



**STATEMENT**

**by His Excellency, Mr. Vaanchig Purevdorj,  
Ambassador Extraordinary and Plenipotentiary,  
Permanent Representative of Mongolia to the United Nations Office in Geneva and Other  
International Organizations**

**at the Thirteenth Session of the Human Rights Council**

24 September 2015, Geneva

Mr. President,  
Excellencies,  
Dear colleagues,  
Ladies and Gentlemen,

Let me begin by wishing every success in the work of the Human Rights Council session and express our sincere gratitude to all countries for their positive remarks on the success Mongolia achieved in implementing recommendations after the first review as well as for their constructive comments and recommendations made at the second review of Mongolia.

As a follow-up to the second review, the Government of Mongolia has carefully considered all 164 recommendations jointly with national NGOs and other relevant stakeholders. Mongolia accepts 150 recommendations and does not accept 14 recommendations for the reasons which I would like to explain later in my statement.

As a brief update on the recent developments in Mongolia on human rights legislation since the recent UPR review, it is my pleasure to inform the Human Rights Council that in July 2015 Mongolia have ratified the Convention on Safety and Health in Mine of the International Labor Organization and the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who are Blind, Visually Impaired or Otherwise Print Disabled.

It is expected that the Parliament would hold a debate on the issue of decriminalization of defamation acts when the Parliament conducts its secondary review of the draft of the revised Criminal Code at the upcoming fall session. The death penalty will be abolished legally upon the enactment of the revised Criminal Code.

The National Human Rights Commission of Mongolia successfully hosted the 20<sup>th</sup> Annual General Meeting of the Asia Pacific Forum of the National Human Rights Institutions and the 3<sup>rd</sup> Biennial Conference focusing on prevention of torture and protection of the rights and dignity of people held in places of detention. Mr Michel Forst, the UN Special Rapporteur on the situation of human rights defender, attended the 3<sup>rd</sup> Biennial Conference as the lead person of the dialogue on the role of National Human Rights Institutions to protect and promote the rights of human rights defenders and met relevant government officials and representatives from national NGOs.

Mr. President,

The recommendations that Mongolia would not be in a position to accept are 1, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 81 and 159 in order as listed on the Report of the Working Group. We also tried to integrate some of the recommendations as there were overlaps among them.

Recommendations No 1.

*Lift the declaration of recognizing Article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination.*

Mongolia fully supports the work of the Human rights treaty bodies. The Government will consider the issue of recognizing the competence of the Committee on the Elimination of Racial Discrimination under Article 14 of the Convention as well as the competence of the Committee against Torture under Articles 21 and 22 of the Convention against Torture.

Recommendations No 4, 5 and 6.

*Consider recognizing the competence of the Committee against Torture and make declarations under articles 21 and 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.*

Mongolia has ratified the Optional Protocol to the Convention against Torture (OPCAT) in 2014, and will assign the National Human Rights Commission of Mongolia with the function of the national preventive mechanism by revising the Law on National Human Rights Commission. Our priority until the next review cycle will be to focus on the successful implementation of the OPCAT and to commence the cooperation with the Subcommittee on Prevention of Torture while continuing to take effective measures to address the issues related to torture raised in other recommendations made during the second review.

As noted earlier, the Government will submit the proposal to recognize the competence of both the Committees under the Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture to the Parliament in the future.

Recommendations No 9, 10, 11, 12, 13 and 14.

*Consider ratifying the International Convention for the Protection of the Rights of All Migrant Workers and Members of their Families*

Mongolia is a state party to all core international human rights treaties and conventions except the International Convention on the Rights of All Migrant Workers and Members of their Families. Research and surveys to study the possibility of acceding to the Convention are being undertaken by relevant authorities and agencies. Before considering the possibility of becoming a state party, the Government of Mongolia would like to see more countries, especially the recipients of foreign workers, including Mongolian citizens, to accede to the Convention.

Although a domestic work is non-traditional form of employment in Mongolia, the Government will study the possibility of ratifying the ILO 189 Domestic Workers Convention.

Recommendations No 14, 16 and 159.

*Consider acceding to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol and enact legislation to protect asylum-seekers and refugees regardless of country of origin*

The 1951 Convention relating to the Status of Refugees and its 1967 Protocol have always been given a careful consideration by the relevant authorities and agencies. Due to the strong relevance to the national security policy of the State, a decision to accede these instruments is ultimately a matter for the Parliament of Mongolia.

The Government will further study the possibility of introducing a specific regulation to provide working guidelines for relevant authorities on the issue of promoting and protecting the rights of asylum-seekers, and will continue to work together with UNHCR to ensure the rights of asylum-seekers, particularly in compliance with the principle of non-refoulement.

Recommendations No 14 and 15.

*Consider ratifying the Convention on Status of Stateless Persons and the Convention on the Reduction of Statelessness*

In Mongolia, a stateless person enjoys the same rights as foreign nationals. Nationality and citizenship of a child born from a stateless person is regulated by the Law on Citizenship and Nationality. The national security policy also requires maintaining appropriate balance of foreign nationals, stateless persons and migrants in the country. These laws and policy documents ensure the rights of stateless persons in line with the main principles enshrined in the Convention on the Status of Stateless Person and the Convention on the Reduction of Statelessness.

Recommendation No 81.

*Establish judicial and other mechanisms to investigate allegations of torture, police brutality, and arbitrary detention*

Mongolia is committed to strengthening its efforts to investigate all allegations of torture and police brutality. National legislation in force prohibits arbitrary detention of persons by law enforcement officials as any act of detention has to be approved by the judge.

Mr. President,

In accordance with the previous practice, the Government of Mongolia will develop and adopt a plan on implementation of the accepted recommendations after holding an extensive consultation with relevant human rights NGOs, civil society organizations and other relevant stakeholders. In this regards, the Ministry of Foreign Affairs in cooperation with the "UPR Info" and national human rights NGOS will organize a two-day consultative meeting for all relevant stakeholders in mid-October, 2015 in Ulaanbaatar.

I thank you for your attention.