



Save the Children

CHILD RIGHTS SITUATION IN MONGOLIA 2018



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ACRONYMS

ADB	Asian Development Bank
AFCYD	Authority for Family, Child and Youth Development
CRSA	Child Rights Situation Analysis
CSO	Civil Society Organisations
DRR	Disaster Risk Reduction
FDI	Foreign Direct Investment
GDP	Gross Domestic Product
GoM	Government of Mongolia
HDI	Human Development Index
IMF	International Monetary Fund
INGO	International Non-Governmental Organisation
JICA	Japan International Cooperation Agency
LEU	Law Enforcement University
LGBT	Lesbian, Gay, Bisexual, Transgender
MCFDD	Metropolitan Child, Family Development Department
MDT	Multidisciplinary Team
MECSS	Ministry of Education, Culture, Science and Sports
MLSP	Ministry of Labor and Social Protection
MNT	Mongolian Tugrug
MSUE	Mongolian State University of Education
MUST	Mongolian University of Science and Technology
NEMA	National Emergency Management Agency
NGO	Non-Governmental Organisation
NHRC	National Human Rights Commission
NLI	National Legal Institute
NSO	National Statistical Office
OSF	Open Society Forum
SC	Save the Children
SCI	Save the Children International
UN	United Nations
UNDP	United Nations Development Program
UNICEF	United Nations Children's Fund

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DEFINITIONS

Mongolia Sub-divisions

Duureg	Municipal sub-district in the capital city, Ulaanbaatar (includes several khoroots)
Khoroo	The lowest administrative unit in the capital city, Ulaanbaatar
Aimag	Province within Mongolia (total of 21 in the country)
Soum	District in rural areas, the administrative unit below aimag (331, each with a soum settlement)
Bagh	Village, a sub-division of a soum
Dzud	Severe winter causing widespread death of livestock
Ger	A traditional Mongolian dwelling
Khural	State Great Khural is the unicameral parliament of Mongolia

SUMMARY

While much has been achieved in recent decades to advance the status of children in Mongolia, a number of country specific factors and challenges prevent the rights of the child from being fully realized. Uneven regional development with too high concentration in city areas, inaccessibility of herders living in vast and sparsely populated regions, urban pollution, extreme climate conditions, natural and climate disasters, and political, social and economic instability have all contributed to inequities for children. Not all have benefitted from developments in education, health, social welfare and other public services, and Mongolia now faces the real challenge of improving access to quality services for socio-economically vulnerable children.

Since 2015, new legislation, national programs and policies have been adopted, and significant institutional changes undertaken, to ensure the rights of the child. However, effective implementation has been challenged by inconsistencies in policies and by limitations in financial, and material resources and institutional and human capacity.



PART 1

- ① Introduction
- ② Country facts
- ③ Analysis of the UNCRC Rights situation (eight clusters of articles)
- ④ Analysis of cross-cutting factors and actors

1

INTRODUCTION



1 A.

CRSA 2018

Save the Children (SC) conducted this Child Rights Situational Analysis (CRSA) from January to June 2018 to review the overall picture of the realization of children's rights in Mongolia to inform its strategic planning for the next **three years 2019-2021**.

The design of the CRSA was consistent with the concepts and principles of SC International's CRSA Guidelines and was a participatory and learning process for both the staff and organisation as a whole. The analysis took place over five months and involved SC staff and partners. The report was researched and written by Ms. Tsolmon Enkhbat, M.A. in International Law, Child Rights Governance Program Coordinator of SC in Mongolia, Ms. Undrakh Banzragch, M.A. in Public Policy and Law. Different types of analyses were used in the current CRSA, including disaggregated mapping, analysis of roles and responsibilities, capacity gap analysis, stakeholder analysis and trend analysis. The sources of primary and secondary data were academic and non-academic publications, reports by partner agencies, and the outcomes and findings from CRSA workshops, meetings and interviews with staff of SC in Mongolia office and its partners. The team gathered secondary and primary data in collaboration with SC staff and reviewed secondary data individually. Findings of the secondary data were validated through group discussions in CRSA workshops and interviews with SC staff and partners.



Four types of workshops were organized with all program staff divided into five thematic areas, including child rights governance, child protection, health, education and child poverty. After each workshop, the researchers consolidated and refined what they had learned and started deep-dive analysis. Each group undertook exercises for checking the realization of specific children's rights in the Mongolian context and against Child Rights Dashboards in accordance with SCI's CRSA Guidelines. The CRSA covered the period from 2015 to the end of June 2018.

In May, 2018, representatives from 15 partner organisations and other stakeholders, including the UN, INGOs, NGOs and Government agencies contributed to the 3-year Capability Assessment of SC Mongolia program to help determine the key priorities of our Country Strategic Plan 2019-21. Through the Capability Assessment we were able to identify our organisational, thematic, programmatic and financial readiness to deliver effective programs for Mongolia's most vulnerable children and to understand how key government and non-governmental organisations perceive our capability and priorities.

1 B.

ABOUT SAVE THE CHILDREN



As a worldwide and independent child rights organisation, SC aims to inspire breakthroughs in the way the world treats children and to achieve immediate and lasting changes in their lives. SC was established in the United Kingdom in 1919. It is a global network, operating in over 120 countries. Its founder, Eglantyne Jebb, drafted the first Declaration for Children's Rights adopted by the League of Nations in 1924, the first important assertion of the rights of children by the international community that subsequently led to the Convention on the Rights of the Child (UNCRC) adopted by the United Nations. For a century, from emergency relief to long-term development, SC has protected the rights of children to reach their full potential. SC has been working in Mongolia since 1994. The Country Program received management support from SC UK from 1994-2009 and from SC Japan since 2009.



We aim to create sustainable changes in the lives of children while seeking substantial and systematic solutions to emerging challenges, including the realization of children's rights. We make positive changes for children and families at the community level and build and advocate for nation-wide child-friendly education and protective systems in Mongolia.



The 2016-18 country strategy of SC Mongolia focused on five strategic thematic areas: education, child protection, child rights governance, child poverty (including humanitarian response), and child health. As a part of the worldwide community of SC International, SC Mongolia seeks to build on the work that it has successfully completed and make choices for its 2019-21 country strategy that consider children's needs in the local context as well as reflect international trends consistent with SC's global ambitions for 2030.

2

COUNTRY FACTS



2 A.

DEMOGRAPHY, GEOGRAPHY, CLIMATE, SOCIOECONOMIC SITUATION AND POLLUTION

Children aged 0-18 constitute

36.6%

of Mongolian population

DEMOGRAPHY, GEOGRAPHY, CLIMATE

Mongolia is located in Central and East Asia and covers 1,565,000 square kilometers. It is one of the least densely populated countries in the world, with 2 persons per square kilometre.¹ Mongolia borders the Russian Federation and the Republic of China (China) and is the world's 19th largest landlocked country. Its population of only 3.2 million (2017) has 36.6% or 1,173,918 people under 18.² Of them 34.0% are 0-4 years, 27.0% are 5-9 years, 19.0% are 10-14 years and 20.0% are 15-19 years.³

As of 2017, the population aged 0-4 years dominates the age pyramid, indicating that the birth rate has remained high for the last few years. With the young working population aged 25-29 years also dominating the

¹ Mongolian Geology and Exploration Roundup 2018 Forum

² Mongolian Statistical Information Service, Demography, 2018

³ Ibid

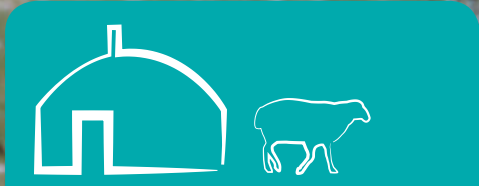
pyramid, the “demographic window” remains open in Mongolia.⁴ Therefore, it is socioeconomically crucial for the long term that Mongolia develops this young generation into healthy, educated and high-performing citizens by implementing sound policies. Conversely, if Mongolia were to lose the opportunity presented by the “demographic window”, adverse impacts are likely to arise, such as high unemployment, poverty, and consequently a rise in crime, violence, excessive alcohol consumption and other socioeconomic crises.

Mongolia has an extreme climate, with the average summer and winter temperatures ranging from +30° to -30° degrees Celsius. In addition, the climate has been changing significantly in the last few decades along with an increased frequency in environmental and climate disasters. Mongolia is experiencing extreme drought, desertification, land and water deterioration, decreased yield in grazing pasture and other environmental and climate issues.⁵

26.1% of the population lives in semi-nomadic herder families and 4 in 10 employed people are engaged in herding.⁶ Herders live in vast, sparsely populated regions, which demand extensive human and financial resources to develop an adequate public service infrastructure.

⁴ Ibid
⁵ National Agency for Meteorology and Environmental Monitoring, 2018
⁶ NSO, *Poverty Profile*, 2016





Herders live in vast, sparsely populated regions, which demand extensive human and financial resources to develop an adequate public service infrastructure.



ECONOMIC SITUATION

Mongolia is a developing, lower middle income country with rich mineral resources. The growth of GDP in Mongolia reached 12.3% in 2012 due to an annual increase of 400.0% in mining investment during the years of 2010-2013.⁷ Thanks to its booming mining sector, Mongolia achieved its lower middle income status in 2012. In line with its improved economic situation, the Government of Mongolia (GoM) promoted a policy of increasing its expenses and borrowing significant amounts of high-interest foreign currency denominated commercial loans.⁸

Table 1. Macro-economic indicators of Mongolia

	2012	2013	2014	2015	2016	2017
GDP Growth Rate (%)	12.3	11.6	7.9	2.3	1.2	5.1
GDP per capita (thousand MNT)	5,948.6	6,750.8	7,652.9	7,810.3	7,907.7	-
Average Inflation (%)	14.0	11.9	11.0	1.9	1.1	6.4
Unemployment rate (%)	8.2	7.9	7.9	7.5	10	7.3
Foreign Investment (million MNT)	6,466,349.7	3,652,197.7	1,585,581.6	1,469,603.8	1,964,058.5	-
Gross External Debt (million USD)	17,211	19,830	21,851	22,718	24,625	27,413
Foreign trade (million USD)						
Exports	4,384.7	4,269.1	5,774.3	4,669.3	4,916.3	6,200.7
Imports	6,738.4	6,357.8	5,236.7	3,797.5	3,358.1	4,335.5
GNI (million MNT)	15,399,575.3	18,091,326.0	20,420,074.3	21,251,431.7	22,316,313.0	-
General Government Balance (million MNT)	-1,130,679.9	-224,618.5	-867,959.1	-1,156,909.8	-3,660,289.1	-1,741,891.0

Sources: Mongolian Statistical Information Service, National Statistics Office of Mongolia, Bank of Mongolia, 2018.

⁷ David Osborne et al., *Integrated Report: an integrated analysis of economic, political and social issues that support or hinder growth and poverty reduction in Mongolia*, DFAT of the Australian Government, 2015, page 9

⁸ Ibid, page 10



Mongolia's mining sector
accounts for about one-
fifth of its GDP and

80%
of its exports.

Consequently, over the last 15 years, Mongolia has transformed from an agriculturally based economy to a resource dependent economy.⁹ However, the Mongolian economy is heavily dependent on world price fluctuations in commodities and the economic situation of China. Mongolia's mining sector accounts for about one-fifth of its GDP and 80.0% of its exports, and 80.0% of mining exports goes to China.¹⁰ Mongolia faces the problem of diversifying its economy in order to avoid economic up-and-down cycles that result from its vulnerability to external shocks.¹¹

In 2013 and 2014, commodity prices fell sharply on the international market, foreign direct investment in Mongolia decreased, and China's economic growth slowed. As a result, the economic situation has significantly deteriorated since 2015, with a GDP growth rate of only 1.2% in 2016.¹² The economic slowdown in Mongolia happened at the same time that the GoM promoted a policy of increasing budget expenditures, making significant investments in low return infrastructure, and borrowing large amounts of high-interest foreign currency denominated commercial loans¹³ resulting in a boom and bust cycle in the Mongolian economy.¹⁴

⁹ Ibid

¹⁰ ADB, *Inclusive and Sustainable Growth Assessment: Mongolia 2017–2020*, 2017, page 6

¹¹ World Bank, *World Bank in Mongolia Overview*, 2018

¹² Bertelsmann Stiftung's Transformation Index, *Country Report Mongolia*, 2018, page 23; ADB, *Inclusive and Sustainable Growth Assessment: Mongolia 2017–2020*, 2017, page 15

¹³ Ibid

¹⁴ Ibid



In 2017, the IMF approved a financial aid package of

5.5

USD billion.

In 2017, the GoM debt amounted to MNT 22.7 trillion (USD 10.5 billion), 74.4% of Mongolia's GDP at its current value. Of these, 18.6% was domestic, 74.1% was foreign debt and 7.3% was debt guarantee.¹⁵ In its optimistic expectation of revenue growth in 2016, Mongolia paid USD 108.8 million (MNT 239.2 billion) in interest payments alone on foreign bonds.¹⁶

In 2017, the IMF approved a much-needed financial aid package of USD 5.5 billion to help solve the fallout from the economic slowdown.¹⁷ In 2016 and 2017, Mongolia maintained fiscal discipline and improved its fiscal sustainability laws in accordance with IMF requirements for structural reforms that would help stabilize the economy.¹⁸ The Fiscal Sustainability Law was amended in 2016 and 2017; Debt Management and Concession Laws were amended in 2016; and the Renewed Law on the Development Bank of Mongolia was adopted in 2017 closing off loopholes and ensuring that the GoM works within the approved state budget in future.¹⁹

¹⁵ Ministry of Finance, *Mongolian Government Debt*, 2018

¹⁶ National Audit Office, *Audit Report on Mongolian Integrated Budget Performance of 2016, 2017*, page 12

¹⁷ International Monetary Fund, *Mongolia Turns the Corner with \$5.5 Billion IMF-Led Financing Package*, 2017

¹⁸ Ibid

¹⁹ Introduction to Draft Amendment to Law of Concession Law, 2017; Introduction to Draft Amendment to Law of Debt Management Law, 2016; Introduction to Draft Amendment to Law of Fiscal Sustainability Law, 2017; Introduction to Draft of Revised Family Law, 2018; Introduction to Draft of Revised Law on Development Bank of Mongolia, 2017



Mongolia paid USD

108.8

million

in interest payments alone on foreign bonds.

The Fiscal Sustainability Law takes the ceiling approach of decreasing GoM debt annually, stating that "...the debt-to-GDP ratio shall not exceed 88% in 2016, 85% in 2017, 80% in 2018, 75% in 2019, 70% in 2020, and 60% from 2021 respectively..."²⁰

In 2017, GDP grew to 5.1% thanks to the increase in commodity prices on the international market, export income reached USD 6.0 billion, resulting in surplus income in the balance of trade, FDI reached USD 1.2 billion, and gold purchase reached 20 tons.²¹ However, while these results were promising, future investment in children could continue to be challenged by a number of risk factors: increased general expenditure in real terms across the budget, the ceiling on borrowing more debt, continued lack of diversification of export products and, importantly, the fact that the time to pay back Mongolia's huge foreign debt has arrived.

²⁰ Ministry of Finance, *Introduction to the 2017 Integrated Budget of Mongolia*, 2016

²¹ O.Munkhjargal, *Political stability is the most Important but there is still a possibility of attracting investment*, 2018



47.7%
of urban and
22.2%
of rural households had
monthly incomes higher than
MNT 900,000 (USD 350.00).

SOCIAL SITUATION

Poverty headcount and poverty gap indicators increased from 2014 to 2016 across the whole country, particularly in soum and aimag centres in rural areas in comparison to Ulaanbaatar.²²

Table 2. Poverty headcount, Poverty gap indicators

Region, location	Poverty headcount		Poverty gap	
	2014	2016	2014	2016
National average	21.6	29.6	5.2	7.7
Western	26.0	36.0	5.3	9.7
Khangai	25.3	33.6	5.4	8.2
Central	22.2	26.8	5.5	7.0
Eastern	31.4	43.9	8.6	12.5
Ulaanbaatar	16.4	24.8	4.5	6.4
Aimag centres	23.8	31.8	5.8	8.8
Soum centres	24.7	32.3	5.7	8.5

Source: Mongolian Statistical Information Service

Herders who live in remote areas, female headed households, and people migrated from rural to urban areas are more prone to be affected by poverty. Primarily, harsh winters and increased occurrence of natural and climate disasters affect their lives severely.²³ Household income also greatly varies between rural and urban areas. For instance, in 2017, 9.1% of urban and 23.1% of rural households had a monthly income lower than MNT 300,000 (USD 117.00), 12.4% of urban and 22.3% of rural households had between MNT 300-500,000 (USD 117-195.00), 16.6% of urban and 19.0% of rural households had between MNT 500-700,000 thousand (USD 195-273.00), 47.7% of urban and 22.2% of rural households had monthly incomes higher than MNT 900,000 (USD 350.00).²⁴ It is also worrying that while the poverty rate had decreased rapidly from 2010 with the high rate of economic growth, the poverty rate in 2016 fell back to the 2012 level.²⁵

22 Mongolian Statistical Information Service, *Poverty headcount, Poverty gap, 2018*

23 ADB, *Inclusive and Sustainable Growth Assessment: Mongolia 2017–2020*, 2017, page 8

24 NSO, *Introduction to the Third Quarter of 2017 Household socioeconomic Survey*, 2017, page 3

25 World Bank, *World Bank in Mongolia Overview*, 2018



Although the HDI has increased in Ulaanbaatar, it has steadily decreased in the rest of the country in the period from 2010 to 2016.

INEQUALITY SITUATION

In 2017, the Gini coefficient measure of inequality was 36.0 in Eastern Region and 36.8 in Ulaanbaatar, both higher than the national average level of 35.0.²⁶ In 2017, the average consumption of 20.0% of the wealthiest population was 5.8 times higher than the consumption of the poorest 20.0%.²⁷ Although 1 in every 5 people live under the poverty line, Mongolia rated 0.727 points on the Human Development Index (HDI), 92nd among 195 countries placing it as having a high level of human development.²⁸

Table 3. Human development index

Region, location	2010	2011	2012	2013	2014	2015	2016
National average	0.756	0.709	0.718	0.726	0.735	0.736	0.734
Western	0.697	0.629	0.642	0.656	0.665	0.667	0.661
Khangai	0.747	0.657	0.664	0.674	0.679	0.677	0.675
Central	0.735	0.672	0.681	0.690	0.695	0.695	0.691
Eastern	0.706	0.646	0.655	0.674	0.691	0.689	0.688
Ulaanbaatar	0.776	0.781	0.795	0.800	0.808	0.813	0.812

Source: Mongolian Statistical Information Service

It is important to note that although the HDI has increased in Ulaanbaatar, it has steadily decreased in the rest of the country in the period 2010 to 2016.²⁹

26 NSO, *Introduction to the Third Quarter of 2017 Household socioeconomic Survey*, 2017, page 9

27 NSO, *Social and Economic Situation of Mongolia*, 2018/1.

28 UNDP, *Mongolian Human Development Report*, 2016, page 10

29 Mongolian Statistical Information Service, *Human Development Index*, 2018



17.1%

of Parliamentary members
are female.

GENDER EQUALITY

Currently, there are not enough public advocacy and communication measures to promote the principles of equality, equal treatment and non-discrimination. School textbooks need to demonstrate and the media need to promote the equal status of people in society notwithstanding gender, social position or occupation as well as show that difference between people is acceptable.

Although the participation of women in politics has increased, only 15.8% of representatives in all levels of the Citizens' Representative Khurals and 17.1% of Parliamentary members (the terms 'State Great Khural' and 'Parliament' are used interchangeably) are female.³⁰ Moreover, the Gender Inequality Index was 0.289 in 2015, but increased to 0.335 in 2016.³¹ Gender inequality issues such as lower incomes, fewer opportunities and heavy sole parental responsibilities are also evident in health, education, in-migration, employment and poverty issues.³²

³⁰ National Program on Gender Equality, 2017

³¹ Mongolian Statistical Information Service, *Gender inequality index*, 2018

³² National Program on Gender Equality, 2017



CHILDREN WITH DISABILITIES

11 500

58.1%
were born with
a disability

41.9%
acquired a
disability later

RIGHTS AND INCLUSIVENESS OF PEOPLE WITH DISABILITIES

In 2017, 103,600 people were registered as having a disability and of them 11,500 were children. Of these children, 58.1% were born with a disability and 41.9% acquired a disability later.³³ It is therefore apparent that urgent measures need to be taken to minimize children's disabilities resulting from injury and accidents, to implement a sophisticated methodology for early assessment and treatment of children's disabilities, to analyse their underlying causes, and to take corresponding measures to ameliorate them. Currently, not only are children with disabilities poorly provided for in terms of accessible infrastructure and social services but they are also discriminated against in a poorly informed society.³⁴ Currently, half the children born with a disability do not have access to an adequate education and are illiterate, and 80% of all people with disability are economically inactive with most living below the poverty line.³⁵

³³ NSO, *Social and Economic Situation of Mongolia*, 2017/12, page 11

³⁴ National Program on Promotion of Rights, Participation, and Development of People with Disabilities, 2017

³⁵ UNDP, *Mongolian Human Development Report*, 2016, page 15



URBANIZATION AND MIGRATION

In 2017, 66.1% of the total population lived in urban areas and the remaining 33.9% lived in rural areas.³⁶ Natural and climate disasters as well as environmental degradation affect the increase of in- and out-migration flows from soums to aimags, and aimags to urban areas. In 2017, the capital city of Ulaanbaatar alone held 44.6% of the population, 73% of all registered legal entities, and 65.9% of GDP.³⁷

Table 4. In-out-migration indicators

Indicators	Region, location	2015	2016
Out-migration (in-migration)	Ulaanbaatar	11,702 (30,297)	14,342 (25,196)
Out-migration (in-migration)	Western	8,329 (2,564)	8,985 (3,907)
Out-migration (in-migration)	Khangai	13,038 (6,351)	11,509 (6,911)
Out-migration (in-migration)	Central	15,905 (11,194)	13,469 (11,875)
Out-migration (in-migration)	Eastern	4,710 (3,506)	3,884 (2,794)

Source: Mongolian Statistical Information Service

³⁶ Mongolian Statistical Information Service, *Demography*, 2018

³⁷ Ibid

The First General Development Plan for Ulaanbaatar was approved in 1954, the Second in 1961, the Third in 1975, and the Fourth in 1986. However, the Fifth was only approved after 28 years in 2014, when active in-migration resulting in unplanned and haphazard urbanization had already taken place.³⁸

Table 5. Population density

Population density/1 square km			
Region, location	2014	2015	2016
National average	1.9	2.0	2.0
Western	0.9	0.9	0.9
Khangai	1.5	1.5	1.5
Central	1.0	1.0	1.0
Eastern	0.7	0.7	0.7
Ulaanbaatar	290.0	297.1	306.5

Source: Mongolian Statistical Information Service

Moreover, public interest was not adequately taken into consideration during development planning as can be seen in the justifications and introductions to the draft laws relating to urbanization, urban planning and land rights within the General Framework and Direction to Reform Mongolian Laws until 2020.

Generally, market driven, ad hoc, unplanned urban development has taken place, and public interest, particularly the interests of children to live in a healthy and safe environment, have not been adequately addressed.³⁹ Because of the rapid increase in population in Ulaanbaatar, children living in outlying peri-urban duuregs and khoroos have limited access to kindergartens, schools, and health services. As well, pollution in the city has been increasing exponentially with the inability to solve the expansion of ger districts and waste management.⁴⁰ Moreover, migrated and poor people are highly likely to remain unemployed as the city's economy and labour market do not have the capacity to provide employment for all. Consequently, options need to be explored to develop industry and employment in rural regions to balance regional participation in the economy and alleviate pressure on Ulaanbaatar's limited infrastructure.⁴¹

³⁸ Metropolitan Statistics Department, *Introduction to Ulaanbaatar*, 2013, page 14-15

³⁹ National Legal Institute, *Supporting the Development of Legal Reform Policy Documents of Mongolia*, 2016

⁴⁰ Ibid, 34

⁴¹ World Bank, *World Bank in Mongolia Overview*, 2018



DISASTERS

In 2017, Mongolia scored 56.7 out of 120 and was ranked 128 among 178 countries on the Fragility Index that measures the capacity of a country to respond to social, economic, political, environmental and other disasters.⁴² This score has fallen by only 1.7 points over the last 10 years, indicating that Mongolia not only lacks the necessary capacity to manage and respond to crises and disasters, but also has not been able to efficiently develop and strengthen its capacity.

In 2017, Mongolia ranked 99 of 191 countries for Index for Risk Management (INFORM) Country Risk Profile that measures the capacity of countries to prevent, prepare for and respond to crises.⁴³



In 2017,
66.2
million
head of livestock
were counted.

Table 6. Disasters, damage

Disasters, damage	2015	2016	2017
Total number of disasters	5,422	4,381	4,194
Forest and field fires (number)	354	138	225
Fires on possessions (number)	4,561	138	3,536
Strong dust and snow storm (number)	21	14	23
Heavy rain and flood (number)	23	21	17
Earthquake	54	59	42
Livestock deaths (thousand heads)	175.34	1.06	539.1
Mortality caused by disasters (number)	198	230	203
Damage caused by disasters (billion MNT)	79.95	43.1	96.7

Source: Mongolian Statistical Information Service

In 2017, a total of 66.2 million head of livestock were counted in Mongolia.⁴⁴ However, livestock grazing, soil erosion and land deterioration have harshly affected Mongolia's terrain, calling for improvements to the legal environment for sustainable pastureland management and for the application of a regulatory tax on the number of livestock.⁴⁵ Also, as recently as 2017, 69 cases each of the infectious diseases of foot-and-mouth and rabies were registered and as of 11th March 2018, 11 aimags and 27 soums were quarantined due to foot-and-mouth disease.⁴⁶ This has placed a great burden on both the economy of the country and on individual lives. For this reason, in 2017, the Revised Law on Livestock and Animal Health and the Law on Genetic Resources of Livestock were adopted to improve the quality of livestock, reduce and prevent the spread of infectious diseases among livestock, and transfer livestock health management from the private sector to the State.⁴⁷

42 Fund for Peace, *the Fragile States Index 2017*, American Foreign Policy magazine, 2017
43 Joint Research Centre European Commission, *INFORM Results Report 2017, 2017*

44 NSO, *Social and Economic Situation of Mongolia, 2017/12*, page 34
45 Ministry of Food, Agriculture and Light Industry, *Strategic Aims and Development Policy of the Agriculture and Livestock Industry 2017-2020, 2018*
46 NEMA, *Information on Livestock Infectious Disease of Foot-and-mouth, 2018*; NSO, *Social and Economic Situation of Mongolia, 2017/12*, page 18
47 J.Saule, *Animal and Livestock Health Management will be transferred to the State and will work as a Vertical Management System, 2017*



More than

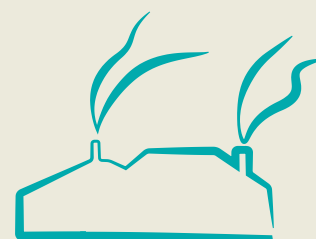
400 000

citizens are expected to remain
unconnected to central sanitation
services by 2030.

POLLUTION

Over 180 thousand households in the ger districts of Ulaanbaatar are not connected to central water, sanitation and heating services and 90.0% use unimproved pit latrines (toilets)⁴⁸ which directly increase soil, water and other environmental pollution. In these conditions diarrhea is prevalent among children under 5 years.⁴⁹ All soil samples taken from Ulaanbaatar, 72.2% of samples from Darkhan city and 54.5% of samples from Erdenet city were found to be highly contaminated. Specifically, 88.0% of soil samples taken from Ulaanbaatar contained bacteria, microbia and fungi.⁵⁰

The problem of sanitation in the ger districts of Ulaanbaatar worsens year by year due to its population and land expansion. Even with the adoption of the Ger District Re-planning Program, more than 400 thousand citizens are expected to remain unconnected to central sanitation services by 2030.⁵¹



The city's annual average level
of particle pollution is

20 times higher.

Ulaanbaatar, home to almost half of Mongolia's population, has become one of the most highly polluted cities in the world during the cold season.⁵² The city's average yearly air particle pollution level is 20 times higher than the level recommended by the World Health Organisation, increasing the mortality of children under 5 years from respiratory diseases by 33.0%, the mortality of adults from chronic obstructive pulmonary disease by 19.0% and mortality due to lung cancer by 24.0%.⁵³

Around 66.0% of urban and 59.0% of rural populations have access to improved drinking water sources.⁵⁴ A number of problems such as illegal household settlement and construction of fences and buildings in protected zones threaten to destroy soil structure, alter water drainage and reduce renewability of underground drinking water in Ulaanbaatar.⁵⁵ The water microbial level was over the acceptable established standard in 12.7% in water samples taken from central water supplies of aimags and soums, and 22% of water samples taken from not central water supply centres.⁵⁶

48 B.Zorigoo, D.Suvd, *Urbanization, Climate Change and Infectious Diseases*, Public Health Institute, 2016; UNICEF, *International Expert Consultation on Sanitation in a Cold Climate*, 2017, page 77

49 Ibid

50 Ibid, page 155

51 Ibid, page 53

52 UNICEF, *Mongolia's Air Pollution Crisis: A Call to Action to Protect Children's Health*, A Discussion Paper, 2018

53 National Program on Environment and Health, 2017

54 Ibid

55 UNICEF, *International Expert Consultation on Sanitation in a Cold Climate*, 2017, page 112

56 Ibid, 131

2 B.

TREATIES RATIFIED AND RESERVATIONS: INTERNATIONAL, REGIONAL

In 2017, the *Committee on the Rights of the Child* recommended that the Government of Mongolia to insure effective Child Rights laws implementation.



FORUM

As of May 2018, Mongolia is party to 36 international human rights treaties and multilateral agreements.⁵⁷ Currently, there is a need to translate these international treaties and agreements, to make them accessible to the public together with information and education programs. There is also a need to organize capacity building activities for non-governmental organisations (NGOs), the public, law enforcement organisations and the courts to put them into practice effectively.

One of the 2017 Recommendations of the UN Committee on the Rights of the Child to the GoM highlights the insurance of effective implementation of Child Rights laws by allocating the necessary human, technical and financial resources. UNCRC also recommended that necessary measures be undertaken to address the issues of adequate budget allocation, promotion of child rights in the business sector, non-discrimination, family environment, environment and health, child jockeys and child labour.

The Committee also reminded Mongolia that the Convention, its 3 additional protocols and general thematic recommendations needed to be implemented effectively. In addition, the Committee called on Mongolia to implement a complaint handling mechanism that is accessible, child friendly and that empowers children to make complaints by themselves. Mongolia is not yet party to the Hague Convention on Civil Aspects of International Child Abduction.

In later sections of this report we look closer at various legal and practical measures that have been undertaken to properly implement the Convention.

⁵⁷ Ministry of Foreign Affairs, *The List of Human Rights International and Multilateral Contracts that Mongolia has ratified and signed*, 2018



2 C.

NATURE AND STATUS OF NATIONAL LEGAL SYSTEM/S, POLITICAL SYSTEM

POLITICAL SITUATION

The 1992 Constitution of Mongolia states that Mongolia is a parliamentary republic with the highest legislative power resting with the State Great Khural (Parliament), executive powers with the GoM, and an independent judiciary led by the Supreme Court. The Mongolian administrative system is comprised of four layers of government: national, aimag/capital, soum/district, and bagh/khoroo. Currently, there are 21 aimags with 329 soums, and the Capital district with 9 duuregs.⁵⁸

All levels of administrative bodies combine state and local self-governance. Consequently, governors are accountable both to the higher State and to the local Khural but, in practice, local governments derive their resources from the central Government which demands greater collaboration between them.⁵⁹ Moreover, although Mongolia has laws governing administrative units, the legal framework does not clearly specify the responsibilities, functions, collaborations, checks and balances between the soum, aimag and central government line agencies.⁶⁰

In terms of its national legal system, legal scholars consider that the system shows characteristics of both civil and common law systems in spite of its being attributed as a civil law system.⁶¹

- 58 Law of Mongolia on Administrative and Territorial Units of Mongolia and their Governance, 2006
- | | |
|--------|--------------------------------------------------------------------------------------------------|
| Duureg | Municipal sub-district in the capital city, Ulaanbaatar (includes a number of khoros per duureg) |
| Khoroo | The lowest administrative unit in the capital city, Ulaanbaatar |
| Aimag | Province within Mongolia (total of 21 in the country) |
| Soum | District in rural areas, the administrative unit below aimag (331, each with a soum settlement) |
| Bagh | Village, a sub-division of a soum |

- 59 David Osborne et al., *Integrated Report: an integrated analysis of economic, political and social issues that support or hinder growth and poverty reduction in Mongolia*, DFAT of the Australian Government, 2015, page 5

- 60 Ibid; Law of Mongolia on Administrative and Territorial Units of Mongolia and their Governance, 2006

- 61 D.Bayarsaikhan, *Contemporary Issues of Legal Thinking*, 2012

In Mongolia, there are 23 registered political parties, though representatives of the two main political parties and a few minor parties dominate. However, it is difficult to differentiate between the policies and concepts of the Mongolian People's Party and those of the Democratic Party.⁶² Power struggles within political parties and vested interests undermine strong leadership and decision-making, resulting in political instability.⁶³ In addition, an amendment to the Constitution in 2000 enabling a simple majority (20 members) of the Parliament to force a government resignation is considered to be a major contributing factor to Government instability.⁶⁴ Since 1992 the average term of government has been less than 2 years. Only two governments have completed their full 4-year term, all others having been forced to resign mid-term by the Parliament.⁶⁵ In one parliamentary term (1996-2000), the government changed 4 times.⁶⁶

Informal political patronage dominates the civil service in Mongolia, undermining not only the development of a stable and professional civil service, but also making institutions vulnerable to political and other forms of manipulation.⁶⁷

Consequently, institutional memory is repeatedly lost, the efficiency of government agencies is jeopardised, and their capacity to collaborate and coordinate is inhibited.⁶⁸ The amended Law on Civil Service and the new Law on Performance and Performance Results of Public Organisations and Civil Servants have been drafted to address these problems and are due to be approved before 2020.⁶⁹

Mongolia is ranked 51st among 113 countries of the world and 7th among 15 countries in the region by the Rule of Law index.⁷⁰ Both the Rule of Law and the Corruption Perception indices have worsened over the last 10 years, but according to the World Bank's Governance Indicators a positive trend has been observed in the same period in terms of government effectiveness, political stability and absence of violence/terrorism, and regulatory quality.⁷¹

Figure 1. Governance Indicators, percentile rank



Source: Worldwide Governance Indicators, World Bank, 2017

Notably, the Corruption Perception Index increased to 36/100 in 2017, resulting in Mongolia ranking 103 among 180 countries, 16 places lower than in 2016.⁷²

72 Transparency International, *Corruption Perception Index*, 2017

62 David Osborne et al., *Integrated Report: an integrated analysis of economic, political and social issues that support or hinder growth and poverty reduction in Mongolia*, DFAT of the Australian Government, 2015, page 6
63 Ibid
64 National Legal Institute, *Supporting the Development of Legal Reform Policy Documents of Mongolia*, Appendix 1, 2016, page 63
65 Ibid
66 Ibid
67 David Osborne et al., *Integrated Report: an integrated analysis of economic, political and social issues that support or hinder growth and poverty reduction in Mongolia*, DFAT of the Australian Government, 2015, page 7
68 Civil Service Council and Office of the President, *Conference on Current Issues and Reform of the Civil Service in Mongolia*, 2017
69 General Framework and Direction to Sophisticate Mongolian Laws till 2020, 2017
70 World Justice Project, *Rule of Law Index 2017–2018 Report*, 2018
71 World Bank, *Worldwide governance Indicators*, 2017

CIVIL SOCIETY ORGANISATIONS



A Renewed Law on NGOs has been drafted for approval to recognize the role of civil society in national development.

As of 2015, there were 14,000 registered civil society organisations (CSOs) in Mongolia, 9,000 of them NGOs. Only 2-3% of those NGOs produce the legally required annual reports; around 60-65% of NGO funding comes from grants by development organisations; only 2% of NGOs generate their revenue from their own fund-raising, i.e. through donations, sponsorship or government assignments.⁷³ Mongolia has been slow to recognize the role of civil society in national development, but a *Renewed Law on NGOs* has been drafted for approval to address this issue.⁷⁴ Although there are 109 laws containing 308 articles that regulate citizen and NGO participation, CSO activities are still very limited in Mongolia.⁷⁵ In general, there is an urgent need to improve the participation of NGOs and strengthen capacity and mechanisms for social accountability.

⁷³ David Osborne et al., *Integrated Report: an integrated analysis of economic, political and social issues that support or hinder growth and poverty reduction in Mongolia*, DFAT of the Australian Government, 2015, page 31

⁷⁴ General Framework and Direction to Sophisticate Mongolian Laws till 2020, 2017

⁷⁵ Research Centre for Victims' Rights, Examination of Implementation of Civil Participation related Regulations in Mongolian Laws, 2017

PRESS FREEDOM



The Press Freedom Status of Mongolia was defined as partially free.

Mongolia ranked 60 in 2016, but fell to 69 in 2017 on the World Press Freedom Index.⁷⁶ In 2017, the Press Freedom Status of Mongolia was defined as *partially free* with 37 points out of 100.⁷⁷ Amnesty International's Report on the State of the World's Human Rights highlighted that Mongolian people have a limited right to freedom of expression.⁷⁸

The creation of the Media Council in 2015, together with recent activities aimed at transforming the State media into a public service, had improved Mongolia's international standing on media independence.⁷⁹ However, further progression towards an independent media is challenged by highly concentrated media ownership, affiliation of most media outlets to politicians and political parties, and a legal environment that criminalizes journalists for offences such as defamation.⁸⁰ As well, most news is generated on a fee-per-minute basis creating a bias towards those who can afford to pay.

⁷⁶ Reporters Without Borders, *World Press Freedom Index 2017*, 2017

⁷⁷ Freedom House, *Freedom of the Press Mongolia Profile*, 2017

⁷⁸ Amnesty International, *The State of the World Human Rights Report of 2017*, 2018

⁷⁹ Reporters Without Borders, *World Press Freedom Index 2017*, 2017

⁸⁰ Bertelsmann Stiftung's Transformation Index, *Country Report Mongolia*, 2018, page 9; Revised Criminal Law, 2016



SUB-SECTION CONCLUSION

A number of country specific factors prevent the rights of the child being fully implemented in Mongolia:



Unbalanced regional development has created a high concentration of the population in the capital and stagnant development in rural areas challenging the country's capacity to deliver services that would ensure the rights of all children to live in a healthy environment, be educated, and be protected.



Providing accessible and quality public services for children presents major difficulties in Mongolia as herders live in vast, sparsely populated regions, which demand extensive human and financial resources to develop the infrastructure for adequate public services.



The extreme climate, poor pastureland practices, high prevalence of infectious animal diseases and frequent natural disasters not only complicate environmental sustainability but also place a heavy economic and social burden on the most vulnerable people and children.



Political instability hinders establishing and reinforcing a professional and stable public service which could positively influence the provision of quality services for children.



Unaccountable governance, inefficient allocation of funds, and heavy dependence on the mining industry have led to inequitable socioeconomic development in Mongolia.

3

SITUATION ANALYSIS OF THE UNCRC IMPLEMENTATION



3 A.

ARTICLES ESTABLISHING CROSS CUTTING SYSTEMS OF PRINCIPLES AND INSTITUTIONS

GENERAL MEASURES OF IMPLEMENTATION

ENABLING LEGISLATION FOR CHILDREN

Within the legal reform framework for ensuring the rights of the child, the Revised Child Rights Law, new Child Protection Law, and Revised Law on Combating Domestic Violence were adopted in 2016; the Revised Criminal Law and Revised Law on Infringement were adopted in 2015 and 2017 respectively. As a result of these child protection and criminal justice reforms, Mongolia became the 49th country to legally protect children from all forms of neglect, violence, abuse and exploitation in all environments including a ban on all forms of corporal punishment in all settings.⁸¹ The Law on People with Disabilities was adopted in 2016 to promote equal social inclusion of people with disabilities. Subsequently, education, health, and social protection laws were amended to accord with the Revised Criminal Law, Law on Infringement and Law on People with Disabilities.

⁸¹ National Program on Child Development and Protection, 2017



As of January 2018,

28

out of 33 procedures and standards were adopted according to the Revised Law on Combating Domestic Violence.

As of January 2018, 5 out of 6 procedures and standards were adopted according to the Child Protection Law; 4 out of 6 procedures and standards were adopted according to the Child Rights Law; and 28 out of 33 procedures and standards were adopted according to the Revised Law on Combating Domestic Violence.⁸² For instance, the following procedures and standards were adopted according to the Child Protection and Child Rights Laws:

⁸² Media and Public Relations Department of the Parliament of Mongolia, *Conclusions and Recommendations of the Working Group were discussed at the Joint Meeting of the Standing Committees*, 2018

- Procedure on the analysis of the situation;
- Procedure on the Assimilation and Utilization of Child Rights Databases;
- Procedure on the Licensing of Legal Entities that Provide Child Protection Response Services;
- Procedure on the Structure and Functioning of the Juvenile Justice Board;
- Procedure on the Functioning and Financing of Multidisciplinary Teams (MDT);
- Procedure on the Provision of Legal Assistance to Children affected by Domestic Violence.

As well, the following procedures and standards were adopted according to the Revised Law on Combating Domestic Violence:

- Procedure on the Connection to Services, Procedure on the Provision of Psychological Counselling;
- Procedure on the Licensing of NGOs that Provide Services to Victims;
- Procedure on the Provision of Temporary Protection Services;
- Procedure on the Organisation of Meetings between Victims and Perpetrators;
- Procedure on the Provision of Voluntary Trainings and Programs for Behavior Changes;
- Procedure on the Provision and Financing of Single Window Services, and others.



38

child rights inspectors were trained to monitor and enforce offence against children.

The Child Rights Law, Child Protection Law, and Revised Law on Combating Domestic Violence reflect the functions and duties of the Ministry of Education, Culture, Science and Sports (MECSS) to educate and protect children in educational settings from all forms of violations. In line with that, educational contents that enable children to acquire the knowledge and ability to resolve conflicts without violence, as well as the knowledge and communication skills to protect him/herself from various kinds of risks, shall be reflected in the curriculum and study standards of general schools. On this account, currently, Procedures on Child Protection in Educational Environments and Prevention of Children from Violence in Learning Environments and Dormitory Settings have been drafted.⁸³

The Revised Law on Infringement codifies over 1,200 violations formerly specified in over 200 different laws and incorporates a new chapter on offences against children. Accordingly, the Ministry of Labour and Social Protection (MLSP) has started to prepare and license child rights inspectors to monitor and enforce offences against children. So far, 38 officers have been trained to undertake these activities.⁸⁴

The Procedural Law on Infringement states that officers authorized to monitor and enforce infringements against children are child rights inspectors, state inspectors of specialized investigation agencies, and police officers. However, this duplication of the duties of inspectors could increase procedural costs. Moreover, a conflict of interest might arise that would hinder the independent functioning of child rights inspectors owing to the fact that they are public servants.

In addition, the Child Rights Law states that child rights ambassadors can be selected and appointed through soum

⁸³ GoM, National Conference on "Sustainable Development-General Education", 2018

⁸⁴ S.Mungunchimeg, *Symposium on "Strengthening the Child Protection System in Mongolia"*, 2018, Opening Speech



The Revised Criminal Law has new separate chapters on Crimes Against Children and Crimes Against Sexual Freedom.

and duureg's children's assemblies from renowned people in the community and from among children. These ambassadors have the right to represent children's proposals, requests, claims and complaints to be considered and resolved by relevant authorities. However, in practice a proper leveraging mechanism is required that will give incentive to these ambassadors to work effectively.

The Revised Criminal Law has new separate chapters on Crimes Against Children and Crimes Against Sexual Freedom. In this regard, parents and authorized carers are now legally responsible for child neglect and for damages arising from punishment and violations of the rights of their children.⁸⁵ In addition, a child in conflict with the law shall not be imprisoned if certain conditions are met, but where possible various rehabilitative measures shall be applied.

Unfortunately, effective implementation of these laws has been challenged in practice by various difficulties and barriers. For instance, the time frame for preparing to implement these laws has been restrictively short, insufficient training has been provided to relevant public servants, the capacity of MDTs, Juvenile Justice Boards and Single Window service centres have not been satisfactorily developed on a national scale, infrastructure for provision of services to victims has not been created, and budget allocations for the implementation of these laws has been inadequate.⁸⁶ We will examine these issues further in later sections, in particular in the section on the structure of government agencies for children.

⁸⁵ Concept of Draft Criminal Law and Law on Infringement, 2015

⁸⁶ Media and Public Relations Department of the Parliament of Mongolia, *Conclusions and Recommendations of the Working Group were discussed at the Joint Meeting of the Standing Committees*, 2018

The following national policies and programs relevant to ensuring the rights of the child have been adopted since 2015:

- ① Mongolian Sustainable Development Vision-2030, 2016
- ② Action Program of the Government of Mongolia 2016-2020, 2016
- ③ Action Plan for Implementing Government Action Program 2016-2020, 2016
- ④ General Framework and Direction to Sophisticate Mongolian Laws till 2020, 2017
- ⑤ National Program on Child Development and Protection (2017-2021), 2017
- ⑥ National Health Policy (2017-2026), 2017
- ⑦ National Food and Nutrition Policy (2016-2025), 2015
- ⑧ National Program on Maternal, Child, Reproductive Health (2017-2021), 2017
- ⑨ National Program on Promotion of Rights, Participation, and Development of People with Disabilities (2018-2022), 2017
- ⑩ National Program on Combating against Human Trafficking (2017-2021), 2017
- ⑪ National Policy on Population Development (2016-2025), 2016
- ⑫ National Program on Public Legal Education, 2018
- ⑬ National Program on Environment and Health (2017-2020), 2017
- ⑭ National Program on Combating against Non-communicable Diseases (2017-2021), 2017
- ⑮ National Program on Combating against Communicable Diseases (2017-2021), 2017

In addition, the List of National Programs that the Government of Mongolia intends to develop over the period 2016-2020 contains the following national programs relating to the rights of the child:

- ① National Program on Healthy Food-Healthy Mongolian
- ② National Program on Family Development, 2018
- ③ National Program on Support of Development of Adolescents and Youth
- ④ National Program on Prevention from Accidents, and Injuries of Small Children and Increasing of Parental Responsibility
- ⑤ National Program on Protection of Soil and Decreasing of Deterioration of Ground
- ⑥ National Program on Provision of Free Legal Aid Services to Citizens of Targeted Social Groups

The following have direct implications for children's rights, protection, inclusion, education, health and safety.



NATIONAL PROGRAM ON CHILD DEVELOPMENT AND PROTECTION

The aim of this program is

- to create a healthy and safe environment for children;
- to provide a proper environment for children's development;
- to nurture a social culture that respects and listens to children's opinions;
- to prevent and protect children from all forms of neglect, abuse, pressure, violence and exploitation;
- to reduce income and non-income poverty of children with the support of social welfare policies for the promotion of equal opportunities.

All these activities are to be implemented with the participation of children and CSOs. The Program specifically aim to improve access to health, education, protection, and other social services for children with disabilities from remote rural and poor urban areas.

NATIONAL PROGRAM ON PROMOTION OF RIGHTS, PARTICIPATION, AND DEVELOPMENT OF PEOPLE WITH DISABILITIES

The National Policy on Population Development promotes human rights-based development concepts, specifically highlighting the development and implementation of effective measures for children with disabilities and family support. The National Program on Promotion of Rights, Participation, and Development of People with Disabilities was adopted in order to realize the Law on People with Disabilities. The Rule of the Commission for Health, Education, and Social Protection of Children with Disabilities was also adopted in 2016. Moreover, it should be highlighted that the Government Action Program reflects the following crucial procedures to be undertaken to improve inclusiveness of children with disabilities. These are “...creation of a proper learning environment and infrastructure for children with disabilities to enable them to study with their peers...support for legal entities that provide educational and development services to children with disabilities and that provide workplaces for people with disabilities...” and other recommendations.

LAWS AND PROGRAMS THAT CONCERN HEALTH, FOOD, NUTRITION AND SANITATION

The Law on Hygiene was adopted in 2016 setting out specific provisions on the regulation of sanitation facilities. For instance, a Standard on Technical Requirements on Pit Latrine and Sewage Pit was revised along with the legal requirement to build and design toilets suitable for children, people with disabilities and senior people.

The National Health Policy proposes solutions to problems and determines development policies in the health sector for the next 10 years. It defines the directions to be taken in the health system in terms of public health services, human resources, investment, and drug policy, and it highlights reforms to the public health promotion policy and performance evaluation system and calls for transparency and accountability of the drug sector.

The National Food and Nutrition Policy requires the inclusion of healthy eating, nutrition and food security in the core study curriculum of pedagogy as well as organisation of corresponding training for teachers, educational staff and child carers and development and dissemination of handbooks on these curriculum topic

The National Program on Maternal, Child and Reproductive Health proposes that maternal and child health issues be reflected in other sectoral policies; that collaboration between NGOs, public organisations and the private sector be supported; that equal, accessible, quality of services be provided; that unwanted pregnancy and abortion be reduced by improving family planning services; that health education be delivered. The program is particularly intended to provide more accessible and quality health services to mothers and children living in remote rural and urban poor areas, to herders, to student mothers, to mothers and children with disabilities, and those who are unemployed and marginalized.





LAWS AND PROGRAMS THAT CONCERN EDUCATION

The Law on Child Care Services was adopted in 2015 and as of 2016 a total of 5,496 children, of them 297 children with disability, were students in child care centres.⁸⁷

Moreover, in response to concerns about the standard of conditions in dormitories, MECSS adopted “Sample Notebooks for Dormitory Teachers” and “Directions for Action Plan on Child Protection in Dormitories” in 2016, as well as a “Medium-term Action Plan to Improve Dormitory Environments and Services” in 2017.⁸⁸ Further information on laws and programs related to education are addressed in the education section of this report.

⁸⁷ O.Altansukh, *Parents Oversight is Crucial in the Day Care Services*, 2017

⁸⁸ Decree A/426 of Minister of Education, Culture, Science and Sports, 2017; Decree A/168 of Minister of Education, Culture, Science and Sports, 2016

INSTITUTIONS, SERVICES AND FACILITIES FOR CHILDREN TO COMPLY WITH ESTABLISHED RIGHTS

The revised Child Rights Law defines the obligations and competencies of government organisations for children. It defines in legal terms the child rights-related obligations and roles of central and local child and family development organisations, national and local Councils for Children, all levels of governors, other public organisations, parents, citizens and legal entities. Concurrently, the Child Protection Law and the Revised Law on Domestic Violence laid the legal foundations for the child protection system in Mongolia.

A number of institutions have been created or restructured since 2015 in accordance with child rights-related laws, particularly the Child Protection Law. Some of the main institutions are:



The Authority for Family, Child and Youth Development (AFCYD) affiliated with MLSP, 2016;



108 Child Helpline Services Centre under AFCYD, 2016 ;



Temporary Protection Centre under the 108 Child Helpline Services Centre, 2017;



Training, Research and Information Centre affiliated with MLSP, which researches family, children and youth issues and provides capacity building training for social workers, 2017;



National and Sub-national Ethics Committee of Mongolian Social Workers;



Unur Bul Children's Centre which now provides protective response services;



AFCYD and the Metropolitan Child & Family Development Department jointly founded a Children's Development Centre in Bagakhangai district for rehabilitation of unsupervised children and reintegration into their families.

In addition, the following institutions have been set up within central and local governments nationwide:



The Commission for Health, Education, Social Protection of Disabled Children, 2016;



Single Window services, 2017;



Juvenile Justice Board, 2017;



Multidisciplinary Teams, 2017;



Crime Prevention Council, 2016;

Crime Prevention Department, 2016.

Currently, although these institutions are in operation, their effectiveness is hindered by limited human and material capacity as well as by vague and ambiguous procedures for implementation. We will look closer at these institutions that have been founded across the country in the context of the Child Rights Law, Child Protection Law, Revised Law on Combatting Domestic Violence, and the Law on People with Disabilities.



THE COMMISSION FOR HEALTH, EDUCATION, SOCIAL PROTECTION OF DISABLED CHILDREN

The purpose of the Commission is to identify disabilities of 0-16 year old children, to include children with disabilities in health, education and social protection services, and to monitor, implement, and promote inter-sectorial coordination. According to the Law, a Commission for Health, Education, and Social Protection of Disabled Children shall be formed at central and local administrations, namely one central commission within MLSP, and 30 sub-commissions in 21 aimags and 9 districts of Ulaanbaatar. As of September 2016, 13 sub-commissions had not convened at all and only 9 sub-commissions had sent their reports to MLSP.⁸⁹ Given these circumstances, the capacity of these sub-commissions needs to be developed and their activities further supported.

⁸⁹ MLSP, *The Commission for Health, Education and Social Protection of Disabled Children*, 2016



9 single window
service centres
and
16 temporary
protection
centres
are in operation to some extent.

SINGLE WINDOW SERVICE AND TEMPORARY PROTECTION CENTRES

Single window service centres are obliged to provide comprehensive services to victims of violence. The Single Window service centre at the Hospital for Injury and Trauma is considered as exemplary in Mongolia so their current activities and challenges provide a useful illustration. The centre provided services to 302 people in 2010, but in 2017 this number increased to 960. Over these years, 31.0% (299) of all people who received services were children, and of them 79.0% (236) attended with their mothers and 21.0% (63) children came on their own.⁹⁰

Educational and employment status have significantly varied among victims and perpetrators. The majority of perpetrators were penalized: 38.0% of them were detained for 30 days, 0.5% of them were sentenced for 2 years, 8.0% of them have since divorced, and 3.0% of the cases are currently under judicial review. The challenges to efficient operation faced by single window centres are “...human resources, incomprehension of service provision within teams and across relevant organisations (108, 107, National Centre against Violence), need for training of staff for capacity building and specialization...”.

As of 2017, 9 single window service centres and 16 temporary protection centres are in operation to some extent. 11 of these single window services and temporary protection centres are financed by the state budget, 4 of them are supported by international organisations, and 4 of them were not financed at all and thus were unable to provide proper services.⁹¹ Hence the Ministry of Justice and Internal Affairs has announced plans for 15 new single window services and 5 temporary protection centres to be built from 2018 in 15 different locations with the support of international organisations.⁹²

⁹⁰ Sh.Nansalma, *Single Window Centre of Hospital for Injury and Trauma, Symposium on “Strengthening the Child Protection System in Mongolia”*, 2018, Presentation

⁹¹ Media and Public Relations Department of the Parliament of Mongolia, *Conclusions and Recommendations of the Working Group were discussed at the Joint Meeting of the Standing Committees*, 2018

⁹² Ibid



Juvenile Justice Boards
provided services to

608

children from April to December
2017 nationwide.

JUVENILE JUSTICE BOARD

Juvenile Justice Boards have an obligation to work with juvenile offenders, victims and witnesses of crimes. They provided services to 608 children from April to December 2017 nationwide.⁹³ Specifically, they must connect children in contact with the law to various services such as educational and vocational training, counselling and treatment for rehabilitation, positive behavior change, addiction and mental health. Also, they must support and assist juvenile offenders freed from imprisonment to reintegrate into the society.⁹⁴

However, it is still unclear how in practice the various rehabilitative and other study programs can be accredited and how their performance results can be evaluated. Moreover, the state's policies and procedures for effectively supporting children to become self-sufficient citizens are not clear, nor are the mechanisms for implementing the Procedure on Juvenile Justice Board. Currently, Best practices for changing attitudes and behavior need to be implemented to rehabilitate and support juvenile offenders. It is claimed that, in order to resolve the root causes that influence children to commit offenses and crimes, response services and support also need to be provided to the parents of juvenile offenders that take their social and economic needs into consideration.⁹⁵ Moreover, there is still a need to build the capacity of juvenile justice boards and increase the quality of and accessibility to protection, rehabilitation, treatment and strategic advocacy services for child victims and witnesses nationally.⁹⁶

⁹³ O.Altansukh, *Introduction to Current Activities and Performance of AFCYD*, 2018

⁹⁴ Procedure on the Structure and Functioning of the Juvenile Justice Board, 2017

⁹⁵ AFCYD and MSUE, *Proceedings of the Conference on "Children and Solutions"*, 2017, page 40

⁹⁶ Ibid; National Program on Child Development and Protection, 2017; Action Program of the Government of Mongolia 2016-2020, 2016

MULTIDISCIPLINARY TEAMS (MDTS)

In 2017, capacity building trainings were provided for 4,634 members of 609 MDTs nationwide and MDTs worked with 1,298 families affected by domestic violence, provided child protective services to 945 children, or 4.5% of all children living at risk.⁹⁷ Although, MDTs have been activated across the country in accordance with the Child Protection Law, in practice, conceptual, financial and performance related barriers hinder their functioning effectively.

For instance, besides their main duties, MDTs are obliged by the Revised Law on Domestic Violence and the Child Protection Law to work with both the victims of domestic violence and children exposed to violence. This overloads MDTs and risks diminishing access to quality services for children.⁹⁸ Consequently, the Vice Minister of MLSP, Ms. S. Mungunchimeg, has stressed the necessity for evaluation of the Child Protection Law and the Law on Domestic Violence to determine the structure, function, service mapping, and monitoring and evaluation system of MDTs.⁹⁹ Moreover, it is considered vital to improve the integrity and coordination of sub-councils for combatting and preventing domestic and child violence under the Crime Prevention Council and the National Council for Children as this dual child protection policy and structure could be blurring the independence of the child protection system that is to be strengthened in the society.¹⁰⁰

Furthermore, procedures need to be determined and developed for transferring unresolved cases from the first administrative units to the MDTs of higher level administrative units. Other procedures that need to be addressed include clarification of rules and responsibilities of MDT members and their remuneration; development of a sample confidentiality contract; development of list of protective services and respective standards; and the creation of a mechanism to protect MDTs members.¹⁰¹ Over and above these, a number of issues and recommendations related to policy, local government and MDT performance which were identified at the Conference on “Strengthening the Child Protection System in Mongolia” (2018) and in the research paper “Multidisciplinary



Teams: Current Situation, Achievements and Challenges” (2018) also need to be taken into account.¹⁰²



Capacity building trainings were provided for members of Multidisciplinary Teams.

Finally, it has become a critical issue to promote the workplace stability of MDT members. For instance, 19.1% of all MDT members and 50.0% of Metropolitan MDT members have changed since capacity building activities have been conducted for MDTs.¹⁰³ In fact, across the board, there is a need for further capacity building of MDTs by providing professional and methodological support and training on case identification, case plan development, team decision-making, case management, as well as taking steps to increase workplace stability for MDTs members and implement best practices in violence prevention.¹⁰⁴

97 S.Mungunchimeg, Symposium on “Strengthening the Child Protection System in Mongolia”, 2018, Opening Speech
98 Development Initiative and Policy Research Centre, *Multidisciplinary Teams: Current Situation, Achievements and Challenges*, 2018
99 Development Initiative and Policy Research Centre, *Multidisciplinary Teams: Current Situation, Achievements and Challenges*, 2018, page 78-86
100 Ibid
101 Ibid

102 Ibid
103 MLSP, AFCYD, JICA and Save the Children, Symposium on “Strengthening the Child Protection System in Mongolia”, 2018
104 Ibid; P.Myagmarjav, Introduction to Activities and Performance of the Family and Child Protection Sections of the Metropolitan Child and Family Development Department, 2018



Operations of the Crime Prevention Council have been restored since 2016.

YOUTH CRIME PREVENTION DIVISION

Operations of the Crime Prevention Council have been restored since 2016. As a consequence, the Youth Crime Prevention Department of the National Police Agency and Youth Crime Prevention Division of the Metropolitan Police Department were founded.¹⁰⁵ Currently, 1-2 officers in each police division work nationally (63 officers), 25 in Ulaanbaatar and 38 in rural areas.¹⁰⁶ Around 17,138 children aged 0-18 years, 12-13 schools, 1-2 universities and/or colleges are allocated to each officer respectively.¹⁰⁷ Consequently, police officers face challenges to performing their youth crime prevention duties effectively as they are responsible for domestic violence issues as well as their main duties.¹⁰⁸

Significant institutional and practical changes have been undertaken in the short term to implement the Child Rights and Child Protection Laws of 2016. However, strengthening the child protection system to meet its legal obligations has been challenged by work overload within first administrative units, insufficient human and financial resources, lack of administrative clarity about evaluation, remuneration, roles and responsibilities, service types and mechanisms for implementation.

¹⁰⁵ Decree A/234 of Director of National Police Agency, 2017

¹⁰⁶ GoM, National Parents Conference on "Family-the First Child Development Environment", 2017

¹⁰⁷ Ibid

¹⁰⁸ Ibid



There are
99 schools,
19 dormitories and
127 kindergartens
are planned to be
built in 2018.

INVESTMENT IN CHILDREN

In 2017, the health budget amounted to 2.9% of GDP, lower than other comparable countries, whereas, the education budget was 4.1% of GDP, similar to other countries of the world.¹⁰⁹ However, the majority of budget expenditures of the Ministries of Health, MECSS and MLSP consist of operational costs leaving only a small percentage for development.

Table 7. Budgets of General budget governors

General budget governors /in million MNT/	2016	2017	2018
Minister of Health	672,289.70	694,714.50	766,306.10
Operational cost	549,240.90	593,560.00	632,971.20
Minister of Labor and Social Protection	-	1,146,885.20	1,267,659.90
Operational cost	-	1,098,619.50	1,201,772.20
Minister of Education, Culture and Science	1,338,660.50	1,322,550.30	1,632,349.00
Operational cost	1,044,599.00	1,078,729.90	1,136,445.00

Source: Budget Laws of 2016, 2017, 2018

The Education budget was increased significantly in 2018 and now amounts to 12.2% of the total Budget, 3.9% of GDP. This is because there are plans to build 46,186 seating capacity across 99 schools, 2,090 bedding capacity across 19 dormitories, and 20,140 bedding capacity in 127 kindergartens.¹¹⁰ As well, the Prime Minister, Mr. U. Khurelsukh announced that, all schools

¹⁰⁹ D.Bayarmaa, Assessment of Expenses Allocation in the approved Mongolian Budget of 2017, Open Society Forum, 2016

¹¹⁰ D.Bayarmaa, Assessment of Expenses Allocation in the approved Mongolian Budget of 2017, Open Society Forum, 2016; GoM, National Conference on "Sustainable Development-General Education", 2018



Special transfer for child development and protection services has not been noticeably increased since the adoption of the Child Rights and Child Protection Laws.

would conduct a maximum of two shifts and that all rural and urban children would have access to preschool education.¹¹¹

What is more concerning about the education sector is that because of the economic situation on Mongolia, in November, 2017 ADB approved a loan of USD 50 million to support access to quality education and USD 25 million to improve the living standards of people with disabilities by increasing the availability of government services.¹¹²

In terms of a special transfer for child development and protection services, MNT 6,554.1 million in 2015, 6,215.5 million in 2016, 6,296.5 million in 2017, and 6,331.8 million in 2018 were allocated respectively, demonstrating that this amount has not been noticeably increased since the adoption of the Child Rights and Child Protection Laws.¹¹³ Moreover in 2017, MNT 396 million was allocated for the implementation of Child Rights and Child Protection Laws, though at the Joint Meeting of the Standing Committees this amount was considered insufficient. Thus, it is considered important to increase the amount allocated in the 2019 Budget to implement these laws and strengthen the child protection system.¹¹⁴ Further issues related to investment in children are addressed later in this report.

¹¹¹ Ibid

¹¹² ADB, ADB approved the Loan to improve the Inclusiveness and quality of life of People with Disabilities in Mongolia, 2017; ADB, The ADB extends the Assistance to sustain Education Quality and Access during the time of Economic Difficulties in Mongolia, 2017

¹¹³ Budget Laws of 2015, 2016, 2017, 2018

¹¹⁴ Media and Public Relations Department of the Parliament of Mongolia, Conclusions and Recommendations of the Working Group were discussed at the Joint Meeting of the Standing Committees, 2018



GENERAL PRINCIPLES

The general principles that underpin the rights of children as identified in the Conventions and international legal documents that Mongolia is party to, such as the right to life, development, non-discrimination, adherence to the best interests of the child, respect for the views of the child, and the right to participate, are all legally guaranteed in the newly adopted and revised laws, programs and policies mentioned above.

However, as we discuss in the section on Structure of Government Agencies for Children, in practice a number of difficulties with policies, budgetary capacity and human resources hinder the effective implementation of laws and programs. We will also touch upon specific child rights issues that hinder adherence to the general principles.



Legal protection of the sexual inviolability of children aged

16-18

years is not comprehensive.

DEFINITION OF THE CHILD

The Child Rights Law legally defines a child as a person under the age of 18. However, the Fifth Periodic Report of Mongolia on the Implementation of the UN Convention on the Right of the Child highlights that a legal environment for ensuring the best interests of the child needs to be reformed as, for example, a child aged 14-15 can enter a vocational training centre, gain a specialization by the age of 16-17, and be employed before the age of 18. Moreover, as the Revised Criminal Law states that "...rape of a person under the age of 16 that results in pregnancy..." "...sexual exploitation of a person under the age of 16 that results in pregnancy..." legal protection of the sexual inviolability of children aged 16-18 years is not comprehensive.

SUB-SECTION CONCLUSION

Since 2015, various legislation, national programs and policies have been adopted, and significant institutional changes undertaken to ensure the rights of the child. However, effective implementation has been challenged by inconsistencies in policies and limitations in financial, institutional and human capacity.



3 B.

ARTICLES ESTABLISHING SUBSTANTIVE RIGHTS

EDUCATION

A snapshot of the realization of children’s right to education and development can be seen in this table. The following sections look at preschool and general school education as well as the right to education of children with disabilities and children from minority language groups.

Table 8. A Short introduction to the statistics of education sector

Indicators	As of 2016
The net enrollment rate	Preschool education enrollment 80.9% General education enrollment 91.2%
The education deficit rate	14.9% (among 6-14 years of children) 6.3% (among 15-17 years of children)
Primary education graduation gross weight	95.8%
Basic education graduation gross weight	118.9%
Percentage of children under 5 who are developmentally on track in the following domains: literacy-numeracy, physical, social-emotional, and learning	76.0% (2013)
Percentage of children who attended early childhood education program 1 year before reaching an official school age	68.3%
Percentage of 15-24 years youth who do not possess education, not employed and not attending any training	20.5%
Number of pupils dropped-out of schools aged 6-14	400

Source: NSO, MECSS, Indicators of Sustainable Development Goal, Multidimensional Overlapping Deprivation Analysis of Children of 2016, National Program on Child Development and protection of 2017



The main factors influencing unequal preschool enrollment rates in Mongolia are geographical location, minority ethnicity, and family living standards.

PRESCHOOL EDUCATION

ACCESSIBILITY, ENROLLMENT, QUALITY AND THE ENVIRONMENT

Nationwide, 256,700 children were enrolled in 1,416 kindergartens in the 2017-2018 study year.¹¹⁵ Kindergartens have been enrolling children by lottery since 2015 due to limited availability of places in kindergartens.¹¹⁶ Currently, one in three kindergartens does not have sufficient space for indoor play activities and the average class size is 42 children in the countryside and 50 in urban areas.¹¹⁷ This situation has a negative effect on healthy child development in Mongolia.

The World Bank's Study on "Pre-Primary Education in Mongolia: Access, Quality of Service Delivery, & Child Development Outcomes" concluded that the main factors influencing unequal preschool enrollment rates in Mongolia are geographical location, minority ethnicity, and family living standards.¹¹⁸ For instance, the average enrollment rate of children 3-5 years for preschool education is 68.0%, but only 57.0% in rural areas.¹¹⁹ In this regard, the Action Program of the GoM 2016-2020 states that novel service delivery methods for early childhood education (ECE) need to be implemented

¹¹⁵ MECSS, *A Short Introduction to the 2017-2018 Study Year Statistics of General Education*, 2018

¹¹⁶ Ts.Tsogzolmaa, *The Situation of Registration of Children in Kindergartens by Lottery to End*, 2017

¹¹⁷ National Program on Child Development and Protection, 2017

¹¹⁸ World Bank, *Pre-Primary Education in Mongolia: Access, Quality of Service Delivery, & Child Development Outcomes*, 2017, page 10

¹¹⁹ National Program on Child Development and Protection, 2017



to increase accessibility to preschool education in rural areas, particularly in remote areas.¹²⁰ On that account, the National Program on Child Development and Protection includes provisions for preschool education for children in the family environment. Alternative preschool education services need to be promoted and scaled up nationally to increase access to ECE for herders' children.

Further, this study concludes that *“Household wealth is a key determinant of preschool enrollment, with children from households in the poorest quintile of wealth almost 40 percentage points less likely to enroll in preschool than those from the richer quintiles. Even though preschool enrollment rates are lowest among the most socioeconomically disadvantaged and those with the lowest wealth, the largest share of the public subsidy to preschool is accruing to the wealthiest.”*¹²¹

Moreover, the quality of preschool education greatly varies depending on whether kindergartens are located in urban, rural, urban ger and non ger districts as well as on

¹²⁰ Action Program of the Government of Mongolia 2016-2020, 2016

¹²¹ World Bank, *Pre-Primary Education in Mongolia: Access, Quality of Service Delivery, & Child Development Outcomes*, 2017, page 11



An inspection of 122 metropolitan kindergartens found that

41.6%
of food storage spaces did not meet hygiene standards.

whether kindergartens are privately or publicly owned.¹²² For instance, it has been identified that ger kindergarten, which is an alternative rural preschool education service, did not provide a quality service for children.¹²³

Furthermore, kindergartens are not supplied with basic materials and study aids, consequently a proper learning environment for children still needs to be promoted.¹²⁴ For instance, an inspection of 122 metropolitan kindergartens, 52 private and 52 run by the State found that space per child in 66.6% of kindergartens was 1.5-2.2 times less than established hygiene norms; 25.0% did not possess standard washing and sanitation facilities; food nutrition levels did not meet all regulations, though the level of calories per day did meet the standard; 25.0% of mechanical ventilation systems in cafeterias did not function properly; and 41.6% of food storage spaces did not meet hygiene standards.¹²⁵ It was also common in non-state kindergartens that managers, teachers and other staff had not obtained recognized preschool qualifications.¹²⁶ The fact that young children were not receiving quality preschool education during their most active years of development increases the risk of low educational achievement in primary grades and a higher risk of learning difficulties and drop-out rates in senior grades.

¹²² Ibid

¹²³ Ibid

¹²⁴ National Program on Child Development and Protection, 2017

¹²⁵ Metropolitan Professional Inspection Department, *Information about the Inspection of Pre-school Organisations*, 2017

¹²⁶ Metropolitan Professional Inspection Department, *Information about the Inspection of Pre-school Organisations*, 2017



A National Conference on Education highlights the importance of legal stability in the general education system, and the need to ensure the coherence and continuity of education policy.

GENERAL EDUCATION

LEGAL ENVIRONMENT, EDUCATION POLICY AND PROGRAM

In October 2017, Mongolian teachers announced a strike to demand a salary increase and better social protection. The strike ended when the GoM announced that it would pay close attention to improving the working environment, social protection, and salaries of teachers.¹²⁷ In January 2018, a National Conference on Education was organized under the auspices of the Prime Minister, at which officials, teachers, pedagogues and researchers discussed problems in the education sector such as preschool education, legislation surrounding general education, social protection of teachers and the quality of education. The conference highlighted the importance of legal stability in the general education system, independence from political influence on the appointments of directors and managerial positions and the need to ensure the coherence and continuity of education policy.

Moreover, the conference drew attention to the necessity for making systematic changes to school curriculums.¹²⁸ It had become evident that since the transition from 10 years to 12 years of school education, policies and programs had been reformed without fully considering effects

¹²⁷ Media and Public Relations Department of the Government, *The Teachers strike ends and negotiations will continue*, 2017

¹²⁸ GoM, National Conference on "Sustainable Development-General Education", 2018

on and risks to children. For example, the Report on Inclusive and Sustainable Growth Assessment states that “... education reform benefited children from a few schools in the central part of Ulaanbaatar and aimags with comparatively well-developed infrastructure, but did not create the same advantages for schools in remote rural areas...”.¹²⁹

The report further states that children from socioeconomically disadvantaged families, herders’ children, minorities, children with a disability, and other children with special needs have encountered difficulties in completing even the compulsory 9 years of basic education. As well, reforms have to some extent burdened existing accessibility and sanitation issues of schools and dormitories.¹³⁰ Consequently, the Action Program of the GoM 2016-2020 includes measures that allow the school start age of herders’ children to be more flexible, that entitle children to public transportation services, that increase accessibility to dormitories and that adapt dormitories to become environments suitable for 6 years old children.

¹²⁹ ADB, *Inclusive and Sustainable Growth Assessment: Mongolia 2017–2020*, 2017, 14

¹³⁰ Ibid

Moreover, the media coverage on ADB’s education loan to GoM stated that

*“...reform to the study program had not been fully completed since 2013 due to the lack of development of new senior grade curricula and implementation of a sophisticated and reliable evaluation system. Also, corresponding teaching materials and textbooks for the new study program had not been developed on time and adequate training for teachers, managers and local administrative officers in charge of education had not been provided ...”.*¹³¹

¹³¹ ADB, *The ADB extends the Assistance to sustain Education Quality and Access during the time of Economic Difficulties in Mongolia*, 2017



“Education about goodwill, morals and behavior are missing, thus... children are not receiving a balanced education that could support the value-oriented education needs for human development and proper preparation for citizenship” researchers say.

In line with that, researchers at the Mongolian Institute for Education claim that “there is a need to amend the Education Law to clarify the status of the body that defines education policy, and to create a comprehensive system that enables education reform and curriculum changes in accordance with an integrated plan”.¹³² Hence, currently, a comprehensive system for education reform has not yet been developed and there is a risk that the current social, economic and political instabilities and institutional immaturity could further delay reforms.

In most countries of the world, children spend 5.5-8 hours per day at school and out-of-school programs, whereas in Mongolia children spend just 5 hours a day at school because of the overload on school capacity.¹³³ Accordingly, schools can only teach the subjects that are in their study plan.¹³⁴ In this regard, researchers consider that “... education about goodwill, morals and behavior are missing, thus... children are not receiving a balanced education that could support the value-oriented education needs for human development and proper preparation for citizenship...”.¹³⁵ Currently, there is no opportunity for additional subjects for children, particularly needs-based flexible study programs for senior grade pupils, as students are already fitting heavy study loads into limited hours and some schools have up to 3 shifts a day.¹³⁶

¹³² M.Itgel, A.Enkhtogtokh, *General Educational Policy and Curriculum, National Conference on “Sustainable Development - General Education”*, 2018

¹³³ Ibid

¹³⁴ Ibid

¹³⁵ Ibid; AFCYD and MSUE, *Proceedings of the Conference on “Children and Solutions”*, 2017, page 53

¹³⁶ Ibid



EVALUATION OF TEACHERS AND PUPILS

Teachers' salaries are equal to the salaries of the lowest level of public servants. This tends to have a negative impact on the social status of teachers and their development and consequently on the quality of education.¹³⁷ Evidence of this is in the lower general education examination scores of those who choose teaching as a profession.¹³⁸ In connection with that, there are plans to introduce performance reviews into the education sector.¹³⁹ Moreover, it is considered important that teachers improve their evaluation skills and that they assess their students impartially. This has been prompted by pupils scoring noticeably higher grades in their final years, indicating that teachers' evaluations are largely subjective.¹⁴⁰

¹³⁷ Concept of Draft Law on Teacher Development, 2017

¹³⁸ Ibid

¹³⁹ GoM, National Conference on "Sustainable Development-General Education", 2018, Recommendation

¹⁴⁰ Ibid



Aspects of specialization and skills development in education belong to different ministries, e.g. life-long learning centres that provide education to children over 15 years old with special needs, do not offer the skills building programs that would meet their needs.

ACCESSIBILITY AND SCHOOL LOAD

In 2017-18, 581,200 pupils study in general educational schools, and of them 7,947 pupils study in life-long learning centres.¹⁴¹ Currently, aspects of specialization and skills development in education belong to different ministries, e.g. life-long learning centres that provide education to children over 15 years old with special needs, do not offer the skills building programs that would meet their needs.¹⁴² It is considered that the educational content of life-long learning centres needs to be re-evaluated and renewed.

The female to male gender ratio is 49:51 in primary grades, but changes to 54.3:45.7 in senior grades, underlining the need to give proper attention to the ongoing enrollment of boys many of whom drop out school to help with herding or to support the family income with other activities.¹⁴³

Overall, 64.6% of all children starting school in the first grade attended early childhood education, whereas the other 35.4% did not receive any form of ECE according to the 2017-2018 Study Year Statistics of General Education.

¹⁴¹ MECSS. *A Short Introduction to the 2017-2018 Study Year Statistics of General Education*, 2018

¹⁴² "Education for All" National Coalition of CSOs, *The point-of-view of Civil Society Organisations on Education in Mongolia*, 2017

¹⁴³ MECSS. *A Short Introduction to the 2017-2018 Study Year Statistics of General Education*, 2018; National Program on Gender Equality, 2017

Of the 798 general education schools in 2017-2018, 69.8% (557) are in rural areas, and 30.2% (241) in Ulaanbaatar.¹⁴⁴ Due to the concentration of schools and their accessibility, Ulaanbaatar experiences the highest load with an average of 40 pupils per class, 50 pupils in primary grades, and 3 shifts per day, the last ending at 20.00-21.00.¹⁴⁵ Currently, in Ulaanbaatar, there are 50 khoroos that do not have schools and 24 khoroos that do not have kindergartens.¹⁴⁶

More precisely, there are 35 schools in Ulaanbaatar and 5 schools in aimags with 37-54 pupils per class, higher than established norms. In general, primary grade pupils are more likely to attend in 3 shifts and to study in oversized classes.

Table 9. *A Short Introduction to the 2017-2018 Study Year Statistics of General Education*

2017/2018 study year	Classes studying in 3 shifts	Schools	Classes
Elementary	85.5%	74 or 9.3%	50.5%
Middle	4.5%	116 or 14.5%	32.4%
Senior		562 or 70.4%	17%
Complex		46 or 5.8 %	

Source: *A Short Introduction to the 2017-2018 Study Year Statistics of General Education*, MECSS, 2018; National Program on Gender Equality, 2017

As for dormitories, 35,200 pupils live in dormitories in general education schools, of them 18,200 (51.7%) are girls and 25,700 (73.0%) are herders' children.¹⁴⁷ In the 2017-2018 study year, of the 517 dormitories nationwide, 439 dormitories meet the relevant state standards and 78 do not.¹⁴⁸

¹⁴⁴ MECSS. *A Short Introduction to the 2017-2018 Study Year Statistics of General Education*, 2018

¹⁴⁵ GoM, National Conference on "Sustainable Development-General Education", 2018

¹⁴⁶ Ts. Jargalantuu, *Metropolitan Education-Child Protection, Symposium on "Strengthening the Child Protection System in Mongolia"*, 2018, Presentation

¹⁴⁷ NSO, *Social and Economic Situation of Mongolia*, 2018/1.

¹⁴⁸ MECSS. *A Short Introduction to the 2017-2018 Study Year Statistics of General Education*, 2018; National Program on Gender Equality, 2017



The current access to school sanitation and hygiene in Ulaanbaatar city do not meet the established requirements.

WATER, SANITATION, HEALTH, FOOD, SAFETY

The study and survey conducted among schools in Ulaanbaatar revealed that, the current access to school sanitation and hygiene do not meet the established requirements. Specifically, schools located in remote districts have pit latrines outside their school buildings which do not meet hygiene requirements. As well, an inspection found that access to and hygiene of sanitation and washstands in secondary schools were not satisfactory.¹⁴⁹ While 51.9% of all participant schools in this survey answered that they had access to washstands, 33.9% said they did not.

The results of a survey on school sanitation by the Public Health Institute showed that one third of children answered they had no access to hand washing facilities in schools and the same number of children answered that they did not know how to wash their hands properly.¹⁵⁰

Moreover, a study conducted among children in rural schools revealed that 1 in every 5 children was unable to use the sanitation facilities when necessary, and in their response to the question clarifying their reasons 25.5% said that the school latrine was dirty and smelled bad, 20.0% responded that there was no toilet paper, 12.7% answered that there was nowhere to wash their hands, 12.7% answered that the sanitation facilities were outdoors and 5.5% answered that they were unable to regularly use the school latrine as there was

¹⁴⁹ UNICEF, *International Expert Consultation on Sanitation in a Cold Climate*, 2017, page 61

¹⁵⁰ Ibid, page 19



The Metropolitan Specialized Inspection Agency evaluated that “... implementation of the “Afternoon Tea” program at schools is *insufficient and the current situation causes one of the conditions for transmission of foodborne illness among children and adolescents.*”

a long queue.¹⁵¹ UNICEF’s report concluded that “In Mongolia 80.0% of schools and dormitories do not have water and sanitation facilities inside, the majority having been built before 1990 without planning for water and sanitation facilities”.¹⁵² Consequently, respiratory and diarrheal infectious diseases are prevalent among children due to inaccessible sanitation facilities and other hygiene issues.¹⁵³

Results of the implementation of the “Afternoon Tea”* program in Ulaanbaatar revealed that the majority of schools had 2-2.5 times more pupils than their capacity; schools did not have cafeterias or proper food storage spaces; not only were calorie and nutritional values of food not calculated, but food was high in carbohydrates; recipe technology charts had not been followed; there was a shortage of trained/professional staff; and finally products were sold inside schools that were prohibited for sale in or near schools.

It appears to be a real problem to provide food that meets food safety standards and is appropriate to children’s ages and levels of physical development.¹⁵⁴ The Metropolitan Specialized Inspection Agency evaluated the “Afternoon Tea” program at schools and concluded that “... implementation is insufficient and the current situation causes one of the conditions for transmission of foodborne illness among children

¹⁵¹ Ibid, page, 67

¹⁵² Ibid, page 78

¹⁵³ Ibid, page 162

* “Afternoon Tea” program is where Schools provide snacks for primary grade students once a day

¹⁵⁴ S.Ganchimeg, Implementation of the “Afternoon Tea” Program, Metropolitan Education Department, 2018



20.5%

of children
considered that they
did not feel safe on
the path between
home and school.

and adolescents”.¹⁵⁵ There is clearly a need to improve food production and service management in schools; professional people need to be trained to manage the system; and there is a need for regulatory policies and practices for the consumption of domestically produced foodstuffs in schools.¹⁵⁶

Concerning safety in the school environment, 20.5% of all children who participated in the “Young Voices” survey considered that they did not feel safe on the path between home and school.¹⁵⁷ This survey involved 1,236 young people from 14 schools, including 2 special schools, from Grades 6, 8 and 10 in nine districts of Ulaanbaatar. The GoM has paid some attention to safety in schools with the adoption of a “Mid-term Action Plan for the Creation of a General School Safety Environment” based on a study that evaluated the implementation and application of the “School Safety and Technical Regulation”.¹⁵⁸ As well, governors’ obligations to take measures to prevent children from road and other accidents and to effectively implement school safety standards, were included in the performance indicators of annual contracts between the Minister of MECSS and governors of aimags and Ulaanbaatar.¹⁵⁹

¹⁵⁵ Ibid

¹⁵⁶ Ts.Zuunnast, *Implementation Results of “School Lunch” Module Project in Mongolia*, Nutrition Study Centre of University of Science and Technology, 2018

¹⁵⁷ Save the Children, “*Young Voices*” Survey Report Mongolia, 2017, page 9

¹⁵⁸ GoM, National Conference on “Sustainable Development-General Education”, 2018

¹⁵⁹ Ibid; Action Plan for Implementing the Government Action Program 2016-2020, 2016



In 2017-2018,

7,279

children with disabilities
study in schools.

THE RIGHT TO EDUCATION OF CHILDREN WITH DISABILITIES

ENROLLMENT, QUALITY, STUDY ENVIRONMENT AND THE ATTITUDE

Table 10. Number of pupils with disabilities (thousand children)

Class/Year	2012	2013	2014	2015	2016
All	16.4	16.2	11.1	9.1	8.4
Primary	7.9	7.2	5.3	4.4	3.9
Middle	5.7	6.1	3.9	2.9	3.1
Senior	2.8	2.9	1.9	1.8	1.4

Source: Mongolian Statistical Information Service

Generally, around 40% of children with disabilities enter preschool education and primary schools, but this figure steadily declines in the middle grades and reaches 14% in senior grades.¹⁶⁰ In 2017-2018, 7,279 children with disabilities (1.3% of all school children) study in schools, of them 2,102 with a visual impairment, 828 with a hearing impairment, 1,136 with a speech impairment, 788 with an intellectual disability, 1,091 with a physical disability, and 1,334 with multiple disabilities.¹⁶¹

It has been established that the quality of education for children with a disability in general and special schools is poor and study environments do not meet

¹⁶⁰ National Program on Promotion of Rights, Participation, and Development of People with Disabilities, 2017

¹⁶¹ MECSS. *A Short Introduction to the 2017-2018 Study Year Statistics of General Education*, 2018; National Program on Gender Equality, 2017



Children with disabilities attend state and private kindergartens.



Conditions in some kindergarten buildings were harmful to human health, safety requirements were not fulfilled, and were below standard.

requirements.¹⁶² For instance, in 2015, the National Human Rights Commission (NHRC) together with the Ministry of Population Development and Social Protection of Mongolia monitored state and private kindergartens attended by children with disabilities and identified that some class sizes were two to three times higher than their capacity, that conditions in some buildings were harmful to human health, safety requirements were not fulfilled, and treatment of children, curriculum materials, maintenance, vehicles, staff remuneration were below standard.¹⁶³

Currently, the rights of children with disabilities are poorly addressed in Mongolian society. Thus, legislation and policies are undergoing reform and a number of measures are expected to be taken including the introduction of a sophisticated methodology to diagnose disability, a nationwide study on the current enrollment of children with disabilities in education, formulation of individual study plans, acquisition of specialised study materials for children and teachers, appropriate infrastructure developed, HR management capacity built to source necessary financing, 'mobile' teacher services for children living in remote areas with limited access to education, and assessment and provision of variable costs per pupil.¹⁶⁴

¹⁶² Yuriko Kameyama et al., *Teacher and Parental Perspectives of Barriers to Inclusive and Quality Education in Mongolia*, JICA Research Institute, 2017, page 3

¹⁶³ NHRC, *The 16th Annual Report on "Situation of Human Rights and Freedoms in Mongolia"*, 2017

¹⁶⁴ National Program on Promotion of Rights, Participation, and Development of People with Disabilities, 2017



THE LARGEST BARRIERS:

- Poor school facilities
- Lack of equipment
- Inadequate remuneration
- Insufficient school budgets
- Lack of understanding in the community

The Department of Secondary Education Policy and Coordination of MECSS together with the Department for Special Education at the Mongolian National University of Education have formed a Sub-department for Special Education to put these plans into action, specifically to resume training for special education teachers from 2018.¹⁶⁵

In 2017, the JICA Research Institute evaluated teacher and parent attitudes and perspectives in *Teacher and Parental Perspectives of Barriers to Inclusive and Quality Education in Mongolia*. The study showed that perceived barriers were poor school facilities, lack of equipment, inadequate remuneration and insufficient school budgets, and lack of understanding in the community. The study highlighted the vitality of collaboration of all stakeholders at all levels. It recommended taking measures to exchange knowledge and experiences between teachers from special schools and general schools, to introduce strong collaboration between special and general schools, and to take a comprehensive approach to strengthening coordination and collaboration between international organisations, NGOs, parents, the domestic public, and all those concerned with benefitting all children with disabilities.¹⁶⁶

¹⁶⁵ Ts.Tsogzolmaa, *The Situation of Registration of Children in Kindergartens by Lottery to End*, 2017

¹⁶⁶ Yuriko Kameyama et al., *Teacher and Parental Perspectives of Barriers to Inclusive and Quality Education in Mongolia*, JICA Research Institute, 2017



93%

of Bayan-Ulgii's
population belong to the
Kazakh ethnic minority
group.

MINORITY LANGUAGE EDUCATIONAL RIGHTS

Describing the educational rights of minority language groups also raises issues relating to rural education services, financing and the study environment, as illustrated by Bayan-Ulgii aimag.¹⁶⁷ 93% of Bayan-Ulgii's population of 100,727 people belong to the Kazakh ethnic minority group, and the remaining 7% of the population consists of ethnic minorities of Uriankhai, Durvud, Tuva, Khalkh and Buriad people.¹⁶⁸

The study by the NHRC established that 50.6% of target Uriankhai, Durvud, Tuva, Khalkh and Buriad children have been discriminated against because of their ethnicity and language differences. As of 2016 there were no kindergartens providing preschool education in the Mongolian language in Bayan-Ulgii aimag. In relation to human resources in the education sector, 115 of the 1,467 teachers were not trained professionals. As for the study environment, tables and chairs in 66.7% of schools were not appropriate for children; no schools had appropriate environments for children with special educational needs; and all children participating in the study said that the road to their school was 'dangerous', and the Citizens Representative Khural had not allocated the sufficient budget for improving the learning environment.¹⁶⁹

¹⁶⁷ NHRC, *The 16th Annual Report on "Situation of Human Rights and Freedoms in Mongolia"*, 2017

¹⁶⁸ Ibid

¹⁶⁹ Ibid

CHILD PROTECTION IN EDUCATIONAL SETTINGS

Children report being affected by pressures and bullying in schools and dormitories. SC's "Young Voices" survey of 1,230 middle grade children in Ulaanbaatar revealed the seriousness of the problem of peer pressure and bullying. The study found that 1 in every 2 children experiences pressures and bullying to some extent.¹⁷⁰ Moreover, 15.4% of the participants responded that they feel worried about bullying, violence and assault. Boys worried about violence and assault to a greater degree than girls.¹⁷¹



From January to October 2017, the Child Helpline 108 received

650

calls reporting violations of the rights of children in schools and kindergartens

From January to October 2017, the Child Helpline 108 received 650 calls reporting violations of the rights of children in schools and kindergartens, emphasising the significance of taking steps to evaluate child protection in educational settings.¹⁷²

In addition, a survey conducted among second year students at the Mongolian National University of Education revealed that 82% possessed "middle" and "unsatisfactory" knowledge of the rights of the child. In this regard, there are plans to include a compulsory course on child rights in all levels of educational programs.¹⁷³

Within that framework, the following have been highlighted as crucial: organisation of study programs, advocacy, communication activities that are directed to improve the understanding of violations against children; child protection among peers, specifically among boys; capacity building of social workers; training and supporting activities of peer educators; child protection and child rights training for parents, and other advocacy and communication activities conducted with the assistance of child rights organisations.¹⁷⁴

¹⁷⁰ AFCYD and MSUE, *Proceedings of the Conference on "Children and Solutions"*, 2017

¹⁷¹ Save the Children, "Young Voices" Survey Report Mongolia, 2017, page 15

¹⁷² J. Myagmar, *Child Rights and Protection in the School Environment*. National Conference on "Sustainable Development - General Education", 2018, Presentation

¹⁷³ MLSF, *Meeting of the National Council for Children*, 2018

¹⁷⁴ AFCYD and MSUE, *Proceedings of the Conference on "Children and Solutions"*, 2017



The employment rate of
graduates of vocational
training and colleges
reached only

50%

YOUTH EMPLOYMENT

In Mongolia, the unemployment level of youth aged 20-24 has remained constant at around 18.0% since 2014, comparatively higher than the national unemployment rate of 7.0-10.0%.¹⁷⁵ The employment rate of graduates of vocational training and colleges reached only 50.0%.¹⁷⁶ Generally, graduates wait up to 2.9 years to get their first jobs in urban areas.¹⁷⁷ In this regard, youth, specially those from disadvantaged families, with disabilities, in foster care, and from law enforcement institutions encounter great difficulty securing employment and finding a niche for themselves. As well, the current education system does not actively support and develop living skills or ability for entrepreneurship for young people.¹⁷⁸

¹⁷⁵ MLSP, *Meeting of the National Council for Children*, 2018

¹⁷⁶ ADB, *Inclusive and Sustainable Growth Assessment: Mongolia 2017–2020*, 2017, 14

¹⁷⁷ UNDP, "Activated 2030" *Youth Enterprising Project*, 2018, page 9

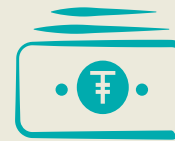
¹⁷⁸ Ibid



EDUCATION INVESTMENT

Although investment in education has been gradually increasing, the majority of the budget has been devoted to operational costs with almost nothing being allocated to study materials or to investment in child development. It should be noted that while expenses for teachers' salaries, remuneration and study materials have remained constant or decreased, operational costs of maintenance, capital repair, electricity and heating costs have increased over the period 2013-2017.¹⁷⁹

Expenses for the creation of suitable study environments and for study materials have been collected from children and parents and claimed from local administrations because the necessary investment in child development has been too low. Some rural administrations also have little experience in allocating budget funds for education.¹⁸⁰ The "Young Voices" survey report found that 81.2% of respondents had been asked to bring money for activities in school and



The current methodology for calculating the average normative variable cost per child could affect the quality of education.

55.0% of children reported that money had been collected for refurbishment and cleaning.¹⁸¹ However, informal collection of money was to cover costs that should already have been included in school administrative budget. Moreover, 18.9% of children responded that they had refrained from school activities because of the cost.¹⁸²

In future the different capacities of parents and local administrations could lead to a significant variance in the quality of school precincts and learning materials. Moreover, informal collection of money could cause barriers to study for children from socioeconomically disadvantaged families. As well, the current methodology for calculating the average normative variable cost per child could affect the quality of education because of the ongoing flow of in-and out-migration and unbalanced regional development.¹⁸³

MNT 32.5 billion (USD 12.7 million) was allocated in 2018 for primary grade children to be provided with free "Afternoon Tea" on an equal basis, notwithstanding geographical location, ownership of schools, family income, health status. Similarly, MNT 49.7 billion (USD 19.4 million) was allocated in 2018 for universal food expenses for preschool children.¹⁸⁴ While fair and just on the one hand, again children from the wealthiest families tended to benefit most because of the low educational enrollment rate of children from socioeconomically disadvantaged families, herders' children and children with disabilities.

¹⁷⁹ The University of Finance and Economics, *Investment in Education Sector: An Analysis of 2013-2017 Years Investment*, Unpublished, 2018

¹⁸⁰ World Bank, *Pre-Primary Education in Mongolia: Access, Quality of Service Delivery, & Child Development Outcomes*, 2017, page 15; Save the Children, "Young Voices" Survey Report Mongolia, 2017, page 23

¹⁸¹ Save the Children, "Young Voices" Survey Report Mongolia, 2017, page 23

¹⁸² Ibid

¹⁸³ Approving the Methodology of Determination of Average Variable Cost Normative and Financing, 2016; "Education for All" National Coalition of CSOs, *The point-of-view of Civil Society Organisations on Education in Mongolia*, 2017

¹⁸⁴ Open Society Foundation, *Education Sector Budget of Mongolia*, 2018



SUB-SECTION CONCLUSION

Because progress in educational services has not been made equally accessible for all children, the gap between different socioeconomic groups is widening. Equal access to quality education and allocation of funds to provide it need to improve if we are to shape an equitable society. If children from socioeconomically vulnerable families miss out on a proper education, it could start intergenerational cycles of poverty. Preschool education in the family environment needs to be offered as an alternative to formal kindergarten; considerable attention needs to be paid to the quality of education services in urban ger districts and rural areas; effective measures need to be taken to address informal collection of money in educational settings; a safe and healthy study environment needs to be promoted; inequities in access and quality of education because of geographical location or family living standards need to be properly resolved for the long-term benefit of all children.

It would be worthwhile introducing a child rights sub-indicator to the Law of Laws adopted for the purpose of evaluating the socioeconomic consequences of draft laws and regulations, in order to accurately assess the outcomes and influences of educational reforms on all children. In that



It is important to introduce and utilize child-friendly methodology for budget allocation for children, particularly at the local level.

way, the consequences of education policies on children in a range of socioeconomic groups could be analysed. Accordingly, planning for transitions needs to be undertaken equitably. As well, it is important to introduce and utilize child-friendly methodology for budget allocation for children, particularly at the local level.

In general, the education sector faces some issues such as lack of independence, gaps in human resources policies and teaching methodologies, and aging infrastructure. At the micro level these factors hinder the development of healthy children with essential living skills and social behaviors. At the macro level, they fail to meet the challenge of preparing children to respond to the social demands they will face as adults.

In particular, significant efforts need to be made, and strong collaboration between stakeholders effected, to ensure the right of children with disabilities to a full education. Any investments, specifically ADB's education loan, need to be used in a transparent, accountable and efficient manner, and with the participation of all stakeholders, to produce the best benefits for children.



In 2016, a total of
75,851
pregnant women were
registered at antenatal
care services

HEALTH

MATERNAL HEALTH, MORTALITY

In 2016, there were a total of 296 home births (56.0% in Ulaanbaatar). 139 births were not attended by skilled health personnel.¹⁸⁵ In 2011-2015 the maternal mortality ratio has been higher than the national and aimag averages in Bayan-Ulgii (89.5), Bayankhongor (73.6), Zavkhan (65.9), Uvurkhangai (52.3), Tuv (50.9), Khuvsgul (49.8), Selenge (41.2) and Khentii (38.1) aimags.¹⁸⁶ During that time, 52.5% of cases of maternal mortality recorded direct obstetric causes and 46.7% indirect obstetric causes.¹⁸⁷ Currently, around 46.0% of women of reproductive age have some kind of pre-existing disease and this indicator has increased by 40.0% over the last 10 years, 20.0% increasing only in the last 2-3 years.¹⁸⁸ On the one hand, maternal mortality from indirect obstetric causes has been influenced by environmental pollution, improper drug use, family living standards and other socioeconomic factors, and on the other by the quality and coverage of antenatal health care that was unable to provide early intervention.¹⁸⁹

In 2016, a total of 75,851 pregnant women were registered at antenatal care services, of them 97.6% were tested for anemia prevalence and 3.7% showed anemia prevalence; 97.1% provided a blood sample for an antenatal syphilis test and 2.4% showed syphilis

¹⁸⁵ Centre for Health Development, *Health Indicators*, 2016, page 33

¹⁸⁶ National Program on Maternal, Child and Reproductive Health, 2017

¹⁸⁷ Ibid

¹⁸⁸ J.Tsolmon, *Sustainable Development and Maternal & Child Health*, 2016

¹⁸⁹ National Program on Maternal, Child and Reproductive Health, 2017

positivity; 91.3% were screened for gonorrhea and 0.5% tested positive; 91.5% participated in trichomoniasis testing with 2.0% positivity; 53.4% took X-ray examinations and 341 cases (0.8%) of active tuberculosis were identified.¹⁹⁰ These results could indicate that the health of pregnant women is compromised.

Table 11. Maternal health indicators

Health indicators	As of 2016
Congenital syphilis rate (per 100,000 live births)	53.7
Antenatal syphilis prevalence percentage rate among pregnant women	3.0% (2015)
Maternal mortality ratio (per 100,000 live births)	48.6
Adolescent birth rate (per 1,000 girls aged 15-19 years)	33.6
Abortion rate (per 1,000 live births)	224.6

Source: Health Indicators, Centre for Health Development, 2016; National Program on Maternal, Child and Reproductive Health, 2017

The former Vice Minister of Health, Dr. J. Tsolmon has stressed that “... the issue of maternal mortality and maternal health is not only an issue for the health sector, but efforts of other ministries, multi-sectorial collaboration, and targeted state policies are required, since 23.0% of maternal deaths did not have in-migration registration in Ulaanbaatar, did not live at their registered address, 40.0% were herders, and 30.0% were unemployed”.¹⁹¹

Table 12. Health service coverage

Health service coverage as of 2016	Total	Urban	Rural
Antenatal care coverage (%)	84.7	85.0	86.3
Unmet need for family planning (%) as of 2012	22.3	24.1	18.9
Women in the reproductive age group using modern contraceptive methods (%)	54.0	-	-
Implementation rate of early essential newborn care (%)	70.0	-	-
Percentage of women with 18-21 weeks of pregnancy who attended ultrasound scan (%)	50.0	-	-

Source: Health Indicators, Centre for Health Development, 2016; National Program on Maternal, Child and Reproductive Health, 2017

190 Centre for Health Development, *Health Indicators*, 2016, page 33
191 J. Tsolmon, *Sustainable Development and Maternal & Child Health*, 2016

ABORTION, FAMILY PLANNING SERVICES

The abortion rate was 169 per 1,000 live births in 2008, but increased to 234.2 in 2016.¹⁹² In 2016, 18,316 cases of abortion were recorded, an increase of 148 cases or 0.8% compared to the previous year.¹⁹³ The abortion rate by age groups reveals that 5.0% of women under 20 years and 70.7% of women under 35 years had abortions.¹⁹⁴ Also, 1,613 adolescents aged 12-17 gave birth and 18,168 adolescents under 20 years had abortions during the last two years.¹⁹⁵ In broad terms, an average 4.4% of adolescents give birth before 18 years and 5.2% of adolescents from rural areas give birth between the ages of 15-19, evidence that better education on reproductive health is needed.¹⁹⁶ Although, the birth rate among adolescents has not increased over the last 15 years, the fact that around 50 girls per 1,000 adolescents give birth still indicates a high risk.¹⁹⁷

The unmet need for efficient and qualified family planning services increased from 4.6% to 16.0% between 2003 and 2013. Notably, this indicator amounted to 36.4% for youths 15-19 years, double the national average.¹⁹⁸ Consequently, it is considered vital to develop and adopt better standards for family planning services, increase the coverage of services, and implement efficient advocacy and communication strategies.¹⁹⁹

The state budget for contraceptive pills and other tools was MNT 85 million (USD 33,200) in 2009, which was increased to MNT 210 million (USD 82,000) in 2014, but decreased to MNT 150 million (USD 58,500) in 2015-2016.²⁰⁰ Consequently, 69.0% of women of reproductive age used some form of contraception in 2003, 55.2% in 2008, falling to 54.0% in 2016.²⁰¹

192 Centre for Health Development, *Health Indicators*, 2016, page 42; National Program on Maternal, Child and Reproductive Health, 2017
193 Ibid
194 Ibid
195 NHRC, *The 16th Annual Report on “Situation of Human Rights and Freedoms in Mongolia”*, 2017, page 34
196 National Program on Maternal, Child and Reproductive Health, 2017
197 Ibid
198 Id; NSO, *Mongolia Social Indicator Sample Survey*, 2013
199 UNICEF and Ministry of Health, *The Assessment of Family Planning Supports and Services in Mongolia*, 2016
200 National Program on Maternal, Child and Reproductive Health, 2017
201 Ibid; Centre for Health Development, *Health Indicators*, 2016, page 42



Table 13. Child health indicators

Health indicators	As of 2016
Perinatal mortality rate (per 1,000 live births)	12.9
Neonatal mortality rate (per 1,000 live births)	9.2
Infant mortality rate (per 1,000 live births)	16.8
Under-five mortality rate (per 1,000 live births)	20.8
Under-five mortality caused by injuries and accidents	12.7 (207 cases)
Under-five mortality rate caused by pneumonia	15.5
Child mortality caused by preventable causes and diseases (% of total mortality)	16.0 (1,625 cases)
Percentage of exclusively breastfed children under 6 months	47.1 (2014)

Source: *Health Indicators, Centre for Health Development, 2016; National Program on Maternal, Child and Reproductive Health, 2017*

Currently, the majority of cases of under-five mortality are infant mortalities, the majority of cases of infant mortalities are neonatal, and the majority of neonatal mortalities are early neonatal mortality cases.²⁰³

In 2014 and 2015 the infant mortality rate was 15.3 per 1,000 live births, but increased to 16.8 (1,315 cases) in 2016 due to measles pneumonia that caused a total of 118 infant deaths.²⁰⁴ However, in 2017 infant mortality decreased to 1,009 (14 per 1,000 live births) and the under-five mortality rate decreased to 1,244 (17 per 1,000 live births) respectively.²⁰⁵

²⁰³ Ibid, page 41

²⁰⁴ Ibid, page

²⁰⁵ NSO, *Social and Economic Situation of Mongolia, 2017/12*, page 15

Table 14. Causes of infant and under-five mortality.

Causes of infant and under-five mortality by percentage (urban and rural), 2016	Infant		Under-five	
	Urban	Rural	Urban	Rural
Diseases of respiratory system	9.2	12.1	1.4	0.6
Diseases of nervous system	11.6	20.6	3.6	3.8
Conditions originating in the perinatal period	49.1	40.2	40.0	31.9
Congenital abnormalities and chromosomal disorders	17.5	8.2	1.4	1.5
External causes of morbidity and mortality	4.3	7.1	6.6	9.6

	1st leading cause
	2nd leading cause
	3rd leading cause


Source: *Health Indicators, Centre for Health Development, 2016*

A 3.5-fold increase in fetal deaths documented between winter and summer has been connected to rising levels of air pollution.²⁰⁶ Pneumonia is now the second leading cause of under-five mortality with 435 children under five dying from pneumonia in Ulaanbaatar in 2015 alone.²⁰⁷

Congenital abnormalities are the third leading cause of urban and the fourth leading cause of rural infant mortality.²⁰⁸ At the policy level, the First National Predecessor and Kinship Conference was organized in 2017 leading to the adoption of a methodology for recording family histories, training and other measures to reduce the risks of abnormal development.²⁰⁹

The main factors that influence the child mortality rate are parents’ education level, family living standards, the level of infrastructure, and geographical location.²¹⁰ For instance, in 2016 the under-five mortality rate for Ulaanbaatar was 18.2, but 27.6 for Arkhangai, 32.1 for Bayan-Ulgii, 30 for Bayankhongor, 28.4 for Uvurkhantai, 27.7 for Sukhbaatar, 30.4

206 UNICEF, *Mongolia’s Air Pollution Crisis: A Call to Action to Protect Children’s Health*, A Discussion Paper, 2018, page 16
207 Ibid
208 Centre for Health Development, *Health Indicators*, 2016, page 42
209 O.Altansukh, *Introduction to Current Activities and Performance of AFCYD*, 2018
210 J.Tsolmon, *Sustainable Development and Maternal & Child Health*, 2016



3.5-fold
increase in fetal deaths documented between winter and summer has been connected to rising levels of air pollution.

for Tuv, 27 for Uvs and 32.4 for Khuvsgul, which are higher by 6.2-11.6 promiles compared to the national and aimag average.²¹¹ In practice, a bagh doctor has to travel 100-200 km in order to provide health services to a child in Bayan-Ulgii aimag, whereas Zavkhan aimag faces challenges due to its poor equipment and infrastructure.²¹²

Access to health care remains a challenge, especially for the poor. The neonatal (13.7 per 1,000 live births), infant (29.1 per 1,000 live births) and under-five mortality (34.2 per 1,000 live births) rates are highest if a family member has a monthly income lower than MNT 28,264 (USD 11).²¹³ This is connected with financial as well as non-financial barriers. While out-of-pocket individual expenses for medicine and health services are high, civil registration and migration issues present additional non-financial barriers.²¹⁴ Although over 90% of the population is covered by health insurance, the utilization of health services by the poor is 2.5 times lower than that of other segments of the population. Moreover, the state still encounters difficulties in enrolling informal sector workers in the health insurance system.²¹⁵

211 Centre for Health Development, *Health Indicators*, 2016, page 41
212 GoM, *National Conference on “Problems of Maternal and Child Health”*, 2017
213 J.Tsolmon, *Sustainable Development and Maternal & Child Health*, 2016
214 ADB, *Inclusive and Sustainable Growth Assessment: Mongolia 2017–2020*, 2017, page 13
215 Ibid



Around

80%

of all patients who receive in-patient treatment in the Section for Burns and Reconstructive Surgery of the Hospital for Injury and Trauma were small children.

CHILD CANCER MORBIDITY AND MORTALITY

In 2016 alone, 108 new cases of cancer were recorded among children and adolescents, an increase of 21 cases compared to the previous year.²¹⁶ In 2015, a total of 37 children died of cancer.²¹⁷

INJURIES AND ACCIDENTS

304 children in 2016 and 298 children in 2017 were injured in household accidents.²¹⁸ Unfortunately, children are significantly affected by household accidents that cause injury and loss of life to many children. The main causes of child mortality are road accidents (21%), burns (16%), drowning (14%), poisoning (17%), falls and other causes (32%).²¹⁹ For instance, according to the statistics of the Hospital for Injury and Trauma, a total of 14.4% of under-five mortality was caused by injuries and accidents, 76.5% due to burns, and of these burns cases 77% were due to hot food and 23% to hot water.²²⁰ Around 80% of all patients who receive in-patient treatment in the Section for Burns and Reconstructive Surgery of the Hospital for Injury and Trauma were small children.²²¹ The study identified that 89.3% of domestic accidents occurred because of poor parental supervision and 10.7% because of carelessness.²²²

Therefore, it is critically important to improve health and safety education, attitudes to proper supervision of children, knowledge about preventing accidents and injuries to children as well as responsibilities of parents and care givers.²²³

Road accidents are the third leading cause of injuries for children under five and the second leading cause for 6-18 year-old children.²²⁴ During the last 6 years (2010-2016), 7,150 children were involved in road accidents, and an average of 50 children die annually, with children aged 0-14 being most affected.²²⁵ In 2017, a total of 474 children were involved in road accidents, an increase of 161 cases (51.4%) compared to the previous year.²²⁶ Nationwide, 48 children died from road accidents in 2016 and 59 in 2017. Of these 49 were killed on rural roads.²²⁷

²¹⁶ Centre for Health Development, *Health Indicators*, 2016, page 76

²¹⁷ Centre for Health Development, *Health Indicators*, 2016, page 73

²¹⁸ O.Altansukh, *Introduction to Current Activities and Performance of AFCYD*, 2018

²¹⁹ GoM, *National Parents Conference on "Family-the First Child Development Environment"*, 2017

²²⁰ National Program on Child Development and Protection, 2017

²²¹ AFCYD and MSUE, *Proceedings of the Conference on "Children and Solutions"*, 2017

²²² GoM, *National Parents Conference on "Family-the First Child Development Environment"*, 2017

²²³ Centre for Health Development, *Health Indicators*, 2016, page 41

²²⁴ O.Altansukh, *Introduction to Current Activities and Performance of AFCYD*, 2018; National Police Agency and AFCYD Databases

²²⁵ National Centre for Public Health, *A Day on Safeguarding Children from Road Accidents*, 2017; Statistic Information of Traffic Police Authority

²²⁶ NSO, *Social and Economic Situation of Mongolia*, 2017/12, page 10

²²⁷ GoM, *National Conference on "Sustainable Development-General Education"*, 2018



Currently, the majority of the leading causes of population morbidity and mortality are preventable.

CHILD MORBIDITY

Compared with similar lower middle income countries, Mongolia has the second largest rate of non-infectious disease.²²⁸

Currently, the majority of the leading causes of population morbidity and mortality are preventable.²²⁹ The root causes of non-infectious diseases, including dental caries, tonsillitis, visual impairment, hearing impairment, overweight, and obesity have a higher rate of prevalence among children. For instance, 1 in every 6 children under 5 years old (16.7%), and 1 in every 8 adolescents (12.5%) experience overweight; the prevalence of dental caries among children is 90.0%; 10.0% of school age children have tonsillitis; 11.0% of children have visual impairment and 6.0% have amblyopia (lazy eye) although 90.0% of those do not wear corrective glasses for defects of vision.²³⁰

Table 15. Risk factors and behaviors


Risk factors and behaviors ⁴ as of 2016	Total	Urban	Rural
Population using improved drinking water sources (%) [*]	84.8	98.0	61.8
Population using improved sanitation facilities (%) [*]	58.3	69.1	39.4
Incidence of low birth weight [*]	3,364	-	-
Children < 5 who are underweight (%) [*]	1.6	1.2	2.2
Children <5 who are stunted (%) [*]	1	0.9	1.1
Children < 5 who are wasted (%) [*]	10.8	8.4	14.5
Age-standardized prevalence of current tobacco use (%) ^{**}	27.1		

²²⁸ National Program on Combating Non-communicable Diseases, 2017

²²⁹ Ibid

²³⁰ Ibid; National Program on Public Food and Nutrition, 2015

²³¹ (*) Social Indicator Sample Survey, 2013; (**) A Survey on Prevalence of Non-communicable Diseases, Accidents and Injuries, Risk Factors and Behaviors, 2013; (***) A School-based Children Health Survey, 2013; (****) Mongolian Statistical Yearbook, 2015



80%
of children
diagnosed with
pneumonia receive
in-patient treatment
during winter.

Children aged 13-15 who have used tobacco 1-2 times during last 30 days (%)***	5.9	-	-
Children aged 16-17 who have used tobacco 1-2 times during last 30 days (%)***	17.5	-	-
Pure alcohol (registered) in litres per person aged over 15 years****	7.2	-	-
Prevalence of heavy episodic drinking (%)**	10.3	-	-
School children aged 15-17 who have tried over drinking alcohol 1-2 times (%)***	23.1	-	-
Prevalence of insufficiently physically active among persons aged 18+ years (%)**	22.3	-	-

Source: National Program on Prevention and Control of Communicable Diseases and Non-communicable Diseases, 2017

Diseases of the respiratory and digestive systems were the leading disorders, particularly among infants and under-five year old children, in both rural and urban areas due to air, soil, and water pollution as well as other socioeconomic issues. Children from Ulaanbaatar experience 7-8 times more respiratory diseases compared to children living in other urban and rural areas with lower levels of air pollution.²³² The most frequently occurring respiratory disease is pneumonia, and 80.0% of children diagnosed with pneumonia receive in-patient treatment during winter.²³³ Pneumonia, bronchitis and other chronic respiratory conditions can affect children's health later in their lives, manifesting as reduced lung function or greater vulnerability to other health risks.²³⁴

²³² National Program on Maternal, Child and Reproductive Health, 2017

²³³ National Program on Prevention and Control of Communicable Diseases, 2017

²³⁴ UNICEF, *Mongolia's Air Pollution Crisis: A Call to Action to Protect Children's Health*, A Discussion Paper, 2018, page 7

Consequently, in Ulaanbaatar, 13 valent pneumococcal conjugate vaccine has been administered to children 2-9 months since March 2018.²³⁵ It is also considered vital to develop and implement a comprehensive indoor air quality management program for kindergartens, schools and hospitals using a combination of technical and behavioural change interventions.²³⁶

As of 2016, a total of 17,169 child morbidity cases were recorded, or 22.0% of all live births.²³⁷

Table 16. Causes of infant and under-five morbidity

Causes of infant and under-five morbidity by percentage (urban and rural), 2016	0-1 years old		under-5 years old	
	Urban	Rural	Urban	Rural
Diseases of respiratory system	54.3	63.9	57.5	68.8
Diseases of digestive system	9.9	9.7	8.7	12.6
Conditions originating in the perinatal period	7.9	3.7	4.0	2.3
External causes of morbidity and mortality	1.9	0.7	7.0	1.9
Infectious and parasitic diseases	12.6	7.9	7.6	3.3
Diseases of skin and subcutaneous tissue	4.9	3.7	9.6	4.8

	1st leading cause
	2nd leading cause
	3rd leading cause

Source: Health Indicators, Centre for Health Development, 2016

²³⁵ Metropolitan Health Department, *13-Valent Pneumococcal Conjugate Vaccination has been started in 6 Districts, 2018*

²³⁶ UNICEF, *Mongolia's Air Pollution Crisis: A Call to Action to Protect Children's Health*, A Discussion Paper, 2018, page 8

²³⁷ Centre for Health Development, *Health Indicators*, 2016, page 39



The risk of tuberculosis infection increases by

22%

if a family member smokes.

In 2016, a total of 4,045 new cases of tuberculosis were registered, of them 550 being cases of tuberculosis among children aged 0-15 years, which accounted for 5.8% of all communicable diseases.²³⁸

The Mongolian Health Initiative²³⁹ conducted research entitled “D Vitamin Influence on the Prevention of Tuberculosis among School Children” involving 9,418 children from 44 public and private schools in 6 districts of Ulaanbaatar and 71 schools in 21 aimags. The study identified a 10.0% latent tuberculosis prevalence rate among children. 946 children were diagnosed with latent tuberculosis infection and 129 children were diagnosed with active tuberculosis. Moreover, the study established that the risk of contracting a tuberculosis infection (latent tuberculosis) increases by 15.0% every year. The risk of tuberculosis infection (latent tuberculosis) increases by 22.0% if a family member smokes and by 4 times if a family member has been previously infected with tuberculosis.²⁴⁰

²³⁸ Ibid; Eagle News. (2018). Discussion topic: Tuberculosis and Tuberculosis Infection

²³⁹ Mongolian Health Initiative is first and foremost a research organisation and is an official subcontractor of Harvard Medical School and the Mongolian National University of Medical Sciences

²⁴⁰ Mongolian Health Initiative, Research on “Vitamin D in Tuberculosis Prevention in School Age Children”, 2018, unpublished.

NUTRITION

The 5th National Nutrition Survey revealed that micronutrient deficiencies are prevalent in all population groups, especially in infants, young children, and pregnant women



96%

of pregnant women
have vitamin D
deficiency.

The Survey highlighted that “the highest prevalence of micronutrient deficiencies was in children under 5 years of age with 27.0% anemic, 21.0% iron-deficient, 70.0% insufficient in vitamin A, and 90.0% insufficient in vitamin D”.²⁴¹ The highest prevalence of anemia, iron deficiency and vitamin A deficiency was found in children under two years, stressing the importance of breastfeeding practices. On that account, the Report states that there is a need to improve breastfeeding practices and to educate mothers on healthy eating practices.

Pregnant women are highly vulnerable to micronutrient deficiencies. The report identified that 21.0% of pregnant women are anemic, 30.0% are iron deficient, nearly all (96.0%) have deficient or insufficient vitamin D status and 12.0% have deficient or insufficient vitamin A status.

Moreover, the study highlighted that 2 in every 3 households experience some level of food insecurity and 1 in every 5 households experience severe food insecurity. Nutrition and food security indicators vary greatly across regions, with comparatively poorer results in Khangai and Western regions as well as the ger districts of Ulaanbaatar. Therefore, the report highlighted the critical importance of improving and effectively implementing nutrition-focused social protection measures for vulnerable poor households, in particular those with children under 5 years old.

²⁴¹ UNICEF, *Key Nutrition concerns in the Population of Mongolia, 5th National Nutrition Survey, 2017*

YOUTH AND ADOLESCENT HEALTH

Diseases of respiratory and digestive systems, injury, poisoning and certain consequences of external events are the leading causes of disease among adolescents.²⁴²

The National Centre of Public Health's study of the eating habits of school children revealed that children consumed mostly soft drinks, piroshky (deep fired dumplings), ice cream and candies that are cheap, low in nutritional value, mainly contain color additives, sugar substitutes, monosodium glutamate and other food additives.²⁴³ WHO's 2014 nationwide survey of tobacco use that involved 384 youths aged 12-24 years, revealed that 20.3% of boys and 8.3% of girls use some kind of tobacco product.²⁴⁴ Moreover, 45.0% of youths participating in this survey responded that they drink alcohol, 10.8% that they have tried narcotics and 16.4% said they had been offered narcotics to try²⁴⁵.

Currently, 42.0% of all those with sexually transmitted diseases are youths aged 15-24.²⁴⁶ Only, 20.7% of male and 22.8% female youths possess comprehensive knowledge concerning HIV/AIDS.²⁴⁷

In addition, the majority of people who seek services from the National Centre for Mental Health are adolescents, indicating that mental health of adolescents has become a serious issue in Mongolia.²⁴⁸ Suicide among young people aged under 29 has

²⁴² Centre for Health Development, *Health Indicators*, 2016, page 40

²⁴³ National Centre of Public Health, *A Survey on the Quality and Safety of Foodstuffs sold in Schools and Food Premises in the vicinity of schools*, 2015

²⁴⁴ Metropolitan Child and Family Development Department, *A Survey on the Knowledge, Attitude and Usage of Alcohol, Tobacco and other Drugs by Adolescents and Youth*, 2015, page 4

²⁴⁵ *Id*, page 19

²⁴⁶ National Program on Combating Non-communicable Diseases, 2017

²⁴⁷ National Program on Maternal, Child and Reproductive Health, 2017

²⁴⁸ MSUE and Nagoya University, *International Conference on "Mental Health and Development of Children in Mongolia and Japan - Current Issues"*, 2018



The Government of Mongolia has approved the joint decree issued by the Ministers of Health and Education on conducting a nationwide survey on the current state of adolescent mental health.

been increasing annually. In 2012-16, 605 young people aged 10-25 committed suicide, 29.4% of all suicide cases in those 5 years.²⁴⁹ Of the 78 suicide cases of adolescents aged 10-14, the highest number was registered in Ulaanbaatar (27 cases or 34.6%), and Khuvsgul aimag (10.2% cases).²⁵⁰ 10.7% of adolescents aged 16-17 years who participated in the 2016 survey for the UN Human Development Report of Mongolia responded that they had attempted suicide and 26.1% responded that they had seriously considered suicide in the previous 12 months.²⁵¹ Furthermore, reports on this issue from aimags, soums, baghs and districts said that the capacity of the staff of local mental health services for children is low and that there is a shortage of qualified psychologists.²⁵² In response to this problem, the GoM has recently approved the joint decree issued by the Ministers of Health and Education on conducting a nationwide survey on the current state of adolescent mental health.²⁵³ Also, from 2018-19, the subject of health (including mental health) will be included as a subject in school and surveys and other research were being undertaken to determine the content of the Health curriculum.²⁵⁴

²⁴⁹ B.Unurmaa, *Why is Children's Right to Live violated?* Journal of Human Rights, NHRC, 2017/02

²⁵⁰ *Ibid*

²⁵¹ *Ibid*

²⁵² NHRC, *The 16th Annual Report on "Situation of Human Rights and Freedoms in Mongolia"*, 2017, page 21

²⁵³ MLSP, *Meeting of the Interdisciplinary Working Group on Child Rights, Development and Protection*, 2018

²⁵⁴ Education Evaluation Centre of the MECSS, *Health Subjects will be taught in Schools from the 2018-2019 Study Year*, 2018



The current quality and accessibility of maternal, child and reproductive health services are not meeting the needs and demands of the Mongolian population.

HEALTH INVESTMENT

The current quality and accessibility of maternal, child and reproductive health services are not meeting the needs and demands of the Mongolian population.²⁵⁵ While the population and the number of births have been increasing annually over the last 10 years, obstetricians, gynecologists, pediatricians and nurses per 10,000 people, as well as maternal hospitals, beds, human resources and the budget to finance them have not kept pace with them.²⁵⁶

Over 70.0% of the health budget is spent on expensive diagnoses and treatments of late-stage diseases due to the current low level of health promotion and disease prevention.²⁵⁷ It is therefore considered vital to increase the budget for primary health care services that can conduct public health education and improve the rate of disease prevention.²⁵⁸

Moreover, the health budget will need to steadily increase to address the growing consequences of air pollution, i.e., if the current level of air pollution continues or worsens, then the cost of treating pollution-related diseases in children is expected to increase by 33%, a cost of MNT 4.8 billion (USD 1.9 million) extra per year by 2025.²⁵⁹

²⁵⁵ National Program on Maternal, Child and Reproductive Health, 2017

²⁵⁶ Ibid

²⁵⁷ National Program on Combating Non-communicable Diseases, 2017

²⁵⁸ Ibid

²⁵⁹ UNICEF, *Mongolia's Air Pollution Crisis: A Call to Action to Protect Children's Health, A Discussion Paper*, 2018, page 7

SUB-SECTION CONCLUSION

Maternal and child health is compromised by socioeconomic and environmental factors. Generally, the major causes of maternal, infant and child mortality are preventable, indicating the critical importance of reforming the health system to reach target groups with innovative approaches and policies, and of increasing health education to improve the attitudes and behavior of parents and children.

There is a high prevalence of pollution, nutritional deficiency, infectious and non-infectious diseases, injuries and accidents and risky behavior among the population along with and insufficient health education. Young people experience a number of health problems specific to their age bracket. The GoM has adopted a raft of laws, national programs and policies to support disease prevention and promote public health. They stress the importance of increasing the quality and access of health services and of reforming public health education, attitudes and behavior using innovative programs that target vulnerable groups such as poor, migrated and remote area populations.

However, to undertake these and other initiatives would add up to a major increase in health costs in the near future. Unfortunately, in the current macroeconomic climate, government budgets are limited and the prospect of sufficient finance for large scale health interventions appears to be remote.

Finally, it should be noted that no initiatives to increase the health sector’s contribution to the GDP have been mentioned. For example, the health sector’s promotion of health tourism in the Republic of Korea has become a major contributor to the economy.





CIVIL RIGHTS AND FREEDOMS

RELIGIOUS FREEDOM

The sixth periodic report of Mongolia under the Covenant on Civil and Political Rights states that “The Constitution and the Law of Mongolia on the Relationship between the State and Religious Institutions guarantee religious freedom and there are no restrictions on founding religious institutions in Mongolia”. The Revised Child Rights Law specifically guarantees the religious freedom of children. Nevertheless, religious institutions claim that “... occasionally local authorities impose requirements, even for registered religious institutions, without legal basis or justification, and in some cases require bribes in order to register religious institutions.”²⁶⁰

In essence, state and religious institutions take different points of view on the meaning of freedom of religion in Mongolia. Notwithstanding, the number of registered religious institutions



The number of registered religious institutions increased from 234 to

350
during 2010-2016.

increased from 234 to 350 during 2010-2016. Of these the number of Buddhist temples increased only by 9 (from 127 to 136), but Christian institutions rose from 96 to 183 and the number of Islamic mosques went up 2-2.5 times, from 6 to 22.²⁶¹ This growth in the number of religious institutions could be connected to the increase in the poverty rate and the absence of accessible social protection services in peri-urban and rural poor areas.

Table 17. Number of templates and churches

Templates and churches, by religion types							
Religion	2010	2011	2012	2013	2014	2015	2016
Total	234	327	338	322	336	356	350
Buddhism	127	142	148	146	141	139	136
Christianity	96	161	157	151	164	183	183
Islam	6	18	24	20	25	22	22
Others	5	6	9		6	12	9

Source: Mongolian Statistical Information Service

In terms of children living in religious institutions, the National Program on Child Development and Protection sets out plans to conduct annual monitoring and evaluation of the rights and situation of children studying at temples and churches, starting from 2018.

260 Embassy of the USA, International Religious Freedom Report-Mongolia, 2016

261 Mongolian Statistical Information Service, Number of templates and churches, 2018



REGISTRATION AND MIGRATION

The realization of the rights of the child has been hindered by the failure of urban and rural development planning policies to properly assess fluctuations in populations arising from in- and out-migration and to instigate investment planning policies that address the changing needs and demands of children.²⁶² Intense mining and climate disasters have exacerbated in-migration resulting in challenges to health, education and other social protection services caused by the growing concentration of the population in urban, and some rural, areas. The Revised Law on State Civil Registration has been drafted to better regulate migration and register migrated citizens.²⁶³ However, regulation of migration alone cannot solve the problems of stagnant and unbalanced regional development that is a major factor in population movement. Therefore,

²⁶² UNICEF, *The Impact of Mining-related In-migration on Children in Mongolia*, 2017

²⁶³ Introduction to Draft of Revised Law on State Civil Registration, 2016



planning for social services still needs to address the realities of intense in-migration and the resulting expansion of urban and peri-urban areas.

75,734 children were born in 2017, and of them 1,406 (1.9%) were born in foreign countries.²⁶⁴ In 2016, 2,179 citizens (an increase of 56.3% compared to the previous year) applied to become citizens of other countries.²⁶⁵ Currently, the issue of registration and citizenship of 16,000 adults and the 6,000 children who have acquired dual citizenship between 1995 and 2016 remains unresolved. The legal rights of dual citizens are unclear and the status of adults and children in that position needs to be clarified.²⁶⁶

In short, Mongolia has become a modern migrant country where 10% of the population migrates to foreign countries and 60% migrates domestically.²⁶⁷ Consequently, it is increasingly important to revise those policies that ensure clarity of children's rights in relation to domestic and overseas migration.

²⁶⁴ NSO, *Social and Economic Situation of Mongolia*, 2017/12, page 15

²⁶⁵ Mongolian Immigration Agency, *Annual Report*, 2016

²⁶⁶ National Legal Institute, *Supporting the Development of Legal Reform Policy Documents of Mongolia*, Appendix 1, 2016, page 17

²⁶⁷ Z. Unursaikhan, *Citizenship and Comparison with relevant Laws of other Countries*, *Human Rights Journal*, NHRC, 2015/02, page 65

CHILDREN'S RIGHT TO EXPRESS THEIR VIEWS AND PARTICIPATE

The Strategy for Supporting Child Participation was implemented by the Government in 2011-2016 with 5 general targets:

- i) to disseminate information to children;
- ii) to listen to children and consult with them;
- iii) to ensure genuine participation;
- iv) to build capacity for supporting child participation; and
- v) to strengthen the structures that support participation. The evaluation of the implementation rate of the strategy was 90.1%.

The recommendations and conclusions of the Monitoring and Evaluation Report stated that “The duration and outcome results of the Strategy have not been specified, thus, the same Program needs to be redeveloped and adopted; a Participation Procedure should be developed and applied to children’s clubs, circles, lectures and other organisations that support child participation...”.



81.4%
of children do not
know where to turn
if their rights are
violated.

Currently, child participation activities are supported by developing sample schools and supporting child initiated clubs and circles.²⁶⁸ Moreover, the types of sample development programs and calculation of associated financial costs need to be determined for application to child summer camps, child palaces and day care centres. After this exercise is completed, plans will be submitted to the GoM for approval.²⁶⁹

Although a number of measures have been implemented, participation by children is still low in all social environments. In the “YoungVoices” survey, 87.4% of children who responded to the survey considered there to be few opportunities to raise their voices and express their opinions to decision-makers, although 86.0% felt that it was vital that decision-makers listen to their opinions. 20.3% of children who participated in this survey reported that their opinion is seldom sought on such activities as school meals, breaks and extra-curricular activities, while 13.2 % of children said they were never asked.

Unfortunately, more than 81.4% said they did not know where to turn if they experienced emotional or psychological problems. One in every three children wanted to express their own opinions and exert more influence on matters relevant to education and school.²⁷⁰

SUB-SECTION CONCLUSION

Planning of accessible and quality services for children in conjunction with patterns of out- and in-migration and ensuring genuine child participation have become real challenges in Mongolia.

²⁶⁸ O.Altansukh, *Introduction to Current Activities and Performance of AFCYD*, 2018

²⁶⁹ Ibid; Action Plan for Implementing the Government Action Program 2016-2020, 2016

²⁷⁰ Save the Children, “YoungVoices” Survey Report Mongolia, 2017, page 27



Intergenerational cycles of violence need to be broken by protecting children from being exposed to violence.

SPECIAL PROTECTION

VIOLENCE AGAINST CHILDREN

The NSO's Social Indicator Survey of 2013 revealed that 40.3% of all children who participated in the survey experienced emotional punishment and 27.8% experienced physical punishment. But the 2016 "Knowledge, Attitude and Practices regarding Child Rights" survey by the National Human Rights Commission involving 4,264 children aged 12-18 years old gathered evidence of even worse outcomes in terms of child rights. The study revealed that 8 in every 10 children experienced some kind of violence, 1 in every 2 children experienced some level of physical violence, 1 in every 4 children experienced neglect, 3 in every 5 children experienced emotional violence and 1 in every 8 children experienced sexual violence.²⁷¹ Overall, 7.1% of all children who participated in this

271 NHRC, *The 16th Annual Report on "Situation of Human Rights and Freedoms in Mongolia"*, 2017, page 15

survey had a tendency to think that "a child should be physically punished if he/she does something wrong".²⁷² According to participants in this survey, the most common perpetrators were a senior grade child (47.6%), step-mother or father (38.6%), teens (38.4%), teachers (15.0%) and parents/carers (12.4%).²⁷³

Moreover, the National Study on Gender-based Violence identified that 1 in 10 (10.7%) of all women who participated in the study has experienced sexual abuse before they were 15 years old.²⁷⁴ The most common perpetrators were her family members (29.5%), friends or acquaintances (19%) or complete strangers (18.7%). Further, this study found that more than half (57.9%) of Mongolian women were exposed to some kind of violence or multiple types of violence and were more likely to experience physical violence by partners than non-partners.²⁷⁵

Sadly, women who have experienced partner violence are more likely to have children with behavioral problems.²⁷⁶ The study also identified a higher likelihood of a child being in a violent partner relationship as an adult if he/she had witnessed or experienced violence in childhood.²⁷⁷ Consequently, the study highlighted that inter-generational cycles of violence need to be broken by protecting children from being exposed to violence.²⁷⁸

272 Ibid

273 Ibid, page 16

274 National Statistical Office. (2018). *National Study on Gender-based Violence in Mongolia – 2017*, page 17

275 Ibid

276 Ibid

277 Ibid

278 Ibid, page 128

The “Young Voices” survey report also revealed that 37.9% of participants felt that they had been bullied or harassed, 40.7 % of children had seen other children suffer violence, 84.2 % stated they did not know whom to turn to in case of harassment or bullying, 62.4% of children had some time or many times felt sad or down for a longer period (more than a week) over the course of the previous year.²⁷⁹ The results and findings of these surveys pointed to evidence of children living in heart-breaking and vulnerable situations in the current society.

In addition to these survey findings, the 108 Child Helpline Centre received an average of 10,000 calls per month and registered 3,173 cases for requiring further action in 2017. Of these 1,781 were resolved and 1,392 cases were under review as of March of 2018.²⁸⁰ In 2017, 25,949 callers asked about protection services, 1,426 callers reported child rights violations, 10,764 callers requested counselling and 34,192 callers asked for general information.²⁸¹

The Centre provided Emergency Assistance to 180 children and its Temporary Protection Placement service provided services to 321 children between February and December 2017 and to 221 children from January to March 2018.²⁸² It is considered vital to strengthen the capacity of the 108 Children Helpline Centre and its Temporary Protection Placement service.²⁸³ The majority of children needing placements were experiencing neglect.²⁸⁴ As of May 2018, there were 859 missing children, of these 844 children were found.²⁸⁵

279 Save the Children, “Young Voices” Survey Report Mongolia, 2017, page 9
 280 S.Mungunchimeg, Symposium on “Strengthening the Child Protection System in Mongolia”, 2018, Opening Speech
 281 Media and Public Relations Department of the Parliament of Mongolia, *Conclusions and Recommendations of the Working Group were discussed at the Joint Meeting of the Standing Committees*, 2018
 282 O.Altansukh, *Introduction to Current Activities and Performance of AFCYD*, 2018
 283 Ibid
 284 Media and Public Relations Department of the Parliament of Mongolia, *Conclusions and Recommendations of the Working Group were discussed at the Joint Meeting of the Standing Committees*, 2018
 285 AFCYD and National Police Agency Database

CRIMES AGAINST CHILDREN

In 2017, crimes against children, family and social morality increased by 189 cases (49.2%), whereas crimes of domestic violence decreased by 163 cases (11.2%) in comparison to the previous year due to the adoption of the Law on Combating Domestic Violence.²⁸⁶ In 2017, rape accounted for 65.6% of all crimes against children, family and social morality.²⁸⁷ A total of 77 children in 2015, 74 children in 2016 and 90 children in 2017 were registered as victims of domestic violence.²⁸⁸ Overall, 2,110 perpetrators of domestic violence were charged with administrative liabilities and 80% of the crimes occurred in the family environment.²⁸⁹

Table 18. Number of registered crimes

Number of registered crimes	2016	2017
Crimes against children, family and social morality	384	573
Crimes of domestic violence	1,449	1,286
Crimes of child desertion and abandonment	8	11

Source: Mongolian Statistical Information Service, National Police Agency

In 2017 alone, 121 children died because of crimes and 1,758 children were victims of crime.²⁹⁰ In the last 5 years (2013-2017) a total of 7,242 crimes (1,448 per year) involving 7,354 child victims (1,470 per year) were registered and crimes against children increased by 12.3% annually during that time.²⁹¹ Crimes against sexual freedom represent the highest share of crimes against children.²⁹² 165 crimes of sexual violence against children were registered in 2016 and increased to 288 in 2017.²⁹³ Moreover, a total of 299 children were affected by physical violence and 68 children were affected by sexual violence between January and June 2018.²⁹⁴ The 16th Annual Report on “Situation of Human Rights and Freedoms in Mongolia” of the NHRC states that “...children have not only been affected by sexual violence, but have also been forced to live under constant sexual coercion, give birth, and have been infected by sexually transmitted diseases. For instance, as of January 2017 a total of

286 NSO, *Social and Economic Situation of Mongolia*, 2017/12, page 19
 287 NSO, *Crime – 2017*, 2018, page 28
 288 Ibid; NHRC, *The 16th Annual Report on “Situation of Human Rights and Freedoms in Mongolia”*, 2017, page 21
 289 Media and Public Relations Department of the Parliament of Mongolia, *Conclusions and Recommendations of the Working Group were discussed at the Joint Meeting of the Standing Committees*, 2018
 290 S.Mungunchimeg, Symposium on “Strengthening the Child Protection System in Mongolia”, 2018, Opening Speech
 291 LEU, “Causes of Crimes and Situation of Children in Contact with Law and affected by Violence” Research Report, Unpublished, 2018
 292 Ibid
 293 NSO, *Social and Economic Situation of Mongolia*, 2017/12, page 10
 294 AFCYD Database

226 cases of HIV were registered, of them 12 cases were 15-19 year-olds. Among those, 2 cases of 15 year old children were registered in 2016 and 2017 respectively.”²⁹⁵

Concerning the regularity of violence against children, the “Knowledge, Attitude and Practices regarding Child Rights” survey identified that 20 children (57.1%) had been forced for the first time and 15 children (42.8%) had been sexually coerced frequently or for a long time.²⁹⁶ Moreover, analysis of 80 criminal court cases concerning child rights in 2014-2016 found that 78 of these cases had been committed at home and over 80% of perpetrators had been related to the child.²⁹⁷

When asked their reasons for not reporting violence, 38.9% of parents and caregivers responded that they didn’t know that it was possible to report violence, nor that there was an obligation to report it. As well, 35.7% of children and 24.4% of parents and caregivers responded that they were afraid that perpetrators would take revenge.²⁹⁸

This evidence indicates that it is vital to increase the capacity, knowledge and attitude of parents and the public concerning violations against children. Also, it is an urgent issue to improve the victim protection policy and the capacity of institutions charged with the protection of children. Finally, refining the policy of criminal responsibility applied to perpetrators is an urgent matter in light of the realities that the majority of violations are committed in children’s homes by people known to them over a long period of time, and that children are afraid of repercussions if they report the perpetrators.

295 NHRC, *The 16th Annual Report on “Situation of Human Rights and Freedoms in Mongolia”*, 2017, page 35
 296 Ibid, page 30
 297 Eagle News. (2018). Discussion topic: Child Sexual Abuse
 298 NHRC, *The 16th Annual Report on “Situation of Human Rights and Freedoms in Mongolia”*, 2016, page 18

CHILDREN IN CONTACT WITH LAW, CHILD VICTIM AND WITNESS

Nationally, children committed 5,150 crimes during the last 5 years (2013-2017).²⁹⁹ In 2017, 1,066 children were connected with crimes, 27.2% were aged under 15 years and 72.8% were between 16-17 years old.³⁰⁰

Table 19. Number of crimes committed by children

Crimes committed by children	2015	2016	2017
	1,144	970	1,066

Source: Law Enforcement University, 2018

In the five years 2012-17, a total of 2,058 children were found criminally liable and of these 1,443 (70.1%) were imprisoned, 548 (26.6%) were given compulsory rehabilitative orders, and 67 (3.3%) received alternative sentences,³⁰¹ although only 134 (9.3%) children actually served their sentences in jail.³⁰² Currently, Mongolia is making efforts to develop a child-friendly justice system, to strengthen both law enforcement institutions and specialized human capacity to address the high rate of crimes against children and crimes committed by children.³⁰³

Accordingly, legal academics and researchers have proposed both on-the-job training and the addition of courses on child protection in law schools and law enforcement universities.³⁰⁴ The alarming situation of crimes against children and crimes committed by children calls for Mongolia to strengthen the capacity of the Juvenile Justice Boards which work with children in contact with law, child victims and child witnesses; to reinforce the Multidisciplinary Teams who respond at the local level to children at risk of violence; to support the Child Crime Prevention Departments who work to prevent children from wrongdoings; and to sustain the Single Window Services which provide comprehensive services to victims of violence.

299 LEU, “Causes of Crimes and Situation of Children in Contact with Law and affected by Violence” Research Report, Unpublished, 2018
 300 Ibid
 301 Ibid
 302 Ibid
 303 Ibid; Action Program of the Government of Mongolia 2016-2020, 2016
 304 AFCYD and MSUE, *Proceedings of the Conference on “Children and Solutions”*, 2017, page 45



Most of criminal cases concerning child rights had been committed at home.



**“Nart Khangai”
Child Development and
Training Centre was
founded in 2017**

UNSUPERVISED CHILDREN

Nationally, there are 97 unsupervised children, of them 76 in Ulaanbaatar, 16 in Darkhan and 2 in Khovd aimag.³⁰⁵ The Child Protection Law, the Revised Law on Domestic Violence, the Action Program of the Government of Mongolia 2016-2020, the National Program on Child Development and Protection and other policy documents oblige their respective organisations to implement systematic measures to discover, rehabilitate and re-integrate unsupervised children with their families as well as to develop and adopt a proper methodology to work with unsupervised children and their families. Certain activities have been undertaken within that framework. Direct transfer of unsupervised children to foster care centres is problematic because they were unable to accommodate the children's' special needs. As well, their presence in these centres could have had a negative influence on other children.³⁰⁶ A new option now exists. “Nart Khangai” Child Development and Training Centre was founded in 2017 in Bagakhangai district specifically to provide positive behavior change, rehabilitation, capacity and skills development programs for the lifelong wellbeing of unsupervised children as well as to re-integrate them into their families.³⁰⁷ Moreover, the Vice-Minister of MLSP S. Mungunchimeg announced that this centre opened additional opportunities for treatment and rehabilitation to children who are addicted, given deferred sentences or who needed to undertake compulsory training.³⁰⁸

According to relevant state policy documents a number of measures had been carried out in Ulaanbaatar, where the

305 O. Altansukh, *Introduction to Current Activities and Performance of AFCYD*, 2018; AFCYD Database

306 Ibid

307 Metropolitan Child and Family Development Department, *Annual Report*, 2017

308 S. Mungunchimeg, *Symposium on “Strengthening the Child Protection System in Mongolia”*, 2018, Opening Speech

majority of unsupervised children live. For instance, a total of 55 children were identified for a two day activity organized for 15-16th November, 2017, and 181 children were sought out for a month-long activity organized by the Inter-Ministerial Standing Working Group on Child Rights from 15th February- 15th March, 2018.³⁰⁹

The Metropolitan Child and Family Development Department re-integrated 33 of the 181 children with their families, gave psychological counselling to 22 of their parents, and provided crises management training to 12 of the children.³¹⁰

Of the 55 children identified in 2017, 19 lived independently on the street, 28 abandoned their home for a short period of time, 4 were wanted for questioning, and 2 were children in foster care. 17 children had been living for more than 2 years on the street because of unstable family situations such as parental conflict, adult alcohol addiction and violence in the home.³¹¹ These children had not learned respect, had poor life style habits, and lived at a basic level where it was usual to lie, swear, steal, be arrogant to others and be maltreated by others.³¹²

Ongoing activities that detect, rehabilitate and build life skills for their life long wellbeing need to be organized to improve these children's circumstances.

As well as these street children, in 2018 the Metropolitan Child and Family Development Department counted 2,058 families and 1,336 children living in public housing and 1,078 doorkeeper families with 530 children living in tiny rooms or under staircases.³¹³

309 U. Gan-Ulzii, *Meeting of the Interdisciplinary Working Group on Child Rights, Development and Protection*, 2018, Presentation

310 Ibid; Metropolitan Child and Family Development Department, *Annual Report*, 2017

311 Ibid

312 Ibid

313 Ibid



“A List of the Types of Work that Prohibit Employment of Children” was renewed by the Minister for Ministry of Labor and Social Protection in 2016.

CHILD LABOUR

The national survey on child labour, conducted during 2011-2012 years revealed that 15.9% (93,968 children) of 589,076 children who participated in the survey had been engaged in child labour.³¹⁴ Thus, the National Program on Eliminating the Worst forms of Child Labour was implemented from 2012 to 2016. The Monitoring and Evaluation Report concluded that implementation of the Program had been unsatisfactory (68.1%) because of too little cross sectorial management, coordination and collaboration. The Report recommended that the targets the Program had failed to reach needed to be repeated in the next Program. It also stated that 791 children engaged in child labour in 2016 were also enrolled in informal education equivalent to elementary and secondary education.³¹⁵ It also stated that 711 children in rural areas who had dropped out of school to work during 2016-2017 would be enrolled in an informal education curriculum equal to secondary education.³¹⁶

This Evaluation Report did not mention the reasons for children dropping out of school to engage in child labour, nor steps taken to address them for the long term benefit of these children. But it did make reference to children being included in and connected to educational and health services that provided medical examinations, treatment and mental counselling.

³¹⁴ NSO, *Report of National Child Labour Survey*, 2012.

³¹⁵ AFCYD, *Monitoring and Evaluation Report of the National Program on The Elimination of the Worst Forms of Child Labor*, 2016.

³¹⁶ Ibid.



As a result of the Program, a national census was taken of micro mining businesses (1,499) and their working children (3,000) and several legal changes were made to tackle the practice of child labour, especially in its worst forms.

More precisely, by Decree A/36 of the Minister of MLSP of 2016 “A List of the Types of Work that Prohibit Employment of Children” was renewed; safety standards for child jockeys were approved and an integrated registration system of child jockeys was created (unaach.mn); Infringement, Labour and Criminal Laws were amended to reflect mechanisms for accountability. But although the National Program saw working children provided with better health and education services and improved the regulatory and accountability framework surrounding child labour, it did not succeed in resolving the root causes of children engaging in labour, nor did it put in place the level of support needed to benefit working children in the long term.

Furthermore, the level of child labour was assessed as insignificant in the NHRC’s 2017 study on “Some Issues of Labor Rights in the Small and Medium Sized Enterprises: Trade, Service, Wool and Cashmere Industries” involving 78 employers and 1,650 employees. 1.4% of all participants responded that they employed workers under 15 years and 4.6% said they had workers aged 16-17. However, responses from employers alone said they did not have any workers under 15 years while 9.1% said they employed workers aged



Over
3,000
children are
engaged to the
mining activities.

16-17.³¹⁷ The study concluded that it could not determine the percentage of child labour as employers did not check the age of their employees when hiring. During field work conducted for the study, labour inspectors reported that there was no effective practice for detecting child workers. In light of this, the study recommended regulatory changes that would enable impromptu labour inspections and oblige employers to check the age of their employees before hiring them. This could have the unintended effect of child labour becoming hidden, thus a comprehensive policy and innovative approach might be called for.

Another study by AFCYD in 11 aimags recently identified that 1,498 children aged 8-18 years old had been engaging in micro mining and informal open mining activities, the majority working together with their families.³¹⁸

Finally, the National Police Agency conducted a number of unannounced inspections of sauna and massage parlours in January 2018, and detected 6 girls, aged 16-17 years, who had been forced into sexual exploitation and prostitution.³¹⁹ Police officers claim that the current Criminal Law that should impose a fine on those who enable prostitution on their premises is ineffective in practice.³²⁰ The relevant Criminal Law relating to child sexual exploitation needs to be reviewed and amended to ensure that those responsible do not go unpunished.

317 NHRC, *Some Issues of Labor Rights in Small and Medium Sized Enterprises: Trade, Service, Wools and Cashmere Industries*, 2017

318 NHRC, *The 17th Annual Report on “Situation of Human Rights and Freedoms in Mongolia”*, 2018, page 203

319 G.Davaanyam, *Girls were forced into Prostitution in Sauna and Massage Parlors*, Crime Prevention Department of the National Police Agency, 2018

320 Ibid

CHILD JOCKEYS

A total of 10,435 child jockeys were registered nationally in 2017.³²¹ Confirmation of registration of child jockeys using finger prints was tested in Uvurkhangai aimag because of violations against the regulations, such as making smaller children memorize registered children's identity numbers.



In 2017,

629

children fell off their horses during races.

The number of children recorded as hospitalized after falling off a horse was 181 in 2012, 219 in 2013, and 205 in 2014, with 6 fatalities over those three years.³²² In 2017, 629 children fell off their horses during races. 169 children were injured, 3 children acquired disabilities and 2 children lost their lives.³²³ A UNICEF study in 2015 established that spring horse racing violates the rights of children to survive, receive education and be protected and that there is no legal recourse to determine and punish perpetrators in the case of a child's death. It also confirmed that spring racing is a worst form of child labour.³²⁴ Children commonly injure their heads and limbs, break their bones and suffer internal injuries during spring racing. In 2016, the Minister of MLSP addressed this by re-adopting the "List of Work Types that Prohibit the Employment of Children" that prohibited children from participating in horse racing from 1st November to 1st May. This Decree was superseded in 2017 limiting the prohibition to 'winter months'.³²⁵ On 19 March 2018 the current Minister of MLSP re-issued the Decree now defining the prohibition period as 'winter months' and from the first day of the lunar year to 1st May and restricting horseracing for children under 12 years.³²⁶ The NHRC pointed out that this regulation breached the principle of non-discrimination of children by age since it implicitly acknowledged a situation where children over 12 years would be engaged in one of the worst forms of child labour.³²⁷

The Dunjingarav-2018 spring horse races took place

³²² Ibid

³²³ Ibid

³²⁴ UNICEF, *The Rights of Child Jockeys in Spring Horse Racing*, 2015, page 10-13

³²⁵ Decree A/28 of Minister of Labor and Social Protection, 2017.

³²⁶ Decree A/71 of Minister of Labor and Social Protection, 2018.

³²⁷ NHRC, *The 17th Annual Report on "Situation of Human Rights and Freedoms in Mongolia"*, 2018, page 203

³²¹ O.Altansukh, *Introduction to Current Activities and Performance of AFCYD*, 2018; AFCYD Database



The current legal penalty for a horse trainer who damages to a child's health is only
MNT 100,000.

on 18th March, 2018 after the new decree was approved. The event continued late into the cold night and a total of 16 children fell off their horses and several were seriously injured.³²⁸

Public consensus holds that the interests of the Federation of Horse Racing Sports and Trainers has been put before the interests of children and there is widespread criticism of the current legal environment that fines a horse trainer only MNT 100,000 for damages to a child's health.³²⁹ The President of Mongolia Kh. Battulga has also annulled the conferrals of two race horse trainers and has reminded the Federation of Mongolian Horse Racing and Trainers that they must work in an accountable manner.³³⁰

There is currently no agency or institution had the authority to intervene to protect the rights of child jockeys when the Federation decided independently to continue "Dunjingarav-2018" late into the night. The Report of the National Legal Institute of 2016 stated that *"Currently, there is a necessity to create an institution that can determine and implement an integrated and coordinated human rights policy on a national scale in Mongolia..."*³³¹ The Committee to implement the National Program on Human Rights did exist but ceased in 2012, leaving this area unsupervised. The Report further states that *"In 2013, a Human Rights Division under the Department of International Legal Affairs of the Ministry of Foreign Affairs was created just before the discussion on the National Report on Human Rights Situation in Mongolia by the UN Human Rights Council. Nonetheless, this Division does not possess the necessary*

328 Eagle News. (2018). Discussion topic: Child Jockeys

329 Ibid

330 Office of the President, *Mongolian President Kh.Battulga has annulled the conferments of two race horse trainers*, 2018

331 National Legal Institute, *Supporting the Development of Legal Reform Policy Documents of Mongolia*, Appendix 1, 2016

capacity to monitor and provide the integrated management of implementation of the human rights issues nationally".³³² Hence, there is now no institution in Mongolia to monitor the implementation of human rights on a national scale.

The responsibilities of the National Council for Children and the kinds of measures it has undertaken are unclear, although it is chaired by the Prime Minister who is obliged under the Law on Child Rights to ensure children's rights and to coordinate inter-sectorial collaboration. The Council has met only once (in May 2018) since the adoption of the Law on Child Rights in September 2016.

Currently, an insurance scheme for child jockeys has been discussed as a way of ensuring their safety and wellbeing, the rationale being that in order to minimise their risk, insurance companies would take responsibility for monitoring the safety of child jockeys.³³³ However, where wellbeing of children is concerned, a responsible and independent institution needs to be charged with protecting their health and safety, including overseeing an insurance scheme should it materialize.

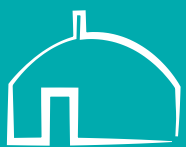
Finally, the fact that a regulation that sought to protect children from injury and to preserve children's lives was so easily overturned from one year to the next by Ministries with conflicting interests, indicates a need for stronger protection of the rights of child jockeys at the policy level, in relevant legislation - and even in the Constitution.

SUB-SECTION CONCLUSION

Institutions need to be strengthened and human capacity built to work with children in contact with the law and children affected by violence, particularly as both violence against children and crimes committed by children have been increasing. A sophisticated targeted strategy and associated policies need to be initiated for the lifelong wellbeing of children in contact with the law, those engaged in child labour and unsupervised children. Such policies need to incorporate innovative practices to influence changes in attitudes and behaviour, build life skills through education and support of an active labour market policy (ALMP). Moreover, legal and governance measures need to be undertaken to ensure the rights of child jockeys.

332 Ibid

333 O.Altansukh, *Introduction to Current Activities and Performance of AFCYD*, 2018



There are
3,5-6
people per household.

FAMILY ENVIRONMENT, FOSTER AND WELFARE CARE SERVICES

FAMILY ENVIRONMENT

In Mongolia there are 869,849 households with 3.5-6 people per household. 33.0% of households are in rural areas and 67.0% in urban areas. 54.4% of households are migrated households.³³⁴

Table 20. Number of marriages and divorces

Family status	2014	2015	2016
Marriage	17,332	17,586	16,778
Divorce	3,750	3,873	4,003

Source: Mongolian Statistical Information Service

In Mongolia, around 17,500 couples register their marriages each year. Some 4,000 couples divorce each year, with the number of divorces tripling between 1989 and 2014.³³⁵ This has led to a tendency to increase integrated, one-sided families as well as female, male and child headed families.

Table 21. Number of female headed families with children under 18

	2015	2016	2017
In Total	39,320	38,147	38,148
Ulaanbaatar	12,492	11,679	11,294

Source: Mongolian Statistical Information Service

The major reasons for divorce were loss of trust (54.0%), financial difficulties (47.3%) and domestic violence (41.3%).³³⁶ The higher level of divorce has also been attributed to insufficient family education, heavy drinking of alcohol, working and living for extended periods in foreign countries and other socioeconomic factors. For instance, in 2016, 41.1% of domestic violence crimes and violations were committed by drunken perpetrators and,

334 Draft of National Program on Family Development, 2018
335 Mongolian Statistical Information Service, Number of marriages and divorces, 2018; Draft of National Program on Family Development, 2018.
336 Ibid; Introduction to Draft of Revised Family Law, 2018



There are
12,500
outlets serving and
selling alcoholic
beverages, a figure
that needs to be
decreased by **50%**.



89.1%
of divorced par-
ents do not pay
maintenance for
their children.

according to a study on alcohol consumption, accounted for 86.8% of the factors that influence family conflict.³³⁷

In Mongolia, there are 12,500 outlets serving and selling alcoholic beverages, a figure that needs to be decreased by 50% to indirectly restrict excessive drinking.³³⁸ To achieve this, public and civil society organisations, policy makers and the society as a whole must collaborate to advocate forcefully for change.

A number of child rights concerns arise from these negative family environments, such as an increased number of child rights violations in the family environment and an increased number of children at risk and in need of protection. The “Family Value” Survey revealed that 1.1% of participants always, and 43.7 % of participants sometimes, excessively drank alcohol in the presence of their children, 2.7% of participants always, and 65.7% sometimes, quarrelled in the presence of their children, 1.6% of participants always, and 17.9% sometimes, fought in the presence of their children, and 6% always, and 37.8% sometimes, corporally punished their children.³³⁹

Although 14% of children who receive child maintenance live in families that have more than 2 children, and 43.8% of female-headed and 34.8% of male-headed families are poor, 89.1% of people do not pay maintenance for their children.³⁴⁰

The current social protection system provides welfare and

³³⁷ Ibid

³³⁸ MLSP, *Meeting of the Interdisciplinary Working Group on Child Rights, Development and Protection*, 2018

³³⁹ Ministry of Population Development and Social Protection and the MSUE, “*Family Values*” Survey Report, 2013

³⁴⁰ Draft of National Program on Family Development, 2018 ; Introduction to Draft of Revised Family Law, 2018



The Authority
for Family,
Child and Youth
Development was
established in
2016.

protection services when the family situation has become too difficult to be resolved or improved.³⁴¹ Not managing risk early enough is considered to be the chief reason that the wellbeing of children and the society as a whole has deteriorated. Until recently, there had been no integrated state policy, a shortage of family support professionals and few channels for counselling to help families at risk to function better.³⁴²

As the issue of child development and protection started to be considered within the context of the family, the former National Authority for Children was restructured in 2016 to become the Authority for Family, Child and Youth Development. Currently, the Draft Revised Family Law and Draft National Program on Family Development that reflects new concepts and policies relating to families have been developed for the approval of Parliament in 2018. After their adoption, a number of activities will be undertaken such as establishing family counselling centres, determining the family development services to be provided by the state and which by private organisations, supporting the operations of NGOs that specialise in family issues, supporting families in need with apartments and houses, and setting up a child maintenance fund.³⁴³

The outcome and impact indicators of the Draft Program are mainly quantitative indicators such as “...the number of people who receive family counselling, centres that provide family counselling, training programs, participants in trainings, trainers, cases of domestic violence, and a number of projects for families and such like...”. While this may be plausible in the short term, there is a risk that the quality, accountability and effective results of the Program could be blurred and lost without the addition of qualitative indicators.

³⁴¹ GoM, National Parents Conference on “Family-the First Child Development Environment”, 2017

³⁴² Draft of National Program on Family Development, 2018

³⁴³ Ibid

TERMINATION OF PARENTAL RIGHTS, FAMILY REINTEGRATION

The Child Protection Law, Child Rights Law and Draft Revised Family Law as well as the National Program on Family Support all include the application of compulsory orders and training of parents who violate children's rights but do not mention a comprehensive approach to working with these parents. For instance, if a child is neglected because parents are poor and unemployed, there is no mention of other interventions the state could make apart from depriving them of their parental rights. Moreover, legislation on the deprivation of parental rights and family reintegration addresses the core issues in very general terms, e.g., the Child Protection Law states that "...a child shall be reintegrated to his/her family in every possible case..." and the Draft of Revised Family Law states that "...returning a child to his/her parents does not confirm a child's rights and interests...". These generalities tend to create unclear circumstances for parents and encourage hesitancy and lack of transparency for courts and other authorities.

PARENTAL EVALUATION – SOME EXPERIENCES OF OTHER COUNTRIES

The delicate issues of deprivation of parental rights and family reintegration are regulated in a precise and systematic way in other countries. For instance, according to the corresponding law of New South Wales in Australia, capacity for parental responsibility is assessed and a contract of parental responsibility is concluded.³⁴⁴ A contract of parental responsibility may include attending treatment for alcohol and other drug addiction, training to improve positive parenting skills and other support and obligations appropriate to the particular parents.³⁴⁵

In the State of Michigan, USA, the law divides children who are abused and prone to risk into 5 categories: (i) there is evidence of child abuse, thus a court petition is required (ii) there is a high risk of future harm, thus child protection services are required to intervene (iii) there is a low or moderate risk, thus protection and family services are needed (iv) there is future risk of harm, thus family services are recommended (v) there is no evidence of child abuse, thus services are not required.³⁴⁶ The 3rd category of parents must attend

a number of treatments, trainings, counseling and other supports and services. After that, parents bear the responsibility of protecting and caring for their children.³⁴⁷ However, if parents do not attend the required treatment, training and other services and do not fulfill their parental responsibilities, their child then moves into the 2nd category and is taken into state protection.

The main purpose of these flexible regulations in other countries is to treat and correct negative attitudes and behaviors and to educate parents, thereby addressing the root causes of violations and helping to ensure the safety and well-being of the child within the family environment. Further thought needs to be given to similar flexible regulations in Mongolia. It should be noted here that MDTs have already incorporated Trust Contracts with parents into their best practices.³⁴⁸

A study of parents who violated the rights of their children in the USA found that 1 in 10 people were addicted to alcohol or drugs, 12.0% had had their freedom restricted in the previous 3 months, 15.0% had some level of mental illness, 7.0% had cognitive impairment, 5.0% were people with disabilities and over a half the parents were living in poverty. The types of services and support provided correlated with these issues.³⁴⁹ The study found that state support for parents created a risk of parents failing to improve the child's situation in order to continue to receive support. International experience indicates that this type of policy can only be implemented effectively with strong and transparent monitoring, evaluation and accountability mechanisms in place.³⁵⁰

Given that evidence, Mongolia needs to assess the root causes that lead parents and caregivers to commit violations against children. In that way, corresponding response services for parents and caregivers can be properly determined and implemented. Moreover, parental capacity needs to be assessed in the same way that we currently assess the situation of children. A methodology for working with these parents using a range of treatments, training and support mechanisms needs to be developed and implemented so that the root causes of violence against children can be addressed. The National Study on Gender-based Violence in Mongolia by the National Statistics Office in 2018 recommends

344 Children and Young Persons (Care and Protection) Act of New South Wales, 1998, Part 3

345 Ibid

346 Child Protection Law of State of Michigan, 1989, Sec. 8d, page 29

347 Ibid

348 MLSP, AFCYD, JICA and Save the Children, Symposium on "Strengthening the Child Protection System in Mongolia", 2018

349 Neil G. Douglas J. B, *Child Protection Systems: International Trends and Orientations*, Oxford University Press, 2011

350 WHO, *INSPIRE: Seven Strategies for Ending Violence Against Children*, 2016

further research and analysis of the nature of male aggression and partner distrust.³⁵¹ However, the current practice of imposing administrative penalties on perpetrators could be harmful to children and attention needs to be paid to changing this practice and seeking alternative remedies.

CHILDREN IN FOSTER CARE AND WELFARE CENTRES

In Mongolia, the number of full and semi-orphaned children has not been decreasing and the number of adoptions has not been increasing. Currently, a total of 1,045 children live in 31 welfare and foster care centres.³⁵²

Table 22. Number of full-orphan and semi-orphan children

Number of full-orphan children				Number of semi-orphan children		
Location	2015	2016	2017	2015	2016	2017
National	3,856	3,552	3,383	34,060	33,680	33,319
Ulaanbaatar	1,689	1,573	1,490	11,350	11,512	11,256

Source: Mongolian Statistical Information Service

Table 23. Total number of adopted children

2014	2015	2016	2017
1,740	2,190	1,603	1739

Source: Mongolian Statistical Information Service

Children who graduate from foster and welfare centres do not possess the social or life skills to live independently. An analysis made of the living situations of some 197 children who had graduated from Unur Bul children’s welfare centre over the last 3-4 years revealed that 4 children had died, 16 children were engaged in prostitution in Ereen city of the People’s Republic of China and 70.0% of those who had been employed were doorkeepers.³⁵³

It is imperative that best practices be implemented that nurture social and living skills that will enable these children to live independently. AFCYD is taking some measures in this regard, including plans to send 26 graduates from the Centre to work in the Republic of Korea in 2018.³⁵⁴

351 NSO, *National Study on Gender-based Violence in Mongolia – 2017*, page 116

352 AFCYD Database

353 O.Altansukh, *Introduction to Current Activities and Performance of AFCYD*, 2018

354 Ibid

ADOPTION

As of October 2016, 15 children had been adopted by foreign people that year and the Mongolian Immigration Agency reported that they had received a total of post-adoption reports on 95 children in accordance with bilateral and multilateral agreements.³⁵⁵ Adoptions by domestic and foreign citizens have for some time been well regulated with sound procedures. It is also commendable that the current Draft Revised Family Law now encompasses pre- and post-adoption monitoring and assessment in a separate chapter.³⁵⁶

SUB-SECTION CONCLUSION

Family stability and ensuring rights of children in the family environment have become an identifiable recurring problem in Mongolia. Setting up a nationwide child protection system without a sophisticated mechanism for addressing the root causes of violence against children in the family environment could risk over-burdening the protection system. Consequently, it is imperative that a survey be conducted to determine the root causes and prevalence of violence. Results of the survey would inform responses that address the factors influencing the violent behavior of perpetrators. Best practices for working with parents and caregivers who violate their children’s rights also need to be developed and implemented. Within that framework, issues of termination of parental rights and family reintegration need to be defined more precisely in relevant legislation. Moreover, it is a high priority to implement best practices and methodologies that nurture the essential living skills of children in foster care to enable them to live independently in society.

355 National Registration and Statistics Office, *Administrative Statistics Data*, 2016; Mongolian Immigration Agency, *Annual Report*, 2016

356 Draft of National Program on Family Development, 2018

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ANALYSIS OF CROSS-CUTTING FACTORS AND ACTORS



4 A. KEY FACTORS IMPORTANT TO THE REALIZATION OF RIGHTS (E.G., GOVERNANCE, CITIZENSHIP, INVESTMENT IN CHILDREN, DISASTER PREPAREDNESS, ETC.)

CHILD POVERTY SITUATION

28.9% of all Mongolian children live in poor households, and these children account for 46.0% of all people living below the poverty line.³⁵⁷

³⁵⁷ National Program on Child Development and Protection, 2017

Table 24. Multidimensional overlapping deprivation situation of children

Child/ deprivation	Child housing deprivation (%)	Child sanitation facility deprivation (%)	Children aged 0-17 who live in households that have income below poverty line (%)
0-2 years	32.0	77.0	28.9
3-5 years	78.0	76.0	
6-14 years	38.0	13.0	
5-17 years	15.0	12.0	

Source: Multidimensional Overlapping Deprivation Analysis of Children, 2016



The school enrollment rate of children aged 12-17 years from poorer households barely reached

67%

A 2016 study on “Multidimensional Overlapping Deprivation Analysis of Children” conducted by the National Statistics Office showed that 1 in every 4 children of 0-23 months (25.9%) was affected by 3 types of deprivations simultaneously and 1 in every 10 children lacks proper parental care and attention. The most common overlapping deprivations of small children were water, sanitation, housing and nutrition. Children with overlapping deprivations were most commonly found in soum centres in rural areas, with comparatively higher numbers in Western and Khangai regions. Moreover, apart from children in Ulaanbaatar, it was common for children to be affected by 4-5 types of overlapping deprivations in the other regions. Furthermore, it was established that children were more affected by poverty if they were from herder households, from big families or had less educated mothers. The school enrollment rate of children aged 12-17 years from poorer households barely reached 67.0%.³⁵⁸

Besides activities to reduce poverty, a number of other overlapping policies need to be implemented simultaneously to prevent intergenerational poverty cycles that hinder children’s potential for becoming healthy, educated and competitive citizens.³⁵⁹

³⁵⁸ Draft of National Program on Family Development, 2018
³⁵⁹ N.Enkhnasan, Chief of Social Policy Program of UNICEF, “70% of Children under 5 years old has been affected by 4 Types of deprivations simultaneously”, 2016.

CLIMATE CHANGE AND CHILD RIGHTS

In the last 70 years, the annual mean temperature of Mongolia has warmed by 2.14C, the number of disasters has increased 1.5 times, and 77.8% of the territory has been affected by some sort of desertification.³⁶⁰ Mongolia's total Greenhouse Gas Emission is relatively low at less than 0.1% of global emissions, per capita emissions are higher than the world average of 4.75 metric tons.³⁶¹



77.8%

of the territory has been affected by some sort of desertification.

Poor families, herders who live in remote areas, sole parent families, elderly people and children are more vulnerable to risks and disasters related to climate change. Risks to children such as malnutrition, dropping out of school and herding in extreme temperatures can seriously affect children's right to survive, receive education, and be protected.³⁶²

Mongolia has made some progress with climate change adaptation, setting out a regulatory framework within its policies and legislation. But at the local level, the capacity to manage and reduce the risks of climate-related disasters and respond to emergencies remains under-developed, as is public awareness of actions Mongolia can take to minimize and remedy the effects of climate change.³⁶³

³⁶⁰ ADB, *Inclusive and Sustainable Growth Assessment: Mongolia 2017–2020*, 2017, page 18

³⁶¹ Ministry of Environment and Green Development, *Intended Nationally Determined Contributions of Mongolia to Address Climate Change*, 2015

³⁶² UNICEF, *Children and Climate Change, Children's vulnerability and their capacity as agents for community-based adaptation in Mongolia*, 2011

³⁶³ ADB, *Inclusive and Sustainable Growth Assessment: Mongolia 2017–2020*, 2017, page 19; Ministry of Environment and Green Development, *Intended Nationally Determined Contributions of Mongolia to Address Climate Change*, 2015

DISASTER, EMERGENCY SITUATION

Over the last few decades, there have been significant increases in the type and frequency of climate-related extreme weather events and natural disasters. Human fatalities and injuries are not uncommon and the level of mortality of livestock and other animals is high.

Children are more prone to be affected by physical injuries, mental crises, separation from parents, abandonment, exploitation and gender-based violence during disasters and emergency situations.³⁶⁴ Mongolia has adopted the Sendai Framework for Disaster Risk Reduction, the Paris Agreement on Climate Change, the Mongolian Sustainable Development Vision 2030, the Child Protection Law and the Revised Law on Disaster Protection. While these provide solid legal policies for disaster management, the Education sector is still not satisfactorily prepared to provide continued education in safe and protected environments during disasters.³⁶⁵

³⁶⁴ GoM, *National Policy Conference on "Comprehensive Safety of General Education Schools and Kindergartens"*, 2016

³⁶⁵ Save the Children and World Vision Mongolia, *A Comprehensive School Safety Baseline Assessment in Mongolia*, Unpublished, 2017; Save the Children, *"Compensatory Education Program for Children of Herder Households affected by Zud"* Project, 2018





A Comprehensive School Safety Baseline Assessment in Mongolia involving 96 state schools of 7 aimags and 8 districts of Ulaanbaatar found that 52.0% of schools and 26.0% of dormitories exceeded standard capacity; only 27.0% of educational facilities were disaster proof; 51.0% of schools and 60.0% of dormitories did not have entrances and exits suitable for children with disabilities; 80.0% of school roads were a risk to the health and lives of children; the level of knowledge of teachers, pupils and parents concerning the standard activities that need to be undertaken during disasters was barely 50.0%.³⁶⁶

Although the majority of schools do have disaster preparedness plans, in practice they do not have sufficient budget to implement them.³⁶⁷ They have neither a plan nor the budget to provide ongoing or compensatory education services during or after emergencies.³⁶⁸ Effective organisation of continuing education services and compensatory education programs during disasters and emergencies

³⁶⁶ Ibid

³⁶⁷ Ibid

³⁶⁸ Ibid



“...state and local administrative organisations shall allocate

1.0%

of their annual budget to disaster risk reduction activities...”

would make an immeasurable contribution to the long-term wellbeing of children by minimising the risk of their lagging behind in their studies or dropping out of school.

While it is a legal requirement to include representatives of children of every age and children with disabilities in the process of developing risk assessments and preparedness plans, their participation is not widely put into practice.³⁶⁹ As well, the Revised Law on Disaster Protection states that “...state and local administrative organisations shall allocate 1% of their annual budget to disaster risk reduction activities...” but in reality this obligation has not been met effectively, particularly at the local level.

There is a pressing need for national policies and activities directed at coping with ever increasing disasters, particularly in schools and kindergartens. Currently, disaster risk reduction (DRR) is not a compulsory part of the school curriculum but it is vital that DRR be incorporated into school and kindergarten learning programs. All staff and students need to collaborate on disaster readiness plans to ensure that all children become familiar with essential lifesaving DRR activities. It is also vital that local governments meet their legal requirement to allocate funds to DRR activities in schools and kindergartens. As well, local government strategies for continuing education during emergencies, and compensatory classes afterwards, would contribute greatly to the long term wellbeing of children at risk from the effects of disasters.

³⁶⁹ Ibid

NATURAL DISASTER – DZUD

Unlike earlier times when dzud occurred about once every decade, in recent years dzud occurred in 2009-2010, 2015-2016 and 2016-2017, making a devastating impact on many families' livelihoods.³⁷⁰ For instance,

- In 2009-2010 a total of 9.7 million head of livestock died, 44,000 households lost their livelihoods, and 100,000 herders' livelihoods were seriously affected.
- In 2015-2016, a total of 1.2 million head of livestock died, and 90% of the country was covered with snow.
- In the 3rd quarter of 2016-2017, a total of 600,000 head of livestock died, 70.0% of the country was covered with snow, approximately 16,000 households (10.0% of the total number of households with livestock) and some 7 million livestock moved to nearby soums.

Clearly herders were not adequately prepared for consecutive years of dzud and significant state budget and international emergency funds had to be called upon to support them. A total of USD 6.6 million was required to assist herders affected by the 2016-2017 dzud.³⁷¹ USD 4.4 million or 66.6% of these funds was provided by humanitarian organisations operating in Mongolia.³⁷²

With degradation of pastureland exacerbating the adverse effects of dzud, sustainable numbers of livestock need to be determined alongside environmental research and planning to limit the risks that herders are exposed to.

Household income decreases during dzud and while statistical information indicates that poverty levels remain constant at 28.9% over the 2nd and 3rd quarters of a dzud year, they increase by 1.6 points during the 4th quarter.³⁷³

The lifestyle of herders in vast, sparsely populated regions during dzud presents challenges to children's rights to survive, to education and to be protected.³⁷⁴ In terms of child protection, children who study in soum and aimag centres often have to stay in dormitories separated from their parents who live far away in remote and inaccessible areas. Some children stay with adult relatives or friends where they may have to look after their younger siblings. These types of situations can often deprive children of parental supervision and attention.

370 United Nations Emergency Response Fund, *CERF Annual Report*, 2016

371 Save the Children, *Annual Reports*, 2017

372 Ibid

373 NSO, *Poverty Profile*, 2016; Save the Children, *Annual Reports*, 2013

374 Save the Children, *Annual Reports*, 2013, 2016, 2017

In terms of children's right to education, the government's budget cuts have meant that school infrastructure has not been properly maintained. School buildings are old, heating systems run below capacity, some are very drafty and children often need to wear outdoor clothing to stay warm at school. During winter vacation children encounter difficulties getting back to their family home and returning to school. Financial stresses due to dzud also mean that many families struggle to pay for school expenses such as stationery, books, uniforms, winter clothes and other items. Another concern is the birthing season, when traditionally children from some herder households leave school to assist their families with the labour-intensive activities of spring. Many households do not send their children back to school for the rest of the academic year, leaving many children with a gap in their education. This trend usually increases during dzud years and is especially pronounced for the poorest families and single parent households.

The most common health issues affecting children and their families during dzud are more or less normal seasonal increases in the flu, sore throats, fever and minor respiratory infections linked to the cold weather. However, children's health and safety can be endangered by their isolation from social services, lower levels of health seeking behaviour, and transport costs. As well, some households need to cut expenses for food and nutrition to cover additional costs brought on by dzud. Children under 5 years old are most affected by nutritional deficiency, particularly children from poor families who tend to lose weight and fail to thrive during dzud.





11.7% of students received offensive messages online, 4.1% of girls had been contacted online by an adult who wanted to talk to them about sex, the survey shows.

ONLINE CHILD PROTECTION

The risk of exposure to online bullying, harassment, and mental and sexual violence increases with children's internet usage.³⁷⁵ 50.0% of participants to the survey on "Online Child Protection" responded that they used the internet at home, 16.0% said that they used it in other environments and 46.7% said that they used it on mobiles and tablets.³⁷⁶ 53% of all participants in this survey responded that they had one Facebook account, 47% responded that they had more than 2 Facebook accounts and 46.4% replied that they possessed administrator's rights on Facebook.³⁷⁷ As to how they felt when using the internet, 42.6% of participants responded that they felt tired, 41.0% that they felt afraid and 41.0% that they felt frustrated.³⁷⁸

The Department of Education and Psychology of the School of Social Sciences of the National University of Mongolia conducted a study involving 300 children aged 11-17 years old which found that the majority of children used the internet 'just for online roaming' without any specific purpose, 30.0% responded that they had been bullied and abused online by their peers and 22.0% acknowledged that they had bullied or put pressure on others.³⁷⁹

In the "Young Voices" survey, 11.7% of participants responded that they had received offensive messages

³⁷⁵ GoM, National Parents Conference on "Family-the First Child Development Environment", 2017

³⁷⁶ National Authority for Children, *Child Protection in the Digital Environment*, 2015

³⁷⁷ Ibid

³⁷⁸ Ibid

³⁷⁹ Eagle News. (2018). Discussion topic: Online Child Protection

online from others, 4.1% of girls responded that they had been contacted online by an adult who wanted to talk to them about sex, 67.0% of children said that they do not know (and schools do not teach them) how to use the Internet safely, and 92.9% of children want to do more to stop bullying, in real life and on line.³⁸⁰

These studies indicate that online bullying, harassment, enticement and abuse have become common among children. Not only is it necessary to educate children about online safety, but there is also a clear need to consider new types of infringements and crimes such as cyber bullying, harassment and grooming.³⁸¹

Moreover, because it is impossible to censor media on the web, it is necessary to follow international best practices for protecting children from harmful contents. These include applying zoning regulations in school and dormitory areas; enabling the use of technological measures such as filtering by parents and educational staff; and requirements for age confirmation on websites that contain inappropriate and harmful contents.³⁸²

Currently, there are now 500 game centres providing services to 2,500 children per day, some 50 children each.³⁸³ At the same time, the number of children receiving services from the National Centre for Mental Health steadily increased from 2010 to 2017. 31 children in 2013, 47 children in 2014, 41 children in 2015, 68 children in 2016 and 94 children in 2017 received treatment from the Centre for their internet game addiction.³⁸⁴ The majority of them were boys. The Centre believes that internet

380 Save the Children, "Young Voices" Survey Report Mongolia, 2017, page 9

381 National Legal Institute, *Child Protection in the Digital Environment*, 2013

382 Ibid

383 MLSP, *Meeting of the National Council for Children*, 2018

384 B.Bayarmaa, *The Current Mental Health Situation of Adolescents*, National Centre for Mental Health, 2018



A Joint Decree on the Action Plan for Promotion of Proper Internet Usage and Prevention of Online Child Sexual Abuse and Exploitation was approved.

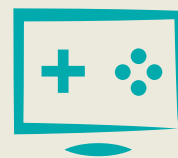
game addiction in adolescents is exacerbated by a combination of poor parental supervision and the lack of alternate places for adolescents to spend their free time.

In terms of legal measures, the Child Protection Law of 2016 for the first time included a specific regulation concerning online child protection. It defined the responsibilities of parents, caregivers, teachers, school staff, relevant state organisations and private entities in relation to online child protection. Also, in accordance with the National Program on Child Development and Protection, a Joint Decree on the Action Plan for Promotion of Proper Internet Usage and Prevention of Online Child Sexual Abuse and Exploitation was approved in 2018 by AFCYD, the Communication Regulatory Commission and the Communications and Information Technology Authority.³⁸⁵

Actions to be taken include conducting a study of the current situation of online child abuse and drafting policies and legislation to address the issues raised by it, nurturing proper usage of the internet by children, organizing advocacy and communication activities, and training specialists in the field. Children's involvement in these actions must be assured as international experience has proven that children's participation in the development and implementation of online child protection policies is crucial to their effectiveness.³⁸⁶

385 MLSP, *Meeting of the National Council for Children*, 2018

386 National Legal Institute, *Child Protection in the Digital Environment*, 2013



There are
500
game centres
providing services.

LGBT CHILDREN

Mongolia has prohibited all forms of discrimination in accordance with its domestic legislation and the international human rights conventions and treaties that it is party to. The Revised Criminal Law of 2015 prohibited discrimination on the basis of sex and sexual orientation, but a 2017 review of their situation found that lesbian, gay, bisexual and transgender (LGBT) children in Mongolia still experienced pressure, discrimination, harassment and bullying in all social environments.³⁸⁷

- 79.0% of LGBT children faced some form of discrimination or ostracism because of their sexual orientation and gender identity;
- 9.4% of LGBT children experienced some grave physical violence because of their sexual orientation and gender identity;
- 45.16% of LGBT children faced discrimination, violence or ostracism at home;
- 13% of LGBT children had negative experiences from health professionals (especially mental health professionals) after coming out to them as being LGBT;
- 21% of LGBT children had access to some level of information on sexual orientation in education context;
- Only 1 of 19 LGBT children felt safe to express their identities in their homes;
- Only 2 of 19 LGBT children felt safe to express their identities to friends and peers.

Parents, educational and health staff and the society in general have little understanding of sexuality and gender minorities, comprehensive information regarding sexuality and sexual orientation is not made available in school programs, and neither school regulations nor Teachers' and Social Workers' Ethics address hate speech and hate crimes.³⁸⁸ Accordingly, it is common for LGBT children to be thought of as people with mental disorders or 'abnormal people' in the society. Consequently, they have a higher risk of developing mental disorders, suicidal thoughts and dependence on psychotropic substances and alcohol, and live under constant mental and physical pressures.³⁸⁹ Advocacy and communication activities are needed, focused on changing attitudes, non-discrimination and understanding of the issues faced by LGBT children, for the promotion of democratic values and human rights.

³⁸⁷ LGBT Centre, *LGBT Children and Adolescents in Mongolia: An Overview of the Situation*, 2017

³⁸⁸ Ibid

³⁸⁹ Ibid

EFFICIENT ALLOCATION OF FUNDS

In 2013, the government spent 2.78% of GDP on cash transfers for social welfare, a relatively generous amount compared to the average 1.6% of GDP being spent by developing and emerging countries.³⁹⁰ In 2013, the total budget for child benefits alone was MNT 240 billion (USD 93.5 million), accounting for 51% of total transfers made through social welfare programs in Mongolia.³⁹¹ A study of the causal impact of Mongolia's universal child benefit program on female labour supply and household expenditure identified that women with children decreased their relative labour force participation by 12.2%, with a disproportionately large decrease in participation in the less educated group.³⁹² In 2017, MNT 257.7 billion (USD 100.4 million) was allocated to 1,076.4 thousand children under 18 years old, an amount 40.7 times higher than the whole national special transfer on child development and protection services.³⁹³

The universal child benefit was initiated with the intention of fulfilling multiple purposes. However, the decision was made to cease the universal child benefit due to the economic situation in Mongolia. Nonetheless, GoM decided to re-allocate child benefits to all children on 4th July 2017, a few days before the presidential election on 7th July of 2017³⁹⁴ indicating that child benefits were wrongly used for election purposes. Moreover, all mothers with children under 3-years-old receive MNT 50,000 (USD 19.50) per month from the "Mothers with Salary" program which forms part of the population development policy of Mongolia. Although this benefit is intended to encourage population increase, it appears unlikely that parallel plans have been made to develop hospital, kindergarten and school infrastructure to accommodate more children. Importantly, this program risks placing poor and less educated women in the vulnerable position of being dependent on welfare benefits rather than offering training and employment programs with long term benefits, together with strong incentive and accountability mechanisms.

³⁹⁰ ADB, *Review of Program Design and Beneficiary Profiles of Social Welfare Programs in Mongolia*, 2015, page 12

³⁹¹ Ibid, page 18

³⁹² Dandarchuluun Khishigt, *The Effects of Universal Child Benefits on Female Labor Supply and Household Expenditure in Mongolia*, Degree of Doctor in Economics of Graduate School Korea University, 2017, page 6

³⁹³ Budget Law of Mongolia, 2017

³⁹⁴ Media and Public Relations Department of the Government of Mongolia, *Dissemination of "Erdenet" Shares and Giving Child Money for all Children decided*, 2017

It is important here to mention the universal ‘one size fits all’ programs and policies reflected in the Action Program of the Government of Mongolia 2016-2020 that calculate benefits without adjusting on a needs basis. Amongst others, these include

- the average normative variable cost per child in kindergartens and schools without considering factors such as the number of children, public/private ownership, the cost of tuition, geographical location;
- universal food and tea allocations for kindergartens and schools;
- “Mothers with Salary” Program;
- A policy to cover drug expenses of children less than 5 years from the health insurance fund.

It seems that in the current market economy, applying equal distribution policies to people living in a range of socioeconomic situations results in inefficient redistribution. Moreover, these universal policies appear to be failing to support vulnerable target groups. There has been some public discussion that consciously or unconsciously, the insurance of minimum living standards and the principle of equal distribution have been confused.

Significant funds have been spent on ameliorating the effect of natural and environmental disasters, but it is critical that we take preventative measure by supporting proper livestock and grazing land management practices that would improve not only issues of desertification, soil displacement, and climate change adaptation, but would also improve preparedness for harsh winters and dzud.

In general, it is critical to analyse efficient usage and allocation of national and regional budgets across and within sectors in order to trim inefficient expenditure and increase investment in activities that ensure equal opportunities for all children including urban, rural poor and children with a disability that will stand them in good stead for the future.

Finally, children and adolescents need better information and education on political and governmental processes so that they can monitor state budgets and hold duty bearers accountable for decisions made on matters that affect them.

4 B.

KEY ACTORS IN RIGHTS, NATURE OF AND RELATIONSHIPS BETWEEN STATE, CIVIL SOCIETY AND PRIVATE SECTORS AND ROLE OF OTHER KEY ACTORS (MILITARY/NON-STATE ENTITY, INTERNATIONAL MANDATES, OCCUPYING POWERS, ETC.)

We have looked at the relevant collaboration, participation and stakeholder responsibilities related to the issues mentioned in this report. It should be noted that the state consistently supports a policy of working in collaboration with CSOs in the realms of child rights, protection and family support.

However, an integrated policy and associated mechanism on issues of child rights and child protection has not yet been developed to regulate public-private partnerships with the business sector. For instance, flows of in-migration have been increasing due to mining enterprises and other socioeconomic factors in Mongolia but policies to incorporate child-friendly shiftwork into the operational plans of mining companies have not yet been mooted, and there is no public-private mechanism for addressing the needs of children of micro miners.³⁹⁵

The 2017 Concluding Observations of the UNCRC highlighted the importance of paying attention to child rights when government is deciding on issuing privileges and support to the business sector. It emphasizes the GoM’s need to consider how the sector ensures children’s rights, and how it can be held responsible for compensating children in cases of damage being incurred to them. In short, there is a need for a state leveraging mechanism to ensure the rights of the child in the business sector.

Finally it is extremely important to continue to cultivate cohesive, integrated and efficient collaborations between public, private and civil society organisations in the areas of child rights and child protection.

³⁹⁵ UNICEF, The Impact of Mining-related In-migration on Children in Mongolia, 2017



PART 2

RECOMMENDATIONS TO THE COUNTRY STRATEGY PROCESS FROM THE CRSA TEAM, USING SAVE THE CHILDREN INTERNATIONAL GLOBAL STRATEGIC ISSUES AS A FRAMEWORK

The purpose of this section is to support the country strategic planning process of Save the Children. Based on the results of the report, we consider that Save the Children needs to focus its attentions on the following areas in the coming 3 years. .



EDUCATION

- As 26.1% of the population lives in semi-nomadic herder families in remote areas far from public services, and the rapid increase in the migrated population in Ulaanbaatar has led to a shortfall in kindergarten places, SC could continue to promote alternative preschool education for children in the family environment;
- There is room for SC to collaborate with schools to improve the quality of ECE, strengthen children's preparedness to start school, help first graders make a good start to school, and build parental participation;
- In line with Mongolia's proposed activities to realise the rights of children with disabilities, SC could raise awareness and change attitudes towards children with disabilities among school children, using its own media and communication channels.
- There is also scope to collaborate on improving the quality and relevance of study materials for children with disabilities and other vulnerable children and on strengthening teachers' capacity for Inclusive Education.
- Further development of life skills and business entrepreneurship programs is required to better meet the livelihood needs of high school students, particularly boys and those living in rural regions.
- The incidence of respiratory and diarrheal infectious diseases has increased among children due to poor hygiene and inadequate sanitation in schools and kindergartens. As the education budget does not cover improvements to the sanitary conditions of schools where SC could collaborate to improve WASH conditions in target areas.



HEALTH AND NUTRITION

- The majority of the health budget is spent on operating costs and on expensive diagnoses and treatment of late-stage diseases although there is a high prevalence of preventable diseases such as dental caries, overweight, obesity, visual and hearing impairment, and accidents among children.
- Hence, there is a gap in education programs to promote healthy behaviors among children, and adolescents. SC could work together with organisations to improve health education, disease prevention and minimization of risk behaviors of children and adolescents.
- SC could also undertake advocacy, communication and training activities to improve parents' knowledge of nutrition, hygiene and sanitation and their capacity to monitor their children's well-being, particularly in the areas of adolescent mental health, best practice in emergency situations and measures to ameliorate the effects of air pollution and the high incidence of pneumonia in the winter months.
- SC could also consider implementing best practices and projects reflected in the evidence-based international INSPIRE strategy (seven strategies for ending violence against children). These projects are designed to simultaneously improve health education, prevent violence, build life skills and capacity of children and mothers. They involve large scale implementation through family, community, peer-to-peer based advocacy, communication and training approaches.³⁹⁶



CIVIL RIGHTS AND FREEDOMS

Over the next three years, SC has the scope to

- collaborate with CSOs and the Parliamentary Working Group to improve children's civic education and understanding of political and governmental processes so that they are equipped to monitor the realization of their rights, e.g., child-friendly budgets, access to information on decisions that affect them, mechanisms for child participation

³⁹⁶ WHO, *INSPIRE: Seven Strategies for Ending Violence Against Children*, 2016



CHILD PROTECTION

In terms of continuing SC's measures to strengthen the child protection system the report identifies the needs to

- promote positive discipline methodology on a national scale;
- conduct advocacy and communication activities on child rights appropriate to each age group;
- build the capacity of MDTs by providing professional, methodological support and training on case identification, developing case plans, team decision-making and case management, as well as providing necessary methodological and practical guidelines;
- conduct programs to improve the capacity of local family, child and youth departments for monitoring and supervision, and managing database information;
- implement best rehabilitation and therapy practices for the rehabilitation of victims, such as positive discipline, art therapy and social circus;
- build capacity of professionals such as social workers, teachers and doctors, as well as parents, to provide mental health first aid to children as many child protection issues online, in educational environments and in emergency situations are increasingly generating mental health issues for adolescents;
- investigate together with the AFCYD an online information and counseling platform (alongside Child Help Line 108) that could offer counseling services to adolescents and youth on child rights, health and protection issues. In this regard, stronger links with the Health sector could also be forged to build capacity for mental health psycho-social support;
- work with AFCYD to build an online platform for specialists such as social workers, health workers, teachers, law enforcement officers and for non-professional people that disseminate information, advocacy and communication, interactive

training on preventing violence towards children, child protection, detection of children affected by violence, protection measures during emergencies and issues that will help build their capacity;

- work with AFCYD to refine new legislation and procedures on alternative care for children at risk;
- support the GoM in conducting a long-term study on the impact of the total ban on corporal punishment against children.



DISASTER RISK REDUCTION

Child participation in climate change adaptation and disaster risk reduction activities needs to be ensured. SC has a number of options in this field:

- to collaborate with educational organisations to support disaster risk reduction activities on a large scale initiated by children;
- to advocate for effective planning and implementation of compensatory and continued education services during disasters and emergency situations to ensure that children's rights and long term interests are addressed;
- to collaborate with NEMA to strengthen DRR in Education by supporting schools and kindergartens to develop disaster preparedness plans incorporate educational content on DRR;
- to conduct advocacy and communication activities for the realization of the Revised Law on Disaster Protection which obliges state and local administrations to allocate 1% of their annual budget to disaster risk reduction activities.



CHILD POVERTY

There is a need to support children from poor families and other socio-economically disadvantaged children with vocational training and programs that build life skills. Particular focus could be placed on

- further Youth Employment and Empowerment programs for rural and urban vulnerable youth;
- advocacy and communications activities targeting decision makers responsible for

executing labor market policies that will benefit both disadvantaged children and their parents.



COLLABORATION

While AFCYD is our main partner, it is also necessary to collaborate with all levels of government on individual child rights issues, in particular the Ministries of Education, Health and Labor & Social Protection, NHRC and NEMA. It is also important to collaborate with and help build the capacity of CSOs. Working in cooperation with cultural and religious organisations and the media is also vital to the success of advocacy and communication activities, as well as to influencing their knowledge and attitudes to child rights, violence against children and how to support happy and strong families. The Women's Group in Parliament works towards promoting women's and children's rights so it is vital to collaborate with them on advocacy and communication activities and to develop systematic knowledge and information exchanges that will help them better represent the rights and interests of Mongolian children.

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