



**NATIONAL HUMAN RIGHTS
COMMISSION OF MONGOLIA**

www.nhrc-mn.org

Mongolia



- **Location:** Northern Asia (between Russia and China)
- **Area:** 1.564.116 sq.km
- **Population:** 2.751.314 (July 2004. est.)
- **Capital city:** Ulaanbaatar
- **Administrative units:** Capital city and 21 provinces
- **Government type:** Parliamentary

About the Commission

- ④ The State Great Hural (The Parliament of Mongolia) adopted the Law on the National Human Rights Commission of Mongolia **on 7 December 2000**.
- ④ The National Human Rights Commission of Mongolia (NHRCM) is an independent organization established in consistence with the “**Paris Principles Relating to the Status of National Institutions**”.

About the Commission

According to its founding act, the Commission holds mandates to promote and protect human rights, and monitor implementation of human rights and freedoms guaranteed by the Constitution of Mongolia, laws and international treaties of Mongolia.

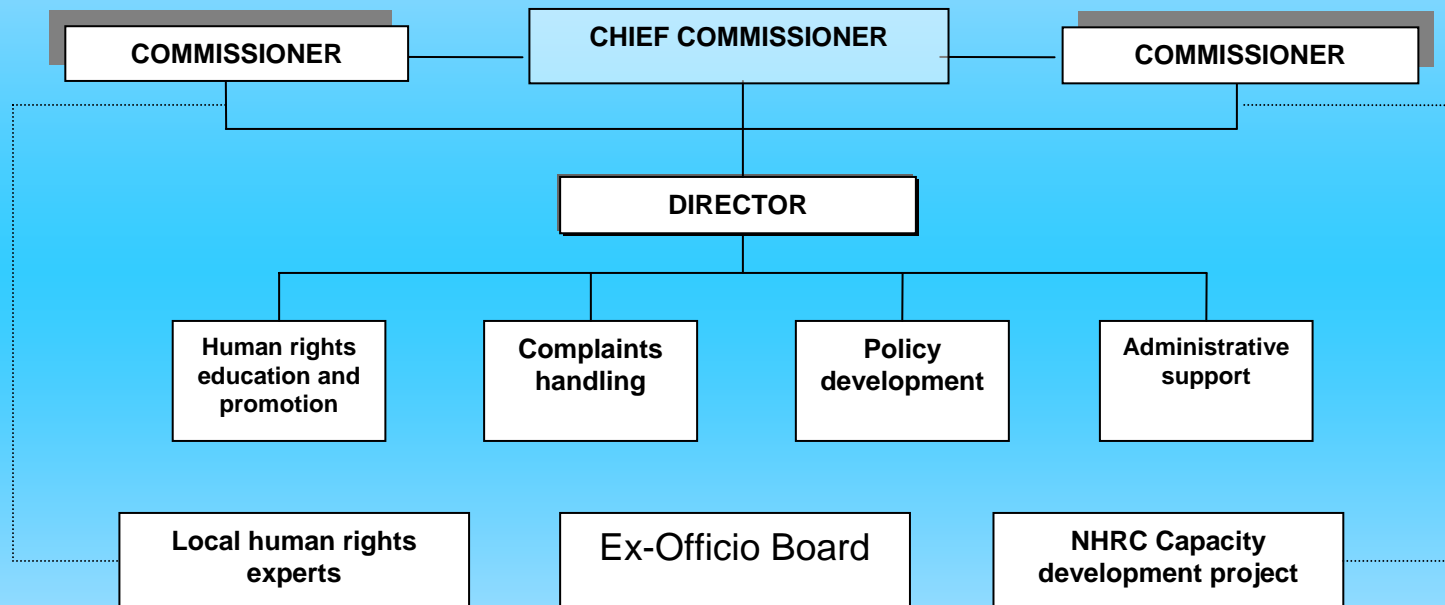
Principles

- ④ Rule of Law
- ④ Independence
- ④ Protection of human rights and freedoms, legitimate interests of persons
- ④ Justice
- ④ Transparency

Structure of the Commission

- ② There are three full-time Commissioners appointed by the Parliament. They are nominated by the President, the Parliament, and the Supreme Court. The terms of office of the Commissioners are 6 years with a possibility for single re-appointment.
- ② NHRCM has nine full-time employees (public servants), including the Director and officers responsible for policy development, complaints handling, human rights education and promotion, international cooperation and administrative support.

Structure of the Commission



Main functions by the law

- ④ Analyzing compliance of national legislation with international human rights standards and principles;
- ④ Putting forward recommendations and proposals for better compliance;
- ④ Raising public awareness of human rights;
- ④ Human rights education;
- ④ Carrying out human rights research, study and inquiries;

Main functions by the law

- ② Producing annual human rights status reports and submitting to the Parliament;
- ② Handling human rights complaints;
- ② Encouraging ratification and accession to international human rights treaties etc.

Vision and Mission

④ Our Vision:

Ensuring the realistic implementation of everyone's human rights.

④ Our Mission:

To champion the sacred cause of promoting and protecting human rights to create realistic implementation of the human rights of everyone in Mongolia.

Main goals of the strategic plan

④ Goal 1

The development of a human rights knowledge, culture and spirit so that people are aware of their rights and freedoms, and are prepared to stand up for them.

④ Goal 2

The development of human rights culture in the executive and local government, the judiciary and law enforcement agencies, in which human rights are respected in their daily work along with obligations under the Constitution, the laws of Mongolia and international human rights treaties.

Promotion of compliance with human right principles by the private sector.

Main goals of the strategic plan

④ Goal 3

Effective cooperation with non-governmental organizations and enhancement of their human rights capacity.

④ Goal 4

The consolidation of the Commission as Mongolia's expert human rights organization that is able to fulfill its vision, mission and mandate and is so recognized by the official sector, civil society and the general public, as well as regionally.

Human rights education

The Commission shall carry out following activities within its power : To promote human right education activities

(Article 13.2.5 The National Human Rights Commission Mongolia Act)

The Commission has Human Rights Education and Communications Plans.

- ④ Training for specific target groups
- ④ Formal education systems
- ④ Media
- ④ Publications
- ④ Competitions
- ④ Human Rights Open Days

Between 2002 and first half of the 2005, the Commission organized in total 165 training sessions of 1541 hours involving 6388 participants. As well as, published 14 handouts, 12 books, 6 newsletters, 2 journals and 10 posters.

Complaints handling

Citizens of Mongolia, either individually or in a group, shall have the right to lodge complaints to the Commission in accordance with this law, in case of violations of human rights and freedoms, guaranteed in the Constitution of Mongolia, laws and international treaties of Mongolia, by business entities, organizations, officials of individual persons.

(Article 9, The National Human Rights Commission of Mongolia Act)

- Since its foundation, the Commission has received over 702 complaints.
- Everyday, 3 to 5 people receive legal advise from the Commission. It is almost impossible to register all of them. In order to increase the accessibility of vulnerable groups to receive legal aid, the Commission established legal aid centers in the suburban districts within the pilot project.

Research and studies

The Commission shall carry out following activities within its power: To conduct research on human right issues and provide necessary information;

(Article 13.2.5 The National Human Rights Commission Mongolia Act)

- ④ The Commission carries out various research and studies on specific human rights issues including rights of the vulnerable groups.
- ④ As a results of the research, the Commission proposes amendments to the laws, puts forward recommendations and official demands for protection and prevention from human rights violations.
- ④ Based on the findings of the research and studies, the Commission produces Annual Human Rights Status Reports.

Public inquiry

The Commissioners may conduct inquiries at his/her own initiative on the basis of information with regard to violations of human rights and freedoms or at the request of business entities, organization of officials.
(Article 18.2, The National Human Rights Commission of Mongolia Act)

Ⓒ Within its power, the Commission is organizing its first nationwide public inquiry on torture in 2005.

Recommendations, demands and proposals

Commissioners shall issue demands and /or make recommendations during the course of exercise of his/her powers.

(Article 19.1, The National Human Rights Commission Mongolia Act)

The Commission shall exercise the following powers: To put forward proposals on any human right-related issues;

(Article 13.1.1 The National Human Rights Commission Mongolia Act)

Ⓒ Based on its complaints, investigations, inquiries, and research, the Commission has issued 56 recommendations and 55 demands to a number of state authorities and officials to correct or prevent from human rights grievances.

Ⓒ The Commission has advised on a number of draft laws and amendments on its motion and on invitation. *(Criminal Code, Criminal Procedural Code, Labor Code, Law on the Domestic Violence, Law on the Election of the State Great Hural, etc.)*

Court cases

Commissioners shall exercise the following powers with respect to making a decision on complaints: To submit claims to the Court with regard to issues of violations of human rights and freedoms by business entities, organizations, officials or individual persons to participate in person or through a representative in judicial proceeding in accordance with procedure established by the law

(Article 17.1.1, The National Human Right Commission of Mongolia Act)

Commission has restored human rights and freedoms by means of submitting claims to the Courts. For instance:

- Abolition of registration fees for rural migrants that was in breach of constitutional rights to free choice of residence.
- Payment of damages from the State for unlawful actions of state officials in the administration of justice.

Cooperation with civil society

The Commission may establish ex-officio boards, which consists of the representatives of advocates' association, confederation of trade unions and/or human rights NGOs, to be assisted in conducting its activities;

(Article 24.3, The National Human Right Commission of Mongolia Act)

Effective cooperation with non-governmental organizations and enhancement of their human rights capacity.

(Goal 3 of the Strategic Plan of the Commission)

- The Commission has an Ex-Officio board which includes presentation of 28 NGOs.
- A few examples of the Commission's cooperation with civil society would be joint trainings, conferences, workshops, human rights open days, investigations and studies.

A Success story ...

NHRCM organizes Human Rights Open Days in all 21 provinces.

Main goals:

- ④ Offer the NHRCM service to population
- ④ Promote public awareness on human rights and freedoms
- ④ Build capacity of NHRCM's authorized representatives in provinces.

Main activities:

- ④ Training
- ④ Legislative analysis
- ④ Complaints handling
- ④ Investigation and monitoring
- ④ Public communications

A Success story ...

The Commission has developed Human Rights Model Curriculum for law schools piloted in three Universities. There is an ongoing dialogue with the Ministry of Education, Culture and Science to incorporate the Model Curriculum into the official education program.

A success story ...

- ④ Since its establishment the Commission produced Four Human Rights Status Reports.
- ④ After hearing the Commission's Status report in 2003, the Legal Standing Committee of the Parliament assigned the Prime Minister to take necessary actions.
- ④ The Commission organizes annual public hearings of the Status report. The public hearing involves large representation from civil society, government and academia.
- ④ Article 1.1.1.11 of the National Human Rights Action Program is significant which ensures the State Great Hural to discuss the annual Status report of the Commission, openly in a plenary session before discussing issues related to the state annual budget.

Challenges

Some specific challenges:

- No official representation in the provinces;
- Lack of financial resource;
- Lack of human resource;

Appreciation

The Commission is grateful to our International Consultants, Mr. Brian Burdekin and Mr. Peter Hosking for their wholehearted contribution to the establishment and strengthening of our Commission.

We are also very thankful to APF, British Embassy in Mongolia, Canada Fund, ILO, Government of New Zealand, SIDA, UNDP, UNESCO, UNOHCHR for their valuable support that enabled the Commission to stand firm on its feet.

The Commission greatly appreciates support from other more experienced national institutions.



**THANK YOU VERY MUCH
FOR PAYING ATTENTION!**