

# Pride Guide | Mongolia



The Australian Volunteers Program strives to provide a safe, supportive and equitable environment for LGBTIQ+ volunteers, approved accompanying dependents, partner organisations and all program staff. The Australian Volunteers Program has supported volunteers with diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC) in all program countries and has ongoing connections with community organisations in almost every country we work in.

Diverse SOGIEC program participants must be aware of the country context before undertaking an assignment. This guide is designed to introduce some key issues related to people with diverse SOGIEC and their participation in the program.

## If you are a volunteer with diverse SOGIEC, you will need to:

- Do your own research. You will be required to follow the local laws, even if you disagree with them.
- Understand what the local law says you can and can't do when in-country;
- Be aware of what the legal protections are for LGBTIQ+ people in your destinations;
- Consider whether or not you are comfortable living and working in a place where you may be discriminated against and unable to live as openly as you can in some parts of Australia.

## Language

Terminology may differ across urban and rural contexts, and across provinces or ethnic and cultural groups. Information sourced online can be outdated or inaccurate. For current and accurate information, please confirm with an appropriate diverse SOGIEC Civil Society Organisation (CSO) or ask your in-country team. Until recently, local language in Mongolia has not contained terminology for diverse SOGIEC identities.

## Legal and policy context

Same-sex sexual acts were decriminalised in Mongolia in 1961. However, an exclusionary national legal framework denies the equal rights and protections of diverse SOGIEC communities. Same-sex marriage and civil unions are not recognised by the state.

Citizens over the age of 18 can apply for a registration of sex change if they submit a birth certificate, citizenship identity card and medical verification. Although this presents progress for transgender individuals, the law is not clear on the type of 'medical verification' required.

Men who identify as heterosexual and sexually assault or rape men who have sex with men (MSM) or transgender communities are able to act with impunity, but authorities may charge a member of the diverse SOGIEC community.

## Discrimination

Some legal protections exist for people with diverse SOGIEC in Mongolia, and discrimination based on a person's sexual orientation is prohibited. These penalties are more severe if the acts are committed by public officials, but do not include protections on the basis of gender identity. Hate crimes committed on the basis of gender and sexual orientation can result in a life sentence for crimes that result in death, or up to 12 years imprisonment for serious bodily injury. There are no constitutional protections for people with diverse SOGIEC.



## Cultural and societal attitudes

Gender roles and patriarchy underpin some of the negative attitudes toward diverse SOGIESC communities in Mongolia. Sexual violence and harassment in public places by strangers on the basis of one's diverse SOGIESC is the most common type of sexual violence. The diverse SOGIESC community may also experience blackmail to avoid public disclosure of their sexual orientation and violence at the hands of police. Intimate partner violence between diverse SOGIESC couples is also an issue, however this is unaddressed by the state. Despite some legal protections, harassment or losing employment is possible when a person's diverse SOGIESC is disclosed in the workplace.

Many people conceal their diverse SOGIESC from family for fear of physical or psychological violence or being kicked out of home. When diverse SOGIESC communities have experienced violence, some feel they are unable to speak to their families for fear of being blamed for "tempting" the perpetrator.

The non-recognition of same-sex couples means that parents and other family members often overrule a same-sex partner's wishes regarding their partner in relation to decisions such as medical treatments and asset management.

## Health and wellbeing

Although the government has mandated free primary healthcare, services are under resourced and inaccessible. For diverse SOGIESC populations, accessing services is even more difficult. A lesbian reflecting on her experiences stated:

*"When I go to see a doctor, I am always told 'you should be having [heterosexual] sex'. It is scary that doctors do not respect the privacy of clients at all."*

Mongolia is a low HIV-risk country, but reporting rates may be lower than reported case numbers predict. Together Center is the only CSO that ensures confidentiality in HIV testing. MSM (who make up the majority of HIV positive cases in Mongolia) are subjected to HIV-related stigma in the public healthcare system. Hormone replacement therapy (HRT), gender-affirming surgery and psychological assistance are inaccessible in Mongolia for transgender communities. One transgender woman stated:

*"I have never received medical service and treatment as a woman. I really don't know where to go because there is no specialist in the country who knows the special health needs of transgender people. We cannot afford hormone therapy and associated surgeries because they are not covered by health insurance."*

Mental health psychosocial services are not readily available for the diverse SOGIESC community.

Sexual education is part of the school curriculum, but there are no lessons about sexual and reproductive health rights or diverse SOGIESC themes. Bullying by peers and teachers is common for those with diverse SOGIESC. Transgender girls are at particular risk of leaving school prematurely as a result of harassment and stigmatisation.

## Media

Media coverage of sexual assault against MSM and transgender women has historically victimised the diverse SOGIESC community.

1 Peltzmeier et al., "Sexual Violence against Men Who Have Sex with Men and Transgender Women in Mongolia."

2 Ibid.

3 UNDP and USAID, Being LGBT in Asia, 30.

4 Julie M. Koch, "Working with the LGBT community in Mongolia," American Psychological Association, published March 1, 2016, <https://www.apa.org/international/pi/2016/03/lgbt-mongolia>.

5 UNDP and USAID, Being LGBT in Asia, 31.