively affected by the replanning of ger districts had inadequate means to raise complaints and seek settlement of disputes and that human rights activists who publicly criticized the replanning of ger districts, or certain aspects of it, were physically attacked and harassed by law enforcement authorities and private corporations.[46]

35. The United Nations country team recommended that Mongolia enhance national food security and safety by implementing comprehensive State policies and initiatives that boosted domestic production of nutritious foods, alongside strengthening national capacities to develop and enforce robust food safety standards, control measures and advocacy efforts.[47]

36. The Committee on Economic, Social and Cultural Rights remained concerned about the disparity between rural and urban areas in access to safe drinking water and sanitation, including in schools. While noting a range of initiatives taken to reduce water pollution, it expressed concern that such pollution continued to be a serious problem, in particular in connection with mining activities, and that it was linked to above-average rates of babies born with disabilities in some areas.[48]

11. Right to health

37. The Committee on Economic, Social and Cultural Rights expressed concern about the substantial increase in recent years in alcohol abuse and mental health conditions. It recommended that Mongolia intensify efforts to identify and address socioeconomic and other causes of the increase in alcohol abuse and mental health conditions, devise strategies to both effectively treat those conditions and address their root causes, including by increasing the availability of mental healthcare and services for preventive and early intervention, and ensure that it regularly evaluated the progress and success of its measures and promptly made appropriate changes if required.[49]

38. The same Committee expressed concern that adolescent girls continued to face barriers to access to sexual and reproductive health services and information, and that women's and girls' access to affordable modern contraceptives remained limited, in particular in rural areas. It recommended that Mongolia take further measures to ensure the availability and affordability of sexual and reproductive health information and services for all, including contraceptives, in particular in rural areas, and include and effectively implement age-appropriate education on sexual and reproductive health in school curricula.[50]

The Committee on the Rights of Persons with Disabilities expressed concern about the limited access of persons with disabilities, in particular women with disabilities, to sexual and reproductive health, in particular in rural and remote areas.[51]

12. Right to education

39. The Committee on Economic, Social and Cultural Rights expressed concern about barriers to the inclusion of some children with disabilities in mainstream schools, including with respect to financial resources, and that education in some rural areas was of a lower quality than in urban areas. It recommended that Mongolia intensify its efforts to achieve universal access to quality education at all levels, including by taking further measures to effectively implement inclusive education, including by ensuring that standards and procedures for inclusive education were developed and effectively applied, allocating adequate financial resources and ensuring the provision of accessible and inclusive learning environments, buildings and educational materials, reasonable accommodation and individualized support, further strengthening capacity-building and methodological support to teachers and ensuring the quality of education throughout the country, including in rural areas.[52]

13. Cultural rights

40. The Committee on Economic, Social and Cultural Rights expressed concern that the rules and practices of registration of Mongolian cultural heritage did not guarantee that all ethnic groups in the country were reflected as part of its official cultural heritage.[53]

14. The environment, and business and human rights

41. While noting the efforts of Mongolia to promote cleaner and more efficient heating systems, including through price subsidies for non-coal heating energy sources and tax incentives for businesses, the Human Rights Committee expressed particular concern about the high number of deaths attributed to both outdoor and indoor air pollution, especially in urban areas such as Ulaanbaatar, with children, women and older persons disproportionately represented among the victims.[54] The Committee on Economic, Social and Cultural Rights recommended that Mongolia continue to take measures to reduce air pollution and expedite efforts to introduce energy-efficient heating systems and environmentally friendly energy sources, ensure that persons whose health had been affected by air pollution had immediate and effective access to the necessary healthcare services, raise awareness among the public about the health risks of air pollution and provide them with information on personal protection measures and develop a human rights-based adaptation strategy aimed at countering the impact of climate change on the enjoyment by the population of economic, social and cultural rights, including on food security.[55]

42. The Committee on Economic, Social and Cultural Rights recommended that Mongolia ensure that effective human rights and environmental impact assessments and meaningful consultations with affected local communities were carried out in the process of granting permits for all energy, mining, heavy industry, transportation and infrastructure projects, ensure that business entities operating under its jurisdiction were held accountable for violations of economic, social and cultural rights for which they were responsible and that victims of such violations had access to affordable and effective remedies, reform the legal framework governing mining and closely monitor the implementation of related laws with a view to protecting herders' rights to pasture, hay land and water resources.[56]

B. Rights of specific persons or groups

1. Women

43. The Committee on the Elimination of Discrimination against Women expressed concern that Mongolia had not adopted any temporary special measures to achieve substantive equality of women and men in areas where women were underrepresented, such as political participation and employment, in particular in decision-making and leadership positions. It recommended that Mongolia urgently introduce a 30 per cent minimum quota

for women candidates on the electoral lists of political parties for parliamentary and municipal elections, as well as sanctions for non-compliance, and adopt temporary special measures to promote the participation of women in all areas where they were underrepresented or disadvantaged, such as in political life and employment, in particular at the decision-making level, with time-bound targets and benchmarks, accompanied by sanctions for non-compliance, to accelerate the achievement of substantive equality of women and men.[57] The Committee on Economic, Social and Cultural Rights made similar recommendations.[58]

44. The Committee on the Elimination of Discrimination against Women expressed concern about the low number of cases prosecuted under the revised Law on Combating Domestic Violence, that judges, prosecutors, police, social workers, psychologists, healthcare workers and governors had only limited understanding of the dynamics of domestic violence and of their responsibility to address it, that the provision of multidisciplinary services under the Law on Combating Domestic Violence remained inconsistent and limited owing to a lack of funding, resulting in the inadequate prevention of and response to domestic violence, and about the lack of specialized courts dealing with cases of gender-based violence.[59] The Committee on Economic, Social and Cultural Rights recommended that Mongolia intensify its efforts to effectively implement the Law to Combat Domestic Violence, including by providing training to judges, prosecutors, police, social workers, psychologists, healthcare workers and others involved in its implementation, including on how to conduct an assessment of the threat of domestic violence in a way that was effective and protected victims, and by strengthening support services for women who were survivors of gender-based violence, review the legal framework that protected women and children from sexual abuse and rape and ensure that it was adequate, improve mechanisms to support the recovery and reintegration of victims, enhance knowledge about prevention of sexual abuse among the general public and enhance sexual education among boys and girls.[60]

45. The Special Rapporteur on violence against women, its causes and consequences, emphasized that the Government must develop a gender-sensitive approach to legislation and policies in order to ensure that, in particular when it came to domestic violence, protection for women was not subsumed under family-related interventions or child-protection efforts.[61] The United Nations country team recommended that Mongolia strengthen the legislative and governance framework by enacting and fully implementing survivor-centred laws, adopting and resourcing a comprehensive national action plan and enhancing the capacity of the law enforcement, judiciary, health, and social service sectors to prevent and respond effectively to all forms of violence against women and girls, including in emergency situations, with the ultimate goal of eliminating such violence.[62]

46. The United Nations country team stated that women in Mongolia often faced barriers to equal employment opportunities. In 2023, the labour force participation rate among women had been 52.8 per cent, compared with 67.8 per cent for men.[63]

47. While welcoming the amendments to legislation that were aimed at increasing the representation of women in the parliament and their participation in political party decision-making structures, including amendments to the Law on Parliamentary Elections, which raised the quota for women in political party candidate lists from 20 per cent to 30 per cent, with a further increase to 40 per cent planned for 2028, the Human Rights Committee expressed concern that women were reportedly discouraged from entering politics due to negative gender stereotypes and the harassment of female politicians. It was also concerned that women remained underrepresented in political and public life, including at the local level.[64]

2. Children

48. While welcoming plans to significantly increase the number of child-labour inspectors, the Human Rights Committee expressed concern that children continued to be engaged in hazardous work in mining and agriculture and that the number of children in street situations reportedly continued to rise despite the measures taken by Mongolia to reunite children with their families or to place them in care. It recommended that Mongolia prohibit the use of children as jockeys in horse racing, proceed with plans to increase the number of

child-labour inspectors and strengthen the inspection regime, including by providing it with sufficient and sustainable funding, and address the root causes of children in street situations, such as abuse, poverty, parental neglect and social exclusion.[65]

49. The Working Group on Arbitrary Detention recommended that Mongolia establish an effective, specialized and well-functioning juvenile justice system in compliance with international standards, ensure that children detained in general pretrial detention facilities were provided with educational activities and ensure the requisite conditions of detention in the special educational-disciplinary facility for sentenced children in Ulaanbaatar in compliance with relevant international standards.[66]

3. Older persons

50. The Working Group on Arbitrary Detention noted that the provision of care for older persons required further attention. There was a shortage of staff willing to work in remote areas and a lack of financial and social security incentives to encourage such a commitment. Given the large size of assisted living facilities, staff were often faced with a heavier workload compared with that of their colleagues in other settings. While the commitment of the staff was laudable, the situation was not sustainable and a systemic and strategic approach was required. As such, it invited the Government to address those challenges, inter alia, by considering an assessment of the jobs performed in such settings as "hard" according to the job qualification system set out in the 2021 Labour Law, by ensuring the continuity of applicable strategic policies and guidelines and by considering the provision of care for older persons in assisted living facilities on a smaller scale.[67]

4. Persons with disabilities

51. The Committee on the Rights of Persons with Disabilities recommended that Mongolia review all national legislation and policies and harmonize them with the Convention on the Rights of Persons with Disabilities, including by transposing into domestic law the human rights-based model of disability and by establishing systems aimed at the assessment of legal and environmental barriers to persons with disabilities and the provision of the support and assistance necessary to promote the independent living of persons with disabilities and their full social inclusion.[68]

52. The same Committee recommended that Mongolia: (a) adopt a specific law on a barrier-free environment and accessibility, in close consultation with and with the active involvement of persons with diverse disabilities, through their representative organizations, and include therein inclusive legally binding accessibility standards; (b) adopt a law on sign language and develop a specific action plan, with a clear budget, set of targets and time frame, to develop a national sign language policy; (c) adopt appropriate measures to ensure that persons with disabilities had access to the physical environment, transportation, information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public both in urban and in rural areas; (d) adopt mechanisms and guidelines to ensure accessibility in police procedures and health systems; and (e) ensure universal access to digital technology for all persons with disabilities, in particular for persons with visual impairments, both in educational facilities and at home, and to public and private websites and mobile applications.[69]

53. The same Committee expressed concern about the lack of specific measures to protect persons with disabilities, in particular all women and girls with disabilities, against all forms of violence, exploitation and abuse, in particular women and girls with intellectual disabilities and those with psychosocial disabilities.[70] The United Nations country team recommended that Mongolia implement targeted programmes to protect women and girls with disabilities from gender-based violence, in particular sexual violence.[71]

54. The Committee on the Rights of Persons with Disabilities urged Mongolia to eliminate the legislative provisions of the Law on Health, as well as those of the relevant by-laws and regulations, restricting sexual and reproductive rights and allowing the forced sterilization of and abortion for women with disabilities, in particular those with psychosocial disabilities, those with intellectual disabilities and those still living in institutions.[72]

55. The same Committee recommended that Mongolia formulate a comprehensive inclusive education policy with strategies and an allocated budget to promote a culture of inclusion in mainstream education at all educational levels.[73]

5. Lesbian, gay, bisexual, transgender and intersex persons

56. The Human Rights Committee remained concerned about continued reports of prejudice, discrimination, harassment and attacks against lesbian, gay, bisexual, transgender and intersex persons and the lack of accountability for such acts, reports that the majority of hate crimes targeting lesbian, gay, bisexual, transgender and intersex persons went unreported and obstacles to the exercise of freedom of assembly by lesbian, gay, bisexual, transgender and intersex persons and the continued absence of legal recognition and protection of same-sex couples.[74]

57. The same Committee recommended that Mongolia intensify its efforts to combat stereotypes and prejudice against lesbian, gay, bisexual, transgender and intersex persons, ensure that acts of discrimination and violence directed against lesbian, gay, bisexual, transgender and intersex persons were investigated and that perpetrators were prosecuted, guarantee freedom of peaceful assembly for lesbian, gay, bisexual, transgender and intersex persons and consider adopting legislation for the legal recognition and protection of same-sex couples.[75] The Committee on Economic, Social and Cultural Rights recommended that Mongolia raise awareness among healthcare providers of healthcare issues specific to transgender persons.[76]

6. Refugees and asylum-seekers

58. The Human Rights Committee recommended that Mongolia enhance the protection of refugees and asylum-seekers, without discrimination, and consider adopting a general law on asylum and refugee status in accordance with the relevant international standards, clarifying the procedural guarantees available to all asylum-seekers and ensuring that refugees and asylum-seekers had non-discriminatory and equal access to basic services.[77]

7. Stateless persons

59. The Human Rights Committee recommended that Mongolia take the legislative measures necessary to ensure that legislation on citizenship provided adequate safeguards for the prevention of statelessness, in compliance with international standards.[78]

Notes

1 A/HRC/46/9, A/HRC/46/9/Add.1 and A/HRC/46/2.
2 E/C.12/MNG/CO/5, para. 48.
3 Ibid., para. 17.
4 CCPR/C/MNG/CO/7, para. 5.
5 United Nations country team submission for the universal periodic review of Mongolia, p. 2.
6 CCPR/C/MNG/CO/7, para. 11.
7 CED/C/MNG/CO/1, paras. 5 (c) and 17.
8 CCPR/C/MNG/CO/7, para. 7.
9 E/C.12/MNG/CO/5, para. 7.
10 CEDAW/C/MNG/CO/10, para. 17 (b).
11 United Nations country team submission, para. 10.
12 CCPR/C/MNG/CO/7, para. 8.
13 E/C.12/MNG/CO/5, para. 13.
14 Ibid., para. 16.
15 CCPR/C/MNG/CO/7, paras. 12 and 13.
16 Ibid., para. 21.
17 Ibid., para. 26.
18 Ibid., para. 25.
19 A/HRC/54/51/Add.2, para. 89.
20 CED/C/MNG/CO/1, paras. 31 (a) and 37.
21 A/HRC/56/62/Add.2, paras. 120 and 122 (a).
22 CCPR/C/MNG/CO/7, para. 37.

[23] United Nations country team submission, p. 4.
[24] A/HRC/56/62/Add.2, para. 127 (a). See also A/HRC/54/51/Add.2, para. 89 (h).
[25] A/HRC/56/62/Add.2, para. 128 (d).
[26] CED/C/MNG/CO/1, para. 29.
[27] CCPR/C/MNG/CO/7, para. 41.
[28] Ibid., para. 43.
[29] Ibid., para. 44.
[30] UNESCO submission for the universal periodic review of Mongolia, para. 22.
[31] E/C.12/MNG/CO/5, para. 11 (a), (b) and (d).
[32] CCPR/C/MNG/CO/7, para. 46.
[33] CRPD/C/MNG/CO/2-3, para. 57 (a).
[34] CCPR/C/MNG/CO/7, para. 51 (a) and (c). See also United Nations country team submission, p. 5.
[35] CCPR/C/MNG/CO/7, para. 39.
[36] CRPD/C/MNG/CO/2-3, para. 46 (a).
[37] CEDAW/C/MNG/CO/10, para. 24 (a), (b) and (d).
[38] CCPR/C/MNG/CO/7, para. 28.
[39] Ibid., para. 31.
[40] United Nations country team submission, p. 7.
[41] E/C.12/MNG/CO/5, paras. 22 and 23.
[42] Ibid., para. 24 (a)–(c).
[43] Ibid., para. 27.
[44] Ibid., paras. 28 and 29.
[45] CRPD/C/MNG/CO/2-3, para. 55 (a).
[46] E/C.12/MNG/CO/5, para. 32. See also United Nations country team submission, p. 10.
[47] United Nations country team submission, p. 9.
[48] E/C.12/MNG/CO/5, para. 34.
[49] Ibid., paras. 40 and 41 (a)–(c). See also United Nations country team submission, p. 8.
[50] E/C.12/MNG/CO/5, paras. 42 and 43.
[51] CRPD/C/MNG/CO/2-3, para. 49.
[52] E/C.12/MNG/CO/5, paras. 44 and 45.
[53] Ibid., para. 46.
[54] CCPR/C/MNG/CO/7, para. 18.
[55] E/C.12/MNG/CO/5, para. 37. See also United Nations country team submission, p. 9.
[56] E/C.12/MNG/CO/5, para. 9 (b)–(d).
[57] CEDAW/C/MNG/CO/10, paras. 18 and 19.
[58] E/C.12/MNG/CO/5, para. 21.
[59] CEDAW/C/MNG/CO/10, para. 22.
[60] E/C.12/MNG/CO/5, para. 31.
[61] A/HRC/50/26/Add.1, para. 63.
[62] United Nations country team submission, p. 3. See also A/HRC/50/26/Add.1, paras. 65 and 69–74.
[63] United Nations country team submission, para. 16.
[64] CCPR/C/MNG/CO/7, para. 16.
[65] Ibid., paras. 48 and 49 (b)–(d). See also United Nations country team submission, p. 11.
[66] A/HRC/54/51/Add.2, para. 91.
[67] Ibid., para. 31.
[68] CRPD/C/MNG/CO/2-3, para. 6 (b).
[69] Ibid., para. 20.
[70] Ibid., para. 33 (b).
[71] United Nations country team submission, p. 12.
[72] CRPD/C/MNG/CO/2-3, para. 36.
[73] Ibid., para. 48 (a).
[74] CCPR/C/MNG/CO/7, para. 14.
[75] Ibid., para. 15 (a)–(d).
[76] E/C.12/MNG/CO/5, para. 19 (c).
[77] CCPR/C/MNG/CO/7, para. 33. See also United Nations country team submission, p. 6.
[78] CCPR/C/MNG/CO/7, para. 35.