



Mongolia

Joint Stakeholder Report for the United Nations Universal Periodic Review: LGBTQI+ Rights

Submitted by Lesbian Gay Bisexual Transgender Centre of Mongolia (LGBT Centre)

and

The Advocates for Human Rights,

a non-governmental organization in special consultative status

for the 50th Session of the Working Group on the Universal Periodic Review

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LGBT Centre is a non-governmental organization (NGO) established in 2007 and officially registered in 2009. As a policy advocacy and movement-building organization, the Centre is dedicated to advancing the human rights of lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) individuals in Mongolia. It works to strengthen the capacity of both public and private actors and institutions to ensure the full and substantive enjoyment of human rights by all members of the LGBTQI+ community. The Centre's work includes sensitization, information sharing, curriculum development, training programs, community building, and the promotion of corporate social responsibility.

LGBT Centre • Building-48 • Suite 305a • Sukhbaatar District-6, Ulaanbaatar 13380 • Mongolia
Tel: +976 70110323 • Email: edirector@lgbtcentre.mn • www.lgbtcentre.mn

The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law since its founding in 1983. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States, including LGBTQI+ individuals who have experienced discrimination and violence based on sexual orientation, gender identity and expression, and sex characteristics.

The Advocates for Human Rights • 330 Second Avenue South • Suite 800 • Minneapolis, MN 55401 • USA
Tel: 612-341-3302 • Fax: 612-341-2971 • Email: hrights@advrights.org • www.TheAdvocatesForHumanRights.org

EXECUTIVE SUMMARY

1. The lack of comprehensive anti-discrimination legislation, and the authorities' failure to investigate and penalize violence against LGBTQI+ people, weaken the effectiveness of existing protections. LGBTQI+ individuals continue to face widespread discrimination, violence, and institutional bias. There is a pervasive fear of reporting crimes due to distrust in law enforcement, and minimal confidence in the justice system. The Government's failure to recognize same-sex unions denies LGBTQI+ individuals access to critical rights and benefits, further entrenching systemic inequalities.
2. Mongolia's Law on the Legal Status of Human Rights Defenders contains vague provisions that could be misinterpreted to restrict activities of human rights defenders, leaving them vulnerable to legal harassment and financial constraints. LGBTQI+ advocates in Mongolia face significant barriers to peaceful assembly. Authorities arbitrarily deny permits, and efforts to challenge these denials in court have revealed judicial bias and derogatory rhetoric.
3. In this report we use the acronym LGBTQI+ to refer to individuals who self-identify as lesbian, gay, bisexual, transgender, queer, and/or intersex. These terms necessarily do not include everyone who may experience violations of their human rights on the basis of their real or perceived sexual orientation, gender identity, gender expression, and sex characteristics (SOGIESC), which is why we also include a "+" with the acronym. Any use of a modified acronym is intentional in that we are speaking only about certain members of the LGBTQI+ population.
4. Furthermore, this report is based on the LGBT Centre's systematic documentation of human rights violations against LGBTQI+ individuals in Mongolia. It addresses a broad range of issues, including societal attitudes toward sexual orientation and gender identity, instances of violence and discrimination, and the persistent lack of institutional protection and effective redress mechanisms.
5. The report is also the product of collaborative consultations with national LGBTQI+ civil society organizations, including Trans For Unity NGO, Youth LEAD Mongolia NGO, Sayanaa Wellbeing Association NGO, and a coalition working on marriage equality. Their valuable insights and contributions have significantly enriched the content of this report, providing a more comprehensive and nuanced understanding of the challenges faced by the LGBTQI+ community in Mongolia.

I. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

Theme: Equality and non-discrimination; Lesbian, gay, bisexual, transgender, queer, and other sexual or gender minorities (LGBTQI+)

Status of Implementation: Partially Accepted, Partially Implemented

6. In its Third Cycle UPR, Mongolia received 16 recommendations to promote equality and non-discrimination for lesbian, gay, bisexual, transgender and intersex people.¹ Ten countries recommended that concrete steps should be taken to prevent discrimination and violence against LGBTI individuals.² Mongolia supported each of these recommendations.³ Three Member States recommended adopting comprehensive anti-discrimination laws and amending the Family Law to legally recognize and protect same-sex couples.⁴ Mongolia noted these recommendations and responded, “The revised

¹ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Mongolia*, (Dec. 28, 2020), U.N. Doc. A/HRC/46/9, ¶ 116.27 – 116.39, 117.11, 117.112 and 117.13.

² Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Mongolia*, (Dec. 28, 2020), U.N. Doc. A/HRC/46/9, ¶116.27 Deepen the measures that ensure the effective implementation of laws on combating all forms of discrimination (Argentina); ¶116.28 Adopt comprehensive anti-discrimination legislation that addresses direct and indirect discrimination and encompasses all the prohibited grounds of discrimination, including sexual orientation and gender identity (Iceland); ¶116.29 Launch a public awareness-raising campaign to fight and prevent discrimination and violence against lesbian, gay, bisexual, transgender and intersex persons and to promote tolerance (Iceland); ¶116.30 Further develop and implement the legal provisions to protect people from discrimination and harassment based on sexual orientation, gender identity, intersex status or gender expression (Israel); ¶116.31 Abolish the requirements from the Civil Registration Law of Mongolia, article 14, for medical interventions for transgender and intersex persons who wish to obtain legal recognition of their gender (Israel); ¶116.32 Step up its action against stereotypes and prejudices against lesbian, gay, bisexual, transgender and intersex persons and ensure that investigations are carried out into any acts of discrimination or violence against this community (Luxembourg); ¶116.33 Introduce a non-discrimination policy inclusive of sexual orientation and gender identity in all educational institutions, to ensure a safe environment for lesbian, gay, bisexual, transgender and intersex youth to develop and express themselves without the fear of retribution by educational institutions or peers (Netherlands); ¶116.34 Combat stereotypes and prejudice against lesbian, gay, bisexual, transgender and intersex persons by raising public awareness and implementing effective training of law enforcement agencies (Netherlands); ¶116.35 Provide training on human rights and on combating discrimination, including discrimination based on sexual orientation and gender identity, to health personnel, members of the judiciary, police forces and prison officers (Portugal); ¶116.36 Implement effectively the newly established legal framework for hate crimes and discrimination on the grounds of sexual orientation (Spain); ¶116.37 Take awareness-raising measures on domestic violence and violence against the lesbian, gay, bisexual, transgender and intersex community in conformity with Sustainable Development Goals 5.2 and 16.1 (Switzerland); ¶116.38 Continue training lawyers and law enforcement officers on offences related to hate crimes against lesbian, gay, bisexual, transgender and intersex persons, and also continue increasing public awareness of the law (Australia); ¶116.39 Consider making efforts to address the prejudices against lesbian, gay, bisexual and transgender persons and ensure access to social services for people with disabilities (Thailand).

³ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Mongolia: Addendum*, (Feb. 22, 2021), U.N. Doc. A/HRC/46/9/Add. 1, ¶3.

⁴ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Mongolia*, (Dec. 28, 2020), U.N. Doc. A/HRC/46/9, ¶117.11 Adopt comprehensive anti-discrimination laws to protect the rights of minority groups, including ethnic minorities, indigenous peoples and the lesbian, gay, bisexual, transgender and intersex

Criminal Code criminalizes discrimination. Incorporation of prohibition of discrimination ‘on the basis of sexual orientation and gender identity’ in the Code provides a legal incentive for protecting the rights of persons with different sexual orientation and gender identity. Within the criminal justice reform, the principle of nondiscrimination based on sexual orientation and gender identity has been reflected in several other laws and regulations.”⁵

7. Between 2017 to 2022, Mongolia made significant legal advancements in combating discrimination based on sexual orientation and gender identity (SOGI), marked by the implementation of the 2015 Criminal Code on July 1, 2017.⁶ While this development demonstrates a commitment to addressing SOGI-based discrimination, significant gaps and shortcomings remain, undermining the effective realization of equality and the right to non-discrimination.
8. The 1992 Constitution establishes the prohibition of discrimination as a fundamental principle,⁷ reflected in laws such as the Criminal Procedure Code. Article 1.12 of the Criminal Procedure Code guarantees equality before the law and courts for all people and provides victims of discrimination with the right to file complaints. These provisions, however, have notable shortcomings that undermine their effectiveness in practice. The 1992 Constitution does not define discrimination, leaving the scope of protection and the forms of prohibited acts unclear. It does not specify what positive actions the Government must take to address substantive inequalities, as recommended by international standards and best practices.⁸ Additionally, the list of protected grounds in the Constitution is closed, omitting personal characteristics recognized under international law, such as sexual orientation and gender identity.⁹

community (Canada); ¶117.12 Consider giving legal recognition to same-sex couples to ensure that they are protected by law (Luxembourg); ¶117.13 Provide legal recognition and protection of same-sex couples by amending the Family Law (Denmark).

⁵ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Mongolia: Addendum*, (Feb. 22, 2021), U.N. Doc. A/HRC/46/9/Add. 1, ¶15.

⁶ The Lesbian Gay Bisexual Transgender Centre, *Mongolia Shadow Report on ICCPR on its 7th Periodic Review, Submission to the UN Human Rights Committee’s consideration of lesbian, gay, bisexual, transgender, and intersex persons in Mongolia for the 140th session of the UN Human Rights Committee* (5 February 2024), ¶ 2.

⁷ Constitution of Mongolia (1992), art 14 (2) provides: “no person shall be discriminated against on the basis of national or ethnic origin, language, race, age, sex, social origin and status, wealth, occupation and post, religion, opinion or education. Everyone shall have the right to act as a legal person.”

⁸ United Nations, on behalf of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Equal Rights Trust, *Protecting minority rights: A practical guide to developing comprehensive anti-discrimination legislation* (New York and Geneva 2023), 56 – 65, accessed December 5 2024, https://www.ohchr.org/sites/default/files/documents/publications/2022-11-28/OHCHR_ERT_Protecting_Minority%20Rights_Practical_Guide_web.pdf; See also, Convention on the Elimination of All Forms of Discrimination against Women, art. 4; International Convention on the Elimination of All Forms of Racial Discrimination, art. 1(4).

⁹ Committee on Economic, Social and Cultural Rights, *General Comment No. 20: Non-Discrimination in Economic, Social and Cultural Rights*, UN Doc. E/C.12/GC/20, 2009, ¶ 32.

9. In January 2022, Mongolia implemented a revised labor law prohibiting discrimination by employers on the basis of sexual orientation and gender identity.¹⁰ A 2022 survey by ReportOut revealed that, only one in five LGBTQI+ [lesbian, gay, bisexual, transgender, queer, intersex, and other sexual- and gender-minority] Mongolians (20%) in full or part-time employment felt safe enough to disclose their sexual orientation or gender identity to their employer.¹¹ Nearly a quarter of LGBTQI+ Mongolians (23%) had personally experienced discrimination in the workplace because of their sexual orientation and gender identity, and 78% believe such discrimination remains common.¹²
10. The above survey further revealed that despite incorporating anti-discrimination provisions in sector-specific legislations, there has been minimal impact in reducing discriminatory practices or enhancing protection for affected individuals. A significant majority of respondents (over 78%) reported that physical assaults against LGBTQI+ individuals are widespread, with 14% identifying such violence as extremely prevalent.¹³ The perceived risk of violence is reported as greater for gender minorities and gender non-conforming individuals. Survey respondents (74%) also reported that the new laws had not improved their safety; 92% perceived the legal system as "very unfair," while 94% expressed no confidence in obtaining justice if they reported crimes linked to their LGBTQI+ status.¹⁴
11. LGBTQI+ Mongolians who choose to come out—whether to their families, in workplaces, or public spaces—often face significant backlash, including rejection, abuse, and both verbal and physical violence by non-State actors.¹⁵ LGBTQI+ individuals face insults and derogatory remarks from their relatives, who see their identity as a source of shame.¹⁶ Nationalist and conservative factions perceive the LGBTQI+ community as a threat to traditional values, particularly those related to reproduction, labelling them as “perverse,”

¹⁰ Labour Law of Mongolia (2021), art. 6.1.

¹¹ ReportOut, *Out in Mongolia: A research report examining the human rights abuses, and development needs of sexual and gender minorities in Mongolia* (2023), 32, accessed Nov. 30, 2024, https://www.reportout.org/_files/ugd/752ae3_e51af04e86f54d34a6abd0a3e384ad2d.pdf.

¹² ReportOut, *Out in Mongolia: A research report examining the human rights abuses, and development needs of sexual and gender minorities in Mongolia* (2023), 30, accessed Nov. 30, 2024, https://www.reportout.org/_files/ugd/752ae3_e51af04e86f54d34a6abd0a3e384ad2d.pdf.

¹³ ReportOut, *Out in Mongolia: A research report examining the human rights abuses, and development needs of sexual and gender minorities in Mongolia* (2023), 42, accessed Nov. 30, 2024, https://www.reportout.org/_files/ugd/752ae3_e51af04e86f54d34a6abd0a3e384ad2d.pdf.

¹⁴ ReportOut, *Out in Mongolia: A research report examining the human rights abuses, and development needs of sexual and gender minorities in Mongolia* (2023), 60, accessed Nov. 30, 2024, https://www.reportout.org/_files/ugd/752ae3_e51af04e86f54d34a6abd0a3e384ad2d.pdf.

¹⁵ Global Voices, “Is Exile the Only Solution for Queer Mongolians? Families of LGBTQI+ people see exile as the best solution”, accessed March 18, 2025, <https://goodmenproject.com/featured-content/is-exile-the-only-solution-for-queer-mongolians/>.

¹⁶ Global Voices, “Is exile the only solution for queer Mongolians? Families of LGBTQI+ people see exile as the best solution”, accessed March 18, 2025, <https://globalvoices.org/2023/03/29/is-exile-the-only-solution-for-queer-mongolians/>.

or “unnatural”.¹⁷ As a result, LGBTQI+ individuals and their family members struggle with the societal stigma reinforced by such narratives.

12. The investigation and prosecution of acts of discrimination and violence by both State and non-State actors directed against LGBTQI+ individuals remain a challenge. Most hate crimes targeting LGBTQI+ individuals go unreported due to the fears of abuse, blackmail, discrimination, and harassment by law enforcement officials.¹⁸ The survey by ReportOut, revealed widespread distrust in law enforcement among LGBTQI+ persons. Nearly 69% of respondents believe police brutality against sexual and gender minorities is common, 79% view false imprisonment as prevalent, and 94.4% feel they would not receive justice if they reported attacks related to their sexual orientation or gender identity.¹⁹ Over 80% of LGBTQI+ victims refused to report crimes due to fear of being outed or further victimized. Those who assert their rights often face intimidation, threats, and discriminatory treatment. In some cases, abuse escalates to physical and psychological harm, including prolonged interrogations and being left outside police stations overnight—acts resembling cruel or degrading treatment.²⁰
13. One case, documented by the LGBT Centre, involves a gay couple whose home was raided without a warrant in 2022. Police assaulted one partner, confiscated his phone, mocked intimate videos, and shared them with bystanders. He was paraded publicly, outed, and humiliated. At the station, both men were subjected to degrading questioning, denied access to a restroom, and forced to undergo improperly conducted drug testing. Despite no evidence, authorities continued harassment even after the case was transferred to another district.²¹
14. The couple declined to pursue legal action due to fear of retaliation. This case underscores systemic abuse of power, illegal searches, and entrenched homophobia within Mongolia’s law enforcement system. Urgent reforms and protections for LGBTQI+ individuals are needed.²²

¹⁷ Global Voices, “Is exile the only solution for queer Mongolians? Families of LGBTQI+ people see exile as the best solution”, accessed March 18, 2025, <https://globalvoices.org/2023/03/29/is-exile-the-only-solution-for-queer-mongolians/>.

¹⁸ ReportOut, *Out in Mongolia: A research report examining the human rights abuses, and development needs of sexual and gender minorities in Mongolia* (2023), 23, accessed Nov. 30, 2024, https://www.reportout.org/_files/ugd/752ae3_e51af04e86f54d34a6abd0a3e384ad2d.pdf.

¹⁹ ReportOut, *Out in Mongolia: A research report examining the human rights abuses, and development needs of sexual and gender minorities in Mongolia* (2023), 37, accessed Nov. 30, 2024 https://www.reportout.org/_files/ugd/752ae3_e51af04e86f54d34a6abd0a3e384ad2d.pdf.

²⁰ LGBT Centre. *Summary of Case Documentation Files (2020–2024): Analysis Report*. Ulaanbaatar, Mongolia, 3 March 2025.

²¹ In person Interview with a gay couple, LGBT Centre office, Ulaanbaatar city, Mongolia September 2, 2022.

²² In person Interview with a gay couple, LGBT Centre office, Ulaanbaatar city, Mongolia September 2, 2022.

15. According to the 2022 report of the Special Rapporteur on violence against women, victims continue to mistrust government officials and service providers due to prevailing stereotypes and biases against the LGBTI community.²³ The report notes that service providers and public officials, including those in multidisciplinary teams and the justice system, lack sufficient training and awareness regarding the protection needs of women and girls with diverse sexual orientations and gender identities.²⁴
16. Efforts to counter discrimination and strengthen capacity of law enforcement officers to address sexual orientation and gender identity-related crimes have primarily been driven by human rights NGOs, supported by small grants from international NGOs, development agencies, and donors in Mongolia.²⁵ The State Attorney General Office, however, did develop a comprehensive training program accredited by the Mongolian Bar Association in 2021.²⁶ This program which trained 90 prosecutors was initiated, partially implemented, and funded by LGBT Centre, without financial support from the Attorney General Office or other government agencies. The reliance on one-time funding from an NGO raises concerns about the sustainability of these efforts. While LGBT Centre has made valuable contributions, ongoing support and commitment from government bodies are essential to ensure the effectiveness and longevity of initiatives addressing SOGI-related discrimination.
17. In 2019, Mongolia, in its follow up report to the Human Rights Committee, noted the pattern of LGBTQI+ individuals concealing their sexual orientation and gender identities when reporting incidents of violence.²⁷ Despite this acknowledgment and the undertaking to meticulously record cases of discrimination based on sexual orientation, significant discrepancies remain in official data.
18. In 2021, the LGBT Centre obtained information from the National Human Rights Commission of Mongolia (NHRCM), which had requested data from the Attorney General Office, General Police Office, and General Judicial Office regarding the implementation

²³ UN Human Rights Council, *Report of the Special Rapporteur on violence against women, its causes and consequences*, 20 April 2022, U.N. Doc. A/HRC/50/26/Add.1, ¶ 31.

²⁴ UN Human Rights Council, *Report of the Special Rapporteur on violence against women, its causes and consequences*, 20 April 2022, U.N. Doc. A/HRC/50/26/Add.1, ¶ 31.

²⁵ The Lesbian Gay Bisexual Transgender Centre, *Mongolia Shadow Report on ICCPR on its 7th Periodic Review, Submission to the UN Human Rights Committee's consideration of lesbian, gay, bisexual, transgender, and intersex persons in Mongolia for the 140th session of the UN Human Rights Committee* (5 February 2024), ¶22; LGBT Centre, Mongolian Youth Council, For Better Education and Mongolian Peacebuilding Institute, *Joint submission of the Mongolian non-governmental organization to 140th session (4 – 28 March 2024) of the United Nations Human Rights Committee on the implementation of the ICCPR in Mongolia* (31 January 2024), ¶13.

²⁶ Human Rights Committee, *Seventh periodic report submitted by Mongolia under article 40 of the Covenant, due in 2022*, 1 September 2023, U.N Doc. CCPR/C/MNG/7, ¶ 8.

²⁷ Human Rights Committee, *Concluding observations on the sixth periodic report of Mongolia, Addendum: Information received from Mongolia on follow-up to the concluding observations*, 13 February 2019, CCPR/c/MNG/CO/6/Add.1, ¶ 4.

of Article 14.1 of the Criminal Code. The records show five cases reported to the police,²⁸ and 13 recorded at the Attorney General Office²⁹ between 2017 and 2021. Among these, ten cases were dismissed, three were under investigation, and two were transferred to court and dismissed.³⁰ More recent data obtained from the General Police Office in 2024 revealed further discrepancies. According to the record, five complaints were filed under Article 14.1 between 2017 and 2023, with three recorded as cases, all of which were dismissed.³¹ This starkly contrasts with LGBT Centre's records, which document 16 complaints filed during this period, with only one case transferred to court in 2019 and subsequently dismissed.³²

19. Since the last UPR cycle, the LGBT Centre has annually requested data on recorded, investigated, and adjudicated crimes under Article 14.1 of the Criminal Code from three key government agencies: the General Police Department³³, the Attorney General Office³⁴, and the General Judicial Council³⁵. These requests have specifically sought disaggregated

²⁸ Official letter № 2/477 of General Police Department of Mongolia to National Human Rights Commission, 08 December 2021.

²⁹ Official letter № 1/7766 of Attorney General Office of Mongolia to National Human Rights Commission, 14 December 2021.

³⁰ The Lesbian Gay Bisexual Transgender Centre, *Mongolia Shadow Report on ICCPR on its 7th Periodic Review, Submission to the UN Human Rights Committee's consideration of lesbian, gay, bisexual, transgender, and intersex persons in Mongolia for the 140th session of the UN Human Rights Committee* (5 February 2024), ¶15, accessed March 12 2025, tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCCPR%2FCSS%2FMNG%2F62292&Lang=en.

³¹ Official letter № 1b/212 of the General Police Department of Mongolia, 01 January 2024.

³² The Lesbian Gay Bisexual Transgender Centre, *Mongolia Shadow Report on ICCPR on its 7th Periodic Review, Submission to the UN Human Rights Committee's consideration of lesbian, gay, bisexual, transgender, and intersex persons in Mongolia for the 140th session of the UN Human Rights Committee* (5 February 2024), ¶16, accessed March 12 2025, tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCCPR%2FCSS%2FMNG%2F62292&Lang=en.

³³ Official letter No. 20/01 of the LGBT Centre to the General Police Office, dated 18 March, 2020
Official letter No. 21/02 of the LGBT Centre to the General Police Office, dated 01 February, 2021
Official letter No. 23/08 of the LGBT Centre to the General Police Office, dated 27 February, 2023
Official letter No. 24/01 of the LGBT Centre to the General Police Office, dated 1 January, 2024
Official letter No. 24/25 of the LGBT Centre to the General Police Office, dated 17 March, 2025

³⁴ Official letter No. 20/02 of the LGBT Centre to the Attorney General Office, dated 18 March, 2020
Official letter No. 21/03 of the LGBT Centre to the Attorney General Office, dated 01 February, 2021
Official letter No. 23/10 of the LGBT Centre to the Attorney General Office, dated 27 February, 2023
Official letter No. 24/03 of the LGBT Centre to the Attorney General Office, dated 1 January, 2024
Official letter No. 24/28 of the LGBT Centre to the Attorney General Office, dated 17 March, 2025

³⁵ Official letter No. 20/03 of the LGBT Centre to the General Judicial Council, dated 18 March, 2020
Official letter No. 23/09 of the LGBT Centre to the General Judicial Council, dated 27 February, 2023
Official letter No. 24/02 of the LGBT Centre to the General Judicial Council, dated 1 January, 2024
Official letter No. 24/26 of the LGBT Centre to the General Judicial Council, dated 17 March, 2025

data based on sexual orientation and gender identity. However, the records provided have been inconsistent across the years and between agencies. For example, data obtained in 2024 and 2025 present conflicting figures. Moreover, the records were not disaggregated by specific protected grounds; instead, they reflected the total number of cases across all 17 protected grounds, limiting their utility for analyzing trends related to SOGI-based discrimination.

20. For example, in 2025, the General Police Department reported³⁶ that recorded crimes for 2020 totaled 1, 2021 had none, 2022 had 1, 2023 had none, 2024 had 4, and the first two months of 2025 recorded 3. However, in 2024, the same department reported³⁷ that recorded crimes for 2020 were zero, 2021 had 1, 2022 had 1, and 2023 had none. Similarly, in 2025, the Attorney General Office reported³⁸ that recorded crimes for 2020 were 2, 2021 were 5, 2022 were 3, 2023 were none, 2024 were 5, and 2025 were 3. In contrast, in 2024, the same office reported³⁹ a total of 3 recorded crimes between 2023 and 2017.
21. However, the government reported that “The police organization is following the “Procedures for collecting, checking, evaluating, using, transferring, receiving, distributing, calculating, and making inquiries in the database”, approved by the order of the Minister of Justice and Internal Affairs on July 21, 2017, in its operations. In this context, the police agency has developed databases for suspects, indicted persons, convicts, persons who have been subjected to coercive medical measures, persons who have been acquitted or released because the criminal case has been dismissed or deferred, victims, and legal entities bearing criminal responsibility.”⁴⁰
22. Mongolia adopted an amendment to the Law on Civil Registration in 2008 that allows for a relatively simple procedure to change the gender marker for trans and intersex persons. The law was revised in November 2018. As a result of these changes, individuals are now required to provide evidence that they have gone through a ‘full’ gender transition – a more arduous requirement than the old law. In this respect, Mongolia has stepped backwards in its protection of transgender and intersex people’s human rights. Further, the absence of transition-related healthcare standards and services in the healthcare system made it impossible for trans and gender diverse people to access this law. To date, no one has been able to access this particular law, except one person who travelled abroad to obtain such a document.⁴¹

³⁶ Official Letter No. 10g/756 from the General Police Department to the LGBT Centre, dated 21 March, 2025.

³⁷ Official Letter No. 15b/212 from the General Police Department to the LGBT Centre, dated 18 January, 2024

³⁸ Official Letter No. 7/1517 from the Attorney General Office to the LGBT Centre, dated 28 March, 2025

³⁹ Official Letter No. 1/1053 from the Attorney General Office to the LGBT Centre, dated 31 January, 2024

⁴⁰ Government of Mongolia, Mid-Term Progress Report on the Implementation of Recommendations from the Third Cycle of the Universal Periodic Review, *supra* note 45, para. 105.

⁴¹ Ganbaatar, D., Enkhbold, E., & Munkhbat, O. : *Being trans* students at school in Mongolia: Collective case studies* (2023), 13, access March. 30, 2025 <https://www.uih.mn/sudalgaa/s/276>

23. During the last UPR cycle, Mongolia supported the recommendation to “Abolish the requirements from the Civil Registration Law of Mongolia, Article 14, for medical interventions for transgender and intersex persons who wish to obtain legal recognition of their gender.”⁴² While this was a positive signal of intent from the government, Article 14 remains unchanged, and no legislative reforms have been undertaken to remove the medical requirements.
24. In its mid-term report, Mongolia claimed the implementation stage of this recommendation. It reported “The National Police Agency has been providing information on topic of “LGBT people and criminal law environment” by placing such information on the agency’s website as well as holding workshops on following guidelines when conducting inspections and investigations on detainees. Such workshop has been held 25 times and 3840 officers (overlapping number) have participated so far. The workshop has not been held in 2023, but is planned to be held in 2024.”⁴³
25. However, these police-focused initiatives are unrelated to the core of the recommendation, which concerns legal gender recognition under civil registration procedures. Since police officers are not involved in civil registration processes, these efforts do not constitute meaningful implementation of the recommendation. As such, the government’s claim of progress is inaccurate and misleading.
26. For transgender Mongolians, there has been an additional hurdle of only being able to change their gender on official identity documents following gender reassignment surgery, not commonly available within Mongolia. Without a formal change to gender markers, transgender Mongolians are at high risk of discrimination, as explained by Marta Sukh-Ochir, a transgender woman in a 2019 interview with Al Jazeera, in which she explained how she was forced to rely on sex work for an income:⁴⁴
27. “I actively looked for other jobs, cashier at a supermarket, receptionist at a hotel, shop assistant...I tried many times, she said. I applied to so many jobs. My gender expression, my appearance – how I looked with long hair, nails, being and acting feminine – was a struggle for employers.” (Al Jazeera, 2019). Such a fate is common to members of

⁴² Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Mongolia*, (Dec. 28, 2020), U.N. Doc. A/HRC/46/9, ¶ 116.31

⁴³ Government of Mongolia, *Mid-Term Progress Report on the Implementation of Recommendations from the Third Cycle of the Universal Periodic Review*, supra note 46, para. 106.

⁴⁴ ReportOut, *Out in Mongolia: A research report examining the human rights abuses, and development needs of sexual and gender minorities in Mongolia* (2023), 19, accessed Nov. 30, 2024, https://www.reportout.org/_files/ugd/752ae3_e51af04e86f54d34a6abd0a3e384ad2d.pdf.

Mongolia's transgender community, as both a combination of discrimination in employment, and the high likelihood of being rejected by their immediate families.⁴⁵

28. Mongolia does not recognize same-sex unions in any form, including marriage, registered partnerships, or cohabitation rights. While Article 16.11 of the Constitution guarantees equal rights and underscores that marriage is based on the equality and mutual consent of men and women, Article 3.1.3 of the Family Law explicitly defines “spouses” in gender-specific terms as a “husband and wife.”⁴⁶
29. The Government has been reluctant to provide legal recognition for same-sex unions. During its last UPR, Mongolia received recommendations to provide legal recognition and protection to same-sex couples, in response, it noted that “The Constitution as well as the Family Law of Mongolia defines marriage as being based on the equality and free and voluntary consent of a man and a woman who have reached the age determined by law.”⁴⁷ This stance signals an unwillingness to address or acknowledge the rights and concerns of the LGBTQI+ community regarding same-sex unions. Effectively, same-sex couples continue to be denied rights and benefits afforded to cisgender, different-sex couples, such as inheritance rights, spousal healthcare, medical decision making, immigration, and parental rights.

Theme: Legal and institutional reform

Status of Implementation: Accepted, Partially Implemented

30. During its last UPR, the Government of Mongolia received and supported two recommendations on the adoption of legislation that guarantees the protection of human rights defenders (HRDs), to ensure that they can freely promote and defend human rights.
31. The Law on the Legal Status of Human Rights Defenders was adopted by Parliament on 1 April 2021 and entered into force on 1 July 2021.⁴⁸ Although the law consolidates legal protection for human rights defenders, it also contains provisions that could be interpreted to silence HRDs and put them at risk of prosecution. Article 5.1.5 provides that HRDs are to “[r]espect honour, reputation, rights, and legal interests of others.”⁴⁹ Article 8.1.3 also stipulates that HRDs are prohibited from damaging the “honour, reputation and fame at the

⁴⁵ ReportOut, *Out in Mongolia: A research report examining the human rights abuses, and development needs of sexual and gender minorities in Mongolia* (2023), 19, accessed Nov. 30, 2024, https://www.reportout.org/_files/ugd/752ae3_e51af04e86f54d34a6abd0a3e384ad2d.pdf.

⁴⁶ Family Law (1999), art 3.1.3, accessed November 30, 2024, <https://www.refworld.org/legal/legislation/natlegbod/1999/en/18375>.

⁴⁷ Human Rights Council, *Report of the Working Group on Universal Periodic Review: Mongolia Addendum*, 22 February 2021, U.N. Doc. A/HRC/46/9/Add.1, ¶ 14.

⁴⁸ International Service for Human Rights, “Law of Mongolia on the legal status of human rights defenders”, March 3, 2025, <https://ishr.ch/defenders-toolbox/national-protection/mongolia/>.

⁴⁹ Law of Mongolia on the Legal Status of Human Rights Defenders, April 2, 2021, art. 5.1.5

work field of others.”⁵⁰ These provisions could be exploited to suppress or criminalize HRDs by framing any act of public condemnation or criticism as an attack on another person’s honor.

32. Further, Article 7 restricts the resources available to HRDs by prohibiting funding from ambiguously defined entities, such as international intelligence service, their cover organizations, organizations or persons carrying out activities that are deemed to be “terrorist,” “extremist,” or harmful to national unity.⁵¹ It remains unclear which organizations or authorities will be responsible for issuing the blacklist and identifying individuals or groups as international intelligence services, covert organizations, or entities engaged in activities that harm national unity. Moreover, these provisions are already embedded in the Criminal Law, the Law on Combating Money Laundering and Terrorist Financing, and the Civil Code, all of which apply to every individual and legal entity residing or operating within Mongolia. This duplication appears to specifically target HRDs and creates the opportunity for authorities to limit their access to funding.
33. In September 2021, a Government official ordered the removal of LGBT Centre’s campaign materials from public transportation during Equality and Pride Days, discriminating against the organization with impunity.⁵² LGBT Centre reported this incident as discrimination against LGBTQI+ people, Centre staff, and the LGBT Centre, under Article 14 of the 2015 Criminal Code. The Attorney General Office, however, consistently refused to open a case. Despite multiple appeals, the Attorney General Office dismissed the case, contending that discrimination was directed towards an organization and not an individual.⁵³ Following this incident, a homophobic group began threatening the LGBT Centre and burning rainbow flags, which incited fear and hostility against the LGBTQI+ community.
34. The LGBT Centre reported the above incident to the NHRCM, which issued three recommendations to the mayor of Ulaanbaatar: 1) instruct the Deputy Director, the head of projects responsible for road and transport issues, to promptly issue a public apology, for his discriminatory actions; 2) Training for local administrative employees on the human rights and living conditions of sexual minorities, as well as non-discrimination principles; and 3) Take appropriate measures to compensate the LGBT Centre for the damages

⁵⁰ Law of Mongolia on the Legal Status of Human Rights Defenders, April 2, 2021. art. 8.1.3

⁵¹ Law of Mongolia on the Legal Status of Human Rights Defenders, April 2, 2021, art. 7.2.1.

⁵² B.Odsuren: Threw the game supporting same-sex relationships into the trash and removed the advertisement,” accessed April 4, 2025, <https://www.inews.mn/a/22383>

⁵³ Decision No. 1/2303 of the Attorney General Office of Mongolia, September 29, 2022; The Lesbian Gay Bisexual Transgender Centre, *Mongolia Shadow Report on ICCPR on its 7th Periodic Review, Submission to the UN Human Rights Committee’s consideration of lesbian, gay, bisexual, transgender, and intersex persons in Mongolia for the 140th session of the UN Human Rights Committee* (5 February 2024), ¶31, accessed March 12 2025, tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCCPR%2FCSS%2FMNG%2F62292&Lang=en.

incurred and restore violated rights.⁵⁴ To date, the Deputy Director has not issued an apology, no financial redress has been provided, and there are no records from the NHRCM on the implementation of its recommendations.

35. Since 2013, the LGBT Centre has hosted annual Equality and Pride Days, a 10-day series of arts, culture, and human rights events aimed at fostering non-discrimination and promoting acceptance. A key event has been the Equality Walk at Chinggis Square.⁵⁵ Despite seeking official authorization each year to host the Equality Walk at Chinggis Square, LGBT Centre consistently faces denials from local municipal and district administrative authorities.⁵⁶
36. Sections 7.1.4 and 9.4 of the Law on Procedures for Organizing Peaceful Assemblies and Demonstrations grants district and provincial governors, excessive power to permit, deny, or alter the route of assemblies. Section 7.1.4 specifically allows the authorities to restrict assemblies in areas designated as markets.⁵⁷ Although Chinggis Square has been used for various commercial purposes such as school-supplies sales during 2015 and 2016 Equality and Pride Days, it cannot be qualified as a marketplace. Such loose interpretation of the term “market” would allow authorities to restrict assemblies while renting public spaces for commercial purposes. This practice effectively nullifies freedom of assembly in these spaces, particularly for cultural and human rights events like the Equality Walk.
37. In 2022 and 2023, the LGBT Centre filed a complaint with the administrative court to challenge the local authorities’ denials of their requests to organize the Equality Walk at Chinggis Square. In the 2022 case,⁵⁸ the Court found a procedural error in the Government’s decision but issued its ruling after Equality and Pride Days events had already passed. During the 2023 court proceedings,⁵⁹ a Government representative used derogatory language against LGBT Centre’s representative. The presiding judge questioned the timing of the Equality Walk, suggesting it was inappropriate due to its proximity to the start of the school year, when children are present on the streets. Despite LGBT Centre’s explanation that Equality and Pride Days have been held annually between late August and early September since 2014, the Court ruled in favor of the Government, demonstrating clear judicial bias.

RECOMMENDATIONS

⁵⁴ Order of issue №3/31, published on NHRCM official website 16 September 2021

⁵⁵ Located south of the Government Palace, central square for demonstration.

⁵⁶ Amnesty International, *The State of the World’s Human Rights* (April 2024), 264, accessed Nov. 10, 2024, <https://www.amnesty.org/en/wp-content/uploads/2024/04/WEBPOL1072002024ENGLISH.pdf>.

⁵⁷ Law on Procedures for Organizing Peaceful Assemblies and Demonstrations, 1994.

⁵⁸ Decision No. 128/SHSH2022/0674 dated September 14, 2022, of the Trial Court of the Capital City Administrative Affairs.

⁵⁹ Court decision No. 128/SHSH2023/0645 dated 08/25/2023 of the Trial Court of Capital Administrative Affairs.

38. The co-authors of this joint stakeholder report suggest the following recommendations for the Government of Mongolia:
- A. Enact comprehensive anti-discrimination legislation that explicitly prohibits discrimination based on sexual orientation, gender identity, and gender expression in all aspects of public life, developed through a consultative process with civil society organizations advocating for LGBTQI+ rights. The legislation should mandate positive actions to address substantive inequalities, provide the procedural safeguards necessary for the effective functioning of the rights protected therein, and provide redress to victims of discrimination.
 - B. Conduct prompt, thorough investigations of incidents of hate-motivated violence against LGBTQI+ persons, hold perpetrators to account, and provide redress to victims.
 - C. In collaboration with civil society organizations representing and made up of LGBTQI+ people, provide and fund trainings for law enforcement officials about international human rights standards relating to sexual orientation and gender identity and expression, legal protection for LGBTQI+ people, and avenues to build trust between law enforcement and the LGBTQI+ community.
 - D. Develop and fund mandatory police training and procedures for responding to claims of discrimination and violence against LGBTQI+ individuals in a manner consistent with international human rights standards.
 - E. Provide and fund training for judges on the prevalence of sexuality and gender-based violence against LGBTQI+ individuals and codify their obligation to uphold non-discriminatory and inclusive practices, including the preservation of dignity and confidentiality, in handling violations related to sexual orientation and gender identity.
 - F. Improve the implementation of the revised Labor Law to protect LGBTQI+ individuals from workplace discrimination, promote workplace ethics and non-discrimination policies, and establish efficient and effective redress mechanisms to combat workplace discrimination.
 - G. In collaboration with LGBTQI+ civil society organizations, develop and fund public awareness-raising campaigns to fight and prevent discrimination and violence against LGBTQI+ individuals and to promote tolerance.
 - H. Provide legal recognition to same-sex couples and their children, ensuring that benefits traditionally accorded to different-sex married partners – including those related to immigration, pension, taxation, and inheritance – are accorded on a non-discriminatory basis.

- I. Amend the Law on Procedures for Organizing Peaceful Assemblies and Demonstrations to eliminate the requirement for prior authorization for peaceful assemblies and allow for a prior notification procedure, in accordance with international best practices. Such notification should not be unduly bureaucratic.
- J. Amend the Law on the Legal Status of Human Rights Defenders to ensure it fully aligns with international human rights standards. This includes clarifying provisions on “honor, reputation, and fame” to prevent their misuse in silencing HRDs, as well as ensuring that restrictions on their activities do not infringe on their rights to freedom of expression, association, and peaceful assembly.
- K. Establish clear, objective, and transparent criteria for determining restricted funding sources under Article 7 of the law on the Legal Status of Human Rights Defenders, ensuring that prohibitions are not arbitrarily applied and include independent oversight and judicial review to prevent undue restrictions on their work.
- L. Ensure that LGBTQI+ civil society organizations can freely exercise their right to peaceful assembly. Direct that law enforcement provides adequate protection for participants in peaceful assemblies, investigate and address reports of intimidation, threats, and abuses, and hold accountable those responsible for discriminatory actions, including law enforcement officials.
- M. Ensure that sub-communities are able to access specific healthcare (such as universal healthcare insurance-covered access to IVF for lesbian and bisexual women; and universal healthcare insurance-covered access to hormone replacement therapy and transition-related medical procedures by trans and intersex persons).
- N. Ensure that the healthcare sector moves beyond an exclusive focus on HIV/STI prevention and response, and promote comprehensive sensitization of healthcare providers to the physical and psychological health needs of lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI) persons. This includes addressing the discrimination and stigmatization they often face and upholding principles of equality and non-discrimination in the delivery of healthcare services. Ensure that all relevant health guidelines are inclusive of LGBTQI persons and reflect their diverse health needs.
- O. Ensure effective consultation with civil society organizations that work on LGBTQI+ issues in the development of anti-discrimination legislation and policies
- P. Continue its efforts to implement the recommendation, “Abolish the requirements under Article 14 of the Civil Registration Law of Mongolia that mandate medical interventions for transgender and intersex persons seeking legal recognition of their gender.”
- Q. Implement the recommendations of the most recent review of the Government of Mongolia by the Human Rights Committee, including:

- Intensify efforts to combat stereotypes and prejudice against LGBTI persons;
- Ensure that acts of discrimination and violence directed against LGBTI persons are investigated, that perpetrators are prosecuted, and if convicted, punished with appropriate penalties, and that victims are provided with full reparation;
- Guarantee freedom of peaceful assembly for LGBTI persons, including for the annual Equality Walk at Chinggis Square, ensuring that any restrictions imposed comply with the strict requirements of article 21 of the Covenant and are not applied in a discriminatory manner;
- Consider adopting legislation for the legal recognition and protection of same-sex couples; and
- Allocate adequate human and financial resources to the national human rights commission in full compliance with the Paris Principles

Partnerships, Progress, and Challenges: A Report on the Government of Mongolia's Engagement with LGBTQI+ Rights and the LGBT Centre Since the Third UPR Cycle Review

I. Partnership Between the Government of Mongolia and the LGBT Centre Since the Third UPR Cycle Review

Since the Third UPR Cycle review, collaboration between the Government of Mongolia and the LGBT Centre has been ongoing. Notable achievements include:

- **2021:** The State Attorney General's Office, in partnership with the LGBT Centre, developed a comprehensive training program for prosecutors. This training, accredited by the Mongolian Bar Association, aimed to educate 90 prosecutors on SOGI-related issues. The program was partially funded and initiated by the LGBT Centre, without support from the Attorney General's Office or other government bodies. This reliance on one-time NGO funding raises concerns about the long-term sustainability of such efforts.
- **2023:** The National Institute of Gender Equality requested LGBTQI+ sensitization training, which was successfully conducted by the LGBT Centre. Additionally, the IV session of the National Human Rights Committee under the Secretary took place in December 2023. During this session, the LGBT Centre was invited as a presenter, marking the first time LGBTQI+ representatives were included in a high-level political meeting since the committee's establishment in 2007. This milestone reflected positive progress for LGBTQI+ inclusion in national policy discussions.
- **2024:** The Ministry of Justice conducted a study on the inclusion of LGBT persons and people with disabilities in one-stop centers for government services and state temporary shelters. The Ministry also requested LGBTQI+ sensitization training, which the LGBT Centre provided. Additionally, Mongol Bank, the central bank of Mongolia, requested and received similar sensitization training in 2024. Furthermore, in January 2025, the General Department of Court Enforcement's "Detention Center" requested the same training for its staff.

II. Positive Actions Taken by the Government of Mongolia Observed by the LGBT Centre

Since the Third-Cycle UPR review, the Government of Mongolia has taken several positive actions in advancing the rights of LGBTQI+ individuals. These actions reflect growing recognition of the importance of inclusion and human rights protection for sexual minorities.

- **UN Sustainable Development Goals Cooperative Framework 2022-2027:**

- In its commitment to the UN Sustainable Development Goals (SDGs), Mongolia has identified ten social groups that are being left behind in development, with “sexual minorities” explicitly included as one of these groups. This marks a critical step in recognizing the unique challenges faced by LGBTQI+ individuals and underscores the government’s intention to address these disparities.

● **Amendment of Key Legislations:**

- **2020 Law on Broadcasting:** The law was amended to include sexual orientation as a protected ground under its anti-discrimination clauses, ensuring that LGBTQI+ individuals are protected in media and communications sectors.
- **2021 Law on Courts of Mongolia:** Amendments to the Law on Courts introduced provisions that protect individuals from discrimination based on sexual orientation and gender identity within judicial processes.
- **2021 Labor Law:** The Labor Law was amended to explicitly include sexual orientation and gender identity as protected grounds, thereby offering legal protection against workplace discrimination for LGBTQI+ individuals.
- **2021 Legal Status of Human Rights Defenders Law:** This law was amended to safeguard human rights defenders, including those advocating for LGBTQI+ rights, thus offering greater protection for individuals and organizations working in the LGBTQI+ human rights space.
- **2022 Law on Personal Data Protection:** The law includes provisions that protect the personal data of individuals, including LGBTQI+ persons, ensuring that their sexual orientation and gender identity are not misused or disclosed without consent.

These legislative amendments represent significant progress in advancing equality and human rights for sexual and gender minorities in Mongolia. However, the full and effective implementation of these laws remains critical to ensure lasting change.

III. Positive Actions Taken by the National Human Rights Commission (NHRC) Observed by the LGBT Centre

Since the Third-Cycle UPR review, the National Human Rights Commission (NHRC) of Mongolia has taken several positive actions in support of LGBTQI+ rights. These efforts have helped promote equality and combat discrimination, demonstrating a growing commitment to LGBTQI+ human rights.

● **Addressing Discrimination Against LGBTQI+ Persons:**

- In 2021, the Commissioner of the NHRC issued official demands to the mayor of Ulaanbaatar city regarding incidents of discrimination against the LGBT Centre, its staff, and LGBTQI+ persons. This was an important step in holding local

authorities accountable for discriminatory actions and ensuring that the rights of LGBTQI+ individuals are respected at the municipal level.

- **Advisory Committee Membership:**

- Since 2022, the LGBT Centre has been a member of the Advisory Committee of the Civil Society Council of the NHRC. This partnership has enabled the LGBT Centre to contribute its expertise on LGBTQI+ issues and collaborate closely with the NHRC in the development of human rights policies and strategies.

- **Capacity Building for Legal Professionals:**

- In 2024, the Human Rights Defenders Division of the NHRC, in partnership with the LGBT Centre, conducted four capacity-building training sessions for practicing attorneys on the 2022 Legal Status of Human Rights Defenders Law. These trainings, which were funded by the LGBT Centre without financial support from the NHRC, were crucial in educating legal professionals on the protections available for human rights defenders, including those advocating for LGBTQI+ rights. However, the reliance on one-time NGO funding highlights the need for sustained financial support from government bodies to ensure the long-term success of such initiatives.

- **Facilitating Equality Walk in Ulaanbaatar:**

- In 2024, the Human Rights Defenders Division of the NHRC played a key role in facilitating a meeting between representatives of the Ulaanbaatar city Administration and the LGBT Centre, which allowed the LGBT Centre to organize the first-ever Equality Walk at Chinggis Square since 2014. While this was a significant achievement in the fight for LGBTQI+ visibility and acceptance in Mongolia, it is important to note that LGBTQI+ persons should be able to utilize Chinggis Square like everyone else, without facing unnecessary hurdles. Unfortunately, the process of securing the space for the event took up a considerable amount of the LGBT Centre's time, preventing them from planning effectively and adding undue stress to the organizers. The LGBT Centre has expressed concern that such bureaucratic obstacles not only delayed their planning but also fostered an atmosphere of fear and uncertainty. Given this experience, the LGBT Centre fears that in 2025, they may face similar challenges in securing Chinggis Square for future events, raising questions about the consistency and fairness of access to public spaces for LGBTQI+ communities.

These actions demonstrate the NHRC's increasing commitment to protecting the rights of LGBTQI+ individuals in Mongolia. However, continued government support, especially financial, is essential to ensure that these efforts are sustainable and effective in the long run.



MONGOLIA

UPR SOGIESC RECOMMENDATIONS

DATE AND TIME OF THE REVIEW: 04 NOVEMBER 2020, 09:00 – 12:30
DATE AND TIME OF THE ADOPTION OF THE REPORT: 6 NOVEMBER 2020, 15:00
– 18:00

During the 36th UPR Working Group Sessions, Mongolia received 15 SOGIESC recommendations. It noted 3 recommendations and will respond to the remaining 12 no later than the 46th session of the Human Rights Council.

A. SOGIESC Information

National Report

On combatting all types of discrimination, including discrimination against LGBT people (Recommendations – 108.55, 108.56)

48. The revised Criminal Code criminalizes discrimination. Incorporation of prohibition of discrimination "on the basis of sexual orientation and gender identity" in the law provides a great legal incentive for protecting the rights of persons with different sexual orientation and gender identity. Besides, all the laws adopted within the framework of the criminal legal system reform incorporate the principle of non-discrimination on the basis of sexual orientation and gender identity. Should there be violation of these laws, filing and handling of complaints about discrimination are legalized.

51. In 2016–2018, Mongolia acted as the member of the UN Human Rights Council for the first time. In that period Mongolia actively pursued the policy of protecting the civil society space, supporting human rights defenders and the National Human Rights Commission, enhancing freedom of expression, preventing discrimination based on sexual orientation and gender identity, collaborating with holders of special procedures mandate of the Human Rights Council, abolishing death penalty, protecting rights of women, children and persons with disabilities.

On combatting all forms of discrimination, especially against LGBT people (Recommendations – 108.19, 108.20, 108.21, 108.41, 108.42, 108.53, 108.57)

122. The National Legal Institute has conducted a study on "Enforcement of Clauses against Discrimination in the Legislation in force: Clauses related to the Sexual Minority" and has found



that instead of passing an independent separate law prohibiting discrimination, a more effective way for enforcement is incorporating relevant clauses prohibiting discrimination, in the legislations regulating sectors. This issue will continue receiving proper attention.

123. The Ministry of Labor and Social Protection organizes a monthly campaign to Promote Youth Development each year, and in 2019, it was organized under the title "Equal Rights, Pride Days" calling upon youth and the general public to respect differences and diversity of people with different sexual orientation, raising awareness, informing about sexual minorities, and calling to stop any violation of their human rights.

124. Also the Ministry of Health organized advocacy events entitled "Stop Discrimination because of HIV/AIDS", "You and I, We can CHANGE", "We share the same sky" to raise awareness and instill positive attitude towards people with different sexual orientation as well as those with HIV.

125. Training on "Changing attitudes and building capacity of healthcare providers when dealing with at-risk populations" was delivered for medical doctors in residency, to improve their understanding of sexual orientation, gender expression and prevention, diagnostics and treatment of common STDs, HIV and AIDS.

Compilation of UN Information

13. The Committee on Economic, Social and Cultural Rights expressed concern about the persistence of discrimination against lesbian, gay, bisexual, transgender and intersex persons in the areas of employment, housing, health care and education, and the lack of recognition of same-sex couples. The Human Rights Committee recommended that Mongolia intensify its efforts to combat stereotypes and prejudices against lesbian, gay, bisexual, transgender and intersex persons, and ensure that acts of discrimination and violence directed against them were investigated, that perpetrators were prosecuted and, if convicted, punished with appropriate penalties, and that victims were provided with full reparation. It should also consider legal recognition and protection of same-sex couples. The Committee against Torture made similar recommendations.

50. The Committee on Economic, Social and Cultural Rights recommended that Mongolia reinforce its measures to prevent HIV/AIDS, including through the reestablishment of the National Committee on AIDS and the effective implementation of related laws and policies. It also recommended that Mongolia intensify its efforts aimed at combating alcohol abuse, including through awareness-raising campaigns, and redouble its preventive and treatment measures to combat hepatitis B and C.81 The Committee on the Elimination of Discrimination against Women called upon Mongolia to improve the information on health, especially sexual and reproductive health and rights, provided to women and girls with disabilities and to



lesbian, bisexual, transgender and intersex women, and train medical personnel to respond to their needs.

Summary of Stakeholder's Information

6. According to the NHRCM, the Government has failed to draft or implement comprehensive anti-discrimination legislation that would ensure the legal protection of all individuals regardless of age, race, ethnicity, gender identity, sexual orientation, ability, religion or political belief.

7. The NHRCM observed that Mongolia provided legal protections to protect people from discrimination and harassment based on their sexual orientation, gender identity, intersex status or gender expression within the scope of the provision of crime of "discrimination" in the new Criminal Code 2015 and terms of "hate crime". However, further training and awareness raising activities for investigators and prosecutors were required.

21. LGBT Centre of Mongolia (LGBTCM) observed that the Mongolian Constitution provided for the equality of all persons lawfully resident within the state before the law and courts. It also noted that discrimination was not defined leaving the scope of protection and the forms of prohibited discrimination unclear. The Constitution did not specifically require the adoption of positive action measures to address substantive inequalities in line with international standards and best practice. The list of prohibited grounds omitted reference to several personal characteristics recognised under international law, including sexual orientation and gender identity.

22. LGBTCM also noted that Mongolia had failed to adopt comprehensive equality legislation in line with its international human rights obligations. It recommended that Mongolia adopt a comprehensive equality legislation prohibiting all forms of discrimination on all grounds recognized in international law, including sexual orientation and gender identity; require the adoption of positive action measures to address substantive inequalities; and launch a public awareness-raising campaign to fight and prevent discrimination and violence against lesbian, gay, bisexual, transsexual and inter-sex persons and to promote tolerance.

23. LGBTCM claimed that there was a lack of information on sexual orientation and gender identity, and that stereotypes regarding lesbian, gay, bisexual, transsexual and intersex persons (LGBTI) were prevalent. Violence and discrimination at home and in schools appeared common, and had been identified as a major barrier to the realisation of rights for LGBTI children. LGBTCM recommended that Mongolia: introduce a universal nondiscrimination policy that is inclusive of sexual orientation and gender identity/expression in all educational institutions in order to ensure a safe environment for LGBTI youth to develop and express themselves without fear of retribution by faculty or peers.

24. LGBTCM recommended that Mongolia improve the implementation of the new Criminal Law to protect minorities from hate crimes; ensure privacy and confidentiality of information; emphasize education and conciliation; provide for speedy and effective criminal, administrative and civil remedies.

30. LGBTCM recommended that Mongolia provide continued training for the law enforcement and judicial sectors on the prevalence of sexuality and gender-based violence against LGBTI persons; and provide social services and support for sexual minorities who are victims of familial violence.

54. LGBTCM recommended that Mongolia: enable LGBTI people to access needs-based healthcare and ensure that healthcare providers are informed about both the physical and psychological issues that pertain to sexual minorities, and that equality and nondiscrimination are prescribed as ethical standards in the provision of healthcare.

B. SOGIESC Advanced Questions for Mongolia

- **United Kingdom:** What steps and measures is the Government of Mongolia taking to implement anti-discrimination legislation to protect the LGBT community from discrimination?
- **Uruguay :** Following the recommendation submitted by Uruguay in the second cycle of the UPR, which was accepted by Mongolia and expressing our congratulations on the prohibition by law of discrimination on the grounds of sexual orientation and gender identity, additional information would be appreciated on the measures the country has taken to promote the equal enjoyment of human rights by LGBTI persons.

C. Mongolia's Working Group Session

- **Opening remarks:** The revised Criminal Code criminalizes discrimination. As defined in this code, acts of discrimination based on sexual orientation or gender identity are included within the definition of the crime of discrimination. This constitutes a legal guarantee to protect people with diverse sexual orientations and gender identities. Within the criminal justice reform, the principle of non-discrimination based on sexual orientation and gender identity has been reflected in several of the laws and regulations. In 2018 and 2019, by the orders of the Ministry of Labour and Social Welfare and within the framework of the Development Month, the government organized the equality and pride days and with the initiative of participation of the civil society organizations to call for understanding and to share respect for LGBTIQ people in our society and to stop human rights violations against LGBT people as well

as the hope and visibility marathon which promoted public and youth engagement against all forms of discrimination.

- **Intervention made after 31 interventions:** Now on discrimination, the question expressed by Canada, Chile, Denmark and Israel. We applaud these recommendations and I would like to specify that Mongolia is making every effort to this issue and will continue progressing with this matter. Also, with respect to registration of transgender persons and persons who change their sex. In 2018 we had amendments to the civil registration legislation and currently these individuals enjoy full rights to get registered. (...) On the issues of LGBTIQ persons in special in respect to allowing same-sex marriage. In the Constitution of Mongolia, it is specified that marriage shall be contracted by men and women based on voluntary will and equal rights of these two. This is very clear on the constitution of Mongolia. Also, the issue related to discrimination of LGBTI people, these are the articulation of several issues on the articulation of more than 500 laws in the country. So, all these issues are already addressed in our legislation.

D. Recommendations for Cycle III (2020)

a) Remarks of States

- **Australia:** We further commend the action taken by the Mongolian Government in criminalising hate crimes to increase protections for LGBTI persons.
- **Denmark:** We recognize efforts to combat harmful stereotypes and attitudes. However, we remain concerned with the persistence of discrimination against LGBTI persons.
- **Iceland:** Iceland welcomes the delegation of Mongolia, welcomes steps taken to tackle discrimination and applauds the revision of the penal code with the inclusion of sexual orientation as a basis of discrimination.
- **Ireland:** Ireland previously recommended that Mongolia "Adopt comprehensive legislation to counter discrimination, and take steps to ensure that equality enshrined in such legislation or in existing law is achieved in practice". We commend the actions that have been taken in this regard to combat discrimination against LGBTI persons.
- **Israel:** We would further like to applaud Mongolia for adopting legal provisions to protect people from discrimination and harassment based on sexual orientation, gender identity, intersex status or gender expression.
- **Netherlands:** With the revision of its Criminal Code, Mongolia has also established the necessary legal framework to combat discrimination against LGBTI persons. However, challenges remain with implementation and regarding the recognition and protection of LGBTI rights.

- **Spain:** Although Mongolia accepted numerous recommendations regarding discrimination against LGBTI people and has developed a new legal framework for hate crimes or discrimination on the basis of sexual orientation.

b) The following recommendations will be examined by Mongolia, which will provide responses no later than the 46th session of the Human Rights Council:

- **Australia:** Continue training of lawyers and law enforcement officers on offences related to hate crimes against LGBTI persons and increasing public awareness of the law (5.38)
- **Iceland:** Adopt comprehensive anti-discrimination legislation that addresses direct and indirect discrimination and encompasses all the prohibited grounds of discrimination, including sexual orientation and gender identity (5.28).
- **Iceland:** Launch a public awareness-raising campaign to fight and prevent discrimination and violence against LGBTI persons and to promote tolerance (5.29).
- **Israel:** Further develop and implement the legal provisions to protect people from discrimination and harassment based on sexual orientation, gender identity, intersex status or gender expression (5.30).
- **Israel:** Abolish the requirements from the Civil Registration Law of Mongolia, Article 14, for medical interventions for transgender and intersex people who wish to obtain legal recognition of their gender (5.31)
- **Luxembourg:** Step up its action against stereotypes and prejudices against LGBTI persons and ensure that investigations are carried out into any acts of discrimination or violence against this community (5.32).
- **Netherlands:** Introduce a non-discrimination policy inclusive of sexual orientation and gender identity in all educational institutions, to ensure a safe environment for LGBTI youth and to develop and express themselves without the fear of retribution by educational institutions or peers (5.33)
- **Netherlands:** Combat stereotypes and prejudice against LGBTI persons by raising public awareness and implementing effective training of law enforcement agencies (5.34)
- **Portugal:** Provide training on human rights and on combating discrimination, including based on sexual orientation and gender identity, to health personnel, members of the judiciary, police forces and prison officers (5.35)
- **Spain:** Implement effectively the newly established legal framework for hate crimes and discrimination on the grounds of sexual orientation (5.36)
- **Switzerland:** Take awareness-raising measures on domestic violence and violence against the LGBTI community in conformity with the Sustainable Development Goals 5.2 and 16.1 (5.37)
- **Thailand:** Consider making efforts to address the prejudices against LGBT persons and ensure access to social services for people with disabilities (5.39)

c) The following recommendations have been examined by Mongolia and have been noted by Mongolia:

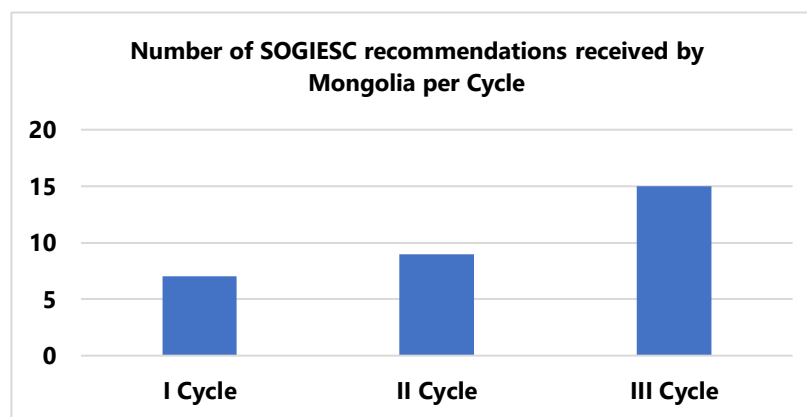
- **Canada:** Adopt comprehensive anti-discrimination laws to protect the rights of minority groups, including ethnic minorities, indigenous peoples and the LGBTI community (6.11)
- **Luxembourg:** Consider giving legal recognition to same-sex couples to ensure that they are protected by law (6.12)
- **Denmark:** Consider giving legal recognition to same-sex couples to ensure that they are protected by law (6.13)

E. Recommendations for Cycle II (2015)

Recommendation	Recommending State	Response
Step up its efforts to counter discrimination and violence on the basis of sexual orientation or gender identity, and to structurally collect data and provide statistics and information in this regard	Netherlands	Supported
Launch a public awareness-raising campaign to fight and prevent discrimination and violence against LGBT persons and to promote tolerance	Brazil	Supported
Amend its criminal legislation to include crimes of hatred and of discrimination on the grounds of sexual orientation and gender identity	Spain	Supported
Promote equality in the enjoyment of human rights of LGBTI persons incorporating it into national legislation	Uruguay	Supported
Ensure that all forms of discrimination are prohibited, including on the basis of sexual orientation, gender identity and health status	Timor-Leste	Supported
Prohibit all forms of discrimination, including discrimination on the basis of sexual orientation and gender identity	Slovenia	Supported
Develop pertinent legislation to guarantee the effective protection of the human rights of LGBTI persons, as well as undertake impartial investigations on the allegations of attacks against them in accordance with the Special Rapporteur on extreme poverty and human rights	Honduras	Supported
Combat all forms of discrimination, including based on sexual orientation or sexual identity	France	Supported

Introduce comprehensive anti-discrimination legislation that would protect the rights of all members of minority groups including LGBT persons	United Kingdom	Supported
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F. Graphic Comparison Between Cycles (1—3)



G. SOGIESC recommendations shared by HRDs during ILGA's UPR advocacy week in Geneva:

1. Mongolia should adopt comprehensive equality legislation appropriate for the implementation of the rights to equality and non-discrimination. The state should engage in further meaningful consultations with civil society in the development of such a law and establish an independent equality body with a large mandate and institutional guarantees to secure its enforcement.
2. Mongolia should invite the Independent Expert on SOGI to assess the implementation of existing international human rights instruments with regard to ways to overcome violence and discrimination on the basis of their SOGI and to identify and address the root causes of violence and discrimination.
3. Consider abolishing the requirements from the Civil Registration Law of Mongolia, Article 14, for medical interventions for transgender and intersex people who wish to obtain legal recognition of their gender.
4. Enable the LGBTQI+ people to access culturally competent and needs-based healthcare through comprehensive efforts to identify and cater to the specific needs of each sub-community of LGBTQI+ people, through the prescription of ethical standards



of non-discrimination in healthcare provision, including equal coverage of LGBTQI+ - specific health concerns under the existing health insurance scheme.

5. Review the legislative frameworks to enable effective recognition and protection of same-sex couples and their children in line with Mongolia's international obligations to provide the widest possible protection and assistance to all consenting adults to marry, form domestic partnership and found a family without discriminations.
6. Introduce a universal non-discrimination policy inclusive of sexual orientation and gender identity/expression in all educational institutions to ensure a safe environment for LGBTQI+ youth to develop and express themselves without fear of retribution by faculty or peers.
7. Launch a public awareness-raising campaign to fight and prevent discrimination and violence against LGBTQI+ persons and to promote tolerance.

H. [Video of Mongolia's UPR Working Group Session](#)

I. SOGIESC Mentions During Mongolia's UPR Outcome (This section will be completed after the 46th session of the Human Rights Council, in March 2021)

#	Name of Legislation	Enacted date	SOGI protection clause	link
1	Criminal Code	1-Jul-17	Article 1.3.2 "In indictment and imposition of penalty, an individual shall not be discriminated by his nationality, language, race, age, sex, origin, property status, job position, official status, religion, opinion, sexual orientation , education and disability status"	https://legalinfo.mn/en/edtl/16147365419841
			Article 10.1.2.14 "for a motive of ideological, racial, national, ethnical, religious, or by reason hatred based on sexual orientation discrimination shall be punishable by imprisonment for a term from twelve to twenty two years or by life-term imprisonment."	
			Article 14.1.1 "Discrimination persons or restriction of human rights and freedoms on the basis of ethnic origin, language, race, age, sex, social origin or status, property, occupation or post, religion, opinion, or education, sexual orientation, gender , health condition shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units of amount, or from two hundred forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right for a term from one month to one year. ³	

2	Law on criminal procedure	1-Jul-17	Article 1.12.1 "All persons shall be equal before the law and court in Mongolia regardless of ethnicity, origin, language, race, age, sex, social origin and status, wealth, occupation, title and position, religion, sexual orientation and gender identity , disability, thoughts and opinions, and education of individuals, and irrespective to property, income, the scope of activity, type of organization of legal entities."	https://legalinfo.mn/en/edtl/16231130682411
3	Law on personal data protection	1-May-22	<p>Article 4.1.12 ""Sensitive information" means information in regards with a person's race, ethnic origin, religion, beliefs, health, correspondence, genetic and biometric data, digital signature private key, criminal records, sexual and gender orientation, expression, and sexual relations."</p> <p>Article 9.1 "Sensitive data on health, correspondence, genetic and biometric data, digital signature private key, sexual and gender orientation, expression, and sexual relations specified in Sub-paragraph 4.1.12 of this Law shall be considered as personal secrets."</p> <p>Article 12.2 "It is prohibited to collect, process, and use data regarding health, correspondence, genetic and biometric data, sexual and gender orientation, expression, and sexual relations for the purposes specified in Paragraph 12.1 of this Law without the consent of the data subject."</p>	https://legalinfo.mn/en/edtl/16532053734461

LGBT Centre • Building-48 • Suite 305a • Sukhbaatar District-6, Ulaanbaatar 13380 • Mongolia
Tel: +976 70110323 • Email: edirector@lgbtcentre.mn • www.lgbtcentre.mn

The Advocates for Human Rights • 330 Second Avenue South • Suite 800 • Minneapolis, MN 55401 • USA
Tel: 612-341-3302 • Fax: 612-341-2971 • Email: hrights@advrights.org • www.TheAdvocatesForHumanRights.org

4	Law on Labor	1-Jan-22	Article 6.1 "Direct and indirect discrimination, limitation of rights and provision of privileges in employment and labor relations based on nationality, language, race, age, sex, social origin, social and marital status, wealth, religion, ideology, political ideology, membership to trade union, health status, pregnancy and maternity, sexual orientation, gender identity and expression thereof, disability, and appearance shall be prohibited."	https://legalinfo.mn/en/edtl/16532053891911
5	Law on Civil state registration	21-Jun-18	Article 14.1 "Citizen over the age of 18 years, who wants to register his/her sex change in civil state registration, shall submit the following documents and personally register them in state administrative organ in charge of state registration matters"	https://legalinfo.mn/mn/detail/15588
6	Law on Legal status of Mongolian red cross society	7-Jan-16	Article 6.1 "The purpose of the Mongolian red cross society shall be to provide medical, social, and psychological assistance to the population in times of armed conflicts and public disasters, as well as to prevent people from suffering and alleviate the suffering, based on the principle of justice to protect people regardless of their nationality, citizenship, race, language, skin color, age, sexual orientation , social origin, gender , wealth, occupation, religion, political affiliation, education, to protect life and health, to provide support and help to ensure humanitarianism, to promote understanding, friendship, and cooperation between people, and to contribute to the strengthening of peace."	https://legalinfo.mn/mn/detail?lawId=11601&type=11

LGBT Centre • Building-48 • Suite 305a • Sukhbaatar District-6, Ulaanbaatar 13380 • Mongolia
Tel: +976 70110323 • Email: edirector@lgbtcentre.mn • www.lgbtcentre.mn

The Advocates for Human Rights • 330 Second Avenue South • Suite 800 • Minneapolis, MN 55401 • USA
Tel: 612-341-3302 • Fax: 612-341-2971 • Email: hrights@advrights.org • www.TheAdvocatesForHumanRights.org

7	Law on Broadcasting	1-Jul-20	Article 27.1.3 "programs and advertisements that hate or discriminate against individuals or groups because of their ethnicity, language, race, sex, social origin, status, wealth, religion, opinion, sexual orientation , or disability."	https://legalinfo.mn/en/edtl/16468558401871
8	Law on Courts of Mongolia	1-Mar-21	Article 50.Prohibitions for Judges "50.1.31.to discriminate or harass people against on the basis of their origin, ethnicity, language, race, age, gender, social origin, status, wealth, job, position, religion, opinion, sexual and gender orientation , education, disability and others;"	https://legalinfo.mn/en/edtl/16758294066121
9	Law on the enforcement of court decision	1-Jul-17	Article 7.1 "Agency for enforcement of court decision and its officers shall respect human rights and liberty in the course of court decision enforcement process and may set restraints and limitations on exercise of human rights and freedom without discriminating persons by their nationality, origin, language, race, social origin and status, property, occupation, position, religion, sexual and gender orientation , expression , opinions and education."	https://legalinfo.mn/mn/edtl/16230949483281

LGBT Centre • Building-48 • Suite 305a • Sukhbaatar District-6, Ulaanbaatar 13380 • Mongolia
Tel: +976 70110323 • Email: edirector@lgbtcentre.mn • www.lgbtcentre.mn

The Advocates for Human Rights • 330 Second Avenue South • Suite 800 • Minneapolis, MN 55401 • USA
Tel: 612-341-3302 • Fax: 612-341-2971 • Email: hrights@advrights.org • www.TheAdvocatesForHumanRights.org

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
Theme: Equality & non-discrimination			
			Mid-Term Progress Report on the Implementation of UPR Recommendations: Third Cycle (Appendix to Note Verbale 268/2024, dated 7 August 2024, Permanent Mission of Mongolia) BLUE: Government of Mongolia's Report GREY: LGBT Centre Comments
116.28 Adopt comprehensive anti-discrimination legislation that addresses direct and indirect discrimination and encompasses all the prohibited grounds of discrimination, including sexual orientation and gender identity (Iceland); Source of Position: A/HRC/46/9 - Para.116	Supported	- Equality & non-discrimination	Government of Mongolia: AT IMPLEMENTATION STAGE The crime of discrimination has been enshrined in Article 14.1 of the Criminal Code as “Discriminating persons or restricting human rights and freedoms on the basis of ethnic origin, language, race, age, sex, social status, property, occupation, religion, opinion, education, sexual orientation, gender, health condition shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units, or from two hundred forty to seven hundred and twenty hours of community service or a penalty of limitation of free travel right for a term from one month to one year.”
		- Constitutional & legislative framework	
		SDGs:	
		- 10 - REDUCED INEQUALITIES	
		- 16 - PEACE, JUSTICE AND STRONG INSTITUTIONS	LGBT Centre Comment: On 5 September 2024, the Chairman of the Mongolian National Assembly issued Decree No. 89, establishing a working group to conduct research, develop proposals, and draft laws to combat discrimination. However, the absence of organizations and experts specializing in LGBTIQ+ human rights within the working group significantly undermines the inclusivity and effectiveness of this initiative. A key contributing factor is the narrow interpretation of the concept of “minority”, “marginalized”, “vulnerable group” among many government officials—often limited to persons with disabilities—while overlooking other marginalized groups, including those facing discrimination based on sexual orientation, gender identity, and expression. This gap hinders the development of comprehensive anti-discrimination provisions and mechanisms that fully protect and promote the rights of LGBTIQ+ individuals in Mongolia.
		Affected persons:	
		- Lesbian, gay, bisexual and transgender and intersex persons (LGBTI)	
		- Equality & non-discrimination	Government of Mongolia: AT IMPLEMENTATION STAGE

116.29 Launch a public awareness-raising campaign to fight and prevent discrimination and violence against lesbian, gay, bisexual, transgender and intersex persons and to promote tolerance (Iceland); Source of Position: A/HRC/46/9 - Para.116	Supported	SDGs:	The Ministry of Health is conducting research to provide information to be posted on the website of the Ministry of Health in the field of "Human Rights and Anti-Discrimination" training and promotion. In this context, the Ministry is planning to cooperate with the National Center for Public Health and the National Center for Communicable Diseases. In addition, the Ministry of Health experts are organizing the "Framework of non-discriminatory health care services" training in cooperation with the Youth Health Center NGO.
		- 4 - QUALITY EDUCATION	
		- 10 - REDUCED INEQUALITIES	
		Affected persons:	
		- Lesbian, gay, bisexual and transgender and intersex persons (LGBTI)	LGBT Centre Comment: While these efforts represent a step forward, they remain limited in scope and do not constitute a comprehensive, nationwide public awareness campaign as envisioned in the original recommendation. The initiatives to date have been primarily sector-specific, focused on the health care system—and more specifically, on HIV-related programming. They lack broader outreach, visibility, and meaningful engagement with LGBTIQ+ communities and civil society organizations. Moreover, the health sector’s approach must evolve beyond an HIV-centric framework to address the broader health care needs of LGBTIQ+ individuals, including access to inclusive, respectful, and non-discriminatory services. To fully implement the recommendation, the government must develop and launch a multi-sectoral and inclusive public awareness campaign, built in close collaboration with LGBTIQ+ CSOs, to promote tolerance, combat stigma, and prevent discrimination and violence against LGBTIQ+ persons.
116.30 Further develop and implement the legal provisions to protect people from discrimination and harassment based on sexual orientation, gender identity, intersex status or gender expression	Supported	- Equality & non-discrimination	Government of Mongolia: AT IMPLEMENTATION STAGE Article 4.1.2 of the Law on Health provides for equal and accessible healthcare services without discrimination. A working group has been established by the order of the Minister of Health to draft the revised version of the Law on Health. It is planned to include provisions on battling all forms of discrimination and violence. The parliament adopted the Law on Social Healthcare Services on 12th of January, 2024. Article 4 of the law stipulates “The principles of public healthcare activities shall be non-discrimination, respecting human rights, and ensuring gender equality”.
		- Freedom of opinion and expression & access to information	
		SDGs:	
		- 10 - REDUCED INEQUALITIES	

(Israel); Source of
Position: A/HRC/46/9 -
Para.116

		Implementation of ensuring gender equality, respect for human rights, prevention of all forms of discrimination, workplace harassment, and violence have been integrated into the regulations of the National Center for Mental Health (NCM), National Center for Zoonotic Disease Research (NCZD), National Center for Injuries and Defects (NCID), National Center for Infectious Diseases (NCID) by orders of the Minister of Health No. A/304, A/305, and A/322 of 2023.
	Affected persons:	LGBT Centre Comment: While Mongolia has taken steps to integrate anti-discrimination principles into health laws and institutional frameworks, these efforts remain limited in legal clarity and practical effectiveness. Current provisions lack explicit protection on the grounds of sexual orientation, gender identity, gender expression, and intersex status (SOGIESC), and fail to establish clear sectoral responsibilities, accountability mechanisms, or effective procedures for redress. One of the major barriers to combating SOGIESC-based discrimination is the inability to prove such cases under existing legal structures, due to the absence of enforcement tools, monitoring systems, and legal definitions. To fulfill the intent of the recommendation, Mongolia must move beyond symbolic legal commitments and adopt a comprehensive anti-discrimination framework—one that ensures legal clarity, defines institutional responsibilities, includes robust mechanisms for enforcement and redress, and is developed in meaningful consultation with LGBTIQ+ civil society organizations.
	- Lesbian, gay, bisexual and transgender and intersex persons (LGBTI)	
	- Women & girls	
116.31 Abolish the requirements from the Civil Registration Law of Mongolia, article 14, for medical interventions for transgender and intersex persons who wish to obtain legal recognition of their gender (Israel); Source		Government of Mongolia: AT IMPLEMENTATION STAGE The National Police Agency has been providing information on topic of “LGBT people and criminal law environment” by placing such information on the agency’s website as well as holding workshops on following guidelines when conducting inspections and investigations on detainees. Such workshop has been held 25 times and 3840 officers (overlapping number) have participated so far. The workshop has not been held in 2023, but is planned to be held in 2024.
	- Equality & non-discrimination	
	- Constitutional & legislative framework	
	SDGs:	
	- 10 - REDUCED INEQUALITIES	
	- 16 - PEACE, JUSTICE AND STRONG INSTITUTIONS	

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of Position: A/HRC/46/9 - Para.116	Affected persons: - Lesbian, gay, bisexual and transgender and intersex persons (LGBTI)	LGBT Centre Comment: However, these police-focused initiatives are unrelated to the core of the recommendation, which concerns legal gender recognition under civil registration procedures. Since police officers are not involved in civil registration processes, these efforts do not constitute meaningful implementation of the recommendation. As such, the government's claim of progress is inaccurate and misleading. [joint submission, para 25-28]
116.32 Step up its action against stereotypes and prejudices against lesbian, gay, bisexual, transgender and intersex persons and ensure that investigations are carried out into any acts of discrimination or violence against this community (Luxembourg); Source of Position: A/HRC/46/9 - Para.116	- Equality & non-discrimination	Government of Mongolia: AT IMPLEMENTATION STAGE The police organization is following the "Procedures for collecting, checking, evaluating, using, transferring, receiving, distributing, calculating, and making inquiries in the database", approved by the order of the Minister of Justice and Internal Affairs on July 21, 2017, in its operations. In this context, the police agency has developed databases for suspects, indicted persons, convicts, persons who have been subjected to coercive medical measures, persons who have been acquitted or released because the criminal case has been dismissed or deferred, victims, and legal entities bearing criminal responsibility. Within the police organization at a national level, a single sexual minority (LGBTI) victim of a crime specified in Section 13.10.1 (Invasion of privacy) of the Criminal Code has been registered and an investigation is underway.
	- Sexual & gender-based violence	
	SDGs:	
	- 10 - REDUCED INEQUALITIES	
	Affected persons: - Lesbian, gay, bisexual and transgender and intersex persons (LGBTI)	LGBT Centre Comment: The current database system lacks transparency and consistency, particularly in information-sharing with civil society organizations. Moreover, improving databases alone will not strengthen investigations if the responsibilities and accountability mechanisms for police officers remain weak. To meet the full intent of the recommendation, Mongolia must enhance oversight and enforcement within police operations, ensure transparency in complaint and investigation procedures, and take proactive measures to address bias and prejudice—both institutionally and in broader society—through collaboration with LGBTIQ+ communities and civil society actors.
	- Equality & non-discrimination	Government of Mongolia: AT IMPLEMENTATION STAGE

116.33 Introduce a non-discrimination policy inclusive of sexual orientation and gender identity in all educational institutions, to ensure a safe environment for lesbian, gay, bisexual, transgender and intersex youth to develop and express themselves without the fear of retribution by educational institutions or peers (Netherlands);
Source of Position:
A/HRC/46/9 - Para.116

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- Sexual & gender-based violence	Within the framework of the "16-day campaign to combat gender-based violence", the health sector plans to organize 6 activities. Hence, the "Work plan for the campaign to combat and prevent gender-based violence" was approved on October 23, 2023. The campaign took place from the 25th of November to the 10th of December, 2023.
- Right to education	
SDGs:	
- 4 - QUALITY EDUCATION	The Ministry of Health in collaboration with Save the Children Foundation developed 11 module guidelines such as "Primary mental health care for victims/survivors of gender-based violence" and "Identifying child trafficking" for combating violence and discrimination against children, adolescents, people with disabilities, and LGBTI groups. Such modules were distributed to 25 trainers.
	The "2022-2025 plan for combating and preventing infectious diseases" was approved by order No. A/528 of 2022 of the Minister of Health. The following activities were carried out in accordance with the plan:
	- The following activities were organized as part of the HIV and AIDS prevention activities aimed at gay men (risk group): 3 sessions of HIV, AIDS, and STD prevention training for risk groups in Darkhan-Uul and Orkhon provinces with a total of 50 participants 2 sessions of training on reducing risk behavior for risk groups over 25 years old with a total of 54 participants Training on reducing risk behavior for risk groups aged 15-24 with a total of 25 participants 3 sessions with a total of 481 participants, holding public presentation events to assess HIV and gender-based violence and discrimination while accessing health services Organized a forum meeting with 100 participants to positively promote the use of condoms for risk groups Group meetings regarding HIV, AIDS, STD prevention, human rights discrimination, and community needs among risk groups where a total of 2160 participants took part. 3 sessions of the projects "Brothers" and "Sisters" for risk groups to prevent HIV infection and mediate relevant testing through peers and friends took place with 298 participants.
- 10 - REDUCED INEQUALITIES	

	<p>1 HIV-infected person received advocacy and legal support.</p> <p>- In the framework of the organizing comprehensive HIV and STD prevention activities aimed at the transgender community:</p> <p>Implemented the "Sisters" project for the transgender community and organized 2 public meetings, involving a total of 60 people, including allies and risk groups men and women. 7 meetings involving 38 participants for supporting the creation of a national network of risk group people.</p> <p>Public forum meetings for the creation of a national network of risk group people in Mongolia involving 40 participants.</p> <p>- As part of activities to assess the human rights situation of risk groups and influence decision-makers to eliminate human rights inequalities, create friendly access to HIV care for target groups, and eliminate possible discrimination in public services, community-based assessments are being implemented beginning in 2023. In the first quarter, activities such as the development of questionnaires and the establishment of working groups were organized. In the third quarter, a survey was conducted on the availability of STD, HIV, and AIDS prevention activities aimed at at-risk groups. In addition, an evidence-based dissemination plan was developed.</p> <p>- A community-based evaluation of HIV care for risk groups was completed.</p> <p>The above-mentioned activities are organized with the collaboration and participation of NGOs and are at 100% implementation in 2023.</p>
Affected persons:	<p>LGBT Centre Comment: The reported activities are predominantly focused on health and HIV-related programming targeting "risk groups" and do not address the educational sector or the systemic barriers LGBTIQ+ students face in schools. According to the LGBT Centre, regulations within the education system continue to restrict the ability of LGBTIQ+ youth to express themselves freely and safely. To meet the full intent of the recommendation, Mongolia must adopt explicit, inclusive non-discrimination policies within schools and educational institutions and ensure these are effectively implemented to foster an affirming and safe</p>
- Children	
- Youth & juveniles	
- Lesbian, gay, bisexual and transgender and	

		intersex persons (LGBTI)	environment for all students, regardless of SOGIESC. This should include awareness-raising for educators, support mechanisms for LGBTIQ+ students, and the removal of harmful school policies and practices.
		- Educational staff & students	
116.34 Combat stereotypes and prejudice against lesbian, gay, bisexual, transgender and intersex persons by raising public awareness and implementing effective training of law enforcement agencies (Netherlands); Source of Position: A/HRC/46/9 - Para.116	Supported	- Equality & non-discrimination	Government of Mongolia: AT IMPLEMENTATION STAGE The Ministry of Health is working to expand public health care services in cooperation with the interdisciplinary participation of the public, government, and non-government organizations.
		- Human rights education, trainings & awareness raising	The Policy and Planning Department of the Ministry of Health, the National Center for Public Health, the Public Health Center of the Capital, the National Center for Communicable Diseases, Non-Governmental Organizations, and citizens participated and discussed measures to be taken in health care services at the 2023 implementation report and conclusion meeting of the "Program to ensure the sustainability of HIV care and services provided to the risk group/LGBTI/ population in Southeast Asian countries-2" project.
		SDGs:	
		- 4 - QUALITY EDUCATION	
		- 10 - REDUCED INEQUALITIES	
		- 16 - PEACE, JUSTICE AND STRONG INSTITUTIONS	Plans and preparations for implementation of the AIDS project which will be implemented in Mongolia in 2024-2026, supported by the Global Fund to Fight AIDS, Tuberculosis, and Malaria are being made.
		Affected persons:	LGBT Centre Comment: While Mongolia has made notable progress in expanding HIV-related healthcare services for LGBTIQ+ individuals and engaging stakeholders across government, civil society, and healthcare institutions, these efforts are primarily health-sector-specific and do not comprehensively address the broader objective of combating stereotypes and prejudice through public awareness and law enforcement training, as recommended. The government's current approach narrowly frames LGBTIQ+ persons as a "risk group" within the context of HIV/AIDS, which can reinforce harmful stigmas if not accompanied by broader, rights-based public education efforts. The LGBT Centre highlights the urgent need for the development and implementation of inclusive, intersectoral policies that go beyond disease prevention and work to eliminate deep-rooted societal bias. This includes regular, structured, and accessible training for law enforcement and government officials to foster understanding,
		- Law enforcement / police & prison officials	
		- Lesbian, gay, bisexual and transgender and intersex persons (LGBTI)	

			reduce prejudice, and ensure equal treatment of LGBTIQ+ individuals across all public services.
116.35 Provide training on human rights and on combating discrimination, including discrimination based on sexual orientation and gender identity, to health personnel, members of the judiciary, police forces and prison officers (Portugal); Source of Position: A/HRC/46/9 - Para.116	Supported	- Equality & non-discrimination	Government of Mongolia: AT IMPLEMENTATION STAGE The Ministry of Health is planning to organize training workshops for health workers on human rights and combating discrimination, including discrimination based on sexual orientation and gender identity.
		- Human rights education, trainings & awareness raising	
		SDGs:	
		- 4 - QUALITY EDUCATION	
		- 10 - REDUCED INEQUALITIES	LGBT Centre comment: Mongolia has made progress in planning human rights training for health personnel, focusing on combating discrimination based on sexual orientation and gender identity. However, the current efforts are sector-specific, primarily targeting the healthcare sector, and fail to address the broader needs of other essential sectors, particularly law enforcement. Furthermore, the government's focus on the HIV framework does not adequately address the specific healthcare needs and challenges faced by the LGBTIQ+ community. To effectively reduce and prevent discriminatory actions and unethical behavior, comprehensive training is necessary for all levels of law enforcement, including police officers, judges, and prison personnel. A holistic, intersectoral approach is required to ensure that public officials across various sectors are equipped to combat discrimination and uphold the rights of LGBTIQ+ individuals in all areas of society, while also expanding healthcare provisions beyond HIV-related services to meet the unique health needs of LGBTIQ+ individuals.
		- 16 - PEACE, JUSTICE AND STRONG INSTITUTIONS	
		Affected persons:	
		- Law enforcement / police & prison officials	
		- Medical staff / health professionals	
		- Lesbian, gay, bisexual and transgender and intersex persons (LGBTI)	
		- Judges, lawyers and prosecutors	

<p>116.36 Implement effectively the newly established legal framework for hate crimes and discrimination on the grounds of sexual orientation (Spain); Source of Position: A/HRC/46/9 - Para.116</p>	<p>Supported</p>	<p>- Equality & non-discrimination</p>	<p>Government of Mongolia: AT IMPLEMENTATION STAGE</p> <p>The Ministry of Health is working to monitor and provide guidance on the content of information, training, and advertisements on preventing discrimination based on sexual orientation.</p>
		<p>- Constitutional & legislative framework</p>	<p>LGBT Centre comment: There are significant gaps in the mechanisms for addressing discriminatory actions within law enforcement. Specifically, the processes for filing complaints when police officers disclose sensitive information about an individual's sexual orientation or gender identity during investigations must be strengthened. In addition, the current provisions of Section 14.1 of the Criminal Code, which classifies violations of human rights as crimes, should be revised to ensure discrimination based on sexual orientation and gender identity is explicitly recognized and addressed as a non-criminal violation. These improvements are critical to protecting LGBTIQ+ individuals from discriminatory actions and ensuring that hate crimes are adequately addressed.</p>
		<p>SDGs:</p>	
		<p>- 10 - REDUCED INEQUALITIES</p>	
		<p>- 16 - PEACE, JUSTICE AND STRONG INSTITUTIONS</p>	
		<p>Affected persons:</p> <p>- Lesbian, gay, bisexual and transgender and intersex persons (LGBTI)</p>	
<p>116.37 Take awareness-raising measures on domestic violence and violence against the lesbian, gay, bisexual, transgender and intersex community in</p>	<p>Supported</p>	<p>- Equality & non-discrimination</p>	<p>Government of Mongolia: AT IMPLEMENTATION STAGE</p> <p>Please refer to recommendation 116.33.</p>
		<p>- Sexual & gender-based violence</p>	<p>LGBT Centre comment: There are significant gaps in the mechanisms for addressing discriminatory actions within law enforcement. Specifically, the processes for filing complaints when police officers disclose sensitive information about an individual's sexual orientation or gender identity during investigations must be strengthened. In addition, the current provisions of Section 14.1 of the Criminal Code, which classifies violations of human rights as crimes,</p>
		<p>SDGs:</p>	
		<p>- 5 - GENDER EQUALITY</p>	

<p>conformity with Sustainable Development Goals 5.2 and 16.1 (Switzerland); Source of Position: A/HRC/46/9 - Para.116</p>	<p>- 16 - PEACE, JUSTICE AND STRONG INSTITUTIONS</p> <p>Affected persons:</p> <p>- Lesbian, gay, bisexual and transgender and intersex persons (LGBTI)</p> <p>- Women & girls</p>	<p>should be revised to ensure discrimination based on sexual orientation and gender identity is explicitly recognized and addressed as a non-criminal violation. These improvements are critical to protecting LGBTIQ+ individuals from discriminatory actions and ensuring that hate crimes are adequately addressed.</p>
<p>116.38 Continue training lawyers and law enforcement officers on offences related to hate crimes against lesbian, gay, bisexual, transgender and intersex persons, and also continue increasing public awareness of the law (Australia); Source of Position: A/HRC/46/9 - Para.116</p>	<p>Supported</p> <p>- Equality & non-discrimination</p> <p>- Human rights education, trainings & awareness raising</p> <p>SDGs:</p> <p>- 4 - QUALITY EDUCATION</p> <p>- 10 - REDUCED INEQUALITIES</p> <p>- 16 - PEACE, JUSTICE AND STRONG INSTITUTIONS</p> <p>Affected persons:</p> <p>- Law enforcement / police & prison officials</p>	<p>Government of Mongolia: AT IMPLEMENTATION STAGE Please refer to recommendation 116.36.</p> <p>LGBT Centre comment: It is unfortunate that the mid-term report only includes information from the healthcare sector. To effectively reduce and prevent unethical and discriminatory actions by law enforcement officers, particularly police officers, it is essential to implement training across all levels of law enforcement personnel.</p>

		- Lesbian, gay, bisexual and transgender and intersex persons (LGBTI)	
116.39 Consider making efforts to address the prejudices against lesbian, gay, bisexual and transgender persons and ensure access to social services for people with disabilities (Thailand); Source of Position: A/HRC/46/9 - Para.116	Supported	- Equality & non-discrimination	Government of Mongolia: AT IMPLEMENTATION STAGE Please refer to recommendation 116.33.
		- Persons with disabilities: definition, general principles	LGBT Centre comment: While efforts are underway to address prejudice against LGBTIQ+ individuals, the existing measures are insufficient. It is critical that Mongolia take a more integrated approach, ensuring the inclusion of LGBTIQ+ persons within social services and that these measures are not just sector-specific but comprehensive. This includes addressing barriers to services for LGBTIQ+ persons with disabilities, ensuring their equal access to both social services and protections under the law.
		SDGs:	
		- 4 - QUALITY EDUCATION	
		- 10 - REDUCED INEQUALITIES	
		Affected persons:	
		- Lesbian, gay, bisexual and transgender and intersex persons (LGBTI)	
117.11 Adopt comprehensive anti-discrimination laws to protect the rights of minority groups,	Noted	- Persons with disabilities	
		- Equality & non-discrimination	
		- Constitutional & legislative framework	
		SDGs:	

<p>including ethnic minorities, indigenous peoples and the lesbian, gay, bisexual, transgender and intersex community (Canada); Source of Position: A/HRC/46/9 - Para.117</p>	<p>- 10 - REDUCED INEQUALITIES</p> <p>- 16 - PEACE, JUSTICE AND STRONG INSTITUTIONS</p> <p>Affected persons:</p> <p>- Indigenous peoples</p> <p>- Lesbian, gay, bisexual and transgender and intersex persons (LGBTI)</p> <p>- Minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	
<p>117.12 Consider giving legal recognition to same-sex couples to ensure that they are protected by law (Luxembourg); Source of Position: A/HRC/46/9 - Para.117</p>	<p>Noted</p> <p>- Equality & non-discrimination</p> <p>- Rights related to marriage & family</p> <p>- Constitutional & legislative framework</p> <p>SDGs:</p> <p>- 10 - REDUCED INEQUALITIES</p> <p>Affected persons:</p>	

		- Lesbian, gay, bisexual and transgender and intersex persons (LGBTI)	
117.13 Provide legal recognition and protection of same-sex couples by amending the Family Law (Denmark); Source of Position: A/HRC/46/9 - Para.117	Noted	- Equality & non-discrimination	
		- Rights related to marriage & family	
		- Constitutional & legislative framework	
		SDGs:	
		- 10 - REDUCED INEQUALITIES	
		Affected persons:	
		- Lesbian, gay, bisexual and transgender and intersex persons (LGBTI)	

OUT in Mongolia



ReportOUT

A Research Report Examining the Human Rights Abuses, and Development Needs, of Sexual and Gender Minorities in Mongolia



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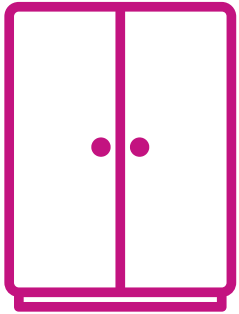
ReportOUT is a global SOGIESC human rights organisation

For more information, please visit our website: www.reportout.org

Registered Charity Number (England and Wales): 1185887

Key Research Findings

The key findings of this research study demonstrate that:



The majority of LGBTQI+ Mongolians remain in the closet:

- 80% of respondents do not feel safe to disclose their identity to their employer or educational establishment.
- 70% do not reveal their sexual orientation or gender identity to their families.
- 93% conceal their identity from their doctor/healthcare professional.

A majority of LGBTQI+ Mongolians believe Mongolia is unsafe for LGBTQI+ people:

- 51% consider Mongolia unsafe compared to only 14% who consider it safe.
- The 'unsafe' proportion rises to 65% unsafe when asked about rural areas.
- 88% believe general expressions of hatred and aversion towards LGBTQI+ individuals from the Mongolian public remain widespread.
- 59% of respondents believe physical assaults against LGBTQI+ Mongolians are common.



LGBTQI+ Mongolians remain distrustful of government institutions and the Mongolian legal system:

- 92% of respondents consider the Mongolian legal system 'very' or 'mostly' unfair.
- 78% of respondents believe police brutality towards LGBTQI+ Mongolians is 'very' or 'fairly common.'



Stigmatisation and discrimination from politicians, the media, and general society towards the Mongolian LGBTQI+ community remain common:

- 88% believe expressions of hatred and general aversion towards LGBTQI+ Mongolians are common. The same percentage believe physical assaults against the LGBTQI+ community are common.
- 76% believe offensive language by Mongolian politicians towards the LGBTQI+ community is common.
- 72% believe anti-LGBTQI+ media stories are common.



Key Research Findings



Concerns about unequal treatment with the workplace or educational establishments continues to be a concern for LGBTQI+ Mongolians:

- 78% believe that such discrimination is 'very common' or 'fairly common' within the workplace and educational establishments.
- 58% have experienced such discrimination directly within educational settings.
- Within employment, 24% of respondents have experienced discrimination from co-workers because of their LGBTQI+ identity.
- 23% believe they were discriminated against by a company when applying for a job because of their LGBTQI+ identity.



Opinions differ sharply on whether life in Mongolia is getting better for the LGBTQI+ community:

- 49% believe that life is getting better, 21% disagree and 30% are either unsure or do not believe their quality of life has changed.



All of these factors contribute towards two thirds of LGBTQI+ Mongolians to rate their mental health as 'poor' and do not believe that there are sufficient support services for their community:

- Over three in five (61%) do not believe there are sufficient support services for members of the community. Fewer than 5% of respondents disagreed.



Transgender Mongolians **were more likely** to be victims of direct discrimination or assault, and that they believe that negative portrayals within the media and political discourse are commonplace.



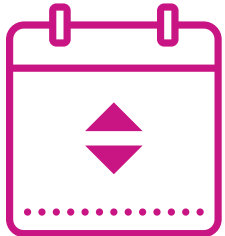
ReportOUT have provided a list of recommendations at the end of this document which must be implemented to ensure that the human rights, and development needs, for LGBTQI+ Mongolians are protected and developed.

Respondent Demographics



Respondents were more likely to live in city and urban areas, especially in Mongolia's capital, Ulaanbaatar:

- 95% still live in Mongolia. Of this population 87% live in Ulaanbaatar 3% live in another city, with the remaining 10% living in smaller towns or villages.



The average age of respondents was 23 years old, with an age range of 18-45:

- Of the 93% who provided their age, 18-25 year olds accounted for 64% of respondents, followed by the age brackets of 25-30 (23%), 31-39 (8%), 40+ (5%). No age ranges reported being over 45 years of age.



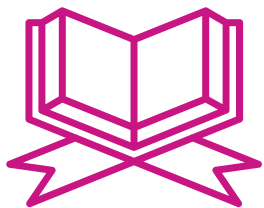
Respondents defined their gender identity in many ways:

- 9.9% identified as non-binary, 3.5% of respondents identified as transgender women and 2.8% as transgender men.
- 4.6% did not consider any of the headings offered as appropriate and selected 'Other.'



Respondents defined their sexual orientation in many ways:

- Gay man (28.3%), bisexual women (24.4%), bisexual man (15.9%), lesbian (15.2%) and pansexual (10.9%) were the most common responses. 3.5% considered themselves asexual with 0.7% identifying as intersex.



The majority of respondents did not hold a religious identity:

- 61.3% responded 'No religion' when asked about their religious beliefs. 14.8% considered themselves Buddhist with 8.5% following Mongolian Shamanism and 6% were Christian. 8.8% selected 'Other.'



Respondents were split between education and employment:

- 38% of respondents were in full or part time education, 31% were in full time employment, with 9% both self-employed or part-time employed. Only 6% of respondents considered themselves unemployed.