

Report on the Implementation of the Convention and Recommendation against Discrimination in Education

I. Ratification on the legislative, judicial, administrative and other measures taken by the State at the National level

1. Ratification of the Convention

The *Convention against Discrimination in Education* was ratified by the Mongolian People's Republic (former name of Mongolia) on 22 September 1964 by the Mongolian People's Great Khural (Congress).

2. Legal framework governing the protection of rights guaranteed in the Convention and the Recommendation in the national legal system

The provisions specified in the Convention with respect to discrimination in education have been incorporated into the the national Constitution and domestic laws.

Article 14.2 of the Constitution of Mongolia (1992) states that “no person shall be discriminated against on the basis of ethnic origin, language, race, age, sex, social origin and status, property, occupation and position, religion, opinion and education”, and the State also ensures free basic general education (Article 16.7 of the Constitution of Mongolia).

Article 5.1.4 of the Law on Education states that “Mongolian citizens shall all be given equal opportunity of receiving education in their mother tongue, and they shall not be subject to educational discrimination on account of race, creed, age, sex, social status, economic position, employment status, religion or opinion”.

Article 6 of the Law on Education stipulates basic rights and duties of citizens as: 1) a citizen of Mongolia has a right to obtain education at all levels with or without tuition fees and work in parallel with study; 2) according to the Constitution of Mongolia, no tuition fee shall be charged for general education; 3) a citizen of Mongolia is obligated to receive general education.

Article 30.1.12 of the Law on Education states that the local governments are obligated to organize works for national minorities in learning, inheriting traditional culture and traditions, and communicating in the mother tongue in the school environment.

Major policies and strategies for education are formulated in the Law on Education (ratified in 2002 and amended in 2006, 2008 and 2012); Law on Primary and Secondary Education (2002); Law on Higher Education (2002); Law on Pre-school Education (2008); and Law on Technical and Vocational Education and Training (2009) and long-term national development policies and strategies.

The above mentioned laws have defined policies of democratization and openness in educational administrative structures; emphasized decentralization of administration and financing of schools; transferred the school management from central to local governments; increased autonomy of colleges and universities; and enabled establishment of private educational institutions.

The Master Plan to Develop Education of Mongolia (2006-2015) (hereinafter referred to as “Master Plan”) adopted by the Government of Mongolia in 2006 lays out the education sector strategies for the period 2006-2015. The strategic objectives within the Master Plan have been to expand access and to enhance quality and management of education at all levels.

More recently, the State Policy on Education (2014-2024) was approved by the current Government in January 2015. The State Policy on Education aims to establish a comprehensive education system to “support each citizen to develop his/her talents and skills; earn knowledge, skills and capabilities that are needed to work productively and have a happy life; respect ethics and humanity, and be able to learn life-long through learning national common values”.

II. Information on the implementation of the Convention or Recommendation (with reference to their provisions)

1. Non-discrimination in education

The goal of education in Mongolia is to provide citizens with appropriate intellectual, moral and physical skills and to develop respect to the principles of humanism and abilities to learn, work and live independently.

Mongolia has made substantial efforts to align its education sector with changing economic and political realities, which demand a strong education system. The most important structural change of education is the extension of general secondary education (GSE) schooling system from 10 to 11 years in 2005 and further to 12 years in 2008 with the school entrance age lowered from 8 to 6.

According to Article 6 of the Law on Education of Mongolia, the government provides free general secondary education (GSE) in Mongolian, which includes compulsory basic education (primary and lower secondary) and upper secondary education. Basic education is comprised of 5 years of primary education (Grades 1-5) and 4 years of lower secondary education (Grades 6-9) cycle. The basic education cycle is followed by other 3 years of upper secondary education (Grades 10-12) cycle. These three cycles form together GSE. The main school type is general secondary school (hereinafter referred to as “GSS”) providing the three cycles.

There are six special schools for students with special needs, all located in UB. Although students with special needs are supposed to be integrated in regular schools, their integration depends on the goodwill and readiness of schools to be able to cater to their needs.

Pre-school education for children aged 2-5 is not compulsory and is subject to parental preference.

Students who graduate from lower secondary schools, but do not attend upper secondary schools have the option of attending technical and vocational education and training (hereinafter referred to as “TVET”) centres. These centres offer combined occupational and upper secondary education.

Vocational education is also provided at technical secondary schools, which offer students an opportunity to obtain both upper secondary and technical education with specialized secondary and vocational education diploma.

At tertiary level, colleges and institutes provide four-year Bachelor’s degree programmes, while universities offer Bachelors, Masters and PhD programs.

Non-formal education (hereinafter referred to as “NFE”) caters both to youth and adults with limited or no literacy; and literate youth and adults interested in taking courses on life-skills, vocational skills, and creative skills or in other thematic areas. In addition, NFE provides second chance education for children who have dropped out of school or never started school through “equivalency programme” (EP) training.

According to the Population and Housing Census 2010 conducted by the National Statistics Office of Mongolia, the self-declared literacy rate of the population above 15 years old was 97.8 percent, one of the highest in the world.

2. Equal opportunities in education

In Mongolia, Kazak and Tuvan (reindeer herder) people who have their own language, culture, tradition and religion are considered ethnic minorities. Majority of Kazak people dwell in Bayan-Ulgii aimag. Tuvan people herd reindeers and live in the high forest mountains of the taiga in Khuvsgul aimag. Another group of Tuvans also live in Tsengel, the most western, soum in Bayan-Ulgii aimag. Those ethnic minorities are provided with free access to pre-primary, primary education in the mother tongue and free basic general education. Moreover, the textbooks for primary education are translated into their mother tongue and freely supplied.

The Ministry of Education, Culture, Science and Sports of Mongolia provides special quotas to Tuvan (reindeer herder) people to pursue higher education in national higher education institutions.

“To reach the unreached”, the Government has been working towards eliminating barriers to education whether it is related to disability, poverty, dropping-

out, inflexible curricula, unsafe environments, inadequate infrastructure or poor school management. As a result, the enrolment patterns suggest constant decrease in dropouts, reduction in grade repetition, increase in enrolment of 6 year-olds in urban areas, and growth in enrolment of children with disabilities in mainstream schools.

The student retention in urban areas has increased through reduced school dropout rate with improved learning environment and supportive programmes in peri-urban schools. The school snack programme for students in grades 1 to 5 was introduced, to reduce absenteeism/dropouts and short-term hunger of poorer students who came to school without breakfast. Free school supply programme has been implemented to support poor students. Retention of rural herders' children in soum schools has increased with rehabilitating dormitories.

Article 43.2 of the Law on Education stipulates free residing in school dormitories of the secondary schools or vocational training centers. As of 2015, there were 435 dormitories belonging to 56.4 percent of the general secondary schools with boarding students. About 70.1 percent of the dormitory students are children of herder families.

3. Progress made with respect to implementing the right to education

Primary and Secondary Education

General Secondary Education (GSE) in Mongolia which includes compulsory basic education (primary and lower secondary) and upper secondary education is free. (Article 6, Law on Education).

According to the statistics of the 2015/16 academic year, there are 636 (or 82.8 percent) public schools and 132 (17.2 percent) private schools. Number of students studying in public schools is 504.1 thousand and the number of students studying in private schools is 31.0 thousand. The total number of GSE students is 535.1 thousand, 49.7 per cent of them are male students and remaining 50.3 percent are female students.

50.8 percent of total GSE students are primary grade students, 27.5 percent - lower secondary grade students and 21.7 percent are upper secondary grade students.

Total number of primary grade students is 271,387. The proportion of disabled children is 1.4 percent and for orphaned children is 0.2 percent. Among the first grade entrants, who equal to 24.3 percent of total primary grade students, 98.7 percent are new entrants of which 91.6 percent are 6 years old. As of the year 2015-2016, there are 28,490 teachers in primary and secondary education. The percentage of trained and qualified teachers at primary and secondary education was 98.9.

Total number of foreign citizens studying in national GSE schools is 614.

Higher education

The general requirement with respect to the right of persons to higher education are prescribed by Articles 2 and 7 of the Law on Higher Education of Mongolia, according to which citizens of Mongolia are entitled to study at higher education institutions.

Higher education is mainly financed by private expenditures through the payment of tuition fees, donations and income generations. Tuition fees are the largest source of financing for public higher education institutions, accounting for almost 60.2 percent of total funds. Public expenditure on higher education comprised 0.4 percent of GDP and 1.5 percent of total government expenditure in 2015.

The State Training Fund augments state budgets for higher education institutions through loans and grants to students from poor herders families and other disadvantaged groups.

According to the statistics of the 2015/16 academic year, the number of higher education institutions has been slightly decreased by 1 in comparison to the previous year, and reached 100. 17.0 percent of total higher education institutions are public and 78.0 percent are private, 5.0 percent are branches of foreign higher education institutions.

Number of students studying in public higher education institutions is 95.0 thousand, the number of students studying in private schools is 67.3 thousand, and remaining 0.3 thousand students are studying in branches of foreign higher education institutions. Total number of GSE students is 535.1 thousand, 49.7 per cent of them are male students and remaining 50.3 percent are female students.

Adult Education and Lifelong Learning

The non-formal education system started developing in line with reforms in the formal education system. Following the transition to market economy and privatization in all sectors, unemployment and school dropouts were new social phenomena that proved formal education's incapability to serve fully to the emerging social demands and more flexible and informal education structure was needed. Adults' education demands were addressed with this change. The first initiative of non-formal education development was forwarded by the 1995 statement "the education system of Mongolia shall consist of formal and non-formal systems" in the Law on Education and furthered with the National Programme on Non-Formal Education Development.

Quality Education

In the context of Mongolia, quality of education used to be expressed in presentation of scores taken by students in exams. Today, it is explained by the degree of how well the knowledge and competencies achieved through education attainment can contribute to effective citizenship and functioning in the society. Although quality of education is a complex concept, understood and explained in different ways, in Mongolia, followings are considered as quality dimensions:

- Providing favorable healthy and safe environment in schools with adequate resources and facilities;
- Relevance of curriculum to the needs and level of achievement of learners;
- Child-friendly and student-centered teaching approaches used in classrooms by qualified teachers;
- Learning outcomes translated into competencies needed for the world of work.

Quality improvement has been one of the strategic goals reflected in the education development agenda. Various programmes and policies contrived to deliver good quality education a reality for all learners and much has been achieved. The gains include higher participation rates, reduced number of dropouts and expanded access. To improve the quality of education, since 2012, the government has set the strategic direction to approach and support every individual student learning and promote individualized learning methodology integrating all the aspects of teaching and learning process. Schools and teachers have been encouraged to discover and support students' talents and arrange talent supporting extra-curricular activities in collaboration with parents and communities.

The government adopted a national programme "Good Mongolian Child" in 2012. The programme consists of three main components: quality reform in primary and secondary education; discovery and promotion of talents of every student under the "Talent" project; and promotion of reading habits of students under the "Book" project. The programme proposed the education quality reform agenda, which encompasses coherent approaches covering all the aspects of quality improvement.

Teaching Profession

Article 43 of the Law on Education states that teachers shall be provided with

- 1) salary proper to labor type and specialties of the profession, plus additional bonuses, compensation, awards and other types of allowances stated by the law,
- 2) annual leave in compliance with the Labor Code of Mongolia;
- 3) preferential loan in purchasing or constructing an apartment;
- 4) assistance equal to 12 months' salary to be received by teachers who has worked for 25 years in all levels of schools and kindergarten, also assistance equal to 18 months' salary once to be received by

teachers who has worked for 10 or more months in remote areas; and 5) other assurances stated by law.

The general secondary education sector has seen an increased proportion of new teachers coming to the teaching service. There were 2,110 new teachers with Bachelor's degree graduated teacher training colleges in the academic year 2015-2016. About 29,9 percent of the teachers have more than 10 years of experience and 11.5 percent of teachers have over 25 years of teaching experience.

III. Methods used to draw the attention of the various authorities in the country to the instruments and to remove the obstacles encountered

1. Challenges and obstacles – Please provide information on

The Government adopted the National Programme on Inclusive Education in 2003. Schools and parents work together to help children with disabilities to study with their peers. However, significant challenges still remain to promote inclusive education and to ensure access to any formal schooling for many of children with disabilities.

Rural to urban migration has brought new challenges i.e. overcrowded schools in the city suburbs causing deprivation of education access. Generally schools in urban areas have triple shifts. For instance, 21 out of the total of 22 schools with triple shifts are in UB.

Since the 12 year general secondary education (GSE) system has been adopted and 6 year old children started enrolling in schools, the duration of study has been increased. This shift has negative impacts on children of nomadic herders. Nomadic families are reluctant to enroll their 6-year olds, who had not attended kindergarten, and assume they are too young to live in dormitories without parental care. Some parents don't enroll their children in school at the due age, because they are interested in engaging children in animal husbandry.

2. Awareness-raising

The Convention has been translated into Mongolian language and it can be freely downloaded from the government legal information website:

<http://www.legalinfo.mn/law/details/1186?lawid=1186>