



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION**

Second periodic reports of States parties due in 1997

MONGOLIA*

[6 May 2003]

* For the initial report submitted by the Government of Mongolia, see CRC/C/3/Add.32, for its consideration by the Committee, see documents CRC/C/SR.264-266 and CRC/C/15/Add.48.

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Introduction

1. Since joining the United Nations Convention on the Rights of the Child in 1990, Mongolia has developed its second report on implementation of the Convention to submit to the United Nations Committee on the Rights of the Child for its examination. This report covers the period from 1995 to 2000 and follows the Committee's general guidelines regarding the form and content of periodic reports to be submitted by States parties under article 44, paragraph 1 (b), of the Convention. The report is based also on the concluding observations and recommendations issued by the Committee upon consideration of the initial report of Mongolia in 1995.

2. Following the recommendations, a report was jointly developed by relevant ministries and governmental and non-governmental organizations. It was examined and agreed upon at a national symposium held in May 2001. The participants suggested finalizing the national report and submitting it for consideration to the Committee on the Rights of the Child.

I. GENERAL INFORMATION

3. The new Constitution of Mongolia adopted in 1992 separates the legislative, executive and judicial powers, guarantees the rights of citizens to freedom of speech, religion, possession of property and conduct of private business activities, as well as their right to direct presidential and parliamentary elections.

4. The democratic political reform resulted in rapid and positive outcomes. The ruling power has been transferred in a democratic way, following the victory in the parliamentary elections of the Mongolian People's Revolutionary Party in 1992, of the democratic coalition in 1996 and of the Mongolian People's Revolutionary Party in 2000. Despite the vast territory and sparse population, the participation rate in the elections was more than 90 per cent. This was evidence of the citizens' enthusiasm for supporting democracy.

5. The Action Programme of the Government approved by the State Great Khural (Parliament) in 2000 defined as its goal to "elaborate and implement the State policies, to effectively and efficiently serve people and to meet their basic needs and to establish justice and good governance".

6. As to administrative units, Mongolia is divided into 21 *aimags* and the capital city. More than half (51 per cent) of the population resides in Ulaanbaatar city's 9 districts. There are 40,000-100,000 people on average in the *aimags*. The basic administrative unit is a *soum* and the *soum* is divided into *bags*. There are 324 *soums* and 1,590 *bags* in total. The population and housing census conducted in 2000 counted 541,100 households totalling 2,373,000 people in the country. The female-to-male ratio is 98.5 women for every 100 men. Females are 49.6 per cent of the population. People aged under 15 years account for 35.8 per cent of the total population, 15-64 years for 60.7 per cent and 65 years and above for 3.5 per cent.

The average population growth rate was 2.9 per cent from 1969 to 1979 and 2.5 per cent from 1979 to 1989 before declining to 1.4 per cent for the period from 1989 to 2000. Nevertheless, Mongolia is among the countries with a young population, as children under 18 years count for 45 per cent of its total population.

7. As a result of creating a unified system of education, implementing the objectives to provide secondary education to all and making adults literate, 97.8 per cent of the population (98 per cent of men and 97.5 per cent of women) became literate and 50,000 children annually receive their basic and secondary education.

8. According to the census of 2000, 51 per cent of the population aged 15 years and above were employed. The unemployment rate or the percentage of the unemployed seeking a job was 17.5 per cent. The employment rate was 64.7 per cent in 1995 and was down to 60 per cent in 2000.

9. The number of livestock heads increased by 39.2 per cent in 1999 as compared to 1995 due to the livestock privatization, reduction of meat exports and favourable weather conditions. But 158 *soums* of 15 *aimags* were hit hard by the snow *dzoud* (blizzard) during the winter of 1999/2000 and 3.5 million head of livestock died in 2000. The growth of livestock herds from 1995 to 2000 is shown in the following table 1.

Table 1

Total number of livestock

| Type of livestock | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 |
|------------------------|------------|------------|------------|------------|------------|------------|
| Camels | 367 500 | 357 900 | 355 004 | 356 500 | 355 600 | 322 900 |
| Horses | 2 648 400 | 2 770 500 | 2 893 200 | 3 059 100 | 3 163 500 | 2 660 700 |
| Cattle | 3 317 100 | 3 476 333 | 3 612 800 | 3 725 800 | 3 824 700 | 3 097 600 |
| Sheep | 13 718 600 | 13 560 600 | 14 165 600 | 14 694 200 | 15 191 300 | 13 876 400 |
| Goats | 8 520 700 | 9 134 800 | 10 265 300 | 11 061 900 | 11 033 900 | 10 269 800 |
| Total | 28 572 300 | 29 300 001 | 31 292 300 | 32 897 500 | 33 569 000 | 30 227 400 |
| Growth rate (per cent) | 6.6 | 2.5 | 6.8 | 5.1 | 2.0 | -10.0 |

10. From the economic point of view, the last decade was a decade of transition, with ups and downs. Macroeconomic indicators could not reach the level of the pre-1990 period, although they have shown certain improvements compared to those of 1995. The drought and heavy snowfall of the last three consecutive years have caused serious damage to the agricultural sector. Owing to the decline in livestock production, the gross domestic product (GDP) had grown only 1.1 per cent in 2000. The following are the key macroeconomic indicators of Mongolia for the period from 1996 to 2000.

Table 2
Key macroeconomic indicators
(in 1995 prices)

| | 1996 | 1997 | 1998 | 1999 | 2000 |
|--|-------|-------|--------|---------|---------|
| GDP growth rate | | 4.0 | 3.5 | 3.2 | 1.1 |
| Industrial sector growth (per cent) | -3.6 | -3.3 | 4.2 | 1.1 | 2.4 |
| Agricultural sector growth (per cent) | 4.4 | 4.3 | 6.4 | 4.2 | -14.3 |
| Inflation rate (per cent) | 44.6 | 20.5 | 6.0 | 10.0 | 8.1 |
| Foreign trade balance (in thousands of togrogs) | -26.6 | -16.8 | -158.1 | -154.5 | -148.4 |
| Togrog exchange rate (US\$ 1 as of the end of the year) | 693.5 | 813.2 | 902.0 | 1 072.0 | 1 097.0 |
| Unemployment rate (per cent) | 6.7 | 7.7 | 5.9 | 4.7 | 4.6 |
| Investment (per cent of GDP) | 20.6 | 21.6 | 25.4 | 27.9 | 26.5 |
| Budget revenue (per cent of GDP) | 25.2 | 26.7 | 29.4 | 28.8 | 33.5 |
| Budget expenditure (per cent of GDP) | 32.7 | 34.5 | 41.9 | 39.4 | 39.5 |

11. Although the national and financial situations were very difficult during the past several years, the State and the Government of Mongolia have made considerable efforts and much success in the field of children's well-being. Since becoming a Member of the United Nations, Mongolia has joined more than 20 international conventions concerning human rights and freedoms, including the Convention on the Rights of the Child. Since its accession in 1990, Mongolia has sought to implement the Convention, considering it as a new concept and new standards for meeting the rights, interests and needs of children. The enactment of the Law on the National Human Rights Commission of Mongolia was one of the steps towards ensuring human rights. According to the law, the National Human Rights Commission was established by the Parliament in 2001 and it has been functioning since.

12. The Mongolian Government is pursuing a policy to implement the 20/20 initiative by mobilizing national domestic resources for children's well-being. Many projects are being implemented in the country within the framework of about 20 specialized programmes on protection of children's interests and health, provision of education, development of their talents. The country has increased its allocations for children's basic social services from year to year. Spending at least 20 per cent of the State budget revenues for the education of children and youth was enshrined in the law. This was an important achievement.

13. Over the last six years, from 44.4 to 52.3 per cent of the State budget expenditure, or an amount totalling from 11.3 to 21.5 per cent of GDP, was spent for the provision of basic social services, in particular, education, social security, and cultural and recreational programmes.

Table 3
Comparison of social budget expenditures

| | Share of total budget expenditures (per cent) | | | | | | Share of GDP (per cent) | | | | | |
|--------------------------------------|--|------|------|------|------|------|-------------------------|------|------|------|------|------|
| | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 |
| Total social expenditures | 49.1 | 44.4 | 45.5 | 46.2 | 48.4 | 52.3 | 13.3 | 11.3 | 16.0 | 19.4 | 19.1 | 21.5 |
| Educational activities | 17.0 | 15.9 | 16.2 | 17.1 | 17.8 | 19.1 | 4.6 | 4.0 | 5.7 | 7.1 | 7.0 | 7.9 |
| Health activities | 11.3 | 10.6 | 9.9 | 9.6 | 9.8 | 10.5 | 3.1 | 2.7 | 3.5 | 4.0 | 3.9 | 4.3 |
| Social insurance, social safety | 15.7 | 13.6 | 14.9 | 15.1 | 16.4 | 17.2 | 4.3 | 3.4 | 5.2 | 6.3 | 6.5 | 7.3 |
| Housing, utilities | 1.6 | 1.1 | 1.2 | 1.1 | 1.3 | 1.6 | 0.4 | 0.3 | 0.4 | 0.5 | 0.5 | 0.7 |
| Leisure, sports, culture, art events | 3.5 | 3.2 | 3.2 | 3.3 | 3.1 | 3.3 | 1.0 | 0.8 | 1.1 | 1.4 | 1.2 | 1.4 |

Source: Ministry of Finance and Economy, 2000.

14. The resources are mobilized for the protection of children's rights in the three areas described below.

15. First, from the State and local budgets, resources are used:

(a) For child health purposes:

- Health insurance premium of children under 18;
- Free medical services for children and pregnant women;
- Some expenses for children's vaccination;
- Protection of children and youth from infectious diseases;
- Elimination of child malnutrition;
- Hospital expenses of children;

(b) For child education purposes:

- Pre-school education;
- Primary, basic and secondary education;
- Children's alternative education;
- School dormitory supply and services;

- Development, publication and distribution of textbooks for schoolchildren;
 - Primary and secondary education and professional orientation courses;
 - Non-formal education;
 - School supplies for children from vulnerable families with many children;
- (c) For child protection purposes:
- Permanent care of full orphans;
 - Care of infants;
 - Childcare allowances;
 - Allowances for large families;
 - Allowances for care of infants;
 - Allowance for twins;
 - Full orphans' adoption and upbringing allowance;
 - Care for children of multiple births (triplets or more);
 - Additional services for disabled children;
 - Emergency services for children;
 - Advocacy services for children under 18 from vulnerable-group families;
- (d) For development of children's organizations:
- Promotion of activities of children's organizations;
 - Children's camps and cultural and educational services;
 - Children's training and artworks.

16. Second, citizens, business entities, and public and non-governmental organizations are extending appropriate assistance to children in difficult circumstances. In recent years large-scale enterprises, organizations and business entities have been making some progress in covering the expenses of their affiliated children's organizations. However, the mobilization of domestic resources in this field should be improved and a national network of statistical data and reporting has not been established.

17. Third, international cooperation has been expanding substantially in recent years. Certain specific programmes aimed at reversing economic decline, intensifying economic reform, structural adjustments and stabilizing the economy have been implemented step by step with the International Monetary Fund (IMF) since 1991. It is estimated that over the last decade, or for the period from 1991 to 2000, Mongolia has been pledged US\$ 2.6 billion by the donor community within the framework of official development assistance (ODA); 72 per cent of the pledged ODA, or US\$ 1.9 billion, were disbursed and used in a tangible way. The grant aid accounted for 52.4 per cent (\$995.6 million) of the total ODA used and soft loans accounted for 47 per cent (\$904.4 million). The grant aid from the donor community still plays an important role in the framework of transitional hardships and urgent problems.

18. The aid disbursement shows that financial or emergency type of aid prevailed at the beginning. Hence, the Government is aiming to reduce the share of emergency assistance in the ODA structure while increasing the share of medium- and long-term project loans. The grant aid is being utilized for human resource development, institutional capacity-building and social needs. The policy is being pursued to strengthen this trend.

19. Thirty-seven per cent of the total disbursed ODA was utilized in the infrastructure sector (energy, roads, communication, housing and utilities), 16.5 per cent for social sector infrastructure (education, human resource development and health), 10.8 per cent in industry and agriculture, 23.0 per cent in financial and economic management and 12.7 per cent in other sectors. Sixty per cent of the disbursed ODA was provided by Japan, 12 per cent by Germany, 8 per cent by the United States of America and the rest by other countries and international organizations.

20. In order to make economic structural adjustments within a shorter span of time and lay down a solid foundation for future development, the soft loans provided by donors are spent for priority projects, and especially for the infrastructure and social sector development; 40 per cent of the disbursed soft loans were provided by the Asian Development Bank, 26 per cent by Japan, 18 per cent by the World Bank, 6 per cent by Germany and the rest by other bilateral donors. All these loans are of a concessionary nature with a repayment period of 30 to 40 years, a grace period of 10 years and 0.75-1 per cent interest.

21. Although the Government has been implementing many projects in the social sector, poverty and unemployment are still critical issues. Substantial success has been reached during the course of implementation of the National Plan of Action on Child Development. From 1996 to 2000, additional measures and activities with aims for children were organized within the framework of the National Programme on Poverty Reduction. Nonetheless, rural and urban child poverty and difficult conditions still exist. All the children cannot equitably benefit from the State social protection.

Lessons learned

22. The experience acquired and lessons learned over the last years prove that the needs and best interests of children should be a priority in any development activities. For example:

- To take into account the child's best interests in introducing any change;

- To focus policy on finding a solution to those factors that affect a part or a group of children;
- To provide sufficient protection of the rights of the child in a broad sense and efficiently fight any violation of these rights;
- To pay special attention to assistance to a child's family, especially to vulnerable families;
- To select and introduce effective management techniques to support sustainability and the participation of citizens.

II. GENERAL MEASURES OF IMPLEMENTATION

23. Since the accession to the Convention, Mongolia has enhanced its national legislation in accordance with the spirit and ideals of the Convention. The following measures towards creation of favourable conditions for child survival, protection, development, education and well-being are identified in the State policy on population:

(a) On health protection: promotion of breastfeeding, monitoring of child growth and development, provision of nutritious food rich in vitamins, prevention of and protection against infectious diseases, governmental responsibility for health insurance of children under 18 years, promotion of physical and mental health of children, creation of psychologically appropriate environments for children;

(b) On education and culture: establishment of standards for pre-school, primary and secondary education with regard for international standards and national tradition, improvement of the system in terms of content, methods and methodology, early development of children's talent and their skills for labour, encouragement of cultural and artworks meeting the spiritual needs of children;

(c) On children's rights and participation: establishment of a legal basis for child survival and growing up in a loving and caring environment provided by parents and for the defence of children's rights, reinforcement of the State and public control over the implementation of the legislation, prevention of and protection of children against any potential oppression, exploitation, humiliation or violence, promotion of children's rights to free expression, promotion of mutual respect of children, support to voluntary organizations, initiatives and movements of children, development of their self-management, respect for the aspirations of ethnic minority children to study, communicate in their native language and learn their cultural heritages and customs;

(d) On social welfare: care by the State for orphaned and physically or mentally disabled children, support of children in adverse conditions, promotion of adoption, parenting of young orphaned children, identification of guardians, support for families and individuals taking care of such children, national focus on activities for children, mobilization of domestic resources for them and support for their cooperation.

24. The Law of Mongolia on Protection of Child Rights was adopted in 1996 by the Parliament. Its main objectives are:

- To ensure the right of the child to special care;
- To protect families and create favourable environments for the child's growth and development;
- To have children fully prepared to live an individual life in society and brought up in the spirit of harmonious and humane ideals;
- To create a legal environment for special protection of children;
- To take children living in difficult circumstances for social protection;
- To use international cooperation for improvement of children's living conditions.

25. The equal rights of children and their legal guardians are enshrined in article 14 of the Constitution of Mongolia and article 4 of the Law on Protection of Child Rights. The individual rights and freedoms of the child are broadly treated in the national legislation and this legislation has strengthened the rights of the child to survival, healthy growth and development, to be registered immediately after birth, to have the right from birth to a name, the right to know, as far as possible, his or her parents, as well as the right of a physically or mentally disabled child to live a decent life adequate for her or his dignity.

Individual rights and freedoms

26. The Family Law states that a child should be registered within 30 days after birth (art. 98) and shall have a name (art. 39). The Law on Nationality describes the principles and rules for obtaining a nationality.

27. The Law on Protection of Child Rights states that a child shall not be separated from his/her parents illegally (art. 7.1), shall have the right to protection of his/her privacy (art. 3), shall have the right to maintain personal relations and direct contact with his/her parents on a regular basis when he/she lives separately from them and the right to express his/her opinion with whom to live when his/her parents are divorced or separated (art. 5.3), shall have the right to migrate, seek refuge, reside abroad and return to the home country accompanied by his or her parents, guardians or caretakers (art. 5). Based on articles 16 and 13 of the Constitution of Mongolia, articles 1 and 13 of the Law on Protection of Child Rights state that a child shall have the right to legal protection of his or her privacy, correspondence and residence. The legal guarantees for these articles are ensured and regulated by the Civil and Criminal Codes.

Economic and social rights

28. Article 15 of the Law on Protection of Child Rights defines the legal background for social welfare and assistance to be provided to children living in especially difficult circumstances. According to this article, a child shall be considered as a child in difficult

circumstances if he or she has incurred any psychological or physical damage as a result of being orphaned, disabled or very poor, not having a guardian, being subjected to sexual abuse, violence or humiliation.

29. On the basis of article 16, paragraph 6, of the Constitution of Mongolia on the citizen's rights to health protection and medical services, article 5, paragraph 4, of the Law on Protection of Child Rights stipulates that the child shall receive medical assistance from the State. Furthermore, article 3 of the Law on Health Insurance states that children, regardless of whether they have health insurance, are entitled to be provided some types of free medical services, such as medical examinations, all kinds of laboratory analyses upon request, treatment for tuberculosis, brucellosis, immune and genetic disorders and cancers.

30. According to article 5, paragraph 4, of the Law on Protection of Child Rights, children have the right to receive from the State pensions, allowances, care and welfare services. The guarantees for their implementation are regulated by other laws and regulations. For example:

(a) The State provides allowances for pregnancy, birth, childcare, children, care of infants and twins, adoption of full orphans;

(b) A child shall have the right to live in a safe and healthy environment. It is prohibited to intentionally deprive a child of food, housing or basic needs or to supply her/him with food not meeting health requirements;

(c) In accordance with article 16, paragraph 7, of the Constitution of Mongolia, a free general education is provided to all. On the basis of this provision, article 6, paragraph 1, of the Law on Protection of Child Rights states that the State shall support a free general education, study of native language and literacy and development of children's abilities;

(d) Work not suitable to the age, health, and mental and physical capacity of children is prohibited by law. The Labour Code determines in detail the workplaces forbidden to children, their possible work hours and leisure time.

Political rights of the child

31. On the basis of article 16, paragraph 13, of the Constitution prohibiting torture or any other equivalent measure for a person, article 7, paragraph 4, of the Law on Protection of Child Rights forbids any illegal detention of a child and paragraph 6 of the same article prohibits detaining a child together with adults.

32. Based on article 16, paragraph 16, of the Constitution providing that a citizen shall have the right to freedom of belief, thought and expression of opinion, article 6, paragraph 5, of the Law on Protection of Child Rights sets the legal basis for children's rights to freedom of thought, and to seek information, and article 8, paragraph 3, the right freely to express their opinion regarding the educational, medical and sanatorium care and other services.

33. The grounds and rules for the limitation of children's rights and freedoms are governed by the State laws only. One of the main legal principles is that the rights and freedom are inseparable from their corresponding legal duties and responsibilities. Children are duly responsible with regard to society, State and parents. In enjoying their rights and freedom, children shall not take any action denying others' rights and freedom, shall respect them, comply with ethical norms and just demands and adhere to the limitations set by law in order to ensure a democratic order and common well-being.

34. The concept of the rights of the child is defined by State policy and implemented through the activities of the legislative, executive and judicial powers as well as other bodies that participate in the implementation process.

35. The priority set in the Programme on Legal Reform of Mongolia approved in January 1998 by the Parliament was to ensure the human rights and freedoms and their legal guarantees, taking into account the traditions of statehood and the legal system and in accordance with the common world trends and national interests. The objectives of legal reform for the protection of the rights of the child are to accept the ideals of the international instruments, conventions and declarations on the rights of the child, to join them, to create a national legal system consistent with the content and principles of the 1992 Constitution and child rights guarantees, and to implement the State measures for protection of the rights of the child.

36. The content and provisions of the Convention on the Rights of the Child were incorporated into over 50 laws of Mongolia. During the reporting period, Mongolia joined the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption in 1998 and the ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour in 2000.

37. We desire to implement the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) and United Nations Rules for the Protection of Juveniles Deprived of their Liberty. Mongolia has signed the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography. These measures are resulting in more guarantees for child rights, the step-by-step creation of a child-friendly legal environment and intensification of its development.

38. In order to realize the ideals and objectives of the World Declaration on the Survival, Protection and Development of Children, the Government of Mongolia has implemented over the past 10 years the National Programme of Action for the Development of Children up to 2000, with assistance from UNICEF. The Programme defines as priority tasks the improvement of children's health, nutrition and education; the status of young disabled children, children in difficult circumstances and women; and specified the measures for their fulfilment.

Table 4
**Achievement of the goals of the National Plan of Action
for the Development of Children**

| Goals | Previous level | Goal for 2000 | Present level |
|---|----------------|---------------|---|
| 1. Infant mortality per 1 000 births | 62 | 49 | 31.2 |
| Under-five child mortality | 82 | 61 | 42.4 ^a |
| 2. Maternal mortality per 1 000 births | 205 | 105 | 158 ^b |
| 3. Malnutrition among children aged 0-4 (%) | 13 | 6.5 | |
| 4. Percentage of the population using water from centralized water supply and wells | 1988: 60 | 85 | 60.5 |
| Supply of home and public toilets meeting sanitary requirements (%) | 1988: 40 | 75 | 73.9 |
| 5. Rate of basic education obtained | 1990: 95 | 98 | 75.6 |
| 6. Rate of adult illiteracy | 1991: 4 | 2 | 1.5 |
| 7. Expansion of social welfare services to children in difficult circumstances and increase of services to households | | | 22% of all children are living in difficult circumstances |

^a Information by the Ministry of Health, 2000. This figure was 64.87 in the research paper "Child Development 2000".

^b Health sector survey, Government of Mongolia, WHO, 1999.

39. The mid-term implementation report of this Programme was examined and evaluated by the Government in May 1997 and a decision was taken to intensify the implementation of its final stage goals.

40. The technical assistance provided by international organizations such as UNICEF, the World Health Organization (WHO) and the United Nations Population Fund (UNFPA) played an important role in the implementation of the National Programme of Action for the Development of Children and certain achievements were reached in the reduction of the infant and child mortality rates, vaccination and basic education. And a certain experience was accumulated in activities towards enhancing awareness of child rights among the citizens. It is notable that the projects and programmes, including those on education, health protection, school coverage, vaccination of children, breastfeeding, provision of welfare services to children in difficult circumstances and prevention of iodine deficiency have resulted in concrete outcomes. But some of the goals have not been achieved; this is explained by the lack of sufficient funds and flawed mechanisms of implementation.

41. Based on the experience of the past decade, the Government is developing a strategy for a national Programme for the development of children up to 2010, in cooperation with UNICEF. The new document shall focus on the goals that were not fully achieved in the previous Programme. It is aimed also at confirming the achievements already reached. More importance and efforts should be given to the protection of children, especially young children, clean water supply, a healthy environment, maternal mortality, child malnutrition and protection of the rights of juveniles.

42. It is of concern that there has been no decrease in cases of hunger, school dropout, violence, running away from home and child labour. Therefore, it is of necessity to concentrate activities on protecting child rights in families, improving the capacity of households to earn a livelihood, and harmonizing these activities with those of the poverty-reduction programmes.

43. The Government believes that it can achieve its priority objectives by increasing the role and responsibility of the local administration for children, ensuring active public participation and improving the social partnership. Since the protection of children in difficult circumstances depends on many factors, including health, nutrition, education, psychology, morality and parents' well-being, it is a shared view among the governmental and non-governmental organizations, as well as donor countries and agencies that joining efforts on the urgent tasks and coordinating their activities will enhance the results of services for children.

44. The national system for children includes the Ministry of Labour and Social Welfare which is responsible for formulating policies on children and overseeing their implementation; the National Committee for Children responsible for ensuring policy implementation, and the National Council for Children responsible for mobilizing and organizing the domestic resources for the children's well-being, and coordinating participation and cooperation on the part of governmental and non-governmental organizations, economic entities and citizens. The system was set up by the Law on Protection of Child Rights. This gives impetus to the implementation of the State policy and action for children on the basis of public initiatives.

45. Achievements reached in the field of child rights during the reporting period closely relate to the policies on children and to the level of cooperation with international organizations. We express our gratitude to UNICEF, Save the Children UK, the Norwegian Fund for Children, World Vision and other international humanitarian organizations for their cooperation in the implementation of the Convention on the Rights of the Child.

46. The living conditions and livelihoods of vulnerable groups, including children and elders, are worsening due to unemployment and poverty caused by the period of political and social reforms, and economic transition. The main objective of the Programme of Action of the Government in the social sector is to create an environment that ensures human development, improve the living standard of citizens, enhance access to social services and reduce unemployment and poverty. Although the Government allocates about 20 per cent of its budget to education, health and social protection measures for children, the efforts and initiatives by parents and families for their children's well-being are sporadic.

47. In ensuring the growth, education and development of children in difficult circumstances, the Government attaches primary importance to improving the linkage between the organizations advocating the development of children, expanding its cooperation with non-governmental organizations, and supporting the public monitoring of children's status.

48. The Government declared 1997 the Year of the Child, 1998 Youth Year, 1999 the Year of Elders, 2000 Year for the Development of Children, and 2001 Year of Support for Disabled Citizens. This measure helped to direct access to quality social services (health care, education and social services) to those groups. However, there are many challenges faced in the national protection of child rights. An economic and social environment conducive to the integration of children without supervision in the society, especially to their reintegration into their families, has not yet been created.

49. The legislative provisions on legal responsibility and fines to be charged to parents who have not supervised their children or could not educate them within their families are not always enforced. Methods and means are needed for resolving any child-related issues in relation to his or her family and for supporting and rewarding families and parents. The capacity of the administrative unit is low in the implementation of the State policy on "family-centred" social activities aimed at family support. The strategy for mobilizing civil society resources, cooperation and involvement of the public and citizens in these activities has not been made available yet.

50. Independent media channels and programmes for children to meet children's spiritual needs are desirable. However, there have not been created any methods and means to support investments for children, report the progress made in the implementation of loans, aid and projects for children, and exercise control over them.

51. The issue of children in difficult circumstances occupies a special place in the State policy. According to the Law on Protection of Child Rights, a child should be considered as being a child in especially difficult circumstances if he or she is affected by natural disaster, epidemic disease, emergency or armed conflict. The Government attaches special importance to prompt assistance to the children in difficult circumstances. Children should be considered in difficult circumstances if they are full orphans, disabled, extremely poor, imprisoned, neglected by parents, or affected by prostitution, violence or humiliation. The Government provides such children with care and services within the framework of the social welfare legislation and social development programmes.

52. The report of the social welfare fund says that in 2001 a total of 5.3 billion togrogs were allocated to 81,700 people in allowances for pregnancy, childbirth, childcare, care of infants or twins, adoption and rearing of full orphans. Furthermore, about 700 million togrogs in allowances were provided to more than 2,000 families with four or more children. Children received more than 40 per cent of the social welfare allowances, 30 per cent of the care and services expenses and about 20 per cent of the care and services expenses for the disabled. As provided by the Health Insurance Law, the State spent 3,946.70 togrogs per person from the Health Insurance Fund for the health insurance premiums of 109,600 children under 16 years and 4,569.50 togrogs per person for treatment and health-care services of 194,900 children

(duplicate cases included). There are about 500 children cared for in orphanages and more than 100 so-called “found” children who had been abandoned by their parents in infant clinical nursing homes.

53. A cooperation agreement has been established with the SOS Kinderdorf organization on creation of a village for orphan children (with 140 beds). SOS Kinderdorf provided US\$ 1 million and the Government of Mongolia has provided 27.7 million togrogs for the roads, communications, electric lines and facilities.

54. In 1999 the Government signed a memorandum of understanding with the International Labour Organization (ILO) on cooperation within the framework of the international Programme for the eradication of child labour. Since the Programme started, many multifaceted activities have been conducted including data collection on child labour, organization of research and training, and implementation of projects aimed at the eradication of child labour.

55. As a result of the implementation of 649 projects worth 1,059,600 togrogs on pre-school education in the framework of the national programmes for poverty reduction and pre-school education, the enrolment level in pre-school education reached 37.7 per cent and increased by 13.3 per cent as compared with 1995. These programmes and projects had significant impacts on the normal functioning of pre-school institutions and pre-school education of young children from vulnerable groups.

56. In 2001, there were over 70 non-governmental organizations conducting activities for children. Twenty-three civil organizations working for social welfare and children’s well-being gathered in March 1999 and agreed to coordinate their efforts, cooperate in the implementation of the Convention on the Rights of the Child and established a National Coalition. The Coalition now has about 60 member organizations.

57. A forum of the NGOs working for children and implementation of the Convention on the Rights of the Child is now held annually to organize their activities, define their role and participate in the implementation of the Convention and cooperate with governmental bodies. They are implementing the following cooperation measures:

- (a) On child survival:
 - To promote conditions for child survival in his or her family, upgrade parents’ livelihood skills, and expand training and advertising;
 - To extend the participation of State institutions at every level in the activities for preventing families from falling into poverty and for augmenting their income;
 - To launch a public campaign “The child is an honoured consumer” in order to ensure food security, improve the quality of entertainment and services for children and enhance public control over them;

- To forward public views and opinions on means of improving civil and birth registration to relevant governmental bodies and provide support in resolving the issue;
 - To organize, in cooperation with schools and their teachers, training and promotion activities aimed at providing children and youth with knowledge and skills for healthy living;
 - To establish social and psychological counselling services for children and youth and support this kind of service;
- (b) On ensuring the right of the child to development:
- Based on article 19 of the Government Law, to broaden the forms and scope for the NGOs to carry out certain functions of the State on a contractual basis;
 - To organize national sporting and art festivals in cooperation with State organizations;
 - To cooperate with State bodies in activities with the aim of preventing children from dropping out of school, provide children who have dropped out with alternative education, prepare children out of kindergarten for schooling;
 - To assist in the development of information and data suitable to the child's age and physical and psychological characteristics and create a positive information environment;
 - To conduct child development research and surveys in cooperation with State bodies;
- (c) On implementation of the right of the child to be protected:
- To increase active participation by NGOs in the implementation of the national legislation on protection of child rights;
 - To assist in the formation of professional staff specialized in child rights to work for governmental and non-governmental organizations;
 - To encourage in-family development of children, especially adolescents;
 - To attach more importance to providing children with legal knowledge and skills;
 - To develop an information network that combines the activities of organizations working for child development and protection;

- (d) On the child's right to participate in social life:
- To organize activities for listening to the children's voices, transmitting children's initiatives and opinions to the State bodies and to the public;
 - To support children's opinions and desires, to support and develop children's organizations under the auspices of NGOs;
 - To expand the collaboration, cooperation and exchange of experience between children's organizations;
 - To organize regular training and promotion activities aimed at developing child participation;
 - To organize various social service programmes (such as planting trees, protecting and restoring historical monuments, helping single elders, etc.) at a minimum cost in cooperation with NGOs;
- (e) On monitoring and regulating implementation of the child rights:
- To establish a national commission on child rights with the aim of providing public monitoring of the implementation of the Convention on the Rights of the Child and to ensure its functioning;
 - To ensure the support and cooperation between the State institutions of all levels, international organizations, economic entities and citizens in activities for children's well-being.

III. CIVIL RIGHTS AND FREEDOMS

58. Mongolia has declared in its Constitution its intention to develop a civil democratic society and to respect the rule of law. The following laws related to ensuring child rights and freedoms and their right to survival, education, development and protection have been adopted since the initial report of Mongolia on implementation of the Convention on the Rights of the Child:

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|--|------------------|
| Law on Temporary Detention of Children without Supervision | 8 July 1994 |
| Law on Protection of Child Rights | 7 May 1996 |
| Law on Fighting Pornography | 22 January 1998 |
| Law on Social Welfare | 12 November 1998 |
| Law on Nationality | 5 June 1995 |
| Package Law on Education | 13 June 1995 |
| Family Law | 11 June 1999 |
| Law on the National Human Rights Commission | 7 December 2000 |

However, some clarifications should be made as follows with regard to this legislation.

Definition of the child (art. 1)

59. Like the definition of the child in the Convention on the Rights of the Child, a child means every person below the age of 18 years. According to article 7 of the Law on Nationality, a child shall obtain Mongolian nationality if either or both of his or her parents are nationals of Mongolia, or his or her natural parents are unknown on the territory of Mongolia.

Education

60. Article 39, paragraph 2.3, of the Law on Education provides that a child shall be provided a compulsory basic education up to 17 years of age, and his or her interest and desire to learn should not be hindered. The State provides a free general education for all.

Health

61. Article 34, paragraph 2, of the Health Law provides a citizen shall give his or her prior consent to any complex method of diagnosis or surgical intervention. For a child under 18 years or a patient with a serious mental disorder, consent should be obtained from his or her parents, family members, caretakers or guardians.

Work

62. Article 71, paragraph 1, of the Labour Code allows employees aged 14 to 15 years to work for up to 30 hours per week and those aged 16 to 17 years may work up to 36 hours. Article 58, paragraph 1, of the Labour Code provides that the salary of an employee under 18 years shall be paid at an hourly or piecework rate supplemented by a basic salary at the reduced working hours rate. The Labour Code incorporates the child labour issue into a special section (chap. 8, art. 109, paras. 1-5, and art. 110). In the implementation of these provisions, the Minister for Health and Social Welfare, by his Order No. 204 of 1999, issued over 100 lists covering 14 types of workplaces prohibited to minors.

63. Article 110, paragraph 1, of the Labour Code provides that a minor employee may be employed subject to the approval of a relevant medical authority after he/she has undergone a medical examination, and further medical examinations for every six months shall be required until he/she reaches 18 years of age. Under paragraph 2, a minor employee may not be required to perform overtime work or to work on public holidays or weekends. According to paragraph 3, a minor employee may not be required to perform work under abnormal working conditions. And according to paragraph 4, a minor employee may not be required to lift or carry loads that exceed weight limitations established by the member of the Government responsible for labour matters.

Marriage

64. Article 6, paragraph 1, stipulates that all citizens of Mongolia over the age 18 years can marry another Mongolian citizen, a foreign citizen or a stateless person, with their consent, unless there is an objection. There is no legal minimum age set for sexual intercourse, but article 110 of the Criminal Code criminalizes any intercourse with a child under 16 years.

Participation in the armed forces

65. There is no legal age set to join the army voluntarily. As to the age for compulsory military service, article 9, paragraph 2, of the Law on Citizens' Military Obligations and the Legal Status of Military Personnel sets an age of 18-25 for men. There is no provision in the law as to the minimum age for participating in military conflicts.

Administration of justice

66. Article 9, paragraph 1, of the Criminal Code sets the age of criminal responsibility at 16 years; paragraph 2 states that a person 14-16 years shall bear criminal responsibility for acts such as murdering another person, intentionally or unintentionally causing serious physical injuries or damage to a person, rape, stealing another's belongings or property, theft, intentionally destroying or damaging another's property with aggravating circumstances, engaging in hooliganism with aggravating circumstances, damaging roads or means of communication or transport.

67. Article 22, paragraph 8, of the Criminal Code provides that male minors who have been sentenced to imprisonment for the first time for the commission of a crime, or have been sentenced to imprisonment for less than three years for the first time for the commission of a crime, as well as female minors sentenced to imprisonment shall undergo their punishment in educational and labour schools with an ordinary regime. Article 383 of the Criminal Procedure Code provides that minors can be arrested or detained to prevent a crime. An arrested or detained minor shall be kept separately from adults and other minors convicted of a crime. In addition to these measures, article 384 provides for the transfer of a minor under the control of his/her parents, caretakers or guardians, article 385 the summoning of a minor through his/her parents or legal representative to inspectors or a court, article 386 separating a minor's crime, article 387 the participation of educators in the questioning of a minor (for those under 16 years it is mandatory), article 388 the participation of parents or legal representatives in a minor's defence. The Law on Implementation of Court Decisions (1996) covers postponement and scrutiny of court decisions on imprisonment, regime and placement of convicted minors.

68. The Criminal Procedure Code prohibits sentencing to death minors under 18 years and pregnant women.

69. The Criminal Procedure Code provides that a witness under 16 years shall have explained to him/her the importance of telling the truth about all he or she knows about the case. But he or she should not be warned about the penalty for refusing to testify, avoiding giving testimony or intentionally giving false evidence. Before hearing a witness, his/her relationship to the accused/convict and victim should be identified, other details of his/her relationship should be revealed, and the questioning of the witness shall start with information about the reason why he/she was summoned and asking him/her to tell all he/she knows about the case. After the witness has finished testifying, he/she can be asked questions without any direction or instruction.

70. Article 279 of the Criminal Procedure Code provides that an educator shall be called when a witness under 16 is questioned and at the court's discretion when the witness is between 16 and 18. If necessary, a minor's parents or legal representative may be called. They

all put questions to the witness with authorization by the chairman of the bench. If necessary for establishing the issue, a minor witness may be questioned without the presence of the accused, by a ruling of the court or by judge's order. After the accused has entered the courtroom, the testimony of witness shall be presented and he/she shall be given the possibility to ask questions. If the court decides that the presence of a witness under 16 years is no longer necessary, the witness shall be taken out of the courtroom after his/her testimony. Article 12, paragraphs 1 and 2, of the Civil Code prohibits limiting or denying legal capacity and ability in any way other than under the rules. Any agreement aimed at limitation or denial of legal capacity and ability shall be invalid.

71. As provided in article 155 of the Criminal Procedure Code, the witnesses shall be summoned by a subpoena. A minor witness shall be summoned through his/her parents or legal representative. Other rules may be followed depending on circumstances of the case.

Legal transactions

72. As stated in article 10, paragraph 1, of the Civil Code, transactions by minors or persons less than 14 years of age shall be concluded by their legal representatives, parents or guardians in their name. Paragraph 2 of article 10 allows minors to conclude petty domestic transactions which are harmless for them, and which are executed at the moment of their conclusion. Article 11, paragraph 1, of the Civil Code, allows juveniles or children between 14 and 18 years of age to conclude transactions with the consent of their legal representatives - parents or guardians.

73. Article 22, paragraph 2, of the Civil Procedure Code stipulates that persons aged 14 to 18 years have the right to defend themselves, their human rights, freedoms and legally protected interests in the courts.

Custody and adoption

74. Article 29, paragraph 2, of the Family Law provides that if a decision to return a child to his/her parents could harm the rights and interests of the child, the court may dismiss the case. If the child is over 7 years old, his/her opinion should be taken into consideration. According to article 32, paragraph 3, of the Family Law, if it has been established that a decision to restore the parental rights could harm the interests of the child, the court may dismiss the case taking into consideration the opinion of the child whose age is over 7. Article 55 of the Family Law provides that a child of a person whose parental rights have been deprived may be given for adoption six months from when the judgement of the court in this regard has become effective, and requires the consent of the child if he/she is over 7 years old. Article 14, paragraph 7, of the Family Law requires that the opinion of the child be considered in deciding custody matters if the child is 7 years old or over. The law does not specify any minimum age for obtaining information about a child's parents.

Inheritance

75. Article 405, paragraph 4, of the Civil Code provides even when a testator bequeaths all his/her property to another individual, the testator's children who are minors or unable to work, as well as children born after the testator's death, his/her spouse who has been maintained and is

unable to work, his/her natural and foster parents, and other legal successors shall be entitled to inherit not less than two thirds of the inheritable property. In determining the total amount of the inheritance, the testator's individual wealth as well as his/her share of commonly owned property shall be included. According to article 98, paragraph 2, of the Civil Code, the share of the property due to each family member shall be the same for all family members, including minors and disabled members.

Religion

76. Article 16, paragraph 15, of the Constitution guarantees the right to freedom of conscience and religion. Article 8 of the Law on the Relationship between the State and Monastery provides that religious education may be given in religious schools and at home. Religious instruction in the public schools and organizations is prohibited. A religious teacher is also responsible for teaching the disciplines of basic civil education to its students. The State administration responsible for educational matters shall provide a certain part of the expenses required to this end under the rules approved by the Government. It shall also provide teaching personnel and exercise professional control over the matter. As provided in article 3 of the Law on the Relationship between the State and Monastery, the choice of a religion is part of the individual right of freedom of conscience and it is prohibited to impose a religion on a citizen or to limit a citizen's religious freedom.

Alcoholic beverages

77. Article 8 of the Law on Alcoholic Products prohibits parents, relatives, guardians and teachers from initiating and organizing activities that enable schoolchildren and people under 18 years to have access to alcoholic drinks, to put places at their disposal for this purpose or render any monetary assistance for this purpose.

Pornography

78. According to the Law Against Pornography, persons under 18 years shall not watch erotic movies, videos, spectacles and dances and it is prohibited for persons under 18 years to sell erotic publications and books in public.

Legal status

79. As provided in article 18, paragraph 1, of the Law on Civil Registration, changes to a citizen's name, family or paternal, shall be registered on the basis of a resolution by the governor of the locality where the applicant resides or stays, or has his/her birth registered. According to paragraph 2, any change in the name of a minor child or a person who has been recognized by the court as having no legal capacity shall be registered with the consent of his/her legal representative.

Protection of the rights and duties of the child

80. The Law on Protection of Child Rights (arts. 2.5-9) enshrines the rights of the child to life, development, protection and participation in social life, as well as the duties of the child to care for his/her parents, respect others and assist them, protect his/her motherland and the environment, obtain basic education, observe the State laws, uphold people's traditions and

heritage, protect his/her health and develop his/her talents and skills. The State and society's participation is incorporated as a special section in chapter 10 of this law. According to the chapter on "Social welfare of the child", no child is to be left out of the social welfare coverage.

81. The State and parents shall ensure the right of the child to life in accordance with the Constitution. The Law on Protection of Child Rights establishes the participation of the State and the public in the protection of the child's rights and duties, organizations and institutions responsible for the protection of child rights, their functions, and the sanctions for violations of the legislation on the protection of child rights.

82. The Law on Social Welfare legalizes the provision of pensions, allowances and services to mothers, children, the elderly, the disabled and poor people with a view to improving their livelihood, as well as the provision of benefits to parents. In fact, there are a lot of difficulties encountered in the implementation of the legislation on protection of the rights of the child. For instance, violations of child rights are common due to inadequate civil and legal education, various approaches to the laws and varying implementation capacity.

IV. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

83. Mongolians have a tradition of building new *gers* (yurts) and giving livestock to their sons when they mature or attain majority, thus allowing them to build their own families. Although the division of labour and organization in a Mongolian family was as strict as an unwritten law, it has changed a lot over the past half century. It has been influenced by eastern and western urban patterns and cultures.

84. A family has 2.1 children on average. A total of 541,100 households or 51.9-52.5 per cent of all households live in towns and urban areas. The population growth has been 1.4-1.7 per cent in recent years. The number of registered families was 27,800 in 1998, 2,000 less as compared to 1995 (*Source*: National Statistics Office, 1999).

85. According to the first survey conducted in 1995 by the World Bank on the living standards of the population, 36 per cent of the total population were poor. The second survey, conducted in 1998 by the National Statistical Office, established this rate at 35.6 per cent, of which 39.4 per cent were urban and 32.6 per cent were rural. The research found that 849,800 people live under the poverty line. This was an increase of 21,800 as compared with 1995 (*Source*: 1998 research on living standards).

86. Poverty touches mostly families in remote *aimags* or *soums*, and large families or families headed by women (for instance, 24.6 per cent of poor families were headed by women). Shrinking of free services provided by the State worsened the situation of these families.

87. In practice, the rich families receive much more health and education services than the poor families. The high dropout rate among the children of the herders who account for 48 per cent of the population is caused by poor-quality training, lack of teaching personnel and high additional school expenditures.

88. Depending on the population's residence and employment, housing types and demands vary. In rural areas most of the people live in traditional *gers*, a certain percentage of the urban population live in apartments and the majority of the urban poor families live in *gers*. These patterns directly depend on the housing supply, cost and rent. The Family Law governing family relations such as adoption of a child, care, maintenance, education and protection of the child was amended in 1999 and has been implemented.

89. The living conditions of children of the families in urban areas are improving gradually. However, the hard life of most families causes many negative social phenomena. Because of serious family problems, negative phenomena increase in the society, including divorce, orphaned and abandoned children, beating, mistreating or even killing children. Obviously, there is a demand for professional social workers and psychologists to provide and implement psychological advice and service for families.

90. Legal relations arising from the enforcement of the provisions related to family, namely articles 1, 2, 4, 5, 9, 10, 11, 18, 19, 20, 21, 25, 27 and 39 of the Convention on the Rights of the Child, are specified in the following domestic laws.

91. According to article 16.11 of the Constitution of Mongolia, men and women shall have equal rights in the political, economic, social and cultural fields and in family affairs. Marriage shall be based on the equality and mutual consent of the spouses who have reached the age defined by law. The State shall protect the interests of the family, motherhood and children.

92. According to article 26, paragraph 2, of the Family Law, the parents shall undertake the following duties:

- To bring up a child as a physically and mentally healthy individual;
- To care for, protect and maintain a child;
- To educate a child in the spirit of respect for national traditions and customs;
- To provide a child with basic education and the first work experience;
- To fulfil their duties to protect the rights of the child.

93. Article 69 of the Family Law establishes the following duties of the child's custodian and guardian:

- To supply the person in his/her custody with food and accommodation and to maintain him/her;
- To protect the rights and interests of the person in his/her custody;
- To keep in a bank assets, valuables, securities and other documents of the person in his/her custody;

- To manage for the person in his/her custody his/her immovable property, cattle, bank savings account and other valuables, to cancel housing rental contracts, to obtain an authorization from the governor of his/her *soum* or district in initiating or stopping a business transaction on his/her behalf;
- To report annually to the governor of his/her *soum* or district on the fulfilment of his/her duties;
- To take into consideration the opinion of the person in his/her custody (except for minors or mentally impaired persons) in the fulfilment of his/her duties.

94. Article 23 of the Family Law provides that a court shall establish a parentage of a child. Paragraph 4 of article 25 states that if it is found that the interests of the family contradict the interests of a child, a governor of *soum* or district shall appoint a representative to protect the rights and interests of the child. Paragraph 6 of article 25 provides that the governor of a *soum* or district shall protect the rights and interests of a child whose parents have no capacity to maintain him/her or have failed to maintain him/her. Paragraph 9 of article 25 specifies that the governor of *soum* or district may register children in difficult circumstances and give them to families who wish to take care of them. If there is no possibility of placing the children this way, the governor may decide to name a custodian or guardian, give the child for adoption or transfer him/her to a childcare institution.

95. According to articles 27 and 28, the court may rule to restrict the parental rights for a period of up to six months, if the parents have intentionally and constantly deprived the child of a home, clothes, food, or have abused the child's labour or forced the child to beg, or made the child run away from home or discriminated against the child. And a demand for restriction of parental rights may be made to the court by one of the parents, a relative, other persons, the governor, or a body or institution whose duty it is to protect the rights and interests of children.

96. In article 74 of the Family Law:

- Any citizen may take minors or children in difficult circumstances into his/her family and bring up and educate them at his/her own expense;
- In bringing children up, a fixed-term contract shall be established between a social welfare organization and the citizen applying to bring up a child;
- The contract shall specify the conditions for bringing up, supporting and educating the child; the rights and duties of the related social welfare organization; rewards and other allowances to be provided to the supporter; grounds for termination of the contract and its implications;
- If the child is over 7 years old, his/her consent must be obtained;
- The social welfare organization shall monitor these activities.

97. Article 33 of the Family Law allows the parents to have the right to request the return of their child from a person who has illegally taken the child, and in case of any dispute over the issue, they have the right to appeal to the court and receive its protection. Article 38 specifies that the parents shall undertake the duty to maintain a child until his/her majority and a child who has attained this age but who is not able to earn his/her living. These duties should be agreed on and determined by a court decision.

98. According to article 39 of the Family Law, any child benefit in a childcare institution shall be transferred to the institution's bank account.

99. Chapter 7 of the Family Law defines relations as to adoption and fostering of children. As a country with an ancient tradition in the matter, Mongolia has fewer problems within the country with adoption and fostering of children. Mongolia joined the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption. An amended regulation on adoption of Mongolian children by foreign citizens is enforced in the country. No child of Mongolian nationality was adopted by foreign citizens in 1997 and 1998. However, there has been an increase in recent years. According to the legislation, the domestic adoption of a child shall be decided by the governor of the *soum* or district. The adoption of a child of Mongolian nationality by a foreigner shall be decided by the Ministry of Social Welfare and Labour and the Board of Foreigners; afterwards, the civil registration authorities proceed to the appropriate registration. According to the civil registration authorities' report for the last three years, in 1998 one child was adopted by Japanese people and one child by people in the United States; in 1999, one child was adopted by people in the United Kingdom, one by people in the United States, four by German people, seven by people in the Republic of Korea and one by South Africans; in 2000 one child went to Canada, four to the United States and one to Germany.

100. According to the Agreement of 1975 between the Governments of Mongolia and the Russian Federation on avoidance of dual citizenship, the choice of Mongolian citizenship for a child born of a mixed family of Mongolian and Russian nationals shall be decided by the parents' agreement on the basis of the consent of the child.

101. According to paragraphs 1 and 2 of article 15 of the Family Law, the parents shall still undertake their duties to maintain their child even if their marriage has been dissolved, and the amount of alimony shall be established by mutual agreement of the parents or by the court. In Mongolia, mothers take their children in most of the separation cases. According to the studies conducted by the National Statistical Office, there were 7,023 mothers receiving alimony in 1995, 7,705 in 1996, 3,561 in 1997 and 3,025 in 1998. The sharp decline in the number of mothers receiving alimony may be explained partly not by a decrease in divorce cases, but by difficulties in searching for and finding fathers to pay their alimony.

102. Official registration of marriages and families is a legal norm with a view to protecting the personal and property interests of married partners and their children.

103. In cases where parents fail to fulfil their duties, the interests of the children are violated and their social protection is lost; this becomes the main aggravating circumstance for the violation of child rights. It is explained by inadequate State policies and intervention

mechanisms in relation to the family issues, lack of information on families and a research database, scarcity of reliable analyses of situations, and poor cooperation and information exchange among organizations for families.

104. The gender issue has been studied fairly well. Although the issue embraces traditional customs, religion and traditional respect for men, good educational and professional qualifications and economic independence of women are playing a most important role in this regard. It is estimated that women make up half of the total workforce of the country; 44 per cent of women heads of family are poor while 21 per cent of men heads of family are poor.

105. Domestic violence has become a serious social problem. For example, 77-95 per cent of the persons arrested from 1995 to 1998 under the administrative law were men, and 45.2-50 per cent of them had violated family peace and order; 63.3 per cent of the persons sanctioned in 1996 by the Bayangol district court of Ulaanbaatar committed violence against their wives.

106. During the last five years, the National Centre Against Violence temporarily accommodated 627 women together with their 683 children. Since the accommodation is not sufficient for the number of abused children and women, it is hard to serve all the people who ask for assistance. Although there are some specific provisions in the Family Law related to domestic violence, there is no adequate system of legal protection for victims or covering the responsibilities of violators.

107. Various conflicts within families impel children to flee their homes. This phenomenon was common in urban areas, but lately has become more common in most *aimags*. In the last five years the number of such children has reached 3,700. In 2000, 646 children were placed in childcare centres and 43.6 per cent of them were girls. None of them were registered and this limited their rights to receive health, educational and social services from the administrative authorities in their territorial units. No substantial measures could be taken during the reporting term to resolve these issues.

108. It is common for children without supervision to go to the markets during the day to do small jobs for a little money, to steal food from counters or collect food from the trash. These children are most probably exposed to serious violations such as involvement in pornography, sexual abuse, prostitution, exploitation of child labour and involvement in criminal activities. The survey on the "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), shows the causes of prostitution by girls. Out of 70 girls who participated in the survey, 38.9 per cent were prostituting themselves after having left home and lived rough, 33.3 per cent after having been raped and 16.7 per cent by others' persuasion.

109. When parents and families are sanctioned according to the Family Law for having abandoned their children, it is not often possible to imprison or punish them, for they often have no financial capacity and are hardly surviving themselves. Although their parental rights may be removed or excluded by law, there has been no such case registered in the judicial practice. It is

quite clear that children without supervision have more need of a warm family environment, love and care of their parents. But they cannot be placed in the care centres together with their mothers. The Law on Temporary Detention of Children Without Supervision was adopted in 1994 by the Parliament. The Government approved resolution No. 91 on “Accommodation regime and rules for temporary detention of children without supervision” in 1996. These two acts defined the placement conditions and regime, duration of temporary detention, procedure and rules for receiving and returning children. Following this legislation, a Unit for Identification of Addresses was established under the Capital City Police Department. Also, a Centre for Labour Training and Education with 140 beds was established on the decision of the Governor of Ulaanbaatar and financed from the city budget.

110. Following the adoption of resolution No. 193 by the Government on 22 September 1997, the main focus has been on improvement of conditions, health protection, provision of proper education and support to families of orphans, children without supervision, and children of poor families. Under the Cooperation Agreement with UNICEF for the period from 1997 to 2001 and within the framework of the Programme for Well-Being of Families and Children, over US\$ 100,000 of aid were provided annually to support disabled children and children without supervision.

111. A broad range of activities are being conducted by foreign charity organizations, good-will citizens and monasteries for supporting and improving the livelihood of children in difficult circumstances. It should be noted that over 20 foreign-sponsored care centres in Ulaanbaatar have cared annually for about 500-700 children each on average, providing them with proper social services. For example, the international agency World Vision has been active in Mongolia since 1997 in working with street children in difficult circumstances. Save the Children UK has since 1996 organized five settlements of 125 children in suburbs of the capital city and expanded its care services by establishing branches in Darkhan-Uul, Dornod, Selenge, Tov and Orkhon *aimags*, covering 200 children in total. The Christina Noble Children’s Foundation has been operating a village for children without supervision since 1998.

112. It is necessary in the future to evaluate the activities of childcare centres against established benchmarks and to expand the activities aimed at returning children to their family environment in cooperation with the local administrations.

113. Concerning the care of orphans, three centres are operating and taking care of some 500 children. They are financed from the State and local budgets and the budgets of major enterprises. In support of orphan children and youth, SOS Kinderdorf, an international organization, has concluded a long-term agreement with the Government to operate a children’s care camp in Mongolia.

114. Conclusions are being drawn on the inadequate implementation of activities to systematize records and research findings on children covered by the State social welfare services, children’s own evaluation of service quality and adequacy, provision of housing to orphan children upon attainment of their majority and assistance to them in employment.

115. The social welfare and protection services provided to children and families up to now have been aimed at recovery and rehabilitation, rather than at preventing children from getting into difficult circumstances. Social welfare services consume much money and time, and have not achieved the desired outcomes. So it is an urgent task for the social protection domain to develop good policies and management and to implement them accordingly.

V. HEALTH SITUATION OF CHILDREN

116. There are 17,974 hospital beds nationwide and 15.8 per cent of them, or 2,857 beds, are for children. The country counts 3.0 paediatricians per 10,000 population, 1.8 family doctors and 3.6 specialist physicians. All of them provide children with health assistance and services.

117. In rural areas, primary medical care and services for children are provided by hospitals in the *soums*, medical aides in the *bag*, centres in the *aimag*, and health centres and family hospitals in the capital.

118. As a result of the programmes and projects in children's health protection implemented in cooperation with the World Health Organization (WHO), UNICEF and other international organizations such as immunization programmes, projects for controlling acute respiratory infection and diarrhoea, to encourage breastfeeding and on comprehensive management of child diseases, the country has shifted from a high child mortality rate to a middle-level child mortality rate. The leading causes of infant mortality are mainly inflammation of the lungs, infant pathologies, diarrhoea, infectious diseases and accidents. If we take the causes of child mortality by disease type, the first five main diseases are inflammation of the lungs (44.1 per cent), diarrhoea (27.3 per cent), pathology (11.1 per cent), cranium disorders (9.1 per cent), asphyxiation and choking (8.4 per cent). Inadequate quality of medical care and services, shortage of necessary medicines and lack of parents' attention to their children's health are the common factors affecting children and causing illness and mortality.

119. Research conducted over the last three years on child mortality (D. Malchinkhuu, 2000) showed that two out of five children under 5 years old died without receiving any medical assistance. The under-five mortality rate (62 per 1,000 live births), determined in 1999 as a result of the joint studies conducted by the National Statistical Office and UNFPA, was different from the existing statistical mortality rate of children under 5. This fact shows that it is necessary to improve registration and reporting systems for child and maternal mortality cases. Further, focus will be placed on improvement of quality and coverage of antenatal and post-natal medical assistance and services, enhancement of paediatric knowledge and skills of doctors, regular medical check-ups of infants up to 2 years old, prevention of basic disorders and their timely treatment. A health training system is of urgent necessity to prepare and train parents and volunteers in protection of children's health and provide them with related information.

Immunization

120. As a result of introducing an active network for prevention of infectious diseases and early detection of infectious diseases treatable with vaccines, the number of these diseases has been reduced annually and the vaccination coverage increased in rural areas by 5 to 10 per cent.

No child has died from measles since 1993. And no outbreaks of diphtheria, measles or meningitis have been registered since 1994. In 2000 Mongolia received a certificate from WHO for the complete elimination of poliomyelitis.

121. Investment totalling US\$ 3.5 million made by WHO, UNICEF and the Japanese Agency for International Cooperation (JAICA) was utilized for procurement of vaccines, international standard cold chain tools and equipment for their storage and transportation, and for providing all the *aimags* and cities with small-scale energy generators, motorcycles and vehicles. During the reporting period, immunization vaccines and preparations totalling US\$ 2,502,000 were procured from international organizations and an additional 220-250 million togrogs were spent annually from the State budget to deliver and organize the vaccines in the rural areas.

122. From 1994 to 2000, 337,538 children were vaccinated against tuberculosis, 319,150 against diphtheria, whooping cough and tetanus, 315,456 against measles, 309,760 against hepatitis B and 318,017 against polio; some 2,500 individuals in related fields have been involved in training annually.

123. Eighteen kinds of books, brochures and handbooks on methodologies for the prevention of infectious diseases and the detection and control of infectious diseases treatable with vaccines were made available to the public. Regular advertisements were publicized through the press, radio and television, and a 10-day vaccination campaign is held in each May and October.

124. In 2000, the immunization coverage rate for children under 1 year was 97.2 per cent against tuberculosis, 93.9 per cent against polio, 94.1 per cent against diphtheria, whooping cough and tetanus, 92.4 per cent against measles and 92.6 per cent against hepatitis B. The objectives of the National Immunization Programme for 1993 to 2000 were achieved. However, only 60 per cent of all children were involved in regular vaccination programmes at fixed periods as planned, thus requiring additional vaccinations. The reasons for this situation included a high rate of population displacement, poor parental knowledge about vaccination, poor infrastructure, and inadequate transportation and communication facilities in remote localities. So far, laboratory research has not been adequate on the status and results of immunization. At present, there is a lack of financing for training and promotion to be conducted for the population, people in specific professions and consumers on the importance of preventive vaccination against infection. Also, due to the lack of budgetary resources, it has not been possible to supply the population with vaccines to prevent the common infectious diseases such as hepatitis A, mumps and rubella.

125. Attaching importance to the training content and methodology for the provision of health education to children and adolescents, health handbooks for teachers were developed in a number of areas. A WHO project financed the procurement of tools and equipment totalling 8.2 million togrogs in order to launch a campaign of "Health-promoting school" among the general educational schools and to support health-promoting school models. The National Programme on Adolescent Health has been implemented since 1997 and the Programme on Health Education of the Population since 1998. And a 12-hour "Health" course has been introduced in each class of the secondary schools since the 1998/99 academic year.

126. The implementation of the national information and promotion strategy for prevention of HIV/AIDS and sexually transmitted diseases (STDs) is very important for the development of the future citizens of Mongolia. Each year a campaign is launched on the occasion of AIDS Day and brochures, books and handouts designed to change living habits or human behaviour are disseminated. The activities for prevention of STDs and AIDS are being conducted to involve the public and civil organizations, prepare students and schoolchildren to be “peer instructors” and organize extensive training through them.

127. Assistance was received from some international organizations in the development of information, training and promotion materials; 150 such materials were evaluated, their demand and target groups identified.

128. Importance is given to supporting the capacity of personnel for prevention of STDs and AIDS, conducting regional training for methodologists and doctors and preparing handbooks. Conscious of the importance of the prevention of STDs and AIDS, the Government of Mongolia signed cooperation agreements with UNDP, UNICEF, UNFPA and WHO. This opened up possibilities of cooperation with donors in the implementation of the national policy and programme for prevention of STDs and AIDS.

129. From 1999 to 2000, a national survey was conducted on the knowledge, approach and behaviour of youth aged 15 to 25 years in regard to HIV/AIDS and STDs and drew conclusions thereon. Two cases of AIDS infection were recorded in 1992 and 1997. As the HIV infection rate is low in the country, the vulnerable groups have been more targeted for test coverage in recent years. In 1999, 64.3 per cent (13,627) of the people tested for HIV/AIDS were women and 2,537 of them were pregnant.

130. **Nutrition.** 97.5 per cent of infants aged up to 4 months are breastfed. The malnutrition rate among this age group is 2 per cent. Children’s malnutrition increases (2 per cent for infants aged 4-6 months, 7 per cent for 7-12 months, 16 per cent for 1-2 years and 18 per cent for 2-3 years) with the children’s age and beginning of taking supplementary food. If we relate the reasons for malnutrition to the nutritional status, we find that 75 per cent of the children had a supplementary food on time, 13.8 per cent were late and 7.9 per cent were early (before 3 months of age). Although most infants had their additional food on time, 54.4 per cent of them were fed only meat and flour soup as the first supplementary food and continued to have this kind of food until the age of 1 year. Consumption for a long time of a few kinds of products (meat, flour and water) with low caloric and nutritional value became one of the factors for diseases related to poor nutrition, including weakness, anaemia and chronic malnutrition. Surveys show that the malnutrition among children whose mothers have an elementary or secondary education only is 3.5 per cent higher. Malnutrition among children of families whose cash income per member is lower than 30,000 togrogs is five times more than among children of families with higher incomes. Malnutrition indices are higher in rural areas than in urban areas; this may be explained by the comparatively limited supply and poor variety of available food products. On the other hand, social factors such as low living standards, insufficient knowledge and low level of education of mothers about food and nutrition also have a negative impact on childcare and nutrition.

131. Child milk products factories and child milk stores or points were privatized from 1997. In spite of successful implementation of the breastfeeding policy, growing children cannot have been supplied with sufficient supplementary food and nutrition.

132. **Situation of disabled children.** According to the study by the Ministry of Education, Culture and Science, 34,000 schoolchildren (8 per cent) are disabled or impaired. Pre-school child organizations aspire to bring up and educate disabled children together with their healthy peers unless they have an active infection or a chronic infectious disease such as tuberculosis.

133. Within the framework of the UNICEF programme, model activities for rehabilitating and socializing disabled or impaired children relying on public support have been developed in Han-Uul and Nalaih districts and the participation of citizens and organizations has been expanded.

134. In accordance with the Social Welfare Law, a poor family guardian who is unemployed because of taking constant care of a disabled child aged up to 16 years at home is given from the social welfare fund a monthly cash compensation equal to 75 per cent of the living standard minimum. For instance, 26.3 million togrogs of aid were provided to 549 family members in 1999. The cost of a wheelchair is paid once for under-16 disabled children of poor families. In 1999, 145 children were provided with wheelchairs and 21.2 million togrogs were spent by the State to that end.

135. Social welfare services are inevitably necessary for disabled citizens, especially for children, in the transitional period. However, there is a need for policies and actions towards developing such services so that disabled citizens can carry out their lives like ordinary, normal citizens and become active partners in life.

136. It is necessary, in particular, to enhance the social participation of the State, public authorities, parents and citizens in the reduction of adolescent illnesses and the protection of their health, to increase financial resources aimed at expanding social health services and to create a network to monitor the population's health.

VI. SPECIAL MEASURES OF PROTECTION

137. Articles 22 and 32-40 of the Convention on the Rights of the Child are related to this subject. The content and principles of these articles were incorporated into the following laws of Mongolia:

- The Constitution of Mongolia;
- Law on Protection of Child Rights;
- Family Law;
- Law on Prevention of Crimes;
- Alcohol Law;
- Tobacco Law;

- Criminal Code;
- Criminal Procedure Code;
- Law on Implementation of Court Decisions.

138. Special protection of underage children's rights and real enjoyment of their rights are dependent directly on the activities of judicial and law enforcement organizations. This is related to discrepancies in policies and implementation activities in the prevention of juvenile crime, judicial procedure, court decisions and sentences.

Juvenile crime

139. A comparison of the juvenile crime records of 2000 with those of 1999 shows that murder increased by 7 per cent, theft by 10 per cent, robbery by 11 per cent, swindling by 30 per cent and grabbing other's belongings by 14 per cent. Fifty-nine per cent of all crimes are thefts and 17 per cent are hooliganism. In 2000, 71 per cent of all juvenile offenders, or 1,049 children, were not in school or unemployed.

140. Crimes committed by teenagers while drunk tend to increase annually. Gang crime was comparatively high in local areas and 75.8 per cent of children involved in crime in 2000 were from the local areas where the crimes were committed.

141. The number of crimes involving narcotic and toxic substance abuse, prostitution by girls and rape has increased. It is estimated that 5 persons involved children in pornography in 1995, 12 persons in 1999.

Number of children involved in crimes over the last 10 years

| | | | | | | | | | | |
|-------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|
| | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 |
| Total | 733 | 885 | 1 220 | 1 361 | 1 132 | 1 397 | 1 474 | 1 447 | 1 547 | 1 465 |

Survey on minors sentenced by the court

| Year | Total number of offenders | Persons aged 14 to 18 years | Sentenced to imprisonment | Fined |
|------|---------------------------|-----------------------------|---------------------------|-------|
| 1995 | 13 332 | 888 | 172 | 116 |
| 1996 | 9 534 | 844 | 122 | 61 |
| 1997 | 10 791 | 1 063 | 383 | 72 |
| 1998 | 14 527 | 1 028 | 155 | 80 |
| 1999 | 14 255 | 857 | 96 | 37 |
| 2000 | 14 243 | 990 | 109 | 27 |

142. The law provides for specific activities to be carried out in respect of minors who have committed crimes, taking into account the particular needs of children. For instance, articles 381 and 382 of the Criminal Procedure Code provide that the criminal procedure concerning crimes committed by minors shall be governed by a special rule that differs from the general rules stated

in the Criminal Procedure Code. In this case, the organizations or officials entitled to register and prosecute cases shall identify and establish the age of the juvenile offender, his/her living conditions and education, the reasons or causes that led to the crime, whether there were any provocateurs or accomplices and whether he/she fully understands the consequences of his/her crime.

143. In order to implement the above provisions of the law in examining a child's case, the inspectors have the right to question the parents, teachers, or other persons who may know facts or evidence significant to the case and obtain from them necessary documents. Furthermore, it is stated in the law that measures of detention, custody or prevention may only be taken under special circumstances and that minors in detention must be separated from adults.

144. A division for preventing juvenile crime, under the General Police Department monitors crimes committed by children nationwide and tries to prevent children from becoming involved in activities that lead to crime and violate their interests. Besides investigating crimes committed by children, the Police cooperate with related organizations to prevent recidivism by children already convicted for crimes and sentenced to penalties other than imprisonment, children released from prison, children on probation, children under investigation, socializing them by restoring their dignity. The National Programme on Prevention of Juvenile Crime adopted in 1999 by the Government created favourable conditions for improving the activities of law enforcement organizations in this regard.

145. The court may sentence a child to a lighter sentence in making a decision, in compliance with the provisions and requirements of the law. For example, article 36 of the Criminal Code considers the age of an offender as a mitigating circumstance to be taken into account in sentencing, and article 42 of the Criminal Code allows the postponement for a period of 2-24 months the execution of a prison sentence of up to three years pronounced against a juvenile who is a first-time offender.

146. A prosecutor's office has a special power to exercise control over the implementation of special protective measures for juveniles during the registration and investigation of a case and the sentence enforcement processes, and to request the elimination of any violations of the Criminal Procedure Code. It takes also an active part in crime prevention activities.

147. The Law on Implementation of Court Decisions stipulates the conditions and rules for imprisoning a juvenile. For example, there are provisions for providing a general education, ensuring that they serve their sentence in prisons with an ordinary regime, placing them in normal common accommodation, not limiting the number of packages and visits, and allocating leisure time consistent with the Labour Code. Although activities for special protective measures for children are being conducted within the framework of these laws, children's rights are commonly violated during the judicial procedure and in law enforcement institutions, or children cannot be provided with legal assistance. For example, detention or custody of persons during criminal investigations are the most common measures in the country and are applied in almost every criminal case. But sometimes failure to comply with the conditions of pre-trial detention in terms of minimum standards of human rights cause loss of human life or damage to the health of children.

148. Taking into account the statement on prison conditions made by Mrs. Mary Robinson, former United Nations High Commissioner for Human Rights, during her official visit to Mongolia in 2000, a cooperation agreement has been concluded with UNICEF to improve juvenile prison conditions. First of all, priority is given to having the personnel of law enforcement and control organs specialize in the rights of the child, cooperating with juvenile prisons, and providing free legal assistance and lawyers to juveniles. Reform of law enforcement organizations, including court, prosecutor, police, attorney, and court decision implementing organs, is desirable in order to enhance the mechanism for the protection of human, including children's, rights, in accordance with the principle of respect for human rights.

149. There is one correctional centre for juveniles. The administration of this institution is striving to improve and reform the detention conditions for children so as to bring them up to the international standards. During the last five years, 526 children entered this prison to serve their sentences and 439 children were released, including 55 children who were pardoned by law. The administration of the prison attaches great importance to training children in life skills and conducting professional courses. For example, the children are told that they had stolen two small cows worth 70,000 togrogs, or repeatedly stolen vegetables with a total worth of 200,000 togrogs, and so on. This story shows that it is necessary to think of implementing the United Nations standards and guidelines on juvenile crime and juvenile justice.

150. The number of children being sentenced to imprisonment for a crime is not decreasing. There are many cases where juveniles are sentenced to prison for up to three years. Sometimes the children sentenced previously for a crime of stealing repeat their crime and this may be evidence of a lack of due attention being paid to the juvenile sentencing policy and the educational measures relied on by the society and public.

151. The Government shall attach more importance to the implementation of activities related to the protection of child rights with the participation of civil society. In order to create conditions for children to be corrected and educated in their families under the supervision of their parents, it will support family-centred activities mobilizing public efforts, expanding partnerships between the local administrations and NGOs. Priority will be placed on the creation of a legal environment for enhancing the responsibilities of parents for their children. Furthermore, the Government will expand its cooperation with the countries in the region on training of lawyers specialized in children's issues, training of judges, prosecutors, inspectors and prison personnel, supporting juvenile crime information systems and, in particular, giving special consideration to juvenile offenders before they are sentenced.

VII. CHILD EDUCATION, DEVELOPMENT AND PARTICIPATION

152. In recent years, a reform has been undertaken to renew the educational system in accordance with the market relations, make the training content closer to students' needs, implement an active training methodology, reduce the time of management decision-making and carry out decentralization.

153. The main goals of the Government's action programme for the social sector are to create an environment for ensuring human development, enhance the living standards of citizens, promote access to social services, and reduce unemployment and poverty. A short-term

objective in this regard is to form a national partnership between the Government, civil society and national and international partners in order to ensure and sustain public access to high-quality basic education for all.

154. Article 33 of the Law on Education (revised), adopted in 1995, is being implemented. This provision reads: “An adequate budget required for the normal functioning of educational activities shall be approved by the Parliament, *aimag* and capital city assemblies of citizens’ representatives. Not less than 20 per cent of the annual State budget revenues shall be spent for financing education.”

155. The exemption of donations to schools and educational institutions from income taxes established in the Law on Education of 1995 was incorporated into the Law on Income Tax of Economic Entities and Organizations. This was a great help to increasing financial resources for educational institutions.

156. One of the components of the policies on pre-school, elementary and secondary education was to increase access to the education at these levels during the reporting period.

157. The compulsory age for starting school in Mongolia was 8 years until 1998, however the Law on Education was amended in 1999 so that 6- or 7-year-old children can be admitted to school if the school has created conditions for that purpose. For instance, in 1999, 6-year-old schoolchildren counted for 1 per cent of the school admissions, 7-year-old children 15.7 per cent, and children aged 9 years or over 14.7 per cent. In the cities, 26 per cent of the children entering school were aged 6 or 7 years; in rural areas, this figure was 11.4 per cent. In the rural localities 18 per cent of schoolchildren started school. The dropout rate from elementary school (grades 1-4) was 43 per cent in 1995/96 and 25 per cent in 1998/99. In 2000, 75.6 per cent of the children of primary school age were enrolled in school. As of 1999, 64 per cent of children had completed their basic education (i.e. grade 8).

158. In 2000, 494,500 children were enrolled in 683 general secondary schools with 280,000 places. This situation limits the possibilities of organizing class and out-of-class training. In other words, there are only enough classroom seats for 60 per cent of the schoolchildren. As a result of sharply increasing rural-to-urban migration for the last few years, the population density increased in Ulaanbaatar, other big cities and nearby areas and schools started to operate in three shifts, the classes started to contain 45-50 pupils each and normal functioning of schools is being affected.

159. The State became responsible for expense of school dormitories, but the number of places is not sufficient. The physical conditions of buildings and facilities and the state of heating systems worsened considerably for 130 schools in rural areas or 24 per cent of all schools, and 91 dormitories or 26 per cent of all dormitories. This makes the functioning of these schools impossible in wintertime.

160. Since the activities and functioning of a local or individual educational institution depends mostly on the work methodology and skills of its management, the Ministry of Education, Culture and Science has developed and is implementing since 1999 standard requirements for education managers.

161. In the country, 68,155 children of basic education age cannot attend school. This means that 9.1 per cent of children aged 8-11 years or 23,475 children, and 18.3 per cent of children aged 12-15 years or 44,679 children cannot go to school.

162. Gender equality has been distorted, and 42,078 boys aged 8-15 years do not go to school. They count for 61.7 per cent of the out-of-schoolchildren. The 51,690 rural children aged 8-15 years not attending the school make up 75.8 per cent of the out-of-schoolchildren. The distortion of gender equality starts from the middle-grade classes. In the academic year 2000/01 girls counted for 52.3 per cent of all schoolchildren. They make up 50.1 per cent of the primary schoolchildren, 53.4 per cent of the middle-grade pupils and 59.4 of the senior-grade children.

163. The performance of schoolchildren is low in rural areas. The level of knowledge gained by rural schoolchildren is 14.8 per cent lower in the Mongolian language and 22 per cent lower in mathematics than that of schoolchildren in the capital city. The content of the primary and secondary education was changed to meet the social demands, interests and talents of the children in continuation of cherished traditions. The social science courses were freed from the former despotic system and oriented towards forming citizens of a democratic society. On the basis of the changes in educational content in primary and secondary schools, many measures were undertaken such as revision of the textbooks for all the courses taught (about 90 per cent of the textbooks of general education were renewed), increasing the choice of textbook, changing the way textbooks are developed and designed, and revision and improvement of the rules and regulations relating to publication, distribution and classification of textbooks.

164. **Supply and availability of teachers.** In order to ensure stable employment of teachers in schools of general education, the Law on Education fixes the duration of additional vacation for teachers of schools of all levels, directors and monitors of kindergartens at 33 working days and provides for them to receive a grant equal to one year's salary upon their retirement. This became an important measure for their social guarantees. Since 1996, teachers have been provided with additional benefits for professional degrees and skills, and since 1997 the difference in the base salaries for teachers of primary schools, secondary schools and kindergartens has been eliminated. In the academic year 1998/99, 9.1 per cent of the teachers in general education schools were non-professional teachers. Many training courses and seminars were organized to enhance the professional qualifications and skills of teachers in accordance with the new content, methodology and technology of education. The teachers of general education schools and kindergartens are covered by advanced training courses. The professional training course expenses have been granted to the teachers through certificates since 1998.

165. **Literacy level.** There has been an increase in the number of illiterate youth since the 1990s, caused by school dropouts. The population and housing census conducted in 2000 revealed that 97.8 per cent of citizens over 15 years were literate, 98 per cent of men and 97.5 per cent of women; 10 per cent of children aged 8 to 11 years and 6.8 per cent of children aged 8 to 15 are illiterate; 18 per cent of children enrolled in the first grade did not obtain a primary education and 25 per cent a basic education in the proper time. Children do not experience gender discrimination, but the inequality of participation in school education between girls and boys increases with the increase of their ages. When entering the first grade, the

number of boys and girls is mostly equal, but by the tenth grade 62 per cent of the schoolchildren are girls and 38 per cent are boys, and these proportions are reflected in the dropout ratios. Sixty-nine per cent of the children who drop out of school live in rural areas.

166. On the basis of the guarantee in the Constitution of Mongolia on “provision of free general education for all”, a system was created whereby the State covers the estimated educational expenses per student at both public and non-public schools of general education.

167. As a result of the measures undertaken to reduce school dropout, the dropout rate was reduced to 3.4 per cent of the total number of schoolchildren for the academic year 1998/99 from 4.3 per cent in the academic year 1994/95.

168. One of the factors influencing the reduction of school dropout is the value given by parents to education. More training and promotion in this field are needed for parents. It is an urgent task to prevent children from dropping out of school and at the same time to provide the children who have dropped out with an alternative education. A National Programme on Non-Formal Education was approved in 1997 by resolution No. 116 of the Government and it is being implemented.

169. Mongolia has identified as the main goal in the sector of non-formal education the creation of a non-formal educational system, in particular to determine the educational content, forms and methodology, based on human needs, interests and possibilities, needed to create the personnel and material bases for non-formal education. It is necessary to develop the non-formal education sector nationwide, set up a network that meets the population’s needs in education and provide non-formal educational services.

170. A national system of non-formal education has started to be formed as an alternative education for the population. In the past four years, alternative education was provided to 19,970 children and youth, and 7,877 of them obtained their education certificates meeting appropriate standard levels of education. In 2000, 3,856 children were able to enter their corresponding secondary school classes through alternative education. With the help of alternative education, 10,979 persons obtained their primary education, 3,880 persons received their basic education and 2,237 persons a complete secondary education. UNICEF, UNESCO, ILO and other international organizations in Mongolia are playing a significant role in this endeavour.

171. **Situation of secondary school graduates.** In 2000, 78.6 per cent of the eighth grade graduates were promoted to the ninth grade and 14.9 per cent went to professional training and production centres. These proportions are to be increased. The majority of tenth grade graduates are admitted to public or private universities and colleges. As they obtained a complete secondary education, they have comparatively more possibilities to access various professions. The professional training and production centres receive and train children who failed to enter the ninth grade. The Government has approved and implemented a National Programme for Development of Technical and Professional Training since 1998. In 1999, 10,765 students studied in 38 public or non-public training and production centres. The majority, or 58.6 per cent of the professional training school students are female, except in construction schools.

172. The current system of professional training and production cannot always comply with the growing labour market needs. To resolve this issue, it is necessary to systematically study current markets and to learn how to plan for future workplace needs. A new training programme and a new training standard need to be developed through the adoption of a law on vocational education and training.

173. **Access to education by disabled children and children from vulnerable social groups.** The main reason for non-enjoyment of their right to education by the children left out of the pre-school, primary school and basic educational services is directly related to poverty. When parents become unable to earn a minimum living, the possibility that their children will be schooled is limited. The number of families unable to maintain and care for their children grew and hence the number of children without supervision increased.

174. It is necessary to create a favourable psychological environment for training in schools. A lot should be done in training and educating children with special needs, altering the social attitude towards them. Four per cent of children of school age, or 34,000 children are disabled or suffer from mental disorders and 37 per cent of them are out of school. Disabled or impaired children in local areas have limited access to special education services in their localities. In 2000, about 2,000 children studied in five special schools.

175. The State is responsible for the school equipment and materials of one child from each family with four or more children or from families in vulnerable groups; 35,000 children were supplied with free school materials by the State this year.

176. A Unit for Social Work in Schools is working under the Ministry of Education, Culture and Science with the assistance of the Norwegian Child Care Foundation and in cooperation with the Mongolian Centre for Child Rights. The objectives of this unit are to prepare and retrain social workers to work in secondary schools and provide them with methodological assistance. The guidelines for measures to be taken in the coming years for supporting child development were adopted in 2000 by resolution No. 157 of the Government. These guidelines envisaged expansion of the activities such as renovation of secondary school dormitories, purchase of schoolchildren's uniforms from the State funds for children of the poorest families, strengthening of the non-formal educational "Gegeerel" Centre in the capital city, and providing school dropouts with alternative education, work and professional orientation and labour skills. And these guidelines are being implemented.

177. **Student dormitories.** In our country, where a nomadic herding life is prevalent, one of the main traditional ways of schooling the children has been to supply local rural schools with student dormitories. In the first years of transition to a market economy, financial resources were limited for ensuring smooth running of student dormitories. This constraint, as well as the fact that every student started to be charged a certain amount for food, caused a sharp reduction in the number of dormitory students.

178. In 1990, 14.5 per cent of all students lived in dormitories as compared with 4.1 per cent in 1996. The number of dormitory students decreased constantly until the 1995/96 academic year, but has increased since the 1996/97 academic year. In the last four years, the number of

secondary school dormitory students gradually increased to 27,400 by 2000. This is explained mainly by a relative improvement in dormitory conditions, a decrease in the number of school dropouts, and coverage by the State of food costs.

179. **Leisure time, recreation and cultural activities.** In 1997 the Government adopted and has implemented the National Programme “Ecological Education for All”. Under this national programme, “Ecology” courses were developed for secondary schools and an “Ecology and protection of nature” course was developed for inclusion in the curricula of universities and colleges.

180. Order Nos. 257 and 275 of 1998 of the Minister of Education approved the model programme for out-of-class activities and the list of artistic and cultural works to be presented to interested children. And the schools adhere to this list.

181. We need to develop a methodology for the efficient use of children’s leisure time, organizing various activities that meet the desires and interests of children.

182. The *dzoud* incidents that have occurred in Mongolia for the past few years negatively affected the children of herders. Some measures have been undertaken aimed at repairing the schools and improving the living conditions of dormitories in *dzoud*-stricken *aimags* and *soums*, but these measures have not always resulted in satisfactory outcomes. The parents who lost their livestock, their main source of livelihood, tended to migrate to the cities and this movement will probably continue in the upcoming years.

183. **Urgent tasks.** A total of 79,300 children are attending 653 kindergartens with 70,300 beds. This number covers about 30 per cent of the children aged 3-7 years who should go to kindergarten. The number of kindergarten buildings and beds need to be substantially increased in order to ensure normal functioning of the pre-school education services. The distribution of kindergarten children is uneven: 40.7 per cent of all kindergarten children are in the cities, 43.2 per cent are in small towns and settlements, and 15.9 per cent are in rural areas. The possibilities are limited for herders’ children and children from poor families. The main tasks are to educate the children within their appropriate age groups, increase the access to educational services and reach every child. A lot has to be done to create a favourable and equal environment for children of herders to study in schools.

184. The rural children in need of special education have limited possibilities of being provided with this kind of education in their native areas of residence. No methodology has been developed for the efficient use of children’s leisure time, organizing various activities that meet the age, psychology, needs and interests of children. There are no well-defined concepts for a total reform of the system for training and retraining teachers. The professional qualifications of teachers trained in the public and non-public institutions cannot fully meet the requirements of developing primary and secondary education. Moreover, no new optimal and efficient structure has been created for upgrading their qualifications. Their salaries and social situation do not reach the required levels.

185. Further objectives are:

- To diminish the differences in the training environments of urban and rural schools; to develop and implement a policy for stable and constant employment of teachers;
- To develop and respect an educational environment that permits full implementation of the educational content;
- To repair and expand school and dormitory buildings, construct new school buildings and achieve tangible results in improving the educational environment;
- To increase training and laboratory materials and equipment that meet educational standards and the number of computers supplied to schools;
- To undertake measures to ensure equal educational opportunities for children from poor and vulnerable families, as well as for children in need of a special education.

In order to fulfil the above objectives, studies, monitoring, analysis and evaluation of urgent and future issues must be undertaken and the means of implementation enhanced.

186. **Promotion of children's participation.** Self-governing children's organizations, established beginning in the 1990s, have become more active. Many organizations, including the Mongolian Federation of Scouts, the Mongolian Youth Red Cross, the Mongolian National Federation of Children, the "Mandakh" Federation of Mongolian Employed Children, "One World - Teenagers", the Association for Support of Senior Students, the Centre for Child and Youth Development and the Youth Federation, have made great efforts to provide Mongolian children, teenagers and youth with favourable conditions and opportunities for enjoying their rights to active participation in social life, development and education. They involve thousands of children. They have had tangible success and accumulated appropriate experience. The National Forum of Mongolian Children was organized in 1998 and 2001.

187. During this period, the State and Government paid special attention to creating an environment for ensuring the children's rights to development and participation in social life and took some important measures. The adoption of the Law on Non-Governmental Organizations in 1997 was a main condition for supporting civil society institutions. The children's NGOs have become forums for the free expression by children of their views, opinions, needs and demands, and have taken an active part in social life.

188. A series of mini-United Nations conferences under the theme "One World" was organized for the first time in Mongolia for children and youth by the Government of Mongolia, UNDP and the Women's Movement for Social Progress. Over 1,200 children took part. The specific themes of the conferences were "Child rights", "Human rights", "Social development", "Women and development" and "Population and development". Thorough and serious discussions on social matters by children made everyone feel proud of them. The Heads of State and Government of Mongolia, as well as members of Parliament, participated in the conferences and exchanged their views with children and this event became a new impetus and encouragement for children.

189. In 1998, a “mini-Parliament” and in 1999, a “mini-Government” were organized to convey children’s views to the highest decision-making authorities of the State and Government. At the children’s initiative, the year 2000 was declared the “Year for Support of Child Development” and a nationwide movement was launched.

190. The Forum of Employed Children (1998), the Forum of Herder Children (1999) and the Forum of Gifted Children (2000) were held and children living under the same circumstances, with the same aspirations and interests, exchanged their views and expressed their thoughts. In addition, the organization of the Mongolian National Children’s Art Festival (1999) and Mongolian Children’s Sports Festival (2000) at local, provincial and national levels had great influence on the children’s openness and development. A tradition has been established to organize artistic and cultural festivals for children from two or three *aimags* every year in the capital city; this allows local children’s work to be exhibited at the national level.

191. For the past several years, debates have been organized among older children jointly by the Mongolian Open Society Institute and other organizations, and a specific project is being implemented in this field. For example, the International Children’s Centre “Nairamdal” organizes an annual training session of debates and helps local children to cooperate and exchange their experiences.

192. Social work in Mongolia started anew in 1997 and at present, more than 10 universities and institutes are training social workers. Starting in 2000, every school of general education has had its own social worker. This gives new impetus to the respect for children’s views and helps to ensure their right to development.

193. In the past five years, all the staff and activists of the governmental and non-governmental organizations working with children were fully covered by social work training. UNICEF, Save the Children UK, the Danish-Mongolian Training and Methodology Centre and World Vision extended considerable assistance in these efforts.

194. A “Child phone” and “Child post” are in operation to receive complaints from children whose rights have been violated. With the aim of providing opportunities for children’s free expression, the children’s section of the Mongolian National Television was changed and expanded in 1999 to become the “Education” studio and the number of and time devoted to children’s programmes were tripled. Also, the children’s section of the Mongolian Radio was reorganized and expanded to become a “Division for Training and Knowledge”. As a result of efforts and initiatives developed by governmental and non-governmental organizations, economic entities and individuals, the number and appearance of children’s books, newspapers and magazines have increased and their quality has improved. In the last five years, over 10 children’s newspapers and magazines were created and appear regularly, namely “Me, me, me”, “Simba”, “Bluebird”, “Fairyland”, “Why”, “Little Tiger”, “Bug”, “Sun”, “Study” and “Friendship”. Moreover, 12 *aimags* including Bulgan, Arkhangai, Uvs, Touv, Dornod, Khovd, Uvurkhangai and Khuvsgul, publish local children’s newspapers.

195. UNICEF and national organizations jointly organized in 1999 a colloquium under the name “Voice of Teenagers”. In 2000 they started to implement programmes and projects on “participation of teenagers and ensuring their right to development”. Children express their views and influence the decision-making.

196. The Scouting Federation and the Centre for Child and Youth Development jointly conducted a survey in 2000 on the “Needs of Mongolian Teenagers” in order to subsequently address the needs of teenagers in terms of development and participation in social life. The objectives of the survey were to get a sense of and deepen the social understanding of teenagers’ needs for participation and development, identify in detail their needs, study their main needs, make comments and recommendations on meeting their needs in the most optimal way, and create new models for teenagers’ participation.

197. There are comparative differences in teenagers’ needs for access to information. For example, children answered in the following way to the question “What information is the most important?”: 42.7 per cent of the children who participated in the survey voted “living knowledge” as the most important, 39.1 per cent voted for health information, 34.0 per cent sports news, 28.7 per cent information about professions and 24.5 per cent foreign languages. For them, the least important were news about human relations and ecology. The conditions for receiving information are very different for teenagers in urban and rural areas. The rural children have little access to useful and appropriate information.

198. The Mongolian Centre for Child and Youth Development organizes a regular International Education Exhibition and Fair to provide reliable, extensive and open information on education.

199. **Elimination of the development gap of rural children.** 46.6 per cent of the rural children said that they are not involved in any of the activities conducted. When asked the question which profession he/she wants to choose in the future, 40 per cent of the urban children answered for modern professions such as economist, interpreter, businessman, lawyer, politician, designer, while only 6 per cent of the rural children referred to these professions. Those who cannot receive information on prevention from any disease count for 45.6 per cent of the urban children and 63 per cent of the rural children. Teenagers make the following conclusions on this situation:

- It is necessary to set up in the local and rural areas branches of the international organizations and non-governmental organizations concentrated in the capital city to conduct activities for children and teenagers in rural areas;
- It is desirable to transfer to civil society organizations the unused local and rural buildings and facilities;
- It is necessary to radically change the tendency to discriminate persons by age, sex, residence, and social status, give them unequal treatment or hinder their desires and aspirations;
- It is necessary to broadly involve the children of remote localities in national events by providing them with financial support;
- It is necessary to conduct policies and activities on attaching more attention on the development of rural children and teenagers.

200. **Difficulties encountered by teenagers in their studies and education.** The children who participated in the survey named the following difficulties:

- Their needs cannot be met due to poverty;
- There is much pressure from the peer group at school;
- Sometimes there is a misunderstanding between teachers and students;
- Courses are not interesting;
- There is a lack of modern information technology equipment;
- Both teachers and students have heavy stress.

201. **Participation in social life by children and teenagers.** Answers of teenagers were as follows:

- 80 per cent of the teenagers who participated in the survey said that they express their views to their friends, parents, the press and radio;
- 21.9 per cent said that they make decisions themselves without adult assistance;
- 79.5 per cent said that they are not involved in any children's organization or movement;
- 46.2 per cent said that they spend most of their leisure time on household tasks;
- 37.2 per cent said that it is difficult for them to participate in public events;
- 16.1 per cent said that the measures and events organized are not of interest.

VIII. FOLLOW-UP MEASURES TAKEN ON IMPLEMENTATION OF COMMENTS AND RECOMMENDATIONS RELATED TO CONSIDERATION OF THE INITIAL REPORT

202. Unified cooperation between the public organs in the implementation of the legislation on protection of child rights has not been ensured; in particular, it varies at the local level depending on the management abilities of officials and their understanding about social issues relating to children. Nevertheless, at the national level the NGOs are working actively to fulfil some of the duties of the State organizations. The work of the local branches of the NGOs depends on their economic capabilities. The current mechanism for monitoring the implementation of the Convention on the Rights of the Child and coordinating activities between the sectors is not yet optimal.

203. Information on the status of children, particularly children from vulnerable groups, started to be collected through 13 types of reporting at the end of each year and aggregated at the national level. At the same time, quantitative and qualitative analyses started to be done from the mid-1990s on specific issues of children living in difficult circumstances. The findings of

these analyses serve as valuable data for developing child policies. However, research findings have discrepancies, tend to be one-sided and are not commonly open to the public. A National Human Rights Commission was set up after a thorough study of the child rights advocacy (ombudsman) system specializing in child issues. It is our aspiration to effectively work on child rights within the framework of the National Human Rights Commission.

204. Wide-ranging public training and promotion activities related to the Convention on the Rights of the Child are conducted regularly. These activities are actively supported and assisted by international bodies and NGOs. A tendency to respect and consider the child's right to participation is increasingly present in decision-making processes.

205. The training in child rights is given significant importance and planned training sessions are organized throughout the year by governmental and non-governmental organizations for people who work with children. The Mongolian National Council for Children and the Mongolian Centre for Child Rights attach increasing attention to training and retraining of national and local instructors on the Convention on the Rights of the Child. The training courses and seminars are being organized in terms of their content, methodology and form. But most of the training is concentrated in the capital city and budgetary resources for extending it to the rural and local areas are still constrained.

206. Children's birth registration is conducted by the central and local administrative authorities in accordance with the law. The State Centre of Civil Registration and Information considers that the birth registration of children is satisfactory. However, a small fee is charged upon registration of a newborn child. Families unable to pay this amount are sometimes late in registering their child and are charged an additional interest payment on the fee. This makes some families avoid child registration. On the other hand, any family members who want to move from rural to urban areas must pay a small fee to receive their residence permit from the administrative authorities. For example, for a family who has arrived in Ulaanbaatar city, an adult must pay 26,000 togrogs and a child 13,000 togrogs according to the Law on the Legal Status of the Capital City. Persons who are unable to pay this amount cannot have their administrative registration done, and without residence registration, they cannot have access to services such as family doctors or district schools; consequently there are school dropouts and non-coverage by health services. In case parents have no registration, registration of children is not possible to be done separately. Also, most of the children without supervision who run away from home have errors in their civil documentation. The systems of childbirth registration and civil registration are still the same as before.

207. The programmes and projects implemented with assistance from UNICEF and other international agencies have contributed to broadening access to basic social services for children in rural areas and for disabled children. Activities for providing disabled and impaired children with possibilities to grow and develop in an ordinary environment and consequently rehabilitating them with reliance on public efforts were implemented with success in some selected districts in cooperation with international organizations. The school dropout rate in rural areas decreased and the majority of the dropouts are covered by projects on alternative education.

208. The laws related to child issues, namely the Family Law, the Law on Social Welfare and the Law on Health Insurance, have been revised and renewed and are being implemented.

209. Mongolia joined the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption in 1998. Rules governing the adoption of Mongolian children by foreigners were adopted by a joint order of the Minister for Justice and Home Affairs and the Minister for Social Welfare and Labour, and are being implemented.

210. Mongolia has not yet joined the Convention relating to the Status of Refugees.

211. The domestic resources are mobilized for children in three ways, which are described in detail in section I of the report.

212. The National Centre Against Violence, an NGO, has been very active since 1997 in preventing violence, which is a common form of child rights violation. The Centre plays an important role in improving the understanding of the nature and extent of violence against children. However, no substantial difference could be achieved in coordinating small programmes and projects being implemented by organizations working in this field. The fundamental duties and role of family in the protection and realization of child rights should be given close attention and these issues are being studied. Also, the development of family-oriented social work is being targeted.

213. Although the particular procedural standards for the administration of juvenile justice have been accepted and incorporated in the national legislation, their promotion, implementation and monitoring have not yet reached the appropriate and adequate levels. This situation may have resulted also from the relatively poor knowledge and practice of citizens in child rights.

214. The Mongolian National Human Rights Commission was set up by the Mongolian Parliament in accordance with the Paris Principles. This Commission monitors the implementation of the human rights enshrined in the legislation of Mongolia and international conventions joined by Mongolia. The Commission has three members and an office of nine staff. Since its establishment, the Commission has conducted a study on the national status of human rights jointly with the Project Office for the Development of a National Action Programme on Human Rights, published a consolidated report on the study, organized joint training together with NGOs, and fulfilled tasks such as receiving, examining and replying to applications and complaints by citizens. A full reform of the content, methodology and pedagogy related to the legal curriculum has become possible under the international programmes and projects in the legal field, with help of the Mongolian Open Society institution and in the framework of the programme on reform of the legal curriculum and methodology of secondary schools. However, no substantial improvement could be achieved with regard to the capacity-building of national organizations for child rights. The quality of the short-term training organized for the personnel of courts, law enforcement bodies and detention centres and administrative staff responsible for social affairs does not always meet international standards and requirements. The activities of the newly established human rights organizations in Mongolia are being intensified; assistance and support from international human rights agencies is increasing.

215. It is estimated that donors pledged US\$ 2.6 billion in total to Mongolia in the past 10 years (1991 to 2000) within the framework of official development assistance (loans, grants, all forms of projects, technical and financial assistance). A total of 72 per cent of the ODA, or loans and assistance totalling US\$ 1.9 billion, were disbursed in real terms; 52.4 per cent of all the ODA (US\$ 995.6 million) are grants while 47.0 per cent (US\$ 904.4 million) are soft loans.

216. Efforts are being made to optimize further the management and coordination of the activities for the protection of child rights, child development, provision of children with social care and welfare services and improvement of the status of the child. A new programme of action for children up to 2010 will be developed and implemented to eliminate the social causes creating difficult circumstances of life and to prevent them. Civil society initiatives on promoting social protection and welfare policies, increasing and developing individual intrinsic factors and capacity will be supported and a programme on development of the social protection sector will be implemented.

Annex I

**LIST OF DOCUMENTS ON CHILD ISSUES APPROVED BY THE
PARLIAMENT AND THE GOVERNMENT OF MONGOLIA
BETWEEN 1995 AND 2000**

1995

1. Parliament Resolution No. 5 of 3 January 1995 on Organization of a National Forum on “Child, Development and Protection”
2. Government Resolution No. 204 of 14 December 1994 on measures to be taken to ensure implementation of laws and orders
3. Government Resolution No. 16 of 27 January 1995 on announcement of 1995 as the Year of Culture
4. Government Resolution No. 19 of 6 February 1995 relating to the National Programme on Provision of the Basic Education for All
5. Government Resolution No. 25 of 22 February 1995 on conduct of a national study on the situation of unemployment and poverty
6. Parliament Resolution No. 36 of 8 June 1995 on the State policy on education
7. Government Resolution No. 46 of 10 April 1995 on the programme of pre-school education
8. Parliament Resolution No. 58 of 3 July 1995 on establishment of a National Council for Children
9. Government Resolution No. 55 of 19 April 1995 on measures to be taken on training of citizens without basic education
10. Government Resolution No. 91 of 7 June 1995 on naming schools
11. Parliament Resolution No. 89 of 19 December 1995 on some measures to be taken in implementation of the Law on Social Welfare, Law on Elders, their Provision with Services and Allowances, as well as the Law on Social Protection of Disabled Persons, their Provision with Services and Allowances
12. Government Resolution No. 150 of 24 August 1995 on some measures to improve health-care services for rural population
13. Government Resolution No. 156 of 25 August 1995 on some measures to be taken in the implementation of the State policy and laws on education
14. Government Resolution No. 158 of 29 August 1995 on announcement of 1996 as the Year of Education and convocation of a national congress of teachers

15. Government Resolution No. 175 of 25 September 1995 on some measures to be taken on supply of children in dormitories with food and living items
16. Government Resolution No. 191 of 30 October 1995 on the rules of State control on education
17. Government Resolution No. 196 of 3 November 1995 on measures to be taken regarding some newspapers and magazines of children.

1996

1. Parliament Resolution No. 22 of 22 April 1996 on adoption of the State population policy
2. Parliament Resolution No. 15 of 8 April 1996 on adoption of the State culture policy
3. Government Resolution No. 38 of 23 February 1996 on the rules for granting the right to practise teaching and professional degrees
4. Law on Amendments to the Law on Temporary Detention of Children Without Supervision (9 May 1996)
5. Parliament Resolution No. 28 of 9 May 1996 on measures to be taken following to the adoption of the Law on Protection of Child Rights
6. Parliament Resolution No. 29 of 23 August 1996 on establishment of a Youth Day.

1997

1. Government Resolution No. 30 of 22 January 1997 on the approval of the National Programme on Health of Pupils and Teenagers
2. Government Resolution No. 89 of 9 April 1997 on guidelines for changes to be made for the period 1997 to 2005 in the sector of education
3. Government Resolution No. 116 of 7 May 1997 regarding the National Programme on Development of Non-Formal Education
4. Government Resolution No. 179 of 13 August 1997 on the rules for the provision of university, institute or college students with tuition loans or grants
5. Government Resolution No. 193 on measures to be taken in regard to orphaned children and children without parental supervision
6. Law of Mongolia on adoption of the Amendments to the Convention on the Elimination of All Forms of Racial Discrimination, 3 October 1997
7. Law of Mongolia on Adoption of the Amendment to the Convention on the Rights of the Child, 3 October 1997

8. Parliament Resolution No. 95 of 5 December 1997 on measures to be taken following the adoption of the Law on Crime Prevention
9. Government Resolution No. 254 of 24 December 1997 on announcement of 1998 as the Youth Year
10. Government Resolution No. 255 of 24 December 1997 on National Programme on Ecological Education for All.

1998

1. Government Resolution No. 15 of 15 January 1998 on approval of the National Programme on Health Education of the Population
2. Parliament Resolution No. 53 of 7 May 1998 on some measures to be taken following the adoption of the Laws on Health, Drugs and Sanitation
3. Government Resolution No. 41 of 25 March 1998 on approval of the National Programme on Development of Technical Education and Professional Training
4. Government Resolution No. 104 of 23 June 1998 on the National Youth Programme
5. Government Resolution No. 87 of 3 June 1998 on some measures in support of employment
6. Government Resolution No. 91 of 10 June 1998 on fixation of the variable cost amount per schoolchild in secondary schools
7. Government Resolution No. 182 of 30 September 1998 on announcement of 1999 as the Year of Elders
8. Government Resolution No. 202 of 4 November 1998 on the National Programme on Improvement of the Situation of Disabled Citizens
9. Government Resolution No. 204 on measures to be taken in support of artistic creations for children.

1999

1. Government Resolution No. 36 of 3 March 1999 on the rules for providing disabled citizens with social welfare services
2. Order No. A/70 of 22 March 1999 by the Minister of Health and Social Welfare on the model rules for nursing houses
3. Government Resolution No. 66 of 21 April 1999 regarding the National Programme on Oral Health

4. Government Resolution No. 114 of 14 July 1999 on some measures for prevention of mothers and infants from infections
5. Order No. 130 of 22 June 1999 by the Minister of Enlightenment on the rules for organization of advanced and specialized training in educational institutions
6. Government Resolution No. 144 of 15 September 1999 on re-fixation of the variable cost amount per student in secondary school and school dormitory
7. Order No. A/204 of 13 August 1999 by the Minister of Health and Social Welfare on the list of workplaces forbidden to employment of minors
8. Order Nos. 237 and A/287 of 15 November 1999 by the Minister of Justice and Minister of Health and Social Welfare on the rules for giving children of Mongolian nationality to foreign citizens for adoption.

2000

1. Government Resolution No. 223 of 29 December 1999 on announcement of 2000 as the Year of Support to Child Development
2. Government Resolution No. 229 of 29 December 1999 on the National Programme on Prevention of Juvenile Crime and Crimes Against Children
3. Government Resolution No. 20 of 2 February 2000 on the Development Strategy of Educational Sector for the period from 2000 to 2005
4. Government Resolution No. 34 of 1 March 2000 on the National Programme on Fighting Against Narcotic Drugs and Alcoholism
5. Government Resolution No. 157 of 6 October 2000 on some measures for support of child development
6. Government Resolution No. 186 of 29 November 2000 on re-fixation of the variable cost amount per student in secondary school and school dormitory.

Annex II

**ATTACHMENTS TO THE SECOND PERIODIC REPORT ON IMPLEMENTATION
OF THE CONVENTION ON THE RIGHTS OF THE CHILD**

- Situation Analysis Report on Children and Women - 2000
- National Report on "Child and Development Survey - 2000" (MICS-2)
- 10 years dedicated to Children (1990-2000) - illustrated catalogue
