

# OUT in Mongolia



ReportOUT

A Research Report Examining the Human Rights Abuses, and Development Needs, of Sexual and Gender Minorities in Mongolia



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ReportOUT is a global SOGIESC human rights organisation

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Registered Charity Number (England and Wales): 1185887

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# Who are ReportOUT?

Since 2019, ReportOUT have been at the forefront of protecting the human rights of sexual and gender minorities in the United Kingdom and globally. As a registered charity in England and Wales (registered charity number 1185887) we are **fearless, determined and relentless** in our belief that human rights are fundamental to advancing the lives of sexual and gender minorities, and their communities.

We recognise that we need to succeed in our aims and objectives by also using principles from international development alongside human rights frameworks, and we believe that both of these approaches should **always include sexual and gender minorities as part of them**. We align all of our work with Agenda 2030, in that no one should be left behind.

## ReportOUT's official aim and objectives are:

To promote human rights (as set out in the Universal Declaration of Human Rights and subsequent United Nations conventions and declarations) throughout the world for sexual and gender minorities by all or any of the following means:

- Eliminating infringements of human rights;
- Research into human rights issues;
- Raising awareness of human rights issues;
- Educating the public about human rights;
- Monitoring abuses of human rights;
- International advocacy of human rights;
- Providing technical advice to government and others on human rights matters.

## Our guiding principles:

- **Principle 1:** No one should be left behind in delivering the articles set out in the Universal Declaration of Human Rights.
- **Principle 2:** Every person has a part to play in achieving the goals and targets set out in the United Nations Sustainable Development Goals.
- **Principle 3:** Positive change should be led by communities within a nation state and ReportOUT will support them to do this.

When it comes to formal research projects, ReportOUT is proud to follow the [Amsterdam Network Guiding Principles](#), which were born out of concern that an advocacy community in one country should not speak for groups in another country, without a clear and informed mandate to do so. It sets out clear guidance about how we at ReportOUT, work as an organisation with others in different nation states, and parts of the globe. ReportOUT is a volunteer-led charity, with volunteers and Trustees originating from over thirty nation-states.

# Executive Summary: Drew Dalton

ReportOUT is pleased to present the findings of our 'OUT in Mongolia' research study. We worked in close partnership with the LGBT Centre in Mongolia for an 18 month period to construct the biggest ever survey undertaken on the lived experiences of the LGBTQI+ Mongolian community. We are extremely grateful to have been able to work with such a knowledgeable and generous partner as the LGBT Centre, who we have learnt a lot from through our collaboration. ReportOUT exists to document the lived experiences of LGBTQI+ communities across the globe, working in partnership with local subject matter experts and this has been our largest piece of research to date.

Our research project demonstrates that the great majority of LGBTQI+ Mongolians are not comfortable disclosing their identity to their families, in the workplace or, most starkly of all, to their doctor or healthcare professional, with a total of 93% of respondents feeling uncomfortable to share this information. There is also substantial evidence that LGBTQI+ Mongolians are scapegoated by politicians and discriminated against, extending to verbal and physical assault and arbitrary arrest, by law enforcement mechanisms. Even with anti-discrimination laws enacted, over 90% of respondents to our survey did not feel that would receive justice from the Mongolian judicial system were they to report a crime arising from their LGBTQI+ identity.

That said, nearly half of respondents believe the situation in Mongolia is improving for LGBTQI+ individuals. Though this optimism should be tempered by noting that rampant discrimination experienced by LGBTQI+ Mongolians within both education and workplace settings could prevent them reaching their full economic potential, a factor that will cause long-term detriment to Mongolian society as a whole.

The Mongolian government should rightly be commended for their commitment to meet the UN Sustainable Development Goals (SDGs). Yet, our study alerts us to a warning that without dedicated action, LGBTQI+ Mongolians could be 'left behind' arising from the ongoing marginalisation and stigmatisation they face from broader society. Therefore, we leave this report with recommendations which will aid the Mongolian authorities in fulfilling their obligations under the SDGs towards their own LGBTQI+ community, which in turn would benefit Mongolian society as a whole.

**Drew Dalton**  
**Chair of Trustees, ReportOUT**



**Drew Dalton**  
**Chair of Trustees**  
**ReportOUT**

# Executive Summary: Enkhmaa Enkbold

Historically, LGBTQI+ Mongolians have been marginalized and largely invisible in society, and the society remains unchanged with widespread societal and institutional discrimination against, and intolerance of, LGBTQI+ persons. Discrimination in Mongolia is endemic in the public, private and non-governmental sectors and encompasses the police and the judiciary, health services, education, the housing sector and the media. Mongolia's recent revisions of several laws should be acknowledged and credited for ensuring LGBTQI+ inclusivity and outlawing broader protections for LGBTQI+ Mongolians. In spite of this, it is clear that the LGBTQI+ community will remain a vulnerable minority if the government does not demonstrate a meaningful commitment to implement these laws, and these new laws will continue to be not easily accessible for LGBTQI+ persons due to both direct discrimination and a lack of capacity among public servants working in various sectors.

Moreover, LGBTQI+ Mongolians are primarily underresearched and constantly excluded from state-sponsored programs and initiatives, as well as academic priorities, which resulted in a significant gap regarding LGBTQI+ data. This "OUT in Mongolia" survey aimed to fill this gap by exploring the experience of LGBTQI+ Mongolians and enabled us to strengthen our advocacy with exclusive data which highlights the needs of LGBTQI+ Mongolians, and we hope this will lead to positive change. In addition, we believe that this survey is our contribution to the Sustainable Development Goals, a particular effort to support our government in fulfilling its international obligations and seeking opportunities to have a meaningful dialogue and partnership with our government. Moreover, this survey will be used by LGBTQI+ organisations, funders, supporters as well as allies to increase credibility to support service development and strategic planning.

This survey serves to bring attention to the left-behind realities of LGBTQI+ Mongolians and the daily struggles and sufferings we face in proud Mongolian society. We believe that these amplified realities can increase awareness and promote evidence-based knowledge about LGBTQI+ Mongolians among academics and researchers to stimulate future studies and policies to be more inclusive towards this particular group that has been excluded and ignored for a long time.

Many people contributed to this research and its outcome. Firstly, this survey would not have been possible without ReportOUT recognising the need and demand regarding the situation of LGBTQI+ Mongolians. We would particularly like to thank Phil Thomas, Mark Brown, and Alexander Mak for the time and effort they have invested in this survey report. To our colleagues at the LGBT Centre (Mongolia), Dorjjantsan (Jack) Ganbaatar, Oulen Munkhbat, and Chingunjav Dorjkhand, thank you so very much for your support and assistance on this research project. Finally, we express our deepest and most sincere gratitude to our community members who participated in this survey. Thank you so very much for trusting us and sharing your lived experience. You have encouraged us with your bravery and resilience, and your contributions to the survey have helped us tell the story of systematic discrimination and societal challenges in our country that need to be addressed, and open many doors to advance protection of LGBTQI+ persons in Mongolia. Human rights, justice, and dignity for all!

Thank you.

**Enkhmaa Enkbold**

**Executive Director, LGBT Centre**



**Enkhmaa Enkbold**  
**Executive Director**  
**The LGBT Centre**

# Our Research Partners



## **The LGBT Centre**

The LGBT Centre is the first and so far the only non-governmental, non-profit and non-partisan organisation in Mongolia dedicated to safeguarding and promoting the civil, political, social, cultural and economic rights of lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI+) people in Mongolia through domestic and international advocacy for legal frameworks, policies and practices that will put an end to discrimination on the basis of SOGIESC.

Since its establishment in December 2009, the LGBT Centre has achieved remarkable milestones in Mongolia including successful advocacy to include sexual orientation & gender identity as protected characteristics in several laws, such as a Criminal Code (2015), Labour Law (2021), and Law on Personal Data Protection (2021).

## **Our vision**

The Charter of the LGBT Centre states that our vision is to contribute to the creation of a truly humane and democratic society without discrimination on the basis of sexual orientation, gender identity and expression, and sex characteristics, and where LGBTQI+ people are able to enjoy all of our human rights.

## **Our mission**

The Centre's mission is to build the capacity of all relevant actors and institutions, both public and private, to facilitate substantive enjoyment of human rights by all members of the LGBTQI+ community in Mongolia through sensitisation, information sharing, curriculum development, training provision, building networks and communities of practice and through the promotion of corporate social responsibility where relevant, to end discrimination on the basis of sexual orientation, gender identity/expression and sex characteristics (SOGIESC).

Both ReportOUT and the LGBT Centre would like to extend a thank you to Erdeneburen (Gonto) Dorjpurev for use of their photos throughout this report.

# ReportOUT Team and Acknowledgements



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ReportOUT must give special thanks to our partner organisation in Mongolia, the LGBT Centre, who helped to design, collate, and inform, the research project at every stage. Your tireless fight for LGBTQI equality is admirable, and we all hope that this research will make an impact in your work. We would particularly like to thank Enkhmaa Enkhbold and Dorjjantsan (Jack) Ganbataar for the time they have invested in setting the scope of the project, translating surveys from English to Mongolian (and vice versa) once the answers were produced. We also thank you for partnering on the analysis and helping to shape the recommendations.

A project of this size cannot be driven forward without a significant cast. Thanks to Drew Dalton, Chair of Trustees at ReportOUT, for developing the partnership with the LGBT Centre, establishing the project, and pulling the glossy report together. We also extend a huge thank you to ReportOUT Trustee, Phil Thomas for his tireless work, and to our excellent Human Rights Researchers, Mark Brown and Alex Mak, for taking the project forwards, analysing the data, and writing up the final report. ReportOUT remains a volunteer-led organisation, and we remain extremely grateful for the motivation and passion of our volunteer researchers.

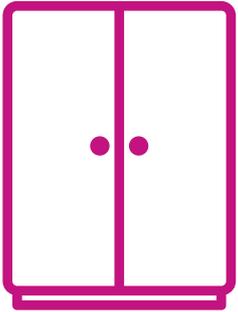
Please note that ReportOUT and our Mongolian partner organisation received no funding for this project from nation states, organisations, or affiliated bodies. The LGBT Centre kindly supplied the images used in this report, and give us permission to use them.

## **Suggested citation:**

ReportOUT. (2023) *OUT in Mongolia: The Lived Experiences of LGBTQI Mongolians*. Gateshead: ReportOUT

# Key Research Findings

**The key findings of this research study demonstrate that:**



**The majority of LGBTQI+ Mongolians remain in the closet:**

- 80% of respondents do not feel safe to disclose their identity to their employer or educational establishment.
- 70% do not reveal their sexual orientation or gender identity to their families.
- 93% conceal their identity from their doctor/healthcare professional.

**A majority of LGBTQI+ Mongolians believe Mongolia is unsafe for LGBTQI+ people:**

- 51% consider Mongolia unsafe compared to only 14% who consider it safe.
- The 'unsafe' proportion rises to 65% unsafe when asked about rural areas.
- 88% believe general expressions of hatred and aversion towards LGBTQI+ individuals from the Mongolian public remain widespread.
- 59% of respondents believe physical assaults against LGBTQI+ Mongolians are common.



**LGBTQI+ Mongolians remain distrustful of government institutions and the Mongolian legal system:**

- 92% of respondents consider the Mongolian legal system 'very' or 'mostly' unfair.
- 78% of respondents believe police brutality towards LGBTQI+ Mongolians is 'very' or 'fairly common.'



**Stigmatisation and discrimination from politicians, the media, and general society towards the Mongolian LGBTQI+ community remain common:**

- 88% believe expressions of hatred and general aversion towards LGBTQI+ Mongolians are common. The same percentage believe physical assaults against the LGBTQI+ community are common.
- 76% believe offensive language by Mongolian politicians towards the LGBTQI+ community is common.
- 72% believe anti-LGBTQI+ media stories are common.



# Key Research Findings

## Concerns about unequal treatment with the workplace or educational establishments continues to be a concern for LGBTQI+ Mongolians:



- 78% believe that such discrimination is 'very common' or 'fairly common' within the workplace and educational establishments.
- 58% have experienced such discrimination directly within educational settings.
- Within employment, 24% of respondents have experienced discrimination from co-workers because of their LGBTQI+ identity.
- 23% believe they were discriminated against by a company when applying for a job because of their LGBTQI+ identity.



## Opinions differ sharply on whether life in Mongolia is getting better for the LGBTQI+ community:

- 49% believe that life is getting better, 21% disagree and 30% are either unsure or do not believe their quality of life has changed.



## All of these factors contribute towards two thirds of LGBTQI+ Mongolians to rate their mental health as 'poor' and do not believe that there are sufficient support services for their community:

- Over three in five (61%) do not believe there are sufficient support services for members of the community. Fewer than 5% of respondents disagreed.



Transgender Mongolians **were more likely** to be victims of direct discrimination or assault, and that they believe that negative portrayals within the media and political discourse are commonplace.



ReportOUT have provided a list of recommendations at the end of this document which must be implemented to ensure that the human rights, and development needs, for LGBTQI+ Mongolians are protected and developed.

# Overview of the Literature



# Overview of the Literature

## Introduction

Mongolia has a population of c. 3.4m with no research previously undertaken on the estimated number of LGBTQI+ individuals living in the country. Whilst legislation over the past decade has been enacted to prevent discrimination and stigmatisation of LGBTQI+ communities, Mongolia remains a socially conservative country where sex and sexuality are not openly discussed, and where discrimination against LGBTQI+ Mongolians from government institutions, employers and within healthcare remain prevalent. The landscape in Mongolia today for LGBTQI+ populations is uncertain, however more LGBTQI+ Mongolians believe that things are improving rather than the reverse, but the discrimination that remains a fact of life for many in the community causes the majority of LGBTQI+ Mongolians to remain closeted.

## 1. An introduction to Mongolia's LGBTQI+ history

The status of sexual and gender minorities in Mongolia has changed drastically through the nation's history. Traditionally, according to Nyamdorj (2011), Mongolian society was predominantly a shamanic society up until the late 17th century, where homosexuality and what would now be termed gender fluidity, were historically recognised and accepted as normal, even exalted (Nyamdorj, 2011). The rationale behind acceptance and recognition appears to have stemmed from the revered status that shamans occupied in their society, although there is little evidence that this rich history of gender and sexual diversity is present amongst present-day shamans.

With the advent of Buddhism in the late 17th century, which was introduced to Mongolia due to the rule of the Qing empire, the traditional acceptance of homosexuality and gender fluidity was further reinforced through the Buddhist doctrine of karma. Tantric Buddhism preaches homosexual activities as one of the ways to raise the creative energy kundalini, and thereby gain enlightenment. One of the most astounding cultural substantiations of the Buddhist normalisation of homosexuality in Mongolia is a Mongolian religious sculpture of two shaven-headed male monks embraced in a sexual position, which is found in the Chojjin Lama's Museum in Ulaanbaatar. However, this acceptance was dramatically and quickly overturned during the 1921 Revolution that led to Soviet rule in Mongolia. In essence, Mongolia criminalised same-sex consensual sex under its Criminal Code after the infamous section 121.1 of the USSR Criminal Code, holding onto it until 1988, when the USSR removed the section criminalising such acts.

The mid to late 20th century is generally seen as a dark time for sexual and gender minorities in Mongolia, as same-sex sexual orientation was closely scrutinised by the State and by both Mongolian and Soviet police and intelligence. A 2014 UNDP report stated that there was little evidence of a broader understanding of or tolerance towards sexual and gender minorities in Mongolia during Soviet rule, and no published records about sexual and gender minorities exist between the advent of socialism in 1924 and the 1990s (UNDP, 2014). Under the lens of the all-encompassing Marxist-Leninist ideology, same-sex sexual orientation was widely seen as a mental illness, which if not liable to arrest, was likely to result in incarceration within a mental hospital (Nyamdorj, 2006). The diagnosis of mental illness, drafted and approved by the Ministry of Health, continued until 2001, despite international standards of global mental healthcare having long since explicitly and unequivocally moved away from declaring homosexuality as a mental health issue.

With the decline of Soviet power during the 1980s, Mongolia, as with many other former socialist bloc countries, witnessed a democratisation movement from 1989. However, due to a wider terror of scrutiny still widespread in society, there was relatively few notable moments of advocacy from the recently criminalised and stigmatised sexual and gender minorities. Until relatively recently, LGBTQI+ rights movements were closely correlated to the promotion of sexual health, and little else.

# Overview of the Literature

It was not until 2010 when true public discourse around LGBTQI+ people and issues emerged. Instrumental to this was the opening of the LGBT Centre, Mongolia's first LGBTQI+ human rights organisation. Since it obtained a registration as a non-governmental, human rights organisation (a process that took nearly three years) the Centre gained visibility, due to its unashamed proactive public advocacy on LGBTQI+ rights beyond healthcare. This began with the filming of the first LGBTQI+ specific documentary in the country, which gained a nationwide audience when it was first broadcast on national television during the same year.

## 2. Legislation relevant to LGBTQI+ Mongolians

The first Mongolian Criminal Code was adopted in 1926 during the period of Soviet rule. Multiple amendments to this Criminal Code have been made both prior to and after Mongolian independence, including 1929, 1934, 1942, 1961, 1986, 2002 and 2015 revisions. The 1934 and 1942 versions explicitly criminalized homosexuality, whereas subsequent amendments decriminalized it. Some scholars argue that the 1986 version implicitly semi-recriminalized it, while the 2002 version fully decriminalized it. Historical analysis on how criminalization, re-criminalization and decriminalization occurred deserves a rigorous analysis in the future as the specific legal clauses are not always explicit (Tsedendemberel 2018).

The ground breaking 1992 Constitution of Mongolia established comprehensive rights for its citizens and protection from discrimination "...on the basis of ethnic origin, language, race, age, sex, social origin and status, property, occupation and post, religion, opinion or education" (Article 14). However, there was no explicit prohibition of discrimination based on sexual orientation or gender identity and the concepts of sex and gender remain largely binary to this date, with constitutional reviews specifying 'marriage shall be contracted by men and women based on voluntary will and equal rights of these two.' (UN Women 2021)

As such, there have been a variety of high-profile cases of violence against members of sexual and gender minority communities. Examples included repeated, and largely unpunished, physical and sexual assaults against gay men, lesbian women and members of the transgender community. These crimes led the Mongolian Parliament to adopt a new Criminal Code to prohibit discrimination (including physical assaults) on the protected grounds which now included sexual orientation, gender identity and health status (Gardner, 2014). The new Code came into force on July 1, 2017. and specifies as follows:

### Article 14.1 Discrimination

*1. Discrimination persons or restriction of human rights and freedoms on the basis of ethnic origin, language, race, age, sex, social origin or status, property, occupation or post, religion, opinion, or education, sexual orientation, gender, health condition shall be punishable by a fine equal to from four hundred and fifty to five thousand four hundred units of amount, or from two hundred forty to seven hundred and twenty hours of community service, or a penalty of limitation of free travel right for a term from one month to one year.*

*2. The same crime committed:*

*2.1. by a group;*

*2.2. with use of force;*

*2.3. with abuse of authority shall be punishable by a fine equal to from five thousand four hundred to twenty-seven thousand units of amount, or a penalty of limitation of free travel right for a term from one to five years, or imprisonment for a term from one to five years.*

# Overview of the Literature

Whilst legal progress has changed for sexual and gender minorities in Mongolia, one glaring gap in the law is the denial of marriage and adoption rights for the LGBTQI+ community. Article 16 (11) of the Mongolian Constitution states, “Marriage is based on the equality and mutual consent of a man and a woman who have reached the age determined by law. The law protects the interests of the family, motherhood and the child.” This provision and Article 3.1.1 of the Law on Family (1999), which defines marriage as an institution between a man and woman, effectively prohibits same-sex marriage. Similarly, in practice, adoption by same-sex couples is barred by the same law. These provisions, which have subsequent impacts on property rights and inheritance, create a de facto economic disadvantage to LGBTQI+ Mongolians in same-sex relationships.

Mongolia adopted an amendment to the Law on Civil Registration in 2009 that allows for a relatively simple procedure to change the gender marker for transgender and intersex persons. The law was revised in November 2018. As a result of these changes, individuals are now required to provide evidence that they have gone through a ‘full’ gender transition, which is a more arduous requirement than what existed under the old law. Transgender people are also required to file a divorce if they were in a heterosexual relationship prior to transition. In this respect, the Government of Mongolia has stepped backwards in its protection of intersex and transgender people’s human rights and increased the bureaucracy, and correlated mental stress, associated with gender transition. Furthermore, the absence of transition-related healthcare standards and services in the healthcare system have made it impossible for transgender people to access comprehensive and safe services associated with transition.

Recently, Mongolia has passed the Law on the Legal Status of Human Rights Defenders (HRD Protection Law) on 1 April 2021 (Forum-Asia, 2021). This is a welcome step towards fostering a safe and enabling environment for human rights defenders. The law, which seeks to establish legal grounds for the respect, protection, promotion and fulfilment of the rights of those who act in defence of human rights. Notably, Mongolia is the first country in Asia to enact national legislation specifically for the protection of human rights defenders. A further revision of the Law on Personal Data Protection came into force in December 2021, which prohibits the collection, processing and usage of sensitive personal data, with the definition of sensitive information including sexual orientation and gender identity. Whether this will protect those who speak out in favour of LGBTQI+ rights and call out institutional discrimination, remains to be seen.

## Summary of Relevant Legislations

- Marriage for Same Sex Couples: No. Civil Unions: No
- Joint Adoptions: No
- Right to change legal gender: Yes
- Employment non-discrimination laws: Yes
- Ban on conversion therapy: No
- Legislation prohibiting discrimination on basis of sexual orientation or gender identity: Yes

## 3. Protections for LGBTQI+ people

Whilst, on paper, the law provides protection for sexual and gender minorities by criminalising discrimination on the grounds of sexual orientation or gender identity, documented and anecdotal evidence (including the findings of our study) demonstrate that discrimination and violence against sexual and gender minorities in Mongolia are not only common, but also not often reported to the police. Even though legislation exists to nominally protect sexual and gender minorities, it is not uncommon to read reports of homosexual and bisexual Mongolians being beaten, raped, or even kidnapped by hate groups (U.S. State Department, 2020).

# Overview of the Literature

For example, in 2019, Bosoo Khukh Mongol, a far-right Mongolian nationalist group, teamed up with a local television station to lure a transgender sex worker into a hotel room where they threatened her with physical violence (Menard and Bayartsogt, 2019). In this instance, the police brought charges against the far-right group, in a rare case of the authorities investigating an anti-LGBTQI+ attack.

One area where protections are still lacking is within employment. Workplace discrimination against LGBTQI+ people in Mongolia remains a serious issue as our study will demonstrate. Discrimination within the workplace has been repeatedly identified by LGBTQI+ Mongolians as one of the most serious and frequent human rights violations. This is an assertion backed up by our finding that over three-quarters of respondents to our survey believe discrimination against LGBTQI+ individuals is common in Mongolian workplaces, and a similar proportion remain in the closet for fear of the consequences were they to be visibly 'out.' Legislation exists to offer LGBTQI+ communities, but appears rarely enforced.

Specific challenges faced by LGBTQI+ Mongolians include difficulties finding work if open about their sexual orientation, stress about others finding out their sexual orientation, being fired from jobs, and a lack of redress if a person experiences discrimination at the workplace. Over 80% of LGBTQI+ people surveyed in our report hiding their sexual orientation from colleagues. It is particularly hard for transgender women to find a job, which may lead to them engaging in sex work, which is illegal in Mongolia. Many are therefore subjected to violence and blackmail and are increasingly vulnerable to poverty. Even those who are accepted into the workplace face daily jokes and verbal abuse from co-workers or customers, as attested to by a number of transgender respondents in our survey.

Further examples of stigma and discrimination range from difficulties in finding a job to harassment, bullying, ostracism and being laid off without an explicit reason. Until 2021, LGBTQI+ communities could theoretically rely on Article 7 (2) of the Labour Law [DG1], which stipulates that "the establishment of discrimination, limitation, or privilege based on nationality, race, sex, social origin or status, wealth, religion, or point of view is prohibited," which could be utilised to protect people from being fired on the basis of their LGBTQI+ status. However, no cases have to date been brought to court citing sexual orientation or gender identity as cause for discrimination. Whether this is due to a lack of knowledge of this law within LGBTQI+ communities, or a lack of confidence in the judicial outcomes, it can only be speculated upon. However, our study demonstrates a categoric lack of confidence of LGBTQI+ Mongolians that they would receive justice should they report a crime based on homophobic, biphobic, or transphobic discrimination.

## **4. Social attitudes towards LGBTQI+ people**

Despite the Mongolian government's commitment to defend and uphold human rights of all citizens, a number of commentators have observed that post-communist Mongolian society has a strong nationalist streak, which promotes heteronormative and hypermasculine values (Bille, 2010: 190). Within this narrative, homosexuality is often treated with suspicion as a model of 'failed' masculinity or a 'Western import' designed to undermine Mongolia's 'reproductive enterprise' (Bille, 2014: 167). This accusation is bolstered by a lack of written LGBTQI+ history within Mongolia and 'deeply entrenched social and institutional intolerance of homosexuals; intolerance that manifests itself in varying forms, from ostracism and harassment to physical and sexual violence' (LGBT Centre, 2016: 8). Tolson (2013: 24) argues that such attitudes owe more to the 20th century Communist experience than traditional Buddhist or shamanistic practices, both of which traditionally have tolerated homosexuality, as will be discussed in Section 6. A similar assumption of heteronormativity extends to anticipating 'Mongolian women [will] desire to marry and have children', with those who do not conform seen as 'selfish actors' (LGBT Centre, 2016: 6), a paradox set against the increased freedom within employment and social domains which LGBTQI+ people should enjoy.

# Overview of the Literature

In the words of the Mongolia LGBT Centre:

*'There is widespread intolerance of LBT persons throughout Mongolian society on the basis that they do not conform to set notions of female gender identity, and who as a result are subjected to a range of human rights violations, including harassment, physical violence, hate-motivated crimes and sexual assaults.'* (LGBT Centre, 2016: 4).

An odious societal equation of homosexuality with paedophilia, far from unique to Mongolia, still remains within the Mongolian public conscience. This has the dual effect of justifying homophobic and transphobic actions, and suppressing LGBTQI+ identities and priorities from being discussed in public (Ganbataar, 2021: 12). The latter example remains to this day, with 80% of our survey respondents observing that LGBTQI+ stories only appear rarely in the national media.

In addition, stereotypes of transgender women being little more than sex workers remains largely pervasive, whilst transgender men are largely invisible in societal discourse. One institution which has been observed as not protecting the rights of Mongolian sexual and gender minorities is the police. Despite increased awareness of the crimes committed against such minorities, driven largely by education from NGOs including the LGBT Centre, sexual and gender minorities continue to be harassed by the police and charges are frequently dismissed when the victim is a member of such groups (US State Department, 2020: 22).

On a more positive note, since the 2017 laws to increase protections for sexual and gender minorities, over 500 police officers, prosecutors, and judges from across the country, have received training on better supporting these communities, including treating transgender individuals in accordance with the gender they identify with, not their state-provided identification. Two years after the programme launched, the LGBT Centre's former Legal Programme Coordinator, Baldangombo Altangerel, observed some improvements in police and judicial knowledge of LGBTQI+ issues. However, there remains significant work to embed consistency across the criminal justice system, and to win the support of a community justifiably distrustful of law enforcement based from their previous experiences (Al Jazeera, 2019).

Furthermore, it has been observed that the pervasion of social media has allowed for LGBTQI+ lives to be displayed more openly, helping demystify some of the negative pre-conceptions of LGBTQI+ people within Mongolian society. This is exemplified by Tuya, a 21-year old LGBTQI+ and non-binary Mongolian, who recently started viewing a vlog started by a Mongolian lesbian couple.

*'It was like a bomb. This is the perfect example of openly LGBT people that encourages others to live out and be proud. I hope that accepting and loving myself may inspire someone else and help them to understand themselves a little more'* (Ganbataar, 2021: 12).

Whilst individual YouTube videos and social media posts are not sufficient to change a society's entrenched view of sexual and gender minorities, it does provide optimism that LGBTQI+ lives may be better understood and empathised with in the future, as explained by Tamir Chultemsuren, from the Independent Research Institute of Mongolia:

*'Previously, Mongolians had limited knowledge about acceptance of LGBT rights and dignity but now, people have more information... and so general public awareness has improved'* (Chultemsuren, quoted in Ganbataar, 2021: 15).

# Overview of the Literature

All of these factors may support the assertion of half of our survey respondents, who also believe that things are getting better for sexual and gender minorities in Mongolia.

## 5. The Role of Culture and Societal Institutions

### 5.1: Family

As mentioned in the previous section, Mongolian culture, spurred by a rise in heteronormative nationalism, promotes traditional gender roles. Sexual and gender minorities typically stand in contrast with these norms, forcing many to live double lives with their sexual orientation or gender identity, and stay closeted for fear of reprisals within their family unit. The 2014 UNDP 'Being LGBT in Asia' survey highlighted that 87% of LGBTQI+ Mongolians had hidden their sexual orientation or gender identity from their families (USDP, 2014: 8). More recent studies of the lived experiences of LGBTQI+ Mongolian youth demonstrate a real fear that disclosing one's sexual identity would result in being made immediately homeless and/or a victim of domestic violence (Ganbataar, 2021: 9). Our study demonstrates a small improvement from the 2014 UNDP study, but over two-thirds of LGBTQI+ Mongolians continue to conceal their sexual orientation or gender identity from their immediate family. In addition, one third of Mongolians from sexual and gender minorities are estranged from their families, and 43% state they have been excluded from family gatherings (Koch, 2020: 94) arising from their LGBTQI+ status.

Alongside verbal and physical violence, strong social pressures persist for LGBTQI+ people to enter into heterosexual marriages to uphold expectations of procreation, and to prevent stigmas against the family unit. Whilst gay men have occasionally been able to deter or deflect this pressure (Billie, 2010) in the hope it will eventually subside, this option is not typically available to lesbians and same-sex attracted bisexual Mongolian women, of whom there is a societal expectation of marriage and children. This expectation is rigid, and for some, does not change even when the family member is 'out' as LGBTQI+ (LGBT Centre, 2016). These factors can be reasonably inferred to be amongst the biggest drivers of poor mental health in LGBTQI+ Mongolians, which our study illustrates.

### 5.2: Education

Participants in a 2021 survey reported that heteronormativity and gendered expectations pervade the Mongolian school curriculum, with little knowledge or support from teachers towards students from sexual and gender minorities (Ganbataar, 2021). This has an obvious adverse impact on students' physical and mental wellbeing, and reflects findings from the 2014 UNDP study which also highlighted that one quarter of students from sexual and gender minorities had experienced social stigma or discrimination on account of their sexual or gender identity. Furthermore, 7% had suffered physically assault as a result of their sexual orientation or gender identity (UNDP, 2014).

The same report highlighted that whilst the Mongolian sex education curriculum was required to include discussion of sexual and gender minorities, there was limited enforcement to ensure such topics were covered and the quality of teaching was reported as extremely inconsistent. This, combined with the bullying many students from sexual and gender minorities experience, causes a higher than average dropping out from mainstream education than the national average, especially amongst transgender girls (UNDP, 2014).

## 5.3: Healthcare provision

The Mongolian government has passed multiple pieces of legislation outlawing discrimination within healthcare services on the basis of sexual and gender identity (Koch, 2020, LGBT Centre, 2016), such as the Medical Practitioners Ethical Guidelines (2013) and the State Policy on Health (2017). In recent years, the LGBT Centre has coordinated a number of 'on the ground' focus groups on the specific subject of healthcare provision for sexual and gender minorities.

These focus groups highlighted a number of concerning findings based on LGBTQI+ participants' experiences of healthcare providers, including:

- Gynaecologists being unable to provide needs-based and culturally competent services to LBT persons.
- Intake and registration forms of women's clinics and gynaecological clinics only envisaging heterosexual and cisgender identities.
- Medical professionals often refusing to provide assisted reproductive services (artificial insemination) to either single lesbians or women in same-sex relationships.
- Medical professionals are unaware of the specific health needs of sexual and gender minorities and are lacking knowledge and skills to provide for such needs.
- There is no healthcare guide or standard for transgender people regarding transition related healthcare. Therefore, not even a single doctor is trained to provide transition related healthcare services even though the Civil Registration Law allowed trans people to change their gender marker based on medical record of transition.

The LGBT Centre has undertaken its own research regarding the attitude and knowledge of healthcare providers (specifically physicians) towards trans and gender diverse people which indicate the limits of knowledge associated with support to this community:

- Only 15% reported that they have heard about the term 'gender dysphoria', 85% had not
- Only 19% had directly been involved in treatment of a trans individual. Of this population, 31% consulted with family members regarding the healthcare of a trans individual with half this number reporting difficulties associated with a lack of understanding or inability to accept the family members' trans status.
- 17% of respondents stated that they have witnessed "staff exhibiting negative attitudes or beliefs toward trans\* individual in a clinical setting" while 83% of the participants have not witnessed such attitudes.
- 76% of respondents believe there is a need for greater training on trans health issues for medical practitioners (LGBT Centre 2020)

These lived experiences from both LGBTQI+ community members and medical practitioners echo the UNDP report from the previous year that stated discrimination in healthcare against sexual and gender minorities was 'pervasive' (UNDP 2014:9) although the same report did note the provision of HIV prevention and treatment services more sympathetic to these communities.

# Overview of the Literature

Taken in totality, it would appear that whilst non-discrimination based legislation is to be applauded, less effort has been made to implement and embed these provisions, and to penalise those who are demonstrated not to have followed such laws. LGBTQI+ Mongolians remain largely suspicious of healthcare services, with our survey highlighting that 87% of respondents who did not disclose their sexual orientation or gender identity to healthcare providers.

Mental health is also considered to be an acute problem for LGBTQI+ Mongolians than the population as a whole. Nearly three quarters of LGBTQI+ Mongolians evidenced suicide ideation, and 70% stated that they felt obliged to hide their sexual and gender identity when seeking healthcare for fear of either encountering discrimination, or seeing this healthcare provision withdrawn (Koch, 2020, UNDP, 2014). Mental health services that do support sexual and gender minorities are concentrated in Ulaanbaatar and so are out of reach of non-urban Mongolians from sexual and gender minorities (Koch 2020). Further evidence gathered by the LGBT Centre in a 2017 report, spotlighted gaps in healthcare provision for LGBTQI+ children and highlighted a lack of understanding of sexuality and gender minorities amongst healthcare providers, specifically of the attendant physical and psychological problems the LGBTQI+ community face as a result of minority stress. The partial infiltration of mental health services for Mongolian LGBTQI+ youth by (foreign-funded) Christian groups intent on performing harmful forms of conversion therapy, further harms sexual and gender minorities.

All of these factors are reflected in our survey findings., where respondents' mental health was self-assessed as considerably lower (average 5.5/10) than physical health (7.4/10).



# Overview of the Literature

## 5.4: Employment and the workplace

Both NGOs and wider LGBTQI+ communities within Mongolia have reported significant barriers in both gaining and maintaining employment when the individual's sexual orientation or gender identity is known publicly, with little recourse in the event of dismissal based upon these characteristics.

A 2019 Al Jazeera report classified sexual and gender minorities as being considerably more likely to be unemployed than the Mongolian average and the US State Department summarise these findings in a 2021 report as follows:

*'LGBTI persons who revealed their status in the workplace frequently faced discrimination, including the possibility of dismissal. Illegally dismissed LGBTI persons rarely sought court injunctions to avoid disclosing their and increasing the risk of discrimination status'* (Al Jazeera, 2019, cited in US State Department, 2021: 27).

Whilst the work done by the LGBT Centre to improve judicial understanding and action against discrimination towards sexual and gender minorities has improved the overall situation, commentators agree that discrimination remains prevalent and there is significant incentive within most Mongolian workplaces for individuals to conceal their sexual orientation and/or gender identity. The LGBT Centre has collated several testimonies which document experiences of 'harassment, bullying, intimidation and ostracism' of lesbians in their workplaces when their sexuality has become known, or is suspected, with anecdotal evidence covering international organisations, including NGOs. In many instances, the victim of such behaviour has chosen to leave their job rather than face ongoing abuse, with no retributions against the perpetrators (LGBT Centre, 2016). It remains to be seen whether the 2021 revisions to the Labour Laws to explicitly include LGBTQI+ Mongolians as a protected group from discrimination will have any impact, but our study indicates perceptions of discrimination remain strongly ingrained.

For transgender Mongolians, there has been an additional hurdle of only being able to change their gender on official identity documents following gender reassignment surgery, not commonly available within Mongolia. Without a formal change to gender markers, transgender Mongolians are at high risk of discrimination, as explained by Marta Sukh-Ochir, a transgender woman in a 2019 interview with Al Jazeera, in which she explained how she was forced to rely on sex work for an income:

*"I actively looked for other jobs, cashier at a supermarket, receptionist at a hotel, shop assistant...I tried many times, she said. I applied to so many jobs. My gender expression, my appearance – how I looked with long hair, nails, being and acting feminine – was a struggle for employers."* (Al Jazeera, 2019).

Such a fate is common to members of Mongolia's transgender community, as both a combination of discrimination in employment, and the high likelihood of being rejected by their immediate families.

As mentioned above, mental health remains fragile for many LGBTQI+ Mongolians, and this is exacerbated by stress and anxiety related to the workplace. The UNDP's 'Being LGBT in Asia' (2014) report illustrated this starkly, evidencing over four in five employed LGBTQI+ Mongolians hiding their identity at work (a statistic that has barely changed in our study eight years later). This report also highlighted LGBTQI+ people in workplaces not disclosing a same-sex partner due to discrimination, a statistic our later research demonstrates has also not changed. The impact of this stress by remaining in the closet at work is often furthered by the perception that the individual is single and is therefore more able to work longer hours than a (heterosexual) married colleague who has children (UNDP, 2014), a bias which also impacts heterosexual people who are single.

# Overview of the Literature

## 5.5: The media

Social media has provided a window for many LGBTQI+ Mongolians to express their identity more openly, however it must be noted that this is a channel most common to English-speaking urban gay men (Dovchin, 2019: 55) rather than all LGBTQI+ Mongolians. Traditional Mongolian media has been accused of continuing to portray sexual and gender minorities in a negative and stereotypical manner, as explained in the 2014 UNDP report:

*'LGBT identity is presented either derisively or with pity, including stereotyping with a lack of sensitivity, respect and privacy. With broader understanding of human rights issues in recent years, there has been some improvement in media coverage of LGBT lives in Mongolia'* (UNDP, 2014: 9).

77% of our survey respondents indicated that they believed negative stereotypes of LGBTQI+ individuals remain common within the Mongolian media. The extreme end of such discriminatory behaviour was reported in a 2019 broadcast attack on a transgender woman in a hotel by an ultra-nationalist NGO (mentioned in section three), who went on to give an interview in which they stated: 'We will impinge on the "rights" that they talk about so much, and will insult them, we will shave their heads, wash their faces, strip them and take their nude photos to disgrace them...' (LGBT Centre, 2019: 4)

The LGBT Centre (2016) has also highlighted a lack of cultural spaces for sexual and gender minorities outside of the LGBT Centre, and an absence of public information or telling of LGBTQI+ stories from any facet of the mainstream Mongolian media. This continues to remain an issue, with 80% of our survey respondents commenting that objective reporting of LGBTQI+ stories remains rare within the wider mainstream media.

## 6. The role of religious institutions

Commentators generally agree that, unlike many Christian or Muslim-dominant cultures, religion does not play a significant role in social stigma and discrimination against sexual and gender minorities in Mongolia. Bilie (2010) observes that these negative connotations owe far more to nationalist discourse and historical taboos over the past century in Mongolia, than a dominant religious notion of sin. The UNDP (2014) report concurs, observing that Mongolian culture, as independent of dominant religious practices, is broadly conservative. This tends to show hostility to any familial structure, sexual practice, or gender identity outside of traditional heteronormative perspective (UNDP, 2014). Koch (2020: 95) summarises this view as follows:

*'It is difficult to speak to the comprehensive impact of religion on the majority of LGBT people. Current shared cultural mores that impact LGBT Mongolians may be more rooted in political ideologies and cultural transformations than by long-standing religious traditions.'*

That is not to say that Mongolians are universally non-religious, as 53% of Mongolians over the age of 15 practice Buddhism (UNDP, 2014) but this faith does not speak strongly on sexual orientation or gender identity issues, with no central condemnation found in its core texts or practices.

That said, the rise of Christianity which is largely funded by foreign missionary groups from South Korea, has accelerated over the past decade, with Christian groups became one of the most vocal groups against LGBTQI+ rights in Mongolia. Whilst less than 3% of the Mongolian population identify as Christian, at the last published census in 2010, Christian missionaries state that their goal is to convert 10% of the population by the 2020s (Menard, 2020).

# Overview of the Literature

The LGBT Centre has noted that whilst Christians do not physically protest at events organised to support the LGBTQI+ population, they are highly active on social media, contacting openly LGBTQI+ Mongolians via Facebook to advise them to renounce their sexuality, typically via an insidious group named 'LGBT Love Hunger' which is run by a church. The persecution of LGBTQI+ Mongolians by Christian groups in healthcare, already an area distrusted by a majority of LGBTQI+ Mongolians, was highlighted in a 2017 report by the LGBT Centre, which indicated a disturbing example of conversion therapy focusing on transgender young people:

*'The LGBTI children, especially trans children, discussed barriers to culturally competent healthcare services. All transgender children who accessed mental healthcare services in 2015 and 2016 at both the national mental health institutions and church-based institutions, were told that their transgender feeling would go away and that they could be cured of their transgender feelings (especially by the Christian church-based social work service)' (LGBT Centre, 2017).*

In a 2019 submission by the LGBT Centre to the UN Human Rights Council at their 36th Session of the Universal Periodic Review for Mongolia, evidence demonstrated conversion therapy in action, as well as an outright betrayal of trust of a transgender young person:

*'In 2016, B is a Christian woman outreached to transgender youth and promised conversion therapy to heal them. After talking to transgender youth and gaining their trust, B 'outed' them to their families and shared their private personal and medical condition information. B repeatedly perpetuated hate speech against LGBTQI persons on social media and Christian networks' (LGBT Centre, 2019).*

## **7. Political, economic, and social class factors**

The Mongolian government has been reluctant to include LGBTQI+ people and their communities in political and national discourse. According to a study conducted by National Human Rights Commission of Mongolia (NHRCM), 'a majority of public servants remain unaware of issues related to LGBT rights' (UNDP, 2014: 21). To address this, the NHRCM has provided 'training on human rights for central and local government staff' (UNDP, 2014: 21).

Furthermore, LGBTQI+ issues are frequently overlooked in Mongolian politics, or historically marginalised. For example, the government did not recognise and legitimise LGBTQI+ organisations and support services until 2010. The LGBT Centre, founded in 2007, is currently the only formally registered NGO that advocates for the rights of sexual and gender minorities in Mongolia. The State General Registration Agency had rejected the Centre's attempts to register as an NGO for several years on the basis that 'a legal entity in Mongolia cannot have a foreign name', arguing that 'LGBT' is fundamentally a foreign concept that 'conflicts with Mongolian customs and traditions' (Amnesty International, 2010: 6). After a lengthy battle, the LGBT Centre won the right to be officially registered as an NGO in December 2009 (Amnesty International, 2010).

Prior to this, attempts to include LGBTQI+ issues in human rights frameworks were frequently met with contempt. At a civil society meeting in 2009 at the Ministry of Foreign Affairs and Trade, the LGBT Centre's former Executive Director, Ts Otgonbaatar was 'ridiculed' by the speaker for suggesting they include 'GLBT rights issues in the NGO Human Rights Report for the Universal Periodic Review (UPR)' (Tolson, 2013: 24). Given the Mongolian government's enthusiastic embracing of the UN's Sustainable Development Goals, such exclusion of LGBTQI+ communities will hopefully not be possible in future periodic and national reviews.

# Overview of the Literature

The improvements to legislation that protect LGBTQI+ people are generally precipitated by pressure from national organisations, often in partnership with international human rights organisations. For instance, following a submission from the LGBT Centre in 2010, the United Nations UPR 'included recommendations to improve the current LGBT human rights situation in Mongolia' (UNDP, 2014: 17). Moreover, the NHRCM has been a 'robust advocate' for the rights of sexual and gender minorities (UNDP, 2014: 21). Subsequent to the NHRCM's report in 2012, the Parliamentary Standing Committee on Legal Affairs 'urged the government to take effective measures to implement the recommendations related to LGBT rights provided by the UN Human Rights Council' (UNDP, 2014: 21). As such, international human rights mechanisms, alongside the LGBT Centre, have been instrumental in securing legal protections for sexual and gender minorities, indicating that the Mongolian government has been somewhat receptive to international pressure.

With regard to economic factors, there is a perceived correlation between poverty and being LGBTQI+ in Mongolia. The World Bank and the National Statistics Office (NSO) determined that the rate of poverty in Mongolia in 2020 was high, sitting at 27.8% (The World Bank, 2021). However, the threat of unemployment is disproportionately higher for sexual and gender minorities due to the social stigma associated with being LGBTQI+. A survey conducted in 2014 revealed that 'The perceived risk of an LGBT person falling into poverty doubles' when they are open about their sexual orientation or gender identity'. (UNDP, 2014: 25). Our study demonstrated an unemployment rate amongst respondents broadly in line with the national average.

## **8. Dangers faced by LGBTQI+ people in Mongolia**

Though Mongolian legislation penalises violence fuelled by discrimination on the basis of sexual orientation and gender identity, it is nonetheless prevalent in society. The Shadow Report for the 63rd CEDAW (Convention for the Elimination of All Forms of Discrimination Against Women) reveals that instances of institutional discrimination, harassment, physical, and sexual violence, are commonly experienced by the LGBTQI+ community, particularly lesbian, bisexual and transgender women (CEDAW, 2016). Research demonstrates that 'Familial violence – physical and psychological (threats, taunts, ostracism) – is the most common form of violence facing LBT persons in Mongolia' (CEDAW, 2016: 14).

There have been several reports to indicate that LGBTQI+ people often experience mental health crises as a result of the shame and stigma they are made to feel (UNDP, 2014). As highlighted in the 'Healthcare' section above, many LGBTQI+ people in Mongolia have experienced depression and suicidal ideation, especially young people. The Shadow Report for CEDAW (2016) reveals that teen suicides are prevalent, highlighting 'a double suicide of two 14 and 15-year old girls in Ulaanbaatar city,' due to 'hardships experienced due to their sexual orientation or gender identity and expression' (CEDAW, 2016: 8). However, it is somewhat difficult to comprehend the true extent of suicide, discrimination, and crimes against LGBTQI+ communities in Mongolia, as 'it is difficult to verify suicides, while victims of violence tend to be covered up by their families' (Tolson, 2013: 25).

The UN Special Rapporteur's (2013) report on extreme poverty and human rights 'noted that a high proportion of the LGBT community live in poverty due to difficulties in finding employment or receiving an education because of stigmatization' (UNDP, 2014: 18-19), with only 3.3% of LGBTQI+ people stating that they did not experience workplace discrimination (UNDP, 2014: 26). As previously mentioned, some LGBTQI+ people often turn to sex work as a result of economic precarity caused by discrimination from employers, family and housing. The UNDP (2014) reports that transgender sex workers are particularly vulnerable to harassment, physical, sexual, and gender-based violence 'from clients and passers-by alike on an almost daily basis' (UNDP, 2014: 27).

# Overview of the Literature

In addition to increased health risks and the threat of physical and sexual violence, LGBTQI+ sex workers are frequently targeted, harassed, and assaulted by the police, as sex work is illegal in Mongolia (UNDP, 2014). Furthermore, in March 2014, two transgender women sought legal counsel with the LGBT Centre after being targeted and presumed to be sex workers after they were arbitrarily detained and prosecuted (LGBT Centre, 2016: 12). The perception that arbitrary detention of LGBTQI+ Mongolians remains common, continues into our survey findings.

LGBTQI+ people in Mongolia also face dangers from state institutions, particularly law enforcement, which are frequently complicit in discriminatory practices and abuse. According to a survey conducted in 2012, the vast majority (77.4%) of sexual and gender minorities in Mongolia had 'experienced some form of abuse by law enforcement, which in some cases included blackmail and even violence due to their status as a sexual or gender minority' (UNDP, 2014: 21). A 2014 survey in Ulaanbaatar revealed that approximately 'seven percent of MSM [men who have sex with men] reported being blackmailed by law enforcement officials' (UNDP, 2014: 21). Despite the LGBT Centre's efforts to provide training to over 500 police officers, prosecutors and judges, anecdotal evidence of police harassment is nonetheless widespread (Bayartsogt and Menard, 2019). The US State Department reports instances of 'covert police surveillance of LGBTI persons and social events, arbitrary detentions, intimidation, threats, and physical and sexual assaults by police' (US State Department, 2020: 22).

Though steps have been taken, and despite the noticeable improvement to the way in which police treat sexual and gender minorities post-2017, there is a failure to sufficiently implement legal protections. The majority of crimes motivated by hatred toward sexual and gender minorities are not investigated, and due to the threat of blackmail, abuse, discrimination and harassment from law enforcement, most crimes against LGBTQI+ Mongolians, based on their LGBTQI+ status, go unreported. Tellingly, there appears little evidence of improving perceptions toward the police amongst LGBTQI+ Mongolians in our study.

## **9. The existence of LGBTQI+ organisations and activism**

The LGBT Centre advocates for the rights of sexual and gender minorities in Mongolia, providing legal counselling in cases of discrimination and crimes against their community members, conducting research on the LGBTQI+ population, expanding healthcare services, and community support for LGBTQI+ youth. There is another organisation which primarily offers sexual health services for MSM and trans women – Youth-4-Health, which focuses on providing HIV and STI prevention education and treatment. Youth-4-Health is based in Ulaanbaatar, though they also provide rural outreach programmes and organise community events. Over the years, there have been several other LGBTQI+ organisations, however, they have since been shut down. The most notorious example of this was the Mongolian Lesbian Information Centre, closed in 2004 due to 'police harassment and threats to prosecute staff for the dissemination of pornography' (CEDAW, 2016: 12).

The LGBTQI+ scene in Mongolia is relatively small and is concentrated within Ulaanbaatar. D.d./h.z. is the only known LGBTQI+ bar in Mongolia (Seidman, 2016). The owner, Zorig Alima, has observed an increase in the bar's popularity and clientele after the police ceased regular raids on the bar after the anti-discrimination law changed (Bayartsogt and Menard, 2019). With each year, events for LGBTQI+ community grow in popularity. The first Pride parade took place in 2013, and was attended by only 15 people (Bayartsogt and Menard, 2019), yet in 2019, the Pride parade was attended by approximately 250 people, indicating that there is a growing community of visible and openly LGBTQI+ people in Mongolia (Bayartsogt and Menard, 2019). Interestingly, virtual events organised by the LGBT Centre during the 2022 'Equality and Pride' week, drew over 2,000 attendees.

# Overview of the Literature

However, sexual and gender minorities attending pride and community events often encounter discrimination from the police. During a Walk for Equality event in Ulaanbaatar in 2015, over 30 walkers were 'physically prevented' from 'entering Chinggis Square, with the police flagrantly encroaching upon and violating the walkers' right to freedom of association, freedom to be free of discrimination, and freedom to express one's opinion without the fear of retribution' (CEDAW, 2016: 11). Outside of the capital, LGBTQI+ visibility is either low to non-existent, and many continue to live their lives discreetly, suggesting that there are few safe spaces in Mongolia in which LGBTQI+ people can live their lives openly and without fear. Nevertheless, the growth of Pride events and the emergence of a small but visible gay scene within Ulaanbaatar, represents a milestone to be celebrated

## Recent milestones for LGBTQI+ Mongolians

**2009:** Transgender people are able to change their legal gender on their birth certificates or citizen identification cards, following a medical procedure affirming their gender

**2009:** LGBT Centre recognised by Mongolian government as an official NGO, the first organisation supporting sexual and gender minorities to receive this designation.

**2013:** Saw the first Pride celebration ('Pride Week') organised in Mongolia.

**2014:** The first Pride march, named equality march, was added into the annual Pride Celebration, changed the title into Equality & Pride Days.

**2017:** Criminal Code amended to prohibit crimes committed against LGBTQI+ individuals on the basis of sexual orientation, gender identity and health status.

**2021:** Human Rights Defenders Protection Law passed. Data Protection Law passed. Labour Law outlawing discrimination within the workplace based on sexual orientation or gender identity passed.

**2021:** Labour Law was revised and included sexual orientation and gender identities as protected characteristics from workplace discrimination.

**2021:** Law on Personal Data Protection is passed, which prohibits the collection, processing, and usage of sensitive personal data - a definition which includes sexual orientation and gender identity.

**2022:** Equality and Pride Days were organised by the LGBT Centre, which drew over 2,000 attendees, consisting of virtual, physical events, and media campaigns.

# Research Methodology



# Research Methodology

## Research aim

The aim of our research project was to find out the lived experiences of sexual and gender minorities in Mongolia. We launched this survey so we can use the outcomes to support our Mongolian partners achieve their objectives to bring about social change, and greater acceptance of the Mongolian LGBTQI+ community.

## The objectives of this survey were:

- To examine the lived experiences of Mongolian sexual and gender minorities.
- To explore the barriers that Mongolian sexual and gender minorities face in their everyday lives.
- To measure social, legal, political and cultural pressures faced by Mongolian sexual and gender minorities.
- To evaluate any issues raised by this research so that it may feed into policy decisions and activism moving forward.

## Literature review

The report draws from relevant published sources; including United Nations documents, reports by other human rights organisations, Mongolian LGBT organisations, reputable news sites, surveys and academic articles. This was in order to triangulate the literature already published to mirror this against our own findings.

## Survey method

After several meetings and co-construction of the survey questions between ReportOUT and our partners, the survey went out via our partner organisation to their service users and community members. The survey was also informed by previous survey design from ReportOUT's research projects. The survey topics and specific questions were designed to be relevant to Mongolia, and the lived experiences of Mongolian sexual and gender minorities.

A comprehensive survey of 88 questions were devised to ask both opinions of how sexual and gender minorities in Mongolia view homo/bi/transphobia in their society, as well as questions about their own particular lived experiences within Mongolia itself, as well as how they have been impacted by homo/bi/transphobia. The survey also asked about the development needs of sexual and gender minorities in Mongolia, which were identified by the LGBT Centre. The survey was translated from English into Mongolian by the LGBT Centre and the answers reverse translated before analysis began.

You can request a copy of the survey questions by contacting us at: [contactus@reportout.org](mailto:contactus@reportout.org)

## Data collection and analysis

This report is based on information collected from our partner organisation from 31st May to 31st July 2022.

A total of 238 respondents completed the survey (via Microsoft Forms) which represents both the highest response rate for any ReportOUT survey and the highest ever respondent rate to a survey themed on the lived experiences of Mongolian sexual and gender minorities. All responses were anonymous.

The findings of the survey were analysed by ReportOUT researchers and given to our partners for quality checking before publication. Both parties agreed on the recommendations.

# Research Methodology

## Participants and ethics

Participants in this research were voluntarily asked to take part in this study and were given information about the survey via an information sheet, giving explicit consent process to take part. Participants were not compensated for taking part in the survey, and neither ReportOUT nor our partner, the LGBT Centre, received any financial gain for this research study.

Survey respondents were anonymous and treated with strict confidentiality. In some cases, potentially identifying information has been withheld to protect the privacy and safety of participants. The survey results were handled safely and conducted in line with the UK Data Protection Act (2018).

## Limitations

As with all research projects, there are limitations. We recognise that we have very small sample sizes of people who are intersex and hope that an additional study can rectify this. We also recognise that many of our respondents are urban based, younger, and with access to the internet and so this is reflected in the sample. A future study of both rural and older people would be recommended in Mongolia, to provide a more complete picture of different demographics, as no respondent to our survey was aged over 45 years old.

Nonetheless, with no funding behind this survey, we believe we have managed to attain a comprehensive picture of what life is like for many Mongolians from sexual and gender minority communities, and we are proud to present the most comprehensive survey ever undertaken on the lived experience of Mongolia's LGBTQI+ community.

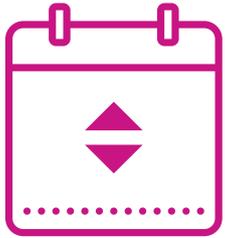


# Respondent Demographics



## Respondents were more likely to live in city and urban areas, especially in Mongolia's capital, Ulaanbaatar:

- 95% still live in Mongolia. Of this population 87% live in a Ulaanbaatar 3% live in another city, with the remaining 10% living in smaller towns or villages.



## The average age of respondents was 23 years old, with an age range of 18-45:

- Of the 93% who provided their age, 18-25 year olds accounted for 64% of respondents, followed by the age brackets of 25-30 (23%), 31-39 (8%), 40+ (5%). No age ranges reported being over 45 years of age.



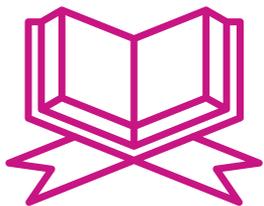
## Respondents defined their gender identity in many ways:

- 9.9% identified as non-binary, 3.5% of respondents identified as transgender women and 2.8% as transgender men.
- 4.6% did not consider any of the headings offered as appropriate and selected 'Other.'



## Respondents defined their sexual orientation in many ways:

- Gay man (28.3%), bisexual women (24.4%), bisexual man (15.9%), lesbian (15.2%) and pansexual (10.9%) were the most common responses. 3.5% considered themselves asexual with 0.7% identifying as intersex.



## The majority of respondents did not hold a religious identity:

- 61.3% responded 'No religion' when asked about their religious beliefs. 14.8% considered themselves Buddhist with 8.5% following Mongolian Shamanism and 6% were Christian. 8.8% selected 'Other.'



## Respondents were split between education and employment:

- 38% of respondents were in full or part time education, 31% were in full time employment, with 9% both self-employed or part-time employed. Only 6% of respondents considered themselves unemployed.

# Key Findings



# Key Findings: Employment and Personal Finance

**A range of perception contributes to the reticence of many LGBTQI+ Mongolians to be open about their sexual and gender identity in the workplace. These factors, including ongoing concern and direct experience of discrimination and stigmatisation may also serve to hinder the overall economic potential of LGBTQI+ Mongolians.**

**Concerns over their LGBTQI+ identity hindering job market access was highlighted as a key reason for keeping their LGBTQI+ identity hidden by our survey respondents:**

- 42% of respondents considered it 'quite hard' or 'very hard' as an LGBTQI+ individual to access the Mongolian job market.

**The majority of respondents believed that discrimination against LGBTQI+ individuals is still prevalent in Mongolian workplaces:**

- 78% believe that such discrimination is 'very common' or 'fairly common' within the workplace and within educational establishments.

**When asked about direct discrimination experienced in the workplace, nearly a quarter of respondents (23%) gave personal examples:**

- 24% of respondents have experienced discrimination from co-workers because of their LGBTQI+ identity.
- 23% believe they were discriminated against by a company when applying for a job because of their LGBTQI+ identity.
- 12% have experienced discrimination from their boss and 14% have experienced discrimination from their company's customers due to their identity.

**Poverty amongst the LGBTQI+ community is broadly aligned to societal average (The World Bank's International Poverty Line):**

- 28% of LGBTQI+ Mongolians live on less than the minimum wage (420,000 Tugriks per month - c. \$123 USD). The national average is considered to be 27%, according to the Asian Development Bank.

**Experience and fears of discrimination fuel over two thirds of respondents, who consider their mental health to be poor:**

- When asked how would you rate your mental health on a scale of 1 (very poor) to 10 (excellent), 68% of respondents scored 6 or below, with an average rating of 5.5 out of 10. In contrast, only 29% gave their physical health a similar rating, with an average rating of 7.4 out of 10.

# Key Findings: Employment and Personal Finance

**"On the [job] interview, there is always a question about if I have a husband. Whether I say yes or no, it is both difficult. If I say no, they will see me as someone who has lot of time without family pressure. If I say yes, it is emotionally painful to me because I have to switch the gender of a person that I am loving and living together. I cannot just say that the person I am in love with is a woman not a man."**

**"I don't think we would be allowed to work in any environment that involves children if our LGBTQI+ identities were to be revealed."**

**"I used to work at the grocery store and they loved my skills. I used to talk to one of my older co-workers and we got closer. One day she saw me chatting with my girlfriend. I lost my job in a week without reason and I think she told my boss."**

**"I think it is difficult to find a job if you are not cis straight-passing. Because most Mongolians still old fashioned when it comes to LGBTQI+, it is worse particularly for trans and non-binary people."**

**"Everything seems to be alright for now because I am not out to my family and at work. If someone find out about me, I am afraid I would be discriminated."**

**"I was told that they are not going to hire someone like me who looks like neither man nor woman."**

**'Older customers usually start to scold asking are you male or female? They say things like "Kids these days" ...'**

**"Since there is no marriage equality, you cannot get a bank loan together, you cannot inherit your property from your partner and/or you cannot pass it on to your partner."**

# Key Findings: Employment and Personal Finance

**Whilst prejudice and discrimination against LGBTQI+ Mongolians in the workplace does not appear universal, our research reveals some worrying trends in discrimination being experienced across the landscape of employment and personal finance. More information is needed to educate employers and embed the 2021 Labour Law, prohibiting discrimination based on sexual orientation and/or gender identity.**

Over three quarters (78%) of respondents to our survey believed that discrimination against members of the LGBTI+ community is common in the field of employment, and 42% of our respondents believe the job market is hard to access for LGBTQI+ people. Verbatim comments from respondents highlighted particular challenges faced by transgender and non-binary individuals, ranging from the practical (gender on identity documents not matching lived gender) to open discrimination within recruitment process, sometimes based on perceived prejudices from co-workers or a company's customers. At the same time, it should also be acknowledged that a very small minority of respondents believed that no discrimination exists within the workplace and their comments indicate that the job market is hard for all Mongolians to access, not just LGBTQI+ individuals. This small cohort of respondents, expressed that they had not experienced any direct discrimination within their workplaces, and those who had not experienced discrimination directly, tended to share a broad sentiment that work is about what you can do, not who you are, or who you sleep with, and so therefore felt no compulsion to disclose their sexual orientation or gender identity.

On the theme of being 'out at work', our survey demonstrated that there has been no discernible improvement from the 2014 UNDP report. It remains a sad indictment that only one in five LGBTQI+ Mongolians feel comfortable to disclose their sexual orientation or gender identity at work, with multiple respondents to our survey commenting this was the only way to both gain and retain employment. Of course, concealing identity is not possible for many members of the Mongolian LGBTQI+ community, notably transgender individuals, which leaves them open to discrimination, either openly or covertly. Verbatim comments from transgender and gender non-conforming respondents highlighted the precariousness of their employment, and the stigmatisation they continue to face on a daily basis.

Around a quarter of survey respondents reporting being direct victims of discrimination in both the hiring process and from co-workers once they had secured a position. A lower proportion had also been victims of direct prejudice from their manager (14%) and from a company's customers (12%). Given the low proportion of LGBTQI+ Mongolians willing to come out to their employers (see below), it can be deduced that these proportions would be even higher if bosses, colleagues and customers knew about LGBTQI+ Mongolians' sexual orientation or gender identities.

The lack of comfort at being openly 'out' is not unique to the workplace as our survey demonstrated that only 28% of respondents had disclosed their sexuality or gender identity to family members, but it highlights a lack of confidence from LGBTQI+ Mongolians that they will be accepted as themselves within a workplace setting. This is particularly relevant in career fields working with children where a number of respondents commented that disclosing their identity would lead to their dismissal for fear of them being regarded as a sexual predator, which is a homophobic and transphobic slur used against LGBTQI+ people in many countries.

Despite these profound challenges, there does not appear to be evidence of wholesale employment exclusions of LGBTQI+ Mongolians, with an overall unemployment rate of our respondents being 6%, slightly below the national average of 8.5% (Ikon 2022). Despite the low unemployment rate, it can be deduced that a significant proportion of LGBTQI+ Mongolians are undertaking low-paid or part-time jobs, given over one in four lives on less than the minimum wage. Specific career fields were not requested in this survey and it would be an interesting topic for future research to determine if broader trends of discrimination were specific to certain industries.

# Key Findings: Employment and Personal Finance

The lack of marriage equality, or formal recognition of same-sex relations, creates a number of practical exclusions highlighted in respondents comments when buying or inheriting property and opening shared bank accounts, which causes a higher degree of precariousness for LGBTQI+ Mongolians' and their personal finances, compared to heterosexual couples. This, combined with the seemingly precarious employment status of many LGBTQI+ Mongolians, runs the risk of LGBTQI+ communities being left behind during periods of economic growth, which is a global risk highlighted by Lee Badgett in her 2020 book, *The Economic Case for LGBT Equality*.

The perceptions of prejudice within the workplace, and the likelihood of concealing your identity as a member of the LGBTQI+ community, almost certainly contributes to 'minority stress' conditions, which saw over two-thirds of our respondents grading their mental health at an average rating of 6 or lower (out of 10), a subject we will discuss further in future sections of this report.

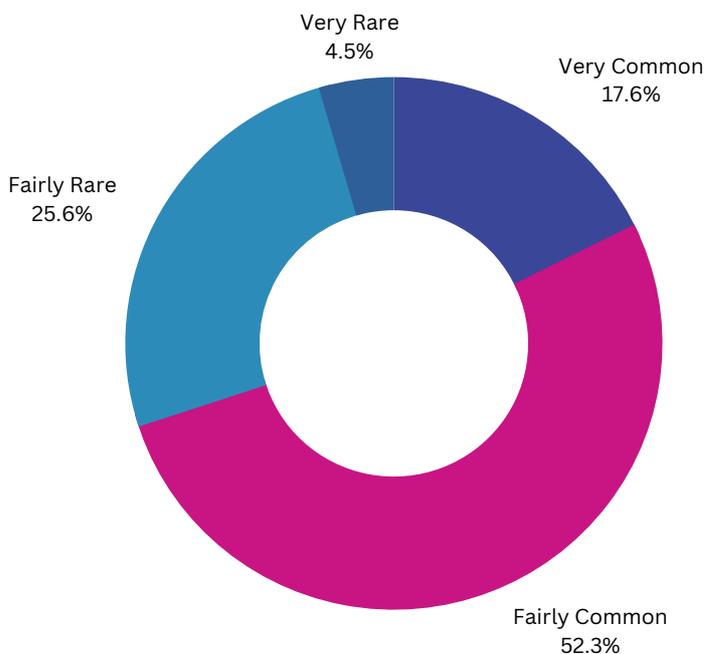
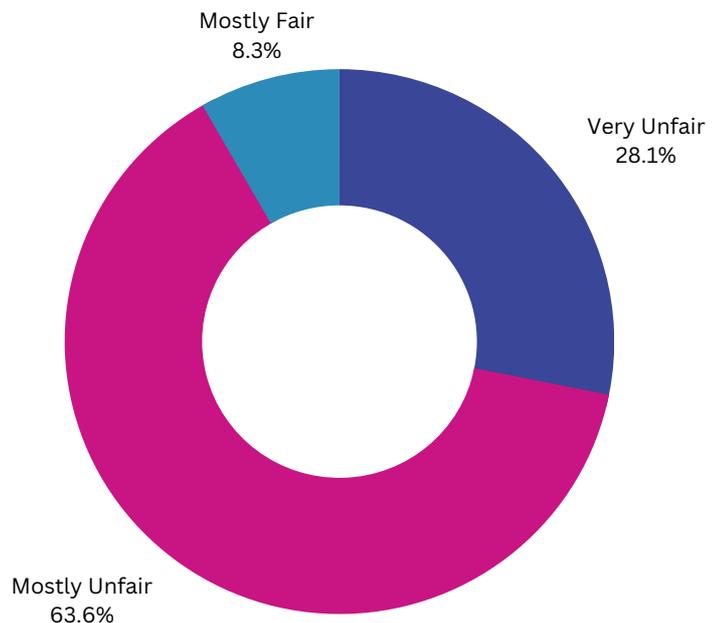


# Key Findings: Law Enforcement

Respondents were asked about their opinion and experience in relation to the law enforcement in Mongolia. The results also showed clear perceptions of discrimination and mistreatment from law enforcement officials and a general distrust for the ability of the legal system to protect LGBTQI+ community: They are as follows:

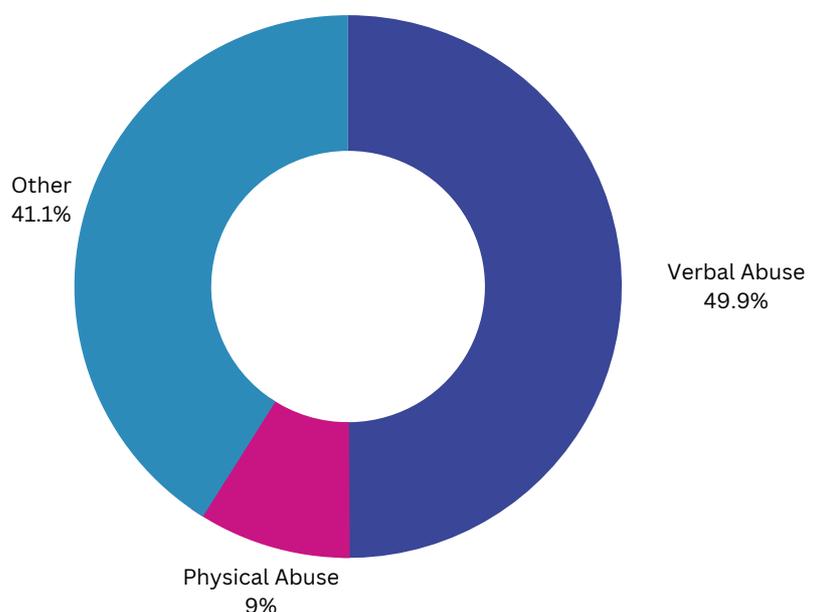
**In your opinion, how would you rate the Mongolian legal system when it comes to treatment of LGBTQI+ people?\***

*\*Critically, not one respondent thought that the legal system was "very fair."*



**In your opinion, how common are incidents of police brutality against sexual and gender minorities?**

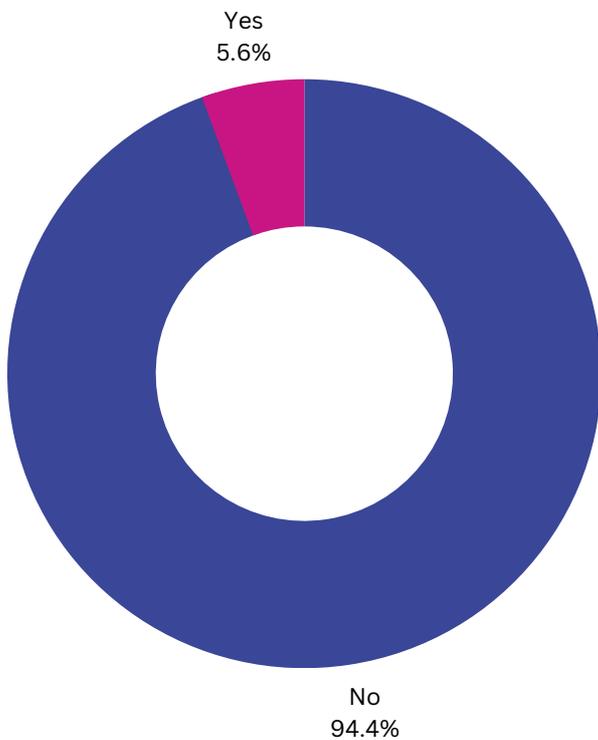
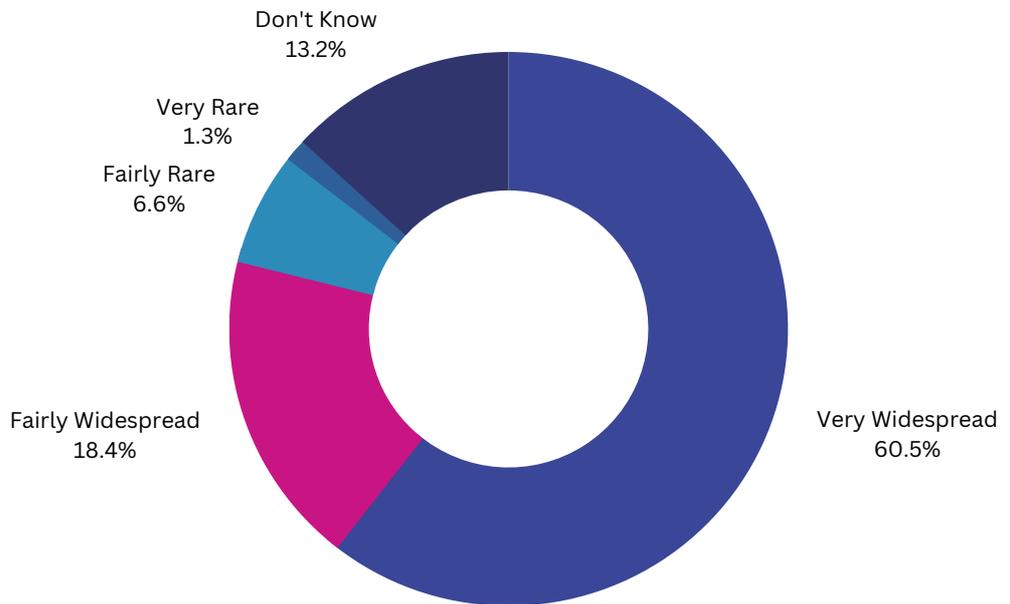
**For those who have faced police brutality, what were the most common forms of police brutality you faced?**



# Key Findings: Law Enforcement

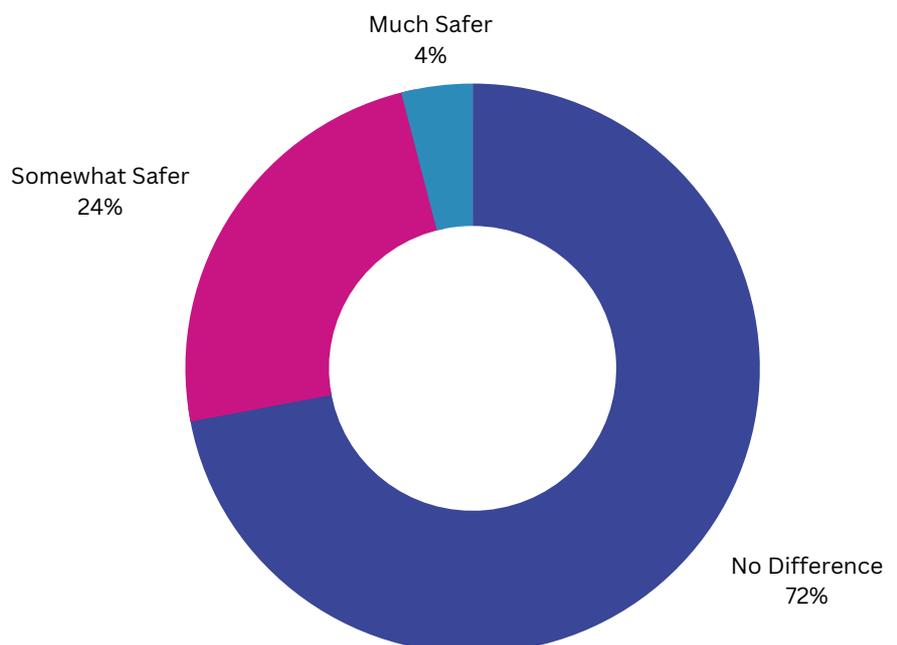
Respondents were asked about their opinions and perceptions about key institutions in their wider society around them. The results revealed worrying levels of institutions such as politicians feeding into the same verbal abuse, with nearly half of our respondents being victim of, police brutality, false imprisonment by the state, and facing an anti-LGBTQI+ media. The results are as follows:

**In your opinion, how widespread is false imprisonment, by the police, of LGBTQI+ people?**



**If you reported being attacked because of your LGBTQI+ identity, are you confident that you would receive justice?**

**To what extent have Mongolia's new laws outlawing discrimination based on an LGBTQI+ identity made you safer?**



# Key Findings: Law Enforcement

**"I had short hair and told them I was female. They were angry and thought I was joking. I was brought to the police station and they checked my registration number if I was really a female."**

**"I think this kind of violence is common but invisible."**

**"Someone stole my stuff and I reported it. I assume the person I accused told the police that I am LGBT. Police officer did not want to pursue anything regarding my accusation and told us to solve our problems by ourselves."**

**"These kinds of abuses are very much normalised in society. Every LGBTQI+, every woman face these challenges and even reporting the case does not have impact. I pushed my case by reporting as far as I can and finally realised that it is not going to get anywhere."**

**"I was attacked by the friends of a gay bar owner. They pushed us to the ground, grabbed my girlfriend's breast, grabbed my hair and emotionally abused us. Because it was a gay bar I did not go hard on it and requested the police to solve this in accordance with the law on petty offence. Therefore, even though I am in a gay space, I never felt safe."**



# Key Findings: Law Enforcement

**A majority of the respondents were of the view that Mongolia's current legal system was unfair and that Mongolia's new law made no difference at making them feel safer. There is little confidence that law enforcement has moved beyond targeting, rather than protecting, the LGBTQI+ community.**

## **LGBTQI+ Legislation and the Current Situation**

As raised earlier in this report, the Criminal Code of Mongolia has been through multiple amendments. These have moved from the 1934 and 1942 versions, which criminalised homosexuality, followed by a gradual and opaque decriminalisation process. Some scholars argue that the 1986 version implicitly semi-recriminalised it, while the 2002 version fully decriminalised it (Tsedendemberel 2018).

The 1992 Constitution of Mongolia established comprehensive rights for its citizens and protection from discrimination “...on the basis of ethnic origin, language, race, age, sex, social origin and status, property, occupation and post, religion, opinion or education” (Article 14). However, the constitution did not provide an explicit prohibition of discrimination based on sexual orientation or gender identity, as this only came with the 2015 Criminal Code (which came into force in 2017), which explicitly listed sexual orientation and gender as protected characteristics. This has been further augmented by the 2021 Labour Law, which prohibits workplace discrimination based on sexual orientation and gender identity, together with the 2021 Law on Personal Data Protection, which prohibits the collection, processing and usage of sensitive personal data, a definition which includes sexual orientation and gender identity.

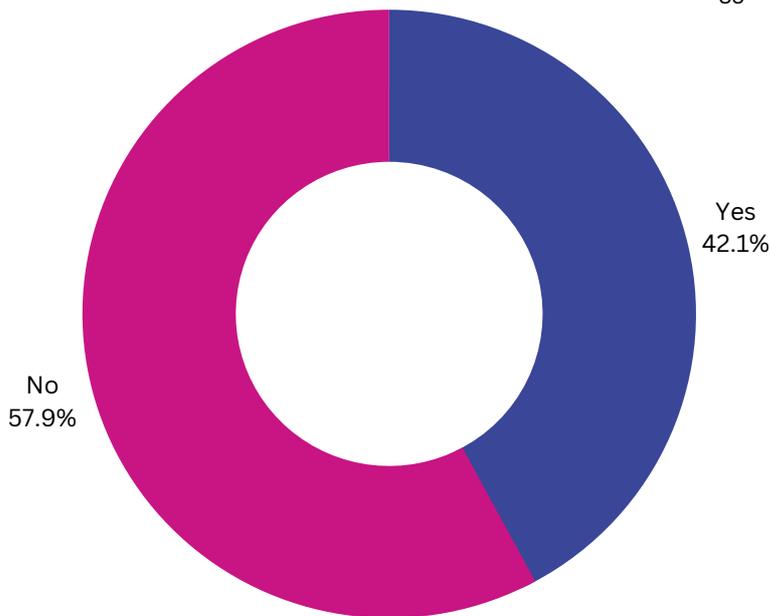
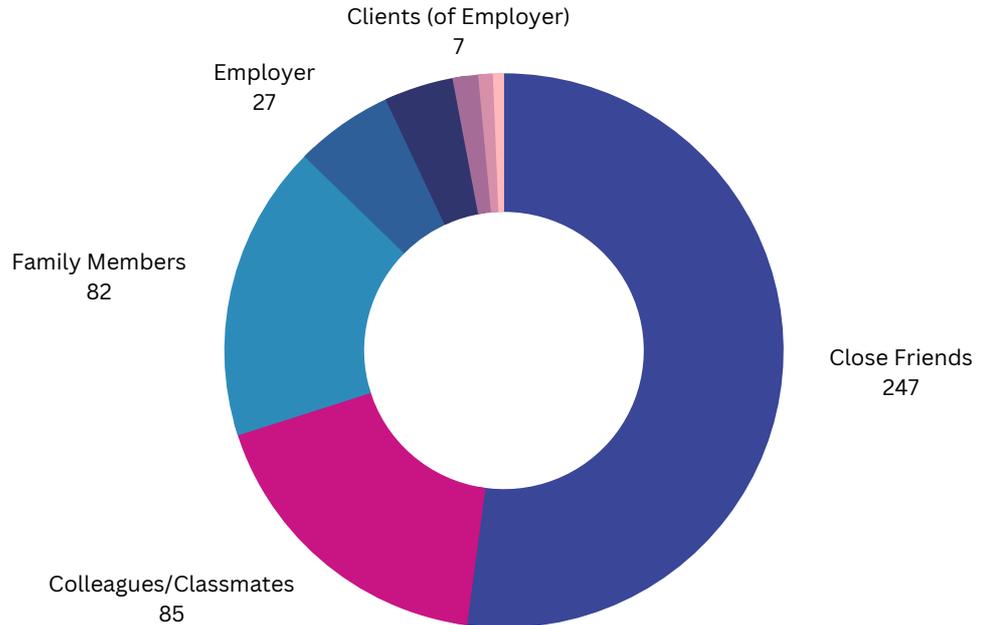
As has been highlighted earlier in this report, the issue today is less the legal protections that exist, but far more the embedding and enforcement of these. Only three cases have been brought under the new criminal code, all of which were dismissed by the General Police Department before they reached a courtroom. It is clear that the LGBTQI+ community in Mongolia has very little confidence in the judicial system, with over 91% rating it 'unfair' or 'very unfair' with not a single respondent judging it to be 'very fair'. This lack of confidence extends to the police, with over two-thirds (69%) of respondents believing police brutality remains common towards sexual and gender minorities, and 79% believing false imprisonment of LGBTQI+ Mongolians remains common. Most tellingly of all, an overwhelming 94.4% of respondents felt that they would not receive justice if they reported an attack based on sexual orientation or gender identity to police.

A higher proportion of respondents felt that the recently enacted laws to protect LGBTQI+ people made them safer, with 26% considered themselves 'somewhat safer' or 'much safer' as a result of them. This possibly indicates less overt discrimination being present, even if there remains a near total mistrust of law enforcement. However, the fact that the remaining 74% consider these new laws have made no tangible difference to their own safety demonstrates how legislation can only be the start of the process of de-stigmatisation, and considerably more work is required to embed these new laws. This will include successful prosecutions under these laws for Mongolian law enforcement and the judicial system, to gain the trust of sexual and gender minorities.

# Key Findings: Stigma and Discrimination

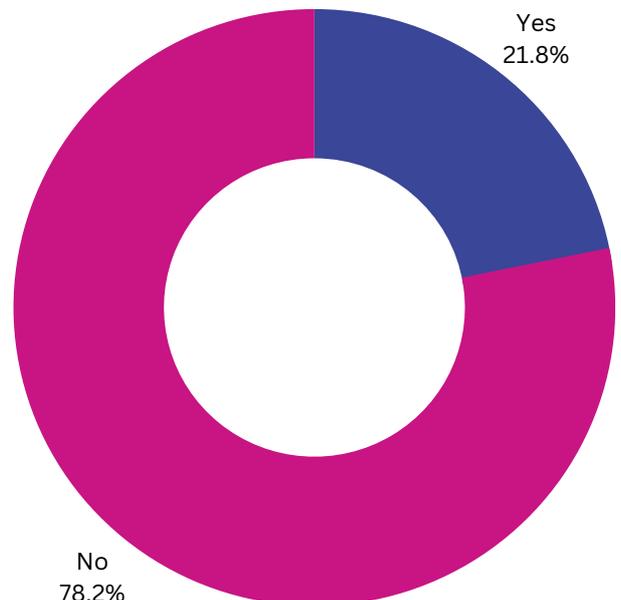
As aforementioned, the rise in heteropatriarchal nationalism in Mongolia puts sexual and gender minorities at risk of domestic violence, financial insecurity, homelessness, and discrimination in schools and workplaces. As such, it is of no surprise that very few sexual and gender minorities are open about their sexual orientation and/or gender identity.

When asked which groups knew of their LGBTQI+ identities, our respondents answered as follows (total number of respondents):



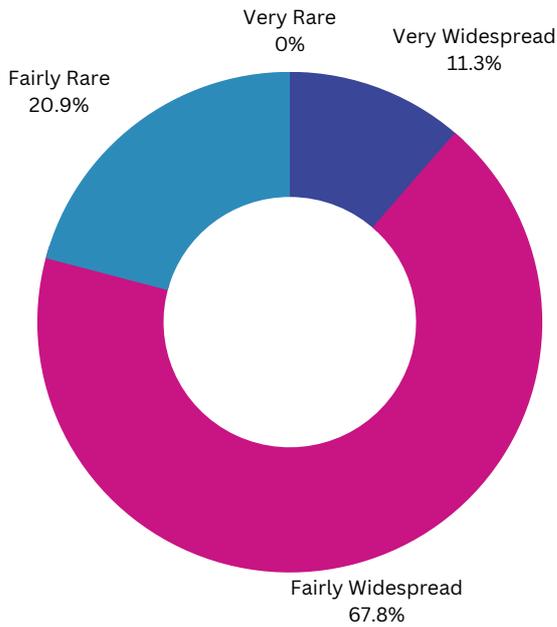
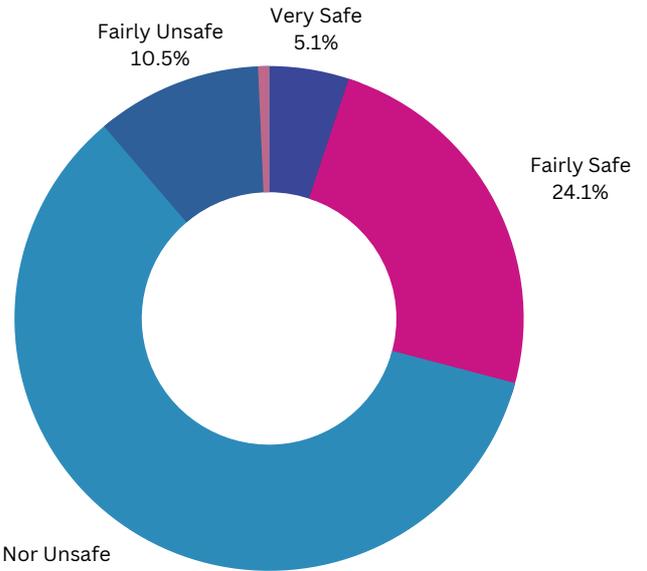
Have you faced stigma or discrimination in education due to your LGBT identity? (Excludes Don't Knows/Not Applicable' responses)?

Have you experienced stigma or discrimination when accessing housing because of your LGBT identity? (Excludes 'Don't Knows/Not Applicable' responses)?



# Key Findings: Stigma and Discrimination

**In your opinion, how safe are cyber dating apps in Mongolia to meet other sexual or gender minorities?**



**In your opinion, how widespread are physical assaults toward sexual and gender minorities?**



# Key Findings: Stigma and Discrimination

**"[we are] called disgusting, freaks, trannies etc. We are labelled as people corrupt society and do not deserve to be alive."**

**"My high school classmates thought that I was gay but I was bisexual. It was hard for me to explain bisexuality to them."**

**"I was told that I was disgusting and I should be dead."**

**"There is a lecturer who is also a member of security council of Mongolia. On every class, that person tell students that LGBT people are not acceptable and they are the biggest threat to the national safety. Lecturer also explained that the organisations like LGBT Centre that protect and promote minority rights should be terminated and closed down."**

**"Just because I am little feminine I asked if I am a girl or a boy. Then I explained and talked for almost two hours and even my colleague who is 60 years old showed some acceptance."**

**"I heard them [colleagues] talking like "homosexuality is acquired and they corrupt children, it is immoral, they are freaks" etc."**

**"I usually get called by my deadname and get misgendered all the time."**

**"I was insulted and called a paedophile."**

**"[my] teacher scolded me that I was corrupted and [a] freak."**

# Key Findings: Stigma and Discrimination

**The vast proportion of LGBTQI+ people in Mongolia conceal their identity from those around them from fear or direct experience of active discrimination from various facets of society.**

The number of respondents who conceal their LGBTQI+ identity from family members (70%) is lower than the UNDP's figure in 2014 (87%), suggesting that the taboo of sexual orientation and gender identity has ever so slightly decreased in recent years. However, it is still clear that heteronormative culture and the threat of violence and discrimination, prohibits the majority of sexual and gender minorities from being open about their identity.

Furthermore, our survey demonstrates that LGBTQI+ people in Mongolia are often selective with whom they reveal their identities. Of respondents who openly identify as sexual and/or gender minorities, the majority conceal their identity from family members, neighbours, their local communities, colleagues and school peers, their employers, their clients at work, their doctors and healthcare workers, and their religious community. As already mentioned in the 'Employment and Personal Finance' section, a significant proportion of LGBTQI+ Mongolians take the view that all facets of their 'public' life are more easily navigated whilst remaining in the closet.

It is particularly concerning how few LGBTQI+ Mongolians are open about their sexual orientation or gender identity with their doctor or healthcare (7%), which correlates with existing research regarding anti-LGBTQI+ discrimination in Mongolian healthcare, suggesting that there has not been significant improvement in recent years. Reports made by the LGBT Centre (2016, 2019, 2020) to global Human Rights mechanisms indicate that sexual and gender minorities are not receiving adequate healthcare for issues that predominantly affect LGBTQI+ people. Whilst HIV services are relatively well distributed in Mongolian healthcare, culturally competent health services, as well as LGBTQI+ specific health needs, are close to non-existent. This includes LGBTQI+ inclusive mental health services, lesbian and bisexual women's sexual and reproductive healthcare and transition-related healthcare for the transgender community.

In totality, a correlation can be inferred between quality of healthcare and LGBTQI+ Mongolian's willingness to disclose their sexual orientation or gender identity to their healthcare provider.

## **Discrimination exists in employment, housing, and education sectors**

Sexual and gender minorities in Mongolia may well be concealing their identity from particular demographics as a result of discrimination they have experienced:

- 58% experienced discrimination in education.
- 26% of those surveyed had experienced discrimination from employers.
- 22% experienced discrimination in housing.

The personal testimonies of the respondents reveal some disturbing instances of discrimination and openly expressed prejudice from employers, colleagues, and school peers. Many had been described by those around them as 'immoral', claiming that sexual and gender minorities are 'freaks' and 'the biggest threat to national safety,' with multiple respondents stating that educators, classmates, colleagues and employers, referred to LGBTQI+ people as 'corrupt.' Moreover, several transgender respondents reported being misgendered and referred to by their deadname by colleagues, classmates, teachers, and employers. Similarly, several respondents who identify as bisexual and pansexual reported that they were not understood by their peers, suggesting that bisexual and pansexual people are often erased from public discourse and education in Mongolia.

# Key Findings: Stigma and Discrimination

The fact that 58% of respondents have been direct victims of stigma and discrimination demonstrates how far the Mongolian government still has to go if their stated goal of making quality education for all citizens becomes a reality for LGBTQI+ students.

**The overwhelming majority of respondents (over 78%) observe physical assaults to be widespread, with 14% claiming it is extremely widespread.**

Concerningly, the perceived risk for LGBTQI+ people is even greater for gender minorities and those who are gender non-conforming. Approximately 85% of those who identified as transgender, non-binary, agender and/or genderfluid responded that physical violence in Mongolia is widespread, as opposed to the 78% of all respondents. Additionally, some of the respondents found that safe spaces for the community on social media are sparse, with 28% of respondents found that it is unsafe to use dating apps to meet other sexual and/or gender minorities.

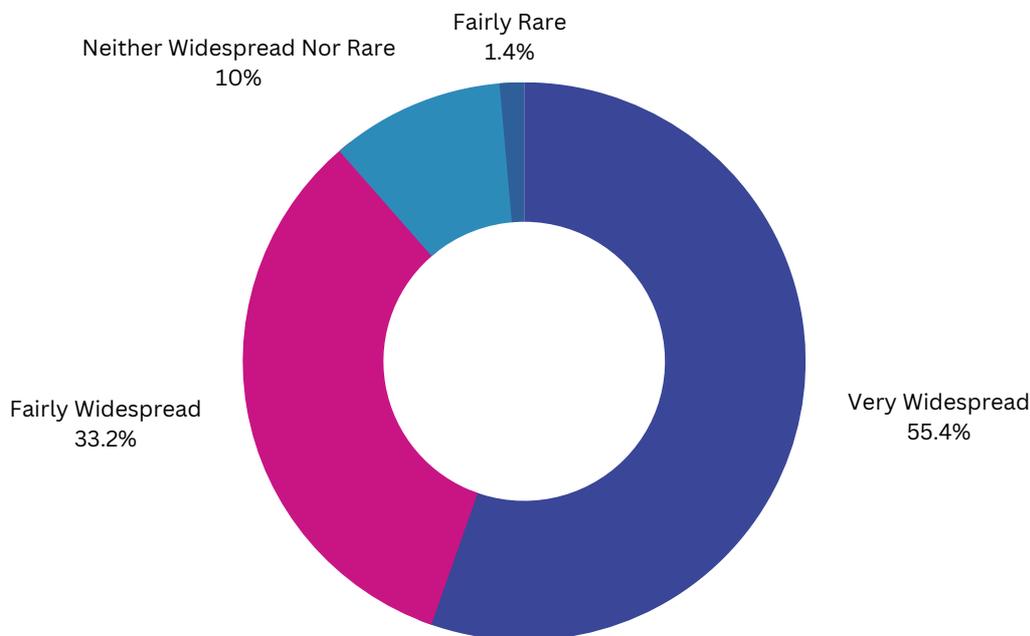
Interestingly, despite the overwhelming majority of respondents (78%) reporting that physical assaults are common or extremely common, 52% of respondents stated that they felt either safe or mostly safe walking home at night (with 41% answering they feel neither safe, nor unsafe). Equally, the majority of respondents did not express concern about the safety of online dating apps, demonstrating the ambivalent lived experiences of LGBTQI+ Mongolians, whereby safe spaces exist but are not experienced equally by all groups.



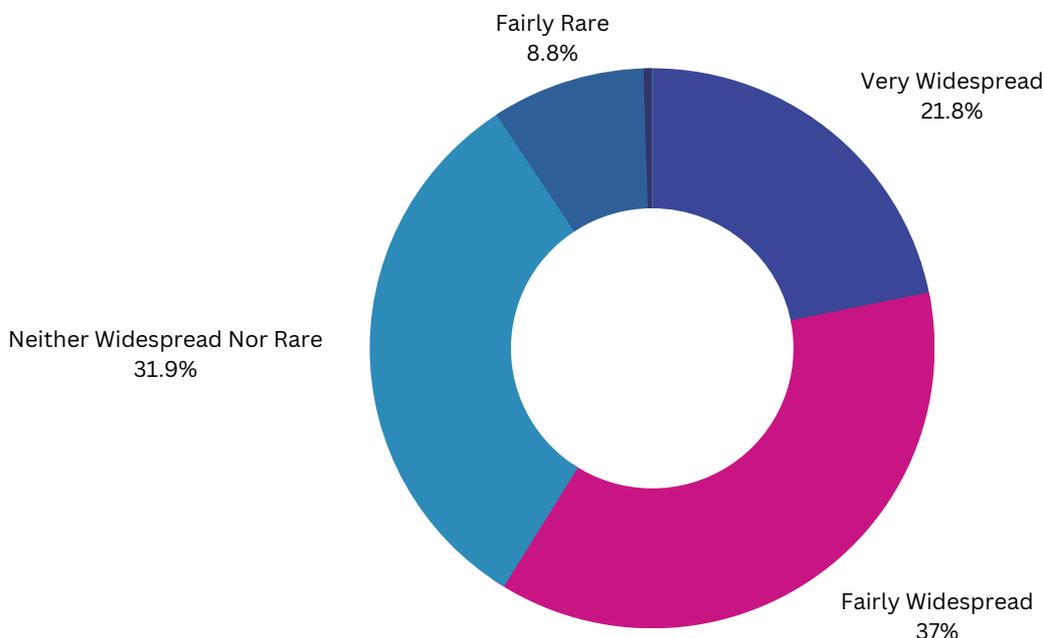
# Key Findings: Opinions on Mongolian Society

Though Mongolian legislation penalises hate-motivated violence and discriminatory speech on the basis of sexual orientation and gender identity, it is nonetheless prevalent in society. The Shadow Report for the 63rd CEDAW reveals that instances of institutional discrimination, harassment, physical and sexual violence are commonly experienced by the LGBTQI+ community, particularly lesbian, bisexual, and transgender women (CEDAW, 2016). According to our findings, the overwhelming majority (88.6%) of our respondents claimed that public expressions of hatred and aversion to sexual and gender minorities in Mongolia were widespread:

**In your opinion, how widespread are general expressions of hatred and aversion toward LGBTQI+ individuals from the public?**



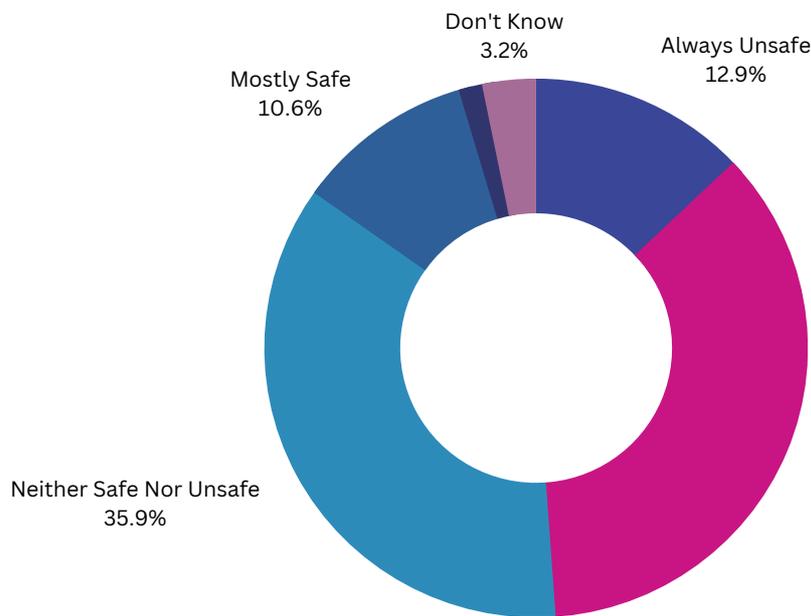
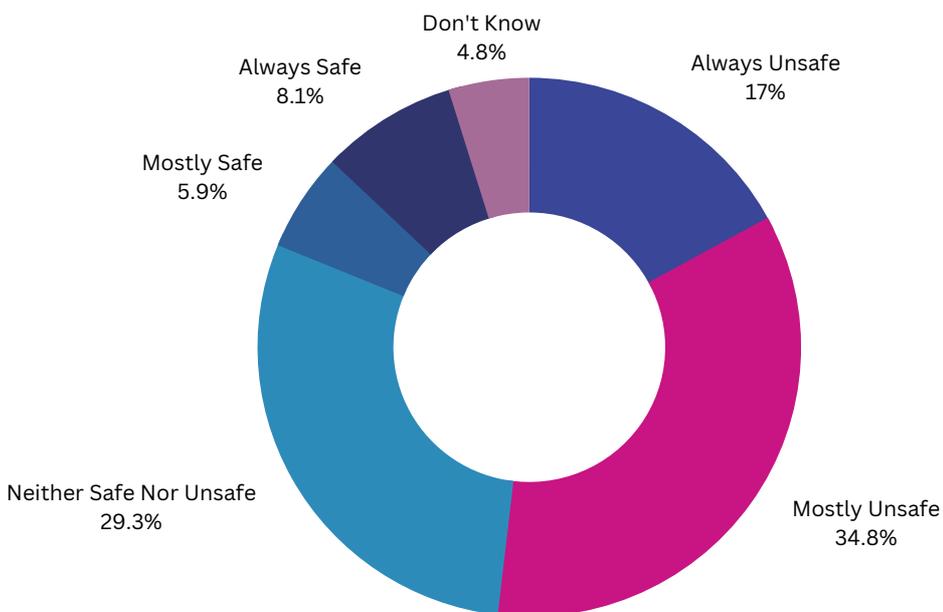
**In your opinion, how widespread are physical assaults toward LGBTQI+ individuals?**



Given the prevalence of public discrimination, it is unsurprising that the majority of respondents concurred that physical assaults toward sexual and gender minorities were widespread (approximately 59%). As such, it follows that the majority of those believe Mongolia to be unsafe for sexual and gender minorities, given the prevailing negative opinion of LGBTQI+ people. Less surprisingly still, rural areas are considered more dangerous than Ulaanbaatar.

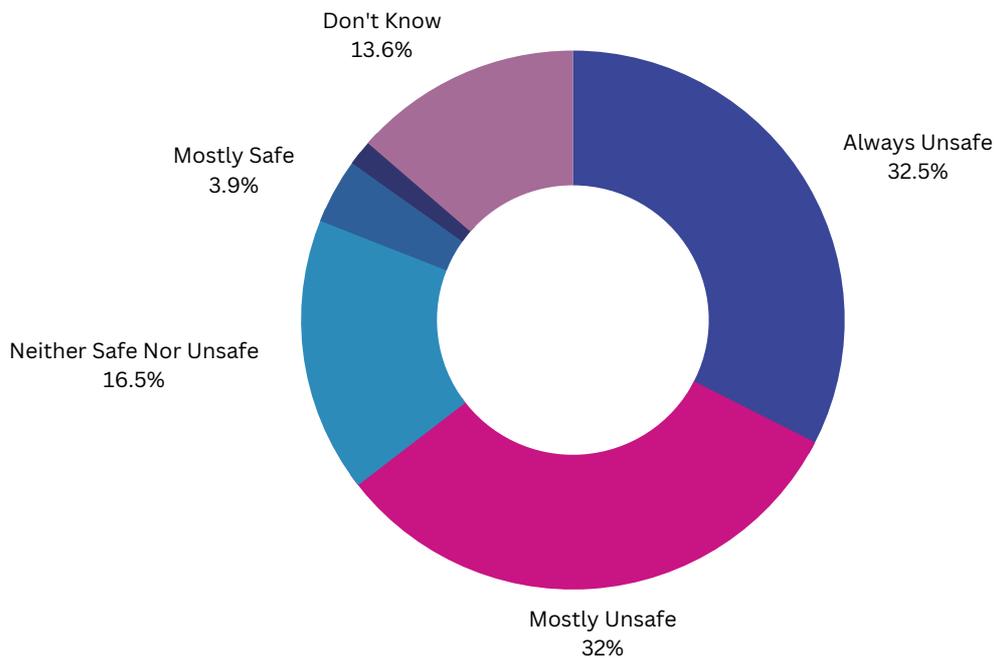
# Key Findings: Opinions on Mongolian Society

**In your view and overall, how safe is Mongolia for LGBTQI+ people?**



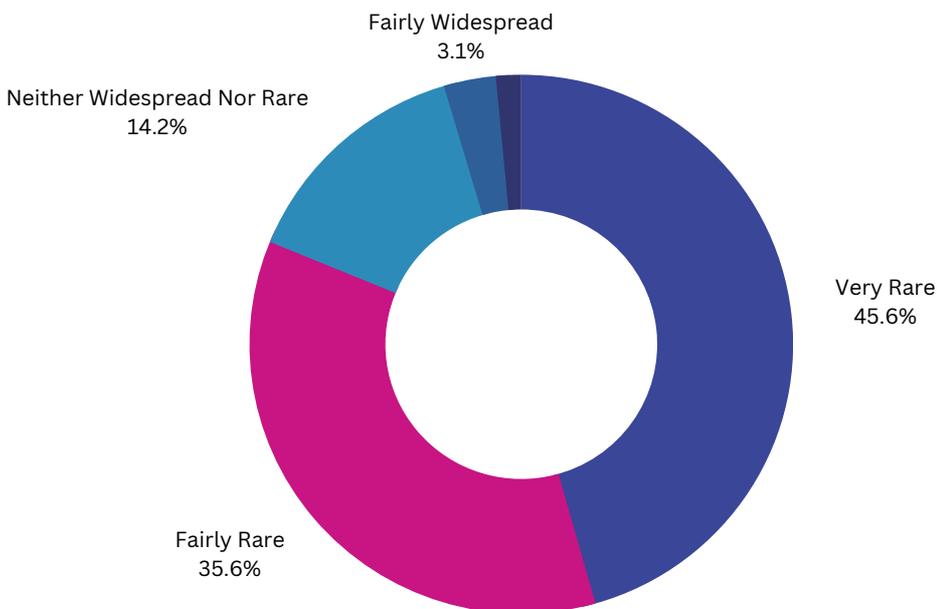
**In your opinion, how safe is Ulaanbaatar for LGBTQI+ people?**

**In your opinion, how safe are rural areas of Mongolia for LGBTQI+ people?**

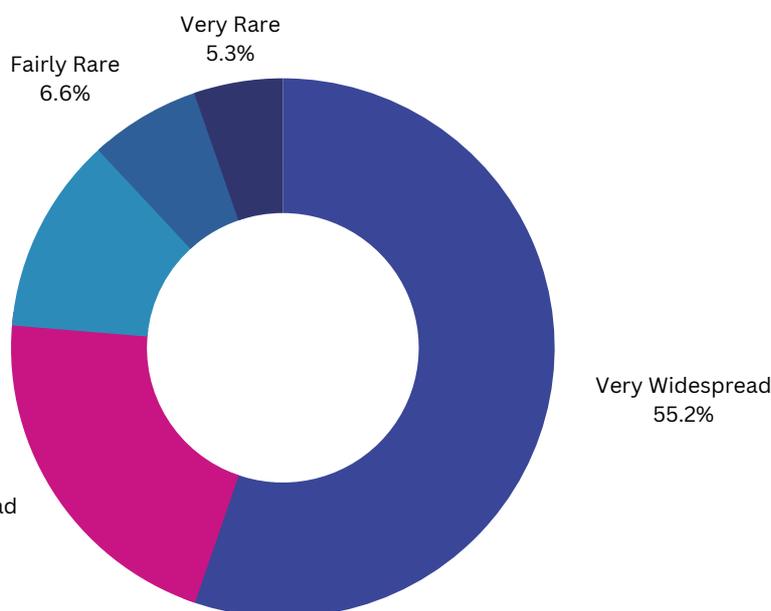


# Key Findings: Opinions on Mongolian Society

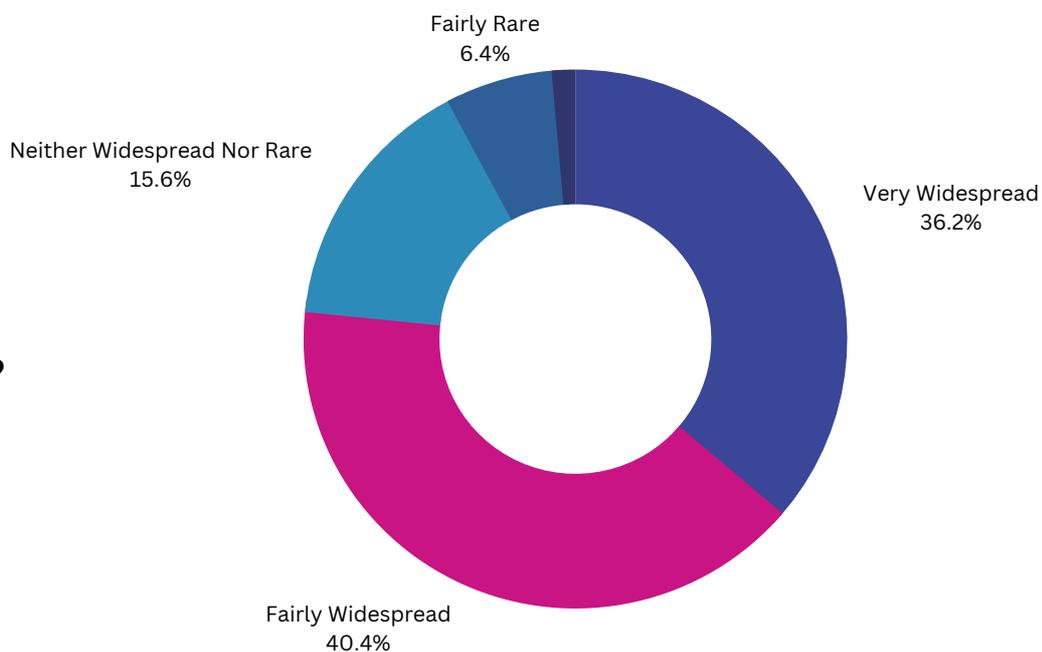
**In your opinion, how widespread is political discussion around sexual and gender minority rights in Mongolia?**



**In your opinion, how widespread is offensive language about sexual and gender minorities by politicians?**



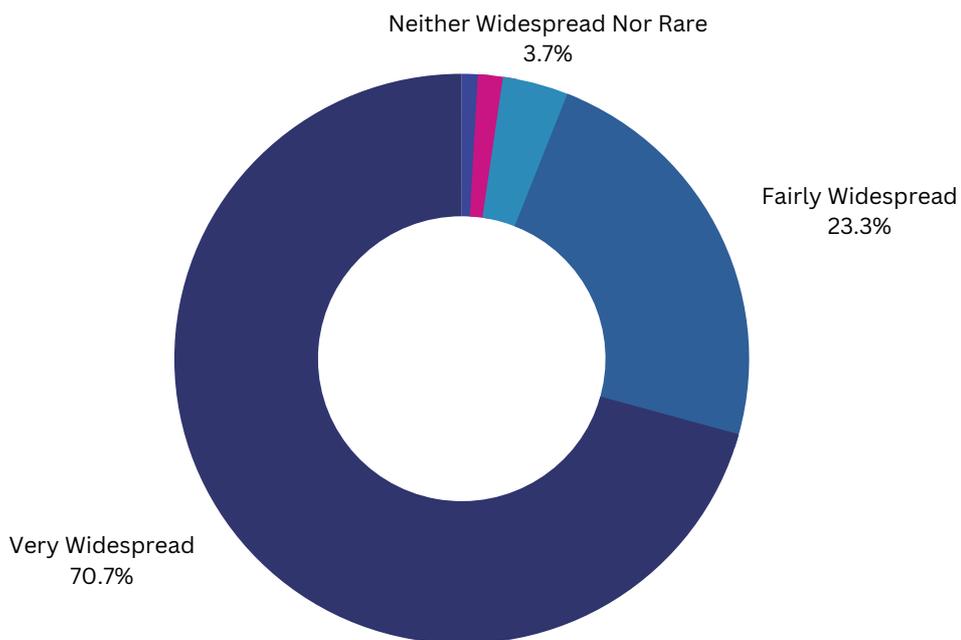
**In your opinion, how widespread are anti-LGBTQI+ media stories?**



**In your opinion, how widespread are anti-LGBTQI+ media stories?**

# Key Findings: Opinions on Mongolian Society

**In your opinion, how widespread are negative casual jokes in everyday life about sexual and gender minorities?**



# Key Findings: Opinions on Mongolian Society

## **LGBTQI+ Mongolians still do not feel safe within their own country**

It is of no surprise that the majority of those surveyed believe Mongolia to be unsafe for sexual and gender minorities given the prevailing negative opinion of LGBTQI+ people, with approximately 52% claiming that Mongolia is dangerous for LGBTQI+ people. Furthermore, the real and/or perceived threat to the personal safety of sexual and gender minorities is concentrated in areas outside of Ulaanbaatar. Rural areas in particular, are considered to be significantly more dangerous than cities. Approximately 65% of respondents claim that rural areas are unsafe for sexual and gender minorities, as opposed to the 49% who perceive Ulaanbaatar to be unsafe. These figures may help to explain our findings that the majority of respondents (87%) reside in Ulaanbaatar, indicating that there is a considerably greater provision of support and/or community in Ulaanbaatar.

## **Political opinion towards the LGBTQI+ community is perceived as overwhelmingly negative**

Despite measures put in place by the National Human Rights Council of Mongolia (NHRCM) to train central and local government staff in human rights, together with various anti-discrimination legislation the vast majority of survey respondents (82%) believe there is a general reluctance to address LGBTQI+ issues in the public sphere. When such discussions are held, they tend to be negatively-focused, relying on outdated and harmful stereotypes which does little to help societal understanding of the LGBTQI+ community. Approximately three-quarters (74%) of respondents reporting that such discriminatory views are aired widely. Taken in combination, our study suggests strongly that discrimination and stigmatisation against LGBTQI+ communities in Mongolian politics continues to go largely unchallenged in public forums.

## **Toxic stories in the media continue to prevail**

Simultaneously, the majority (approximately 77%) of our survey respondents believed anti-LGBTQI+ stories and press dominate the media in Mongolia. This figure is considerably higher for gender minorities, with 84% of those who identified as transgender, genderfluid, agender and/or non-binary perceived negative media stories to be widespread, indicating that gender minorities are disproportionately treated with greater contempt in media. This demonstrates a depressing lack of progress to issues flagged by the LGBT Centre in 2016, where depictions of LGBTQI+ Mongolians were stereotypical and encouraged stigmatisation.

Ultimately, these results demonstrate precisely why the majority of survey respondents perceive Mongolia to be unsafe for sexual and gender minorities. It is very clear that LGBTQI+ people's experiences and perspectives are not represented in Mongolian media and politics, and, as such, are not given much opportunity to redress the prominent anti-LGBTQI+ rhetoric. This invariably contributes to the prejudice of Mongolian society in which the respondents of this survey have experienced, and demonstrates why, as discussed in the 'Stigma and Discrimination' section, the overwhelming majority (approximately 89%) of respondents believe that general expressions of hatred and aversion to LGBTQI+ people are widespread in society.

# Key Findings: Are Things Getting Better?

Although half of respondents are positive about the trends in Mongolian society, the lack of local support services for the LGBTQI community in Mongolia remains a concern.

Almost half of respondents agreed with the statement that the *situation is improving for sexual and gender minorities in Mongolia*:

- 49% agreed, 21% disagreed, and 30% either did not know or were not sure.

Over three in five LGBTQI+ Mongolians (61%) do not believe that there are sufficient support services for members of the community.

- Fewer than 5% of respondents believed there were sufficient support services available to the Mongolian LGBTQI+ community. The remainder were not sure. LGBTQI+ Mongolians are overwhelmingly more likely to turn to friends and specialist services like the LGBT Centre, than their family members for support.

When asked where they sought support as an LGBTQI+ individual:

- 61% of respondents said friends, 47% said the LGBT Centre, 35% said social media, and only 13% said they would turn to family members.

When it comes to sourcing information on LGBTQI+ issues (for example, sexual health, what it means to be LGBTQI+), social media was the most popular channel:

- 72% had accessed from social media, 47% had used services provided by the LGBT Centre, and 27% relied on information from friends.

A higher proportion of respondents sought support and information on LGBTQI+ issues in English than in Mongolian

- 74% sought information in English, compared to 61% in Mongolian. A very small minority had accessed material in Russian (5%) and Mandarin (2%).

**Are things getting better? Quotes from respondents who answered YES:**

- *"No one stood up or spoke up in the past. Now people started talking about this issues which makes it much better. Bit by bit"*
- *"I accepted myself when I was in 7th grade. Compared with today, it was very different. People have changed a lot since then."*

**Quotes from respondents who answered MAYBE:**

- *"It is globally changing topic and we can see the change over the years in Mongolia as well. However, things are not getting any better in family settings and therefore we still need more substantial progress."*
- *"It is getting better in a way. For example: Young people accepts us. Yet discrimination, misconceptions and hatred still strongly exist."*

**Quotes from respondents who answered NO:**

- *"Go outside [as a gay or bi man], hold a man's hand and walk to a bus stop...then you will know how bad the situation is here."*
- *"No improvement. Not much good work has been done. Related NGO's cannot really reach out to everyone."*
- *"Progress on paper, but it is not the same in reality."*

# Key Findings: Are Things Getting Better?

**When discussing the biggest challenges facing LGBTQI+ Mongolians, the same topics around limited societal acceptance were commonplace. Our study highlights the vast range of settings where the majority of LGBTQI+ Mongolians do not feel comfortable being 'out,' and for the majority of respondents, the only domain they feel truly comfortable is within their friendship group.**

The isolation felt by many respondents is exacerbated by lack of information in Mongolian on LGBTQI+ issues and the low visibility of role models in common discourse. All of these factors fuels the disconnect many LGBTQI+ Mongolians feel, and may help explain why so many continue to live in the closet. Problematically, a minority of participants feel that LGBTQI+ awareness campaigns do more harm than good, and expressed the view that life is safer when the LGBTQI+ community is invisible to the broader population.

## **The following quotes were captured as part of our study:**

- *"People think that it is a phase and we just identify as LGBTQI+ as a trend. LGBTQI+ people are ignored, constantly insulted behind their back and sometimes physically harassed."*
- *"Mongolians lack information about human rights and LGBTQI+ issues, and therefore they say whatever they like such as being LGBTQI+ is a cult, mental disorder etc."*
- *"Even though we have every rights to be who we are, we are living in a society that constantly require other people's approval. Public view on the LGBTQI+ issue seems opposing us completely. Therefore, I hide myself in order to live in peace."*
- *"Physical violence has decreased compared with past years but emotional and mental abuse still common. For example, you must hide your identity when you are outside, you will never know what is going to happen."*
- *"I came out to my close friends but most of them insulted me in return. I think it is because there are lot of stereotypes and misconceptions in the form of casual jokes that gives people wrong ideas."*
- *"I think these awareness campaigns [during Pride Week] and activities stimulate negative reaction from public. In my opinion, we don't need to raise awareness at all. We were invisible since the beginning and we should remain invisible, and therefore, there will be no problem."*

Although nearly half of our respondents (49%) believe things are getting better for the Mongolian LGBTQI+ community, general support services are sparse and are not easily available to LGBTQI+ Mongolians. Where support is available, this is usually only via the work of the LGBT Centre, Mongolia's only dedicated support service for sexual and gender minorities. The lack of research data from the over 45 age demographic, or from rural areas, demonstrates the divide in ability to access information for LGBTQI+ Mongolians. This divide is further pronounced by the lack of local-language material, with more LGBTQI+ Mongolians accessing information on relevant news and information in English, rather than Mongolian.

The data presented worrying results when exploring support services for LGBTQI+ people in Mongolia. Over three in five (61%) of respondents said there are not enough support services. Where there is support, this is found only in the LGBT Centre, as no respondent indicated that they received support specific to their status as an LGBTQI+ individual from government institutions. This indicates either a lack of provision of support, a topic the LGBT Centre is proactively attempting to tackle, or a lack of trust in such institutions.

# Key Findings: Are Things Getting Better?

## **An ongoing lack of support networks**

Nearly half of the respondents indicated they sought both support and information from the LGBT Centre, indicating the ongoing usage of the centre by the LGBTQI+ community. Friends (60%) remained the most popular support source for respondents, with over four times as many respondents choosing this over family members. Beyond the LGBT Centre, the only source of note for both support (35%) and information on LGBTQI+ issues (72%) was social media, with more respondents accessing such information in English than Mongolian. Hardly any respondents reported seeking support from their local communities, religious leaders or neighbours. This dependency on a small network of friends and social media, combined with a large majority of LGBTQI+ Mongolians remaining closeted to family and employers, must be seen to contribute to the reported low mental health scores reported by our respondents. It is evident that there is a lack of support in many of the areas explored, combined with a fear of coming out, makes it difficult for LGBTQI+ people to relieve their stress, worries, and fears.

## **Family life and relationships**

Over half of our respondents lived with family members, but only 28% had disclosed their sexual and gender identity to their family. Whilst this is an increase on the 13% who were out to family members in the UNDP 2014 report, verbatim comments from our respondents made clear that the concealment of an individual's sexual or gender identity, or conflict when they had come out, were major sources of stress, with many commenting they felt unaccepted and unsafe in their own homes. The fact that only 13% of respondents would seek support from family members indicates the gulf in understanding that remains within families, and the requirement for ongoing visibility and education of the population more generally.

## **Legislation without adequate enforcement**

Concerns continue to be raised by LGBTQI+ Mongolians that the Criminal Code (2017) with sexual and gender minorities as a specific protected minority, has had no positive impact upon their lives. Given only three cases were referred to police between 2017-2021, unsurprisingly none of which were prosecuted. The Mongolian Parliament recently (2021) adopted a new law for human rights defenders, making it the first country in Asia to provide a framework of protection for people who speak out on human rights concerns and violations, together with new labour laws to prevent discrimination within employment. Given the lack of protection experienced to date by LGBTQI+ Mongolians, and activists who speak on their behalf, it is questionable whether such laws should give comfort to sexual and gender minorities without more evidence of their operating effectiveness.

## **The role of government bodies**

The Mongolian government should be given credit for implementing significant legislation protecting minority groups and criminalising discrimination but, as mentioned above, it is clear that without a deep embedding process, LGBTQI+ people in Mongolia will continue to be a vulnerable minority in all facets of society. A significant number of respondents commented that more formal steps should be taken in education and employment settings to train and educate public servants (doctors, law enforcement, teachers) on LGBTQI+ issues, to make sexual and gender minority communities feel more comfortable using them. A wider and more informed understanding around the LGBTQI+ population is evidently needed among public servants in Mongolia to ensure that discrimination within these services is non-existent. The LGBT Centre undertakes continuous capacity building amongst such officials, but is often a lone voice, and a significant increase to funding would be required for such services to be rolled out as widely as they appear to be needed.

# Key Findings: Are Things Getting Better?

The right to a family, marriage, freedom from discrimination and a standard of living, are all human rights enshrined within the UN Declaration of Human Rights and Mongolia is a signatory of this. Creating laws to enshrine a number of these rights for sexual and gender minorities is a good first step, albeit many rights remain excluded for LGBTQI+ Mongolians. However, the Mongolian state must uphold its obligations under this declaration, and should embed these rights for the LGBTQI+ community, taking more punitive measures against those who breach them. As we will demonstrate in the final section of this report, the ongoing stigmatisation of the LGBTQI+ community hinders the Mongolian government's ability to meet their development objectives under the United Nation's Sustainable Development Goals (SDGs).

## Societal and digital divides

One of the trends that became stark in our research were the potential divides which would contribute to the added experience of marginalisation within pockets of the Mongolian LGBTQI+ community:

- **Age:** The average age of respondent to our survey was 23 years old, with no responses being received from those aged over 45. This implies a challenge in reaching and engaging with older LGBTQI+ Mongolians on issues specific to them.
- **Geography:** Previous reports have commented on their being little visible LGBTQI+ life outside of Ulaanbaatar with only 10% of our respondents lived outside of major cities. Whilst it is likely that many left their homes to move,, those who cannot, or choose not to leave their home region, are likely to face considerably greater challenges.
- **Digital:** Social media was overwhelmingly chosen as the channel to access information on LGBTQI+ issues, with 72% of respondents advising they used social media for information. Over 1.9m Mongolians (representing 66% of the population) have a social media account, but as in most societies, it is likely to be poorer and more rural areas who do not, excluding those LGBTQI+ individuals from accessing such information.
- **Language:** The choice of English as the most popular language for accessing information on LGBTQI+ issues speaks to both a lack of local material (perpetuating the feeling that discussion of LGBTQI+ topics remain taboo in wider society), and a further divide between individuals who have achieved a sufficient level of education to understand and interact in English, versus those who cannot. Only 61% of respondents accessed information in Mongolian.

Without further quantitative data, we can only speculate on the lived experiences of older members of the LGBTQI+ community, those living in rural areas, and those who do not have access to the internet and social media. However, it would appear that the lived experience of a younger urban member of the LGBTQI+ community, with knowledge of English, awareness of the LGBT Centre, and access to social media, creates a support network far stronger than older individuals, those living rurally, and those without an Internet connection. Further research into these groups is recommended to gain a fuller picture of the lived experiences of LGBTQI+ Mongolians.

# Mongolia and the UN SDGs



# Mongolia and UN Sustainable Development Goals

**Mongolia was one of the first countries globally to adopt the United Nations' Sustainable Development Goals (SDGs). Within six months of the adoption of the SDGs by UN Member States, the Mongolian Parliament approved a national Sustainable Development Vision (2030) to implement and embed development across Mongolian society, so as to meet the SDGs and their respective targets.**

"The objective of the sustainable social development will be to ensure gender equality, improve the quality of and access to health care services, create a healthy, safe living environment for the citizens, improve public awareness on health education, provide equal education of high quality to every citizen, build a national system for lifelong education, end all forms of poverty, and increase the share of middle-income classes sustainably and consistently" (FAO, UN 2016).

Mongolia put itself forward for a Voluntary National Review in 2019, by which a country can subject itself to outside scrutiny to ascertain progress towards achieving the SDGs. The 2019 summary summarised that 'despite the early adoption of the Agenda, challenges remain,' which specifically included the following recommendations:

- Localising the complex, interdependent, and comprehensive development goals to the national context, prioritising and mainstreaming them.
- Growth needs to be more inclusive, broad-based, and cleaner. Mongolia has contributed to disparities in various forms such as gaps in social services across regions, limited employment opportunities, inequalities resulting in poor quality of life for some groups.
- Because of the comprehensiveness and interconnectedness of sustainable development objectives, Mongolia acknowledges the criticality of a "whole of government" plus a "whole of society" approach. In support of this, a nationwide effort is underway to initiate the review of existing policy documents for their alignment with the country's sustainable development agenda, as well as the coherence between policies (UN 2019).

The UN's summary highlighted 'the risks of disparities preventing, or even reversing development gains. The Report applies the lens of "leaving no one behind" identifying vulnerable groups who are at-risk of being left behind' (UN 2019).

**The most recent SDG dashboard produced by the UN at the end of 2022 paints a mixed picture of Mongolia's progress. Especially regarding the SDGs most pertinent to our study:**

- Mongolia demonstrates an improvement in the targets associated with Goals 1 (No Poverty) and 4 (Quality Education) and a moderate improvement in Goal 3 (Good Health and Well-being). The SDG for education is considered to have been achieved, a finding which ReportOUT challenges, given that our study reveals widespread discrimination against LGBTQI+ students within the education system.
- There has been broad stagnation within Goal 16 (Peace, Justice and Strong Institutions) and major challenges remain, which our study strongly supports in the context of challenges faced by LGBTQI+ communities.
- Goal 10 (Reduced Inequalities) has actually seen a regression, and significant challenges are deemed to remain. Whilst more respondents believed life was getting better for LGBTQI+ Mongolians than not, deep-seated inequality was seen as a clear threat to Mongolia's ability to meet Goal 10 in the 2019 VNR, and our study reveals considerable inequalities persisting in employment, societal attitudes, and engagement with law enforcement.

# Mongolia and UN Sustainable Development Goals

**Mongolia's SDG dashboard:** Quoted from Sachs (2022) <https://dashboards.sdindex.org/profiles/mongolia>

## SDG Dashboards and Trends

Click on a goal to view more information.



The Mongolian government has stated that it is committed to the UN's Sustainable Development Goals (SDGs) via its Sustainable Development Vision (2030) approach. ReportOUT and the LGBT Centre's study of the lived experience of LGBTQI+ Mongolians demonstrates that sexual and gender minorities should be considered one of the groups at risk of being 'left behind,' and as a tangible case study of how inherent inequalities threaten the Mongolian government's stated desire to end inequality in all forms.

Within the evidence gathered as part of this report, respondents reported facing problems such as economic exclusion, discrimination within multiple settings (including education, employment and healthcare) and a strong perception that recent laws designed to safeguard LGBTQI+ rights have not been fully embedded, highlighting the requirement for a 'whole of government and whole of society' approach advocated in the 2019 VNR.

Our study reveals a significant number of targets listed above have not been met in terms the experiences of LGBTQI+ communities, and it appears that the needs of and challenges faced by LGBTQI+ communities are not actively considered when planning activity to achieve these goals. Specific challenges for each goal are now described in the following sections of this report to show this. Mongolia has now put itself forwards for inclusion in 2023's VNR process and we aim for this report to serve as a useful contribution to developing the Mongolian government's targeting of development activity, to ensure that the needs of LGBTQI+ Mongolians are fully represented. **We will now give an assessment of Mongolia's progress towards the SDG goals and targets (all quoted from Global Goals 2017) most relevant to LGBTQI+ communities:**

### Goal 1: No Poverty

**1.3: Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable.**

**1.4: By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance.**

# Mongolia and UN Sustainable Development Goals

**1.5: By 2030, build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters.**

**1.b: Create sound policy frameworks at the national, regional and international levels, based on pro-poor and gender-sensitive development strategies, to support accelerated investment in poverty eradication actions.**

Our study indicated that LGBTQI+ communities broadly experience similar economic outputs to the rest of Mongolian society. This can be measured by the proportion of respondents who earn less than the minimum wage (matching the national average) or who are outright unemployed (a lower proportion than the national average). This should provide confidence that LGBTQI+ Mongolians will share in the positive progress being made against this goal, as highlighted by the 2022 progress report. However, our study also demonstrated a risk that LGBTQI+ communities could easily become 'left behind' in the employment market, as evidenced by a number of metrics within our study. 42% of respondents already feel that the Mongolian job market is difficult to access for anyone who is openly LGBTQI+, and 78% consider discrimination against LGBTQI+ in the workplace as common. This stigmatisation within employment settings may see LGBTQI+ employees leave their jobs due to discrimination from managers, co-workers, or customers (approximately a quarter of respondents have experienced this directly), causing potential economic hardship, exacerbated by the perceived difficulties of accessing the job market – particularly for transgender and gender non-confirming Mongolians.

Further potential economic hardship was also highlighted within verbatim comments of our study. The lack of legal recognition of same-sex couples creates practical economic limitations and exclusions within a range of financial transactions, including buying property, getting a loan and inheritance. Again, this could lead to the economic disempowerment of LGBTQI+ communities.

Our study reveals the ongoing requirement for existing anti-discrimination legislation to be embedded within the Mongolian workplace, and the importance of the ongoing diversity training carried out by the LGBT Centre. Combined with parallel discrimination perceived in education (covered in detail in Goal 4), this ongoing discrimination and stigmatisation also could result in LGBTQI+ Mongolians not achieving their full economic potential. Interestingly, this is a global trend highlighted by Badgett (2020) as being counter-productive in a nation's economic development, as well as a hindrance to meeting the SDG targets and goals.

Whilst we did not receive sufficient volume of responses from LGBTQI+ Mongolians living in rural areas to provide a representative sample, the concentration of LGBTQI+ support services in Ulaanbaatar and the perception that rural areas are fundamentally unsafe for LGBTQI+ Mongolians (agreed by 66% of respondents) leaves a likelihood that those who choose not to or are unable to leave rural areas will be at greater risk of economic deprivation. It may be that social stigmatisation may leave them unable to access employment, whilst concurrently risking a higher chance of being cut off from family members.

# Mongolia and UN Sustainable Development Goals

## **Goal 3: Good Health and Well Being**

**3.3: By 2030, end the epidemics of AIDS, tuberculosis, malaria and neglected tropical diseases and combat hepatitis, water-borne diseases and other communicable diseases.**

**3.5: Strengthen the prevention and treatment of substance abuse, including narcotic drug abuse and harmful use of alcohol.**

**3.7: By 2030, ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes.**

**3.d: Strengthen the capacity of all countries, in particular developing countries, for early warning, risk reduction and management of national and global health risks.**

Broader societal pressures, including prejudice within Mongolian institutions (government, police, media) and a lack of safe spaces to be their authentic selves found only 30% of survey respondents were 'out' to their families. Added to this, the lack of support services available to LGBTQI+ Mongolians (61% believe there are insufficient services) all contribute to poor mental health amongst LGBTQI+ Mongolians arising from 'minority stress.' When asked about their mental health (on a 10 point scale) the mean score for mental health amongst our respondents (5.5) was nearly two points below an equivalent question on physical health (7.4). This is symptomatic of the 2019 VNR observation of some minority groups within Mongolia enduring a poorer quality of life, brought about by societal inequalities.

The fact that more survey respondents accessed information about LGBTQI+ issues in English than Mongolian also speaks to a divide whereby rural and/or less well-educated members of the LGBTQI+ community have considerably fewer resource to support them. This stress is exacerbated by the ongoing need to be in the closet to family, work colleagues, and healthcare providers (in all three cases, less than one-third of survey respondents were 'out' to each group). For those LGBTQI+ individuals in employment, this is further heightened, with the perception that they are single (bearing in mind, the majority do not speak of a partner) and so can work longer hours than their heterosexual, married counterparts. Examples of conversion therapy, largely perpetuated by Christian churches and highlighted by the LGBT Centre (2017 and 2019) in prior research, are also be a factor in the poor mental health, particularly for by LGBTQI+ young people, experienced by many of our study participants. This stark set of results indicates the importance of goal 3.d, to strengthen mental health provision for LGBTI+ communities, as well as much broader work required to reduce inequalities and discrimination within broader society (linked to the targets within goals 10 and 16).

Whilst physical healthcare was not a detailed subject in our survey, previous reports by the LGBT Centre, detailed in the 'Healthcare' section of our literature review indicates specific gaps in provisions for LGBTQI+ Mongolians with a pervasive assumption of cisgendered heterosexuality. Lesbian, bisexual and transgender women have been highlighted as being victim of familial-led violence, often born out of their inability to confirm with expected gender norms (CEDAW, 2016:7). The prevalence of discrimination within the workplace, particularly against transgender Mongolians forces many to turn to sex-work, where physical assaults – together with longer-term risk to physical health - are a daily reality (US AID 2014: 27). The LGBT Centre's previous studies also highlight a lack of needs-based and culturally sensitive healthcare services and an absence of transition-related services for transgender Mongolians. In summary, these findings contradict the broader aims of Goal 3 for governments to provide for the physical and mental healthcare fo all.

# Mongolia and UN Sustainable Development Goals

Similar to broader criminal laws, discussed in Goals 10 and 16, discrimination within healthcare based on sexual and gender identity is outlawed but not yet embedded across the sector. 87% of our survey respondents do not disclose their sexual orientation or gender identity to their doctor or healthcare provider, which could prove extremely damaging to the goal of eradicating AIDS by 2030 (Goal 3.3). Whilst we did not ask for motives, it can be reasonably inferred from past studies that a proportion of these respondents do not fully trust healthcare professionals to treat them without prejudice and stigmatisation. Healthcare professionals also lack opportunities to learn about LGBTQI+ health issues, particularly trans issues, as indicated by the LGBT Centre's 2020 study in which 76% of physicians stated additional training on trans-related issues was needed. In summary, specific stresses arising from being a sexual or gender minority must be better understood by government and healthcare professionals in order for more appropriate provision to be made to support LGBTQI+ physical and mental health.



# Mongolia and UN Sustainable Development Goals

## **Goal 4: Quality Education**

**4.1: By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and Goal-4 effective learning outcomes.**

**4.3: By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university.**

**4.4: By 2030, substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship.**

**4.5: By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations.**

**4.7: By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development.**

**4.a: Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, nonviolent, inclusive and effective learning environments for all.**

Whilst we did not specifically survey direct experiences of LGBTQI+ Mongolian children, over one third of respondents were in some form of education or training programme. Broader questions and verbatim comments (together with our review of secondary literature) demonstrated challenges Mongolia faces in embedding goal 4 in the context of LGBTQI+ inclusion. We fundamentally disagree with the 2022 SDG Progress update that indicated this goal has largely been met in Mongolia.

Together with workplace discrimination (see Goal 1), 78% of survey respondents believe discrimination remains within educational settings, a number that rises to 84% amongst trans and non-gender conforming youth. When asked if they had faced discrimination or stigma themselves (excluding 'don't know' responses), 58% of respondents confirmed that they had been victim of such stigmatisation, with some extremely disturbing anecdotal feedback captured within our study, which is detailed in the 'Stigma and Discrimination' section. This ongoing marginalisation indicates a 'blind spot' that should provide evidence against the otherwise positive trajectory made, according to the 2022 progress update.

The Mongolian government has declared that they will make equality of education for all citizens a priority. For goals 4.5 (with LGBTQI+ youth classified as a vulnerable group) and 4.A (where focus is on an inclusive learning environment) to be met, more focus is required on the embedding of anti-discrimination legislation within the educational context. A failure to do so will not only see Mongolia fall short of its ambitions within goal 4 and its related targets, but also could contribute to LGBTQI+ youth failing to fulfil their potential within the education system, contributing to future economic disadvantage. As discussed in goal 1, the risk highlighted in the 2019 VNR of minority groups being 'left behind' feels especially prevalent for this SDG.

## **Goal 10: Reduced Inequalities**

**10.2: By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status.**

**10.3: Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard.**

**10.4: Adopt policies, especially fiscal, wage and social protection policies, and progressively achieve greater equality.**

Inequalities within education, healthcare, the workplace and government institutions, highlighted within the other goals listed here, contribute to a persistent inequality faced by LGBTQI+ Mongolians. This is particularly concerning against a backdrop where broader progress to eradicate inequalities is actually regressing within Mongolia, according to the 2022 progress update. Evidently, any goal to reduce inequality in Mongolia does not only pertain to LGBTQI+ citizens, but our report demonstrates the significant challenges required if the Mongolian government is to achieve its stated goals around reducing inequality. Over half of our survey respondents said Mongolia is 'fairly' or 'very' unsafe for sexual and gender minorities, rising to 66% when considering rural areas. Over four in five respondents (81%) consider any discussion about LGBTQI+ rights to be 'rare' or 'very rare,' implying long-standing societal taboos remain which hinder the visibility required for stigmatisation to reduce.

Inequality is also manifested by the offensive language used against LGBTQI+ communities by politicians (perceived as common by 76% of respondents), who do not appear to be taking personal responsibility for their role in helping Mongolia achieve goal 10. Negative media stories against LGBTQI+ individuals and communities are also considered widespread by 76% of respondents. The lack of open discourse around LGBTQI+ issues, combined with these ongoing negative portrayals of LGBTQI+ communities, allows casual prejudice to remain within wider Mongolian society, which perpetuates the inequality goal 10 is designed to tackle. Participants felt that 'general expressions of hatred and aversion towards LGBTQI+ individuals from the public' remain common (agreed by over 88% of respondents), which starkly demonstrates the work still required for the Mongolian government to achieve this goal.

Whilst Mongolia's government has taken steps to enact laws to punish those who perpetuate discrimination based on sexual orientation and gender identity, it is clear that the LGBTQI+ community of Mongolia does not believe politicians are leading by example in refraining from casual or deliberate anti-LGBTQI+ rhetoric. In addition, the high level of anti-LGBTQI+ sentiment expressed through the media, combined with the actions of other institutions (see goal 16), leaves a significant danger that the Mongolian community could become 'left behind' as the 2019 VNR warned was a possibility for multiple minority groups. Our study indicates strongly there is a significant amount of work still required for LGBTQI+ Mongolians to feel safe and free to be themselves.

## **Goal 16: Peace, Justice and Strong Institutions**

**16.1: Significantly reduce all forms of violence and related death rates everywhere.**

**16.3: Promote the rule of law at the national and international levels and ensure equal access to justice for all.**

**16.4: Develop effective, accountable and transparent institutions at all levels.**

**16.7: Ensure responsive, inclusive, participatory and representative decision-making at all levels.**

**16.10: Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.**

**16.d: Promote and enforce non-discriminatory laws and policies for sustainable development.**

Our report highlights that whilst the Mongolian government should be commended for including sexual orientation and gender identity as protected characteristics with anti-discrimination legislation in place, the challenge now arises directly from goal 16.d in enforcing such non-discrimination laws. This especially applies to broader policy within government institutions, notably the police.

Our report demonstrates unequivocally that LGBTQI+ Mongolians do not have confidence in either the police or judicial system to fairly treat any crime arising from their status as a sexual or gender minority. This directly contradicts goal 16.3 of 'equal justice for all' and the accountable justice desired within goal 16.4. When considering the specific laws designed to protect LGBTQI+ communities from discrimination, 74% of respondents stated that the new laws had not made their lives any safer. Furthermore, 92% of respondents consider the Mongolian legal system 'very unfair' or 'unfair' with not a single 'very fair' answer in over 240 responses. In fact, 94% of respondents have no confidence that they would receive justice if they reported a crime that arose from their status as being LGBTQI+.

These metrics, combined with a demonstrable lack of successful prosecutions via the 2015 Criminal Code, explain the deeply held suspicion amongst LGBTQI+ Mongolians when considering their government's commitment to fundamental protections for all minority groups. This negative perception is further exacerbated by the perception of those legislating, with 76% of respondents finding that offensive language towards LGBTQI+ communities was common amongst politicians (see goal 10).

Turning to the police, 69% of respondents believe police brutality (covering both verbal and physical assaults) towards LGBTQI+ individuals remains common, with 76% believing false imprisonment of LGBTQI+ people is widespread. Whilst it is pleasing to see the national police partner with the LGBT Centre to deliver inclusivity training, it is clear that there is a significant gap to bridge for sexual and gender minorities to have confidence that an institutional response to the SDGs, will have any positive benefit in their lives.

# Recommendations



# Recommendations

**Following analysis of the results of our extensive research study, ReportOUT and the LGBT Centre recommend the following to the Mongolian government:**

- In order to create safer and more productive workplaces, employers and educational establishments must take responsibility for embedding anti-discrimination policies which directly protect LGBTQI+ Mongolians from discrimination and marginalisation.
- Within these categories, an urgent focus is required within educational settings to reduce the daily prejudice and marginalisation faced by LGBTQI+ students, which not only undermines the Mongolian government's (and goal 10 of the SDGs) commitment to quality education for all, but also damages the country's overall economic output.
- Complaints about harassment and discrimination against LGBTQI+ Mongolians should be treated with an equal seriousness as all other forms of discrimination. This is particularly relevant for transgender and gender non-conforming Mongolians, who are more likely to fall victim to such stigmatisation.
- Improved provision to support mental health specific to LGBTQI+ Mongolians is urgently required, with targeted training required for practitioners to support goal 3 of the SDGs.
- Creation and adoption of healthcare standards and guidelines for transgender people regarding transition related healthcare should be prioritised, followed by adequate training with healthcare providers to deliver such services with respect and dignity.
- Government institutions need ongoing and enhanced training which enables them to handle LGBTQI+ people with dignity, respect, and being mindful of their needs as citizens. The lack of trust LGBTQI+ communities feel towards public institutions should be acknowledged and addressed.
- The work of the LGBT Centre to build such institutional capacity should be recognised, as supporting goal 16 of the SDGs, and expanded with appropriate funding by the state.
- Mongolia must ensure that the prohibition of torture, and the use of cruel, inhuman or degrading treatment, is implemented. Perpetrators must be punished using the full force of recently enacted anti-discrimination laws.
- Mongolian governmental institutions should continue to address the lack of police accountability and brutality in order to ensure the protection of the LGBTQI+ community's fundamental human rights, and to Mongolia's commitments under goal 16 of the SDGs.
- Conversion therapy, currently increasingly practiced by many Christian groups to encourage LGBTQI+ Mongolians to change their sexual orientation or gender identity, should be outlawed, in line with goal 3's inclusion of quality mental health provision.
- LGBTQI+ Mongolians should not be weaponised as a threat to other Mongolians' traditional or family values, either by government officials, media outlets, or any other actors.

# Recommendations

- The right to have a family is a basic human right, and this must be enforced as equally for LGBTQI+ Mongolians as it is for anyone else. Same-sex couples should not be discriminated against in matters of property purchase and inheritance.
- Organisations which support LGBTQI+ Mongolians need funding, training and support from the state and from other funders.
- Community and family led harm, including violence towards transgender, gender non-conforming and intersex Mongolians, should be thoroughly investigated and dealt with by the police.
- LGBTQI+ specific recommendations given by the UN human rights mechanisms, including UPR and each treaty bodies, should be considered effectively and substantial inclusion should be taken place regarding implementation.

**Alongside domestic legislation, Mongolia has repeatedly promised to respect human rights and has signed and ratified a number of binding international human rights treaties, such as the:**

- UN Declaration of Human Rights.
- International Covenant on Civil and Political Rights.
- UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- UN Committee on Economic, Social and Cultural Rights (ESCHR)
- UN Convention of the Rights of the Child (CRC)
- Convention on the Elimination of All Forms of Discrimination against Women.

As such, LGBTQI+ Mongolians and their human rights, are all covered by these treaties. In order to make Mongolia a safer place, the state and those who govern it, must be accountable and proactive in their approach to the protection of human rights for ALL Mongolians. Therefore, ReportOUT extends an invite to work together with the state and its bodies to ensure Mongolia continues to build a future where LGBTQI+ people are safe, respected, and play an active role in Mongolian society and its economy, as their authentic selves.



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First published in 2023

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