|  |  |  |
| --- | --- | --- |
|  |  | E/C.12/MNG/QPR/5 |
|  | **Advance Unedited Version** | Distr.: General25 October 2019Original: English |

**Committee on Economic, Social and Cultural Rights**

 **List of issues prior to submission of the fifth periodic reports of** **Mongolia[[1]](#footnote-2)\***

1. The State party is requested to submit in writing the information requested below (21,200 words maximum) by 31 October 2020.

 A. Issues of particular relevance

**Right to just and favourable conditions of work (art. 7), right to social security (art. 9) and right to an adequate standard of living (art. 11)**

1. Please provide information on (a) the measures taken to ensure that wages are fair, and to regulate wages to combat the phenomenon of the working poor; (b) the impact of the Social Welfare Support Programme on those living in poverty or at risk of poverty in both urban and rural areas; and (c) the measures taken to improve the effectiveness of social welfare programmes, to strengthen their coordination or to consolidate them, and ensuring they do not result in under inclusiveness.

 Right to an adequate standard of living (food and water) (art.11)

1. Please provide information on the mechanisms in place, including any legal framework, to protect herders’ rights to pasture, hay land and water resources and to ensure effective and meaningful consultation with affected local communities, including nomadic populations, in carrying out mining projects. Please provide the information on the remedies available to those affected and statistics indicating the extent to which such mechanisms have been used.

 Right to an adequate standard of living (housing) (art.11)

1. Please provide information, including statistics, on the mechanisms in place to safeguard the rights of the populations affected by the measures taken to reduce informal settlements in the ger areas and on access to basic services in these areas.

 **B. Ongoing implementation of the Covenant**

 Status of the Covenant in the domestic legal order (art. 2(1))

1. Taking into account that treaties ratified by the State party are directly applicable in the domestic legal order, please provide information on those cases, if any, in which the Covenant has been invoked in and/or applied by domestic courts. Please also update the Committee on the measures taken to revise existing laws and regulations with a view to bringing them in compliance with the provisions of the Covenant.

 Human rights defenders

1. Please describe whether the State party intends to strengthen the protection of human rights defenders, including by the adoption of a non-governmental organisation protection law.

 Maximum available resources (art. 2(1))

1. In order to allow the Committee to assess whether the State party uses the maximum of its available resources to the realization of the Covenant rights, please provide information on the changes, over the past ten years (2009-2019), in:
	* + - 1. The proportion of people below the poverty line and the level of inequality, defined as the ratio between the total income of the richest ten per cent of the population and the total income of the poorest forty per cent of the population;
				2. The proportion of government revenue that is generated from taxes;
				3. The tax rates levied on corporate profits and on personal income, the value added tax rate (exclusive of the value added tax on luxury items, tobacco, alcohol, sugary drinks and snacks, and gasoline), and the percentage of total revenue that is generated from personal income taxes collected from the richest decile of the population;
				4. Public expenditure as a percentage of gross domestic product and, within total public expenditure, the proportion of the public budget that is allocated to social spending (social security, food, water and sanitation, housing, health, and education);
				5. Inflation-adjusted absolute levels of social spending.

 Business and economic, social and cultural rights

1. Please provide information on the steps taken to ensure a duty for business enterprises under the State party's jurisdiction, operating in the national territory or abroad, to exercise human rights due diligence in their operations and business relationships.

 Equality between women and men (art. 3) and right to just and favourable conditions of work (art. 7)

1. Please provide information, including statistics, on the impact of the implementation of the Gender Equality Law (2011) and on the measures taken (i) to enhance economic opportunities for women, including access to employment and to entrepreneurship, (ii) to facilitate the conciliation between professional and private life, so as to raise the employment rate of women, (iii) to guarantee the principle of equal pay for work of equal value, (iv) to combat occupational segregation, and (v) to accelerate the formalization of the employment of women who are disproportionately employed in the informal economy.

 Right to work (art. 6)

1. Please provide information, including statistics, on the impact of the Employment Promotion Law, Labour Code and employment promotion programmes, particularly as regards persons with disabilities, herders and youth, in particular educated youth.

 Right to just and favourable conditions of work (art. 7)

1. Please explain the impact of the measures adopted to prevent accidents and work-related diseases and how the State party ensures that occupational health services are available for all workers, particularly for those who work in the mining sector. Please provide information, including statistics, on measures adopted to address the shortage of trained labour inspectors.

 Protection of the family (art. 10)

1. Please provide information on the measures in place to raise public awareness of gender-based violence, including those targeting perpetrators.

 Right to an adequate standard of living (water and sanitation) (art.11)

1. Please describe the steps taken to address the gap between urban and rural areas as well as between the ger and apartment areas in urban areas, as regards adequate access to safe drinking water and sanitation.
2. Please provide information on the impact of the measures taken, such as the amendment to the Water Pollution Fee Law, on safeguarding peoples’ livelihood from adverse impacts from water pollution and on reducing water pollution. Please also provide information on the measures in place to ensure that people, in particular those living in rural areas and herders, have access to and understand site-specific information related to water pollution.

 Right to an adequate standard of living (food) (art.11)

1. Please provide information on:
	* + - 1. Measures taken to ensure inclusive and safe food distribution system, including the access to information on food safety;
				2. Steps taken to combat obesity and imbalanced diets.

 Right to the highest attainable standard of health (art.12)

1. Please provide information, including relevant statistics, on the impact of the legislative changes in the areas of healthcare, inter alia, the amendment of the Health Insurance Law in 2015 and the enactment of the Med Care and Service Law in 2016, on peoples’ access to healthcare. Please provide information, including relevant statistics, on the impact of the programmes which address the prevalence of communicable and non-communicable diseases that are highly represented among the population (liver cancer, hepatitis B and hepatitis C) and the measures taken to ensure confidentiality of individual medical history on HIV.
2. Please provide information, including statistics, on the extent to which mental health services are available and accessible throughout the territory of the State Party, including services specifically supporting alcoholics and the youth suffering from depression.
3. Please provide information on the measures adopted to ensure women and girls with disabilities are not subjected to forced abortion, sterilisation or contraception and are supported in the decision-making process with regard to their right to sexual and reproductive health. Please provide information on the procedures and practices of girls’ health screening programmes, the measure in place to prohibit virginity testing, and the measures in place to ensure confidentiality and support needs identified by such health exams.
4. Please provide information on:
	* + - 1. The impact of the implantation of the laws and regulations concerning air pollution, inter alia, the National Programme on Reduction of Air and Environmental Pollution, referring to the evolution of the data on concentrations and emissions of air pollutants;
				2. The steps taken to shift towards clean and affordable energy.

 Right to education (art.13)

1. Please provide information on the measures taken to ensure an inclusive education for children with disabilities, as recommended by the Committee, and on the impact of those measures, including statistics allowing to assess the impacts of such measures.

 Cultural rights (art. 15)

1. Please provide information on the impact of the implantation of laws and policies to preserve the cultural heritage, including the Law on protection of Cultural Heritage (2014) and the National Policy for Arts and Culture.

 C. Good practices

1. Please provide information on good practices in policy formulation and implementation, developed by the State party during the reporting period, that have effectively contributed to the realization of economic, social and cultural rights, in particular for marginalized and disadvantaged individuals and groups. Please indicate how the Committee’s previous concluding observations (E/C.12MNG/CO/4) have been taken into account in developing such practices.

1. \* Adopted by the pre-sessional working group at its 65th session (21-25 October 2019). [↑](#footnote-ref-2)