



**Convention on the
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COMMITTEE ON THE RIGHTS OF THE CHILD

Thirty-ninth session

SUMMARY RECORD OF THE 1041st MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 26 May 2005, at 3 p.m.

Chairperson: Mr. DOEK

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 5) (continued)

Second periodic report of Mongolia (continued) (CRC/C/65/Add.32; CRC/C/Q/MNG/2; CRC/C/RESP/87)

1. At the invitation of the Chairperson, Mr. Baasankhuu, Mr. Battulga, Mr. Bekhbat, Mr. Dagvadorj, Ms. Gerelmaa, Mr. Javzankhuu, Mr. Myagmar, Ms. Soyolgerel, Mr. Tserenbaltav, Mr. Tumur, Mr. Ulaan and Ms. Unurtsetseg (Mongolia) took places at the Committee table.
2. Mr. PARFITT asked whether there were enough beds to meet the demand in shelters for street children. It would be interesting to learn whether other services were provided for those children. He wished to know what the difference was between Mongolia's three human rights institutions, and whether street children had access to the helplines and complaint mechanisms operated by those institutions.
3. Ms. ALUOCH asked what measures the State party was taking to prevent violations of children's rights during judicial procedures. She wished to know the maximum pre-trial detention period for juveniles.
4. Mr. SIDDIQUI enquired how the Government planned to raise the level of boys' education. The delegation should explain what steps were being taken to provide higher quality textbooks in schools. He wished to know whether primary and secondary school curricula had been revised to meet the demands of the labour market and to conform with educational standards in other countries. He wondered whether teacher training in Mongolia was adequate. He requested additional information on how the Government intended to improve education standards in rural areas.
5. Ms. OUEDRAOGO asked how the Government ensured that children's rights were protected when their parents divorced. The delegation should explain what steps were being taken to ensure that single parents received maintenance payments. She enquired how the Government planned to prevent violence against and among children, and whether Mongolia had considered introducing disciplinary measures other than corporal punishment in schools and childcare institutions. Additional information on the rehabilitation of victims of sexual abuse would be useful. The reporting State should indicate whether it intended to increase the minimum age at which children could work as jockeys; she wished to know how child jockeys' rights were protected.
6. Ms. SOYOLGEREL (Mongolia) said that, while injury-related under-five mortality was on the rise - under-five mortality caused by diarrhoea had decreased significantly. Malnutrition among children 5 or under had fallen to 6.4 per cent in 2003, and only 2 per cent of those cases involved severe malnutrition. A national child nutrition programme incorporating training for parents had been prepared, and a child survival strategy included measures to improve

children's access to clean water and sanitation. While exclusive breastfeeding of babies up to the age of 6 months had declined, continued breastfeeding of children until the age of 2 was widespread. A breast-milk substitute bill would be submitted to Parliament in 2005.

7. There were no plans to introduce a single registration system, since both civil registration and health registration were considered important in achieving the Millennium Development Goals.

8. The National Programme on Adolescent Health was taught in all teacher training institutions and medical schools. An adolescent reproductive health programme had been introduced in secondary schools in 2002. An adolescent-friendly health service initiative, which had been launched as a pilot project in several rural areas in 2001, would be introduced in other urban and rural localities.

9. About 60 per cent of Mongolian children were vaccinated at the appropriate stage of their development. Vaccination registration cards were provided for babies. Community health workers travelled with mobile dispensaries to reach children in remote villages.

10. Mr. LIWSKI asked whether the Government's health strategy included antenatal and post-natal care for the most vulnerable social groups.

11. Ms. SOYOLGEREL (Mongolia) said that all pregnant women, including those who were homeless, had the right to stay in maternity homes for two to three weeks before they gave birth. Community health workers were responsible for bringing pregnant women from remote areas to such homes. Street children and homeless children were vaccinated during campaigns that were conducted with the assistance of the police.

12. Mr. TSERENBALTAV (Mongolia) said that Mongolia was implementing a national anti-corruption programme. The Government was currently considering draft anti-corruption legislation that provided for a unified system to combat corruption, new investigation methods and civil participation in uncovering corruption.

13. Minors were not given custodial sentences of more than 15 years. Children under 18 years of age were placed on probation. In accordance with the Beijing Rules, over the previous three years, 24 per cent of cases concerning juvenile offences had been decided by discretion.

14. Amended versions of the Criminal Code and the Criminal Procedure Code were currently before Parliament; the new codes had been drafted with assistance from the United Nations Children's Fund (UNICEF). The revised legislation provided that children could not be detained for more than eight months, that sentences for minors should be equivalent to two thirds of adult penalties, and that only certain methods of restraint could be used on minors.

15. Mr. DAGVADORJ (Mongolia) said that a national action plan had been adopted to integrate the provisions of the Convention, particularly those prohibiting violence against children, into domestic legislation. Legislation criminalizing domestic violence had entered into

force in January 2005. UNICEF had assisted a working group in the creation of a child-friendly juvenile justice system. The aim of the working group was to prevent the detention of children and provide opportunities for their rehabilitation and reintegration into the family, school and society.

16. The number of street children had decreased by half over the previous four years as a result of a plan of action to alleviate poverty, assist the poor and reduce the number of school dropouts. The Government encouraged families to raise their children in the family circle rather than in childcare centres. Measures to implement that policy included assisting unemployed parents to find jobs, providing poor families with shelter and allocating financial assistance for children's welfare.

17. A law prohibiting trafficking in persons had entered into force in 2002. To date, no violations of that law had been reported. Legislation to combat alcoholism had been adopted in 1998 and a national action plan to implement that legislation had been launched in 2004.

18. Mr. FILALI asked how long a child under the age of 18 could be held in pre-trial detention.

19. Mr. TSERENBALTAV (Mongolia) said that, under the Criminal Code, persons aged 16 and over were treated as adults. A 15-year-old child could be held in pre-trial detention for a maximum of three months. After the first offence, a minor was required to undergo community service. Repeated offences could result in imprisonment. The maximum prison sentence was 10 years.

20. Mr. ZERMATTEN wished to know the minimum age at which a minor could be placed in a detention centre.

21. Ms. ALUOCH asked whether minors in pre-trial detention were held separately from adults and whether detention centres conducted any programmes for minors.

22. Mr. TSERENBALTAV (Mongolia) said that minors were held separately from adults and that detention centres organized special training and leisure activities for them. The minimum age at which a minor could be placed in a detention centre was 15.

23. Ms. UNURTSETSEG (Mongolia) said that, under the Constitution, children belonging to ethnic minorities could study and communicate in their native language. General education in public schools was free of charge. The Government had approved and was currently implementing new education standards for the period 2005-2006. Measures were being taken to prevent children, particularly boys, from dropping out of school. A national study on the rights of schoolchildren was currently being conducted and measures were being taken to train teachers and to create a favourable school environment. In 2002, a special programme had been adopted to facilitate access to education for children with disabilities and children from socially vulnerable groups.

24. Mr. KRAPPMANN was concerned that many schools in Mongolia were poorly equipped. He requested information on the new education standards.
25. Ms. UNURTSETSEG (Mongolia) said that 40 per cent of schools required new equipment and materials. The Government hoped that international assistance would make it possible to improve the situation in that regard.
26. Ms. SOYOLGEREL (Mongolia) said that the Law on Protection of Child Rights had been amended in 2003 with a view to strengthening parental responsibility. The relevant provisions of the Family Law were also being strengthened. Steps were being taken to provide social assistance to families, and to facilitate access to public services for single-parent families. Over the past three years, 100 children had been adopted through intercountry adoption. Families that adopted orphans received financial allowances.
27. The CHAIRPERSON asked why the number of domestic adoptions had increased by over 50 per cent between 2002 and 2004. He wished to know what steps were being taken to encourage fathers to participate in their children's lives.
28. Ms. ALUOCH asked whether the practice of fostering children under a fixed-term contract was widespread.
29. Ms. UNURTSETSEG (Mongolia) said that the Government encouraged families to adopt orphans because it believed that a family environment was the best option for such children and because that was much less expensive than placing orphans in institutions. The increase in domestic adoptions could be linked to the payment of allowances to families that adopted children.
30. The Government had ratified International Labour Convention (ILO) No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and ILO Convention No. 138 concerning Minimum Age for Admission to Employment, and was taking steps to implement those conventions. A special mechanism had been set up to monitor child labour in the informal sector. Most children were employed in trade, gold mining and agriculture. Seventy per cent of working children were covered by the National Programme on Non-Formal Education.
31. An ILO-supported project had been launched to eradicate the worst forms of child labour. Trade unions, employee associations, local government institutions and communities participated in monitoring the effective implementation of related programmes and activities. Mongolian working children took part in trade-union activities.
32. Children were allowed to participate in horse races from the age of 7. Guidelines specifying the rights and responsibilities of horse owners and parental responsibilities had been adopted. Efforts had been stepped up to guarantee the safety and rights of child jockeys.
33. While the Government had no plans to expand institutionalized childcare services, it had adopted guidelines on childcare standards in existing institutions. In general, efforts were being made to place children deprived of a family environment in foster care or adoptive homes.

34. Ms. OUEDRAOGO said that the minimum age for participation in horse races was too low.
35. The CHAIRPERSON said that the fact that children aged 14 and 15 could legally work up to 30 hours a week might account for the high school dropout rates. He asked how the Government intended to address that problem.
36. Ms. UNURTSETSEG (Mongolia) said that the Government would take further measures to prohibit the participation of very young children in horse races. Children's employers were obliged to ensure that the working conditions were suitable for children. The provision that allowed 14- and 15-year-olds to work was motivated by the need to supplement family incomes. The number of children working in the formal sector had remained stable.
37. Ms. LEE asked the delegation to provide information on children's work schedules and on the number of children working in the formal sector.
38. Ms. ORTIZ asked whether measures had been taken to encourage the media to support the reform process. Training programmes for media professionals and awareness-raising campaigns concerning harmful traditional practices would foster changes in attitude and thus strengthen the implementation of the Convention.
39. Ms. SMITH asked whether the Government intended to improve leisure facilities and services for adolescents. The delegation should provide details on policies governing the purchase and consumption of alcohol and indicate what measures had been taken to prevent alcohol abuse among adolescents.
40. Mr. FILALI requested information on the number of children employed in the informal sector and on mechanisms to monitor their employment.
41. Mr. PARFITT asked what arrangements had been made for the care of street children who could not be placed in foster homes or adoptive care.
42. Ms. SOYOLGEREL (Mongolia) said that efforts had been made to provide additional leisure facilities and activities for adolescents. Youth clubs had been established in each district of the capital. The National Programme to Combat Narcotic Drugs and Alcoholism included measures to prevent alcoholism among young people and promoted the rational use of alcohol among adults. The sale of alcohol to persons under the age of 21 and after midnight was prohibited.
43. Ms. UNURTSETSEG (Mongolia) said that working children generally enrolled in evening schools or non-formal education programmes. According to the latest statistics, some 68,500 children between the ages of 5 and 18 were working in both the formal and informal sectors.
44. Over the past two years, 210 street children had been reunited with their families. Alternative care was provided mostly by childcare centres.

45. A public relations unit had been established within the National Child Rights Centre to facilitate cooperation with the media in the promotion of children's rights. A children's media day had been declared for the same purpose. Activities conducted in preparation for the observance of the national day for elimination of the worst forms of child labour included media campaigns.
46. Mr. DAGVADORJ (Mongolia) said that Mongolia was currently considering accession to the Convention relating to the Status of Refugees.
47. The CHAIRPERSON requested detailed information on sexual abuse complaint procedures and asked whether the sexual abuse of children within the family was punishable by law.
48. Mr. TUMUR (Mongolia) said that sexual abuse legislation contained provisions on sexual abuse within the family.
49. Mr. TSERENBALTAV (Mongolia) said that, over the past three years, only four cases of sexual violence against children within the family had been reported.
50. Ms. UNURTSETSEG (Mongolia) said that, as a rule, sexual abuse was reported to the police. The police generally established contact with either the child's family or the school to investigate the reported incident and provide adequate follow-up. Serious cases of sexual abuse were brought before the court. When necessary, a child could be removed from his or her family and placed in protective care. Measures taken in response to child abuse included prevention, rehabilitation and direct support.
51. Ms. ALUOCH asked whether awareness campaigns were conducted in rural areas to inform children about child abuse complaint procedures.
52. Ms. UNURTSETSEG (Mongolia) said that the protection of children from abuse was the collective responsibility of the parents, the community and society at large. The Government conducted awareness campaigns on child abuse and domestic violence for families and schoolchildren.
53. Mr. DAGVADORJ (Mongolia) said that, as a result of the adoption of the relevant legislation, reported acts of domestic violence were being investigated more thoroughly and a 24-hour hotline had been set up to receive complaints of sexual abuse.
54. Ms. ALUOCH asked what programmes existed for the rehabilitation of victims of domestic violence and whether the perpetrators were removed from the family environment.
55. Mr. DAGVADORJ (Mongolia) said that, if domestic violence had been committed in a state of intoxication, the perpetrator was generally placed in rehabilitative care. Otherwise, the perpetrator could be placed in detention for a period between 7 and 30 days if it was considered that he or she posed a threat to other family members. When necessary, victims of domestic violence could be placed in protective care.
56. Ms. LEE, Country Rapporteur, said that the Committee hoped that the reporting State would continue its efforts to implement the Convention.

57. The CHAIRPERSON, Alternate Country Rapporteur, said that the reporting State should place increased emphasis on resource allocation for the implementation of the Convention. Areas that continued to cause concern included birth registration, corporal punishment, alternative care for children deprived of a family environment, children with disabilities, adolescent health, education, and abuse and neglect. Further measures should be taken in the areas of child labour, street children and juvenile justice.

58. Mr. ULAAN (Mongolia) said that the Committee's comments and recommendations were a vital contribution to the Government's efforts to improve the situation of children in Mongolia.

The meeting rose at 5.40 p.m.