

# Prevention of Sexual Exploitation and Abuse (PSEA)

Country Mapping of Known Context, Legislation, Reporting and Referral Pathways — Mongolia

An initiative  
of ACFID's  
Safeguarding  
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Practice



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# Prevention of Sexual Exploitation and Abuse (PSEA) – Mongolia

This document has been prepared to assist your organisation to better understand a) the general Prevention of Sexual Exploitation and Abuse (PSEA) context b) relevant PSEA legislation and c) available reporting and referral pathways for SEA in a particular country. **This document is not intended to be a definitive analysis of a country's PSEA system and should not be read as such. The information may have been updated at the source since its publication and the reader should follow links provided to fact check before they quote or share this information. It is recommended that you test contact details provided prior to sharing these referral pathways.**

Your organisation must refer to and follow your PSEA Policy when responding to SEA. If a victim/survivor of SEA is under the age of 18 years, consult your organisation's Child Protection Policy.

## OVERVIEW OF PSEA ISSUES

Demographics & Population <sup>1</sup>	<p>According to the 2020 Census, the population of Mongolia is 3.3 million, with an average life expectancy of 70.5 years. Infant mortality rates are 14.8 infant deaths per 1,000 live births; and deaths for those under 5 years is 18.4 per 1,000 live births.</p> <p>Currently, 60% of the population is urban which equates to nearly 2.2 million people, 844,818 of whom reside in the capital, Ulan Bator city. Unemployment is 8.1%, and the inflation rate is 3.3%. About 26% of Mongolian households are nomadic or semi-nomadic herding families, caring for the nearly 71 million livestock.</p>
Disability	<p>In 2017, 41.9% of children with a disability acquired their disability after birth through injury. Roughly 50% of children born with a disability (especially children with sensory or learning disabilities) do not have access to adequate education and are illiterate. Around 40% of children with disability enter preschool and primary education, but only 14% attend senior school. 80% of all people with a disability are economically inactive, and most live below the poverty line.<sup>2</sup></p> <p>The Law of Mongolia on Human Rights of Persons with Disabilities was enacted in 2016, however, the Mongolian government acknowledges that infrastructure, services and social acceptance of disabled persons is poor.<sup>3</sup></p>

1 National Statistics Office of Mongolia and World O Meter: Mongolia Demographics  
 2 Save the Children, 2018. *Child Rights Situation in Mongolia Report, 2018*  
 3 Ministry of Labour and Social Protection, 2017. *Disability in Mongolia 2017: Facts and Figures*

Gender and Sexuality	<p>The Gender Inequality Index in 2016 was 0.335, an increase from 0.289 in 2015. Sole parenting responsibilities, lower incomes and fewer economic opportunities manifest in higher poverty rates for female-headed households. The adolescent birth rate was 33.6 per 1000 girls aged 15-19 in 2017, while the unmet need for family planning services was 36.4% which is double the national average.<sup>4</sup></p> <p>79% of LGBT children in 2017 faced some form of discrimination, and 45.16% experienced discrimination, ostracism or violence at home. 9.4% of LGBT children experienced 'grave physical violence'.<sup>5</sup></p> <p>The greatest recent achievements to gender equality and empowerment are in areas of legal and policy, national mechanisms, gender databases and research and analysis, budget allocations; whereas challenges have been in relation to institutional, socio-economic and environmental obstacles.<sup>6</sup></p> <p>Priorities for accelerating progress include 1) Equality and non-discrimination under law and access to justice 2) Quality education, training and life-long learning for women and girls 3) Eliminating violence against women and girls 4) Access to health care, including sexual and reproductive health and reproductive rights and 5) Gender-responsive budgeting.<sup>7</sup></p>
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Inequity <sup>8</sup>	<p>CEDAW and the Committee on Rights of the Child identify inequity as a key challenge for Mongolia. In particular, inequities in relation to access to, and the quality of, social services for children, women, ethnic minorities and people with disabilities; and, how increased internal migration is placing a huge burden on already overstretched services, further highlighting concerns in relation to child labour, gender-based violence and child abuse and neglect.</p>
Poverty <sup>9</sup>	<p>28.9% of children live in poverty, accounting for about 46% of all people below the poverty line. There is substantial variation in regional poverty rates: poverty rates are higher in rural areas, and in the Eastern parts of Mongolia in particular, than in Ulan Batar. Households headed by women, remote herders, and rural-urban migrants are more prone to poverty.</p> <p>Poverty was found to interact with multiple overlapping deprivations, with poor children substantially less likely to attend or complete school, have appropriate housing, or have adequate nutrition, sanitation, or access to water.</p>
Violence	<p>Mongolia has some of the worst rates of sexual violence in Asia—and old attitudes are proving hard to change.<sup>10</sup></p> <p>1 in 10 women have experienced child sexual abuse before the age of 15. Among ever-partnered women, 57.9% have experienced one or more forms of violence (including sexual). Since age 15, 17.3% of women have experienced non-partner physical violence. For many women, exposure to partner violence is not their only experience. They may have also been subject to physical or sexual violence perpetrated by their parents, siblings, other family members, or complete strangers since the age of 15 years. 1 in 4 women, regardless of socio-economic status, agreed that a husband is justified in beating his wife if she is unfaithful.<sup>11</sup></p>

4 Save the Children, 2018. *Child Rights Situation in Mongolia Report, 2018*  
 5 Save the Children, 2018. *Child Rights Situation in Mongolia Report, 2018*  
 6 Ministry of Labour and Social Protection, 2019. *Mongolia: Comprehensive National-Level Review*  
 7 Ministry of Labour and Social Protection, 2019. *Mongolia: Comprehensive National-Level Review*  
 8 UNICEF, 2014. *Analysis of the Situation of Children in Mongolia*  
 9 Save the Children, 2018. *Child Rights Situation in Mongolia Report, 2018*  
 10 Foreign Policy, 2020. *Living While Female in Mongolia*  
 11 UNFPA Mongolia and National Statistics Office, 2017. *Breaking the Silence for Equality: 2017 National Study on Gender Based Violence in Mongolia*

Women's Empowerment

The Mongolian Constitution<sup>12</sup> doesn't specifically enshrine gender equality, but does prohibit discrimination on the basis of sex, and protects the rights of women to education and employment, as well as to participate in politics.

Many women don't realize that what they endure constitutes physical or sexual violence. One survey finding showed that 35 percent of women who themselves had experienced partner violence said that a husband was justified in beating his wife if she was unfaithful. Much smaller percentages agreed that other faults (disobeying him, not doing the housework to his satisfaction, refusing sex, and asking whether he's unfaithful to her) also deserved a violent response.<sup>13</sup>

Mongolia's record on women's rights is examined regularly by the UN Committee on the Elimination of Discrimination against Women (CEDAW), since becoming a signatory in 1981. Recognised issues include protection of women victims of violence; persistence of strong gender stereotypes in family and society; low participation of women in political and public life; marriage contracts, property ownership; nationality of children born to Mongolian mothers and foreign fathers; high rate of abortion, access to modern contraceptive methods; indigenous women, minority, rural and stateless women; protection of single women heads of households and deserted wives with children.<sup>14</sup>

### RELEVANT PSEA LEGISLATION

There are a range of laws and policies/programmes, that are key contributors to an enabling environment for women empowerment and the achievement of gender equality as well as aimed at combating, preventing, eliminating and eradicating all forms of crimes including violence against women and girls, and promoting women's rights. These are indicated below:

International Instruments

Mongolia is a signatory to the **Convention on Elimination of all forms of Discrimination Against Women (CEDAW)**, which prohibits trafficking and exploitation of women. Mongolia has ratified the **Convention of the Rights of the Child (CRC)**, the **Worst Forms of Child Labour Convention**, the **Convention on the Rights of People with Disabilities** and the **Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others**.

Mongolia is party to a number of bilateral and multilateral agreements to combat human trafficking, including agreements with Switzerland, Macau and China and commitment to the Bali process from its initiation in 2002.<sup>15</sup> Mongolia has participated in East Asian and Pacific regional fora on child protection including most recently the Third Regional Workshop on Justice for Children in East Asia and the Pacific in Bangkok, Thailand in September 2018. These produced binding instruments but bear on the implementation of international and national law.<sup>16</sup>

12 [Constitution of Mongolia \(1992\)](#) (Note, previous constitutions had been adopted in 1924, 1940 and 1960)

13 Foreign Policy, 2020. [Living While Female in Mongolia](#)

14 UNCHR, 2016. [Mongolia's Record of Women's Rights to Face Review by UN Committee](#)

15 ECPAT international, 2011. [Global Monitoring: Status of Action Against Commercial Sexual Exploitation of Children, Mongolia](#)

16 Hague Conference on Private International Law and UNICEF, 2018. [Third Regional Workshop on Justice for Children in East Asia and the Pacific: Conclusions and Recommendations](#)

Legal Framework

The **Age of Majority** is 18 years, and the **Age of Consent** is 16 years.<sup>17</sup>

The **Criminal Code (as amended in 2015)** contains several provisions to prevent crimes which violate women's rights. In 2015, the revised Code criminalises domestic violence, prohibits discrimination on various grounds, and outlaws hate crimes and hate speech.<sup>18</sup>

The **Law on Child Protection 2016** defines the principles of child protection and the related government mandate to establish a national child protection system, and to regulate relationships arising from prevention, protection, rehabilitation, guardianship, and curatorship of children with respect to any form of violence or exploitation.<sup>19</sup>

The **Law to Combat Domestic Violence (as revised in 2016)** regulates all matters pertaining to protection against human rights violations, ensuring victims' safety, holding perpetrators accountable, and regulating the participation of government and NGOs, citizens, economic entities and authorities in combating and preventing domestic violence. The revised law was approved in 2016, criminalizing domestic violence for the first time in the Mongolia's history.<sup>20</sup>

The **Law on Promotion of Gender Equality (LPGE) 2011** specifically ensures gender equality in political, legal, economic, social, cultural and family relations, and regulates implementation. Law spells out the responsibilities of specific public agencies to ensure gender equality. Law broadly defines discrimination as "any action or inaction resulting in discrimination, exclusion or restriction based on sex or attributes of sex and marital status of men and women in political, economic, social, cultural, family and other spheres". Article 6 also states prohibition of gender discrimination.<sup>21</sup>

**Law on Social Security for Persons with Disabilities 2016** sets out the eligibility, coverage and extent of the social welfare services to be delivered to persons with disabilities; and to regulate mandate and responsibilities of individuals and legal entities.<sup>22</sup>

**Law on Victim and Witness Protection 2013** provides protection to girls and women victims of violence.<sup>23</sup>

The **Youth Development Law 2017** is the first law in Mongolia's history which specifically benefits young people. The law has specific articles for the creation, sustainability and funding of Youth Development Centres at the provincial and district levels; the establishment of a National Council on Youth Development headed by the Prime Minister; the participation of young people in decision and policy making processes; support for youth volunteerism, employment and youth-led initiatives, and many other important initiatives.<sup>24</sup>

**Community and Traditional Justice Mechanisms** Legal customs are considered to be a limited, not principal, source of law. It is sometimes necessary to follow customary norms when resolving cases and disputes, but in most matters, legislation is the only relevant source of law.<sup>25</sup>

17 [Age of Consent in Mongolia](#)

18 [Criminal Code of Mongolia \(2015\)](#)

19 Ministry of Labour and Social Protection, 2019. [Mongolia: Comprehensive National-Level Review](#)

20 [Law to Combat Domestic Violence \(2016\)](#)

21 Ministry of Labour and Social Protection, 2019. [Mongolia: Comprehensive National-Level Review](#)

22 Ministry of Labour and Social Protection, 2019. [Mongolia: Comprehensive National-Level Review](#)

23 Ministry of Labour and Social Protection, 2019. [Mongolia: Comprehensive National-Level Review](#)

24 Ministry of Labour and Social Protection, 2019. [Mongolia: Comprehensive National-Level Review](#)

25 Houser Global Law School Program, 2009. [The Mongolian Legal System and Laws: a Brief Overview](#)

Government Services and Civil Society	<p>The <b>National Program on Promotion of Human Rights, Participation and Development of the Persons with Disabilities 2018-2022</b> is to boost enforcement of the Law of Mongolia on Human Rights of Persons with Disabilities.<sup>26</sup></p> <p>The <b>National Program on Gender Equality (NGPE) 2017-2021</b><sup>27</sup> intends to provide support to the gender-responsive policy and planning processes required to reach the SDGs and to implement the LPGE. The NPGE objectives are to (1) provide support to equal participation in socio-economic development processes, (2) foster gender-responsive policy, planning and budgeting processes at all levels (3) raise awareness and promote advocacy to improve gender stereotypes (4) improve gender-responsive structures and mechanisms and capacities at all levels (5) develop preventive and care services that advance the elimination of GBV and discrimination, and (6) encourage women's participation in politics and decision-making and improve their leadership skills and opportunities.</p> <p>The <b>Action Plan on the Implementation of the NPGE 2017-2021</b><sup>28</sup> proposes 59 activities to implement for 2017-2021 to accelerate progress for women and girls.</p> <p>The <b>National Maternal, Child and Reproductive Health Programme 2017-2021</b><sup>29</sup> sets out to (1) ensure preparedness of mothers, children and reproductive health care and services (2) advance techniques and technologies for diagnosis and treatment (3) improve human resources skills (4) and improve quality and access to healthcare services for mothers and children</p> <p>The <b>National Program on Child Development and Protection 2017-2021</b> builds on the previous five-year plan with aims to collaborate with NGOs and local government in the provision of child welfare programs at local levels. Its broad aims are to create a healthy, safe and non-impooverished environment for the child. Importantly, it provides for legal protection from all forms of neglect, violence, abuse and exploitation in all environments including a ban on all forms of corporal punishment in all settings.<sup>30</sup></p> <p><b>National Action Plan on Combating Trafficking in Persons 2017-2021</b> aims to strengthen efforts to prevent and address human trafficking including commercial sexual exploitation.<sup>31</sup></p> <p>Other relevant policies and programs are in effect, including:</p> <ul style="list-style-type: none"> <li>• Mongolian Sustainable Development Vision 2030</li> <li>• National Health Policy 2017-2026</li> <li>• National Food and Nutrition Policy 2016-2025</li> <li>• National Program on Maternal, Child and Reproductive Health 2017-2021</li> <li>• National Program on Public Legal Education 2018</li> <li>• Strategy for Supporting Child Participation 2011-2016</li> </ul>
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26 Ministry of Labour and Social Protection, 2017. [Disability in Mongolia, 2017](#)  
27 Ministry of Labour and Social Protection, 2019. [Mongolia: Comprehensive National-Level Review](#)  
28 Ministry of Labour and Social Protection, 2019. [Mongolia: Comprehensive National-Level Review](#)  
29 Ministry of Labour and Social Protection, 2019. [Mongolia: Comprehensive National-Level Review](#)  
30 Save the Children, 2018. [Child Rights Situation in Mongolia Report, 2018](#)  
31 US Embassy in Mongolia, 2017. [Trafficking in Persons Report, 2017](#)

## REPORTING AND REFERRAL PATHWAYS FOR SEXUAL EXPLOITATION OR ABUSE

Service Name	Description	Coverage	Contact (country code +976)
<b>Law Enforcement Agencies (to report cases to)</b>			
National Policy Agency		National	<b>Emergency 102</b>  <b>Foreign Relations Division of National Police Agency</b> T 967-70191076 E <a href="mailto:npamongolia@police.gov.mn">npamongolia@police.gov.mn</a>
<b>Statutory Protection Agencies/Unit (to report abuse to)</b>			
Authority for Family, Child and Youth Development (AFYCD)	Authority implements laws and regulations, and development and protection services on child rights. Operates a free 24/7 Child Helpline with response team linked to Temporary Protection Centre (below).		<b>Helpline 108</b> <b>Head of Child Protection and Development Division</b> T 263095 <b>Specialist for Child Protection and Prevention</b> T 262914
National Human Rights Commission	Receives written and oral complaints in Mongolian language for violations of rights under the Constitution and international law.		5th Floor, Government Building, No 11 Independence Square, Chingeltei Duureg, Ulaanbaatar City  T 262915 T 70 000 222
<b>Local Health and Medical Services (to refer cases to)</b>			
Medical Emergency	Ambulance service	National	<b>Emergency 103</b>
Ministry of Health	Contact Ministry for local hospital details	National (At least one hospital per aimag)	2nd Floor, Government Building VIII, Sukhbaatar District 14210 T 51-263913
<b>Support Agencies (to refer cases to)</b>			
Authority for Family, Child and Youth Development (AFYCD)	Temporary Protection Centre linked to the 108 Child Helpline Services Centre		<b>Helpline 108</b>
Unur Bul Children's Centre	Orphanage and school		<a href="https://www.facebook.com/pages/Unur-Bul-Center/1475788255988031">https://www.facebook.com/pages/Unur-Bul-Center/1475788255988031</a>

Lotus Children's Centre	Residential care and support for children.	Gachuurt and Ulaanbaatar	<p><b>Director</b> (English), Didi Ananda Kalika T 99132100</p> <p><b>Centre Manager</b> (Mongolian and English): Bolormaa T 99789750</p> <p><b>General Enquiries</b> (Mongolian and English): Suugi T 99789750 E <a href="mailto:info@lotuschild.org">info@lotuschild.org</a></p>
National Centre Against Violence	Comprehensive service to victims of violence including counselling, legal support, short-term shelter and child protection.	Nationwide centres through 16 local branches and 4 shelters	<p><b>Hotline 96490505</b> Office 70119949</p> <p>Apt 3-6, Building 40, Baga toiruu, Chingeltei Duureg, Ulaanbaatar</p>
<b>Australian Federal Police and Embassy or Consular</b> (if any person involved is an Australian National)			
Australian Federal Police	Report Child Offences by Australians		<p>T (+61) 2 6131 3000</p> <p>After Hours (+61) 2 6126 7777</p> <p>Online Reporting Form <a href="https://forms.afp.gov.au/online_forms/cst_form">https://forms.afp.gov.au/online_forms/cst_form</a></p>
Australian Embassy in Mongolia	Consular Assistance	Ulaanbaatar, National Service	<p>Level 20, Shangri-La Centre, 19A Olympic Street, Sukhbaatar District-1, Ulaanbaatar 14241, Mongolia</p> <p>T +976 7013-3001</p>





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