



MONGOLIA

BASELINE ASSESSMENT OF R2P IMPLEMENTATION



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Responsibility to Protect



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The following Baseline Assessment Annex provides an overview of Mongolia's efforts in implementing R2P as of 2019. For a full description of the methodology used in this study, see Part II of 'Implementing the Responsibility to Protect in the Asia Pacific: An Assessment of Progress and Challenges', available [here](#).

MONGOLIA

Mongolia has transformed itself into a vibrant multiparty democracy after decades of single-party rule and a centrally planned economy. Its enthusiastic acceptance of human rights and the rule of law makes it somewhat of a rarity in the region, wedged as it is between Russia and China. Regarding R2P implementation, the country has come a long way, yet still more needs to be done before it could be considered a leader in the region.

Domestically, the civil society sector in Mongolia is strong and many rights and liberties are guaranteed by the constitution. Its human rights institution is largely capable and its security sector, despite some issues, is effectively controlled and accountable to civilian authorities. Its education system is effective and the country possesses a high literacy rate. Sexual and gender-based violence and corruption in political and judicial spheres are ongoing problems in Mongolia, and prevent the full realisation of the ideals set out in its constitution and advocated by civil society members. It has not yet appointed a national R2P Focal Point.

In the international context, Mongolia has a mixed record. They have signed all but one of the international treaties most relevant to R2P and overall Mongolia adheres strongly to its international human rights obligations, despite issues of discrimination. It is an active participant in the Universal Periodic Review and has hosted conferences and talks with regional neighbours to facilitate diplomacy and democratic best practice in the region. However, the country has a more ambiguous stance regarding other UN-led initiatives on R2P. It has never participated in the General Assembly's Informal Interactive Dialogue on R2P, and while it was supportive of many atrocity prevention resolutions during its time on the Human Rights Council,

it has mostly abstained from voting in the General Assembly. It should be noted, however, that it is a supporter of veto restraint and the Security Council Code of Conduct in relation to mass atrocity crimes.

The exception to this ambiguous stance is peacekeeping. Mongolia has a strong peacekeeping record, and its efforts have gained the country a well-deserved reputation for professional and effective peacekeeping deployments. It hosts an annual peacekeeping exercise, inviting troops from around the world to participate and gain experience in effective deployment techniques.

MONGOLIA

Assessment	Indicator
Very Strong	Protection of populations from atrocity crimes
	Dealing with past atrocities
	Sign and ratify the Rome Statute of the International Criminal Court and cooperate fully with the Court
	Establish and maintain National Human Rights Institutions in accordance with the Paris Principles
	Participate in international peer review processes, including the Universal Periodic Review (UPR) of the UN Human Rights Council
	Cooperate fully with UN Human Rights mandate holders and those of relevant regional organisations
	Ensure a legitimate, effective and civilian controlled security sector
	Prevent nationals committing atrocity crimes overseas
	Contribute to United Nations peacekeeping operations (especially those with a protection of civilians mandate)
	Develop the capacities needed to support civilian protection, including through the training of military and civilian personnel for peacekeeping
	Support UN Security Council veto restraint on issues relating to atrocity crimes
Strong	Reduction of atrocity crime risks
	Sign, ratify and implement relevant instruments of international law
	Take measures to counter and prevent violent extremism
	Cultivate and protect an active, diverse and robust civil society
	Ensure the education system reflects the ethnic, national and cultural diversity of society, and sets examples of inclusiveness
Fair	Ensure domestic promotion and protection of human rights, focusing on the elimination of discrimination
	Ensure equal access to justice
	Criminalise incitement to commit genocide, war crimes, ethnic cleansing and crimes against humanity
	Enact and implement laws protecting vulnerable groups, particularly in relation to sexual and gender-based violence
	Participate in international, regional and national discussions on the further advancement of R2P
	Leverage existing mechanisms and institutions (including regional and sub-regional organisations) to encourage States to fulfil their responsibility to protect
	Encourage and assist States to fulfil their R2P in situations of emerging and ongoing crisis, such as good offices and preventive diplomacy
	Support the development and work of regional human rights and other preventive capacities
	Support atrocity prevention through development and assistance partnerships
Weak	Protect individuals and groups fleeing atrocity crimes and their risk, in accordance with International Refugee Law
	Strengthen regional and international networks for atrocity crime prevention

	Strengthen the role and capacity of regional organisations
	Support the early warning and capacity building efforts of the UN Office on Genocide Prevention and R2P
	Support the strengthening of the UN's capacity for atrocity prevention, including through the UN Human Rights system
	Support preventive actions on atrocity crimes
Very Weak	Appoint national R2P Focal Point
	Incorporate atrocity crime risks and dynamics into conflict analysis and/or development partnerships
	Establish domestic mechanisms to hold the government accountable for upholding its responsibility to protect
	Conduct a national assessment of risk and resilience
	Support the Kigali Principles

Thematic Area	Indicator	Assessment	Notes
Basic Compliance	Protection of populations from atrocity crimes.	Very Strong	After decades of Soviet influence and under a one party system, Mongolia became a multiparty democracy with the fall of the Soviet Union and has continued to develop into a middle income country. Despite being surrounded by China and Russia, it has increasingly kept to its democratic principles, making it somewhat of an anomaly in the Northeast Asian region. ¹
	Reduction of atrocity crime risks.	Strong	There are still areas of concern within the country, including corruption, violence towards LGBTIQ persons and their supporters, poverty and impunity and abuse within the judicial and security sectors. Yet overall, the citizens of Mongolia are protected from atrocity crimes.
	Dealing with past atrocities.	Very Strong	Continued violence levelled at certain sectors of Mongolian society and a sustained level of impunity in the security sector heightens the risk of atrocity crimes occurring. However, constitutional guarantees, human rights education and a strong civil society sector means that currently the chances of atrocity crimes being committed is low. There is no evidence of atrocity crimes having taken place within Mongolia, both before and after its formation into a democracy.
Policy Mechanisms	Appoint national R2P Focal Point.	Very Weak	Mongolia has not appointed a national R2P Focal Point. ²
	Incorporate atrocity crime risks and dynamics into conflict analysis and/or development partnerships.	Very Weak	No evidence of atrocity crime risks and dynamics could be found in Mongolia's conflict analysis or development partnerships.
	Establish domestic mechanisms to hold the government accountable for upholding its responsibility to protect.	Very Weak	No evidence found.
International Human Rights Obligations	Sign, ratify and implement relevant instruments of international law.	Strong	Mongolia has ratified ten out of the twelve international human rights laws (IHL) most relevant to R2P. The treaties ratified are: ³ <ul style="list-style-type: none"> • Convention on the Prevention and Punishment of the Crime of Genocide (Ratification/Accession: 1967). • Geneva Conventions (Ratification/Accession: 1958).

¹ Dierkes, Julian, 2017. 'Mongolia: An unexpected bastion of democracy thanks to its youth'. *The Conversation*, 19 July. Available at: <http://theconversation.com/mongolia-an-unexpected-bastion-of-democracy-thanks-to-its-youth-80765>.

² Global Centre for the Responsibility to Protect (GCR2P), 2018. *Global Network of R2P Focal Points*, http://www.globalr2p.org/media/files/regional-breakdown_global-network-of-r2p-focal-points-2.pdf.

³ United Nations Treaty Collection (UNTC), 2019. 1. *Convention on the Prevention and Punishment of the Crime of Genocide*, https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-1&chapter=4&clang=en#EndDec; UNTC, 2019. 8. *Arms Trade Treaty*, https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XXVI-8&chapter=26&clang=en; United Nations High Commissioner for Refugees (UNHCR), 2015. *States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol*, <https://www.unhcr.org/en-au/protection/basic/3b73b0d63/states-parties-1951-convention-its-1967-protocol.html>; International Criminal Court (ICC), 2003. *Mongolia*, https://asp.icc-cpi.int/en_menus/asp/states%20parties/asian%20states/Pages/mongolia.aspx; International Committee of the Red Cross (ICRC), n.d. *Treaties, States Parties and Commentaries: Mongolia*, https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/vwTreatiesByCountrySelected.xsp?xp_countrySelected=MN; United Nations Human Rights Office of the High Commissioner (UNOHCHR), n.d. *View the ratification status by country or by treaty*, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=115&Lang=EN.

		<ul style="list-style-type: none"> • <i>Geneva Protocol I</i> (Ratification/Accession: 1995) • <i>Rome Statute of the International Criminal Court</i> (Ratification/Accession: 2002). • <i>Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment [CAT]</i> (Ratification/Accession: 2002). • <i>Convention on the Rights of the Child [CRC]</i> (Ratification/Accession: 1990). • <i>Convention on the Elimination of All Forms of Discrimination against Women [CEDAW]</i> (Ratification/Accession: 1981). • <i>Convention on the Elimination of All Forms of Racial Discrimination [CERD]</i> (Ratification/Accession: 1969). • <i>International Covenant on Economic, Social and Cultural Rights [ICESCR]</i> (Ratification/Accession: 1974). • <i>International Covenant on Civil and Political Rights [ICCPR]</i> (Ratification/Accession: 1974). <p>Mongolia has signed but not ratified the <i>Arms Trade Treaty [ATT]</i> (Signature date: 2013).</p> <p>Mongolia has neither signed or ratified the <i>1951 Refugee Convention</i> or its <i>1967 Protocol</i>.</p>
Sign and ratify the Rome Statute of the International Criminal Court and cooperate fully with the Court.	Very Strong	Mongolia signed the <i>Rome Statute</i> in 2000 and deposited its instrument of ratification in 2002. ⁴
Establish and maintain National Human Rights Institutions in accordance with the Paris Principles.	Very Strong	<p>Mongolia possesses the National Human Rights Commission which, as of 2018, holds an ‘A’ rating by GANHRI,⁵ meaning it is fully compliant with the Paris Principles.</p> <p>The Commission undertakes training and human rights education throughout Mongolia, conducts research and investigations and can receive complaints. It also submits an annual report to parliament on the state of human rights in Mongolia.⁶</p> <p>There is some concern the Commission is underfunded and its recommendations are not heeded in the drafting of national policy.⁷</p>
Ensure domestic promotion and protection of human rights, focusing on the elimination of discrimination.	Fair	Mongolia’s constitution guarantees many human rights, including rights to life and liberty, education, association, free speech, religion and political representation. ⁸ Citizens of Mongolia are protected from discrimination based on sex, religion, ethnic origin, social status and religion, amongst others. ⁹

⁴ International Criminal Court (ICC), 2003. *Mongolia*.

⁵ Global Alliance of National Human Rights Institutions (GANHRI), 2018. *Chart of the Status of National Institutions*, p. 2, <https://nhri.ohchr.org/EN/AboutUs/GANHRIAccreditation/Documents/Status%20Accreditation%20Chart.pdf>.

⁶ See: National Human Rights Commission of Mongolia, 2014. *About the Commission*, <http://mn-nhrc.org/eng/main/1/>.

⁷ United Nations, Economic and Social Council, Concluding observations on the fourth periodic report of Mongolia, 7 July 2015, E/C.12/MNG/CO/4, p. 2.

⁸ Mongolia, The State Great Khural. *Mongolia’s Constitution of 1992 with Amendments through 2001, Chapter 2, Article 16*. Ulaanbaatar, 1992.

⁹ *Ibid.*, Chapter 2, Article 14.

Recently, Mongolia abolished the death penalty from the *Criminal Code*.¹⁰

Unfortunately, constitutional guarantees mean little in practice, as various human rights issues plague Mongolian society. These include torture and abuse by the security services, corruption, human trafficking and the curbing of press freedom.¹¹ There was also evidence of the suppression of migrant workers' rights, particularly those from the Democratic People's Republic of Korea (DPRK).¹²

There is concern from the United Nations that no comprehensive anti-discrimination law exists, and discrimination is not defined in the *Criminal Code*.¹³

Participate in international peer review processes, including the Universal Periodic Review (UPR) of the UN Human Rights Council.	Very Strong	Mongolia has participated twice in the UPR, first in November 2010 and second in May 2015. In its first UPR, Mongolia received 129 recommendations, 126 of which it accepted, rejecting the other three. ¹⁴ The second UPR saw Mongolia receive a total of 164 recommendations. 150 were accepted and the other 14 were noted. ¹⁵ Of the recommendations that were not accepted by Mongolia, protecting the rights of refugees and migrant workers are common to both reviews.
Cooperate fully with UN Human Rights mandate holders and those of relevant regional organisations.	Very Strong	Mongolia extended a standing invitation to UN Special Procedures in 2004. Since that time there have been nine visits by mandate holders. Of these, six have completed reports and another two are forthcoming. The remaining visit has been agreed to take place later in 2019. ¹⁷
Ensure equal access to justice.	Fair	Rights to a fair trial, appeals and the presumption of innocence are all constitutionally guaranteed. ¹⁸ However, there is limited access to legal aid for those living in rural areas ¹⁹ and trial procedures are plagued with inefficiencies. While government-provided legal aid and trial procedures were generally adequate and timely, legal representation

¹⁰ Amnesty International, 2017. *Mongolia: death penalty confined to history as new Criminal Code comes into effect*, <https://www.amnesty.org/download/Documents/ACT5066462017ENGLISH.pdf>.

¹¹ U.S Department of State, 2019. *Mongolia 2018 Human Rights Report*, <https://www.state.gov/wp-content/uploads/2019/03/MONGOLIA-2018.pdf>; Enkhbaatar, Ulziilkham, 2013. 'Human Trafficking as a Violation of Human Rights in Mongolia'. *Australian Journal of Asian Law*, vol. 13, no. 2, 1-15; Amnesty International, 2018. *Mongolia 2017/2018*, <https://www.amnesty.org/en/countries/asia-and-the-pacific/mongolia/report-mongolia/>.

¹² Human Rights Watch (HRW), 2008. *Mongolia: Protect Rights of North Korean Migrant Workers*, <https://www.hrw.org/news/2008/08/20/mongolia-protect-rights-north-korean-migrant-workers>; U.S Department of State, 2019. *Mongolia 2018 Human Rights Report*, p. 20.

¹³ United Nations, Economic and Social Council, E/C.12/MNG/CO/4, p. 4.

¹⁴ UPR Info, 2010. *Responses to Recommendations: Mongolia*, https://www.upr-info.org/sites/default/files/document/mongolia/session_9_-_november_2010/recommendationstomongolia2011.pdf.

¹⁵ UPR Info, 2015. *2RP: Responses to Recommendations & Voluntary Pledges: Mongolia*, https://www.upr-info.org/sites/default/files/document/mongolia/session_22_-_may_2015/recommendations_and_pledges_mongolia_2015.pdf.

¹⁶ UNOHCHR, n.d. *List of States parties without overdue reports*, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/LateReporting.aspx.

¹⁷ UNOHCHR, n.d. *View Country visits by Special Procedures of the Human Rights Council since 1998*, https://spinternet.ohchr.org/_layouts/15/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=MNG.

¹⁸ Mongolia, The State Great Khural. *Mongolia's Constitution of 1992 with Amendments through 2001, Chapter 2, Article 16*.

¹⁹ United Nations, Economic and Social Council, E/C.12/MNG/CO/4, p. 3.

was often varied in quality and corruption and witness intimidation was common.²⁰

In March 2019, safeguards protecting the independence of Mongolia's courts and anti-corruption body were removed in an amendment bill rushed through parliament. This enables the president to dismiss the Prosecutor General and other judges at whim. Later that month, the president dismissed both the Prosecutor General and Chief Justice of the Supreme Court.²¹

Criminalise incitement to commit genocide, war crimes, ethnic cleansing and crimes against humanity.

Fair

The *Criminal Code* of Mongolia specifically lists genocide as a crime.²² Article 86 assigns a prison sentence of six to ten years for anyone discriminating, establishing privileges or spreading hateful propaganda along national, racial or religious lines.²³ This could potentially cover crimes against humanity and acts of ethnic cleansing. However, there is no specific mention of crimes against humanity, ethnic cleansing or war crimes in the *Code*.²⁴

Take measures to counter and prevent violent extremism.

Strong

Mongolia aligns itself strongly with the UN's Counter-Terrorism Strategy, ratifying 13 international conventions on countering terrorism.²⁵ It recognises countering violent extremism and terrorism requires international cooperation and the establishment of the National Counter-Terrorism Coordinative Council in 2004 allows for interoperability and information sharing between government agencies as well as international partners.²⁶ In June 2019 in conjunction with the OSCE and UN, Mongolia hosted a conference on countering violent extremism through a 'whole-of-society' approach.²⁷

In 2004 Mongolia joined the Asia Pacific Group on Money Laundering (APG). In 2017 a report was published evaluating its compliance to measures countering money laundering and terrorism financing. While many of Mongolia's measures did not meet the outcomes put in place by the APG, the report recognised the threat of terrorism funding in the country appears to be low, but due to widespread corruption it is at high risk of money laundering.²⁸

²⁰ U.S Department of State, 2019. *Mongolia 2018 Human Rights Report*, p. 5-6.

²¹ CIVICUS, 2019. *Anti-Corruption Protests Force Removal of Mongolian Politician While Judicial Independence at Risk*, <https://monitor.civicus.org/newsfeed/2019/05/03/anti-corruption-protests-force-removal-mongolian-politician-while-president-erodes-democracy/>.

²² Parliament of Mongolia. 'Criminal Code of Mongolia (Revised)'. (1 September 2002). *Refworld*. Article 302. <<https://www.refworld.org/docid/4721ca222.html>>.

²³ *Ibid.*, Article 86.

²⁴ See also: Library of Congress, 2016. *Genocide, Crimes Against Humanity and War Crimes Jurisdiction*, <https://www.loc.gov/law/help/genocide/chart.php#Mongolia>.

²⁵ Permanent Mission of Mongolia to the United Nations, 2018. *Statement by H.E. Mr. Sukhbold Sukhee, Ambassador, Permanent Representative of Mongolia to the United Nations on Measures to Eliminate International Terrorism*, https://www.un.int/mongolia/statements_speeches/statement-he-mr-sukhbold-sukhee-ambassador-permanent-representative-mongolia-1.

²⁶ Reeves, Jeffrey, 2014. *Mongolia's Counter-Terrorism Architecture: Implications for Domestic Development and Foreign Partnership*, <https://apcss.org/wp-content/uploads/2010/03/Terrorism-in-Mongolia-Reeves-Oct2014.pdf>.

²⁷ OSCE, 2019. *Tolerance, inclusion, interfaith and intercultural understanding key to preventing and countering violent extremism, say Mongolia conference speakers*, <https://www.osce.org/secretariat/423758>.

²⁸ APG, 2017. *Anti-money laundering and countering terrorism financing measures – Mongolia: Mutual Evaluation Report*, <file:///C:/Users/commi/Downloads/Mongolia%20MER%202017%20-%20published%20version.pdf>.

	Enact and implement laws protecting vulnerable groups, particularly in relation to sexual and gender-based violence.	Fair	<p>While discrimination based on sex is not allowed by the constitution²⁹ and rape is criminalised,³⁰ Mongolia has problems with sexual and gender-based violence (SGBV) that stem from deep-rooted societal norms.</p> <p>There is a gender imbalance in the number of men and women in positions of power, and prevailing perceptions of gender roles also give rise to one of the highest rates of domestic and SGBV in Asia.³¹ In 2014 a report co-authored by US and Mongolian NGOs said that Mongolia's <i>Law to Combat Domestic Violence</i> (LCVD) goes a long way in protecting victims and prosecuting offenders. Yet, "... implementation of the law has been hindered by lack of direction regarding responsibility for carrying out specific provisions of the act, lack of harmonization between LCVD and related legislation, scarce resources, and lack of education about the act."³² While the situation is improving, lack of understanding in government and society means SGBV remains prevalent, as is sexual harassment, which no law criminalises.³³</p> <p>LGBTIQ persons also face widespread discrimination, despite slow progress of recognition. Social stigma and strong ideas of masculinity means being truthful about one's sexual or gender identity can result in discrimination and violence.³⁴</p>
	Protect individuals and groups fleeing atrocity crimes and their risk, in accordance with International Refugee Law.	Weak	<p>Mongolia has not signed the <i>1951 Refugee Convention</i> or its <i>1967 Protocol</i>. There is no legal provision for refugees, meaning they have little access to work and basic necessities other than those provided by the UNHCR presence in the country.³⁵</p> <p>Mongolia possesses standard diplomatic relations with the DPRK, one of the few countries to do so. It has also long been an alternative route for defectors from the DPRK seeking asylum in South Korea.³⁶</p>
	Domestic Implementation	Very Weak	No evidence of a national assessment having been conducted has been found.
	Cultivate and protect an active, diverse and robust civil society.	Strong	The civil society sector in Mongolia is generally free, with civil liberties and freedoms constitutionally guaranteed. However, in practice government actions and behaviour, especially

²⁹ Mongolia, The State Great Khural. *Mongolia's Constitution of 1992 with Amendments through 2001, Chapter 2, Article 14.*

³⁰ Parliament of Mongolia. 'Criminal Code of Mongolia (Revised)'. (1 September 2002). *Refworld*. Article 126.

³¹ Bittner, Peter, 2018. 'Mongolia Wrestles With Violence Against Women'. *The Diplomat*, 31 July. Available at: <https://thediplomat.com/2018/07/mongolia-wrestles-with-violence-against-women/>.

³² National Center Against Violence and The Advocates for Human Rights, 2014. *Implementation of Mongolia's Domestic Violence Legislation*, p. 2, https://www.theadvocatesforhumanrights.org/uploads/mongolia_report_final.pdf.

³³ U.S Department of State, 2019. *Mongolia 2018 Human Rights Report*, p. 14.

³⁴ United Nations, Economic and Social Council, Concluding observations on the fourth periodic report of Mongolia, 7 July 2015, E/C.12/MNG/CO/4, p. 4; Aldama, Zigor, 2017. 'LGBTI in Mongolia fighting for rights and recognition'. *South China Morning Post*, 20 July. Available at: <https://www.scmp.com/magazines/post-magazine/long-reads/article/2103383/lgbt-mongolia-fighting-rights-and-recognition>.

³⁵ U.S Department of State, 2019. *Mongolia 2018 Human Rights Report*, p. 10.

³⁶ Campi, Alicia, 2019. 'How North Korea-Mongolia Relations Have Jump-Started The Korean Peninsula Peace Process'. *East-West Center*, 20 February. Available at: <https://www.eastwestcenter.org/publications/how-north-korea-mongolia-relations-have-jump-started-the-korean-peninsula-peace-process>; Rinna, Anthony V., 2019. 'How Mongolia leverages its neutrality to influence diplomacy with North Korea'. *NKNews.org*, 25 June. Available at: <https://www.nknews.org/2019/06/how-mongolia-leverages-its-neutrality-to-influence-diplomacy-with-north-korea/>; Mclellan, David, 2017. *10 Facts About Refugees in Mongolia*, <https://borgenproject.org/refugees-in-mongolia/>.

corruption, means that civil liberties are not always respected. There is evidence that those campaigning against corruption and in support of various civil liberties face discrimination and intimidation from state officials.³⁷

There is endemic corruption and a lack of transparency in Mongolia,³⁸ and this has concentrated media ownership in the country and has in turn affected the flow of information. A survey found just under a quarter of journalists did not cover stories due to financial and personal relationships with politicians and business elites. The recent notion that media provides a public service rather than functions as a government mouthpiece (as it did in Soviet times) has meant there is a residual culture of self-censorship. Due to the concentration of media ownership and the proliferation of defamation lawsuits levelled at journalists, this culture remains. Despite these problems, RSF ranked Mongolia at 70 in the World Press Freedom Index, up one spot from 2018. Freedom House considers Mongolia to be 'Free'.³⁹

Freedom to assemble and possession of autonomous rights holds up well in practice, and recent protests forced the resignation of a Mongolian politician caught in a corruption scandal.⁴⁰

Ensure a legitimate, effective and civilian controlled security sector.

Very Strong

Civilian authorities are firmly in control of the internal and external forces of Mongolia, and Mongolia's national human rights institution has oversight of these forces, and is able to take evidence and make judgements on complaint proceedings.⁴¹

Ensure the education system reflects the ethnic, national and cultural diversity of society, and sets examples of inclusiveness.

Strong

There is some concern from UN bodies that protections against torture by police and security officials do not follow international standards.⁴²

Mongolia possessed an excellent education system while under the administration of the Soviet Union. After independence, quality and enrolment rates fell as the country had to adjust to a free market based economy. External funding and management from UNICEF and others has helped it reattain solid levels of education.⁴³

³⁷ UNOHCHR, 2019. *Visit to Mongolia, 30 April – 13 May 2019 – End of mission statement: United Nations Special Rapporteur on the situation of human rights defenders Michel Forst*,

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24603&LangID=E>.

³⁸ Freedom House, 2018. *Freedom in the World 2018 – Mongolia: Profile*, 'C. Functioning of Government',

<https://freedomhouse.org/report/freedom-world/2018/mongolia>.

³⁹ U.S Department of State, 2019. *Mongolia 2018 Human Rights Report*, p. 7; Freedom House, 2018. *Freedom in the World 2018 – Mongolia: Profile*; Reporters Without Borders (RSF), 2019. *Mongolia*, <https://rsf.org/en/mongolia>.

⁴⁰ CIVICUS, 2019. *Anti-Corruption Protests Force Removal of Mongolian Politician While Judicial Independence at Risk*.

⁴¹ U.S Department of State, 2019. *Mongolia 2018 Human Rights Report*, p. 4; Geneva Centre for the Democratic Control of Armed Forces (DCAF), Ulaanbaatar Centre for Policy Studies, Parliament of Mongolia Standing Committee on Security and Foreign Policy, 2017. *Security Sector Governance in Mongolia*, p. 129,

<https://www.dcaf.ch/sites/default/files/publications/documents/Security%20sector%20governance%20Mongolia%20Almanac%202017.pdf>.

⁴² Centre for Civil and Political Rights, 2019. *Mongolia: Efforts in addressing discrimination, media censorship and the criminalisation of torture according to international standards*, 'Torture and ill-treatment',

<http://ccprcentre.org/ccprpages/mongolia-efforts-in-addressing-discrimination-media-censorship-and-the-criminalisation-of-torture-according-to-international-standards>; UNOHCHR, 2017. *Human Rights Committee considers the report of Mongolia*, <https://ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21854&LangID=E>.

⁴³ UNICEF, n.d. *Mongolia: Education*, https://www.unicef.org/mongolia/activities_2191.html.

			<p>Education is compulsory and free from the age of 6 to 17 and there is a 98.26% literacy rate in the country of people 15 years or older.⁴⁴ Despite laws guaranteeing education in one's native language, Kazakh students can face discrimination with no textbooks written in their native language.⁴⁵ There are also problems with accessing education for children with disabilities, despite governmental measures to minimise them.⁴⁶</p> <p>In 2015 Mongolia introduced the resolution 'Education for Democracy' to the UN General Assembly. The resolution is designed to "... promote peace, human rights, democracy, respect for religious and cultural diversity, and justice through education."⁴⁷</p>
	Prevent nationals committing atrocity crimes overseas.	Very Strong	<p>The <i>Criminal Code</i> makes Mongolian citizens subject to criminal liability if they have committed a crime abroad. This includes Mongolian service personnel committing crimes during their service.⁴⁸ As previously noted, Mongolia only holds specific provisions for genocide and not any of the other atrocity crimes.⁴⁹ Yet, their ratification of the <i>Rome Statute</i> in 2002 and its integration into national law means Mongolia has jurisdiction over all atrocity crimes committed by its nationals.⁵⁰</p>
Bilateral and Multilateral Relations	Participate in international, regional, and national discussions on the further advancement of R2P.	Fair	<p>Mongolia has never participated in the UN General Assembly's Informal Interactive Dialogue on R2P.⁵¹</p> <p>However, the country has expressed its opinion on R2P several times in the General Assembly in relation to specific occurrences, particularly Syria. In these instances, it has called on the international community to act and stop these atrocities and is broadly in support of R2P, although it does not reference the norm directly.⁵²</p>
	Leverage existing mechanisms and institutions (including regional and sub-regional organisations) to encourage	Fair	<p>Mongolia has voted on UN resolutions that have referenced R2P in the following manner.</p> <p>UN General Assembly Resolutions:⁵³</p>

⁴⁴ UNESCO, 2010. *Mongolia*, 'Education and Literacy', <http://uis.unesco.org/en/country/mn>; Education Policy and Data Center, 2010. *Mongolia: Education Overview*, <https://www.epdc.org/country/mongolia>.

⁴⁵ Bradley, Olivia, 2017. *Education in Mongolia*, <https://borgenproject.org/education-in-mongolia/>.

⁴⁶ U.S Department of State, 2019. *Mongolia 2018 Human Rights Report*, p. 17-18; UNICEF, 2015. *Breaking down barriers: Making education accessible for all*, <http://unicefmongolia.blogspot.com/2015/02/breaking-down-barriers-making-education.html>.

⁴⁷ United Nations, 2015. *General Assembly Adopts Resolution Aimed at Promoting Peace, Democracy through Education*, <https://www.un.org/press/en/2015/ga11625.doc.htm>.

⁴⁸ Parliament of Mongolia. 'Criminal Code of Mongolia (Revised)'. (1 September 2002). *Refworld*. Article 14.

⁴⁹ Library of Congress, 2016. *Genocide, Crimes Against Humanity and War Crimes Jurisdiction*.

⁵⁰ Enkhsaikhan, J. 2007. *Mongolia's experience in ratifying the Rome Statute of ICC*, p. 3, <https://www.pgaction.org/pdf/pre/NP%20Mr%20Enkhsaikhan.pdf>.

⁵¹ GCR2P, 2016. *Summaries of the UN General Assembly Debates and Interactive Dialogues on R2P*, <http://www.globalr2p.org/resources/897>.

⁵² For more information, see: GCR2P, 2011. *Background Briefing: Highlights From The Opening of The 66th United Nations General Assembly*, p. 3, http://www.globalr2p.org/media/files/66th_unga_opening_highlights.pdf; GCR2P, 2011. *The Responsibility to Protect and the Opening of the 66th General Assembly*, p. 3, 4, http://www.globalr2p.org/media/files/unga_monitoring_sept_21_2011.pdf; GCR2P, 2012. *The Responsibility to Protect and the 67th Opening of the UN General Assembly*, p. 20-21, http://www.globalr2p.org/media/files/compilation_of_r2p_related_unga_2012_quotes.pdf; GCR2P, 2013. *The Responsibility to Protect at the Opening of the 68th Session of the United Nations General Assembly*, p. 25, <http://www.globalr2p.org/media/files/2013-ga-quotes-summary-2.pdf>;

⁵³ GCR2P, 2018. *UN General Assembly Resolutions Referencing R2P*, <http://www.globalr2p.org/resources/1133>. (Voting records can be found by searching for the resolution here: <https://digitallibrary.un.org/search?ln=en&cc=Voting+Data>).

States to fulfil their responsibility to protect.

- 2013: The situation in the Syrian Arab Republic A/RES/67/262: **yes**.
- 2014: Situation of human rights in the Democratic People's Republic of Korea A/RES/69/188: **non-voting member**.
- 2014: Situation of human rights in the Syrian Arab Republic A/RES/69/189: **yes**.
- 2015: Situation of human rights in the Democratic People's Republic of Korea A/RES/70/172: **non-voting member**.
- 2015: Situation of human rights in the Syrian Arab Republic A/RES/70/234: **non-voting member**.
- 2016: The situation in the Syrian Arab Republic A/RES/71/130: **abstained**.
- 2016: Situation of human rights in the Syrian Arab Republic A/RES/71/203: **abstained**.
- 2017: Situation of human rights in the Democratic People's Republic of Korea A/RES/72/188: **adopted without vote**.
- 2017: Situation of human rights in the Syrian Arab Republic A/RES/72/191: **abstained**.

Mongolia was a member of the Human Rights Council (HRC) from 2016 to 2018.⁵⁴ During that time, it voted in favour of five resolutions referencing R2P.

UN Human Rights Council Resolutions:⁵⁵

2016: The human rights situation in the Syrian Arab Republic A/HRC/RES/31/17: **in favour**.

2016: The human rights situation in the Syrian Arab Republic A/HRC/RES/32/25: **in favour**.

2016: Human rights and transitional justice A/HRC/RES/33/19: **in favour**.

2016: Human rights situation in the Syrian Arab Republic A/HRC/RES/33/23: **in favour**.

2017: Technical assistance and capacity building in the field of human rights in the Democratic Republic of the Congo A/HRC/RES/36/30: **in favour**.

Regarding other resolutions referencing R2P, Mongolia either abstained or the resolution came to a consensus without a vote. It did not vote against any R2P-related resolution.

Encourage and assist States to fulfil their R2P in situations of emerging and ongoing crisis, such as good offices and preventive diplomacy.

Fair

In 2014 Mongolia held the first meeting of the Ulaanbaatar Dialogue on Northeast Asia Security Initiative (UBD). It was designed to provide a peaceful way to discuss issues and possible solutions to problems in the region, including the Korean conflict. It has continued to provide a platform for dialogue between actors in the region,

⁵⁴ UNOHCHR, 2019. *Membership of the Human Rights Council, 1 January – 31 December 2016 by regional group*, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/Group2016.aspx>.

⁵⁵ GCR2P, 2019. Human Rights Council Resolutions Referencing R2P, <http://www.globalr2p.org/resources/977>. (Voting records of Mongolia for these resolutions can be searched for here: Universal Rights Group Geneva, n.d. *Country Voting History Portal: Mongolia*, <https://www.universal-rights.org/country-voting-history-portal/country/?country=Mongolia>).

		although it is open to debate whether it will facilitate meaningful change. ⁵⁶
Strengthen regional and international networks for atrocity crime prevention.	Weak	Mongolia is a member of the G77 and the Non-Aligned Movement. ⁵⁷ It does not actively strengthen these networks for atrocity prevention and has instead taken a broad stance of non-interference in foreign policy. Mongolia hosted a ministerial meeting of the Community of Democracies in 2013, an international body dedicated to the ideals of democratic government. While not directly referencing atrocity crime prevention, the meeting focused on issues around corruption and the furtherance of women's rights and participation. ⁵⁸ It was also at this meeting that Mongolia announced the formation of the UBD (see Indicator above).
Strengthen the role and capacity of regional organisations.	Weak	In 2013, Mongolia appointed a permanent representative to ASEAN, in order to facilitate greater economic and diplomatic relations with its member states. ⁵⁹
Support the development and work of regional human rights and other preventive capacities.	Fair	In 2019 Mongolia hosted the Ulaanbaatar Democracy Forum, an event in partnership with the United Nations Development Program and a host of civil society organisations. Participants discussed "... linking human rights with peace, gender, environment and various thematic issues..." throughout Asia and beyond. ⁶⁰ Mongolia developed a ninth Millennium Development Goal (MDG) in 2005 concerning human rights, democratic governance and anti-corruption. It has seen some results, although more still needs to be done. ⁶¹
Support atrocity prevention through development and assistance partnerships.	Fair	Mongolia has become a middle income country, thanks in part to a mining boom that accounts for 18% of the country's GDP, despite a drop in commodity prices slowing growth. ⁶² Foreign aid also plays a part, with 14 UN organisations operating within its borders ⁶³ and the country

⁵⁶ Permanent Mission of Mongolia to the United Nations, 2013. *Ulaanbaatar Dialogue*, <https://www.un.int/mongolia/mongolia/ulaanbaatar-dialogue>. For more information, see: Wishnick, Elizabeth, 2019. 'Mongolia: Bridge or Buffer in Northeast Asia?' *The Diplomat*, 19 June. Available at: <https://thediplomat.com/2019/06/mongolia-bridge-or-buffer-in-northeast-asia/>; Caprara, David L., Katharine H. S. Moon and Paul Park, 2015. *Mongolia: Potential Mediator between the Koreas and Proponent of Peace in Northeast Asia*, <https://www.brookings.edu/opinions/mongolia-potential-mediator-between-the-koreas-and-proponent-of-peace-in-northeast-asia/>.

⁵⁷ International Model United Nations Model (IMUNA), 2019. *Mongolia*, <https://www.imuna.org/resources/country-profiles/mongolia>.

⁵⁸ Lindberg, Meloney C., Jeremy Gross and Tirza Theunissen, 2013. *7th Ministerial Conference of the Community of Democracies Showcases Mongolia's Democratic Transition*, <https://asiafoundation.org/2013/05/01/7th-ministerial-conference-of-the-community-of-democracies-showcases-mongolias-democratic-transition/>.

⁵⁹ ASEAN Briefing, 2013. *Mongolia Attends ASEAN Regional Forum*, <https://www.aseanbriefing.com/news/2013/07/12/mongolia-attends-asean-regional-forum.html>.

⁶⁰ Mohan, Jyotsna, 2019. *Ulaanbaatar Democracy Forum, Mongolia: a regional event "Promoting Peace, Human Rights and Democracy through Sustainable Development Goal (SDG)*, <http://forus-international.org/en/news/ulaanbaatar-democracy-forum-mongolia-a-regional-event-promoting-peace-human-rights-and-democracy-through-sustainable-development-goal-sdg>.

⁶¹ United Nations and the Rule of Law, n.d. *Mongolia: National MDG-9 on human rights, governance and anti-corruption*, <https://www.un.org/ruleoflaw/blog/portfolio-items/11295/>.

⁶² AusIMM, 2017. *Country Snapshot: Mongolia*, <https://www.ausimmbulletin.com/feature/country-snapshot-mongolia/>.

⁶³ United Nations in Mongolia, 2018. *2017 UN Mongolia Country Results Report*, p. 8, https://unmongolia.files.wordpress.com/2018/07/2017_uncrr_final_eng-2.pdf.

			<p>receiving a further US\$763.9 million in total aid in 2017.⁶⁴</p> <p>There is no specific mention of atrocity prevention in any of the aid programs in Mongolia. However, many programs relate to indicators that are conducive to providing an environment for atrocity crimes (or their prevention). This includes education, governance reform, health, poverty reduction, gender-based violence and the Sustainable Development Goals.⁶⁵</p>
United Nations, prevention, Peacekeeping, and assistance	Support the early warning and capacity building efforts of the UN Office on Genocide Prevention and R2P.	Weak	Mongolia abstained when voting on the Venezuelan amendment against strengthening and expanding the Office of the Special Advisor on the Prevention of Genocide (OSAPG). ⁶⁶ No other evidence could be found regarding either support or opposition to the efforts of the OSAPG.
	Support the strengthening of the UN's capacity for atrocity prevention, including through the UN Human Rights system.	Weak	The country was the 46 th highest donor to the UNOHCHR in 2016 when they joined the HRC, equal to both Chile and UNICEF. ⁶⁷
	Support preventive actions on atrocity crimes.	Weak	As already noted, during its tenure on the HRC, Mongolia did not vote against any resolutions and was overall supporting of UN actions to further human rights.
	Contribute to United Nations peacekeeping operations (especially those with a protection of civilians mandate).	Very Strong	While the few comments and actions by Mongolia in UN fora seem to suggest the country has a broad acceptance of R2P, little could be gleaned on whether it actively supports preventive actions on atrocity crimes.
			<p>Mongolia has an excellent reputation for providing effective peacekeeping forces since 2002. Since its independence from Soviet influence, Mongolia's military has undergone a transformation into a modern and professional force with an identity based around peacekeeping.⁶⁸ This military desire is complemented by the country's political desire to be a responsible member of the UN and be separate from the influence of its neighbours Russia and China.⁶⁹</p> <p>Currently it has just under 900 peacekeepers active on five different deployments, four of which have a protection of civilians mandate. These are UNAMID (seven police); UNISFA and MONUSCO (two experts on mission each) and its biggest deployment UNMISS (16 staff officers,</p>

⁶⁴ OECD, 2017. *Receipts for Mongolia*,

https://public.tableau.com/views/OECDACAidataglancebyrecipient_new/Recipients?:embed=y&:display_count=yes&:showTabs=y&:toolbar=no&:showVizHome=no. (Select 'Mongolia' from the drop down menu at the top of the screen).

⁶⁵ Ibid.; United Nations in Mongolia, 2018. *2017 UN Mongolia Country Results Report*; Australian Government Department of Foreign Affairs and Trade (DFAT), 2019. *Development assistance in Mongolia: Effective governance assistance in Mongolia*, <https://dfat.gov.au/geo/mongolia/development-assistance/Pages/effective-governance-mongolia.aspx>.

⁶⁶ GCR2P, 2011. *ACABQ and Fifth Committee Negotiations on the Joint Office*, p. 10, <http://www.globalr2p.org/media/files/report-acabq-and-fifth-committee-negotiations.pdf>.

⁶⁷ UNOHCHR, 2016. *UNOHCHR Annual Report 2016*, 'Funding', p. 79, https://www2.ohchr.org/english/OHCHRreport2016/allegati/5_Funding_2016.pdf.

⁶⁸ Pultz, Christopher, 2014. 'The Role of Peacekeeping in Mongolia's Military Strategy'. *Asia Policy*, vol. 17, January 2014, <https://www.nbr.org/publication/the-role-of-peacekeeping-in-mongolias-military-strategy-a-new-paradigm-for-security/>. For more information, see: UN News, 2018. *Service and Sacrifice: Mongolia continues to strengthen its contribution to UN peacekeeping*, <https://news.un.org/en/story/2018/03/1004552>.

⁶⁹ Jargalsaikhan, Mendee, 2014. *Peacekeeping Contributor Profile: Mongolia*, <http://www.providingforpeacekeeping.org/2014/04/03/contributor-profile-mongolia/>.

		seven experts on mission, four police and 847 troops). ⁷⁰
		Mongolia has continued to engage with and expand its role in peacekeeping, attending the 2019 Peacekeeping Ministerial Conference to discuss future prospects. ⁷¹
Develop the capacities needed to support civilian protection, including through the training of military and civilian personnel for peacekeeping.	Very Strong	For the past 17 years, Mongolia has hosted Khaan Quest, a multinational military and peacekeeping exercise co-sponsored by U.S Indo-Pacific Command. ⁷² The purpose of the annual exercise is for participants to gain experience in peace support operations and interoperability with other nations' militaries. ⁷³
Support the Kigali Principles.	Very Weak	As of 2018, Mongolia has not signed the Kigali Principles on the Protection of Civilians. ⁷⁴
Support UN Security Council veto restraint on issues relating to atrocity prevention.	Very Strong	Mongolia is a signatory to the Security Council code of conduct in regards to atrocity crimes, ⁷⁵ and to the French/Mexican initiative on veto restraint in the case of mass atrocity crimes. ⁷⁶

⁷⁰ United Nations Peacekeeping, n.d. *Mongolia*, <https://peacekeeping.un.org/en/mongolia>.

⁷¹ Unurzul, M., 2019. 'Mongolia's participation in peacekeeping operation discussed'. *Montsame News Agency*, 29 March. Available at: <https://montsame.mn/en/read/184646>.

⁷² DVIDS, 2019. *Exercise Khaan Quest 2019*, <https://www.dvidshub.net/feature/KhaanQuest>.

⁷³ Batchimeg, B., 2019. 'Seven countries to participate in Khaan Quest 2019 for the first time'. *Montsame News Agency*, 14 June. Available at: <https://montsame.mn/en/read/192830>.

⁷⁴ Asia Pacific Centre for the Responsibility to Protect, 2018. *The Kigali Principles on the Protection of Civilians*, https://r2pasiapacific.org/files/2942/2018_kigali_principles.pdf.

⁷⁵ GCR2P, 2016. *List of supporters of the Code of Conduct regarding Security Council action against genocide, crimes against humanity or war crimes, as elaborated by ACT*, <http://www.globalr2p.org/media/files/list-of-signatories-to-the-act-code-of-conduct.pdf>.

⁷⁶ GCR2P, 2016. *Support to the French Mexican initiative on veto restraint in case of mass atrocities*, <http://www.globalr2p.org/media/files/veto-list.pdf>.