

**THE LAW ON PROMOTION OF GENDER
EQUALITY, NATIONAL PROGRAM ON GENDER
EQUALITY AND ITS ACTION PLAN
(2017-2021)**

BOOKLET

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GREETINGS

Since we started a journey together as a team towards development and progress, we have been responsible before the nation for ensuring the participation of everyone, so that women and men would equally benefit from development gains.

The Sustainable Development Goals call for “achieving gender equality and empowering all women and girls” and the Mongolian Sustainable Development Vision 2030 promotes “gender equality in social development and progress by creating a favorable environment for equal access from social wealth”, meantime the Mongolian Government Action Program (2016-2020) urges to “ensure gender equality and increase women’s participation in the decision-making positions”.

Towards ensuring the implementation of objectives outlined in the above-mentioned policy documents, the Government of Mongolia has approved a “National Program on Gender Equality”. And I’d like to point out here that the adoption of the national program would enhance the implementation of the Law on Promotion of Gender Equality in line with the world trends on promoting gender equality as well as this would facilitate significantly contributing to our commitments and pledges in front of the international community.

The meaningful implementation of the national program will be resulted in improving the gender-responsive policy, planning and budgeting processes, engraining of healthy, ethical and right-minded attitudes in daily lives of families and households, creating an accessible and inclusive green jobs, setting up of men’s health and service cabinets in all aimags and districts as well as increasing women’s participation in the decision-making positions and processes.

Promoting gender equality is a basis for the nation’s development and progress and the national program approved within the framework of developing of human capital particularly, encouraging equal opportunities for women and men

would serve for invigorating of peaceful, healthy, happy lives as well as for progress and prosperity.

Further, I'd like to highlight that the initiatives, partnership and broad participation of the public, non-governmental and civil society institutions, private entities, citizens, general public and international organizations are critical towards meaningfully implement the LPGE and the NPGE.

Let's consolidate all our efforts for promoting gender-responsive development policies that would ensure equal rights and opportunities for women and men that is conducive to people-centered nation-building.

Prime Minister of Mongolia,
Chair of the National Committee on
Gender Equality



J. ERDENEBAT

LAW OF MONGOLIA ON PROMOTION OF GENDER EQUALITY



02 February 2011

Ulaanbaatar

LAW OF MONGOLIA ON PROMOTION OF GENDER EQUALITY

CHAPTER ONE General provisions

Article 1. Purpose of the law

1.1 The purpose of this law is to establish the legal basis for the creation of conditions to ensure gender equality in political, legal, economic, social, cultural and family relations, and to regulate relations related to their implementation.

Article 2. Legislation on gender equality

2.1. The legislation on gender equality shall comprise the Constitution of Mongolia, this law and other legal acts enacted in conformity with the former.

2.2. If an international treaty ratified by Mongolia provides otherwise than this law, the provision of that international treaty shall take precedence.

2.3. Laws and other legal provisions for the public shall not weaken or worsen the gender equality norms adopted in this law.

Article 3. Scope of application

3.1. This law applies equally to economic entities and organizations operating on the territory of Mongolia and to citizens of Mongolia, and, if an international treaty ratified by Mongolia does not provide otherwise, to all international and foreign organizations and foreign citizens and aliens operating or residing on the territory of Mongolia.

Article 4. Definitions used in this law

4.1. The terms used in this law shall be understood as follows:

4.1.1. “gender” as a perception of the roles, responsibilities and statuses which a man or a woman is expected to fulfill in political, economic, social, cultur-

al and family spheres, that establishes itself and evolves in the course of history;

4.1.2. “gender equality” as an absence of discrimination on the basis of sex achieved through equal participation of men and women in political, economic, social, cultural and family relations and their equal opportunities to contribute to and access the benefits of economic, social and cultural development;

4.1.3. “gender stereotypes” as the differential concepts of the roles and rights of men and women in political, economic, social, cultural and family relations based on their sex, and treatment of men and women on the basis thereof;

4.1.4. “gender discrimination” as any action or inaction resulting in discrimination, exclusion or restriction based on sex or attributes of sex and marital status of men and women in political, economic, social, cultural, family and other spheres;

4.1.5. direct gender discrimination shall mean any action constituting or has the effect of constituting an unequal treatment of an individual based on his or her sex compared to another individual of the opposite sex in the same or similar conditions,

4.1.6. indirect gender discrimination shall mean the placing of a person of one sex in a disadvantaged situation compared to a person of the opposite sex in the same or similar circumstances as an effect of seemingly gender neutral standards and/or practices.

4.1.7. “sexual harassment” as an unwelcome sexual advance made in verbal, physical and/or other forms, intimidation, threat and/or other forms of coercion that makes sexual intercourse an unavoidable option for the victim or that creates an unbearable hostile environment and/or causes damage in terms of the person’s employment, professional, economic, psychological and/or any other form of well-being.

4.1.8. “gender-based violence” as any action or inaction prompted by the victim’s gender that inflicts or has the potential to inflict a physical, sexual, emotional, and economic damage to a victim;

4.1.9. “gender quota” as the absolute minimum measure of the representation of men and women in decision-making positions;

Article 5. Principles and policy of gender equality

5.1. Gender equality shall be based on the following principles:

5.1.1. Principle of equality: men and women shall have opportunities and conditions to enjoy equal rights in political, economic, social, cultural, family and other relations, and to equally participate in social life and equally access the benefits of development and social wealth.

5.1.2. Principle of non-discrimination: men and women shall be guaranteed enjoyment of human rights and freedoms without any discrimination or restriction on the basis of the differences in terms of their age, sex, vocation or rank, views, marital status or education.

5.1.3. Principle of government responsibility: The State shall fulfill all the commitments related to promoting the equality of men and women in Mongolia provided for in the Constitution of Mongolia, international treaties and other legislation and be accountable for the results achieved.

5.1.4. Principle of gender mainstreaming: Development policies shall be made gender sensitive through incorporation of gender concepts in laws, government policies, programs and projects.

5.1.5. Principle of gender sensitive data and information: The State shall ensure the availability and accessibility of sex disaggregated statistical data and other information.

5.2. The state policy on gender equality shall be aimed at ensuring conditions for equal rights, opportunities, and treatment of men and women and, furthermore, at preventing and eliminating gender discrimination.

Article 6. Prohibition of Gender discrimination

6.1. Gender discrimination shall be prohibited in political, economic, social, cultural and family spheres.

6.2. Gender based violence and sexual harassment shall be seen as constituting gender discrimination.

6.3. The policies and procedures for the prevention and elimination of gender based violence and for the protection of the rights of victims and witnesses shall be established by law.

6.4. Gender discrimination shall be defined as direct and indirect as stated in Articles 4.1.5. and 4.1.6.

6.5. The following activities shall not be considered gender discrimination:

6.5.1. provision of health, educational and other services designed to cater for the specific needs of one particular sex;

6.5.2. separate placement of people by sex at workplace facilities, student dormitories, hospitals, special care and health resort, penitentiary, detention and alcohol rehabilitation facilities;

6.5.3. selection of a person of one sex over another in renting out a private accommodation or for renting a shared accommodation;

6.5.4. establishing a non-governmental organization with a membership open for people of one particular sex;

6.5.5. organization of arts or sports and other competitions designed for people of one particular sex;

6.5.6. recruitment of a person of particular sex in conformity with the provision 101.4 of the Mongolian law on Labour or based on a specific nature of some work places such as in preschool education institutions.

Article 7. Special measures to ensure equality of men and women

7.1. The state policy referred to in Article 5.2 of this law may involve special measures aimed at protecting maternity or establishing equality of men and women in social or family relations. These special measures shall not be considered as gender discrimination.

7.2. Special measures referred to Article 7.1 of this law shall be implemented for the purposes of:

7.2.1. approving and implementing laws, policies, programs and projects aimed at protecting maternity rights and interests;

7.2.2. determining the number of seats or implementing other such quotas aimed at equalizing the representation of men or women at political and decision-making levels;

7.2.3. special measures to eliminate gender imbalances in certain sectors or setting up discounts, incentives or benefits to improve imbalanced gender representation in a trade or occupation;

7.2.4. establishing different admission conditions and requirements for education applicants of specific sex pursuant to the provision 6.5.6. of this law.

7.3. With the exception of measures referred to in Article 7.2.1, special measures shall be discontinued when the objectives of equality of opportunity and treatment are achieved.

CHAPTER TWO

Guarantees of gender equality in state structure, economic, social and cultural spheres

Article 8. Guarantees of equal rights in political sphere

8.1. Any act of exclusion, restriction and discrimination against equal rights and equal opportunities of a man and a woman to join and participate in activities of a political party, labor union and other organizations of his or her choice shall be prohibited.

8.2. Campaign financing support in any election allocated to a male and a female candidate by a political party shall be the same amount.

8.3. Representation of any one sex in any central and local body of a political party shall not be lower than 25 percent.

8.4. A political party shall every two years submit a report on the implementation of Articles 8.2, and 8.3 of this law to the National Committee on Gender Equality referred to in Article 18.1 of this law.

Article 9. Guarantees of equal rights in economic sphere

9.1. All citizens regardless of their sex shall have equal rights to establish and register an economic entity and to engage in economic and professional activities.

9.2. Management of central and local government agencies, bodies of local self-government, economic entities and organizations of all forms of ownership shall have a duty to ensure for men and women an equal access on equal terms to land and other immovable and movable property, budget allocations, financial assets, credit, other economic wealth and resources.

9.3. Gender discrimination shall be prohibited in relations arising between persons and legal entities involving material and non-material wealth that are regulated by the Civil Law of Mongolia.

9.4. Gender discrimination shall be prohibited in the public procurement of goods, works and services and in the provision of all types of public services.

Article 10. Guarantees of equal rights in civil service

10.1. The State shall ensure conditions and opportunities for actual implementation of equal rights of men and women to be hired and be employed in civil service through the following policy:

10.1.1. 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;

10.1.2. Representation of any one sex in decision-making positions in public administration shall not be less than 15 percent among state secretaries and heads of agencies, 20 percent among managers in other central agencies, 30 percent among heads of department in ministries and agencies, 40 percent among heads of secretariats, departments and divisions on aimag, city, soum, duureg and khoroo levels;

10.1.3. Representation of any one sex among public servants in special public agencies shall not be less than 40 percent, except in the army, border and domestic military, police, intelligence, court decision enforcement, anti-corruption

and emergency agencies;

/This provision was amended by the law of January 16, 2014/

/This provision was amended by “domestic military” followed by “border” by the law of February 9, 2014 and shall come into force on September 1, 2017/

10.1.4. In case of pre-dominance of one sex in the management of a public service agency, the agency shall develop policies and take measures aimed at ensuring a balanced gender ratio of 40:60 based on special programs and/or action plans. This provision does not apply to a case referred to in article 6.5.6. of this law.

10.2. Representation of any one sex in the composition of advisory or joint governance bodies such as committees, councils or commissions set up by public agencies or on the national level (hereinafter referred to as “the committee”) shall not be less than 40 percent.

10.3. In a case of predominance of one sex among the staff of a state or public budget organization, the organization shall in its human resource policy incorporate and implement special policies and measures aimed at ensuring a balanced gender ratio 40:60. This provision does not apply to a case referred to in Article 6.5.6. of this law.

10.4. Articles 11.1-11.9 of this law shall equally apply to public agencies and public officials.

Article 11. Guarantees of equal rights in employment and labor relations

11.1. Gender discrimination in employment and labor relations shall be prohibited. Unless otherwise provided by an international treaty ratified by Mongolia and other relevant laws, it is also prohibited to treat preferentially, to restrict or to dismiss an employee based on his/her sex, pregnancy, child care-taking roles, or family status.

11.2. Collective bargains and agreements shall incorporate provisions on the creation of conditions and opportunities for a man and a woman to combine their professional and family responsibilities, to bear and care for a child, to take care of his/her health, to enjoy labor safety, equal pay and bonus for equal work and to enjoy equal working conditions.

11.3. An employer shall have the following responsibilities to prevent gender discrimination in employment policies and labor relations and to ensure gender equality at a workplace:

11.3.1. implement on the basis of a plan and/or a program activities aimed at promoting gender equality and report to employees on their implementation and results;

11.3.2. refrain from explicitly specifying or implying a preference for any one

sex in a job vacancy notice/advertisement, except in conditions under the Article 6.5 and Article 7 of this law;

11.3.3. recruit a person of the under-represented sex in order to ensure gender balance in a given organization or its unit;

11.3.4. carry out monitoring and evaluation of legal provisions on equal pay for equal work and equal working conditions and take actions to eliminate identified breaches;

11.3.5. undertake the promotion, professional training and re-training, skills development and pay increases for male and female employees based on the human recourse roster;

11.3.6. promptly inform all employees of job vacancies and professional training and re-training opportunities;

11.3.7. if an unsuccessful participant in a proficiency examination or recruitment process so requests, provide a written explanation of the ground of selection of a candidate of the opposite sex in a given process;

11.3.8. ensure that in a case of a once a time lay-off of more than one third of the workforce as a result of a structural change, the gender ratio of the dismissed group be directly proportional to that in the entire workforce irrespective of the length of service;

11.3.9. provide professional training opportunities for an employee returning from an absence from work due to childbirth and childcare in order to ensure their competitiveness in the labor market;

11.3.10. economic entities and organizations shall submit their reports on the sex ratio in the organization to the Governor's Offices of their respective soums or duuregs by the 20th of December of each year.

11.4. In order to prevent and keep the workplace free of sexual harassment and to maintain zero tolerance of such harassment, an employer shall take the following measures:

11.4.1. incorporate in organization's internal procedures specific norms for prevention of sexual harassment in a workplace and the redress of such complaints;

11.4.2. design and conduct a program on training and retraining geared toward creating a working environment free from sexual harassment, and report on its impact in a transparent manner.

11.5. An employee shall have the following rights in promoting gender equality;

11.5.1. receive information and education and be trained on gender discrimination and sexual harassment;

11.5.2. file a complaint and testify on one's own behalf or on behalf of a victim in a case of gender discrimination or sexual harassment;

11.5.3. inform the employer and/or the management of the acts in breach of Articles 7.2 and 7.4 of the Labor Law of Mongolia and to demand accountability for the perpetrator(s) and redress of the damage.

11.6. An employee shall have the following duties in promoting gender equality;

11.6.1. refrain from sexually harassing a fellow employee, client and/or a customer;

11.6.2. duly observe norms effected for the purpose of preventing gender discrimination and sexual harassment.

11.7. The rights, duties and responsibilities of an employer and an employee set out in this Article shall be incorporated in the internal employment procedures as provided for in Article 130.2 of the Labor Law of Mongolia.

11.8. A candidate who has not been selected in a proficiency examination or a recruitment process shall have the right to demand from an employer a written explanation with regard to the educational, professional, working experience and other qualifications of the successful candidate of the opposite sex.

11.9. The state agency in charge of labor and employment affairs shall provide support to employers in their activities to promote gender equality.

Article 12. Guarantees of equal rights in the sphere of education and culture

12.1. Men and women shall have equal rights and equal opportunities to obtain pre-school, primary, secondary, vocational, and higher education, to be enrolled in a professional training and re-training, and to receive a scholarship, and technical counseling.

12.2. Principals and directors of educational institutions shall ensure that the working and learning environment is free from gender discrimination, and shall adopt and carry out plans and programs on gender awareness and education.

12.3. 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 shall be an indicator in measuring the performance of principles and directors of schools and kindergartens.

12.4. Education standards and curriculum for pre-school, primary, secondary, vocational and higher educational institutions shall incorporate mandatory for a student gender content, methodology and evaluation.

12.5. Textbooks, learning materials and aides used in general education schools and other educational institutions shall be free of content that denies the concept of gender equality.

12.6. Adult men and women shall be provided with equal opportunities and conditions to receive alternative educational and non-formal training that aim to decrease differences in the level of education between genders, and to access continuous educational services.

12.7. Except in case under the Article 6.5.1 and 6.5.6. of this law, educational institutions of all levels must not set discriminatory terms of admission or refuse enrolment, restrict or refuse provision of training and other services to a person on the grounds of his or her sex or engage in gender discrimination in any other form.

Article 13. Guarantees of equal rights in the sphere of health care

13.1. The State shall implement measures to create services designed to cater to the specific health needs of women and men.

13.2. An appropriate funding required for treatment and prevention of diseases identified as prevalent cause of mortality of women and men shall be allocated in the state budget.

13.3. Violation by use of force or pressure or otherwise of a person's right to prevent and protect oneself from unwanted pregnancy or sexually transmitted infections shall be prohibited.

13.4. Obstructing involvement of men and women in examination/tests, training and educational activities on reproductive health and other health related issues shall be prohibited.

13.5. Any form of discrimination against women and men in health care services, insisting, demanding and forcing to abort pregnancy shall be prohibited.

13.6. 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 14. Guarantees of equal rights in family relations

14.1. Spouses or unregistered partners that live together shall not restrict or otherwise obstruct a free choice of a wife, husband or partner with regard to his/her professional career and/or any other form of participation in social life.

14.2. Violation of human rights and freedoms of a man or a woman to marry, to conclude or modify marriage contract and to voluntarily divorce, to raise children and to participate in family relations shall be prohibited.

14.3. A husband and a wife shall have equal rights and responsibilities to decide on the number of children to deliver, spacing of childbirth and protection from

unwanted pregnancy.

14.4. Parents through their own example and family education shall give to children a proper understanding of parenthood and equal participation of men and women in the upbringing of children, appropriate perception and practices of gender equality and non-discrimination based on sex.

14.5. Gender based restriction of the right of a family member to participate in the determination of his or her share in the family property, to manage and dispose that share and to engage in income generating and other activities to cater for the needs of the family shall be prohibited.

14.6. The value of unpaid labor for household work, family business, childcare or care for elderly devoted by a spouse since marriage shall be considered as his or her contribution to social wealth and family economy.

CHAPTER THREE

Management and organization of activities to promote gender equality

Article 15. Mandate of the State Great Hural with regard to promoting gender equality

15.1. The State Great Hural shall have the following mandate with regard to promoting gender equality:

15.1.1. ensure that state policies and legislations are defined in a gender equality and rights-based manner;

15.1.2. improve the legal framework to ensure equal rights and equal opportunities for men and women by strengthening the national legislation in compliance with the principles and norms of gender equality established by this law, other relevant laws and international treaties of Mongolia;

15.1.3. approve funds sufficient for the achievement of objectives and results on the gender equality in the economic, social, legal and other state policies adopted by this law, other relevant laws and international treaties of Mongolia;

15.1.4. discuss and issue assessments every two years on the following reports:

15.1.4.a) by the Government on the implementation and results of its gender equality promotion activities;

15.1.4.b) by the Human Rights Commission on the implementation of the gender equality legislation and resolution of gender discrimination complaints;

15.1.4.c) by the Civil Service Council on the state of gender equality in the civil service, and the progress and results of the implementation of measures

to prevent gender discrimination including sexual harassment;

15.1.4.d) country report on the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women.

15.1.5. other functions as stipulated by laws.

Article 16. Mandate of the Government (Cabinet) with regard to promoting gender equality

16.1. The government shall have the following mandate with regard to promoting gender equality:

16.1.1. incorporate gender equality promotion activities in the Economic and Social Development Guidelines and sector development policies and programs, introduce gender sensitive budgeting system, approve and implement gender equality programs and special measures prescribed in Article 7 of this law and have sufficient financing approved for their implementation;

16.1.2. create conditions for compilation of sex disaggregated statistics, to have gender equality assessments carried out, to disseminate the findings to customers and the public;

16.1.3. take measures to create human and financial resources to formulate and implement gender sensitive development policies;

16.1.4. carry out awareness raising activities aimed at cultivating gender equality culture among the population and preventing from propaganda of gender discrimination;

16.1.5. adopt and implement civil service standards that prevent from gender discrimination in activities and workplaces in public administration;

16.1.6. adopt directives, procedures and recommendations within its function to promote gender equality;

16.1.7. report to the State Great Hural on the implementation and results of the gender equality policies and activities.

16.2. The Government shall take up a responsibility to provide management in incorporation of unpaid household labor and household production into the extended System of National Accounts.

Article 17. Responsibilities of the Prime Minister with regard to promoting gender equality

17.1. Promotion of gender equality shall be within the jurisdiction of the Prime Minister.

17.2. Prime Minister shall head the National Committee on gender and supervise the operation of the Committee.

Article 18. Mandate of the National Committee on Gender with regard to promoting gender equality

18.1. The National Committee on gender 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 shall have a Secretariat.

18.2. The Cabinet shall approve the composition of the National Committee on Gender based on the suggestion by the Prime Minister.

18.3. The National Committee on Gender shall have the following functions:

18.3.1. to coordinate and organize activities on the formulation, implementation, and monitoring of gender policies, programs and special measures;

18.3.2. to define economic and legal measures necessary for the implementation of the gender equality policy and to provide professional and technical guidance and advise in carrying out of these measures;

18.3.3. to review and to issue recommendations on the implementation and results of legislation, policies, programs and recommendations by international organizations pertaining to the promotion of gender equality;

18.3.4. to organize the formulation, implementation and oversight of policies, programs, projects and measures aiming at the strengthening of the national institutional capacity necessary for promotion of gender equality in public agencies and society in general;

18.3.5. to organize the preparation of the reports referred to in Article 15.1.4.a) of this law;

18.3.6. to review and comment on drafts of the report referred to in Articles 15.1.4.c) and 15.1.4.d) of this law;

18.3.7. to review and comment on draft of the report referred to in Article 18.3.15 of this law;

18.3.8. to coordinate establishment of a gender database and an integrated information network and to organize dissemination gender data and information;

18.3.9. to ensure participation of the public, private sector and citizens in the promotion, strengthening and protection of gender equality;

18.3.10. in cooperation with organizations of media, the public and private sector to organize activities that familiarize and propagate the gender equality legislation and policies to business organizations and the public and to report on outcomes of such activities;

18.3.11. to review and to make recommendations on reports by its local branches;

18.3.12. to nominate for awards economic entities, organizations and individuals that achieved outstanding results on gender equality;

18.3.13. to have the structure, composition and statute of the National Committee on Gender and its Secretariat approved;

18.3.14. to organize evaluation and assessment of implementation of the law on gender equality;

18.3.15. to prepare and submit to the Government reports on the implementation and results of the gender equality policies, legislation and programs;

18.3.16. to develop cooperation with international organizations and foreign countries in the sphere of gender equality;

18.4. The National Committee on Gender shall have branches at local administrations and ministries.

18.5. The National Committee on gender shall report to the Government.

Article 19. Mandate of central and local government agencies with regard to ensuring gender equality

19.1. Central and local government agencies shall perform the following duties aimed at ensuring gender equality:

19.1.1. to introduce a methodology to incorporate gender considerations in local and sectoral policies, general strategies, programs and projects; to conduct gender analysis of drafts of these documents and review and comment on their reports;

19.1.2. to compile local or sector-wide sex-disaggregated statistics and to assess the state of gender equality and policy impacts;

19.1.3. to submit to the Cabinet the gender sensitivity assessment reports and recommendations of the draft sectoral policies, plans, and programs;

19.1.4. to establish advisory gender councils or committees and to approve their composition and statutes;

19.1.5. to outsource some of the public agency's functions on gender equality to civil society organizations on a contract basis and to have the needed financing planned and approved in the annual budgets;

19.1.6. to conduct gender training and awareness raising programs within the sector/locale;

19.1.7. to organize the measures provided for in 11.4 above in a manner that fits the context and needs of the sector or locale;

19.1.8. soums and districts to submit annual reports on gender equality in staffing of central and local government agencies to aimag and capital city by the 10th of January, and the latter to submit the report to the National Committee on

Gender by the 10th February of each year;

19.1.9. The central government authority shall submit an annual report on the implementation and results of gender equality activities to the National Committee on gender by the 10th February of each year.

19.2. A central or local public agency may outsource the gender research and analyses necessary for the development of a legislation, policy, general plan, program and project to a non-governmental organization specialized in gender equality area.

Article 20. Mandate of local self-governance bodies of all levels in the promotion of gender equality

20.1. Local self-governance bodies of all levels shall have the following mandate with regard to gender equality:

20.1.1. to incorporate state gender policies and regulations in local economic and social development policies and to monitor their implementation;

20.1.2. to allocate funds from local budgets for activities on promoting gender equality within their respective territories;

20.1.3. to support the activities and to develop cooperation with all organizations, economic entities and citizens on promoting gender equality;

20.1.4. to have aimag and capital city Citizens Representative Hural submit by 20th February of each year to the National Gender Equality Committee the annual reports on the implementation of the state gender equality policy.

20.2. The aimag, capital city, soum and duureg Citizens Representative Hural shall review the reports by respective level governors on the implementation and results of gender equality and human rights legislation and to inform the public on the review results.

Article 21. Mandate of the Civil Service Council with regard to promoting gender equality

21.1. Civil Service Council within its mandate shall perform the following duties with regard to promoting gender equality;

21.1.1. to set up a structure that compiles sex disaggregated statistics for civil service and to provide the State Great Hural, the President, the Cabinet and other interested parties with this data and information;

21.1.2. to introduce norms and standards aimed at maintaining the civil service free from gender discrimination and to provide local offices referred to in Article 18.4 of this law with professional and methodological guidance;

21.1.3. to oversee the complaint resolution on gender discrimination within

the civil service;

21.1.4. to monitor enforcement of Articles 10.1, 10.3, 10.4, and 11.3.2 of this law.

21.2. To have the State Great Hural review the report referred to in Article 15.1.4.c of this law and to organize implementation of the recommendations.

Article 22. Participation of organizations of the public in promoting gender equality

22.1. Participation of organizations of the public in ensuring gender equality shall be as follows:

22.1.1. to participate in formulation, implementation and monitoring of the state policies, legislations and other decisions on gender equality and to protect the violated rights of citizens;

22.1.2 to obtain gender related information and financial, technical and other support from the government;

22.1.3. to express their position on the state of gender equality in the country.

22.2. Pursuant to the article 19 of the Law on Government, nongovernmental organizations may perform, on a contract basis, specific duties of governmental agencies with regard to ensuring gender equality.

CHAPTER FOUR

Resolution of complaints on violation of gender equality legislation

Article 23. Filing of complaints on the violation of gender equality

23.1 Any act of violation of provisions except Article 14 of this law shall form a basis to lodge a complaint with the National Human Rights Commission of Mongolia.

23.2. A trade union and/or nongovernmental organization shall have the right to lodge a complaint in case of perceived violation by an economic entity, organization and/or an official of gender equality, equal rights, equal opportunities and equal treatment of men and women stipulated in this law.

23.3. If an employee of a public agency, economic entity or organization commits an act of gender discrimination in a workplace, the employer shall also be held liable.

Article 24. Review and resolution of complaints on gender equality violation

24.1. The National Human Rights Commission of Mongolia, within its jurisdiction stipulated by the Law on the Human Rights Commission, shall provide indepen-

dent oversight of the enforcement of the gender equality related provisions of the Constitution, other laws and international treaties Mongolia is a signatory and shall receive and resolve complaints on violation of these legislation.

24.2. If the ground a of complaint is established as related to a labor contract or collective agreement or negotiation, the parties to an agreements shall have the case resolved under individual or collective labor dispute resolution process.

24.3. Disputes pertaining to the Article 14 of this law shall be resolved under the procedure stipulated in the Civil Procedure Code of Mongolia.

24.4. Personal Information revealed in the course of the court procedure on sexual harassment shall be regarded as confidential and is subject to protection under the Law on Personal Confidentiality.

CHAPTER FIVE

Penalties for breach of law

Article 25. Vicarious liability

25.1. If an employee breaches this law while performing the duties stipulated in the labour agreement or the terms of agreement of the position, and the breach involves damage to others, the employer shall be responsible under Articles 498.1 and 498.2 of the Civil Law of Mongolia for reimbursement of the damage incurred.

25.2. The employer may be exempted from liability under Article 25.1 of this law if he or she proves to have undertaken measures provided in Article 11.4 of this law.

Article 26. Penalties for breach of legislation on gender equality

26.1 For breaching this law, a person shall be held accountable in line with the Civil Service and other related laws.

/This section was amended by the law of December 4, 2015/

26.2. If, in the absence of valid reasons, a person obstructs the work of Human rights commissioner by refusing to furnish information and documentation required for inquiry into a complaint lodged with the Human Rights Commission, the faulty party shall be held liable in line with the relevant law.

/This section was amended by the law of December 4, 2015/

26.3. A person who committed an act of direct discrimination based on attributes of a sex in family relations may be ordered to attend a mandatory behavior change training stipulated by Law against Domestic Violence.

CHAPTER SIX

Other provisions

Article 27. Oversight and monitoring of the implementation of legislation on gender equality

27.1. The State oversight and monitoring of the legislation on gender equality shall be exercised by the State Great Hural, the Cabinet, aimag, capital, soum and duureg Governors within scope of their respective mandates.

27.2. The public oversight of the enforcement of guarantees of equal rights, equal opportunities and equal treatment of men and women shall be exercised by trade unions, nongovernmental organizations, other organizations of the public as well as individual citizens.

CHAIRMAN OF THE
STATE GREAT HURAL

D. DEMBEREL

THE NATIONAL PROGRAM ON GENDER EQUALITY

The Government Resolution No 129 on the Approval of the National Program on Gender Equality

26 April 2017

City of Ulaanbaatar

Pursuant to provisions 5.1.7 of the Government Action Program for the period of 2016-2020, 16.1.1 of the Law on Promotion of Gender Equality and 10.3 of the Law on Development Policy Planning, the Government of Mongolia is resolving to:

1. Approve the “National program on gender equality” (as to annex).
2. The Minister of Labor and Social Protection (N. Nomtoibayar) shall be responsible for approving of the national program action plans, providing professional, methodological management, coordination and monitoring of the program implementation based on the cooperation and partnership of public and civil society institutions.
3. Assign the Minister of Labor and Social Protection (N. Nomtoibayar), the Minister of Finance (B. Choijilsuren), government cabinet members, governors of aimags and the capital city to earmark required expenses needed for implementation of the national program objectives and planned actions in their respective sectors and territories by duly reflecting them in the socio-economic development agenda, national and local budgets annually as well as reflect the needed funding in the projects and programs of relevant international organizations.
4. With approval of the above resolution, the government resolution No274 on the “National program on gender equality” dated 30 December 2002 and the resolution No34 on the “Mid-Term Strategy and Action Plan” dated 26 January 2013 are being declared invalid.

Prime Minister of Mongolia

J.ERDENEBAT

Minister of Labor and Social
Protection

N. NOMTOIBAYAR

*Annex to the Mongolian Government
Resolution No 129, 2017*

THE NATIONAL PROGRAM ON GENDER EQUALITY

One: Background

Since the adoption of the Law on Promotion of Gender Equality (LPGE) by the State Great Khural (Parliament) in 2011, the number of national and local level gender councils and gender committees has doubled: gender councils were officially established in 13 government ministries and gender committees were established in 21 aimags and 9 districts. A team of gender equality trainers was formed at the national level. Further, the gender experts' team, media council and the gender consortium were established under the National Committee on Gender Equality (NCGE).

The Mid-Term Strategy and Action Plan on Implementation of the Law of Mongolia on Promotion of Gender Equality was adopted and implemented for the period of 2013-2016. An independent assessment team of the "Development Horizons", non-governmental organization evaluated its fulfilment at 60.1 per cent.

During the past twelve years, average life expectancy has increased by 6.28 years. Women's life expectancy reached 75.84 in 2015, compared to 66.47 in 2002. Men's increased to 66.02 in 2015, compared to 60.75 in 2002. Progress made towards improvement in health services and enrollment in education has positively influenced Mongolia's gender development index (GDI) score, which increased from 0.667 in 2002 to 1.045 in 2015.

Of late, boys' dropouts have decreased, helping to mitigate the reverse gender gap in tertiary education where girls have higher enrollment rates. Furthermore, the attitude of the society has improved, particularly in terms of greater recognition of men's health issues. The average annual mortality rate is 17,000 persons, of whom 62% are men. The most common reasons for relatively high male mortality is non-communicable diseases: 33% cardiovascular, 24.9% accidents, and 19.4% cancer. Men also disproportionately suffer from causes of mortality including suicide where rates among men are 5.5 times higher than that of women (per 10 000 persons), men's violent behavior 3.6 times higher and vehicular accidents which is the cause of mortality in 3.4 times as many men as women.

The Police General Department statistics of the first quarter of 2017 reported on minor, serious and severe injuries inflicted on 340 persons and three death cases of domestic violence. For this period, a total of 79 survivors of domestic violence approached “one-stop service centers” at the national level, 40 out of whom were women, 2 men and 37 children. And 72 persons stayed in the “shelters” out of whom 23 were women, 4 men and 45 children.

Furthermore, discrimination against women at the labor market remains common. Employers still appear to demonstrate reluctance to recruit young women of reproductive age or mothers of young children, and concerns remain about coerced early retirement among female employees. There are also challenges in reaching wage equity. According to 2015 statistics, the average employed women’s monthly salary was MNT 760.7(thousand) compared to the male average of MNT 856.0 (thousand). This represents a salary gap of MNT 95.3 (thousand). Inequities are also reflected in pensions. The average monthly retirement pension for men was MNT 367.9 (thousand) in 2016 compared to that of women, MNT 299.5 (thousand). Thus female retirees have a pension that is MNT 68.4 (thousand) less, or 18.6% lower than men.

Women’s political participation has been galvanized. Although, the number of female candidates nominated for national and local parliaments has been steadily increasing in recent years, women make up 17.1 per cent of members in the current parliament and 15.8 per cent in the aimag and capital city, local citizens khurals only.

The adoption of the LPGE initiated progress by improving the legal and policy framework and by promoting gender equality in political, economic, social, cultural, and family spheres. However, challenges in increasing compliance with the LPGE remain with regards to the priority issues of strengthening implementation mechanisms, equitably distributing investments and financing, and in enhancing human resource capacity-building.

The National Program on Gender Equality (as the “program”) is developed to make a worthy contribution to the implementation of the Sustainable Development Goals 2030, adopted by the United Nations General Assembly in 2015. In particular, it will help fulfill its Goal-5 on achieving gender equality and empowering all women and girls. Further, this program is critical in promoting gender equality in social development and progress by creating a favorable environment for equal access from social wealth, meeting the objectives of Mongolia’s Sustainable Development Vision 2030 as well as the Government Action Program (2016-2020).

Two: The program goal, objectives, and implementation time frame

2.1 The program goal

The goal of this program is to provide support to the gender-responsive policy and planning processes required to reach the sustainable development goals and to implement the Law on the Promotion of Gender Equality (LPGE). This program does so by promoting comprehensive measures to eliminate gender-based stereotypes among the public and by ensuring gender equality in political, economic, social, cultural and family spheres.

2.2 The program objectives

The following objectives are proposed to reach the program goal:

2.2.1 Provide support to equal participation in the sustainable socio-economic development processes and increase opportunities so that both women and men can benefit equally from development gains;

2.2.2 Foster gender-responsive policy, planning and budgeting processes at national, sector, local and organizational levels;

2.2.3 Raise awareness and promote advocacy in support of gender education among the general public on women and men's role and participation in their families and society, with the objective to change gender stereotypes nationally;

2.2.4 Improve gender-responsive structures and mechanisms at national, sector, local, and organizational levels and strengthen relevant capacities;

2.2.5 Develop comprehensive and systematic preventive and care services that advance the elimination of gender-based violence and discrimination;

2.2.6 Encourage women's participation in politics and decision-making and improve their leadership skills and opportunities.

2.3 The program time frame

The program shall be implemented from 2017-2021.

Three: The program implementation activities

3.1 With the objective of “Supporting equal participation in the sustainable socio-economic development processes and increasing opportunities for women and men to equally benefit from development gains”:

3.1.1 Introduce provisions preventing from all forms of labor exploitation and discrimination and create a zero-tolerance environment for infringements in public and private entities, internalizing these values in rules and regulations with

relevant indicators to measure implementation;

3.1.2 Facilitate embedding relevant provisions in legal documents to prevent and protect individuals from all forms of discriminatory practices in employment, including on the basis of age and gender, in terms of recruitment and years of employment. Hold relevant bodies accountable for violations;

3.1.3 Develop gender-inclusive and family-friendly work place guidelines for public, private entities, and civil society institutions, to be introduced jointly with trade unions;

3.1.4 Develop salary payment methodology on the basis of the principle of equal pay for equal work;

3.1.5 Conduct gender analysis on small and medium size enterprise (SME) development policies and action plans designed for herding and crop-farming households, including those which related to loans, taxation, technology, equipment, and human resources. Share recommendations with relevant institutions and decision-makers for further implementation and monitoring;

3.1.6 Generate accessible, inclusive green jobs based on needs of women, men, diverse social groups, and local-communities and draw upon national and international best practices for further replication and dissemination;

3.1.7 Develop and disseminate a handbook on “pro-poor and inclusive green growth”;

3.1.8 Develop a gender-responsive policy addressing the issues of vulnerable families such as those with many and/or disabled children, low-income families, and female and single-headed households;

3.1.9 Enhance family planning assistance and services, improve the skills and capacities of medical personnel and technicians, disseminate relevant age-specific information packages, and provide related advocacy support;

3.1.10 Set up men’s health cabinets (with provision of relevant human resources and equipment) in all aimags and districts;

3.1.11 Conduct gender analysis to develop programs and action plans that prevent health risks among vulnerable groups including seasonal workers employed at local levels, artisanal miners, herders, and others;

3.1.12 Conduct a series of trainings on health education and organize gender-responsive health promotion capacity-building activities;

3.1.13 Develop a comprehensive health-training curriculum and reproductive health-related, gender-responsive education packages designed for age and gender-specific groups. Introduce them to compulsory program curricula for general secondary schools and selective courses at the institutions of higher education.

3.2 With the objective of “Fostering gender-responsive policy, planning and budgeting processes at the national, sector, local, and organizational levels”:

3.2.1 Develop and introduce a software program on integrating sex-disaggregated data and statistics;

3.2.2 Develop a methodology for duty bearers and decision-makers to use gender statistics for policy, planning, and implementation processes;

3.2.3 Conduct a monitoring and evaluation analysis on the LPGE and discuss findings nationally and draft related recommendations for inclusion in the policy development and planning processes;

3.2.4 Conduct research on the “pension gap” among retired men and women who benefit from the social insurance fund. Provide relevant recommendations;

3.2.5 Conduct gender analysis on land tenure and immovable property ownership among citizens. Draft relevant recommendations to be reflected in the policy and implementation processes;

3.2.6 Conduct a basic survey on men’s health, education, employment, and participation in social life, as well as on their values and attitudes in the family and towards social, cultural, and economic development processes;

3.2.7 Conduct gender analysis on young female and male herder livelihoods and organize nation-wide discussions on the findings. Share recommendations with policy-makers for relevant action;

3.2.8 Conduct participatory gender audits (PGA) at sector and local levels and provide relevant recommendations;

3.2.9 Promote unified guidelines for gender equality sub-program (GESp) development in cooperation with the gender committees at aimag, soum, district, bag and khoroo levels;

3.2.10 In the results-based contracts of governors at all levels, include gender equality-specific provisions which explicitly focus on the implementation of the LPGE;

3.2.11 Provide professional and methodological support for development and adoption of the sector-specific gender policies (SSGPs), aimag, capital city and district-level GESPs and relevant actions plans;

3.2.12 Provide e-learning course for budget specialists on the gender-responsive budgeting (GRB);

3.2.13 Develop gender analysis guidelines on budget planning and operational processes, GRB, and relevant assessment methodologies;

3.2.14 In promotion of gender equality, consolidate and analyze contributions and financial expenditures committed by bilateral and international organizations and provide relevant recommendations.

3.3 With the objective of “Raising awareness and promoting advocacy in support of gender education among the general public on the roles of women and men in their families and in society, with the objective to change gender stereotypes nationally”:

3.3.1 Conduct gender assessments on the curricula of the teacher-training institutions and refresher courses. Develop indicators for gender-sensitive content;

3.3.2 Facilitate increasing the number of male students studying to be teachers (of kindergartens and primary schools) and medical personnel (medical doctors, nurses and medical assistants) and the number of female students studying information technology and engineering through special measures, as reflected in Article 7, LPGE;

3.3.3 Introduce appropriate content and methodologies on the prevention of gender-based violence and domestic violence, and establish policies of zero tolerance to violence in textbooks and curricula at all levels of education;

3.3.4 Create an enabling environment for the continued education of all household members, encouraging them to respect and love each other, cherish care, express sympathy, and lead healthy lifestyles that can empower all family members;

3.3.5 Share best practices of households with family values, ethics that promote equal and inclusive participation, roles, and responsibilities among all family members;

3.3.6 Encourage multi-disciplinary family-studies, increase the number of family researchers and psychologists, and improve capacities to provide adequate health-psychology and legal counseling services at all aimag and district levels;

3.3.7 Disseminate to media institutions gender-responsive indicators, developed jointly by UNESCO and International Federation of Journalists, and facilitate the approval of ethical codes for the implementation of gender equality policies;

3.3.8 Conduct analysis on media gender-responsiveness using gender-responsive indicators;

3.3.9 Introduce gender-sensitive content in media training curricula and conduct training sessions for media personnel in a systematic manner;

3.3.10 Organize novel image-making campaigns on changing gender stereotypes using media in a systematic manner;

3.3.11 Mainstream gender in the art and cultural sector policy and implementation processes in order to challenge gender stereotypes and discrimination;

3.3.12 Promote the media institutions' roles and responsibilities towards enhancing gender education for all through dedicated publications and programs;

3.3.13 Conduct special programs to change gender stereotypes among male audiences, particularly those aged 18-35 years. Promote progressive elements of tradition and traditional practices through various trainings, campaigns, programs and projects with the participation of men and boys;

3.3.14 Encourage male role models, leaders, public figures, and others who resonate with audiences to promote progressive messages through various mass media forums.

3.4 With the objective of “Improving gender-responsive structures and mechanisms at national, sector, local, and organizational levels and strengthening relevant capacities”:

3.4.1 Approve the composition of the sector gender councils and local level gender committees and facilitate implementing their work plans and modus operandi;

3.4.2 Promote and encourage activities of the national gender experts' team, the gender consortium, and the media council at the NCGE;

3.4.3 Conduct an impact assessment on the implementation of the LPGE;

3.4.4 Develop and conduct training programs designed to improve civil servants understanding of and approach to gender equality, their leadership skills as well as set up a pool of gender trainers;

3.4.5 Develop a handbook and regular training schedule for specialists and social workers engaged in issues of youth, family and population development at soum and khoroo levels;

3.4.6 Develop and introduce an e-learning gender training module for managers and decision-makers;

3.4.7 In conjunction with the Mongolian National Chamber of Commerce and Industry (MNCCI), conduct an assessment of top economic entities and evaluate the application of relevant gender indicators;

3.4.8 Explore opportunities to promote gender equality in order to encourage adoption of best practices among actors in the private sector, employers' associations, and business organizations;

3.4.9 Encourage economic entities, CSOs, NGOs, and individuals who effectively promote gender equality. Replicate their best practices and reward them accordingly;

3.4.10 Provide support to build the capacities of local non-governmental organizations to monitor and assess the implementation and efficiency of their aimag, city, and district-level gender equality sub-programs.

3.5 With the objective of “Developing comprehensive and systematic preventive and care services that facilitate eliminating gender-based violence and discrimination”:

3.5.1 Develop guidelines on the prevention of gender-based violence and discrimination for local branches and specialists of the National Human Rights Commission of Mongolia (NHRCM) and the Crime Prevention Council. Organize relevant training programs and ensure adequate implementation and coordination among actors;

3.5.2 Plan and coordinate systematic actions to prevent human trafficking, especially among women and girls, and all forms of sexual exploitation;

3.5.3 Disseminate GBV prevention information and run advocacy actions using public media;

3.5.4 Facilitate creating an enabling legal environment to prevent sexual harassment at places of work and to protect victims/survivors who come forward at their places of employment;

3.5.5 Establish and make functional “one-stop service centers” and shelters to protect survivors of gender-based violence in all aimags and study possibilities of funding them from the state budget;

3.6 With the objective of “Increasing women’s participation and leadership in politics and decision-making”:

3.6.1 Define criteria and indicators for proposing, nominating, and running candidates for appointed political seats and public decision-making positions and implement provisions on the basis of the quotas stipulated in the LPGE;

3.6.2 Provide support to and partner with the women’s non-governmental organizations by strengthening their capacities and leadership skills;

3.6.3 Facilitate mainstreaming gender in the policies and actions of local, self-governing organizations.

Four: The program results, indicators

4.1. The following results are foreseen upon the implementation of the program:

4.1.1 All sectors have sector-specific gender policies adopted and all aimags and districts have gender equality sub-programs approved;

4.1.2 Understanding and attitude of general public on gender equality have improved;

4.1.3 National capacities towards promoting gender equality are strengthened;

4.1.4 Shelters for survivors of violence are established in all aimags and districts;

4.1.5 The share of women in decision-making positions is increased.

4.2. The program results shall be assessed by the following indicators:

No	Indicators	Unit of measure	Baseline (2015)	Mid-term assessment level (2019)	Target level (2021)	Information source	Implementing organizations
1.	Number of organizations that adopted internal rules on preventing labor exploitation and discrimination	%	-	20%	35%	MLSP	MLSP, (NCGE), MoJIA, MNCCI, MONEF, CMTU
2.	Men's health cabinets established in <i>aimags</i> and districts	number	11	20	30	MoH	MoH, MoF, NCGE, <i>aimag</i> , city, districts administrations
3.	Gender assessment in Mongolia	number	-	1	1	MLSP	MLSP, NCGE, NGOs
4.	Number of the sector-specific gender policies (SSGPs), Gender-equality sub-programs (GESPs)	number	3-ministries 3- <i>aimags</i>	7-ministries 20-districts	30-all ministries, <i>aimags</i> and districts	MLSP	NCGE, ministries, <i>aimag</i> , district, <i>soum</i> administrations
5.	Sectors, <i>aimags</i> and districts conducted the participatory-gender audit (PGA)	number	3-ministries 3- <i>aimags</i>	7-ministries 20-districts	30-all ministries <i>aimags</i> and districts	MLSP	NCGE, ministries, <i>aimag</i> , district administrations
6.	Share of male students enrolled in education and medical fields of study	%	18%	35%	50%	MECSS	MECSS, NCGE
7.	Share of female students enrolled in information technology and engineering fields of study	%	30%	40%	50%	MECSS	MECSS, NCGE
8.	Media institutions that adopted gender-responsive policies and ethical codes	number	2	10	20	CMJ	NCGE, CMJ, Globe International, Press Institute, media institutions
9.	Number of national gender trainers	number	90	135	180	MLSP, NCGE	MECSS, ministries
10.	Managers, decision-makers (DM) and civil servants (CS) exposed to gender trainings	%	DM-15% CS-25%	DM-35% CS-45%	DM-65% CS-75%	CSC	NCGE, Academy of management, NGOs

11.	Number of local NGOs conducted assessment on the implementation and efficiency of the GESPs at <i>aimag</i> , city and district levels	number	-	15	30	<i>Aimag</i> , city, district administrationlocal gender committees	NCGE, NGOs
12.	Number of shelters established for survivors of violence at <i>aimag</i> , city and district levels	number	10	20	30	MoJIA, Crime Prevention Council	MoF, NCGEaimag, <i>aimag</i> , city, district district administrations, local local <i>khurals</i> and NGOs

Five. Financial resources and required funding for the program

5.1 Activities outlined under the program shall be carried out by mobilizing financial resources from the following sources:

5.1.1 National and local budgets;

5.1.2 Loan, grants, funding of projects, programs by international organizations and donor countries;

5.1.3 Donations and financial support provided by public institutions, NGOs, the private sector, and individuals;

5.1.4 Other financial sources.

Six. The program management, monitoring and evaluation

6.1 The program shall be managed by the Ministry that is in charge of promoting gender equality through nation-wide implementation and coordination of inter-sector policies and activities, by providing the program implementation with integrated management, financial and resource planning, implementation, monitoring, and result-based evaluation processes;

6.2 The NCGE Secretariat shall be responsible for developing and obtaining approval for the national program's annual work plan, providing an enabling participatory environment for public institutions, NGOs, international organizations and private sector entities by means of encouraging their initiatives and partnerships, issuing annual reports, and raising gender equality-related awareness for the broader general public.

6.3 Participating key stakeholders shall play the following roles under the program:

6.3.1 The Ministry of Labor and Social Protection (MLSP), public and local government organizations shall provide support to their sector and local branches by approving their annual work plans with relevant budgets and mobilizing

financial resources from private sector entities and international organizations for program implementation.

6.3.2 Local self-governing organizations shall review and approve the gender equality sub-program (GESP) designed in support of NPGE implementation. They will do so by mobilizing financial opportunities; reviewing relevant reports; disseminating results to the general public; providing monitoring on implementation in partnership with NGOs, the private sector, and media institutions and, by encouraging the participation and initiative of individuals;

6.3.3 NGOs shall focus on encouraging the enthusiasm and participation of individuals in implementing the program and monitoring and assessing the efficiency of program implementation;

6.3.4 By mobilizing financial resources, private sector entities and organizations shall contribute to meaningfully implementing the national program by means of effective public-private partnerships and within the corporate social responsibility framework;

6.3.5 Media organizations shall be responsible for promoting a wide range of public awareness actions on gender equality including on policies of zero-tolerance to all forms of GBV on gender-based discrimination and gender stereotypes.

6.3.6 Government ministries, implementing and coordinating agencies and aimag and district-level administrative offices are all responsible to provide national program implementation progress reports to the Government ministry in charge of gender issues by 20 February of each year.

6.4 The government ministry in charge of gender equality issues shall organize the program monitoring and evaluation processes as follows:

6.4.1 Incorporate the program's independent evaluation activity into its annual work plan, with consideration of requisite financial resources in national and local budgets;

6.4.2 A professional research organization with expertise on gender issues to be contracted to carry out an independent evaluation of the program's mid-term milestones by 2019 as well as the accomplishments of the program by 2022.

ACTION PLAN ON THE IMPLEMENTATION OF THE NATIONAL PROGRAM ON GENDER EQUALITY

**ORDER OF THE MONGOLIAN MINISTER OF
LABOR AND SOCIAL PROTECTION**

07 August 2017

No A/132

City of Ulaanbaatar

**On approval of the Action Plan on the implementation of the
National Program on Gender Equality**

Pursuant to the article 24 and section 2 of the Law on the Mongolian Government and based on the Government Resolution No129, the Minister is ordering to:

1. Approve the “Action Plan on the implementation of the National Program on Gender Equality” (as to annex).
2. Facilitate submitting reports on the implementation of action plans as reflected in provision 6.3.6 of the Government Resolution No129 of 2017 to the National Committee on Gender Equality in timely manner.
3. The Population Development Department (S. Tungalagtamir) shall be responsible for the implementation of action plans of the national program on gender equality by providing professional and methodological management and inter-sector coordination.
4. The Monitoring, Evaluation and Internal Audit Department (Ts. Munkhzul) shall be responsible for analyzing and assessing of implementation processes of action plans of the national program on gender equality according to procedures and provide the Government with results.

Minister of Labor and Social Protection

N.NOMTOIBAYAR

*Annex to the Order No A/132 of the Minister of Labor and
Social Protection dated 07 August 2017*

ACTION PLAN ON THE IMPLEMENTATION OF THE NATIONAL PROGRAM ON GENDER EQUALITY

Goal	The goal of this program is to provide support to the gender-responsive policy and planning processes required to reach the sustainable development goals and to implement the Law on the Promotion of Gender Equality (LPGE). This program does so by promoting comprehensive measures to eliminate gender-based stereotypes among the public and by ensuring gender equality in the political, economic, social, cultural and family spheres.					
Results	<div><div>1. All sectors have sector-specific gender policies adopted and all aimags and districts have gender equality sub-programs approved.</div><div>2. Understanding and attitude of general public on gender equality have improved.</div><div>3. National capacities towards promoting gender equality are strengthened.</div><div>4. Shelters for survivors of violence are established in all aimags and districts.</div><div>5. The share of women in decision-making positions is increased.</div></div>					
No	Activities	Products	Indicators	Lead organization	Partner organization	Implement-ation time frame
Objective 1. Support equal participation in the sustainable socio-economic development processes and increase opportunities for women and men to equally benefit from development gains.						
1.1	Introduce provisions preventing from all forms of labor exploitation and discrimination and create a zero-tolerance environment for infringements in public and private entities, internalizing these values in rules and regulations with relevant indicators to measure implementation.	Guidelines with indicators to measure the implementation of the organizational rules and regulations.	Number and percentage of organizations that used the guidelines with indicators.	MLSP ¹	NHRCM ² , ,MoJIA ³ , MNCCI ⁴ , MONEF ⁵ , CMTU ⁶ , IO ⁷	2018-2021

¹ Ministry of Labor and Social Protection

² National Human RIGHTS Committee of Mongolia

³ Ministry of Justice and Internal Affairs

⁴ Mongolian National Chamber of Commerce and Industry

⁵ Mongolian Employers Federation

⁶ Confederation of Mongolian Trade Unions

⁷ International Organizations

1.2	Facilitate embedding relevant provisions in legal documents to prevent and protect individuals from all forms of discriminatory practices in employment, including on the basis of age and gender, in terms of recruitment and years of employment. Hold relevant bodies accountable for violations.	Draft legal documents	Legal regulations in place, percentage	MoJIA	NHRCM, MLSP, CMTU, MNCCI, MONEF	2018-2021
1.3	Develop gender-inclusive and family-friendly work place guidelines for public, private entities, and civil society institutions, to be introduced jointly with trade unions.	Policy document on the gender-inclusive work place.	Number and percentage of organizations that introduced the policy.	MLSP	CMTU, NGO ⁸ , International organizations	2018-2020
1.4	Develop salary payment methodology on the basis of the principle of equal pay for equal work.	Methodology of guidelines.	Number of discussions held on the methodology of the guidelines.	MLSP	CMTU, MNCCI, MONEF, International organizations	2018-2019
1.5	Conduct gender analysis on small and medium size enterprise (SME) development policies and action plans designed for herding and crop-farming households. Share recommendations with relevant institutions and decision-makers for further implementation and monitoring.	Gender analysis report and recommendations	Number of organizations that implemented the recommendations	MOFALI ⁹	MLSP, NGOs, international organizations	2018-2020
1.6	Generate accessible, inclusive green jobs based on needs of women, men, diverse social groups, and local-communities and draw upon national and international best practices for further replication and dissemination.	Research report	Number of advocacy activities on sharing of the best practices	MET ¹⁰	MLSP, NGOs, international organizations	2018-2019
1.7	Develop and disseminate a handbook on “pro-poor and inclusive green growth”.	Handbook	Number of organizations that shared the handbook	MET	MLSP, NGOs, international organizations	2018-2019

⁸ Non-governmental organizations

⁹ Ministry of Food, Agriculture and Light Industry

¹⁰ Ministry of Environment and Tourism

1.8	Develop a gender-responsive policy addressing the issues of vulnerable families such as those with many and/or disabled children, low-income families, and female and single-headed households.	Action plans	Percentage of implementation of the action plans	MLSP	GALSS ¹¹ NGOs, International organizations	2018-2021
1.9	Enhance family planning assistance and services, improve the skills and capacities of medical personnel and technicians, disseminate relevant age-specific information packages, and provide related advocacy support.	Training for medical personnel and information and advocacy materials	Number of medical personnel trained and number of information and advocacy packages	MoH ¹²	MLSP, FYCDA ¹³ , NGOs, International organizations	2018-2021
1.10	Set up men's health cabinets (with provision of relevant human resources, equipment, and technology) in all aimags and districts.	Human resources, equipment, cabinets	Number of men's health cabinets in aimags, districts and number of relevant medical personnel	MoH	MoF ¹⁴ , aimag, district administrations ¹⁵ , general hospitals in the city, aimag and districts, LSGO ¹⁶	2018-2021
1.11	Conduct gender analysis to develop programs and action plans that prevent health risks among vulnerable groups including seasonal workers employed at local levels, artisanal miners, herders, and others.	Gender analysis report	Number of undertakings that introduced the report recommendations and relevant advocacy actions	MoH	MMHI ¹⁷ , MLSP, aimag, city, district administrations, LSGO, NGOs, international organizations	2019-2020

¹¹ General Agency for Labor and Social Services

¹² Ministry of Health

¹³ Family, Youth and Child Development Agency

¹⁴ Ministry of Finance

¹⁵ Aimag, district administrations

¹⁶ Local self-governing organizations

¹⁷ Ministry of Mining and Heavy Industry

1.12	Conduct a series of trainings on health education and organize gender-responsive health promotion capacity-building activities.	Agenda of a series of training sessions	Number and percentage of trainees	MoH	NGOs, International organizations	2017-2018
1.13	Develop a comprehensive health-training curriculum and reproductive health-related, gender-responsive education packages designed for age and gender-specific groups. Introduce them to compulsory program curricula for general secondary schools and selective courses at the institutions of higher education.	Training curriculum	Percentage of reflection of the content in the training curricula	MoH	MECSS ¹⁸	2018-2020
Objective 2. Foster gender-responsive policy, planning and budgeting processes at the national, sector, local, and organizational levels						
2.1	Develop and introduce a software program on integrating sex-disaggregated data and statistics.	Software program	Number of organizations that introduced the software program	NSO ¹⁹	MLSP, international organizations	2017-2018
2.2	Develop a methodology for duty bearers and decision-makers to use gender statistics for policy, planning, and implementation processes	Methodology	Percentage of organizations that used the methodology	MLSP/ NCGE ²⁰	Relevant public institutions, NGOs	2018
2.3	Conduct a monitoring and evaluation analysis on the LPGE and discuss findings nationally and draft related recommendations for inclusion in the policy development and planning processes.	M&E analysis report	Number of relevant discussions	MLSP/ NCGE	NGOs, International organizations	2018
2.4	Conduct research on the "pension gap" among retired men and women who benefit from the social insurance fund. Provide relevant recommendations.	Research report	Number of suggestions of discussion meetings	MLSP	HSIGO ²¹ , NGOs, international organizations	2018-2019

¹⁸ Ministry of Education, Culture, Science and Sports

¹⁹ National Statistical Office

²⁰ National Committee on Gender Equality

²¹ Health and Social Insurance General Office

2.5	Conduct gender analysis on land tenure and immovable property ownership among citizens. Draft relevant recommendations to be reflected in the policy and implementation processes.	Gender analysis report	Number of policies and actions that reflected the findings	MLSP/ NCGE	MoJIA, GASRIP ²² , NGOs, international organizations	2018-2020
2.6	Conduct a basic survey on men's health, education, employment, and participation in social life, as well as on their values and attitudes in the family and towards social, cultural, and economic development processes.	Survey report	Number of discussions on the survey	MLSP/ NCGE	MoH, MECSS, FYCDA, NGOs, International organizations	2018-2019
2.7	Conduct gender analysis on young female and male herder livelihoods and organize nation-wide discussions on the findings. Share recommendations with policy-makers for relevant action.	Gender analysis report	Number of participants in the nation-wide discussions	MOFALI	MLSP, FYCDA, aimag, soum, district administrations, NGOs, International organizations	2018-2019
2.8	Conduct participatory gender audits (PGA) at sector and local levels and provide relevant recommendations;	Report on the PGA conducted	Number of sector and local organizations conducted PGA	MLSP/ NCGE	Ministries, Aimag, city, district administrations, NGOs, International organizations	2017-2021
2.9	Promote unified guidelines for gender equality sub-program (GESP) development in cooperation with the gender committees at aimag, soum, district, bag and khoroo levels.	Available guidelines	Number of units used the guidelines	MLSP/ NCGE	Aimag, city, district, bag, khoroo administrations, LSGO, NGOs, International organizations	2018-2019
2.10	In the results-based contracts of governors at all levels, include gender equality-specific provisions which explicitly focus on the implementation of the LPGE.	Regulations on the gender-responsive accountability for all levels of governors	Number and percentage of contracts reflecting provisions on gender-responsive accountability	MLSP/ NCGE	Aimag, city, district, soum-level administrations, LSGO, NGOs	2018-2021

²² General Authority for State Registration Intellectual Property

2.11	Provide professional and methodological support for development and adoption of the sector-specific gender policies (SSGPs), aimag, capital city and district-level GESPs and relevant action plans.	Action plans	Number of approved SSGPs and GESPs	MLSP/ NCGE	NGOs, international organizations	2017-2021
2.12	Provide e-learning course for budget specialists on the gender-responsive budgeting (GRB).	E-learning program	Number of trainees	MoF	Ministries, aimag, city, district administrations, LSGO, NGOs	2018-2021
2.13	Develop gender analysis guidelines on budget planning and operational processes, GRB, and relevant assessment methodologies.	Guidelines, methodology	Number and percentage of organizations that used gender analysis guidelines and methodology	MoF	NGOs, international organizations	2017-2018
2.14	In promotion of gender equality, consolidate and analyze contributions and financial expenditures committed by bilateral and international organizations and provide relevant recommendations.	Recommendations	Number and percentage of organizations that received recommendations	MLSP/ NCGE	MoF, NGOs	2018-2021
Objective 3. Raise awareness and promote advocacy in support of gender education among the general public on the roles of women and men in their families and in society, with the objective to change gender stereotypes nationally						
3.1	Conduct gender assessments on the curricula of the teacher-training institutions and refresher courses. Develop indicators for gender-sensitive content.	Gender assessment report	Number of institutions that reflected gender content	MECSS	NGOs, international organizations	2017-2018
3.2	Facilitate increasing the number of male students studying to be teachers (of kindergartens and primary schools) and medical personnel (medical doctors, nurses and medical assistants) and the number of female students studying information technology and engineering through special measures, as reflected in Article 7, LPGE.	Decision for policy implementation	Percentage of male students studying in the fields of education and medicine and that of female students studying in IT and engineering at universities and colleges	MECSS	NGOs	2018-2020

3.3	Introduce appropriate content and methodologies on the prevention of gender-based violence and domestic violence, and establish policies of zero tolerance to violence in textbooks and curricula at all levels of education.	Training curriculum	Percentage of relevant content reflected in the training curriculum	MECSS	MoJIA, CPCC ²³ , MLSP, NGOs	2017-2018
3.4	Create an enabling environment for the continued education of all household members, encouraging them to respect and love each other, cherish care, express sympathy, and lead healthy lifestyles that can empower all family member.	Training and advocacy plan, programs	Number of attendees and number of advocacy actions taken place	MLSP	FYCDA, NGOs, International organizations	2017-2018
3.5	Share best practices of households with family values, ethics that promote equal and inclusive participation, roles, and responsibilities among all family members.	Plans of undertakings	Number of undertakings organized	MLSP	FYCDA, NGOs, International organizations	2017-2018
3.6	Encourage multi-disciplinary family-studies, increase the number of family researchers and psychologists, and improve capacities to provide adequate health-psychology and legal counseling services at all aimag and district levels.	Structures of health-psychology and legal counselling services and relevant human resources	Number of aimag, districts with functioning health-psychology and legal-counselling services	MLSP	FYCDA, Aimag, city, district administrations, NGOs	2017-2021
3.7	Disseminate to media institutions gender-responsive indicators, developed jointly by UNESCO and International Union of Journalists, and facilitate the approval of ethical codes for the implementation of gender equality policies.	Indicators, approved policies and ethical codes	Percentage of media institutions that used indicators	MLSP/ NCGE	CMJ ²⁴ , Press Institute, media institutions ²⁵	2018-2019

²³ Crime Prevention and Coordination Council²⁴ Confederation of Mongolian Journalists²⁵ Media institutions

3.8	Conduct analysis on media gender-responsiveness using gender-responsive indicators.	Gender analysis report	Number and percentage of organizations that received the relevant recommendations	MLSP/ NCGE	CMJ, Press Institute, media institutions, NGOs, international organizations	2018
3.9	Introduce gender-sensitive content in media training curricula and conduct training sessions for media personnel in a systematic manner.	Training curricula gender content and training sessions	Number and percentage of attendees participated in the training sessions	MLSP/ NCGE	MECSS, CMJ, Press Institute, media institutions and NGOs	2017-2021
3.10	Organize novel image-making campaigns on changing gender stereotypes using media in a systematic manner.	Campaign program and action plans	Number of media institutions involved in the campaigns	MLSP/ NCGE	CMJ, Press Institute, media institutions, international organizations	2018-2021
3.11	Mainstream gender in the art and cultural sector policy and implementation processes in order to challenge gender stereotypes and discrimination.	Policy document and action plans	Number of organizations that implemented action plans	MECSS	NGOs, international organizations	2018-2021
3.12	Promote the media institutions' roles and responsibilities towards enhancing gender education for all through dedicated publications and programs.	Publication corner and programs	Number of organizations that have publication corners and special programs	MLSP/ NCGE	CMJ, Press Institute, media institutions, international organizations	2018-2021
3.13	Conduct special programs to change gender stereotypes among male audiences, particularly those aged 18-35 years. Promote progressive elements of tradition and traditional practices through various trainings, campaigns, programs and projects with the participation of men and boys.	Training, projects, programs	Percentage of participants	MLSP/ NCGE	FYCDA, NGOs, International organizations	2017-2021

3.14	Encourage male role models, leaders, public figures, and others who resonate with audiences to promote progressive messages through various mass media forums.	Advocacy materials	Number and percentage of media institutions that ran advocacy actions.	MLSP/ NCGE	CMJ, Press Institute, media institutions and NGOs	2018-2021
Objective 4. Improve gender-responsive structures and mechanisms at national, sector, local, and organizational levels and strengthen relevant capacities.						
4.1	Approve the composition of the sector gender councils and local level gender committees and facilitate implementing their work plans and modus operandi.	Rules	Number of sector gender councils and gender committees that followed the rules.	MLSP/ NCGE		2017-2021
4.2	Promote and encourage activities of the national gender experts' team, the gender consortium, and the media council at the NCGE.	Work plan	Percentage of implementation of the work plan	MLSP/ NCGE	NGOs, International organizations	2017-2021
4.3	Conduct an impact assessment on the implementation of the LPGE.	Impact assessment report	Number of participants of the report discussion sessions	MLSP/ NCGE	NGOs, International organizations	2017-2021
4.4	Develop and conduct training programs designed to improve civil servants understanding of and approach to gender equality, their leadership skills as well as set up a pool of gender trainers.	Training curricula	Number of trainers trained	MLSP/ NCGE	CSC ²⁶ , NGOs, international organizations	2017-2021
4.5	Develop a handbook and regular training schedule for specialists and social workers engaged in issues of youth, family and population development at soum and khoroo levels.	Handbook	Number of participants in the training sessions	MLSP	FYCDA, Aimag, city, district administrations, NGOs, International organizations	2018-2021
4.6	Develop and introduce an e-learning, on-line gender training module for managers and decision-makers.	E-learning module	Number of participants in the e-learning training	MLSP/ NCGE	CSC, CS ²⁷ , MoF, AM ²⁸ , NGOs, international organizations	2017-2021

²⁶ Civil Service Council²⁷ Cabinet Secretariat²⁸ Academy of Management

4.7	In conjunction with the Mongolian National Chamber of Commerce and Industry (MNCCI), conduct an assessment of top economic entities and evaluate the application of relevant gender indicators.	Gender indicators for selection of the top business enterprises	Number of gender indicators	MLSP	MNCCI, NGOs, International organizations	2018-2019
4.8	Explore opportunities to promote gender equality in order to encourage adoption of best practices among actors in the private sector, employers' associations, and business organizations.	Recommendations defining of financial, economic, business, technological and innovative leverages in support of promoting gender equality	Number of advocacy and undertakings in line with the recommendations	MLSP	MNCCI, CMTU, MONEF, NGOs, international organizations	2018-2020
4.9	Encourage economic entities, CSOs, NGOs, and individuals who effectively promote gender equality. Replicate their best practices and reward them accordingly.	Best practice advocacy materials	Number of advocacy materials	MLSP/ NCGE	MNCCI, CMTU, MONEF, NGOs, international organizations	2018-2020
4.10	Provide support to build the capacities of local non-governmental organizations to monitor and assess the implementation and efficiency of their aimag, city, and district-level gender equality sub-programs.	Assessment reports provided by NGOs	Number of aimag, city and districts that conducted assessments	MLSP/ NCGE	NGOs, international organizations	2017-2021
Objective 5. Develop comprehensive and systematic preventive and care services that facilitate eliminating gender-based violence and discrimination.						
5.1	Develop guidelines on the prevention of gender-based violence and discrimination for local branches and specialists of the National Commission on Human Rights (NCHR) and the Crime Prevention Council. Organize relevant training programs and ensure adequate implementation and coordination among actors.	Training program	Number and percentage of participants	NHRCM	MLSP, FYCDA, CPCC, NGOs, international organizations	2017-2019

5.2	Plan and coordinate systematic actions to prevent human trafficking, especially among women and girls, and all forms of sexual exploitation.	Action plans	Percentage of the implementation of the action plans	MoJIA	MLSP, GPD ²⁹ , CPCC, NGOs, International organizations	2017-2021
5.3	Disseminate GBV prevention information and run advocacy actions using public media.	Information and advocacy	Percentage of information dissemination	MoJIA/CPCC	MLSP, CMJ, Press Institute, media institutions, NGOs, international organizations	2017-2021
5.4	Facilitate creating an enabling legal environment to prevent sexual harassment at places of work and to protect victims/survivors who come forward at their places of employment.	Draft legal provisions	Percentage in the implementation of the relevant legal provisions	MLSP	CMTU, MNCCI, MONEF, NGOs, International organizations	2017-2018
5.5	Establish and make functional "one-stop service centers" and shelters to protect survivors of gender-based violence in all aimags and study possibilities of funding them from the state budget.	Units to protect survivors of violence	Number of shelters for survivors of violence funded by the state budget	MoJIA,/CPCC	MLSP, MoF, aimag, city, districts administrations, LSGO, NGOs, international organizations	2017-2021
Objective 6. Increase women's participation and leadership in politics and decision-making.						
6.1	Define criteria and indicators for proposing, nominating, and running candidates for appointed political seats and public decisions-making positions and implement provisions on the basis of the quotas stipulated in the LPGE.	Implementation of quotas	Number of political and public institutions that implemented the provisions of the quotas	CSC	Ministries, administrations, political parties	2017-2021
6.2	Provide support to and partner with the women's non-governmental organizations by strengthening their capacities and leadership skills.	Partnership action plan	Number of NGOs partnered under the program	MLSP/NCGE	NGOs, International organizations	2017-2021
6.3	Facilitate mainstreaming gender in the policies and actions of local, self-governing organizations.	Work plans for undertakings	Number of organizations that mainstreamed gender equality in their policies and actions	MLSP/NCGE	LSGO, NGOs, International organizations	2018-2021

²⁹ General Police Department

COMPOSITION OF THE NATIONAL COMMITTEE ON GENDER EQUALITY

*Government Resolution # 27, 2017
Annex 9*

COMPOSITION OF THE NATIONAL COMMITTEE ON GENDER EQUALITY

Chair

- Prime Minister of Mongolia

Deputy Chair

- Minister of Labor and Social Protection

Members:

- Chairman of the General Election Committee (as consulted);
- Chairperson of the National Statistics Office (as consulted);
- Commissioner, National Human Rights Commission (as consulted);
- State Secretary, Ministry of Environment and Tourism;
- State Secretary, Ministry of Defense;
- State Secretary, Ministry of Foreign Affairs;
- State Secretary, Ministry of Finance;
- State Secretary, Ministry of Justice and Interior Affairs;
- State Secretary, Ministry of Education, Culture, Science and Sport;
- State Secretary, Ministry of Health;
- Deputy Mayor of Ulaanbaatar in charge of the Green Development and Air Pollution Affairs;
- President, Mongolian Women's Federation (as agreed);
- President, Mongolian Men's Association (as agreed);
- Head, Development Policy Department, Confederation of Mongolian Trade Unions; (as agreed);
- Head, "Gal Golomt" Movement; (as agreed);
- Head, Social Democracy-Mongolian Women's Association (as agreed);
- Head, Civil Will Women's Association (as agreed);

- President, Confederation of Mongolian Journalists (as agreed);
- Coordinator of Reproductive Health Rights Network (as agreed);
- Executive Director, Press Institute (as agreed);
- Executive Director, Independent Research Institute of Mongolia (as agreed);
- Coordinator, MONFEMNET Network (as agreed);

Secretary

- Head of the Secretariat, National Committee on Gender Equality



Sub-council of the National Committee on Gender Equality

- 13 ministries of Mongolia have their gender councils and gender focal points respectively.

Sub-committee of the National Committee on Gender Equality

- 21 aimags, the capital city and 9 districts have gender committees and gender focal points respectively.

**CONVENTION ON THE ELIMINATION
OF ALL FORMS OF DISCRIMINATION
AGAINST WOMEN**

CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

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CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

The States Parties to the present Convention,

Noting that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Noting that the Universal Declaration of Human Rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including distinction based on sex,

Noting that the States Parties to the International Covenants on Human Rights have the obligation to ensure the equal rights of men and women to enjoy all economic, social, cultural, civil and political rights,

Considering the international conventions concluded under the auspices of the United Nations and the specialized agencies promoting equality of rights of men and women,

Noting also the resolutions, declarations and recommendations adopted by the United Nations and the specialized agencies promoting equality of rights of men and women,

Concerned, however, that despite these various instruments extensive discrimination against women continues to exist,

Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity,

Concerned that in situations of poverty women have the least access to food, health, education, training and opportunities for employment and other needs,

Convinced that the establishment of the new international economic order based on equity and justice will contribute significantly towards the promotion of equality between men and women,

Emphasizing that the eradication of apartheid, all forms of racism, racial discrimination, colonialism, neo-colonialism, aggression, foreign occupation and domination and interference in the internal affairs of States is essential to the full enjoyment of the rights of men and women,

Affirming that the strengthening of international peace and security, the relaxation of international tension, mutual co-operation among all States irrespective of their social and economic systems, general and complete disarmament, in particular nuclear disarmament under strict and effective international control, the affirmation of the principles of justice, equality and mutual benefit in relations among countries and the realization of the right of peoples under alien and colonial domination and foreign occupation to self-determination and independence, as well as respect for national sovereignty and territorial integrity, will promote social progress and development and as a consequence will contribute to the attainment of full equality between men and women,

Convinced that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields,

Bearing in mind the great contribution of women to the welfare of the family and to the development of society, so far not fully recognized, the social significance of maternity and the role of both parents in the family and in the upbringing of children, and aware that the role of women in procreation should not be a basis for discrimination but that the upbringing of children requires a sharing of responsibility between men and women and society as a whole,

Aware that a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women,

Determined to implement the principles set forth in the Declaration on the Elimination of Discrimination against Women and, for that purpose, to adopt the measures required for the elimination of such discrimination in all its forms and manifestations,

Have agreed on the following:

PART I

Article I

For the purposes of the present Convention, the term “discrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Article 2

States Parties condemn discrimination against women in all its forms, agree

to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;

(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;

(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;

(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;

(g) To repeal all national penal provisions which constitute discrimination against women.

Article 3

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Article 4

1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

Article 5

States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

(b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

Article 6

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

PART II

Article 7

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

Article 8

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

Article 9

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her

the nationality of the husband.

2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

PART III

Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

(d) The same opportunities to benefit from scholarships and other study grants;

(e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

(f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

(g) The same Opportunities to participate actively in sports and physical education;

(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

Article 11

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) The right to work as an inalienable right of all human beings;
- (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;
- (c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;
- (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
- (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;
- (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

- (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
- (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
- (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;
- (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

Article 12

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties

shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

Article 13

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) The right to family benefits;
- (b) The right to bank loans, mortgages and other forms of financial credit;
- (c) The right to participate in recreational activities, sports and all aspects of cultural life.

Article 14

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

- (a) To participate in the elaboration and implementation of development planning at all levels;
- (b) To have access to adequate health care facilities, including information, counselling and services in family planning;
- (c) To benefit directly from social security programmes;
- (d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;
- (e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;
- (f) To participate in all community activities;
- (g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;
- (h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

PART IV

Article 15

1. States Parties shall accord to women equality with men before the law.
2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.
3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.
4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

Article 16

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:
 - (a) The same right to enter into marriage;
 - (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
 - (c) The same rights and responsibilities during marriage and at its dissolution;
 - (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
 - (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
 - (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;
 - (g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;
 - (h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.
2. The betrothal and the marriage of a child shall have no legal effect, and

all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

PART V

Article 17

1. For the purpose of considering the progress made in the implementation of the present Convention, there shall be established a Committee on the Elimination of Discrimination against Women (hereinafter referred to as the Committee) consisting, at the time of entry into force of the Convention, of eighteen and, after ratification of or accession to the Convention by the thirty-fifth State Party, of twenty-three experts of high moral standing and competence in the field covered by the Convention. The experts shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution and to the representation of the different forms of civilization as well as the principal legal systems.

2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

3. The initial election shall be held six months after the date of the entry into force of the present Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.

4. Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

5. The members of the Committee shall be elected for a term of four years. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these nine members shall be chosen by lot by the Chairman of the Committee.

6. The election of the five additional members of the Committee shall be held in accordance with the provisions of paragraphs 2, 3 and 4 of this article, following the thirty-fifth ratification or accession. The terms of two of the addi-

tional members elected on this occasion shall expire at the end of two years, the names of these two members having been chosen by lot by the Chairman of the Committee.

7. For the filling of casual vacancies, the State Party whose expert has ceased to function as a member of the Committee shall appoint another expert from among its nationals, subject to the approval of the Committee.

8. The members of the Committee shall, with the approval of the General Assembly, receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide, having regard to the importance of the Committee's responsibilities.

9. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

Article 18

1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect:

- (a) Within one year after the entry into force for the State concerned;
- (b) Thereafter at least every four years and further whenever the Committee so requests.

2. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Convention.

Article 19

- 1. The Committee shall adopt its own rules of procedure.
- 2. The Committee shall elect its officers for a term of two years.

Article 20

1. The Committee shall normally meet for a period of not more than two weeks annually in order to consider the reports submitted in accordance with article 18 of the present Convention.

2. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. (amendment, status of ratification)

Article 21

- 1. The Committee shall, through the Economic and Social Council, report

annually to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.

2. The Secretary-General of the United Nations shall transmit the reports of the Committee to the Commission on the Status of Women for its information.

Article 22

The specialized agencies shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their activities. The Committee may invite the specialized agencies to submit reports on the implementation of the Convention in areas falling within the scope of their activities.

PART VI

Article 23

Nothing in the present Convention shall affect any provisions that are more conducive to the achievement of equality between men and women which may be contained:

- (a) In the legislation of a State Party; or
- (b) In any other international convention, treaty or agreement in force for that State.

Article 24

States Parties undertake to adopt all necessary measures at the national level aimed at achieving the full realization of the rights recognized in the present Convention.

Article 25

1. The present Convention shall be open for signature by all States.
2. The Secretary-General of the United Nations is designated as the depositary of the present Convention.
3. The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.
4. The present Convention shall be open to accession by all States. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 26

1. A request for the revision of the present Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

Article 27

1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying the present Convention or acceding to it after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.

Article 28

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General of the United Nations, who shall then inform all States thereof. Such notification shall take effect on the date on which it is received.

Article 29

1. Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State Party may at the time of signature or ratification of the present Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by that paragraph with respect to any State Party which has made such a reservation.

3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 30

The present Convention, the Arabic, Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed the present Convention.



CEDAW CONCLUDING OBSERVATIONS ON THE EIGHTH AND NINTH REPORT OF MONGOLIA

CEDAW /C/MNG/CO/8-9

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ADVANCE UNEDITED VERSION**Committee on the Elimination of Discrimination against Women****CONCLUDING OBSERVATIONS ON THE COMBINED EIGHTH
AND NINTH PERIODIC REPORTS OF MONGOLIA***

1. The Committee considered the combined eighth and ninth periodic reports of Mongolia (CEDAW/C/MNG/8-9) at its 1381st and 1382nd meetings, on 19 February 2016 (see CEDAW/C/SR.1381 and 1382). The Committee's list of issues and questions is contained in CEDAW/C/MNG/Q/8-9 and the responses of the Government of Mongolia are contained in CEDAW/C/MNG/Q/8-9/Add. 1.

A. Introduction

2. The Committee appreciates that the State party submitted its combined eighth and ninth periodic reports. It also appreciates the State party's written replies to the list of issues and questions raised by its pre-sessional working group. It welcomes the oral presentation of the delegation and the further clarifications provided in response to the questions posed by the Committee during the dialogue.

3. The Committee commends the State party's delegation which was headed by Her Excellency Ms. Gocho Narangerel, State Secretary of the Ministry of Population Development and Social Protection, and comprised representatives of the Ministry of Health and Sports, the Ministry of Labour, the Ministry of Population Development and Social Protection, the Ministry of Justice, as well as of the Permanent Mission of Mongolia to the United Nations Office at Geneva.

B. Positive Aspects

4. The Committee welcomes the progress achieved since the consideration in 2008 of the State party's seventh periodic report (CEDAW/C/MNG/7) in undertaking legislative reforms, in particular the adoption of:

(a) The Law on Persons with Disabilities, in 2016;

* Adopted by the Committee at its sixty-third session (15 February-4 March 2016).

- (b) The Law on Childcare Services, in 2015;
 - (c) The revised Criminal Code, which criminalized domestic violence and prohibit discrimination on various grounds and outlaws hate crimes and hate speech, in 2015;
 - (d) The Law on Victim and Witness Protection, which provides protection to girls and women victims of violence, in 2013;
 - (e) The Law on Combatting Trafficking in Persons, in 2012; and
 - (f) The Law on Promotion of Gender Equality, in 2011;
5. The Committee welcomes the State party's efforts to improve its policy framework aimed at accelerating the elimination of discrimination against women and advancing women's rights, such as the adoption of the following:
- (a) The Mid-Term Strategy and Action Plan on the Implementation of the Law on Promotion of Gender Equality (2013 - 2016), in 2013; and
 - (b) The National Strategy on the Maternal and Infant Health (2011 - 2015).
6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified or acceded to the following international instruments:
- (a) The Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, in 2015;
 - (b) The International Convention for the Protection of All Persons from Enforced Disappearances, in 2015;
 - (c) The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, in 2012; and
 - (d) The Convention on the Rights of Persons with Disabilities, in 2009.

C. Principal areas of concern and recommendations

The Great Khural

7. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see the statement by the Committee on its relationship with the parliamentarians, adopted at the forty-fifth session, in 2010). It invites the Great Khural to take the necessary steps regarding the implementation of the present concluding observations between now and the next reporting period under the Convention.

Constitutional and legislative framework

8. The Committee welcomes the adoption of the Law on Promotion of Gender Equality (2011) that prohibits gender discrimination. However, it is concerned:

- (a) That the new legislative reforms for the advancement of women lack adequate resources for their implementation and accountability;

(b) That there is insufficient knowledge among the different branches of the government of the rights of women under the Convention, the Optional Protocol, the concept of substantive equality of women and men and the Committee's general recommendations,

(c) About the lack of information on women's access to justice and on court cases in which provisions of the Convention have been directly invoked or applied; and

(d) That women themselves, especially those in rural areas and women belonging to disadvantaged groups, are unaware of their rights under the Convention and thus lack the information necessary to claim their rights.

9. The Committee urges the State party to:

(a) Establish strong accountability mechanisms and allocate adequate human, technical and financial resources for the implementation of laws in accordance with the women's rights under the Constitution and the Convention;

(b) Ensure that the Convention, the Optional Protocol and the Committee's General Recommendations are sufficiently known and applied by all branches of government, including the judiciary, as a framework for laws, court decisions and policies on gender equality and the advancement of women;

(c) Enhance women's awareness of their rights and the remedies available to them to claim violations of their rights under the Convention, and ensure that information on the Convention, the Optional Protocol and the Committee's General Recommendations is provided to all women, including rural women.

Access to justice and legal complaint mechanism

10. The Committee notes that the National Human Rights Commission has an authority to receive and review complaints in relation to discrimination on grounds of gender and ensure monitoring of the implementation of the Convention. However, it is concerned that the public awareness of access to justice and legal complaint mechanism among women, in particular, in rural areas, is very low. It is also concerned at the lack of measures taken to ensure the effective monitoring of the implementation of the Convention, as well as international human rights instruments.

11. The Committee recommends that the State party:

(a) Enhance women's awareness of their rights and their legal literacy in all areas of the law, to empowering women to claim their rights under the Convention;

(b) Strengthen the National Human Rights Commission to ensure its independence by providing it with the human, technical and financial resources necessary to effectively monitor the implementation of the Convention; and

(c) Improve the cooperation between the National Human Rights Commission and civil society organizations and other stakeholders to ensure the protection and realization of rights of all groups of women without discrimination.

National machinery for the advancement of women

12. The Committee is concerned that the Secretariat of the National Committee on Gender Equality, the core part of the national machinery for the advancement of women in the State party, was placed under the Ministry of Population Development and Social Protection in 2014 and that its human and financial resources have been reduced, which may impede the effective implementation of the Convention in the State party. While noting the adoption of the Mid-Term Strategy and Action Plan on the Implementation of the Law on Promotion of Gender Equality (2013 - 2016), the Committee is concerned that no proper monitoring and accountability mechanism have been established. It is further concerned at the lack of information provided on the cooperation on women's rights issues between the National Committee on Gender Equality with the Parliament and civil society.

13. The Committee recommends that the State party:

(a) Strengthen the National Committee on Gender Equality by providing it with the human, technical and financial resources necessary to effectively implement the Convention, and ensure that it works on decentralized basis;

(b) Put in place monitoring mechanisms to regularly assess the progress made towards the achievement of the goals established in the Mid-Term Strategy and Action Plan on the Implementation of the Law on Promotion of Gender Equality (2013 - 2016); and

(c) Ensure the cooperation of the National Committee on Gender Equality with the Parliament and the civil society, in particular women's organizations, on the implementation of the Mid-Term Strategy and Action Plan.

Temporary special measures

14. The Committee notes with appreciation that the State party re-established a minimum quota of 30 per cent for women candidates on electoral lists of political parties for Parliamentary elections. However, the Committee is concerned about the lack of implementation in practice of temporary special measures in the State party.

15. In line with article 4, paragraph 1 of the Convention and recalling its General Recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party:

(a) Provide capacity building to all relevant State officials and policy-makers,

in particular in political parties, on the concept of temporary special measures and adopt and implement temporary special measures, including time- bound goals and quotas, directed towards the achievement of substantive equality of women and men in all areas where women are underrepresented or disadvantaged, including in public and political life, education, health and employment; and

(b) Address the root causes of the weak implementation of existing temporary special measures and adopt legislation to encourage the use of temporary special measures covering both the public and private sectors.

Stereotypes

16. The Committee remains concerned at the persistence of deep-rooted patriarchal attitudes and discriminatory stereotypes concerning the roles and responsibilities of women and men in the family, in the media and in society, which perpetuate women's subordination within the family and society and which, inter alia, are reflected in women's educational and professional choices, their limited participation in political and public life and their unequal participation in the labour market, as well as their unequal status in family relations. The Committee recalls that such discriminatory stereotypes are also root causes of violence against women and expresses concern that to date, the State party has not taken sustained measures to modify or eliminate discriminatory stereotypes and negative traditional attitudes.

17. The Committee urges the State party to:

(a) Put in place, without delay, a comprehensive strategy with proactive and sustained measures, targeting women and men at all levels of society, to eliminate discriminatory stereotypes and patriarchal attitudes concerning the roles and responsibilities of women and men in the family and in society; and

(b) Use innovative measures targeting the media to strengthen understanding of substantive equality of women and men and enhance positive and non-stereotypical portrayals of women in all areas with a special emphasis on the education system.

Violence against women

18. The Committee notes with appreciation the adoption in 2015 of the amended Criminal Code, which criminalizes domestic violence and other forms of violence against women and girls, including those belonging to sexual minorities, such as stalking, threat, sexual exploitation and appreciates that perpetrators can no longer avoid penalty by finding reconciliation with the victim. It also notes

that the revised draft law on combating domestic violence contains an expanded definition of domestic violence. However, the Committee remains concerned at the delay in the adoption of the draft law. It also remains concerned at the high prevalence of violence against women, in particular domestic and sexual violence, in the State party and at the lack of statistical information on violence against women. While noting the establishment of a special unit in the police on prevention of domestic violence and crimes against children, the Committee is concerned that there is only one State-run shelter for victims of violence. The Committee is further concerned that women and girls with disabilities do not have access to shelters for victims of violence, adequate assistance and victim support services, and that there is no training for the police, social workers and medical personnel on the specific needs and vulnerabilities of women with disabilities who are victims of violence against women.

19. Recalling its General Recommendation No. 19 (1992) on violence against women, the Committee urges the State party to:

(a) Accelerate the adoption of the draft law on prevention of domestic violence, adopt comprehensive measures to prevent and address violence against women and girls, and ensure that women and girls who are victims of violence have access to immediate means of redress, including compensation and protection, and that perpetrators are prosecuted and adequately punished;

(b) Provide mandatory capacity building programmes for judges, prosecutors, the police and other law enforcement officials on the strict application of legislation criminalizing violence against women and on gender-sensitive procedures to deal with women victims of violence, in particular women with disabilities who are victims of violence;

(c) Provide adequate assistance and protection to women victims of violence by establishing shelters, including in rural areas, and enhancing cooperation with non-governmental organizations providing shelter and rehabilitation to victims; and

(d) Collect statistical data on domestic, sexual and other forms of violence against women, disaggregated by age and relationship between the victim and the perpetrator; and

(e) Provide adequate conditions for redress and rehabilitation for women with disabilities who are victims of violence.

Trafficking and exploitation of prostitution

20. The Committee notes the establishment in 2012 of the Sub Council for the prevention and fight against trafficking to coordinate the implementation of the Law on Combatting Trafficking in Persons (2012). However, the Committee

is concerned at:

(a) The limited financial resources allocated to the implementation of existing legislation and programmes, in particular preventive programmes, to address the root causes of trafficking among girls and their families living in poverty and the insufficient protection and rehabilitation measures for women and girls who are victims of trafficking;

(b) The delay in adoption of the National Action plan on Combating of Trafficking in Persons;

(c) The lack of information on the number of complaints, investigations, prosecutions and convictions related to trafficking in women and girls and exploitation of prostitution and on victim support and rehabilitation programmes;

(d) The lack of awareness raising among the judiciary, law enforcement officers, border control officials, social and health workers on the importance of early referral of victims of trafficking and of gender-sensitive ways to deal with them; and

(e) Discrimination and stigma against women in prostitution, as well as at the absence of shelters and crisis centres for women in prostitution adapted to their needs and the lack of exit and reintegration programmes for women who wish to leave prostitution.

21. The Committee recommends that the State party:

(a) Fully enforce its legislation on trafficking in persons and increase the financial resources allocated to the implementation of laws and programmes to combat trafficking;

(b) Finalize and adopt, without delay, the National Action Plan on Combating of Trafficking in Persons;

(c) Build the capacity of the judiciary, border control police, law enforcement officers, social and health workers on early referral of victims of trafficking and gender-sensitive ways to deal with them;

(d) Address the root causes of trafficking by enhancing educational and economic opportunities for women and girls and their families, thereby reducing their vulnerability to exploitation by traffickers;

(e) Adopt a comprehensive approach to address the phenomenon of prostitution, provide shelters and crisis centres, exit and reintegration programmes, as well as alternative income generating opportunities, for women who wish to leave prostitution, and take measures for the reduction of demand for prostitution; and

(f) Provide in its next periodic report comprehensive information and data on trafficking in women and girls, including on the number of prosecutions and convictions of traffickers, as well as on women in prostitution.

Participation in political and public life

22. While welcoming the increased participation of women in the public service and in the judiciary, the Committee remains concerned at the low percentage of women in political and public life, in particular in decision-making positions, including in Parliament, despite the 30% quota for women candidates on party lists; and in the public administration due to persistent traditional and patriarchal attitudes, lack of effective temporary special measures, limited access to political networks, insufficient capacity building and campaign funding for potential women candidates, as well as a compulsory financial contribution, “the candidate tax”. The Committee is also concerned that no female governors of aimags or cities have been appointed. It is further concerned that article 11(5) of the new Law on Elections (2015) restricts the right to vote of persons with disabilities, including women, as well as their right to stand for election.

23. The Committee recommends that the State party:

(a) Take measures to increase the equal participation of women in political and public life at all levels and sectors, in particular decision-making positions, in the Parliament and the government, by:

(b) Effectively implementing the existing 30% quota for women candidates on electoral lists of political parties, including by ensuring that women candidates are given higher ranks on electoral lists and/or circumscriptions;

(c) Providing capacity-building training for women candidates, especially on efficient campaigning, access to financing and to political networks and use of the media;

(d) Adopt targeted measures, including training, gender-sensitive recruitment and temporary special measures to ensure that women are appointed decision-making positions at both national and local levels on equal footing as their male counterparts in line with the Committee’s general recommendation No. 23 on Women in Political and Public life;

(e) Remove the candidate tax that represents a big obstacle for women;

(f) Conduct awareness raising activities for politicians, community leaders, journalists and the general public on the importance of women’s participation in decision-making, in order to enhance understanding that full, equal, free and democratic participation of women on an equal basis with men in political and public life is a requirement for the effective implementation of the Convention and the development of society and the economy;

(g) Take measures to appoint women in high-level positions, for instance as governors of aimags or cities; and

(h) Repeal without delay the provisions of the new Elections Law (2015)

which restricts the right to vote of persons with disabilities, including women, and ensure that disability is a prohibited ground of discrimination under the Law on Elections.

Education

24. The Committee notes with appreciation the high literacy rate among women and the high rates of girls' enrolment in primary and secondary education. However, it remains concerned:

(a) That sexual and reproductive health and rights are included in the educational programme, but seem not to have a clear gender perspective;

(b) At the persistence of violence in schools and school dormitories, in particular sexual violence and abuse, which result in the high number teenage pregnancies;

(c) At the practice of forcing of pregnant girls out of school and providing them with alternative forms of education rather than opportunities for reintegration into the formal education system; and

(d) That the national legislation does not provide for inclusive and accessible education for girls with disabilities.

25. The Committee recommends that the State party:

(a) Integrate age-appropriate education on sexual and reproductive health and rights in school curricula, integrating a clear gender perspective, including sex education for adolescent girls and boys covering relations of gender and responsible sexual behaviour;

(b) Investigate and prosecute cases of sexual violence and abuse in schools and school dormitories by teachers and peers and ensure that perpetrators are adequately punished and victims are provided with rehabilitation and redress;

(c) Put in place measures that allow for the retention of pregnant girls in school and the reintegration of young mothers after childbirth; and

(d) Amend the national legislation in order to guarantee inclusive and accessible education for girls with disabilities, including in rural areas, and provide training for teachers on their special educational needs.

Employment

26. The Committee is concerned at:

(a) The persistently wide and increasing gender pay gap in all sectors, continued occupational segregation in the labour market, and women's concentration in low-paid jobs in the formal and informal sectors;

(b) The list of occupations that are prohibited for women which appears to be overly protective by covering a range of occupations and branches where

there is no objective justifications for the prohibition, thereby limiting women's economic opportunities in a number of areas, in particular in the mining industry;

(c) The limited mandate, capacity and effectiveness of the national labour inspection system;

(d) The early retirement age for women limiting their employment opportunities and possibly reducing their old age pension; and

(e) The lack of information on legislation prohibiting sexual harassment in the workplace and providing for civil and/or penal remedies, as well as on the number of prosecutions, convictions and on sentences imposed on perpetrators.

27. The Committee recommends that the State party:

(a) Intensify its efforts to create an enabling environment for women to become economically more independent, including by sensitizing employers in the public and private sectors on the prohibition of discrimination against women in employment, including women with disabilities, and to promote the entry of women into the formal economy, including through the provision of vocational and technical training;

(b) Effectively apply legislation guaranteeing equal pay for work of equal value and adopt measures to narrow and close the gender pay gap, and regularly review wages in sectors where women are concentrated;

(c) Strengthen the quality and capacity of the national labour inspection system so that working conditions of women are effectively monitored, adequately punish employers engaging in discriminatory practices against women, and enhance women workers access to justice;

(d) Review the list of prohibited occupations and sectors and promote and facilitate women's access to previously prohibited occupations by improving working conditions and occupational health and safety;

(e) Progressively elevate women's retirement age to harmonize it with men's in order to give women better employment opportunities; and

(f) Adopt legislation to specifically define and prohibit sexual harassment in the workplace.

Health

28. The Committee welcomes the progress made by the State party in reducing child and maternal mortality rates. However, it is concerned:

(a) At the lack of comprehensive education on sexual and reproductive health and rights, including on responsible sexual behaviour, and of family planning services and the high level of unmet contraception needs among women and girls;

(b) At the application of the pro-natalist policy on population, which strengthen

discriminatory stereotypes against women and may lead to poverty;

(c) About the lack of information available to women and girls with disabilities and LBT ones on sexual and reproductive health and rights, and the lack of training of medical personnel with regard to the special needs of these women; and

(d) The lack of information on the prevalence of cervical and breast cancer in the State party, as well as on the treatment available to women and girls.

29. In line with its General Recommendation No. 24 (1999) on women and health, the Committee calls on the State party to:

(a) Intensify education on sexual and reproductive health and rights through the widespread dissemination of information about available, accessible and affordable contraceptive methods and family planning in order to reduce the number of unwanted and early pregnancies;

(b) Ensure that the pro-natalist policy does not reinforce discriminatory stereotypes by adopting poverty reduction strategies and taking measures to provide quality life for mothers taking care of children and establishing childcare facilities;

(c) Improve the information provided to women and girls with disabilities and LBT ones on their health, especially sexual and reproductive health and rights, and train the medical personnel to respond to their needs; and

(d) Collect disaggregated data on the prevalence of cervical and breast cancer in the State party, and provide training to medical and health professionals on early detection of these diseases, including in rural areas.

Economic empowerment of women

30. The Committee notes the adoption of the sub-strategy on promoting women's economic opportunities and leadership in 2014. However, it remains concerned at the persistence of poverty among women, in particular in rural areas and among female-headed households, as well as women's limited access to property, financial credit and mortgages. The Committee is also concerned at the lack of targeted measures to ensure that older women and women with disabilities can participate in decision making on and benefit from the implementation of development projects.

31. The Committee recommends that the State party continue to strengthen its programmes to combat poverty and to promote the economic empowerment of women by ensuring that women have access to them on an equal basis with men, in particular in rural areas and for female-headed households, older women and women with disabilities.

Rural women

32. The Committee notes with concern:

(a) The disadvantaged status of women in rural areas and regrets the lack of data on their situation and the lack of measures taken by the State party to address poverty among rural women and to ensure their access to land ownership and use, as well as to justice, education, health, housing, safe drinking water, sanitation, formal employment, skills development and training opportunities, income-generating opportunities and micro-credits;

(b) The low participation of rural women in decision-making processes at the community level; and

(c) The impact of climate change and weather-related disasters, as well as negative environmental consequences of industries, in particular the mining sector, which disproportionately affect rural women in the State party.

33. The Committee recommends that the State party:

(a) Seek international assistance and cooperation, as appropriate, to improve infrastructures in rural areas, and formulate policies to combat poverty among rural women to ensure their access to justice, education, housing, safe drinking water, sanitation, formal employment, skills development and training opportunities, income-generating opportunities and micro-credits, and ownership and use of land, taking into account their specific needs;

(b) Ensure the participation of rural women in decision-making processes at the community level on an equal basis with men;

(c) Study the impact of the economic and social strategy of rural development on women's human rights and collect specific disaggregated data on rural women; and

(d) Include a gender perspective in national policies and action plans on climate change, disaster response and risk reduction, as well as on negative environmental and socio-economic consequences of industries, mainly mining, targeting women not only as victims but also as active participants in the formulation and implementation of such policies.

Women with disabilities and older women

34. The Committee is concerned at the lack of public policies and measures to protect the rights of women and girls with disabilities, including their rights to inclusive education, health care, employment, housing, participation in political and public life, as well as the absence of mechanisms to protect women and girls with disabilities from intersecting forms of discrimination and from violence and abuse. The Committee is further concerned at the situation of older women and their lack of access to health care and protection of violence and abuse.

35. The Committee calls upon the State party to:

(a) Adopt comprehensive policies and programmes to protect the rights of women and girls with disabilities, ensuring their equal access to education, em-

ployment, housing, health care and other basic services, social protection and promote their autonomy and access to community services and their participation in political and public life; and

(b) Develop partnerships with civil society, community-based organizations and the international community to identify women and girls with disabilities and older women in the State party, including in rural and remote areas, who are facing intersecting forms of discrimination based on their disability, age and other grounds, as well as isolation, confinement and different forms of physical and psychological violence.

Marriage and family relations

36. The Committee is concerned about the situation of single mothers and women heads of households, in particular the low level of benefits and the lack of support programmes for single mothers and their children, who are at an increased risk of poverty, discrimination and abuse.

37. The Committee recommends that the State party:

(a) Increase, regularly review and adjust the levels of family benefits for single mothers and women heads of households to ensure an adequate standard of living for them and their children; and

(b) Adopt targeted measures and programmes to economically empower single mothers and ensure that they have affordable access to adequate housing, education, professional training, health care and cultural life, and protect them against discrimination and abuse.

Data collection

38. The Committee is concerned at the general lack of updated statistical data, disaggregated by sex, age, ethnicity, disability, geographical location and socio-economic background, which is necessary for an accurate assessment of the situation of women, to determine whether they suffer from discrimination, for informed and targeted policymaking, and for systematic monitoring and evaluation of progress achieved towards the realization of women's substantive equality in all areas covered by the Convention.

39. The Committee calls upon the State party to develop a gender indicator system to improve the collection of data disaggregated by sex and other relevant factors necessary to assess the impact and effectiveness of policies and programmes aimed at mainstreaming gender equality and enhancing women's enjoyment of their human rights. In this regard, the Committee draws the State party's attention to its General Recommendation No. 9 (1989) on statistical data concerning the situation of women and encourages the State party to seek tech-

nical assistance from relevant United Nations agencies and to enhance its collaboration with women's associations that could assist in securing the collection of accurate data.

Beijing Declaration and Platform for Action

40. The Committee calls upon the State party to utilize the Beijing Declaration and Platform for Action, in its efforts to implement the provisions of the Convention.

2030 Agenda for Sustainable Development

41. The Committee calls for the realization of substantive gender equality, in accordance with the provisions of the Convention, throughout the process of implementation of the 2030 Agenda for Sustainable Development.

Dissemination

42. The Committee recalls the obligation of the State party to systematically and continuously implement the provisions of the Convention. It urges the State party to give priority attention to the implementation of the present concluding observations and recommendations between now and the submission of the next periodic report. The Committee therefore requests the timely dissemination of the concluding

observations, in the official language(s) of the State party, to the relevant state institutions at all levels (national, regional, local), in particular to the Government, the ministries, the Parliament and to the judiciary, to enable their full implementation. It encourages the State party to collaborate with all stakeholders concerned, such as employers' associations, trade unions, human rights and women's organisations, universities and research institutions, media, etc. It further recommends that its concluding observations be disseminated in an appropriate form at the local community level, to enable their implementation. In addition, the Committee requests the State party to continue to disseminate the Convention, the Optional Protocol thereto and relevant jurisprudence and the Committee's General Recommendations to all stakeholders.

Technical assistance

43. The Committee recommends that the State party consider seeking international assistance and cooperation and availing itself of technical assistance in the development and implementation of a comprehensive programme aimed at the implementation of the above recommendations as well as the Convention as a whole. The Committee also calls upon the State party to continue its cooperation with specialized agencies and programmes of the United Nations system.

Ratification of other treaties

44. The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to consider ratifying the Convention on the Rights of All Migrant Workers and the Members of Their Families, to which it is not yet a party.

Follow-up to concluding observations

45. The Committee requests the State party to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 17 (a) and 19 (a), (b) and (e) above.

Preparation of the next report

46. The Committee invites the State party to submit its tenth periodic report in March 2020.

47. The Committee requests the State party to follow the “Harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents” (HRI/MC/2006/3 and Corr.1).

1 The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.

