**Mongolia’s response to the questions outlined in questionnaire on General Assembly resolution 73/304, entitled: "Towards torture-free trade: examining the feasibility, scope and parameters for possible common international standards".**

Mongolia has been party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment since 2002 and Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment since 2015.

Mongolia has not carried out capital punishment since 2009 and does not import, export or trade goods used for capital punishment.

Parliament of Mongolia has adopted a Resolution No.5 on January 8th, 1998 on “Approving lists for prohibited goods across border and goods with non-tariff restrictions”. The Parliament Resolution mandates the Cabinet to approve the list of restricted goods. Thus, the Cabinet has adopted, through Government Resolutions, the “List (groupings) of goods prohibited from crossing the national border of Mongolia” and “List (groupings) of goods imported into the territory of Mongolia under the non-tariff restrictions”. General Customs Authority of Mongolia is responsible for monitoring the implementation of the Government resolutions.

Moreover, there are specific provisions, in other national laws, on prohibiting or restricting importation, exportation of goods that are not included in the above resolutions. For instance, revised Law on police service of February 2017 stipulates that “Clause 50.3. It is prohibited to manufacture, imitate or import the special means specified in 50.1 of this Law…” and Clause 50.1 lists equipment that are only permitted for use by police force including handcuffs, truncheon, stun gun, guns loaded with teargas and etc.

Furthermore, “Law on medicines and medical devices” states that “Clause 15.10. In accordance with the list approved by the Government, the central state administrative body in charge of health matters may concede a right to directly supply immunization products, medicines and medical devices through imports, on the basis of making a direct contract with internationally recognized medicine manufacturers and suppliers” making it effectively not possible to import chemical or medical products not approved by the Government.

We fully agree with the proposed four categorization of goods used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment. We believe there should be two lists of goods for the proposed four categories. One list should include goods that have no practical use other than for the purpose of torture and other cruel, inhuman and degrading treatment or punishment and for capital punishment. The other list should consist of goods that could be misused for the purpose of capital punishment and torture.

There needs to be a mechanism for regular updating of the two lists. The lists should be updated with recommendations from experts in the human rights, international trade, law enforcement as well as practitioners from chemical and medical fields. Not all countries will have capacity and expertise to determine goods that can be misused for torture and cruel punishment. In addition, providing common categorization and comprehensive lists shall help countries adopt the preventive measures instead of expend much-needed resources.

We fully support the proposed common international standards to prohibit goods which have no other use than for the purpose of capital punishment or torture or other cruel, inhuman or degrading treatment or punishment and we also call for strict control of trade in goods that could be misused.