

AMNESTY INTERNATIONAL

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Mongolia: Amnesty International welcomes moratorium on executions and commitment to abolishing the death penalty

Human Rights Council adopts Universal Periodic Review outcome on Mongolia

In a statement to the UN Human Rights Council on 16 March 2011, Amnesty International welcomed Mongolia's positive engagement with the Universal Periodic Review. The organization welcomes Mongolia's support for recommendations to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty and urges the early implementation of these recommendations.¹ Amnesty International further welcomes the announcement, on 14 January 2010, by the President of Mongolia of a moratorium on executions and the subsequent submission in Parliament, the State Great Khural, of a bill to sign and ratify the Second Optional Protocol. The bill has been approved by the Parliamentary Standing Committee on Legal Affairs and the Standing Committee on National Security and Foreign Policy and is awaiting a final vote in Parliament. Amnesty International looks forward to the abolition of the death penalty in national legislation.

Amnesty International notes that certain recommendations made during the Universal Periodic Review have been accepted by Mongolia with the assertion that they have already been implemented. These include recommendations to bring the definition of torture in national legislation into line with international standards and to abolish or amend Article 44.1 of the Criminal Code. This Article provides that acts causing harm to the rights protected by the Criminal Code do not constitute crimes if committed in the course of carrying out mandatory orders or decrees.² Amnesty International is concerned that this might lead to impunity for human rights violations. It has been noted by the UN Committee against Torture that Mongolia's national legislation does not define torture in line with international standards and that Article 44.1 of the Criminal Code is in breach of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The organization calls on Mongolia to ensure the effective implementation of these recommendations, including by abolishing or amending Article 44.1.

Amnesty International welcomes Mongolia's support of the recommendation to ensure access to health care, adequate housing, education and safe drinking water and sanitation for all, especially people living in "ger" districts.³ It remains concerned that there is a lack of adequate housing, infrastructure, sanitation and drainage for residents in these districts and encourages Mongolia to involve relevant stakeholders, notably the residents of "ger" districts, in its effort to implement these recommendations and to keep the UN Human Rights Council informed of its implementation measures.

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Mongolia on 16 March 2011 during its 16th session. Prior to the adoption of the report of the review Amnesty International delivered the oral statement above. Amnesty International also

¹ Recommendations 84.7-84.13 (Australia, Brazil, Canada, Italy, Portugal, Slovakia, Spain, Sweden and Switzerland).

² Recommendations 84.19 (United Kingdom), 84.20 (Mexico), 84.21 (Ghana) and 84.22 (Netherlands)

³ Recommendation 84.105 (Slovenia)

contributed to the information basis of the review through its submission on Mongolia:
<http://www.amnesty.org/en/library/info/ASA30/001/2010/en>

Public Document

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<http://www.amnesty.org/en/united-nations/universal-periodic-review>
