

2RP: Responses to Recommendations & Voluntary Pledges

MONGOLIA

Second Review Session 22

Review in the Working Group: 4 May 2015
Adoption in the Plenary: 24 September 2015

Mongolia's responses to recommendations (as of 28.09.2015)

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
No responses, all pending	Out of 164 pending recommendations, 150 were accepted and 14 were noted	No additional information provided	Accepted: 150 Noted: 14 Total: 164

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/30/6:

108. The following recommendations will be examined by Mongolia which will provide responses in due time, but no later than the 30th session of the Human Rights Council in September 2015:

N - 108.1 Lift the declaration of recognizing Article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination (Estonia);

A - 108.2 Take all necessary actions to comply with its obligations as set out in the Second Optional Protocol to the International Covenant on Civil and Political Rights (Namibia);

A - 108.3 Amend its legislation in accordance with the Second Optional Protocol to the International Covenant on Civil and Political Rights, in the briefest delay, with the aim of abolishing the death penalty (Portugal);

N - 108.4 Ratify the Convention against Torture Articles 21 and 22 (Algeria);

N - 108.5 Recognize the competence of the Committee against Torture and make the declaration under articles 21 and 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Poland);



N - 108.6 Make the declaration regarding Article 22 of the Convention against Torture to recognize the competence of the Committee against Torture to receive individual communications (Denmark);

A - 108.7 Establish a robust and well-resourced national preventive mechanism in accordance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Czech Republic);

A - 108.8 Ratify the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (Montenegro; Portugal; Thailand);

N - 108.9 Ratify the International Convention for the Protection of the Rights of All Migrant Workers and Members of their Families (Paraguay);

N - 108.10 Accede to the Convention for the Protection of the Rights of Migrant Workers and Members of Their Families (Uruguay);

N - 108.11 Step up the process of ratifying the International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families (Algeria);

N - 108.12 Consider ratifying ICRMW and ILO Convention 189 (Philippines);

N - 108.13 Consider its accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, in order to ensure a comprehensive approach to migrant workers' rights (Indonesia);

N - 108.14 Ratify the ICRMW and the Conventions on Refugees and Stateless persons (Sierra Leone);

N - 108.15 Positively consider acceding to the Convention on the Status of Stateless Persons and the Convention on the Reduction of Statelessness (Norway);

N - 108.16 Accelerate the process to accede to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, and enact legislation to protect asylum-seekers and refugees regardless of country of origin (Canada);

A - 108.17 Fully align its national legislation with the Rome Statute of the ICC and ratify the Agreement on Privileges and Immunities of the Court (Estonia);

A - 108.18 Transpose the Rome Statute of the International Criminal Court into national law (Portugal);

A - 108.19 Adopt a comprehensive anti-discrimination legislation to avoid all forms of discrimination on the basis of ethnicity, religion, sexual orientation or gender identity, language, political belief, mental or physical disability (Chile);

A - 108.20 Adopt comprehensive legislation to counter discrimination, and take steps to ensure that equality enshrined in such legislation or in existing law is achieved in practice (Ireland);

A - 108.21 Introduce comprehensive anti-discrimination legislation that would protect the rights of all members of minority groups including LGBT persons (United Kingdom of Great Britain and Northern Ireland);

A - 108.22 Accelerate the enactment process of the new Criminal Code (Turkey);



A - 108.23 Hasten its positive work on revising the Criminal Code and other necessary legal framework, followed by its effective implementation, to ensure a legal framework and human rights culture that promotes equality and security for all (Norway);

A - 108.24 Continue to protect and promote the rights of vulnerable groups of population, including children, the disabled, the elderly and women (Russian Federation);

A - 108.25 Revise the law governing the National Human Rights Commission and develop its capacity to bring it in line with the Paris Principles (Sierra Leone);

A - 108.26 Continue its efforts in the field of education and human rights training particularly for law enforcement officers (Morocco);

A - 108.27 Incorporate training on human rights training and the application of international treaties in the permanent and mandatory training programme for judges and magistrates (Mexico);

A - 108.28 Strengthen the mandate of the Commission of Human Rights in view of its full independence and conformity with the Paris Principles (Chile);

A - 108.29 Provide greater support to the National Human Rights Commission to ensure its independence (Australia);

A - 108.30 Give continuity to strengthening of national human rights institutions and mechanisms (Nepal);

A - 108.31 Take the necessary steps to enhance the capacity of the National Human Rights Commission of Mongolia to enable it to carry out its mandate freely and independently for it to comply with the Paris Principles (Namibia);

A - 108.32 Improve the work of the National Human Rights Commission with a view to conform it to the Paris Principles, and to reinforce its legal framework to better fight against discrimination. (Niger);

A - 108.33 Continue its efforts for further strengthening of human rights institutions for the effective realization of all human rights in the country (Pakistan);

A - 108.34 Apply the commitments undertaken under the national legislation for the protection of the most vulnerable citizens, notably children, senior citizens and persons with disabilities (Romania);

A - 108.35 Continue efforts for provision of human rights education and training at all levels including for government functionaries (Pakistan);

A - 108.36 Examine the possibility for creating a follow up system for international recommendations, including accepted universal periodic review recommendations (Paraguay);

A - 108.37 Work on strengthening international cooperation in the field of human rights (Turkmenistan);

A - 108.38 Submit its first report to the UN Committee against Torture, which is overdue since 2003, in order to initiate the valuable dialogue with the Committee (Denmark);

A - 108.39 Consider further cooperation with the international human rights monitoring mechanisms including treaty bodies and Special procedures of the Human Rights Council (Turkmenistan);

A - 108.40 Participate actively in the international programmes of technical assistance and capacity building in the field of human rights (Turkmenistan);



- A - 108.41 Introduce new legislation to fight discrimination on any grounds (Uruguay);
- A - 108.42 Adopt a comprehensive law against discrimination on all grounds, including legal protection of victims (Czech Republic);
- A - 108.43 Further pursue measures for the protection of the rights of women and children (Japan);
- A - 108.44 Step up its efforts in enhancing the impact of the measures taken to address traditional discriminatory practices and persisting stereotypes about the roles and responsibilities of women and men (Slovenia);
- A - 108.45 Deepen the actions that ensure the effective implementation and legislation that guarantee the equality and protection of women (Argentina);
- A - 108.46 Continue its efforts in improving protection of women's rights (Democratic People's Republic of Korea);
- A - 108.47 Continue to promote gender equality and involvement of women in public services (Lao People's Democratic Republic);
- A - 108.48 Continue to implement policies that would further encourage women's full and active participation in its society and economy (Singapore);
- A - 108.49 Consider adopting a national action plan on Security Council Resolution 1325 on Women, Peace and Security (Portugal);
- A - 108.50 Fight against the hate speeches that provoke racial and ethnical discrimination and to fight against the relevant violence (China);
- A - 108.51 Take effective measures to combat direct and indirect discrimination against persons living in the *ger* districts (Sweden);
- A - 108.52 Step up efforts to ensure the protection of foreign nationals from any forms of attacks and to hold offenders accountable (Republic of Korea);
- A - 108.53 Combat all forms of discrimination, including based on sexual orientation or sexual identity (France);
- A - 108.54 Develop pertinent legislation to guarantee the effective protection of the human rights of LGBTI persons, as well as undertake impartial investigations on the allegations of attacks against them in accordance with the Special Rapporteur on extreme poverty and human rights (Honduras);
- A - 108.55 Prohibit all forms of discrimination, including discrimination on the basis of sexual orientation and gender identity (Slovenia);
- A - 108.56 Ensure that all forms of discrimination are prohibited, including on the basis of sexual orientation, gender identity and health status (Timor-Leste);
- A - 108.57 Promote equality in the enjoyment of human rights of LGBTI persons incorporating it into national legislation (Uruguay);
- A - 108.58 Amend its criminal legislation to include crimes of hatred and of discrimination on the grounds of sexual orientation and gender identity (Spain);



A - 108.59 Launch a public awareness-raising campaign to fight and prevent discrimination and violence against LGBT persons and to promote tolerance (Brazil);

A - 108.60 Step up its efforts to counter discrimination and violence on the basis of sexual orientation or gender identity, and to structurally collect data and provide statistics and information in this regard. (Netherlands);

A - 108.61 Adopt quick and effective measures, as well as necessary legislation, in order to explicitly prohibit, prevent, punish and abolish discrimination on any grounds, including on the basis of HIV/AIDS status, as previously recommended (Mexico);¹

A - 108.62 Confirm by law the abolition of the death penalty in line with the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty, which Mongolia has ratified (France);

A - 108.63 Adopt legislation to explicitly abolish the death penalty (Australia);

A - 108.64 Amend the Criminal Code with a view to fully abolish the death penalty (Italy);

A - 108.65 Introduce a complete abolition of the death penalty through legal reform (United Kingdom of Great Britain and Northern Ireland);

A - 108.66 Review its criminal law legislation to abolish the death penalty in order to reflect its international commitment done by the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (Sweden);

A - 108.67 Adopt legislation, including a new Criminal Code with the aim of abolishing the death penalty in law (Slovakia);

A - 108.68 Abolish *de jure* the death penalty for all crimes (Montenegro);

A - 108.69 Abolish the death penalty and provide the families of the executed persons with relevant declassified information (Lithuania);

A - 108.70 Declassify State secret information on the death penalty (Portugal);

A - 108.71 Incorporate the international framework on the prevention of torture and other cruel, inhuman or degrading treatment in the training of law enforcement officials and other public officials, as well as in the permanent training programme of judges and lawyers (Mexico);

A - 108.72 Improve prosecution of all allegations of torture as well as conditions in detention and prison facilities and strengthen legal safeguards available to victims of torture (Czech Republic);

A - 108.73 Put in place awareness raising programmes targeting the police forces in order to prevent torture and other cruel, inhuman or degrading treatment or punishment, as well as to create effective investigation mechanisms to combat impunity in this area (France);

A - 108.74 Consider the amendment of its Criminal Code in order to include a definition of torture as a crime (Hungary);

A - 108.75 Establish an independent mechanism for the investigation of allegations of torture and ill-treatment in line with the requirements of the recently ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Austria);



A - 108.76 Ensure that torture and ill- treatment by public officials would not be tolerated and that all alleged perpetrators of the acts of torture would be investigated (Timor-Leste);

A - 108.77 Establish an independent investigation mechanism for allegations of torture and other cruel and inhuman or degrading treatment committed by police forces and to prevent such violations by public agents (Switzerland);

A - 108.78 Ensure that all complaints and reports of torture and other ill- treatment are investigated thoroughly by an independent agency, and that those responsible are held to account. Such investigations should be conducted by personnel who are competent, impartial and independent of the alleged perpetrators and the agency they serve (Sweden);

A - 108.79 Strengthen the measures aimed at preventing cases of torture and ill- treatment by public officials, and ensure that all allegations are promptly and thoroughly investigated in order to bring to justice those responsible (Italy);

A - 108.80 Continue to take measures to eradicate the use of torture and other forms of ill-treatment, including through training and education of law enforcement authorities (Costa Rica);

N - 108.81 Establish judicial and other mechanisms to investigate allegations of torture, police brutality, and arbitrary detention (Canada);

A - 108.82 Take appropriate steps to improve the treatment of detainees (Japan);

A - 108.83 Adopt legislation to prevent and end all forms of violence against children (Timor-Leste);

A - 108.84 Continue active work in combating domestic violence (Belarus);

A - 108.85 Step up its efforts to curb the occurrence of domestic violence (Philippines);

A - 108.86 Continue to put forward more efforts to eliminate domestic and gender-based violence and discrimination against women and ensure greater representation of women in all sectors of society by fully implementing the Law on Gender Equality (Republic of Korea);

A - 108.87 Strengthen efforts to prevent gender-based and domestic violence by criminalizing marital rape and sexual harassment providing victims with access to justice, assistance and protection, and by ensuring that cases are properly investigated and perpetrators duly prosecuted (Slovenia);

A - 108.88 Adopt and actively pursue a focused national strategy on combating all forms of violence against women, which would promote awareness – raising activities related to the Law to Combat Domestic Violence (Turkey);

A - 108.89 Continue to strengthen protections for domestic violence survivors, and extend an invitation to the Special Rapporteur on violence against women, its causes and consequences to visit Mongolia (United States of America);

A - 108.90 Continue its efforts in the field of combating domestic violence (Latvia);

A - 108.91 Reinforce mechanisms to detect and investigate cases of domestic violence and train law enforcement officials to deal with such cases (Republic of Moldova);

A - 108.92 Effectively implement existing laws in the area of domestic violence and strengthen the prevention activities and protect victims including through the establishment of protection facilities in remote areas (Switzerland);



A - 108.93 Pass the draft domestic violence legislation before Parliament to criminalise domestic violence, better protect victims and ensure perpetrators are prosecuted (Australia);

A - 108.94 Strengthen mechanisms to prevent domestic violence, particularly, focusing on awareness-raising to heighten awareness of this issue (Spain);

A - 108.95 Remove barriers in accessing legal remedies against domestic violence including by improving the collaboration between relevant institutions and revisiting evidentiary requirements , and to ensure that restraining orders are enforced (Austria);

A - 108.96 Improve access of victims of domestic violence to effective protection and redress, strengthen the capacity for prosecution of perpetrators of domestic violence and criminalize marital rape (Czech Republic);

A - 108.97 Ensure the effective implementation of the existing legislation aimed at fighting discrimination and violence against women and domestic violence (Italy);

A - 108.98 Consider wider establishment of shelter houses for women and children seeking protection from domestic violence (Malaysia);

A - 108.99 Continue to strengthen national legislation to combat domestic violence (Russian Federation);

A - 108.100 Develop a well-defined legal framework to prevent and combat violence against women and build a social protection system for victims of domestic violence (Serbia);

A - 108.101 Amend the criminal legislation to criminalize domestic violence and ensure that authorities pursue prosecution of domestic violence to hold offenders accountable and provide adequate funding of all services for victims of domestic violence (Slovakia);

A - 108.102 Modify criminal legislation to ensure that domestic violence becomes a crime (Spain);

A - 108.103 Adopt the revised Law against Domestic Violence, enhance awareness -raising campaigns about domestic violence, and expand services and protection for victims (Canada);

A - 108.104 Consider criminalising domestic violence, sexual harassment and ensuring that perpetrators are duly prosecuted (Hungary);

A - 108.105 Adopt legislative measures to make domestic violence a crime, understanding all forms of violence in the home, including threats, sexual harassment and sexual abuse, and ensure that perpetrators are brought to justice and that victims receive care, including in the rural areas (Paraguay);

A - 108.106 Explicitly prohibit corporal punishment to children in accordance with the recommendations of CAT (Chile);

A - 108.107 Explicitly prohibit all corporal punishment of children, including in the home (Sweden);

A - 108.108 Take steps to effectively prevent child labour and protect children from exploitation, especially from work in hazardous labour conditions (Germany);

A - 108.109 Strengthen the implementation of the National Plan of Action 2012- 2016 on Eliminating the Intolerable Forms of Child Labour and to consider follow-up mechanisms (Italy);



A - 108.110 Enhance the efforts to combat child labour and ensure that children do not work in hazardous labour conditions, including artisanal (informal) mines (Italy);

A - 108.111 Continue its efforts in combating child labour, as well as including by bringing the employers to justice, and to introduce new non-violent forms of discipline for children at home and in schools (Lithuania);

A - 108.112 Explore strategies to combat child labour (Norway);

A - 108.113 Combat child labour, including by criminalizing employers who exploit child labour and bringing them to justice (Poland);

A - 108.114 Continue efforts to ensure that children are protected from all forms of violence and exploitation, particularly from child labour in hazardous conditions (Republic of Korea);

A - 108.115 Continue its efforts in the field of the protection of child rights (Morocco);

A - 108.116 Improve the enforcement of the Law on Combating Trafficking in persons by strengthening the capacity of law enforcement to detect and prosecute perpetrators, and by expanding services for victims (Canada);

A - 108.117 Implement the Law on Combating Human Trafficking of 2012 and strengthen the law enforcement and the judicial system, in order to ensure effective investigation and prosecution of perpetrators and to prevent trafficking (Brazil);

A - 108.118 Criminalize all forms of human trafficking of children by enacting the strict anti-trafficking legislation (Sierra Leone);

A - 108.119 Enhance measures in combatting trafficking in person, particularly women and children, through proper investigation and prosecution in all cases of human trafficking (Malaysia);

A - 108.120 Allocate all necessary human and material resources to combat the trafficking of persons (Honduras);

A - 108.121 Take budgetary, administrative and legislative measures to guarantee access to witnesses and victims of trafficking in persons to legal aid, protection and rehabilitation services (Mexico);

A - 108.122 Continue to provide adequate human and other resources to its anti- human trafficking programmes (Philippines);

A - 108.123 Provide training to stakeholders involved in the administration and delivery of justice, top prosecute trafficking in persons pursuant to the new regulating framework, article 113 of the Criminal Code, especially to ensure investigation of all allegations of trafficking in persons, including those against law enforcement officials and to implement mechanisms for compensation and rehabilitation of victims (Mexico);

A - 108.124 Continue the reform of the judicial system in line with Mongolia's international commitments (Russian Federation);

A - 108.125 Further improve access to the legal aid through the established centres in all provinces by providing them with necessary financing and qualified human resources (Lithuania);



A - 108.126 Ensure independent and effective investigations in cases of torture and ill-treatment in order to combat impunity in such cases, and to ensure that victims of torture obtain adequate compensation and rehabilitation (Germany);

A - 108.127 Ensure that all perpetrators are prosecuted and victims have access to immediate redress and protection (Lithuania);

A - 108.128 Establish a comprehensive framework on juvenile justice which is in conformity with international standards (Sierra Leone);

A - 108.129 Continue to take steps to prevent and fight corruption to bring about equitable and sustainable growth for its people (Singapore);

A - 108.130 Investigate all cases of corruption in the judicial system (Lithuania);

A - 108.131 Harmonise its national legislation regarding freedom of expression with the International Covenant on Civil and Political Rights, and ensure the independence of the Regulations Commission of Communications (Switzerland);

A - 108.132 Ensure that laws and regulations related to freedom of expression fully comply with Mongolia's obligations under the International Covenant on Civil and Political Rights and consider decriminalizing defamation (United States of America);

A - 108.133 Guarantee freedom of expression, including in the Internet (France);

A - 108.134 Ensure full respect of human rights, including the right to privacy and the right to freedom of expression, in all aspects of internet regulation, and adherence of any restrictions of those rights to the principles of legality, necessity and proportionality (Germany);

A - 108.135 Ensure that journalists, media workers as well as civil society activists are able to practice their activities freely without any fear for punishment in accordance with international standards (Estonia);

A - 108.136 Decriminalize defamation and put in place safeguards ensuring that criticism of or reporting on the activities of state and regional authorities do not lead to persecution or harassment (Czech Republic);

A - 108.137 Decriminalise defamation and place it under the civil code in accordance with international human rights standards (Ireland);

A - 108.138 Ensure that criminal defamation law is not used to silence critics, and to protect journalists' sources and whistle-blowers (Austria);

A - 108.139 Implement a national plan of action that would strengthen the participation of women in the decision-making level of politics (Serbia);

A - 108.140 Strengthen its efforts to include women in decision-making processes and high level positions, and to ensure the inclusion of disabled persons in education and employment (Norway);

A - 108.141 Intensify its efforts in increasing women's representation in decision-making positions (Rwanda);

A - 108.142 Take measures to ensure participation of women in politics, including through affirmative action and quota requirements (Costa Rica);



A - 108.143 Continue strengthening successful social programmes to improve the quality of life of their people particularly the most marginalized (Bolivarian Republic of Venezuela);

A - 108.144 Undertake the necessary measures to ensure sustainable development in its urban centres, ensuring that there is basic public services for the most vulnerable people, particularly, migrants coming from rural areas (Spain);

A - 108.145 Consider strengthening the delivery of primary health care with national and subnational health systems, to expand coverage and access; and to address the challenges related to the health system (Bhutan);

A - 108.146 Continue efforts to promote the rights of women and children, and address the still high level of maternal mortality (Nepal);

A - 108.147 Continue its efforts to reduce maternal morbidity (Democratic People's Republic of Korea);

A - 108.148 Continue its efforts in taking practical steps to further reduce the rates of maternal morbidity, particularly in the rural areas (Singapore);

A - 108.149 Continue making efforts to reduce disparities in infant mortality rates between rural and urban areas in the country (Honduras);

A - 108.150 Continue improving the "One Mongolia" open national education programme (Latvia);

A - 108.151 Continue its efforts in order to ensure the right to education for all children (Romania);

A - 108.152 Redouble its efforts in finalizing the Draft Law on the Rights of Persons with Disabilities to guarantee the promotion and protection of rights of disabled persons, in particular to ensure their participation, to increase their employment, and to enhance their rights to education (Indonesia);

A - 108.153 Continue its efforts in favour of persons with disabilities (Argentina);

A - 108.154 Adopt specific legislation to address all kinds of discrimination, particularly taking into account the rights of persons with disabilities and older persons (Turkey);

A - 108.155 Increase the input in education and give importance to the inclusive education for disabled children to ensure their healthy development (China);

A - 108.156 Ensure equal access to education for children with disabilities, by improving public perception on their rights (Turkey);

A - 108.157 Continue to strengthen educational system and ensuring equal access of disabled children to education (Lao People's Democratic Republic);

A - 108.158 Consider giving special attention to the rights of women and girls with disabilities, including their reproductive rights, the right to be free from violence, to work, to receive education and to participate in decision-making (Thailand);

N - 108.159 Provide adequate protection to asylum seekers as required by relevant international norms including the principle of *non-refoulement* and to consider ratifying the Convention on Refugees (Republic of Korea);

A - 108.160 Work together with UNHCR ensuring that the asylum-seekers have access to their rights, particularly in compliance with the principle of *non-refoulement* (Uruguay);



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A - 108.161 Consider the ratification of the Minamata Convention and update article 4.1.23 of the Law on Minerals of Mongolia, which applies to small-scale mining, to secure mining rights to small-scale miners and formalize their operation as soon as possible (Hungary);

A - 108.162 Develop a National Action Plan on business and human rights, for the implementation of the UN Guiding Principles on Business and Human Rights, with special attention for the situation of nomadic herders and access to remedy (Netherlands);

A - 108.163 Join the Voluntary Principles on Security and Human Rights Initiative in order to promote respect for human rights in the provision of security for extractive industry activities (United States of America);

A - 108.164 Elaborate and implement a national action plan on the use of mercury in the artisanal mining sector in order to protect the health of workers involved in the work of this sector as well as the environment (Switzerland).

Notes

1 The recommendation as read during the interactive dialogue: "Mexico reiterates its recommendation in the area of non-discrimination from the first cycle UPR of Mongolia."

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