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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON  
ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Second periodic reports submitted by States parties to the  
Covenant, in accordance with Council resolution 1988 (LX),  
concerning rights covered by articles 10-12

MONGOLIA \*/

[27 August 1986]

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\*/ The initial report concerning rights covered by articles 10 to 12 of the Covenant submitted by the Government of Mongolia (E/1980/6/Add.7) was considered by the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights at its 1981 session (see E/1981/WG.1/SR.8 and 9).

The period since the submission of the initial report on the implementation in Mongolia of the provisions of articles 10 to 12 of the Covenant has coincided with the implementation of the Main Guidelines for the economic and social development of the Republic for the period 1981-1985.

This seventh five-year planning period has seen the execution of an extensive programme of measures to improve the population's material and social welfare.

During this period, Mongolia has adopted new legislative instruments and other important programmes of direct relevance to the securing of the rights set forth in articles 10 to 12 of the Covenant. They include the Special Programme for the Development of Agriculture and the Improvement of the Food Supply, the Education Act, the Act on pensions for members of agricultural production associations, etc.

Information on the implementation of articles 1 to 5 of the Covenant can be found in the reports by Mongolia on the application of the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of Discrimination against Women. There follows a review of the exercise in Mongolia of the rights provided for in articles 10 to 12 of the Covenant.

Article 10: Protection of the family, mothers and children

A. In Mongolia, the family is protected by the State. Family relations are governed by the Family and Civil Codes, the Act on Citizenship and other legal instruments.

The State's protection of the family is based on two main principles: the voluntary nature of the marital union between husband and wife and the total equality of the spouses' rights in family relations. Conjugal life is conducted on the principles of mutual love and respect between the persons contracting marriage (Family Code of the Mongolian People's Republic, article 3).

Freedom of decision is guaranteed by the stipulation in the Family Code of a minimum age for marriage. For both women and men, that age is 18. Marriages must take place in State registry offices.

Article 10 of the Family Code prohibits marriage between persons one of whom is already married, between relatives, and between persons one of whom has been judged incompetent by a court as a result of a mental disorder.

Spouses enjoy equal rights as to children's upbringing (article 41).

The State is required to furnish family care through the creation and expansion of a network of kindergartens, nurseries and other children's institutions, the improvement of amenities and the public catering service, the granting to women of paid pregnancy and maternity leave, the payment of State allowances to mothers of large families and the provision of other benefits. These requirements are laid down in the Mongolian Constitution (article 84) and Family Code (article 6).

The social-consumption funds play an important role in State assistance to the family; they are used to cover families' principal requirements as regards the protection of mothers and children. The possibility of attendance at pre-school institutions occupies an important place in the system of measures for material assistance to families.

There has recently been widespread construction of pre-school institutions of the nursery-cum-kindergarten type for workers' children.

Currently, more than 82,300 children attend a total of 419 nurseries and 686 kindergartens. For children up to the age of three, attendance at nurseries is free. Except for a negligible contribution by parents to the children's upkeep, kindergartens are paid for entirely by the State.

Large families are the subject of considerable attention. Families with three or more children are given priority in the allocation of housing and pay less for the children's attendance at kindergartens.

Every year the State pays from 400 to 3,150 tugriks to mothers having between 4 and 10 children, while mothers having 10 or more children are given 400 tugriks for every child below the age of 16.

Over 90,000 mothers of large families are currently receiving State allowances. The annual total of such allowances exceeds 80 million tugriks.

In Mongolia, mothers of large families are awarded the Order of Maternal Glory, first or second class, and monetary bonuses. In 1952 alone, 1,732 women were awarded the Order of Maternal Glory, first class, and 4,460 the Order, second class.

The system of payments from the social-consumption funds encompasses pregnancy and maternity allowances, sickness benefits, allowances for single mothers, and pensions for disability and for the loss of the bread-winner.

B. Maternity protection is governed by such laws as the Mongolian Constitution, the Act on Health Care, the Labour Code and the Pensions Act.

Today, 14.3 per cent of all hospital beds are for mothers.

Mongolia already has a research institute for the protection of the health of mothers and children. A Mother and Child Protection Centre with 600 beds is under construction in Ulan-Bator.

The highest organ of popular power, the Great People's Khural of the Mongolian People's Republic, and the local organs of power have standing commissions on the employment and domestic life of women and on the protection of mothers and children.

The Central Committee of the Mongolian People's Revolutionary Party and the Council of Ministers of the Republic have adopted a decree on Measures for the Further Improvement of Work to Protect the Health of Mothers and Infants. To assist them in caring for new-born children, mothers are granted up to six months' partly-paid leave. Since 1981, medicines have been available free of charge for children up to one year old.

C. The upbringing of children and young people, the protection of their health and the harmonious development of their intellectual and physical capacities are the subject of close attention in Mongolia.

Bringing up children is one of the families' main functions. Pursuant to article 41 of the Mongolian Family Code, parents are obliged to bring up their children and to see to their education and to the protection of their health. Parents also have an obligation to defend the rights and interests of their minor children and can, as the children's legal representatives, do so before judicial organs and State, public and other organizations.

In accordance with article 44 of the Family Code, State and public bodies may bring influence to bear upon, or courts may withdraw the parental rights of parents found to be evading their obligations as regards the upbringing of their minor children or to be abusing their parental rights.

Cases relating to the withdrawal of parental rights may be heard upon petition from a State or public organization, from citizens, from one of the child's parents or from its guardian, as well as at the request of a procurator. In dealing with cases for the withdrawal of parental rights with respect to a minor child, the courts can also decide whether an order shall be made against a parent or the parents for the payment of the child's support costs.

Pursuant to articles 79 and 80 of the Mongolian Criminal Code, persons who evade their obligations with regard to the upbringing and maintenance of minor children or who neglect or ill-treat such children incur criminal liability.

Children who have no family are cared for by organs of guardianship or curatorship.

Guardianship or curatorship can be instituted for a minor child either when one of the child's parents has died or when the parents have been stripped of their parental rights or in cases where, because of prolonged stays in medical establishments or for other valid reasons, the parents are unable to participate in the child's upbringing. Guardianship concerns children under 15 years of age (Mongolian Civil Code, articles 10 and 12) and curatorship children from 15 to 18 years of age.

Guardians and curators are responsible for the proper upbringing and the health of the persons placed under their care (Civil Code, articles 76, 77 and 85).

Minors who are physically or mentally underdeveloped are placed in children's institutions (kindergartens or nurseries) or in boarding- or special schools, depending on their age and state of health.

Pursuant to article 22 of the Education Act, special general-education schools-cum-sanatoria are provided for children requiring protracted medical treatment, and special general-education schools or boarding-schools are provided for children who have speech, sight or hearing defects or who, because of mental deficiency or some other problem, are unable to attend a normal school. These special schools provide education, treatment and training for social labour. All costs are borne by the State.

Article 23 of the Act on Health Care provides that "children's homes may be established to house and educate children who have lost or do not have guardians". The cost of supporting children and young people in such homes is entirely defrayed by the State.

On 14 November 1980, the Council of Ministers adopted a decree on Some Measures for Improving the Care of Orphans, which provides for numerous benefits and privileges for such persons. In particular, when orphans enter employment, the management of the enterprise or institution concerned must provide them with an apartment with the requisite amenities.

Pursuant to article 80 of the Mongolian Constitution, the citizens of the Republic have the right to education. This right is ensured by the provision of universal partial secondary education for children of school age, and, in addition, by the creation of conditions for transfer to full secondary education, by the extensive development of vocational-technical, specialized secondary and higher education, by the improvement of the in-service skills-improvement system, by the extension of the network of educational establishments, by the provision of free education, and by the awarding to students and pupils of State scholarships, material assistance and benefits.

Under the Education Act, parents are obliged to send their children to school until they have reached the relevant age, to create the conditions required for the timely pursuit of general secondary education and to contribute actively to the proper choice of a profession (article 74).

Employment of young people is governed by labour law. It is the subject of the entire tenth chapter of the Mongolian Labour Code and safety requirements applicable to it are also governed by other legal instruments, particularly the Regulations of the Commission on Minors' Affairs, the List of Work for which persons under the age of 18 may not be used, and the Regulations on the State Labour-Safety Inspectorate.

In addition, Mongolia has ratified and fully observes the ILO Conventions, especially Convention No. 59, which fixes the minimum age for admission of children to industrial employment, and Convention No. 123, which concerns the minimum age for admission to employment underground in mines.

Pursuant to the labour law, the minimum age of employment is 16. In exceptional cases only, it is possible, subject to the consent of the trade-union committee, to employ persons who have attained the age of 15. Persons under 18 years of age enjoy various privileges as regards wages, working time, rest periods and night work.

Article 166 of the Mongolian Labour Code prohibits the employment of persons under 18 years of age for heavy work, work under harmful or hazardous conditions, or underground work. It is also forbidden for persons under 18 to carry or move loads weighing more than certain amounts. The List of Work for which persons under the age of 18 may not be used and the limits on the carriage and movement of loads by such persons are subject to approval in the manner provided for by law.

To further the all-round development of the interests and abilities of children and young people and to provide them with vocational guidance, general-education secondary schools offer optional courses and work training.

The work training available to adolescents concerns professions corresponding to their physical and mental development and their state of health and is subject to the control of the health authorities.

Responsibility for monitoring compliance with conditions for the employment of young people and with special measures aimed at preventing illness is exercised by the health-care authorities in conjunction with the ministries, government departments, trade unions and other public organizations concerned (Act on Health Care, article 66).

In cases where working conditions are or may be harmful to the health of persons under 18 years of age, the labour contract may be cancelled at the request of parents or guardians or of the trade-union committee (Labour Code, article 168).

Officials who breach the regulations governing the employment of young people, i.e labour law or the rules on labour safety, or who fail to discharge their obligations under collective contracts or agreements on labour safety incur liability therefor as provided for by law.

The declaration of the years 1983-1985 as "School Children's Years" is firm evidence of the State's concern for the coming generation. During this period, measures were taken to improve teaching and the care of pupils' health and to strengthen schools' material and technical resources.

Today, the 588 general-education secondary schools in Mongolia have more than 415,200 pupils. During the latest five-year planning period (1981-1985) construction commenced on day-school premises for 53,100 pupils and boarding-school premises for 12,500 pupils.

The number of students at higher educational establishments, specialized secondary schools, vocational-technical schools and general-education schools has risen by 12 per cent.

In recent years, special attention has been given to the strengthening of the link between the teaching provided in general-education schools and the world of production. Over 20,000 pupils receive work training in workshops and departments in actual enterprises or in schools.

Great attention is also given to the setting up of other children's institutions such as Centres for the Development of the Technical Creativity of Children and Young People, sports centres or Pioneers' camps. The proportion of pupils engaging in extracurricular cultural and educational activities in such establishments rose from 52 per cent in 1981 to 60.9 per cent in 1984. In the past few years, Mongolia has built a new Pioneers' Palace and Young Engineers' Centre, and branches of the the Young Engineers' Clubs have been founded in all provinces and towns.

Article 11: The right to an adequate standard of living

A. In accordance with the programme of the Mongolian People's Revolutionary Party and the decisions of the 19th Party Congress, the highest objective of socialist society is the consistent improvement of the people's well-being and the fullest possible satisfaction of its material and intellectual needs.

Article 17 of the Mongolian Constitution declares the purpose of socialist production to be the maximum satisfaction of people's steadily growing needs.

In the period 1981-1985, capital investment in the strengthening of the material and technical base of the various branches of the national economy totalled 21.8 million tughriks and the fixed assets in the economy increased by a factor of 1.7. Social production developed rapidly and its efficiency rose. National income produced grew by 37 per cent. There was also growth in labour productivity and this was an important factor of the rise in national income.

In agriculture, average annual gross output was 18 per cent higher than in the previous five-year period. Industrial output was 56 per cent higher.

During the seventh five-year planning period, the resources allocated from the State budget to the financing of socio-cultural measures were 1.4 times greater than during the period 1976-1980. Real per capita income rose by 12 per cent. There was growth in the average wages of manual and non-manual workers and the monetary incomes of the members of agricultural production associations and various other measures were taken to increase people's earnings.

During the period under review, there were increases in the salaries of engineering workers in the electric power industry, of teachers of middle-level classes in general-education schools, and of certain categories of middle-level medical personnel. In addition, wage supplements and certain benefits were introduced for agricultural specialists and for building workers completing continuous periods of specialized work. Additional benefits were instituted for young workers in certain sectors of the economy and young livestock farmers as an encouragement to them to stay in their places of initial assignment.

The pensionable age for members of agricultural production associations is the same as for the manual and non-manual workers in other sectors. The State pension system covers the members of such associations and the pensions for the disabled and people who have lost their bread-winner have been increased.

Other developments during the validity of the seventh five-year plan included a 24 per cent increase in retail trade turnover. The range of goods on offer to the public expanded and there was a substantial rise in sales of consumer durables.

The legally-conferred right to housing is of great importance as regards the securing of an adequate standard of living.

Mongolia is coping successfully with the task of increasing the supply of housing for its working people.

During the period under review, the housing stock grew and the provision of communal and consumer services was greatly expanded. Housing construction during the validity of the seventh five-year plan totalled 860,000 square metres and resulted in improved living conditions for some 140,000 people. Between 1.1 and 1.2 million square metres of housing will

become available for use during the current five-year planning period, when it is intended to increase housing construction in rural areas by no less than 30 per cent. Every possible support will be provided for the efforts of mechanics and specialized workers employed in rural areas to acquire or build individual accommodation. Citizens will be provided with bank loans for the construction of individual dwellings and arrangements have been made for the sale of building materials.

C. The further development of agricultural production and the improvement of the food supply occupy a special place among the efforts constantly to raise the workers' standard of living.

Agriculture is being developed principally through the strengthening of its material and technical base, and the exploitation of scientific and technological progress and advanced knowledge.

During the period 1981-1985, 3 billion tugriks were invested in agriculture, thereby increasing the sector's fixed productive capital by a factor of 1.4. In addition to the creation of new State farms and fodder farms and the building of irrigation systems and mechanized dairy farms, almost 250,000 hectares of virgin land were developed for agricultural use. Deliveries to the agricultural sector included 5,900 tractors, 1,500 combine harvesters, 2,800 motor vehicles and other machinery, as well as 336,000 tonnes of mineral fertilizers.

Average annual output of meat rose to 480,000 tonnes (live weight). The average annual figures for numbers of young animals reared and quantities of milk produced exceeded by 350,000 head and 10 million litres respectively those for the previous five-year planning period. The average annual gross cereal harvest exceeded 638,000 tonnes, and was thus 1.7 times greater than in 1976-1980.

Implementation began of the Special Programme for the Development of Agriculture and the Improvement of the Food Supply.

This Programme was drawn up in accordance with the decisions of the eighteenth Congress of the Mongolian People's Revolutionary Party. It was approved at the 10th plenary meeting of the Party's Central Committee, which was held in June 1985.

The main actions envisaged under the Programme are the following:

Substantially increasing capital investment for the purposes of further developing agriculture and the food industry and boosting the volume and improving the quality of their output;

More intensive development of agricultural production and the boosting of its output through the application of scientific and technological advances;

Improvement of the management system and the organization of labour and pursuit of higher levels of specialization and co-operation in agriculture;

Increasing the capacity of the food industry and expanding the range and improving the quality of its products; improvement of storage, transport and use;



Securing of steady growth in livestock farming. Plans exist for measures to place fodder production on a sounder basis and to set up intensive meat- and milk-production units;

Increasing yields by introducing more sophisticated farming techniques, implementing rational measures for soil conservation and preparation and making wider use of irrigation;

Improving the management and planning system and the economic machinery;

Covering part of the food demand by developing output from market gardens attached to enterprises and establishments and from citizens' private plots.

Article 12: The right to the highest attainable standard of physical and mental health

A. In Mongolia, care for citizens' health is an integral part of the State's efforts constantly to improve the people's material and social welfare and working, living and leisure conditions.

The Act on Health Care states that "citizens of the Mongolian People's Republic are guaranteed free and public skilled medical assistance, which shall be provided by State health-care institutions" (article 3).

Protection of the population's health is ensured by expansion of the network of health-care institutions, the taking of prophylactic measures, the widespread introduction of scientific and technological advances, the protection of the environment, the supply of medicines and drugs to medical establishments and the public, the training and employment of highly skilled staff, etc.

The Act on Health Care makes care for the population's health an obligation of all State, co-operative and public organizations (article 9).

The provision of free, skilled medical assistance is effected through a broad network of clinics, specialized hospitals, polyclinics and health centres providing in-patient and out-patient care and home nursing and carrying out prophylactic measures.

B. The development of prophylactic measures, the broader provision of health centres, the extension of the district services system and the creation of a ramified sanitary-and-epidemiological service are the subject of considerable attention.

Sanitary-and-epidemiological centres are in operation in all provinces and towns. They monitor sanitary conditions for the State, with a view to halting and preventing environmental pollution, preventing health hazards in the home and work place and improving hygiene in public catering operations.

Mongolia has been very successful in the prophylaxis of infectious diseases. An expanded programme of immunization has been instituted. In 1979, the Mongolian Ministry of Health approved a new vaccinations schedule and basic regulations for the organization of vaccination campaigns and the transport and storage of vaccines. The practical arrangements for and the conduct of vaccination campaigns are the responsibility of health-care institutions.

The administration of vaccinations is co-ordinated and monitored by the Ministry of Health and the provincial and urban health directorates.

Immunization campaigns among children are carried out by the mother- and child-protection service, while such campaigns among older population groups are the responsibility of the general medical service.

All children and young people are vaccinated. Special arrangements have been made for the delivery of vaccines to rural areas.

The reanimation and intensive-care units in all types of medical establishment have been enlarged. The past few years have seen the establishment of three specialized sanatoria for adults in various parts of the country and of seasonal sanatoria for delicate children in all provinces and towns.

The medicines for the treatment of certain somatic diseases are available free of charge. The cost of various other medicines has been cut by 50 per cent.

Home nursing is available for persons with oncological problems. Children and young people who have suffered accidents or certain diseases can now receive prostheses at a 50 per cent discount or, in some instances, free of charge.

The provision of medical care to the inhabitants of rural areas is an active concern of the Mongolian health authorities. An intensive programme for the expansion and strengthening of rural medical establishments is now in progress. Another programme has been launched for the provision to provincial hospital groups of special vehicles fitted with X-ray machines, laboratories and dispensaries and equipment and supplies for dental care and disinfection.

These mobile clinics serve as many as 300,000 people in rural areas every year.

The number of beds in provincial and rural hospitals has been increased by 10.6 per cent in three years. More medicines are now available free for out-patient or home treatment.

New staffing regulations have been approved for rural medical establishments and the reanimation departments of provincial hospitals and are now in force. Specialized departments (for, inter alia, reanimation and intensive care, psychoneurology or diagnostic medicine) are being established in provincial hospitals.

There has been an expansion in recent years of such services as the home delivery of medicines and the organization of special sales of medicines in remote rural settlements.

Improved medical care is now available for children in pre-school establishments and schools. Since the addition to their staffs of paediatricians and obstetrico-gynaecologists, rural health centres have been able to offer patients a wider range of care.

C. A number of new facilities have come into service during the period under review. They include a 200-bed oncological centre, a 300-bed central clinical hospital, and 120-bed children's hospitals in all parts of the capital and in some provincial centres.

The country now has 79 functioning polyclinics and out-patient clinics with a total of 21,200 beds. It has over 4,600 doctors and some 15,200 middle-level medical staff.

The figures for 1985 show that, for every 10,000 inhabitants, there were 111 hospital beds, 24 doctors and 79 middle-level medical workers.