

**International Covenant on
Civil and Political Rights**

Distr.
GENERAL

CCPR/ C/ SR. 1826
1 May 2001

ORIGINAL: ENGLISH

HUMAN RIGHTS COMMITTEE

Sixty-eighth session

SUMMARY RECORD OF THE 1826th MEETING

Held at Headquarters, New York,
on Thursday, 23 March 2000, at 10 a.m.

Chairperson: Ms. MEDINA QUIROGA

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 40 OF THE
COVENANT (continued)

Fourth periodic report of Mongolia (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 10.20 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 40 OF THE COVENANT (continued)

Fourth periodic report of Mongolia (continued) (CCPR/ C/ 103/ Add. 7;
CCPR/ C/ 68/ L/ MNG)

1. At the invitation of the Chairperson, the delegation of Mongolia took places at the Committee table.

2. Mr. GANBOLD (Mongolia), replying to questions asked at the previous meeting, said that equal rights for men and women were stipulated in the legislation of Mongolia. For example, single fathers had the same rights as women to take leave from work, with a special allowance, to care for a newborn child. Nevertheless, a distinction was made in the pensionable age, which was lower for women than for men, and in the allocation of work; that was not discrimination but humanitarian concern for the "weaker sex".

3. With regard to violence against women and small children, there were special articles on that subject in the Criminal Code. Even so, crimes associated with drunkenness and unemployment were increasing.

4. His Government was concerned about the high level of maternal mortality and deaths from abortion, and was therefore doing everything possible to support the initiatives of non-governmental organizations to help women and children. Women in Mongolia were highly educated, and participated actively in political and public life. The Minister for Foreign Affairs and the director of the national statistical service were currently women, and nearly 10 per cent of the members of the Great Hural were women. Some of the information cited by members of the Committee bore no relation to reality.

5. The Constitutional Court was the supreme authority charged with monitoring the implementation of the Constitution; it reported on violations, and investigated disputes associated with violations. It brought before the Great Hural cases of violation of the Constitution by the President, the Chairman and members of the Great Hural, the Prime Minister and members of the Government, the Chief Justice of the Supreme Court and the Chief Prosecutor; and also the existence of legitimate grounds for dismissing the President, the Prime Minister, or the Chairman or members of the Great Hural. If the Constitutional Court came to the conclusion that laws, decrees or decisions of the Great Hural, government decisions, international treaties or decisions of the central electoral body were inconsistent with the Constitution, those instruments were considered fully or partially void. Decisions of the Constitutional Court took effect upon their adoption. In recent years, the Constitutional Court had considered over 10 cases a year, mainly on the basis of complaints from citizens. Foreign nationals had the right to apply to the Constitutional Court.

6. According to article 5 of the Act on Courts, the Great Hural established, modified and dissolved the courts on the basis of proposals by the General Council of the Courts, in conjunction with local governments. According to

/...

article 49, no one, including the President, the Prime Minister, members of the Great Hural and the Government, had the right to interfere in judges' performance of their duties. Judicial power was exercised only by judges, and the executive branch must be strictly separated from the judiciary. The General Council of the Courts ensured the implementation of that principle, and worked in close coordination with the President and the Government.

7. Judges of the Supreme Court were appointed by the Great Hural, and other judges were appointed on the proposal of the General Council of the Courts and the President for an indefinite term. Judges could be dismissed only if they violated the law and a judicial ruling had entered into force, or they could leave at their own request.

8. The presumption of innocence was established both in the Constitution and in the Act on Courts. All court proceedings were conducted in public, with exceptions laid down in the law.

9. Applications for compensation for damage caused by illegal actions of judicial bodies were transmitted to a higher judicial body in accordance with the Act on the procedure for compensation for damage caused to citizens by illegal actions of judicial, prosecution and investigative bodies.

10. With regard to the restoration of human rights which had been violated, the Civil and Criminal Codes of Mongolia provided for a number of measures to restore human rights through the courts, such as halting the action which caused the violation, recognition of the violation, fulfilment of obligations, compensation for material and non-material damage, payment of fines and costs, restitution of illegal gains, annulment of decisions of State administrative bodies, punishment of the guilty party, rehabilitation and so forth.

11. In accordance with the Act on Courts, judicial decisions had to be executed by economic entities, organizations, officials and citizens in the territory of Mongolia, and in the event of non-execution, they were enforced in accordance with the law. There was a State agency for the enforcement of judicial decisions.

12. He agreed that the salaries of judges in Mongolia were disproportionately low compared with other countries. His Government had formulated a strategic plan for the long-term development of the judiciary which would be the basis for judicial reform in Mongolia.

13. Although there were as yet no ombudsman bodies as such in operation in Mongolia, the Ministry of Justice had prepared a draft law on an ombudsman's office and submitted it to the Government.

14. Pre-trial detention was used for persons who had committed repeat violations of particularly serious crimes, or obstructed the prosecution or investigation of crimes. Authorization was given by the prosecutor's office and, in the case of pre-trial detention of more than two months, authorization had to be received from the highest level of the prosecutor's office. Persons held in pre-trial detention had to be transferred under guard when they were summoned to appear in court; if the suspect was acquitted, the case was closed,

or other lesser measures were adopted against the suspect, he had to be released immediately. Unfortunately, there were cases when individual police officers violated those requirements, and illegally kept citizens in solitary confinement, because temporary custody was currently the responsibility of the police bodies. His Government therefore acknowledged that there had been some violations and believed that it was necessary to reduce excessively long periods of detention. It had already introduced a bill which would not only deal with that problem, but would initiate a complete reform of the judicial system. The maximum length of pre-trial detention was 26 months.

15. Under the law, every individual was entitled to legal counsel from the outset of an investigation, and failure to provide counsel was a reason for considering the court verdict null and void. The State provided legal aid when necessary. Legal aid, as well as pre-trial detention and prisons, were monitored by the prosecutor's office, and the Ministry of Justice provided administrative oversight. The prosecutor's office was also responsible for investigating violations of the rights of citizens by members of the secret service. In practice, officials did not always react with sensitivity to complaints of citizens, and shortcomings in the monitoring system enabled them to avoid fulfilling legitimate requests by citizens. His Government therefore intended to establish a special procedure to deal with cases in which citizens had been harmed by illegal actions by State administrative bodies and officials, whereby such complaints would be taken up in a higher State administrative body. That body would investigate the complaint and reach a decision within 15 days, or at most 30 days, and send a response to the complainant. If the complainant did not agree with the decision, he could appeal to the courts.

16. The conditions of imprisonment were determined in the law on the enforcement of judicial decisions. In some prisons, however, sanitary conditions did not yet meet the standards laid down by the Ministry of Health and the Ministry of Justice.

17. The treatment of chronic alcoholics was ordered by the court, at the petition of the police and local authorities.

18. His Government was still opposed to the abolition of the death penalty. Although individual members of Parliament had introduced a bill on the subject in 1997, his Government felt that it was premature in view of the criminal situation in the country. However, it was gradually narrowing the range of capital crimes.

19. Under the act on the rehabilitation of victims of repression, a one-time allowance equivalent to \$1,000 was granted to each victim's family.

20. Under current legislation, foreign nationals had the same rights and duties as citizens of Mongolia. Only such rights as the right to vote and to be elected, and the right to enter the civil service, were restricted.

21. Mongolia was not ready to accede to the Convention relating to the Status of Refugees at the current time.

22. Passports and other documents were issued by the centre for the registration of civil documents, which was not a police body.

23. Mr. KRETZMER said that, in order to draw accurate conclusions, the Committee needed more specific answers from the delegation. With regard to equal rights of women, he would appreciate more information on the national programme on improving the status of Mongolian women, mentioned in paragraph 18 of the country's report. He asked whether a conviction for rape depended on proof that actual physical force had been applied. The delegation should also indicate what the Government was doing to eliminate trafficking in women.

24. Lord COLVILLE said that, in view of the existence in the Ministry of Justice of an executive department for the enforcement of judicial decisions, there should be no difficulty in providing information on the procedure for enforcement and the approximate number of cases handled and resolved, in order to give the Committee some sense of how effective the remedy was.

25. Mr. BHAGWATI said that he would appreciate further elucidation on security of tenure in the judiciary. He wished to know in greater detail whether judges at the various levels were appointed for a fixed term, for life or for an indefinite term subject to a mandatory retirement age and on what grounds and by what procedure they could be removed from office. In addition, since there appeared to be no provision in the Constitution corresponding to article 11 of the Covenant, he wished to know whether a specific law prohibited imprisonment for non-payment of a contractual debt.

26. Mr. GANBOLD (Mongolia) said that the national programme for the advancement of women was being implemented; however, its implementation was being hampered by financial difficulties, as in the case of many other programmes. His Government was naturally concerned about the problems encountered by women who engaged in prostitution; there were unconfirmed reports of cases of organized prostitution.

27. With regard to the appointment of judges, responsibility lay with the General Council of the Courts, which was an advisory body consisting of the Chief Justice of the Supreme Court, lower court judges, the Chief Prosecutor, and the Minister of Justice. The Council endorsed candidates by secret ballot, and the candidates then needed to be approved by the President. As he had already explained, judges were appointed for life, and could be dismissed only in cases of gross violation of the law.

28. The department for the enforcement of judicial decisions was a State body which operated in strict accordance with the law. It executed all judicial decisions, regardless of the level at which they were taken. Recently, the department had been unable to enforce all judicial decisions in a timely manner because of the increased number of crimes. His Government intended to further strengthen that structure. Under the current legislation on the enforcement of judicial decisions, when a defendant did not have the ability to pay, he could be granted a delay by the department for the enforcement of judicial decisions.

29. With regard to Mr. Bhagwati's question, there was no provision in Mongolian legislation relating to article 11 of the Covenant.

30. The CHAIRPERSON read out questions 14 to 18 of the list of issues: what remedy was available to a person who successfully invoked the law on personal secrecy and how was such remedy enforced (art. 17); what was the current law on freedom of thought, conscience and religion (art. 18); what rights were guaranteed to persons belonging to minorities, such as Chinese, Uzbeks and Uighurs (art. 27) and how were such rights protected; what training in human rights protection was given to the judiciary and the legal profession, the police, prison officers and government officials, and did the curricula in schools and universities include education in human rights; and what steps had been taken to disseminate information on the report, its consideration by the Committee, and the Committee's observations.

31. Mr. GANBOLD (Mongolia) said that personal secrecy was protected by a special law under which a person who believed that private information had been divulged without his knowledge had the right to seek redress through the courts, for example in the form of a fine and a public apology. In extreme cases the offender could be prosecuted under article 146 of the Criminal Code. Decisions of the court were enforced under the law on the enforcement of judicial decisions.

32. Following the decision of the Constitutional Court on 12 January 1994 that some articles of the Act on the Relationship between the State and the Church were unconstitutional, his Government had formulated some draft amendments and additions to that Act.

33. Chinese, Uzbeks and Uighurs were not national minorities in Mongolia; as foreign nationals, therefore, they had the attributes envisaged in the Act on the legal status of foreign citizens. Currently 1,476 Chinese subjects lived in Mongolia, and had their own schools and other facilities.

34. Members of the civil service and prison officers were required by law to attend special programmes on human rights protection. Special establishments such as the civil service academy, the police academy and the judicial training centre, and also the judges, organized various courses and seminars on individual topics. Sometimes non-governmental organizations also participated. Higher educational institutions and schools had their own programmes on human rights protection.

35. With regard to the dissemination of the outcome of the Committee's consideration of the report, collections of documents had been issued, most recently in 1992 and 1993, and distributed free of charge to all State institutions.

36. Mr. WERUSZEWSKI asked to what extent the office of procurator under the Mongolian system was an independent organ of the judiciary and to what extent a part of the Government.

37. Mr. HENKIN noted that the country's move to democracy had entailed rapid privatization. Both the political and economic transitions had apparently created problems for women's equality. He would appreciate greater detail on the impact of privatization on women, foreign nationals and other affected groups in terms of equal protection under the law of their property rights.

38. The Committee welcomed the decision by the Constitutional Court finding certain provisions of the Act on the Relationship between the State and the Church unconstitutional. He would like to know more about the other provisions of the Act which had not been overturned, such as those governing registration of religious associations, since they might be relevant to the Covenant rights of freedom of religion or belief and freedom of association.

39. Most of the answers so far given were applicable to city dwellers, but it was not clear how accessible the institutions described were to those living a nomadic lifestyle. He would like to know what efforts were being made, not only to educate the police and judiciary, but also to inform the population at large about their rights and how to act upon them.

40. Ms. GAITÁN DE POMBO said that she was highly interested in Mongolia's transition from a one-party system to a multi-party democracy and would like to know, in some detail, what constitutional and legal guarantees and institutional mechanisms protected freedom of association in political parties. The delegation should also explain in detail what laws and regulations governed the right to form and join trade unions as provided in article 22 of the Covenant. She, too, was concerned about the problem of trafficking in women and wished to know about proceedings that had been instituted and the penalties applied. She would appreciate further clarification of the Government's position on the death penalty and information on its efforts to disseminate knowledge of the Covenant and the Committee's concluding observations, particularly among the judiciary.

41. Mr. SOLARI YRI GOYEN said that unfortunately on the issues addressed so far the delegation had not provided the Committee with enough information for it to make a well-founded analysis. With regard to the remaining issues, he was not clear whether the Act on Personal Secrecy satisfied the requirements of article 17 of the Covenant. The Act aimed to protect personal secrecy, but allowed for disclosure of personal information for reasons of national security, national defence, public health and legal interests. Since the grounds for disclosure were broad, he was interested in how the Act had been interpreted in practice in the Mongolian legal system.

42. With regard to freedom of thought, conscience and religion, he understood that the Government had prepared proposed amendments to bring the Act on the Relationship between the State and the Church into line with the decision of the Constitutional Court of 1994. He was eager to learn about the progress of the new legislation, the reasons for the delay in enacting it and the manner in which the law had been applied in the six years since the decision.

43. Although the delegation had explained that the Chinese, Uzbeks and Uighurs living in Mongolia were not nationals but foreigners, they were nonetheless ethnic and linguistic minorities and entitled to protection under article 27 of the Covenant. He would appreciate more information on their situation and the provision made to guarantee their right to enjoy their culture and language.

44. The Committee would welcome more specific information on programmes on human rights in schools and universities. With regard to police training in human rights sensitivity, the Committee would be interested not only in the content but also in the impact of the programmes. The brochure on the Covenant

distributed to government agencies was an excellent idea, but the Committee would like to see much wider dissemination. In that regard, he would like to know whether the press could be expected to cover the concluding observations of the Human Rights Committee.

45. Mr. BHAGWATI said that he would like to revisit briefly the first set of issues. In light of the large number of maternal deaths caused by unsafe abortions, the Government should report on steps it was taking to solve the problem, including family planning services. Another acute problem was discrimination against women in the private sector in terms of employment, job levels and wages; the delegation should report on any laws that had been enacted to eliminate the disparities or to create a monitoring mechanism to which women and non-governmental organizations could have recourse.

46. With regard to human rights training, he was interested in any measures to provide pre-appointment training and continuing education of judges at all levels, particularly in human rights and constitutional rights.

47. Mr. AMOR said that the delegation should clarify what was meant by paragraph 67 of the country's report, which indicated that the State was to respect the dominant position of the Buddhist religion in Mongolia. He would like to know how that respect was expressed in the relations between Church and State and whether it implied that the State was bound to follow certain Buddhist doctrines or positions. On the face of it, according one religion a dominant position vis-à-vis the State might prejudice the rights of those who wished to practise another religion or none at all.

48. He too wondered why it was taking so many years to amend the specific provisions of the Act on the Relationship between the State and the Church overturned by the Constitutional Court and what rules were being applied to religious associations in the meantime, particularly regarding registration requirements. In the country's report and presentation, the only religions mentioned had been Buddhism, Islam, Christianity and Shamanism. He wished to know whether other religions, Judaism for example, simply did not exist in Mongolia or were not authorized. While it was true that the question of proselytism was often complex and thorny, he wished to know whether all other peaceful manifestations of religion were freely allowed.

49. Lord COLVILLE said that the Committee's question under article 27 of the Covenant did not primarily relate to foreign nationals residing in Mongolia but to Mongolian nationals who belonged to ethnic minorities, apart from the Kazakh population, on which some information had been given. The Committee wished to know what protection and provision existed for the languages and traditions of such minority groups. In light of Mongolia's geographic position, it was difficult to believe that there were none.

50. Since a sizeable portion of the population lived in rural areas, mostly as nomadic herdsmen, it was undoubtedly very difficult, with the State's current financial constraints, to provide them with the schools, hospitals and other services available to city dwellers. However, it was the State's duty to take steps to build up a network of educational and medical facilities for the rural

portion of the population; to make no effort to do so would be discriminatory under article 26 of the Covenant.

51. Mr. GANBOLD (Mongolia) said that there was only one major ethnic minority in Mongolia, and it shared the same language and culture as the larger society. The Government nevertheless took measures to develop and protect its cultural traditions. In addition, there were 1,640 ethnic Chinese living and working in Mongolia from the People's Republic of China; since most had remained there for several generations, they were not considered foreigners in the fullest sense.

52. The Government did indeed have difficulty providing services to remote regions, because of financial difficulties. Mongolia was working on developing its secondary school system; that was a difficult task. Eighty per cent of the population was literate.

53. The Constitution protected religious freedom and freedom of belief, and established the division between Church and State. Since 1993, any religious group that wished to register with the Ministry of Justice could do so, and the State was forbidden to exercise control of any kind over religious activities. Permission to register was refused only to those religions that preached violence. Lamaistic Buddhism was Mongolia's largest religion, and most religious groups were Lamaist; that did not mean, however, that other religious groups were persecuted or punished. No citizen could be punished or persecuted on the basis of his convictions or religious beliefs.

54. The Mongolian judicial system was based on the continental system of law. Under the Constitution, judges were not subject to any administrative bodies, including the prosecutor's office, and were independent and separate from all governmental structures. Recently, special centres had been set up for the education of lawyers and judges. In order to become judges, lawyers must receive advanced training, and must be at least 24 years of age.

55. The Mongolian Government, greatly concerned by the related problems of maternal mortality and unsafe abortion, had adopted a programme designed to eliminate their causes. Government agencies were undertaking measures to educate women in living healthfully and in preventing unwanted pregnancies.

56. The rights of working women were protected by law under the Civil Code, as well as in new draft legislation. There was no discrimination against women in business. As a result of the privatization process, about 40 per cent of the gross national product was currently generated by the private sector. The implementation of large-scale privatization projects in the banking sector and in major industries had, however, slowed down. Under privatization legislation, companies and private citizens could buy shares or purchase State property.

57. The country's first democratic political parties had begun to form in 1990; in 1996, a group of new parties had formed a coalition that had won the parliamentary elections. That coalition was now governing the country. The 22 political parties in Mongolia were registered with the Supreme Court; none of them had nationalist or Fascistic tendencies. Four were represented in the Great Hural.

58. Special laws regulated the status of trade unions and trade union confederations and granted them particular rights and privileges, such as the power to monitor the implementation of agreements between employers and employee representatives. No other non-governmental organizations enjoyed rights of that kind.

59. The number of crimes subject to the death penalty had been reduced from 18 to 5; Mongolia was gradually moving towards full abolition.

60. The Government distributed the Covenant and the Committee documents without charge. Such materials were also disseminated by the mass media. All secondary schools taught courses in the social sciences, which included a segment devoted to the rights and responsibilities of citizens. There were currently 17 institutions of higher learning offering legal training, which included courses in human rights and international human rights instruments.

61. Mongolian citizens enjoyed the right to freedom of expression and to freedom of association. A new law established that the minimum membership of non-governmental organizations was five persons, and that such groups could be formed on the basis of shared views or shared professions or on the basis of any other shared principle. Non-governmental organizations must register with the Ministry of Justice, and were considered legal persons.

62. Mr. ANDO said that unfortunately it was difficult to grasp the nature of the Mongolian legal system from the answers provided by the delegation. He would like to know whether Mongolia had official television and radio stations, and whether private ones existed or were envisaged. It would also be useful to know whether foreign newspapers, in languages such as Chinese and Russian, were available in Mongolia.

63. Turning to the matter of article 23, he said that information would be welcome on the matrimonial property system - in particular, how property was shared between spouses, whether a woman could keep her own property after marriage, and what was the responsibility of spouses with regard to property. The Government should explain whether men and women could sue for divorce on the same grounds, how their property was divided in the event of divorce, and how the matter of child custody was treated.

64. With reference to article 14, he would like to know whether a national bar examination was administered and what were the qualifications of judges, prosecutors and lawyers. It would also be useful to know whether a bar association existed and, if so, what its status was vis-à-vis the Government. How was a lawyer selected to represent a defendant: by the bar or by the Ministry of Justice?

65. Finally, he inquired whether the statement in paragraph 45 of the report meant that debtors were never imprisoned.

66. Mr. LALLAH noted that article 18 of the Covenant covered freedom of thought, conscience and religion, but that the delegation had curiously transposed the discussion of freedom of thought to article 19. The answers given on freedom of religion and belief seemed to contradict the contention in

the report that there was complete freedom. He would like clarification as to whether the legislation providing for the registration of religions resulted in any restrictions on non-registered religions and whether there was any discrimination against persons who did not practise a religion. When the representative of Mongolia said that Buddhism was the dominant religion in the country, did that mean that most people practised it, and did public officials have to belong to a particular religion? More information should be provided, in writing if need be, about the actual situation with regard to religion, including any carryovers from the previous to the present regime.

67. He found it hard to share the delegation's optimism that all Mongolians knew their rights. He wondered, for instance, what the standard of literacy was and whether the nomads were literate or had access to newspapers. It was the responsibility of the Government to ensure that all citizens received basic information, just as it had to ensure that all received proper medical care, which in the case of the nomads, might entail some form of mobile medicine - in other words, to ensure the equal rights of all, to the extent possible.

68. Mr. GANBOLD (Mongolia), replying to Mr. Ando, and confirming that the Roman-German legal system prevailed in his country, said that the bar association was not a State body but a free association of persons united by their profession. Young law school graduates completed a two-year training with an established lawyer or notary public before taking the bar examination and, having passed the test, became independent members of the association, by decision of the collegiate body of the association and certification of the Ministry of Justice, before entering the legal profession. Lawyers were not appointed to cases but were freely selected by their clients.

69. The Government did not have State television because, since the adoption of the 1999 Act on the Mass Media, it could no longer finance State radio or television from the national budget. All stations had been converted into public organizations acting in the national interest. Among them were private television stations, some partly subsidized by foreign capital. Many newspapers and magazines had been registered but only a few had a long life span, because of lack of funds or managerial ineptitude. Some were published in English, Russian or Chinese.

70. The recently adopted Family Law governed matrimonial property: spouses could, after obtaining a marriage licence, make out a joint property agreement, although each retained the right to property owned before marriage. Both marriage and divorce were based on free consent of the two spouses. In the case of orphans or persons without families, the local authorities could appoint a trustee to help manage the property of minors or the elderly.

71. Regarding the nationality of children, any child over the age of 10 could opt for the nationality he wished.

72. In answer to Mr. Lallah's questions, he had explained, when discussing the Act on the Relationship between the State and the Church, that he was speaking of religions in the sense of organized churches, all of which were registered as such with the Ministry of Justice as legal persons. All citizens, of course, had freedom of thought and religious belief, something which was not subject to

any registration or permission from the authorities. Consequently, the act of registration did not confer any priority over unregistered belief.

73. Eighty per cent of the population of Mongolia was literate. Therefore most citizens could easily read newspapers. Even though the country was vast, television and radio broadcasts covered the whole territory, even though in the remote rural areas some nomads might not receive the latest news on time.

74. The CHAIRPERSON expressed the Committee's appreciation for the presence on the delegation of the Minister of Justice, a sign of the importance the Mongolian Government accorded to human rights. The Committee fully understood the difficulties faced by countries in transition, and believed that the opportunity for an exchange of views was particularly useful. Perhaps the insufficiency of information, despite the delegation's obvious effort to address the issues, was due in part to a language problem.

75. A general problem seemed to be the status of the Covenant in domestic law and the ambiguity of its place in the hierarchy in comparison with the Constitution and the laws. It was also unclear whether all the rights guaranteed by the Covenant had equal status in Mongolia. Another problem seemed to be the extent to which the people were aware of their rights. The State had the obligation to disseminate such knowledge and to create the means of doing so. Given widespread illiteracy, the dearth of non-governmental organizations, the lack of informational material, and even the absence of experience with communications under the First Optional Protocol, one could only assume that there must be real lack of knowledge among the people about their rights and about how to avail themselves of them. Information about the remedies available to individuals was of particular interest to the Committee. The Government must ensure that its officials too were well informed about human rights. But, beyond that, it needed to create a culture of rights - a wide-ranging, difficult but essential task.

76. All members had noted the clear evidence of discrimination between men and women. If anything, there was less equality now than before, and the Government must remedy that. The Committee was faced with a series of unknowns: whether the Government had conducted any family planning campaigns as a way of combating maternal mortality due to abortions; what the causes were of violence against women, especially domestic violence, and what their financial situation was.

77. On the matter of individual freedoms, it was unclear who had the authority to make arrests, who controlled the police, what were the regulations for administrative detention under article 14, and how it could be that court orders were not obeyed. It was also unclear whether in the matter of religion, given the dominance of Buddhism, there were any inequalities under the law. Furthermore, no information had been given on impunity of former officials or whether there had been any prosecutions.

78. The Committee and the Office of the United Nations High Commissioner for Human Rights stood ready to provide any technical help desired in the preparation of Mongolia's next report. It was the Committee's desire to be of real assistance in the long and difficult process ahead of the country.

79. Mr. GANBOLD (Mongolia) said that it was clear that his Government did not have all the knowledge and practical experience it needed to implement fully the basic human rights of its people, but it was determined to continue transforming the nation into a democratic civil society. The delegation was grateful for the comments and precious recommendations the Committee had made and had learned much from them. The Government would naturally draw on them in its future work with the Committee. He expressed appreciation for the offer of technical assistance in the preparation of the next report.

The meeting rose at 12.55 p.m.