

Convention on the Rights of the Child
Alternative Report Submission:
**Violations of Indigenous Children's' Rights
in Mongolia**

Prepared for 75th Session, Geneva, 15 May - 02 June 2017

Submitted by Cultural Survival
Cultural Survival
2067 Massachusetts Avenue
Cambridge, MA 02140
Tel: 1 (617) 441 5400
agnes@culturalsurvival.org
www.culturalsurvival.org

Convention on the Rights of the Child Alternative Report Submission: Violations of Indigenous Children's Rights in Mongolia

I. Reporting Organization

Cultural Survival is an international Indigenous rights organization with a global Indigenous leadership and consultative status with ECOSOC since 2005. Cultural Survival is located in Cambridge, Massachusetts, and is registered as a 501(c)(3) non-profit organization in the United States. Cultural Survival monitors the protection of Indigenous Peoples' rights in countries throughout the world and publishes its findings in its magazine, the *Cultural Survival Quarterly*, and on its website: www.cs.org.

II. Introduction and Issue Summary

"Although non-discrimination of children irrespective of their birth and acquired status are legally reflected under the relevant legislations, discrimination and unequal treatment of children based on social status, origin, geographical location, academic achievements as well as disability still exist in the society."¹

Mongolia is the 19th largest country in the world, covering 1,564,116 square kilometers.² It is landlocked, and bordered by Russia to the north and China to the east, west and south. Less than 10% of the land is forested, and less than 1% is arable. Most of the land is steppe or desert. Mongolia re-gained independence from the Manchurian Empire in 1921, but existed as a satellite state of the Soviet Union for 40 years during the Cold War. It transitioned to a democratic state - a parliamentary republic - in 1990 and had its first presidential election in 1993.³

Despite the lack of arable land, Mongolia is rich in natural resources - such as copper, gold, uranium and coal - which make mining an attractive option and keep Mongolia competitive in the international market. The land is also excellent for herding, so many Mongolians make their living nomadically, herding goats, sheep, horses, cows, camels, and yaks.⁴

As of 2016, the total population of Mongolia is 3.03 million. 81.9% are ethnically Khalkh Mongol, 3.8% are ethnically Kazakh, 2.7% are ethnically Dorvod, 2.1% are ethnically Bayad, less than 1% are ethnically Buryat-Bouriates, Zakhchin, Dariganga, and Uriankhai, and other smaller groups make up the remaining 4.6%. This variation in population is groups is relatively low - Mongolia is one of the most homogenous countries in the world.⁵ Children between the ages of 0 and 14 make up 26.92% of the population (approximately 816,000 people), and

¹ "Consideration of reports submitted by States parties under article 44 of the Convention: Mongolia." Convention on the Rights of the Child. 03 June 2015. Web. 08 Mar. 2017.

² "The World Factbook: Mongolia." Central Intelligence Agency. Central Intelligence Agency, 12 Jan. 2017. Web. 10 Mar. 2017.

³ "Common core document forming part of the reports of States parties: Mongolia." Convention on the Rights of the Child. 11 Dec. 2015. Web. 10 Mar. 2017.

⁴ "Core Document Forming Part of the Reports of States Parties: Mongolia." Convention on the Rights of the Child. 22 Aug. 2005. Web.

⁵ "Mongolia." Minority Rights Group. World Directory of Minorities and Indigenous Peoples, n.d. Web. 15 Mar. 2017.

adolescents between the ages of 15 and 24 make up an additional 16.76% of the population (approximately 508,000 people).⁶

The Kazakh-speaking Muslim minority is the largest minority group in Mongolia with over 100,000 people. They live mostly in the Bayan-Olgii province in northwestern Mongolia. The smallest minority group, with between 200⁷ and 600⁸ people in the whole country, are the Tuvian-speaking Tsaatan, also called the Dukha. They are traditionally reindeer herders and they live in northern Mongolia in the Sayan Mountains.⁹ In 2007, Mongolia voted for the adoption of the UN Declaration on the Rights of Indigenous Peoples.

Lack of recognition of Indigenous Peoples (Articles 2, 8)

“There has traditionally been in Mongolia a tendency of viewing the country as only containing ethnic Mongolians and of denying or not acknowledging the presence of minorities.”¹⁰ The livelihoods and human rights of herding nomadic communities across Mongolia are threatened by industry, mining, tourism, and misguided conservation efforts. So-called ethnic minorities are marginalized politically, economically, and culturally, and the lack of legal and societal recognition of their Indigenous status serves as a barrier to recourse.¹¹

Birth registration (Articles 7, 8, 30)

As of 2015, the reported rate of registration for children 1-11 months was 95%, while the reported registration of children above 12 months was 100%.¹² However, Indigenous Peoples in Mongolia still face barriers to registering their children – a process that is considered crucial for accessing education and healthcare. These barriers include internal migration and nomadism, the remoteness of the birth registries, and a lack of awareness among herding families of the importance of birth registration.¹³

Access to native-language education (Articles 2, 3, 8, 13, 14, 28, 29, 30)

⁶ “The World Factbook: Mongolia.” *Central Intelligence Agency*. Central Intelligence Agency, 12 Jan. 2017. Web. 10 Mar. 2017.

⁷ “Mongolia.” *Minority Rights Group*. World Directory of Minorities and Indigenous Peoples, n.d. Web. 15 Mar. 2017.

⁸ “UPR (Universal Periodic Review) Submission Mongolia - In Regard to Indigenous Rights Issues Facing Mongolia’s National Minorities.” Totem Project, Nomadicare, and Cultural Survival. 14 Sept. 2014. Web.

⁹ “Mongolia.” *Minority Rights Group*. World Directory of Minorities and Indigenous Peoples, n.d. Web. 15 Mar. 2017.

¹⁰ Ibid.

¹¹ “UPR (Universal Periodic Review) Submission Mongolia - In Regard to Indigenous Rights Issues Facing Mongolia’s National Minorities.” Totem Project, Nomadicare, and Cultural Survival. 14 Sept. 2014. Web.

¹² “Consideration of reports submitted by States parties under article 44 of the Convention: Mongolia.” Convention of the Rights of the Child. 03 June 2015. Web. 08 Mar. 2017.

¹³ “Consideration of reports submitted by States parties under article 44 of the Convention: Concluding Observations, Mongolia.” Convention on the Rights of the Child. Jan. 2010. Web. 10 Mar. 2017.

Despite the fact that the Mongolian Constitution enshrines the right to education and free primary education,¹⁴ “students often become victims of nicknaming and stigma due to physical appearance, dressing, income level, and academic performance. They are intimidated, bullied, mocked, teased, and discriminated against.”¹⁵ These children that are deemed different are, more often than not, Indigenous children.

There are many areas in which the education system in Mongolia can be improved to increase access and maximize benefit for all. First, the addition of comprehensive and culturally-sensitive sexual and reproductive health curriculum has been proven to benefit the health of adolescents and to help reduce the rate of teenage pregnancy and the transmission of STD’s and HIV/AIDS.¹⁶

Second, there are regional and gender disparities in the education system that should be addressed. These disparities negatively impact girls, children living in rural areas, nomadic children, and children belonging to Indigenous communities. Increased availability of adequate dormitories could remedy some of these disparities - namely they would give children from remote areas the ability to attend school and live away from home. Travelling schools would also improve the reach of the education system, in particular for the nomadic herding communities in Mongolia.¹⁷

Third, as always, the education system would benefit from the allocation of more resources for training, supplies, and improved infrastructure.¹⁸

The Constitution of Mongolia recognizes the “right of national minorities of other tongues to use their native languages in education and communication and in the pursuit of cultural, artistic, and scientific activities.” The 1995 Basic Principles of Education and Education Law corroborates this, stating that all citizens “shall be provided with conditions to learn his or her native language.” However, there is no implementation mechanism to ensure the practice of these rights, and therefore there is no education policy on mother tongue or bilingual education.¹⁹

For example, the Kazakh community is one of the largest minority groups in Mongolia. However, until 2005 teachers in Kazakh schools were only given textbooks written in Mongolian, even when the language of verbal instruction was Kazakh. Attempts have been made to remedy this disparity for the Kazakh population, but other minority and Indigenous

¹⁴ “Common core document forming part of the reports of States parties: Mongolia.” Convention on the Rights of the Child. 11 Dec. 2015. Web. 10 Mar. 2017.

¹⁵ “Consideration of reports submitted by States parties under article 44 of the Convention: Mongolia.” Convention on the Rights of the Child. 03 June 2015. Web. 08 Mar. 2017.

¹⁶ “List of issues in relation to the fifth periodic report of Mongolia.” Convention on the Rights of the Child. 07 Dec. 2016. Web. 10 Mar. 2017.

¹⁷ “Consideration of reports submitted by States parties under article 44 of the Convention: Concluding Observations, Mongolia.” Convention on the Rights of the Child. Jan. 2010. Web. 10 Mar. 2017.

¹⁸ Ibid.

¹⁹ “Mongolia.” *Minority Rights Group*. World Directory of Minorities and Indigenous Peoples, n.d. Web. 15 Mar. 2017.

populations still face a lack of resources and adequate native-language textbooks. Financial constraints are often cited as an excuse.²⁰

A project called the “Mongolian Education Quality Reform Project” is currently under way to improve the education system in Mongolia. Its primary objective is to “improve the quality of education for primary school children with an emphasis on improving reading and math skills.”²¹

The project is not expected to hurt Indigenous Peoples and their access to education, but it is not necessarily poised to improve their situation either.

“If well designed, the project will provide Indigenous People with a unique opportunity in order to enhance their educational quality. However, the risk remains on the project if implemented in the area which indigenous people are present in. The project design might need to be tailored to fulfill the cultural related requirements, demands from related communities, for examples, the sub-projects might need to be designed and implemented in local language.”²²

Basically, Indigenous Peoples will not benefit from this project if it is not tailored to them. The Indigenous Peoples Planning Framework is mandated to recommend changes to the project to tailor it to Indigenous People, with the intention of making sure it follows the principle of free, prior, and informed consent and that the voices of Indigenous Peoples are heard in the drafting of the project. However, there are no laws or policies which regulate Indigenous development so there is the potential for opposition to the ideas proposed by the Indigenous Peoples Planning Framework.²³

Physical and sexual abuse of children (Articles 6, 19, 24, 27, 34, 39)

Children in Mongolia are still subject to corporal punishment, because the only law forbidding it is the Law of Education. Perhaps most concerning is that the number of incidents of violence against children is increasing. Indigenous children are especially vulnerable, as they already face discrimination in the public sphere.²⁴ A survey by the Ministry of Education, Culture, and Science from 2007 showed that despite the illegality of corporal punishment, 80% of preschool children, 77.5% of primary school children, and 98.6% of secondary school children have experienced some form of violence.²⁵

The Committee on the Rights of the Child expressed concern about the prevalence of all forms of child abuse, including both physical and sexual abuse, as well as the culture of impunity that exists in cases of sexual abuse. The Committee wrote:

²⁰ “Mongolia.” *Minority Rights Group*. World Directory of Minorities and Indigenous Peoples, n.d. Web. 15 Mar. 2017.

²¹ Ministry of Education and Science of Mongolia. “Mongolian Education Quality Reform Project: Indigenous People Planning Framework.” The World Bank. 13 Mar. 2014. Web. 15 Mar. 2017.

²² Ibid.

²³ Ibid.

²⁴ “Consideration of reports submitted by States parties under article 44 of the Convention: Mongolia.” Convention on the Rights of the Child. 03 June 2015. Web. 08 Mar. 2017.

²⁵ “Analysis of the Situation of Children in Mongolia.” *UNICEF*. 2014.

“The Committee is concerned at its [child abuse’s] persistent occurrence, especially affecting girls, and the lack of a comprehensive child protection strategy. Moreover, the Committee expresses concern that existing legal provisions to prohibit rape and incest are insufficiently enforced, that sanctions for offenses against boys and girls are not equal, and that children victims of sexual abuse, including rape, often do not receive adequate protection and/or recovery assistance, but may even be treated as perpetrators of a crime. Furthermore, the Committee regrets the rate of sexual abuse within the family not prosecuted nor punished under the national penal law.”²⁶

Approximately one sixth of all victims of domestic violence in Mongolia are children under the age of 18. This prevalence leads to psychological trauma, but culturally-sensitive, youth-appropriate mental healthcare is not readily available.²⁷

According to the National Authority for Children, most physical and sexual abuse against children occurs in the home and within the family. This feeds into the culture of impunity for perpetrators.²⁸

Access to healthcare (Articles 3, 6, 24, 30)

The Mongolian Constitution enshrines the right to health and medical care.²⁹ However, access to health care for nomadic herder communities and Indigenous communities is still lacking, as is the quality of maternal and adolescent health care. Environmental conditions, low quality services, economic situations, and poor medical infrastructure have all led to historically high rates of maternal mortality.³⁰ As of 2013, the maternal mortality rate was 42.6 per 100,000 births.³¹ This could be mitigated by a government body in charge of both maternal and child health care, as well as a focus on access to adequate health care and access to clean drinking water.³²

Adolescent health policies are also lacking. Adolescents should participate in the development of these policies to ensure that they are age-appropriate and culturally-sensitive. Emphasis should also be placed on sexual and reproductive health education. These concerns apply to both adolescent physical and mental health.³³

²⁶ “Consideration of reports submitted by States parties under article 44 of the Convention: Concluding Observations, Mongolia.” Convention on the Rights of the Child. Jan. 2010. Web. 10 Mar. 2017.

²⁷ “Analysis of the Situation of Children in Mongolia.” UNICEF. 2014.

²⁸ “2013 Human Rights Report on Mongolia.” *Reports on Mongolia*. Embassy of the United States Ulaanbaatar, Mongolia, 27 Feb. 2014. Web. 30 Mar. 2017.

²⁹ “Common core document forming part of the reports of States parties: Mongolia.” Convention on the Rights of the Child. 11 Dec. 2015. Web. 10 Mar. 2017.

³⁰ “Core document forming part of the reports of States parties: Mongolia.” Convention on the Rights of the Child. 22 Aug. 2005. Web. 10 Mar. 2017.

³¹ “Consideration of reports submitted by States parties under article 44 of the Convention: Mongolia.” Convention on the Rights of the Child. 03 June 2015. Web. 08 Mar. 2017.

³² “Consideration of reports submitted by States parties under article 44 of the Convention: Concluding Observations, Mongolia.” Convention on the Rights of the Child. Jan. 2010. Web. 10 Mar. 2017.

³³ Ibid.

Nomadicare is an NGO, that aims to “harmonize ancient and modern medicine to support the health and cultural survival of Mongolia’s nomads.” This organization fills an important gap in Mongolia’s health care system by providing services to nomadic, herding families and would benefit from greater funding and support.³⁴

The Dukha Peoples (Articles 8, 16, 24, 27, 30)

The Dukha are the smallest ethnic minority group in Mongolia with a population of between 200 and 600 people. They make their livelihood off of the land and the reindeer that they herd. The Dukha are related to the Todja-Tyvans in Russia, who live on the other side of the Russian-Mongolian border - a border that is largely unrecognized by these Indigenous groups as it arbitrarily bisects their ancestral land. The Dukha are often arrested and imprisoned for crossing this border when they are trying to reunite with family members or find a spouse.³⁵

The Dukha used to be able to move freely across this border, without fear of penalty. In fact this freedom of movement was necessary to raise their reindeer - they would move to wherever had the best conditions for their herds. During World War II, Russia tried to recruit the Dukha to enlist so they fled to Mongolia. Then Russia closed its borders and they have remained closed since the 1940’s. Therefore the Dukha have had no choice but to stay in the Mongolian taiga. Their freedom of movement was further restricted in 2011 when much of the taiga was converted into a national reserve. The government forbade hunting and restricted reindeer pasturing to only three areas. A Dukha reindeer herder said “To make sure that we didn’t hunt, they forbade us from bringing our dogs to guard the reindeer. But there are wolves here. Our herds were decimated. We don’t have anything but our reindeer. It’s our right to take care of them.”³⁶

The Dukha also have to stay in place to facilitate tourism. This hurts the environment and the Dukha. Longer periods of pasturing degrades the fragile taiga and it harms the reindeer population, which in turn impacts the livelihood of the Dukha.³⁷ Fishing and chopping wood have also been forbidden since the national reserve was declared, which further inhibits the Dukha’s ability to simply survive. Rangers now roam the taiga to enforce these laws.³⁸

In early 2016, five Dukha hunters were arrested for poaching while they were searching for food in the taiga. The penalty is up to five years in prison and a fine up to 7,500 pounds. The manager of the Muran police department said: “The reserve has brought a complaint against

³⁴ “Nomadicare.” Wikipedia. Wikimedia Foundation, 26 Mar. 2017. Web. 30 Mar. 2017.

³⁵ “UPR (Universal Periodic Review) Submission Mongolia - In Regard to Indigenous Rights Issues Facing Mongolia’s National Minorities.” Totem Project, Nomadicare, and Cultural Survival. 14 Sept. 2014. Web.

³⁶ Gauthier, Marine. “We Have Nothing But Our Reindeer: Conservation Threatens Ruination for Mongolia’s Dukha.” *The Guardian*. Guardian News and Media. 28 Aug. 2016. Web. 15 Mar. 2017.

³⁷ “UPR (Universal Periodic Review) Submission Mongolia - In Regard to Indigenous Rights Issues Facing Mongolia’s National Minorities.” Totem Project, Nomadicare, and Cultural Survival. 14 Sept. 2014. Web.

³⁸ Gauthier, Marine. “We Have Nothing But Our Reindeer: Conservation Threatens Ruination for Mongolia’s Dukha.” *The Guardian*. Guardian News and Media. 28 Aug. 2016. Web. 15 Mar. 2017.

them for poaching. They were caught red-handed hunting. Here in Mongolia, the law applies to everyone. The Dukha are not above Mongolia's laws.”³⁹

The government of Mongolia has instituted some measures to try to help the Dukha, but they are inadequate and insufficient. A presidential proclamation designated a regional soum center hospital in Tsagan Nuur for Dukha to receive check-ups and health care advice twice a year, free of charge. However, reaching this hospital is no small feat when they are travelling from their remote alpine territories.⁴⁰

Government aid is offered to Dukha adolescents to offset the cost of tuition and lodging at university. However, young Dukha children are taught only in Mongolian, eroding their linguistic and cultural heritage.⁴¹

In 2014, the government of Mongolia began allocating a salary of 50 pounds a month to the Dukha. However, this is nowhere near sufficient to replace the loss of wood, food, pasture, and culture. Also in 2014, a law was passed that would create protected cultural areas that could be administered by the local communities to help preserve their culture. However, this law is not being implemented and the Dukha are not aware of it.⁴² At face value, many of these issues seem larger than typical “children’s issues.” However, any economic or cultural effect on a community will inevitably trickle down to the children when they no longer have enough food to eat, access to health care, or money to attend school.

One Dukha man summed up the situation in this way: “Why don’t they come talk to us? We would tell them what to protect and where the animals are. But also which lands we need for our reindeer. Why couldn’t we work together?”⁴³

III. CRC Concluding Observations

In 2010, the Committee on the Rights of the Child made several recommendations to the Government of Mongolia regarding its treatment of children. These recommendations make no specific reference to Indigenous Peoples or Indigenous children, but they do refer to minority groups in Mongolia.

First, the Committee acknowledges that children face discrimination in Mongolia based on ethnic group, especially children from the Western region, Kazak minority, and other minorities.

Second, almost 10% of births in Mongolia are not registered for many reasons, due to migration, distance to birth registry offices, and a lack of awareness among herding communities of the importance of birth registration.

³⁹ Gauthier, Marine. “We Have Nothing But Our Reindeer: Conservation Threatens Ruination for Mongolia’s Dukha.” *The Guardian*. Guardian News and Media. 28 Aug. 2016. Web. 15 Mar. 2017.

⁴⁰ “UPR (Universal Periodic Review) Submission Mongolia - In Regard to Indigenous Rights Issues Facing Mongolia’s National Minorities.” Totem Project, Nomadicare, and Cultural Survival. 14 Sept. 2014. Web.

⁴¹ Ibid.

⁴² Gauthier, Marine. “We Have Nothing But Our Reindeer: Conservation Threatens Ruination for Mongolia’s Dukha.” *The Guardian*. Guardian News and Media. 28 Aug. 2016. Web. 15 Mar. 2017.

⁴³ Ibid.

Third, the Committee was very concerned about child abuse. This issue of the prevalence of child abuse is of grave concern, as is the continued existence of corporal punishment. The Committee also called for further development of the health care system, the creation of a government body in charge of maternal and child health care, and increased access to clean drinking water. Regarding adolescent health care in particular, the Committee notes the importance of the participation of adolescents, sexual and reproductive health education, and youth-sensitive and confidential counselling (including a child mental health policy.)

Regarding education, the Committee recommended that the Government of Mongolia address regional and gender-based disparities in education and continue to improve the quality and availability of dormitories. The creation of travelling schools would also increase access to education for children in nomadic herding families and children who live in remote areas.⁴⁴

IV. Mongolian State Report

Mongolia's State Report outlines many areas where it has made progress in providing for the rights of children. However, nowhere does it specifically mention Indigenous children. Occasionally, it mentions herding families, which are not exclusively synonymous. Below are the measures of progress that Mongolia explained, which apply to all children in Mongolia.

In 2001 there were 3.1 pediatricians/doctors per 1000 persons and this increased to 5.0 per 1000 in 2010. The under-5 mortality rate was reduced from 40.8 per 1000 in 2001 to 30.2 per 1000 in 2010. The infant mortality rate was reduced from 35 per 1000 in 2001 to 20.27 per 1000 in 2010. The percentage of preschool age children enrolled in kindergarten has increased from 34% in 2001 to 72% in 2010.

Mongolia has drafted a strategy for improving the protection of children which "aims to prevent and protect each child from neglect, violence, abuse, and exploitation." Additionally, Mongolia is a state party to all three of the Optional Protocols to the Convention on the Rights of the Child.

More money has been allocated to the budget of the National Authority for Children over the past few years. However, it has been found that 50% of this budget has gone to remuneration for employees and other employee benefits, leaving only 50% of the budget to actually provide services for children.

The state report addressed successes in increasing birth registration, as well as a reduction in maternal mortalities. Unfortunately, violence against children is rising, and this is in part due to inadequate legislation protecting children from abuse. The report also briefly addresses several other broad issue areas, such as access to healthcare, education policy, dormitory availability, alternative care for children, the juvenile justice system, etc.⁴⁵

⁴⁴ "Consideration of reports submitted by States parties under article 44 of the Convention: Concluding Observations: Mongolia." Convention on the Rights of the Child. Jan. 2010. Web. 10 Mar. 2017.

⁴⁵ "Consideration of reports submitted by States parties under article 44 of the Convention: Mongolia." Convention on the Rights of the Child. 03 June 2015. Web. 08 Mar. 2017.

V. Legal Framework

CRC Articles 2(1) & (2), 3(1), (2) & (3), 6, 7(1), 8(1), 13(1), 14(1), 16(1), 19(1) & (2), 24(1) & (2), 27(1), 28(1), 29(1), 30, 34, 39

VI. CRC General Comments

General Comment 11 expands upon the rights of Indigenous children under the Convention on the Rights of the Child. The General Comment emphasizes the particular discrimination Indigenous children still face in accessing education and healthcare. The primary goal of the General Comment is to “provide States with guidance on how to implement their obligations under the Convention with respect to Indigenous children.” It also acknowledges that positive measures are required to protect the rights of Indigenous children.

In reference to the principle of self-identification, the General Comment states that “there is no requirement for States parties to officially recognize indigenous peoples in order for them to exercise their rights.” In other words, a lack of proper recognition is not an adequate excuse to deny Indigenous Peoples their rights. The General Comment re-emphasizes the importance of gender equality, Indigenous participation, and culturally sensitive institutions.

Regarding health, the Comment notes that “disproportionately high numbers of indigenous children live in extreme poverty” and have high incidences of infant and child mortality due to malnutrition and disease. Mental health care is paramount as well - suicide rates for Indigenous children are often higher than those of non-Indigenous children. Mental health care must also be provided in a culturally sensitive manner.

Regarding the environment, the Comment notes that “States parties should closely consider the cultural significance of traditional land and the quality of the natural environment while ensuring the children’s right to life, survival and development to the maximum extent possible.”

The Comment acknowledges the high number of Indigenous children who are not registered at birth. It also says that Indigenous children have the right to receive their parents’ choice of Indigenous name in an effort to preserve their cultural traditions and identity.

Finally, the General Comment recognizes the ratification of the United Nations Declaration on the Rights of Indigenous Peoples and ILO Convention No. 169 as integral to adequately providing for the full enjoyment of the rights of Indigenous Peoples.⁴⁶

VII. Other UN Body Recommendations

Universal Periodic Review

Recommendations during the second cycle:

108.19 Adopt a comprehensive anti-discrimination legislation to avoid all forms of discrimination on the basis of ethnicity, religion, sexual orientation or gender identity, language, political belief, mental or physical disability. (Chile)

⁴⁶ “General Comment 11: Indigenous children and their rights under the Convention.” Committee on the Rights of the Child. 12 Feb. 2009. Web. 10 Mar. 2017.

108.20 Adopt comprehensive legislation to counter discrimination, and take steps to ensure that equality is enshrined in such legislation or in existing law is achieved in practice. (Ireland)

108.24 Continue to protect and promote the rights of vulnerable groups of population, including children, the disabled, the elderly and women. (Russian Federation)

108.43 Further pursue measures for the protection of the rights of women and children. (Japan)

108.50 Fight against the hate speeches that provoke racial and ethnical discrimination and to fight against the relevant violence. (China)

108.83 Adopt legislation to prevent and end all forms of violence against children. (Timor-Leste)

108.105 Adopt legislative measures to make domestic violence a crime, understanding all forms of violence in the home, including threats, sexual harassment and sexual abuse, and ensure that perpetrators are brought to justice and that victims receive care, including in the rural areas. (Paraguay)

108.106 Explicitly prohibit corporal punishment to children in accordance with the recommendations of CAT. (Chile)

108.114 Continue efforts to ensure that children are protected from all forms of violence and exploitation, particularly from child labor in hazardous conditions. (Republic of Korea)

108.149 Continue making efforts to reduce disparities in infant mortality rates between rural and urban areas in the country. (Honduras)

108.151 Continue its efforts in order to ensure the right to education for all children. (Romania)⁴⁷

VIII. Questions

1. What measures are being taken to reconcile the desires to protect the taiga and to support the livelihoods of the Dukha?

⁴⁷ “Report of the Working Group on the Universal Periodic Review: Mongolia.” Human Rights Council. 13 Jul. 2015. Web. 16 Mar. 2017.

2. What measures are being taken to reduce the rate of physical and sexual abuse against children, especially Indigenous children, rural children, and children in nomadic herding families?

IX. Recommendations

Cultural Survival urges the government of Mongolia to:

1. Allow ethnic minorities to self-identify as Indigenous and recognize them legally as Indigenous.
2. Collect and disaggregate data on Indigenous children.
3. Inform Indigenous communities of the importance of birth registration and deploy mobile birth registration units to reach rural and remote areas.
4. Enforce the law restricting corporal punishment.
5. Develop and implement a culturally-sensitive sexual and reproductive health curriculum.
6. Develop a national action plan to address gender and regional disparities in education.
7. Provide native-language textbooks and instruction to Indigenous children.
8. Support the Indigenous Peoples Planning Framework to ensure that the Mongolian Education Quality Reform Project benefits Indigenous children.
9. Develop a national action plan to address the prevalence of child abuse.
10. Take measures to end the culture of impunity for perpetrators of child physical and sexual abuse.
11. Take measures to improve the quality of maternal, infant, and adolescent health care.
12. Engage Indigenous adolescents in the development of their health care policies.
13. Support Nomadicare.
14. Invite the participation of the Dukha people in discussions and decision-making processes involving their ancestral land and conservation efforts.
15. Ratify ILO Convention No. 169.
16. Ensure Indigenous participation in decision-making at all levels in all matters affecting them.
17. Invite the UN Special Rapporteur on the Rights of Indigenous Peoples to visit Mongolia.
18. Create a National Action plan on implementing the rights of Indigenous Peoples based on the World Conference on Indigenous Peoples' Outcome Document.