

UN CRC	Ratification Date	Care-Related Concluding Observations
	5 Jul 1990	<p>CRC/C/MNG/CO/5</p> <p>12 July 2017</p> <p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fMNG%2fCO%2f5&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fMNG%2fCO%2f5&amp;Lang=en</a></p> <p><b>III. Main areas of concern and recommendations</b></p> <p>4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: allocation of resources (see para. 9), children's rights and the business sector (see para. 14), non-discrimination (see para. 16), family environment (see para. 26), environmental health (see para. 35) and economic exploitation, including child labour and child jockeys (see para. 41).</p> <p><b>A. General measures of implementation (arts. 4, 42 and 44 (6))</b></p> <p><b>Dissemination, awareness-raising and training</b></p> <p>12. The Committee recalls its previous recommendation (see CRC/C/MNG/CO/3-4, para. 22) and recommends that the State party:</p> <p style="padding-left: 40px;">(a) Strengthen its currently limited awareness-raising programmes, campaigns and dissemination activities to ensure that the provisions of the Convention are widely known by the general public,</p>

		<p>including parents, caregivers, teachers, social workers and other professionals working with and for children, and children themselves;</p> <p>(b) Ensure that all professionals working with and for children are systematically trained on their responsibilities under the Convention, including all law enforcement officials, teachers, health personnel, social workers and personnel of childcare institutions, the State sector and local government officials.</p> <p><b>B. General principles (arts. 2, 3, 6 and 12)</b></p> <p><b>Best interests of the child</b></p> <p>17. While welcoming the inclusion of the right of the child to have his or her best interests taken as a primary consideration in the Law on Child Protection and other recently amended legislation, the Committee reiterates its previous recommendation (see CRC/C/MNG/CO/3-4, para. 28) and, with reference to its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, further recommends that the State party:</p> <p>(a) Take concrete steps to ensure that this right is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions, in particular with regard to family law, children in care and sentencing of parents;</p> <p>(b) Develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child in every area and for giving them due weight as a primary consideration;</p> <p>(c) Evaluate, on basis of the procedures and criteria described above, practices, policies and services that may not be in the best interests of the child, such as the use of institutional care, orphanages, boarding schools and 24-hour kindergartens;</p>
--	--	---

		<p>(d) Ensure that all professionals and other people working with and for children give primary consideration to the best interests of the child when carrying out their work.</p> <p><b>Violence and abuse</b></p> <p>24. Noting with concern that children continue to be subjected to violence and abuse in the State party, including physical and psychological violence in the home by parents who are dependent on alcohol, as well as sexual abuse, the Committee reiterates its previous recommendation (see CRC/C/MNG/CO/3-4, para. 47) and urges the State party to:</p> <p>(a) Establish a national child protection system as a top priority and substantially increase the number of professional and qualified social workers to effectively assist children;</p> <p>(b) Carry out a comprehensive assessment of the extent, causes and nature of violence against children, including sexual abuse of boys, and, on the basis of the findings, include a strategy in the National Programme on Child Development and Protection 2017-2021 to prevent and combat violence against children, with the involvement of children;</p> <p>(c) Ensure the allocation of adequate human, technical and financial resources for the operation of the Child Helpline 108 so that timely and effective action and follow-up activities can be undertaken in response to complaints received;</p> <p>(d) Provide free counselling to parents, including psychological and legal counselling.</p> <p><b>E. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20-21, 25 and 27 (4))</b></p> <p><b>Family environment</b></p> <p>25. The Committee remains concerned about the prevalence of children without parental supervision who are vulnerable to neglect, abuse and other violations of their rights, such as the rights to education and</p>
--	--	---

		<p>health, particularly children from herding families who live in dormitories, children in monasteries and children in informal care as a result of internal or external migration of their parents. It expresses particular concern about reports of increasing numbers of child-headed households and cases of neglect of children because their parents work long hours in the mining sector and at locations that are far from their homes.</p> <p><b>26. The Committee recommends that the State party:</b></p> <ul style="list-style-type: none"><li><b>(a) Strengthen its efforts to enable parents to take care of their children, including by providing financial support;</b></li><li><b>(b) Take all measures necessary to protect children without parental supervision from violations of their rights, including by ensuring the accessibility of an effective complaints and child protection system and by organizing awareness-raising activities on the rights of children targeted at those who are responsible for children without parental supervision, including in dormitories and monasteries;</b></li><li><b>(c) Collect reliable data on the specific challenges faced by children heading their own households to guide the formulation of appropriate policies to address their needs, including access to education and health care, and engage with companies involved in mining activities to prevent and reduce the number of child-headed households.</b></li></ul> <p><b>Children deprived of a family environment</b></p> <p><b>27. While noting the measures taken to introduce alternative care services for children who have lost their parents or live separately from them, the Committee remains concerned at the number of children who continue to be accommodated in residential care institutions and recommends that the State party:</b></p> <ul style="list-style-type: none"><li><b>(a) Strengthen existing efforts to support family-type care in the community, including foster care and adoption;</b></li></ul>
--	--	--

		<p>(b) Ensure adequate safeguards and clear criteria, based on the needs as well as the best interests of the child, for determining whether a child should be placed in alternative care;</p> <p>(c) Establish and implement standards of care for children in alternative care, including the number and qualifications of staff in institutions, and undertake regular monitoring of institutions and other care arrangements and the situation of the children therein;</p> <p>(d) In doing so, take into account the Guidelines for the Alternative Care of Children (General Assembly resolution 64/142, annex).</p> <p><b>Adoption</b></p> <p>28. While noting the revised Law on the Family, the Committee regrets that insufficient progress has been made in practice with regard to adoption and urges the State party to:</p> <p>(a) Fully implement its previous recommendations (see CRC/C/MNG/CO/3-4, para. 45);</p> <p>(b) Ensure that the principle of the best interests of the child is the paramount consideration in the adoption process, in particular in assessing the adoptability of the child and the suitability of adoptive parents;</p> <p>(c) Establish transparent procedures to regulate the adoption process, including monitoring and post-adoption follow-up.</p> <p><b>F. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)-(3) and 33)</b></p> <p><b>Children with disabilities</b></p> <p>29. While welcoming the adoption of the Law on the Rights of Persons with Disabilities in 2016, the Committee remains concerned at the social exclusion of children with disabilities and the discrimination</p>
--	--	---

		<p>they face in all areas of life and urges the State party to adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and:</p> <p>...</p> <p>(d) Set up comprehensive measures to develop inclusive education that caters to the individual needs of each student and ensure that inclusive education is given priority over the placement of children in specialized institutions and classes;</p> <p><b>G. Education, leisure and cultural activities (arts. 28, 29, 30 and 31)</b></p> <p><b>Education</b></p> <p>38. While noting the effort made by the State party to implement some of its previous recommendations (see CRC/C/MNG/CO/3-4, para. 60), the Committee is concerned at the lack of consistency and continuity of government policies on education, which hinders progress on critical issues that need urgent attention, and, with reference to its general comment No. 1 (2001) on the aims of education, strongly recommends that the State party:</p> <p>...</p> <p>(c) Explore and implement alternative forms of primary education for children of herder families other than boarding schools, such as accredited online classes and programmes and travelling schools;</p> <p><b>H. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d), 38, 39 and 40)</b></p> <p><b>Children in street situations</b></p> <p>42. While noting the adoption of the Government Action Plan 2016-2020 and City Mayor Ordinance No. A/847 to improve the registration and protection of children in street situations as well as the plans to</p>
--	--	--

		<p>establish a development centre for unsupervised children, the Committee reiterates its previous concern about the lack of reliable statistical data and information on the causes of children living on the streets (see CRC/C/MNG/CO/3-4, para. 67) and, with reference to its general comment No. 21 (2017) on children in street situations, urges the State party to:</p> <ul style="list-style-type: none"><li>(a) Collect disaggregated data on children in street situations throughout the State party in both urban and rural areas;</li><li>(b) Conduct a situation analysis so as to better understand the root causes that drive children to the streets and make the information publicly available;</li><li>(c) Develop a national policy and regulatory framework and allocate sufficient resources for the development of sustainable and coordinated measures for the prevention, protection, recovery and reintegration of all children in street situations;</li><li>(d) Take all measures necessary to ensure that the health, education and social protection systems address the specific needs of children in street situations so as to guarantee their rights to education, health and a minimum standard of living;</li><li>(e) Reunite children with their families when it is in their best interests.</li></ul> <p><b>Administration of juvenile justice</b></p> <p>43. Noting the commitment made by the State party in the context of the universal periodic review to establish a comprehensive framework on juvenile justice in conformity with international standards (see A/HRC/30/6, para. 108.128 and A/HRC/30/6/Add.1), the Committee urges the State party to do so without further delay and to implement its previous recommendations (see CRC/C/MNG/CO/3-4, para. 76), as well as the recommendations made by the Committee against Torture in 2016 (see CAT/C/MNG/CO/2, para. 24). In particular, the Committee urges the State party to:</p>
--	--	--

		<p>...</p> <p>(c) Promote measures for dealing with children accused of having infringed the penal law without resorting to judicial proceedings, such as diversion, probation, mediation, counselling or community service, and, wherever possible, use alternative measures at sentencing and ensure that detention is used as a last resort and for the shortest possible period of time and that it is reviewed on a regular basis with a view to withdrawing it;</p> <p>(d) In cases where detention is unavoidable, ensure that the children are not detained together with adults and that detention conditions are compliant with international standards, including with regard to access to education and health services.</p>
<b>Country Report</b>		
<p>CRC/C/MNG/5</p> <p>7 September 2016</p> <p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fMNG%2f5&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fMNG%2f5&amp;Lang=en</a></p>		
<b>OPSC to CRC</b>	<b>Ratification Date</b>	<b>Care-Related Concluding Observations</b>
	27 Jun 2003	



OPAC to CRC	Ratification Date	Care-Related Concluding Observations
	6 Oct 2004	
ICCPR	Accession Date	Care-Related Concluding Observations
	18 Nov 1974	
ICESCR	Accession Date	Care-Related Concluding Observations
	18 Nov 1974	
CEDAW	Ratification Date	Care-Related Concluding Observations
	20 Jul 1981	
CRPD	Accession Date	Care-Related Concluding Observations
	13 May 2009	<p>CRPD/C/MNG/CO/1</p> <p>17 April 2015</p> <p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fMNG%2fCO%2f1&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fMNG%2fCO%2f1&amp;Lang=en</a></p> <p><b>III. Principal areas of concern and recommendations</b></p> <p><b>B. Specific rights (arts. 5–30)</b></p> <p><b>Children with disabilities (art. 7)</b></p>

		<p>13. The Committee is concerned that there are inadequate specific measures for providing special protection required by children with disabilities and to their families, aggravated in the case of girls with disabilities and those belonging to nomadic communities, as well as the inadequacy of education given, particularly to those in rural areas. The Committee is also concerned that boys and girls with disabilities are not systematically involved in decisions that affect their lives and do not have the possibility to express their opinion in matters that affect them directly.</p> <p><b>14. The Committee recommends that the State party take steps, which should include consultations with DPOs, to ensure early intervention, overall improvement in increasing enrolment of boys and girls with disabilities for primary school education, implement inclusive early childhood education, opportunities for vocational training for youth with disabilities, and undertake measures for the prevention of violence, abuse and abandonment of children with disabilities. In doing so, the State party should pay particular attention to the situation of girls with disabilities, as well as boys and girls with disabilities from rural areas and nomadic communities. The Committee also requests the State party to adopt safeguards to protect the right of boys and girls with disabilities to be consulted in all matters affecting them, ensuring appropriate assistance according to their disability and age. All of these measures should also be in accordance with the concluding observations made by the Committee on the Rights of the Child to the State party in its last constructive dialogue with it (CRC/C/MNG/CO/3-4).</b></p> <p><b>Respect for home and family (art. 23)</b></p> <p>35. The Committee notes that the State party does not ensure the rights and responsibilities of all persons with disabilities, with regard to guardianship, wardship and trusteeship of their sons and daughters, including access to adoption. It also notes that it does not render appropriate assistance to persons with disabilities in the performance of their child-rearing responsibilities.</p> <p><b>36. The Committee urges the State party to review and repeal all existing laws that prevent people with disabilities from exercising their parental rights, including the right to adoption, and to render appropriate assistance to people with disabilities in the performance of their child-rearing responsibilities.</b></p>
--	--	--

UPR	Date of Consideration	Link to Page
	5 May 2015	<a href="http://www.ohchr.org/EN/HRBodies/UPR/Pages/MNIndex.aspx">http://www.ohchr.org/EN/HRBodies/UPR/Pages/MNIndex.aspx</a>
Hague Inter-country Adoption	Accession Date	Link to Country Profile
	25 Apr 2000	<a href="https://www.hcch.net/en/states/other-connected-states/details2/?sid=113">https://www.hcch.net/en/states/other-connected-states/details2/?sid=113</a>

**Acronyms and Abbreviations:**

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review