



**МОНГОЛ УЛСЫН ХҮН АМЫН ХӨГЖИЛ,
НИЙГМИЙН ХАМГААЛЫН ЯАМ**

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**ГАДААД ХЭРГИЙН ЯАМНЫ ОЛОН ТАЛТ
ХАМТЫН АЖИЛЛАГААНЫ ГАЗРЫН ДЭД
ЗАХИРАЛ Д.ГЭРЭЛМАА ТАНАА**

НҮБ-ын Хүний эрхийн зөвлөлийн 2013 оны 09 дүгээр сарын 27-ны өдрийн 24/20 дугаар тогтоолд заасны дагуу НҮБ-ын ХЭДКГ-ын бие даасан шинжээч Роза Корнфелд-Маттын боловсруулсан Насжилтын асуудлаарх Мадридын төлөвлөгөөний хэрэгжилтийг хүний эрх талаас нь үнэлэх асуулгын хариултыг монгол хэл дээр бэлтгэн, англи хэл рүү хөрвүүлэн бие даасан шинжээч Роза Корнфелд-Матт-д 16/07/2015-46/1 тоот цахим шуудангаар 2015 оны 07 дугаар сарын 16-ны өдөр, Танай яамны Олон улсын эрх зүйн газарт 4/1451 тоот албан бичгээр 2015 оны 07 дугаар сарын 17-ны өдөр хүргүүлсэн билээ.

Иймд энэхүү захидлаар дамжуулан уг асуулгын хариултын хувийг Танай газарт хүргүүлж байна.

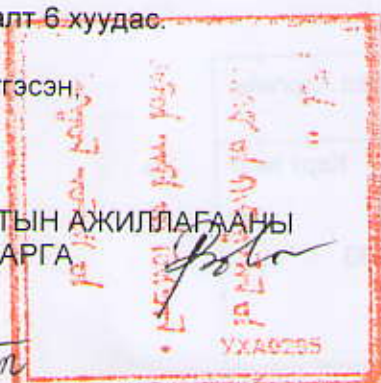
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Хүндэтгэсэн,

ГАДААД ХАМТЫН АЖИЛЛАГААНЫ
ХЭЛТСИЙН ДАРГА

Ц.БОЛОРМАА

*Б. Анхжаргал-т,
Ногоо - Цэрлэг Бэлтг-т
хүрэгчилж Д. Гэрэл 2015/09/25.*



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Replies to the Questionnaire to assess the human right implication of the implementation of the Madrid International Plan of Action on Ageing

General information:

Mongolia is located in the heart of Central Asia where it shares its northern border with the Russian Federation and the southern with the People's Republic of China. Mongolia covers an area of 1.5 million sq km. There are 21 aimags (provinces) and 362 soums (administrative units) in the country and the capital city has 9 districts.

Average density is 1.9 people per kilometer while density in Ulaanbaatar is 289.9 people per kilometer. According to the statistics, Mongolia places 13th in terms of territory and 138th in terms of population at world ranking in 2013.

Mongolia has extreme continental climate with four distinct seasons and is isolated from oceans and surrounded by high mountains, which rise above the sea level by 1.5 km. The annual precipitation ranges from 388 mm in mountainous regions to less than 50 mm in the Gobi region.

By the end of 2014, Mongolian population was 2.9 million. Women make up 51 percent. Average life expectancy is 69.57 and urban population compose 66.4 percent of total population and 33.6 percent reside in rural area. The year of 2015 is historical year for Mongolia as its population reached 3 million. Average household income is 974.4 thousand tugrik in 2014.

According to the Law on Social Protection of Older People of Mongolia, the male aged 60 and over and female aged 55 and over are defined as older person. As seen from statistics of 2014, total number of 345.8 thousands of people receive pension and benefit from Social Insurance Fund with the highest share of old age pensioner and disability pensioners /300.000/.

Question 1:

Please provide information as to how your Government has incorporated a human right-based approach in the implementation framework of MIPAA and how this translated into concrete policies and normative actions? How does your Government monitor and evaluate the impact of MIPAA implementation on the enjoyment of all human rights by older persons?

Government of Mongolia is implementing following policies and programs in order to ensure enjoyment of all rights of people specifically older persons.

- National policy on population development /1996/ was approved by Parliament Resolution No. 21 dated 23rd of April, 2004. The issues related to ageing and the older persons are reflected in policies as follows:
 - To improve the older person's standard of living through provision of favorable environment to ensure them as active members of a society,
 - To support healthy ageing through the development of rehabilitation service and prevention from senility.
 - To improve the quality of health services and provide regular routine check-up for the older persons,
 - To provide more opportunities for the older persons to participate in social and economic development through provision of decent work and lifetime training for them.
 - To support senior experts' counseling service which provides opportunities for older persons to share their experience and knowledge with younger generation,
 - To increase the number of social welfare services and improve its quality towards older persons and promote civil society organizations' initiatives for the older persons,

This year modifications and amendments are planned to be made to respective laws such as:

- *Law on Social Welfare 2012*
- *Law on Older Person's Social Protection 2005*
- *Law on Social Protection of Persons with Disabilities, 2005*
- *Law on Promotion for Mothers with many Children, 2010*
- *Law on Promotion for Honored older persons, Meritorious artists, and Honored Workers , 2008*
- *Law on Human Development Fund 2009*
- *Law on Social Insurance 1994*
- *Law on Pension and Benefit Payable from Social Insurance Fund 1994*
- *Law on Citizen's Health Insurance 1994*

- *Law on Pension, Benefit and Payment due to Industrial Accident and Occupational Disease Payable from Social Insurance Fund 1994*
- *Law on Unemployment Benefit Payable from Social Insurance Fund 1994*
- *Law on Pension and Benefit for Cadre man 1994*
- *Law on Individual Contribution Account for pension Insurance 1999*
- *Law on Labor 1999*
- *Law on Indemnity of Insurance Premium 2012*

Several Government Resolutions, joint Ministers' and respective Minister's decrees and ordinances were issued in order to intensify the implementation of above mentioned laws.

With the UNFPA support, Government of Mongolia has developed "National strategy on Population Ageing" and approved it by its Resolution No. 156 dated 27th May, 2009 in order to implement Madrid International Plan of Action on Ageing (MIPAA). The strategy is considered as a long term policy framework for preparation for ageing and well-being of older persons by 2030.

Following issues are needed to be solved in the frame of the strategy:

- *To provide more employment opportunities for working age population;*
- *To ensure social protection of the employee;*
- *To maintain longer the demographic dividend through the promotion of appropriate birth policy;*
- *To create favorable condition for older persons through the planning of economic and social development policies in relation to population age structure;*
- *To enhance mechanism to implement the strategy through the reflection of the strategic objectives in the national development strategies and plans.*

The National Strategy on Population consists of 2 main components such as:

A. Strategy on preparation for ageing

B. Strategy on improvement of well-being of the older persons

Purpose of the strategy on preparation for ageing is to ensure social protection of working age population through promoting their employment and implementation of employment-sensitive economic policy.

Also, purpose of the strategy on improvement of well-being of the older persons is to improve their living standard through provision of favorable employment opportunity, improving social protection and provision of favorable environment for older persons to live with their family healthier.

Action plan on Ageing, 2014-2016 is approved by Joint Order No.90/201 of Minister for Health, and Minister for Population Development and Social Protection and is being currently implemented.

The National Committee on Population is established with Order No. 97 dated 2013 of Minister for Population Development and Social Protection with subsequent establishment of sub-committees which are headed by local governors at local level.

Moreover, the Government of Mongolia approved "Action plan on healthy ageing and health of the older persons, 2014-2020" along with its action plan by Resolution No. 416 in 2013. In this Resolution, it is clearly indicated that necessary budget for implementation of the plans should be allocated in the state annual budget, foreign loans, grants as well as project and programs budgets. In total, 15.6 billion tugrik is planned to be spent for this purpose.

Issues relating to ageing are reflected in the Government Action Plan for 2012-2016 in the following manner:

It is important to deliver timely social welfare services to the older persons who are in need through community based approach, to increase the amount of pension and benefit in consistency with inflation as well as economic growth, and to support related private organization's initiatives. On the other hand, there is a need to establish legal base to enable older persons to contribute to the country's development and get the return from this development as well as to provide employment opportunity for older persons to share their experience with younger generation. In this regard, joint Order No. A/90/201 of 28th August, 2014 was approved by Minister for Population Development and Social Protection and Minister for Labor on "National program on establishment of Network of senior experts and database to ensure counseling services and short-term contract work for the senior experts". Further a project on "Counseling services by senior experts" started to be implemented since 2014. Highly experienced senior experts as well as non-governmental organizations in this regard will be covered by the project.

Number of recipients of social welfare pension, benefit, assistance and compensation, by benefit type *thousand/people*

	2009	2010	2011	2012	2013	2014
Total	2 0473.9	508.4	619.6	1 478.4	1 587.8	1 665.6
Social welfare pension	55.3	56.7	57.9	60.7	63.4	64.9
Conditional cash benefit	27.5	120.3	119.0	123.3	131.6	140.7
Maternity benefit	-	87.2	87.2	91.4	94.9	98.6
Social welfare support for care givers for older people	13.3	16.2	15.1	14.8	16.7	20.0
Social welfare support for care givers for persons with disabilities	12.6	14.9	14.8	15.1	17.7	19.6
Miscellaneous	1.6	2.0	1.9	2.0	2.3	2.5
Social welfare service and promotion	160.5	292.5	407.4	372.9	396.1	434.8
Social welfare services	15.2	17.6	42.9	21.9	24.1	32.4
Allowance for older people	107.9	108.2	118.7	112.1	126.0	140.0
Benefit for older women with Honored Mother medal	-	125.6	204.3	205.0	202.5	208.1
Benefit for older people with state merit	-	5.2	5.0	4.1	4.8	4.9
Allowance for people with disabilities	37.4	35.9	36.5	29.8	38.7	49.5

Social welfare services, by type

Million/tg

Description	2011	2012	2013	2014
Social welfare expenditure	131 874.7	181 444.8	2330243.6	241 792.9
Total				
Pension	35 650.0	65 615.8	79 470.3	82 146.1
Benefit and assistance	60 974.0	125 162.8	87 743.2	83 998.2
Service and compensation	18 394.2	20 108.3	26 907.7	35 407.9
Conditional cash benefit	32170.0	46326.0	57763.5	61594.7
Maternity benefit	20870.8	32087.1	38043.1	38178.8
Social welfare support for caregiver for older people	5296.2	6626.0	9136.9	10961.6
Social welfare support for caregiver for persons with disabilities	5278.0	6462.6	9213.0	10869.0
Miscellaneous	725.0	1150.3	1370.4	1585.3
Social welfare service and promotion	53827.5	53758.1	60067.8	68982.4
Social welfare services	3388.7	3508.2	5187.7	6933.0
Allowance for older people	9576.5	11262.9	14252.7	19231.6
Benefit for older women with Honored	29894.9	28486.2	28098.5	28464.6

mother medal				
Allowance for older people with state merit	5490.3	5106.0	4961.6	5025.5
Allowance for persons with disabilities	5477.1	5394.8	7567.3	9327.7

Pensioners payable from Social insurance fund, by type

Description	2011 OH	2012 OH	2013 OH	2014 OH
Number of pensioners thousand/people	332.3	334.6	336.9	345.8
Old age pension	219.6	224.7	230.3	242.5
Disability pension	67.0	65.8	64.5	65.4
Survivor pension	32.1	29.9	27.4	23.3
Cadreman's pension	13.6	14.2	14.7	14.6
Expenditure for pension million/tg	458 206.0	734 130.6	837 486.3	1 011 858.0
Old age pension	328 724.0	516 542.0	593 268.5	724 779.1
Disability pension	70211.0	111 798.7	124 946.0	156 258.8
Survival pension	30 677.6	47 147.6	50 364.2	54 852.4
Cadre man's pension	28 593.4	58 642.3	68 907.6	75 967.7

Question 2

How has your Government taken into consideration the needs of specific groups of older persons in the process of implementation of MIPAA?

Government of Mongolia has been paying special attention to the issue related to older persons as well as people with disabilities taking account of their special needs into policy planning in order to enable their active participation in social life.

The Law on Social Welfare provides legal base to regulate the right and responsibility of the organization to provide the social welfare services to targeted groups including older persons on an equal basis. For instance: in consistency with the Law, several Government Resolutions such as No. 185 /2012/ and Resolution No.129 and No.343 /2014/ were issued on regulation of delivery of assistance which is payable from social welfare fund and payment of round trip air ticket for older persons as well as people with disabilities who came to capital city for treatment and payment for prosthetic and orthopedic appliances produced by manufacturer who has working contact with Social Welfare General Office.

The older persons, people with disabilities and students are eligible to get free public transport pass and 23 billion tugrik was allocated for this purpose from state budget in 2014.

Question 3

How has your Government informed older people about MIPAA and how are older people participating in the implementation of MIPAA including in decision making about MIPAA implementation?

The Committee on the Older Persons is established at all administrative level as well as companies and organizations in order to protect all rights of older persons. Mongolian administrative system is based on top-down approach and in this sense, all the decision made by legislative as well we judiciary body is reached to all administrative level.

Any initiatives and voice from older persons can be reflected in related policies through the system and implemented by respective governmental as well as non-governmental organizations. Also, local governors and Citizen's representative khural and NGOs monitor and evaluate the process of implementation.

There are 2 umbrella non-governmental organizations that run activities to protect all rights of older persons. They established their branches at all administrative level as well as all sectors. In the frame of the implementation of Law on Social Welfare, the Government of Mongolia provides contract based funding to them to deliver welfare services for older persons.

In consistency with Law on Social Welfare, the regulation on "Accreditation of non-governmental organization to deliver community based social welfare services" was approved in 2014 in order to monitor quality of service of the delivery organizations.

According to Law on Resolution of Citizen's Petitions and Complains addressed to State, everyone has the right to have replies and resolved his/her complaints within 1 month.

National consultative meetings for the older persons as well as people with disabilities are held every 2 years in order hear their voice on state running activity and policies. Accordingly, all the respective stakeholders participate in the meeting and the outcome documents from the meetings are compiled and distributed to relevant ministries and organizations in order to ensure the follow up implementation. Just to name a few, National consultative meeting "Reform Policy for Development and Protection of older persons and people with disabilities" was held in 2013.

The next national consultative meetings for older persons and people with disabilities are scheduled to be held in October and November respectively, 2015. It is planned that the implementation process of the National strategy on Ageing which was developed to implement Madrid International Plan of Action on Ageing as well as further actions will be discussed during the consultative meeting.

Question 4

What impact has MIPAA implementation had on equality and non-discrimination of older people?

MIPAA itself provides the basis for creating non-discriminated and equal society for the older persons as well as for people with disabilities.

The Government of Mongolia approved State Strategic Policy on Pension during the Parliamentary session which was held on 11th June, 2015. According to the policy, retirement age for men and women is the same /60 year old/ and basic pension will be provided equally.

According to Government Resolution No.343 dated 2014, the event of honor to the older persons is being held twice a year by the fund from Social Welfare Fund whose former employer settings went to bankrupt or dismantled and/or has no any organizations to belong due to transfer from one place to another.

Question 5

What impact has MIPAA implementation had on fulfillment of the rights of older people to an adequate standard of living?

The Government of Mongolia has been making significant efforts to provide favorable environment and adequate standard of living for older persons and people with disabilities as developing new norms and standard and making amendment to existing norms and standard.

Normative standard for social service was approved by Government resolution No.334 in 2010. The aim of the normative standard is to provide adequate standard of living for citizens, to increase citizen's satisfaction towards state service in order to ensure timely delivery and quality of social welfare services. Further it is planned to integrate small sized villages in order to increase economic benefit.

National Center for Elderly Care provides services around 200 older persons and there are around 12 governmental and private elderly care centers are running activity in rural areas.

According to the Law on Social Welfare, older persons are eligible to receive 10 days free service under certain condition at sanatorium and spa centers. As seen from statistics of 2014, 22.600 people received treatment at sanatorium and 3.4 billion tugrik was spent for this purpose from state budget.

Several standards are implemented currently in order to ensure adequate standard of living for citizens. Just to name a few, Standard on Sanatorium, standard on Elderly care centers /2008/, standard on quality of service of the resort and campus, standard on inclusion of accessible environment for people with disabilities in planning of civil engineering, standard on accessible road for people with disabilities and pedestrian and so forth.

At certain extend, rights of older persons and people with disabilities are violated. And in this regard, standard on Shelter house for victims' /2009/ and regulation on protection of victims of human trafficking /2013/ was approved.

Question 6

Please provide examples of best practices from a human right perspective identified by your Government in the implementation, monitoring, review and appraisal of MIPAA.

- Minister for Population Development and Social protection serves as a Chairman of the National Committee on Population. Thus Policy council on People with disabilities and Policy council on Older persons were established under the Ministry which consists of 28 members including representatives from respective ministries, Specialized Agency for Investigation, National Human Right Commission, and NGOs and so forth in order to reflect respective stakeholders' voice in policy planning.
- Development center for people with disabilities and older persons are extended to Human Development Complex Center for people with disabilities and older people. Apart from this, Government of Mongolia started constructing apartments for people with disabilities and older persons in order to rent and sell for them

under specific condition. In 2014, the construction of apartment for 300 households was completed and it is planned to construct apartments to for those people in every district in 2015. Also, there is a regulation on quota to provide housing for people with disabilities and older persons under special condition.

- Government of Mongolia provided favorable environment for senior and disabled athletes for training and that is in turn have positive impact on the successes at different levels of competitions. The State introduced rewarding of Olympic and world champion medalist.
- Traditionally, Mongolians show high respect and reciprocal generosity among parents and their children, for generations, and in this sense, people with disabilities and the older persons do not face isolation from other members of a community.

Question 7

Please provide information about the main challenges (such as institutional, structural, and circumstantial obstacles) faced by your Government at the various levels of government (communal, provincial and national etc) to fully respect, protect and fulfill the human rights of older persons in the implementation of MIPAA.

- There is a necessity to increase retirement age due to longer life expectancy,
- To ensure an increased attention to social protection service for senior household heading women because their number tend to increase due to life expectancy gap between men and women,
- There is no systematic approach for functioning of voluntary groups to handle with rescuing and protecting of the older persons in the times of natural disaster and risks.
- Due to nomadic culture as well as rural and urban disparity, the older persons who live in rural area have less access to social welfare and medical services.
- In terms of funding, it is very much limited the organization of the activities to motivate active participation and collaboration of older persons.