

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD
Thirty-ninth session
Pre-sessional Working Group
31 January - 4 February 2005

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with the consideration of
the second periodic report of **Mongolia** (CRC/C/65/Add.32)

PART I

Under this section the State party is requested to submit in written form additional and updated information, if possible, before 6 April 2005.

A. Data and statistics, if available

1. Please provide disaggregated statistical data (by gender, age groups, ethnic groups, urban and rural areas) covering the years 2002, 2003 and 2004 on the number and percentage of children under 18 living in Mongolia.
2. In the light of Article 4 of the Convention, please provide disaggregated data on budget allocations and trends (in absolute figures and percentages of the national budget) for the years 2003, 2004 and 2005 regarding the implementation of the Convention evaluating also the priorities for budgetary expenditures given to the following:
 - a. education (different types of education, i.e. pre-primary, primary and secondary education)
 - b. health care (different types of health services, i.e. primary health care, vaccination programmes, adolescent health care, HIV/AIDS and other health care services for children, including social insurance);
 - c. programmes and services for children with disabilities;
 - d. support programmes for families;
 - e. support for children living below the poverty line;
 - f. protection of children who are in need of alternative care including the support of care institutions;
 - g. programmes and activities for the prevention of and protection from child abuse, child sexual exploitation and child labour;

- h. programmes and services for children belonging to minorities and indigenous peoples;
- i. programmes and services for abandoned children, including street children; and
- j. juvenile justice and the rehabilitation of juvenile offenders.

Please also indicate the estimated expenses of the private sector, in particular for health and education.

3. With reference to children deprived of a family environment and separated from parents, please provide disaggregated data (by gender, age groups, if possible ethnic groups, urban and rural areas) for the years 2002, 2003 and 2004 on the number of children:

- a. separated from their parents;
- b. placed in institutions;
- c. placed with foster families; and
- d. adopted domestically or through inter-country adoptions.

4. Please specify the number of children with disabilities, up to the age of 18, disaggregated by gender, age groups and, if possible, ethnic groups, urban and rural areas, covering the years 2002, 2003 and 2004:

- a. living with their families;
- b. living in institutions;
- c. placed with foster care;
- d. attending regular schools;
- e. attending special schools; and
- f. not attending schools.

5. Please provide disaggregated statistical data (by gender, age groups, if possible ethnic groups, urban and rural areas) covering the years 2002, 2003 and 2004:

- a. rates of infant and child mortality;
- b. rates of immunization;
- c. rates of malnutrition;
- d. children infected with and/or affected by HIV/AIDS;
- e. adolescent health, including early pregnancy and sexually transmitted infections (STIs), mental health and suicide, drug, alcohol and tobacco abuse; and
- f. percentage of health professionals working in the health care services for children.

6. With reference to child abuse, please provide disaggregated data (by age, gender, if possible ethnic groups and types of violations reported) covering the years 2002, 2003 and 2004 on the:

- a. number of child abuse cases reported;
- b. number and percentage of reports which have resulted in either a court decision or other types of follow-up; and

- c. number and proportion of victims that have received counselling and assistance in recovery.

7. With reference to the right to education, please provide disaggregated statistical data (by gender, age groups, if possible ethnic groups, urban and rural areas, immigrant children) covering the years 2002, 2003 and 2004 in percentage of the relevant age group on the:
 - a. rates of literacy, below and over 18 years;
 - b. rate of enrolment in pre-primary schools, primary schools and in secondary schools;
 - c. percentage of children completing primary and secondary education;
 - d. number and percentage of drop-outs, repetition and retention;
 - e. number of children in private schools; and
 - f. ratio teacher per children and number of children per class.

8. Please provide disaggregated statistical data (including by gender, age and type of crime) covering the years 2002, 2003 and 2004, in particular on the number of:
 - a. persons below eighteen, who have allegedly committed a crime, reported to the police;
 - b. persons below eighteen who have been charged with a crime and of them those who are sentenced, and the type of punishment or sanctions related to offences including length of deprivation of liberty;
 - c. detention facilities for persons below eighteen in conflict with law and their capacity;
 - d. persons below eighteen detained in these facilities and persons below eighteen detained in adult facilities;
 - e. person below eighteen kept in pre-trial detention and the average length of their detention;
 - f. reported cases of abuse and maltreatment of persons below eighteen occurred during their arrest and detention; and
 - g. percentage of recidivism cases.

9. With reference to special protection measures, please provide statistical data (including by gender, age, if possible ethnic group, urban and rural areas) for the years 2002, 2003 and 2004 on the number of children:
 - a. involved in sexual exploitation, including prostitution, pornography and trafficking and the number of children provided with access to recovery and other assistance;
 - b. involved in substance abuse and the number of children who received treatment and recovery assistance;
 - c. involved in child labour; and
 - d. unaccompanied asylum-seeking, refugee and displaced children.

B. General Measures of Implementation

1. The Committee would appreciate to receive detailed information on activities meant to implement recommendations contained in the Committee's previous concluding observations (CRC/C/15/Add.48 of 13 February 1996) on the initial report of Mongolia (CRC/C/3/Add.32), which have not yet been fully implemented, in particular those related to the school drop-out among boys in rural areas and to prevent their involvement in child labour (para.23), the access to basic services for children (health, education and social care) in rural areas (para.23), the access to basic services for children with disabilities throughout the country (para.23), the promotion and protection of the rights of refugee children (para.26), the judicious distribution of resources at central and local levels (para.27) and the rights of children in conflict with law (para.29). Please explain the obstacles to implementation and how the State party envisages overcoming them.
2. Please provide more information on the efforts undertaken by the State party to further harmonize domestic law with the provisions and principles of the Convention.
3. Please provide information on cases, if any, where the Convention has been directly invoked in domestic courts, and if so, please provide examples of such cases.
4. Please describe measures undertaken to strengthen data and statistics collection mechanisms and procedures with regard to the implementation of all provisions of the Convention.
5. Please provide information on the measures taken to implement the Second National Plan of Action for Children 2002-2010, adopted in 2002, and to monitor and evaluate its implementation.
6. Please provide updated information on the activities of the National Human Rights Commission particularly related to the implementation of the Convention and in case this falls within its mandate the number of individual complaints investigated and their outcomes, and provide specific information on cases involving children (e.g. number and nature of complaints filed by, or on behalf of children). Furthermore, please indicate how the independence of the Commission is ensured, in the light of the Paris Principles (General Assembly resolution 48/134, annex).
7. Please provide information on the measures taken to implement the new Law against Domestic Violence, adopted in 2004, with the aim to prevent and combat domestic violence and to protect of human rights of victims, including child victims.
8. Please provide information on the results of the survey 'State and Tendency of Prostituting Girls' jointly conducted by the Mongolian Centre for Child and Youth Development and the Training and Research Centre on Population of the State University of Mongolia, with assistance of the International Programme for the Elimination of Child Labour (ILO/IPEC).
9. Please provide updated information on the dissemination of the Convention and the State party report and on efforts made to provide training, awareness on the Convention and on human rights in general, to children, parents, teachers, social workers and other professionals working with and for children.

10. Please provide updated information on the cooperation between the State party and the international community including non-governmental organisations, in the efforts to implement the Convention.

11. Please provide information on the content and (the results of) the implementation of
- a. the National Action Programme for the Improvement of Livelihood of Disabled Citizens, adopted in 1999;
 - b. the National Reproductive Programme on Student and Adolescent Health, adopted in 1997;
 - c. the National Information and Promotion Strategy for Prevention from HIV/AIDS and STDs; and
 - d. the National Programme on Prevention of Child Crime and Crimes against Children adopted in 1999.

12. Please indicate the issues affecting children that the State party considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention.

PART II

Please provide the Committee with copies of the text of the Convention on the Rights of the Child in all official languages or the State party as well as in other languages or dialects, when available. If possible, please submit these texts in electronic form.

PART III

Under this section, the State party is to briefly (3 pages maximum) up-date the information provided in its report with regard to:

- new bills or enacted legislation;
- new institutions;
- newly implemented policies;
- newly implemented programmes and projects and their scope.

PART IV

The following is a preliminary list of major issues (that does not contain issues already covered in Part I) that the Committee may take up during the dialogue with the State party. They do no require written answers. This list is not exhaustive as other issues might be raised in course of the dialogue.

1. The implementation of national legislation relating to the rights of the child.
2. Non-discrimination in general and in particular discrimination against girls, children with disabilities, children living in poverty, children in conflict with law, street children, children living in rural areas and also children who have migrated from the rural areas and are living in the capital without official registration.
3. Birth registration, with a particular regard to children living in rural areas.
4. Violence against children, including domestic violence and violence against women, corporal punishment in the family, schools and other institutions.
5. Adoption and family reunification.
6. The situation of children with disabilities, adequate legislation, access to social and health services, equal opportunities to education, rehabilitation and recreation.
7. Health, including nutrition, safe and affordable pharmaceuticals, HIV/AIDS and access to safe water and sanitation in rural areas.
8. Adolescent health concerns and reproductive health issues, including medical counselling without parental consent and early pregnancy. Alcohol abuse.
9. Educational system, including equal access to education by all children, including boys belonging to herder families and living in rural areas, literacy, schooling facilities, condition of school dormitories and violence at schools.
10. Leisure, recreation and cultural activities.
11. Economic exploitation, including child labour, especially children in domestic and rural work.
12. Substance abuse.
13. Implementation of the new Act on Trafficking in Persons (2003) and measures to prevent and combat sexual exploitation.
14. Juvenile justice, inter alia, the length of pre-trial detention, the (monitoring of the) conditions of detention facilities for juveniles, alternatives for (pre-trial) detention, rehabilitation and social reintegration services.
15. The situation of children belonging to minorities or indigenous peoples.
