



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

Concluding observations on the combined second and third reports of Mongolia*

I. Introduction

1. The Committee considered the combined second and third periodic report of Mongolia at its 658th and 659th meetings, held on 17 and 18 August 2023. It adopted the present concluding observations at its 681st meeting, held on 4 September 2023.
2. The Committee welcomes the combined second and third periodic report of Mongolia (CRPD/C/MNG/1), which was prepared in accordance with the Committee's reporting guidelines, and thanks the State party for its written replies to the list of issues (CRPD/C/MNG/QPR/2-3) prepared by the Committee.
3. The Committee appreciates the fruitful and sincere dialogue held with the State party's delegation, which was diverse and multisectoral and which included representatives of the relevant government ministries.

II. Positive aspects

4. The Committee notes with appreciation the ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, in 2016, and the adoption and the establishment of the following:
 - (a) The adoption of the Law on the Rights of Persons with Disabilities, in 2016;
 - (b) The amendments to the Labour Code on employment of persons with disabilities, in 2021;
 - (c) The adoption of the National Programme on Rights, Participation and Development for Persons with Disabilities for 2018 - 2022;
 - (d) The establishment of the Supervising Committee for Persons with Disabilities, the National Council for Ensuring the Rights of Persons with Disabilities, with Sub-councils at ministries and Branch-councils in the capital city districts and provinces, in 2016;
 - (e) The establishment of the Central Commission for Health, Education and Social Protection of Children with Disabilities under the Ministry of Labour and Social Protection, in 2016;
 - (f) The establishment of the General Authority for Development of Persons with Disabilities, in 2018;

* Adopted by the Committee at its twenty-ninth session (14 August–8 September 2023).

(g) The establishment of a Working Group to elaborate a Law on Mongolian sign language, in 2023.

III. Principal areas of concern and recommendations

A. General principles and obligations (arts. 1–4)

5. The Committee notes with concern that:

(a) The Constitution of Mongolia does not contain a provision of discrimination on the ground of disability, and that disability-related legislation and policies have not yet been fully brought in line with the Convention;

(b) The medical model of disability is still prevalent in the State party, in its legislation, regulations and practices, which has a negative impact by preventing the inclusion of persons with disabilities in society and limiting their access to appropriate services and support;

(c) The lack of awareness among policymakers, judges, prosecutors, teachers, and medical, health and other professionals working with persons with disabilities, about the rights recognized in the Convention.

6. **The Committee recommend the State Party:**

(a) **Amend its Constitution in order to include a provision of discrimination on the ground of disability in line with Convention, and harmonize all national legislation and policies with the Convention, recognizing persons with disabilities as rights holders on an equal basis with others, including by ensuring close consultation with persons with disabilities through their representative organizations, in particular women with disabilities, persons with intellectual disabilities and persons with psychosocial disabilities;**

(b) **Review all national legislation and policies and harmonize them with the Convention, including by transposing into domestic law the human rights model of disability and by establishing systems aimed at the assessment of legal and environmental barriers to persons with disabilities and the provision of the necessary support and assistance to promote the independent living of persons with disabilities and their full social inclusion;**

(c) **With the close consultation and active involvement of persons with disabilities through their representative organizations, provide capacity-building programmes for public policymakers, judges, prosecutors, teachers, and medical, health and other professionals working with persons with disabilities, on the rights of persons with disabilities and the obligations of the State party under the Convention.**

7. The Committee is concerned:

(a) About a lack of appropriate measures to ensure an effective coordination and operation of the National Council for the Protection of the Rights of Persons with Disabilities at all levels, and the General Authority for Development of Persons with Disabilities;

(b) The lack of budget allocation and the insufficient cross sectoral collaboration and measures taken to implement the National program on Rights, Participation and Development for Persons with Disabilities (2018-2022).

8. **The Committee recommends that the State party:**

(a) **Take necessary mechanisms to ensure an effective function, coordination and operation of the National Council for the Protection of the Rights of Persons with Disabilities at all levels, including the national and local branch councils, and the General Authority for Development of Persons with Disabilities, in harmonizing the national legislations with the Convention and to ensure inter-sectoral synergy, promotion of human rights of persons with disabilities and increase the meaningful**

participation of persons with disabilities and their representative organizations, in particular women with disabilities, in the decision-making;

(b) Adopt the necessary measures to increase budget allocation and ensure an effective cross sectoral collaboration to implement the National program on Rights, participation and development for Persons with Disabilities (2018-2022) and ensure monitoring of its implementation, and extend the National Programme beyond 2022.

9. The Committee is concerned about the insufficient participation of persons with disabilities through their representative organizations, including diverse organizations of persons with disabilities, in decision-making processes concerning disability-related laws, policies and programmes.

10. **The Committee recalls its general comment No. 7 (2018) on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention, and recommends that the State party strengthen and implement mechanisms for the effective involvement of persons with disabilities, through their representative organizations, in public decision-making processes, and ensure close consultation ~~participation~~ and that meaningful participation ~~consultations~~ are held with the whole range of organizations of persons with disabilities, including children with disabilities, persons with intellectual and/or psychosocial disabilities, intersex persons with disabilities, women with disabilities, refugees and migrants with disabilities, autistic persons, lesbian, gay, bisexual, transgender persons with disabilities and persons with disabilities requiring higher levels of support.**

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

11. The Committee notes with concern:

(a) That the State party has not yet taken measures to enact a specific comprehensive anti-discrimination legislation on disability and to mainstream into policy and legislation a legal definition of discrimination against persons with disabilities that would allow for the provision of appropriate and effective legal remedies and sanctions in civil, administrative and criminal proceedings;

(b) That the denial of reasonable accommodation is not recognized as a form of discrimination against persons with disabilities in all areas of life;

(c) There is a lack of recognition of multiple and intersectional forms of discrimination against persons with disabilities in law and policy, particularly on the ground of disability, age, gender, ethnicity, religion, language, nationality and migration status.

12. **The Committee recalls its general comment No. 6 (2018) and targets 10.2 and 10.3 of the Sustainable Development Goals and recommends that the State party:**

(a) Adopt a comprehensive anti-discrimination law, to ensure equal and effective legal protection against direct and indirect discrimination on the basis of disabilities, including, harassment, abuse, denial of reasonable accommodation, and multiple and intersectional discrimination, to recognize multiple and intersectional forms of discrimination on the grounds of disability and its intersection with other grounds, such as age, sex, race, ethnicity, gender identity, sexual orientation, or any other status, and adopt strategies to eliminate multiple and intersecting forms of discrimination;

(b) In close consultation and active involvement of persons with disabilities through their representative organizations, include the provision of reasonable accommodation in all relevant laws and policies and adopt procedures and standards on implementation, including the duty to negotiate accommodations and applicant(s) requesting such accommodations, and access to action and remedy.

Women with disabilities (art. 6)

13. The Committee notes with concern:

(a) The lack of the inclusion of a gender perspective in the disability-related legislation and policies, as well as the lack of a disability perspective in gender-related legislation and policies, which leads to further discrimination, marginalization and exclusion of women and girls with disabilities;

(b) The lack of gender-sensitive budgeting based on the human rights model of disability for planning and implementing activities related to persons with disabilities;

(c) That the national legislative framework does not explicitly address intersectional discrimination against women and girls with disabilities, as well as the absence of data and research carried out on multiple and intersectional discrimination faced by women and girls with disabilities with a view to designing adequate policy responses;

(d) That women with disabilities are not represented in the National Gender Committee, as well as overall lack of empowerment programmes for women with disabilities in employment, in public and political life, in decision-making and in the judiciary.

14. The Committee recalls its general comment No. 3 (2016) on women and girls with disabilities, and Goal 5 of the Sustainable Development Goals, and recommends that the State party:

(a) Mainstream the rights of women and girls with disabilities into all gender legislation, in particular the Law on Gender Equality, and mainstream a gender perspective in disability policies and programmes, while ensuring close consultation with and the active involvement of women and girls with disabilities through their representative organizations, in the design and implementation of gender- and disability-related policies and programmes;

(b) Take measures to ensure that any programs and activities related to general disability issues are planned and budgeted based on the gender equality perspective;

(c) Recognize in its legislation multiple and intersectional forms of discrimination against women and girls with disabilities and adopt specific legislation and strategies based on the data and results of the research, that reflect a gender perspective and intersectionality;

(d) Adopt measures aimed at achieving the empowerment and full inclusion of women and girls with disabilities in all spheres of life, as well as their involvement in all public decision-making processes. The State party should implement measures to ensure that women with disabilities are represented in political life in decision-making roles, including in the State Great Khural, the National Gender Committee, government bodies and the judiciary.

Children with disabilities (art. 7)

15. The Committee observes with concern the absence of mechanisms to consult with children with disabilities and to enable them to express their views in all matters concerning them.

16. With reference to the joint statement of the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities on the rights of children with disabilities (2022), the Committee recommends that the State party establish a mechanism that respects the evolving capacity of children with disabilities to ensure that they can form their views and express them freely in all matters affecting them, and that these views are given due weight in accordance with the child's age and maturity, on an equal basis with other children, and to develop measures to ensure age-appropriate assistance.

Awareness-raising (art. 8)

17. The Committee is concerned about the lack of awareness-raising campaigns and initiatives on the human rights model of disability and other disability issues, targeted at the general public, public officials and media with reference to the persistence of discriminatory attitudes, stigma, negative stereotypes and prejudices towards persons with disabilities, particularly women and children with disabilities, persons with intellectual disabilities and persons with psychosocial disabilities. It is also concerned at the absence of long-term strategy for raising awareness about the rights of persons with disabilities with the effective participation of persons with disabilities.

18. The Committee recommends that the State party:

(a) Adopt a comprehensive national strategy, in close consultation with and active involvement of organizations of persons with disabilities, to raise awareness of and combat prejudices against persons with disabilities, and monitor its impact;

(b) Introduce regular training and awareness-raising modules about the human rights model of disability and the rights of persons with disabilities at all levels of education, for policymakers, the judiciary, law enforcement officials, the media, the politicians, educators, professionals working with and for persons with disabilities, as well as for the general public, in all accessible formats and with the active involvement of persons with disabilities, in order to foster respect for the dignity, abilities and contributions of all persons with disabilities. The Committee further encourages the State party, in collaboration with organizations of persons with disabilities, to develop and carry out training initiatives aimed at all public sector officials as well as the general public, for understanding and implementing the human rights model of disability.

Accessibility (art. 9)

19. The Committee notes with concern:

(a) The lack of progress in the process of elaboration of specific legislation on barrier-free environment and accessibility, initiated in 2019 by the organizations of persons with disabilities;

(b) That despite the establishment of the Working Group to elaborate a Law on Mongolian sign language, in 2023, there is a lack of specific action plan with a timeframe to adopt a Law on sign language and develop the national sign language policy and guideline to implement the Order No A/251 of Minister of Education and Science;

(c) The lack of appropriate measures to ensure persons with disabilities access, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas on an equal basis with others;

(d) The lack of mechanisms to ensure accessibility in police and health systems;

(e) That despite some recent progress in the digitalization of services, such as E-Mongolia website, the barriers in the digital work environment prevent access for persons with disabilities to information and communication.

20. Recalling its general comment No. 2 (2014) on accessibility and to Sustainable Development Goal 9 and targets 11.2 and 11.7, the Committee recommends that the State party:

(a) Adopt a specific law on a barrier-free environment and accessibility, in close consultation with and active involvement of persons with diverse disabilities, various impairments through their representative organizations, to establish an inclusive legally binding accessibility standards;

(b) Adopt a Law on sign language and develop a specific action plan with a clear budget, targets and timeframe to develop the national sign language policy and guidelines to implement the Order No A/251 of Minister of Education and Science;

(c) **Adopt appropriate measures to ensure persons with disabilities access, to the physical environment, to transportation, to information and communication ~~particular the s,~~ including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas on an equal basis with others;**

(d) **Adopt mechanisms and guidelines to ensure a provision of accessibility in police and health systems;**

(e) **Ensure universal access to digital technology for all persons with disabilities, in particular for persons with visual impairments, both in educational facilities and at home, in public and private websites and mobile applications.**

Situations of risk and humanitarian emergencies (art. 11)

21. The Committee is concerned:

(a) That the Law on Disaster Protection and the Plan of Action to decrease the natural disaster risks and actions during the disaster, as well as the Instruction to announce the emergency of the National Emergency Management Agency do not contain specific provisions on the assistance for persons with disabilities in situations of risk and humanitarian emergencies, and lack provisions on accessibility, including the use of sign language and Easy read;

(b) At the low level of involvement of persons with disabilities and their representative organizations in the implementation of the Sendai Framework for Disaster Risk Reduction 2015 – 2030 and climate change adaptation and Goal 7 of the Incheon Strategy to “Make the Right Real” for Persons with Disabilities in Asia and the Pacific at the national level and in its reporting process.

22. **The Committee recommends that the State party:**

(a) **Review the national legislation related to situations of risk and humanitarian emergencies and amend it in order to include provisions on protection of persons with disabilities, and adopt inclusive and accessible disaster risk reduction plans, including sign language interpretation and Easy read, to all persons with disabilities, particularly children, women, persons with psychosocial disabilities, persons with intellectual disabilities and persons with sensory impairments;**

(b) **Closely consult persons with disabilities through their representative organizations on the design and implementation of all disaster risk reduction and climate change adaptation plans at the national and local levels and at all stages of the process, and adopt a comprehensive strategy, in accordance with the Sendai Framework for Disaster Risk Reduction 2015–2030, the Incheon Strategy to “Make the Right Real” for Persons with Disabilities in Asia and the Pacific and Sustainable Development Goals 11 and 13.**

23. The Committee is concerned that persons with disabilities have been disproportionately affected by the COVID-19 pandemic, in particular those who are still in institutions, and at the barriers faced by persons with disabilities in gaining access to emergency information and devices.

24. **The Committee recommends that the State party, guided by the guidance and policy brief on a disability-inclusive response to the COVID-19 pandemic prepared by the Office of the United Nations High Commissioner for Human Rights:**

(a) **Mainstream disability in its COVID-19 recovery plans, including in respect of ensuring equal access to vaccines and telemedicine, and other economic and social programmes to tackle the negative impact of the pandemic;**

(b) **Adopt measures to deinstitutionalize persons with disabilities who are living in institutions, including in times of emergency and to provide them with appropriate support to live in the community, in line with the Committee’s general comment No. 5 (2017) on living independently and being included in the community**

and the Committee's Guidelines on Deinstitutionalization, including in emergencies (2022);

(c) **Actively involve persons with disabilities and their representative organizations at all stages of developing and implementing COVID-19 recovery plans;**

(d) **Ensure that in situations of risk and humanitarian emergencies, all persons with disabilities can receive the necessary information in accessible formats and on the appropriate devices.**

Equal recognition before the law (art. 12)

25. The Committee remains concerned about the lack of progress made to abolish the guardianship and substituted decision-making regime under the Civil Code, limiting the legal capacity of persons with disabilities on the basis of psychosocial and/or intellectual disabilities, and at the lack of a timeframe to completely replace this system with supported decision-making system. The Committee is also concerned about the lack of information about supported decision-making in accessible formats to increase understanding for persons with disabilities and their families.

26. **The Committee reiterates its previous recommendation (CRPD/C/MNG/CO/1, para. 21) and recommends that in line with its general comment No. 1 (2014) on equal recognition before the law, the State party:**

(a) **Repeal all discriminatory legal provisions on substitute decision-making systems, including guardianships and wardships, with supported decision-making systems, which ensures the provision of individualized support and respects the autonomy, will and preferences of persons with disabilities;**

(b) **Ensure the effective, independent participation of persons with disabilities through their representative organizations in the reform process and in the training of the relevant personnel on the recognition of the legal capacity of persons with disabilities and on the mechanisms of supported decision-making system;**

(c) **Organize and fund the development of information about what supported decision making is, in accessible formats such as Braille, sign language and Easy Read and distribute to persons with disabilities and their families.**

Access to justice (art. 13)

27. The Committee is concerned:

(a) At the persistence of barriers that persons with disabilities face with regard to access to justice, particularly persons with intellectual disabilities, persons with psychosocial disabilities and persons with hearing disability due to lack of procedural accommodation, the lack of accessible information and communication in the context of legal procedures, and the inaccessibility of buildings and toilets;

(b) The lack of capacity building program on human rights of persons with disabilities to judiciary and justice sector professionals, policymakers and lawmakers, medical, health and social workers, and all other professionals in the justice system.

28. **The Committee refers to its previous recommendation (CRPD/C/MNG/CO/1, para. 23), recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities prepared in 2020 by the Special Rapporteur on the rights of persons with disabilities and endorsed by the Committee, and target 16.3 of the Sustainable Development Goals, and recommends that the State party:**

(a) **Adopt, in accordance with the Convention, an action plan on access to justice for persons with disabilities, as well as the necessary legislative, administrative and judicial measures to eliminate all barriers to the effective participation of persons with disabilities in all stages of the judicial process;**

(b) **Develop alternative and augmentative means of information and communication for use throughout legal proceedings, such as Braille, sign language, Easy Read and audio and video transcription, apply the principle of universal design**

and adopt an action plan to ensure physical access to all justice facilities, including buildings and toilets, and accessible transportation;

(c) Strengthen professional development programmes for judges, other judicial officials, administrative professionals and other relevant government officials on the provisions of the Convention and the human rights model of disability and their implementation in domestic law.

Liberty and security of the person (art. 14)

29. The Committee remains concerned that persons with disabilities, especially those with psychosocial and/or intellectual disabilities, are still subjected to deprivation of liberty on the basis of disability and perceived dangerousness to themselves or others.

30. **The Committee recalls its guidelines on the right to liberty and security of persons with disabilities (2015) and recommendations issued by the Special Rapporteur on the rights of persons with disabilities¹, and recommends that the State party:**

(a) Recognize the involuntary hospitalization of persons with disabilities as discrimination on the grounds of impairment, amounting to deprivation of liberty, and repeal all relevant legislative provisions, including the provisions of the Law on Health and the Law on Mental Health allowing for the involuntary deprivation of liberty on the grounds of impairment and perceived dangerousness to themselves or others;

(b) Introduce legislation that ensures procedural accommodations for persons with disabilities in all procedures in connection with deprivation of liberty;

(c) Establish a monitoring mechanism to ensure that persons with psychosocial and/or intellectual disabilities are not subjected to arbitrary and forced treatment, particularly treatment that results in confinement.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

31. The Committee is concerned that the Law on persons with disabilities does not provide for a mechanism to protect persons with disabilities from torture or cruel, inhuman or degrading treatment or punishment. It is also concerned about the continuous occurrence of seclusion, psychical, chemical and mechanical restraints, arbitrary treatment and other forms of ill-treatment in various settings, particularly for persons with intellectual disabilities and persons with psychosocial disabilities.

32. **The Committee recommends that the State party immediately put an end to physical restraints and the involuntary use of medications, and:**

(a) Adopt the necessary measures for the protection of all persons with disabilities from torture or cruel, inhuman or degrading treatment or punishment in all settings, including in justice, education, health, psychosocial and aged care facilities. It further recommends that organizations of persons with disabilities are effectively consulted and involved in this process;

(b) Ensure that the complaint procedure is accessible to all persons with disabilities, and investigate and sanction perpetrators of practices that may amount to torture or cruel, inhuman or degrading treatment or punishment against persons with disabilities, imposing sanctions proportional to the conduct.

Freedom from exploitation, violence and abuse (art. 16)

33. The Committee notes with concern:

(a) The lack of awareness among the general population and particularly among persons with disabilities about measures for the protection of persons with disabilities from exploitation, including trafficking, and violence and abuse, and the lack of a comprehensive

¹ A/HRC/40/54/Add.1.

strategy against all forms of exploitation, violence and abuse against persons with disabilities, in all settings, including in the family, at school and in the workplace;

(b) The lack of specific measures to protect persons with disabilities, in particular all women and girls with disabilities disability against all forms of violence, exploitation and abuse, in particular women and girls with intellectual and/or psychosocial disability;

(c) Inadequate training of the staff, carers and families of persons with disabilities, health personnel and law enforcement officials to recognize all forms of exploitation, violence and abuse.

34. The Committee recommends that the State party:

(a) **Take all necessary steps to raise awareness about measures for the protection of persons with disabilities from exploitation, including trafficking, and violence and abuse, and adopt a comprehensive strategy to prevent exploitation, violence and abuse targeting persons with disabilities, especially persons with psychosocial and/or intellectual disabilities and those who are institutionalized, and ensure that persons with disabilities have information about how to avoid, recognize and report cases and that persons with disabilities who are victims of exploitation, violence or abuse have access to independent complaint mechanisms and appropriate remedies, such as redress and adequate compensation, including rehabilitation;**

(b) **Adopt appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse and ensure that services for women and girls with disabilities victims of gender based violence, including support centres and emergency shelters, are accessible and the required support is provided;**

(c) **Provide continuous training for the families of persons with disabilities and for their caregivers, health professionals and law enforcement officers to enable them to recognize all forms of exploitation, violence and abuse, and to better communicate and work with persons with disabilities who are victims of violence.**

Protection of the integrity of the person (art. 17)

35. The Committee remains concerned at the persistence in law (art. 37 (b) of the Law on Health) and in practice, of measures to “prevent conception in persons with genetic psychosocial or intellectual disorders, or psychosocial or intellectually impaired persons”, without their informed consent. The Committee is also concerned that article 9.2 of the Law on Health authorizes abortions of women with “mental disorder” carried out without the free and informed consent of women and girls with disabilities.

36. The Committee reiterates its previous recommendation (CRPD/C/MNG/CO/1, para. 29) and urges the State party to eliminate legislative provisions of the Law on Health, as well as of bylaws and related regulations, restricting sexual and reproductive rights and allowing the forced sterilization of and abortion for women with disabilities, in particular psychosocial and intellectual disabilities, and women with disabilities living in institutions. It also recommends that the State party establish a mechanism for identifying, investigating, and following up on any cases that, despite an explicit prohibition, continue to arise and for providing full redress in those instances, and take measures to provide protection against forced sterilization.

Liberty of movement and nationality (art. 18)

37. The Committee is concerned that despite the provisions of the Law on Citizenship which guarantees the liberty of movement, the Law on travel and immigration limits travelling and immigration of persons with psychosocial disabilities and persons with intellectual disabilities.

38. The Committee recommends that the State party amend the Law on travel and immigration and the Law on Legal Status of Foreign Nationals, in order to harmonize its provisions with the Convention and article 9.1.1 of the Law on Citizenship.

Living independently and being included in the community (art. 19)

39. The Committee observes with concern:

(a) The continuous institutionalization of persons with disabilities and lack of efforts, including budgetary and other measures, made towards the inclusion of persons with disabilities in the community and the provision of all necessary support services, including personal assistance services, as well as the lack of awareness in society and among public authorities of the right of persons with disabilities to live independently and be included in the community, the right to choose where and with whom to live and the right not to be obliged to live in a particular living arrangement;

(b) The absence of a deinstitutionalization strategy for persons with disabilities, including women and children with disabilities placed in existing residential institutions, the lack of programmes for resettling of persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities who cannot afford housing;

(c) That despite some progress made under the “Universal Progress” programme of the Independent Living Center for Persons with Disabilities to train personal assistants, and the slight increase of wages for personal assistants, the current wages for personal assistants remains low and there is a lack of individualized support and personal assistance for living independently in the community.

40. **The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community and the Committee’s Guidelines on Deinstitutionalization, including in emergencies (2022) and recommends that the State party:**

(a) Develop a national strategy on deinstitutionalization of persons with disabilities, in close consultation and active involvement of persons with disabilities through their representative organizations, ensure that it is in line with the Convention and includes sufficient budgetary and other measures, as well as awareness-raising activities to promote understanding of the right of choice and self-determination of persons with disabilities concerning their living arrangements, the right not to be obliged to live in a particular living arrangement, and the value of inclusion in, as opposed to segregation from, the community;

(b) Increase the availability of community-based services aimed at enabling persons to live independently and participate in the community;

(c) Strengthen personal assistance trainings and support and services for persons with disabilities for living independently in the community, and increase the wages for personal assistants.

Personal mobility (art. 20)

41. The Committee remains concerned at the lack of progress concerning measures taken to ensure personal mobility of persons with disabilities, including the lack of access to quality and affordable mobility devices and technologies, in particular in rural and remote areas.

42. The Committee reiterates its previous recommendation (CRPD/C/MNG/1, para.33) and recommends that the State party review the List of assistive devices (Ordinance No. 363/2021) and develop a regulation on quality assistive devices, technologies and services, and adopt other appropriate measures, with the support of national and international cooperation, to facilitate the access to necessary and quality mobility aids, devices and assistive technologies, especially in rural and remote areas, free of charge or at an affordable cost.

Freedom of expression and opinion, and access to information (art. 21)

43. The Committee is concerned about the insufficient provision of information in accessible formats and of information and communications technology, such as Easy Read, plain language, captioning, sign language, Braille, audio description, and tactile, augmentative and alternative means of communication, in both public and private media outlets, and in particular on the websites that provide public information, and the lack of

access to information and communications technology by persons with disabilities, including persons with disabilities belonging to Kazakh and Tuva ethnic minorities. It is also concerned that the sign language interpretation on national and private broadcasting channels is limited only to news programs.

44. **The Committee recommends that the State party:**

(a) **Ensure the accessibility of all public information, including television and media services, hotlines and websites, for all persons with disabilities in accessible communication formats such as Braille, deafblind interpretation, sign language, Easy Read, plain language, audio description, captioning and subtitles by allocating adequate funding for its development, promotion and use, and ensure access to information and communications technology appropriate for the diversity of persons with disabilities, including for Kazakh and Tuva ethnic minorities;**

(b) **Ensure access to public and private broadcasting services and audio-visual content, through the sign language interpretation, subtitles, audio-description and in accessible and usable formats for persons with disabilities.**

Respect for home and the family (art. 23)

45. The Committee is concerned:

(a) That the Family Law limits the rights of persons with intellectual disabilities and persons with psychosocial disabilities placed under guardianship, with respect to family, parenthood, and relationships;

(b) The lack of sufficient support to children with disabilities and their families, and parents with disabilities to carry out their parental responsibilities, in particular for children with disabilities who require a high level support, including children with severe palsy and children with swallowing difficulties.

46. **The Committee recommends that the State party:**

(a) **Amend its legislation to explicitly recognize the right of persons with disabilities, including women with disabilities, persons with intellectual and/or psychosocial disabilities, to marry, found a family and exercise parental responsibilities on an equal basis with others;**

(b) **Repeal the laws and regulations that prevent persons with disabilities from exercising their parental rights and adopt legislative and policy measures to ensure effective support for families of persons with disabilities to raise their children in a family setting, in particular for children with disabilities who require a high level support, including children with severe palsy and children with swallowing difficulties.**

Education (art. 24)

47. The Committee is concerned:

(a) That the State party maintains special education which results in a high number of children with disabilities, who are still receiving segregated special education;

(b) The lack of resources in mainstream schools to support inclusive education, including the lack of sign language interpretation, reasonable accommodation, accessible school text books in Braille, large print, easy to understand format and assistive learning devices for students with disabilities based on individual needs, in particular in rural and remote areas;

(c) That the number of teachers trained on teaching children with disabilities remains low and a lack of specific measures to ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others.

48. **Recalling its general comment No. 4 (2016) on the right to inclusive education, and target 4.5 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Formulate a comprehensive inclusive education policy with strategies and allocated budget to promoting a culture of inclusion in mainstream education at all educational levels, including individualized human-rights based assessments of educational requirements and necessary accommodation, and provide appropriate training for regular teachers and non-teaching education personnel on inclusive education;**

(b) **Provide students with disabilities with assistive compensatory aids, teaching and teacher aids and learning materials in alternative and accessible formats, such as inclusive digital access, and modes and means of communication including Easy Read, communication aids, and assistive and information technology.**

(c) **Ensure the training of regular education teachers and non-teaching education personnel on inclusive education and raise their awareness about the human rights model of disability, and ensure access of persons with disabilities to general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others.**

Health (arts. 25)

49. The Committee remains concerned about the limited access for persons with disabilities, in particular women with disabilities, to sexual and reproductive health, particularly in rural and remote areas. It also remains concerned at the lack of progress made to ensure that persons with disabilities exercise their right to free and informed consent.

50. **Taking into account the links between article 25 of the Convention and targets 3.7 and 3.8 of the Sustainable Development Goals, the Committee reiterates its previous recommendation (CRPD/C/MNG/CO/1, para.39) and recommends that the State party take measures to ensure access for all persons with disabilities to health services, in particular sexual and reproductive health services, maternal and child health services, in particular in rural and remote areas. The Committee also recommends that the State party takes measures to ensure that all persons with disabilities, regardless of the nature of their impairment, have the right to free and informed consent.**

Habilitation and rehabilitation (art. 26)

51. The Committee is concerned that the Development centres for rehabilitation of children with disabilities and the 6 development centres for persons with disabilities established in 6 provinces, focus only on the medical model of habilitation and rehabilitation.

52. **The Committee recommends that the State party take measures to expand habilitation and rehabilitation systems, taking into account the human rights model of disability, and ensure that all persons with disabilities have access to these services based on their individual requirements.**

Work and employment (art. 27)

53. The Committee notes with concern:

(a) That despite some efforts undertaken by the State party in order to improve the access to work and employment of persons with disabilities, there is a continuous exclusion of persons with disabilities, in particular women with disabilities, and persons with intellectual and/or psychosocial disabilities in the labour market and persons with disabilities who are starting business;

(b) That despite the existing legal provisions on reasonable accommodation in the Labour Code, it is not consistently recognized and applied in all sectors.

54. **The Committee recalls its General comment No. 8 (2022) on the right of persons with disabilities to work and employment, and recommends that the State party, in line with target 8.5 of the Sustainable Development Goals:**

(a) **Repeal all discriminatory legislation that excludes or limits the participation of persons with disabilities in the open labour market and adopt effective measures to ensure the right of all persons with disabilities to work, in particular**

women with disabilities, persons with intellectual and/or psychosocial disabilities, as well as measures to combat discrimination particularly in relation to advertisements, recruitment processes, reasonable accommodation, retraining, promotion, and other rights related to work and employment;

(b) Strengthen the implementation of the Labour Code and ensure that the right to seek reasonable accommodation in the workplace is recognized for employees in the public and private sectors;

(c) Strengthen measures to ensure that persons with disabilities have access to work and employment in the open labour market and to inclusive work environments, particularly in relation to advertisements, recruitment processes, reasonable accommodation, retraining, promotion, starting business, and other rights related to work and employment including persons with disabilities who leave institutions, persons with intellectual disabilities, persons with hearing disability and persons with psychosocial disabilities.

Adequate standard of living and social protection (art. 28)

55. The Committee notes with concern:

(a) The inadequacy of the amount provided as disability allowance and disability pension to cover the high cost of living in the State party under the disability income and social security policy, as it does not take into account the inflation rates and the minimum standards of living;

(b) At the lack of housing programmes with allocated budget for persons with disabilities.

56. Recalling the links between article 28 of the Convention and target 10.2 of the Sustainable Development Goals, which seek to empower and to promote the economic inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status, the Committee recommends that the State party:

(a) Strengthen the social protection and poverty reduction schemes for persons with disabilities and review the amount of disability allowance in close consultation with and active involvement of persons with disabilities and their representative organizations, taking into account the inflation rates and the minimum standards of living;

(b) Establish accessible and affordable housing programmes for persons with disabilities, and provide sufficient budget allocations for these programmes.

Participation in political and public life (art. 29)

57. The Committee is concerned:

(a) That the Civil Code and the Election Law are not harmonized with the provisions of the Convention with regard to the participation in political and public life of persons with disabilities. It is also concerned that persons with disabilities, including deaf persons, persons with intellectual and/or psychosocial disabilities, deafblind persons and women with disabilities are underrepresented in political and public life;

(b) The lack of accessibility to polling stations, voting procedures, facilities and materials, as well as to information about elections, including public electoral debates, electoral programmes, and online or printed election materials, all of which limits the effective political participation of persons with disabilities.

58. The Committee recommends that the State party:

(a) Amend the Civil Code and the Election Law in order to harmonize them with the provisions of the Convention, and introduce specific measures to ensure equality and foster participation of underrepresented groups of persons with disabilities, including deaf persons, persons with intellectual and/or psychosocial disabilities, deafblind persons, and women with disabilities, including as elected

representatives, and to support candidates with disabilities to stand for elections, particularly those standing for minority political parties;

(b) Guarantee that electoral and voting procedures, facilities, and online or printed election materials are accessible in plain language and Easy Read, thereby facilitating their use by all persons with disabilities.

Participation in cultural life, recreation, leisure and sport (art. 30)

59. The Committee is concerned about a lack of measures to ensure that persons with disabilities enjoy access to cultural materials in accessible formats, access to television programmes, films, theatre and other cultural activities, in accessible formats and access to places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services and sport services.

60. **The Committee recommends that the State party:**

(a) **Develop measures to ensure that persons with disabilities enjoy access to cultural materials in accessible formats, access to television programmes, films, theatre and other cultural activities, in accessible formats and access to places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services and sport services;**

(b) **Adopt appropriate measures to ensure the effective implementation of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled through close consultation and active involvement of persons with disabilities through their representative organizations;**

(c) **Increase its efforts to ensure that persons with disabilities, particularly children with disabilities, enjoy their right to participate in cultural life, recreation, leisure and sport on an equal basis with others.**

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

61. The Committee is concerned about the lack of consistent measures at the national level for the collection and public reporting of disaggregated data on the barriers faced by persons with disabilities in exercising their rights.

62. **The Committee recommends that the State party use the Washington Group short set of questions on disability and the Development Assistance Committee of the Organisation for Economic Co-operation and Development policy marker on the inclusion and empowerment of persons with disabilities and further recommends that the State party:**

(a) **Expediently develop a system and procedures for collecting data on persons with disabilities disaggregated by age, sex, sexual orientation, gender identity, race, ethnicity, income, migration status, level of education, employment situation and place of residence. The system and procedures should ensure confidentiality and respect the privacy of persons with disabilities;**

(b) **Allocate funds to undertake periodic research on the rights of persons with disabilities with the aim of identifying barriers to their implementation. The State party should build the capacity of municipal authorities to conduct periodic research on barriers to the inclusion of persons with disabilities;**

(c) **Support independent and participatory research, both quantitative and qualitative, to inform the disability-related policies and measures taken for ensuring the rights of persons with disabilities.**

International cooperation (art. 32)

63. The Committee is concerned about the lack of appropriate mechanism to ensure that the international development projects are disability-inclusive and based on the human rights model to disability and guarantees the close consultation and meaningful involvement of persons with disabilities and their representative organizations at all stages of development, implementation, and monitoring and evaluation of those projects. It is also concerned at the lack of a mechanism to financially support organizations of persons with disabilities through development cooperation, to enable them to participate in international conferences and trainings on issues related to the human rights of persons with disabilities.

64. The Committee recommends that the State party take measures to ensure that the international development projects are disability-inclusive and based on human rights model to disability and guarantees the effective participation of organizations of persons with disabilities at all stages of development, implementation, and monitoring and evaluation of those projects. It also recommends that the State party take measures to financially support organizations of persons with disabilities through development cooperation so they can participate in international conferences and trainings on issues related to the human rights of persons with disabilities.

National implementation and monitoring (art. 33)

65. The Committee notes with concern about the lack of progress made towards the implementation of recommendations of the GANHRI Sub-Committee on Accreditation (SCA) made in 2021 during the re-accreditation of the National Human Rights Commission of Mongolia (NHRCM), to ensure the formalization of a clear, transparent and participatory selection and appointment process.

66. The Committee recommends that the State party implement the recommendations of the GANHRI to continue advocating for the formalization of a clear, transparent and participatory selection and appointment processes and enhance diversity and pluralism, in the composition of its Council, in order to ensure that the National Human Rights Commission of Mongolia (NHRCM) functions effectively and independently and discharges its mandate in full compliance with the Paris Principles.

67. The Committee notes with concern that the State party has not designated an independent monitoring mechanism for the follow-up and evaluation of the implementation of the Convention with a budget and designated functions that involves the effective and independent participation of persons with disabilities and their representative organizations.

68. The Committee recommends that the State party take action, bearing in mind the guidelines on independent monitoring frameworks and their participation in the work of the Committee (CRPD/C/1/Rev.1, annex), to establish an independent monitoring mechanism with a budget and designated functions for monitoring of the implementation of the Convention.

69. The Committee is concerned that despite the establishment of the National Council for Ensuring the Rights of Persons with Disabilities, with Sub-councils at ministries and Branch-councils in the capital city districts and provinces, there is a lack of focal points in different ministries to mainstream the rights of persons with disabilities.

70. The Committee recommends that the State party clearly designate one or more focal points within the Government with the sufficient authority, human resources and budget allocations to carry out their mandate for ensuring that rights of persons with disabilities are mainstreamed across all policies and programme.

IV. Follow-up**Dissemination of information**

71. The Committee emphasizes the importance of all the recommendations contained in the present concluding observations. With regard to urgent measures that

must be taken, the Committee would like to draw the State party's attention to the recommendations falling under articles 1-4, 5 and 33 of the Convention.

72. The Committee requests the State party to implement the recommendations contained in the present concluding observations. It recommends that the State party transmit the concluding observations for consideration and action to members of the Government and Parliament, officials in relevant ministries, local authorities and members of relevant professional groups, such as education, medical and legal professionals, as well as to the media, using modern social communication strategies.

73. The Committee strongly encourages the State party to involve civil society organizations, in particular organizations of persons with disabilities, in the preparation of its periodic report.

74. The Committee requests the State party to disseminate the present concluding observations widely, including to non-governmental organizations and organizations of persons with disabilities, and to persons with disabilities themselves and members of their families, in national and minority languages, including sign language, and in accessible formats, including Easy Read, and to make them available on the government website on human rights.

Next periodic report

75. The State party has opted to report under the simplified reporting procedure regarding its periodic reports. The Committee will prepare list of issues prior to reporting and request the State party to submit its replies within one year upon receipt of the list of issues. The replies of the State party, expected by 13 June 2031 will constitute its combined fourth to sixth periodic reports.
