Public Disclosure Authorized
Public Disclosure Authorized
Public Disclosure Authorized
Public Disclosure Authorized

Report No. 32584-MN

The Enabling Environment for Social Accountability in Mongolia

Social Development Department
June 2007



Report No. 32584-MN

The Enabling Environment for Social Accountability in Mongolia

Linda Beck
Toby Mendel
Jeff Thindwa

Social Development Department
Sustainable Development Network
THE WORLD BANK

Updated June 2007

Copyright © 2007
The International Bank for Reconstruction and Development
1818 H Street, N.W.
Washington, D.C., 20433, USA

All rights reserved
Manufactured in the United States of America
Updated June 2007

This volume is a product of the staff of the International Bank for Reconstruction and Development/ The World Bank. The findings, interpretations, and conclusions expressed in this paper do not necessarily reflect the views of the Executive Directors of The World Bank or the governments they represent. The World Bank does not guarantee the accuracy of the data included in this work. The boundaries, colors, denominations, and other information shown on any map in this work do not imply any judgment on the part of The World Bank concerning the legal status of any territory or the endorsement or acceptance of such boundaries.

The material in this publication is copyrighted. Copying and/or transmitting portions or all of this work without permission may be a violation of applicable law. The International Bank for Reconstruction and Development/ The World Bank encourages dissemination of its work and will normally grant permission to reproduce portions of the work promptly.

For permission to photocopy or reprint any part of this work, please send a request with complete information to the Copyright Clearance Center, Inc., 222 Rosewood Drive, Danvers, MA 01923, USA, telephone 978-750-8400, fax 978-750-4470, http://www.copyright.com/.

All other queries on rights and licenses, including subsidiary rights, should be addressed to the Office of the Publisher, The World Bank, 1818 H Street NW, Washington, DC 20433, USA, fax 202-522-2422, and e-mail pubrights@worldbank.org.

Table of Contents

Acknowledgements iv
Acronyms v
Preface vi
Executive Summary vii

Part I. Introduction 1
1.1 Definition and Importance of Social Accountability 1
1.2 Purpose of the Study 2
1.3 Conceptual Framework: Enabling Environment for Civil Society's Participation in Social Accountability 2
1.4 Description of Methodology 4

PART II. Key Aspects of the Mongolian Country Context 6
2.1 Overview of Mongolia's Political, Economic, Legal, and Sociocultural Context 6
2.2 Overview of Civil Society in Mongolia 12
2.3 Findings and Recommendations 16

PART III – Assessment of the Enabling Environment for Social Accountability 19
3.1 Introduction 19
3.2 The Role of Voice in Social Accountability 19
3.3 Promoting Social Accountability through Informed Opinions and Decisions 30
3.4 Social Accountability through Negotiation 38

Part IV—Conclusion 47
4.2. Summary of Findings and Recommendations 48

Annex 1. Social Accountability and Legal Advocacy: The National Center Against Violence 60
Bringing a Social Problem out of the Shadows 60
Legal Advocacy for Domestic Violence Legislation 62
Advocacy for the Implementation of the DV Law 64
Advocacy for the Provision of a Public Service 65
Continuing Efforts at Raising Awareness about DV and Legal Advocacy in Related Areas 66
Findings and Recommendations: National Center Against Violence 67

Annex 2. Social Accountability and Local Governance: Women for Social Progress-Uvorkhangai 68
The Uvorkhangai "Franchise" of Women for Social Progress 68
Providing Information that Promotes Social Accountability: Triangle News 69
Promoting A Forum for Negotiation: Business Development Consultations 70
Giving Citizens Voice in Local Government: Struggle Against Market Relocation 71
WSP-UV as a Model for Social Accountability: Turning an NGI into an NGO 73
Findings and Recommendations: WSP-UV 73

Annex 3: Social Accountability and Environmental Protection: The Ongi River Movement 75
The Birth, Growth, and Mission of a Community-Based Organization 75
Governance Challenges: Financial and Political Autonomy 76
The Importance of CSO Access to and Provision of Information 77
Voicing their Concerns: A Multifaceted Strategy in Pursuit of Social Accountability 79
Environmental Monitoring: Challenges for Local Government and Civic Engagement 80
Replicability 81
Findings and Recommendations: The Ongi River Movement 81

Annex 4. Social Accountability and Service Delivery: Community Involvement in Mongolian Schools 84
Local Participation in Public Service Delivery: From School Boards to School Councils 84
The Reduced but Continuing Roles of School Councils in Social Accountability 85
Need to Change Popular Perceptions of Community Involvement in Mongolian Schools 86
Enhancing the Profile and Significance of School Council Elections 87
The Importance of Access to Information for Community Involvement in the Education Sector 87
The Local Initiative Fund: A Community Initiative? 88
Findings and Recommendations: School Councils (EDU) 89

Annex 5. Mongolian Media: Overview of Constraints and Opportunities for Social Accountability 91
Media Overview 91
The Legal Framework 92
Broadcast Regulation 92
Governance and Financing of New Public Broadcasting 93
Registration of Newspapers 94
Access to Information and the Legal Regime of Secrecy 95
Defamation 96
Internal Challenges 96

Annex 6. Survey of Civil Society Organizations on
the Enabling Environment for Social Accountability in Mongolia 101
I. Organizational Information 101
II. Involvement in Social Accountability 102
III. Organizational Resources 104
IV. Information 106
V. Voice and Media 107
VI. Negotiation 108
VI. Information about the Respondent 109

Annex 7. Opinion Poll on Government Relations with Mongolian Civil Society 110

Annex 8. Stakeholders' Map 117

Bibliography 143

Boxes:

Box 2.1.1 Proposed Changes to the Anti-Corruption Law 11
Box 2.2.1 MACNE and UMENGO: A Tale of Two Environment Networks 13
Box 3.2.1 Imprisonment for Defamation....21
Box 3.2.2 The Ecology Protest March for the Ongi River 23
Box 3.2.3 Registration: The Mongol Times Case....24
Box 3.2.4 Mongolian Community Radio and Social Accountability 25
Box 3.2.5 The UK Press Complaints Commission....26
Box 3.2.6 Promoting Freedom of Expression: Globe International....28
Box 3.3.1 Women for Social Progress: Pursuit of Information for Voter Education 33
Box 3.3.2 Globe International: Promoting an Access to Information Law....34
Box 3.3.3 Ongi River Movement: Denial of Access to Information Law by "Passing the Buck" 34
Box 3.3.4 Provision of Information by the Women for Social Progress-Uvorkhangai: Triangle News....36
Box 3.4.1 The Community Scorecard: Giving Stakeholders a Platform to Review Project Activity....41
Box 3.4.2 Decentralization: Structural and Practical Impediments to Social Accountability....42

Figures:

Figure 2.1.1 Popular View of Political Situation in Mongolia 7
Figure 2.1.2 Level of Confidence in Social and Political Institutions (percent)....8
Figure 2.2.1 Sources of Funding and Mean Percentage of Budget (percent) 14
Figure 3.2.2 CSO Methods of Disseminating Information (percent)....22
Figure 3.2.3 CSO Views on Influences on Media Coverage in Mongolia (percent) 26
Figure 3.3.1 Frequency of CSO Requests for Information from Officials 31
Figure 3.3.2 Frequency with which Officials Provided Information to CSOs....31
Figure 3.3.3 Activities Likely to Result in Policy, Legislation, or Conduct Changes (percent)....36
Figure 3.4.1 Likelihood that Negotiation Activities Will Result in Changes in 39
Policy, Legislation, or Conduct of Officials (percent)....39
Figure 3.4.2 Ability of CSOs to Negotiate with Public Officials 40
Figure 3.4.3 Frequency of CSO Participation in GoM Forums (percent)....41

Acknowledgements

The report was co-authored by Linda Beck, lead consultant (Professor of Political Science, Barnard College, Columbia University), Toby Mendel, legal consultant (Law Program Director, Article 19) and Jeff Thindwa, task manager (Senior Social Development Specialist, World Bank). Oyuna Baasanjav, Gender and Participation Specialist (World Bank-Mongolia), provided invaluable guidance and research inputs. The research team benefited from constant guidance from Christopher Finch and Carmen Monico (World Bank Headquarters in Washington DC). The authors gratefully acknowledge the contribution of The Asia Foundation (TAF) in Mongolia which, as the Bank's local partner, provided research, translation, administration and logistics support, and supported dstakeholder engagement and dissemination of the ESW, under the leadership of T. Layton Croft and William Foerderer. The TAF team was comprised of Itgel Lonjid, Luya Luvsanjamts, Alison Dong, Puji Jamsran Khutagt, Ogie B. Bar-Orgil, Bilge and Odgerel Byambaa. With very limited time and a very high level of professionalism, the Mongolian NGO Sant Maral conducted the study's opinion poll for which the team is deeply indebted. The study team is also grateful for the support and facilitation of Saha Meyanathan, World Bank Country Manager of Mongolia and his team. The study benefited from comments from reviewers Bhuvan Bhatnagar, Jeff Ramin, Genevieve Boureau-Debray, Andres Liebenthal, and Ruth Alsop. Participants in the formal Concept Note Review and Decision Meeting richly informed this report. Crystal Lopez and Barry Driscoll, research assistants in the Participation and Civic Engagement Group, along with Jeff Krutz, a Ph.D. candidate at Columbia University, helped with research and proof reading. Finally, this study would not have been possible without the cooperation of the Government of Mongolia and the willing participation of many individuals and organizations from civil society organizations, media, parliament, and the donor community in Mongolia, who gave generously of their time to assist with the study. Special gratitude to the Netherlands Foreign Ministry for the grant provided to conduct this and other similar studies through the World Bank-Netherlands Partnership Program (BNPP), which was matched with core funds from the Social Development Department.

Acronyms

ARVIN	Association, Resources, Voice, Information, and Negotiation Theoretical Framework
BDC	Business Development Consultation
CBO	Community-Based Organization
CEAF	Civic Engagement Analytical Framework
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
COMECON	Council for Mutual Economic Assistance
CRC	Communications Regulatory Commission
CSC	Community Scorecard
CSO	Civil Society Organization
DP	Democratic Party
DV	Domestic Violence
EIA	Environmental Impact Assessment
GoM	Government of Mongolia
HLCSC	Household Livelihoods Capacity Support Council
INGO	International Non-Governmental Organization
LIF	Local Initiatives Fund
MAPSSD	Mongolian Association for Primary and Secondary School Development
MoECS	Ministry of Education, Culture, and Science
MoFE	Ministry of Finance and Economics
MoJHA	Ministry of Justice and Home Affairs
MP	Member of Parliament
MPRP	Mongolian People's Revolutionary Party
MRPA	Mineral Resource and Petroleum Authority of Mongolia
MRTV	Mongolian Radio and Television
MSWL	Ministry of Social Welfare and Labor
MT	Mongolian Togs
NCAV	National Center Against Violence
NGO	Non-Governmental Organization
NHRC	National Human Rights Commission
ORM	Ongi River Movement
OSF	Open Society Forum
PETS	Public Expenditure Tracking Survey
PSMFL	Public Sector Management and Finance Law
SLP	Sustainable Livelihoods Program
SWOT	Strengths-Weaknesses-Opportunities-Threats
TAF	The Asia Foundation
TAN	Training in Advocacy for NGOs
UMENGO	Union of Mongolian Environmental NGOs
UNDP	United Nations Development Programme
USAID	United States Agency for International Development
WSP	Women for Social Progress
WSP-UV	Women for Social Progress – local branch in Uvorkhangai

Vice President	Katherine Sierra
Sector Director	Steen Lau Jorgensen
Sector Manager	Caroline M. Kende-Robb
Task Team Leader	Jeff Thindwa

Preface

This study on "The Enabling Environment for Social Accountability in Mongolia" is part of a continuing effort by the Social Development Department to promote governance and effectiveness of development programs in the Bank's partner countries through civic engagement and social accountability. It builds on important research by the World Bank, other foreign donors, and civil society organizations (CSOs) on the activities of CSOs in Mongolia, recognizing their important role in the country's transition from a centrally governed socialist state to a modern democracy with a free market economy. The unique feature of this study is its focus on social accountability and the conditions influencing its success and failure. It presents a number of important findings and offers recommendations for policy, institutional, legal, and regulatory reforms; and for capacity enhancement.

The study, which was carried out from February to June 2005, used an analytical framework that focused on the key enabling elements of civic engagement: Association, Resources, Voice, Information, and Negotiation (ARVIN). Emphasis was placed on Voice, Information, and Negotiation as particularly important to social accountability efforts. The research employed both quantitative and qualitative methods. Interviews and focus groups were conducted with a wide range of actors from the Mongolian Government, CSOs, media, parliamentarians, religious groups, international non-governmental organizations (INGOs), and foreign donors in Ulaanbaatar and Uvorkhangai. This was complemented by an extensive literature review of government policies and legislation; activities of CSOs, donors, and media; and an examination of the larger legal, political, and socioeconomic milieu. A survey of CSOs and a national opinion poll contributed critical information on the conditions the conditions that promote social accountability by government institutions; the capacity of societal actors for Voice, Information, and Negotiation; and popular views about accountability and the performance of government institutions. Four case studies provide illustrations of social accountability practices, opportunities, and constraints. Given the importance of the media to social accountability, the report also provides an overview of the media in Mongolia.

The report was co-authored by Linda Beck, lead consultant (Professor of Political Science, University of Maine-Farmington), Toby Mendel, legal consultant (Law Program Director, Article 19), and Jeff Thindwa, task manager (Senior Social Development Specialist, World Bank). Oyuna Baasanjav, Gender and Participation Specialist (World Bank-Mongolia), provided invaluable guidance and research inputs. The research team benefited from constant guidance from Christopher Finch and Carmen Monico. The authors gratefully acknowledge the contribution of The Asia Foundation (TAF) in Mongolia which, as the Bank's local partner, provided research, translation and administrative and logistical support under the leadership of T. Layton Croft and William Foerderer. The TAF team consisted of Itgel Lonjid, Luya Luvsanjamts, Alison Dong, Puji Jamsran Khutagt, Ogie B. Bar-Orgil, Bilge, and Odgerel Byambaa. With very limited time and a very high level of professionalism, the Mongolian NGO, Sant Maral conducted the study's opinion poll for which the team is deeply indebted. The study team is also grateful for the support and facilitation of Saha Meyanathan, World Bank Country Manager of Mongolia, and his team. The study benefited from comments from reviewers Bhuvan Bhatnagar, Jeff Ramin, Genevieve Boureau-Debray, Andres Liebenthal, and Ruth Alsop. Participants in the formal Concept Note Review and Decision Meeting richly informed this report. Crystal Lopez and Barry Driscoll, research assistants in the Participation and Civic Engagement Group, along with Jeff Krutz, a Ph.D. candidate at Columbia University, helped with research and proofreading. Finally, this study would not have been possible without the cooperation of the Government of Mongolia and the willing participation of many individuals and organizations from civil society organizations, media, parliament, and the donor community in Mongolia who gave generously of their time to assist the study.

Executive Summary

Governmental accountability has become an increasing focus of attention by the World Bank and other international donors in their development policies, strategies, and programs. Efforts to promote accountability have traditionally focused on improving horizontal accountability between governmental actors and institutions, that is, the "supply-side" of governance. Recently, however, the "demand side" of governance, including but not limited to the electoral process, has received greater attention. This vertical form of social accountability is based on civic engagement as a means to promote transparency and responsiveness in public policy making and implementation and is increasingly regarded as vital for good governance. Moreover, social accountability empowers citizens, especially poor citizens, and promotes inclusive and accountable institutions that can enhance the political legitimacy and stability of a government and strengthen social cohesion.

Social accountability refers to a range of mechanisms that citizens can use to hold public officials to account, and actions on the part of government, civil society, media, and other societal actors that promote these efforts.[1] While conventional ways of holding governments accountable have included such actions as public protests, advocacy campaigns, and investigative journalism, there is growing attention to social accountability practices such as participatory budgeting, public expenditure tracking, and citizen monitoring of public service delivery, which emphasize a solid evidence base and direct negotiation between citizens and government representatives.

The role of civil society actors in promoting social accountability is particularly relevant to Mongolia because of the emphasis the Government of Mongolia (GoM) and its development partners place on good governance to enhance social and economic development. Social accountability mechanisms that strengthen links between the state and citizens form a critical foundation for Mongolia's ongoing effort to develop democratic institutions that enable economic growth and human development. These mechanisms are important for limiting corruption, a problem all stakeholders acknowledge as a mounting challenge in Mongolia. Given the sociopolitical legacies of the socialist regime that reinforce top-down approaches to governance, one of the greatest challenges to achieving Mongolia's economic and social development is enhancing the important role that citizens and their organizations can play in promoting government accountability.

The purpose of this study, therefore, is: 1) to analyze conditions that influence the ability of citizens and their organizations to promote accountability of public institutions in Mongolia; 2) to identify priority areas for policy, legal, regulatory, and institutional reforms to improve these conditions; and 3) to identify areas in which the capacity building of civil society organizations and the Government of Mongolia may be promoted to enhance social accountability for improved governance, social and economic development, and poverty reduction.

Despite numerous studies on related topics of governance, development, and civil society in Mongolia, many of which are cited in this document, few have considered and none have focused on issues related to social accountability.[2] The study applies a civic engagement analytical framework to assess the enabling environment: the factors and conditions that would allow CSOs to promote public accountability. This framework, represented by the acronym ARVIN, recognizes five enabling elements

[1] Although the focus of this paper is public sector accountability, social accountability also applies to society's actions in exacting accountability from private sector institutions and even CSOs.

[2] A notable exception is the recent World Bank study on Mongolian Civil Society Organizations by Chris Finch (2005), which provides critical background information to this document.

of civic engagement, namely, the ability of citizens to: Associate to further their purposes; mobilize appropriate Resources; exercise their Voice; gain access to Information that is relevant, timely, and accessible; and Negotiate with government through established mechanisms and rules of engagement. While acknowledging the important issues related to Association and Resources, this study focuses on Voice, Information, and Negotiation to shed light on the factors that contribute to and detract from civic engagement for social accountability.

The study draws on both qualitative and quantitative methods to ensure both breadth and depth. These include interviews, focus groups, a CSO Survey (annex 6), an opinion poll (annex 7), and an extensive literature review. The study's methodology also includes four case studies (annexes 1-4) that provide insight into key issues related to civic engagement and social accountability, including: legal advocacy (National Center Against Violence); local governance (Women for Social Progress–Uvorkhangai); natural resource management (Ongi River Movement); and public service delivery (School Councils). Given the importance of the media to social accountability, the study also includes an overview of the media (annex 5). The research for this study was conducted in three stages: the assessment mission in Mongolia in February 2005; the field research mission in April/May 2005; and the dissemination mission in February/March 2006. During each of those phases, the team met with government officials, civil society leaders, media workers, parliamentarians, and representatives from INGOs, and foreign donors (see Stakeholders' Map, annex 8).

Considering Mongolia's recent democratic transition, there is an impressive array of social accountability approaches currently in use by civil society, foreign donors, and, to a lesser extent, government. For example, various methods were used by the CSOs in the detailed case studies for this report, such as legislative advocacy, public expenditure monitoring, petitioning of public officials for access to information, public demonstrations, and direct negotiation with government agencies. Other examples of social accountability mechanisms include community score cards that are part of the World Bank-supported Local Initiatives Fund, and the Public Service Reform Project, which uses citizen report cards to monitor the health sector.

While there are many sociocultural, political, and economic constraints on social accountability in Mongolia, the major findings of the study focus on actionable recommendations for the client as well as for other stakeholders. The recommendations are tied to the enabling factors of Voice, Information, and Negotiation and to the overall capacity of CSOs as summarized in the Conclusion. The study recommends the revision of critical legal codes affecting CSOs with regards to anticorruption, taxation, and the Non-Profit Law. It also proposes actions to increase CSO financial resources, which are limited and precarious, and capacity building measures to promote organizations outside of Ulaanbaatar, strengthen umbrella organizations, and enhance CSO involvement in and public knowledge of social accountability initiatives.

To promote civil society's Voice in the pursuit of social accountability, the study recommends the reform of Mongolian laws regulating defamation, media registration, and broadcast licensing. Since all stakeholders recognize that implementation is a greater obstacle than the legal code itself, the study also recommends various institutional reforms and capacity-building measures to ensure the implementation of these reforms as well as existing codes that guarantee freedom of expression. These include a civic education program to inform citizens of their rights through public service announcements and culturally appropriate community theater projects.

A number of recommendations related to Voice as well as Information focus on the need to improve the quality of the media to ensure freedom of expression and citizens' right to reliable information and enhance public interest broadcasting. Among the proposals for institutional reforms is capacity building

of public radio and television, which is currently threatened by funding cuts and politicization of its governing board.

As access to Information is crucial to social accountability, the study recommends not only the adoption of an Access to Information Law, which is currently on the parliament's agenda, but also the amendment of the Law on State Secrets as it reinforces a culture of secrecy. Reform of Mongolia's culture of secrecy will require significant leadership by senior officials, extensive training of civil servants and civic education programs, as well as vigilant monitoring by CSOs. Moreover, given the costs of independent research, the study recommends that CSOs, with start-up support from the international community, expand their provision of alternative sources of information and collaborate with the GoM in both gathering and analyzing relevant data to promote social accountability.

Finally, the study recommends greater knowledge, use, and expansion of current mechanisms and forums for Negotiation with public officials. Community Scorecards, for example, could be incorporated into the Sustainable Livelihoods Project to increase the scope for citizen monitoring, assessment, and eventually negotiations to improve the program. While international donors should support CSO efforts to form liaisons with public officials and other stakeholders, the study recommends that public officials should create formal mechanisms to encourage civil society and citizen input into the legislative and policy-making process and provide increased opportunities for regular dialogue and networking (for example, a CSO council to the Prime Minister).

The study concludes that while impressive strides have been made since the transition from socialism, particularly in comparison with other governments in the region, Mongolia continues to face significant institutional, legal, and sociopolitical obstacles to effective social accountability. Since middle- and lower-level public officials are often more resistant to civic engagement, GoM and political leaders must lead reform not only of the legal structure and governmental institutions but also of Mongolia's political culture to promote an enabling environment for social accountability.

Part I. Introduction

1.1 Definition and Importance of Social Accountability

Accountability of public officials is the cornerstone of good government and a prerequisite for an effective democracy. The World Bank and other international donors are paying increasing attention to accountability and transparency of public institutions in their development policies, strategies, and programs. Efforts to enhance government accountability have concentrated on improving so-called "horizontal" mechanisms of accountability between governmental actors and institutions. These include: 1) political mechanisms such as constitutional constraints, separation of powers, the legislature, and legislative investigative commissions; 2) fiscal instruments such as formal systems of auditing and financial accounting; 3) administrative mechanisms such as hierarchical reporting, norms of public sector probity, public service codes of conduct, and rules and procedures regarding transparency and public oversight, and 4) legal mechanisms such as corruption control agencies, ombudsmen, and the judiciary (Goetz and Gaventa 2001).

Recently, efforts to improve governance have focused on the "vertical" mechanisms of accountability to encourage the participation of citizens, especially impoverished citizens, in promoting accountability and responsiveness among public officials and service providers. Such forms of accountability, commonly referred to as social accountability, promote transparency and responsiveness in public policy making and implementation and are increasingly regarded as an important means to improve governance and develop effectiveness.[3] While this approach to accountability empowers citizens,[4] it can also promote inclusive and accountable institutions and enhance the political legitimacy and stability of a government, thereby strengthening social cohesion and capacity for socioeconomic development.[5]

Social accountability, as used in this study, refers to 1) the broad range of actions and mechanisms, including but not limited to voting, that citizens can use to hold public officials to account, as well as 2) actions on the part of government, civil society, media, and other societal actors that promote or facilitate these efforts. Traditionally, citizen or civil society-led efforts to hold public officials accountable have included actions such as public demonstrations, protests, advocacy campaigns, investigative journalism, and public interest lawsuits. In more recent years, the expanded use of participatory data collection and analysis tools, combined with enhanced opportunities for civic engagement with the state, have led to a new generation of social accountability practices that emphasize a solid evidence base for direct dialogue and negotiation with public officials.[6] These include participatory public policy making, participatory budgeting, public expenditure tracking, and citizen monitoring and evaluation of public service delivery. They also include efforts to enhance citizen knowledge and use of conventional mechanisms of accountability through public education about legal rights and services; and efforts to improve the effectiveness of "internal" accountability mechanisms through activities such as citizen involvement in public commissions and hearings, citizen advisory boards and oversight committees (Malena 2005).

[3] John Ackerman defines social accountability as "society's role in improving government accountability" (Ackerman 2004a). On the conceptualization of social accountability and its applicability to economic and political development, see also Dennis Arroyo (2004) and Carmen Malena, et al. (2004).

[4] The World Development Report 2001(World Bank 2001d) and the World Bank's empowerment framework, *Empowerment and Poverty Reduction, A Sourcebook* (World Bank 2002a) also recognize accountability as an integral component of empowerment.

[5] Inclusion, cohesion, and accountability are the three principles prioritized in the World Bank's Social Development Strategy (2005b).

[6] A well-cited example of this is the "citizen report card" survey pioneered by the Public Affairs Center in Bangalore (India) that assesses the quality and effectiveness of public services in the city.

1.2 PURPOSE OF THE STUDY

The purpose of this study is: 1) to analyze the conditions that influence the ability of citizens and their organizations to promote accountability; 2) to identify priority areas for policy, legal, regulatory, and institutional reforms to improve these conditions; and 3) to identify areas in which capacity building of civil society organizations and the Government of Mongolia may be promoted to enhance social accountability for improved governance, social and economic development, and poverty reduction.

The role of civil society actors in promoting social accountability is particularly relevant to Mongolia because of the emphasis the GoM and its development partners place on good governance to enhance social and economic development. Social accountability mechanisms —which strengthen links between the state and citizens—form a critical foundation for Mongolia's ongoing effort to develop effective and accountable democratic institutions. These accountability mechanisms check corruption—increasingly acknowledged by all stakeholders[7] as a challenge in Mongolia. Furthermore, both public governance and civic engagement are constrained by sociopolitical legacies of the socialist regime that accustomed Mongolians to a top-down approach to governance and ensured their passive acquiescence to the state. Consequently, one of the greatest challenges to the consolidation of Mongolia's transition to an open political and economic system is that public officials and citizens must gain a greater understanding of the role of citizens in promoting social accountability, as well as the knowledge to effectively incorporate citizen contributions into governance and development.

Finally, a 2003 Client Survey conducted by the World Bank in Mongolia indicated "that there are two areas where the Bank is seen less positively, and may want to explore in further detail: building capacity at (the) community level and including local communities and civil society in strategy development" (World Bank 2003b:34). This analysis of the enabling environment for civil society participation in social accountability responds to both of these concerns.

1.3 CONCEPTUAL FRAMEWORK: ENABLING ENVIRONMENT FOR CIVIL SOCIETY'S PARTICIPATION IN SOCIAL ACCOUNTABILITY

Broadly defined, social accountability is the pursuit of accountability of public institutions, the private sector, or even CSOs to societal actors. Social accountability mechanisms may be initiated or promoted by the state, international agencies, or individual citizens. To be effective, however, social accountability requires the sustained participation of a strong, vibrant, and autonomous civil society that is active in social, economic, and political governance issues.[8] The participation of both civil society actors and ordinary citizens is commonly referred to as civic engagement.

This study focuses on civil society organizations (CSOs) rather than individual citizens because CSOs generally have greater access to resources and represent many citizens who may be seen as a significant voting bloc; thus, they are better placed to promote social accountability. A frequent critique of studies on civil society is that they focus on formally organized and officially recognized NGOs. This study goes

[7] See Sant Maral Foundation 2005; UNDP 2000; Zorig Foundation 2004.

[8] Although there are many actors in the private sector who may hold a government accountable, such as influential business leaders, this study focused on the role of civil society actors in promoting social accountability. Only when business leaders have banded together to form a CSO, such as through business associations, would their activities come within the parameters of this study.

further and recognizes other types of civil society actors, in particular informal and religious groups. However, while the study is informed by interviews with several Buddhist leaders, as well as by secondary literature on the role of religion in Mongolian society, the team found little evidence of informal civil society actors involved in civic engagement and social accountability, other than the anticorruption movement Healthy Society and several nascent environmental movements.[9] Despite these findings and a general lack of secondary sources on civil society organizations other than NGOs, it is acknowledged that additional research may reveal the less visible participation of informal CSOs and other societal actors in civic engagement and social accountability.[10]

Given Mongolia's recent democratic transition, the study found a diversity of social accountability mechanisms in use by civil society, foreign donors, and, to a lesser extent, the government. For example, various methods used by the CSOs are the subject of detailed case studies for this report. These include legislative advocacy by the National Council Against Violence (annex 1); public expenditure monitoring by the Women for Social Progress-Uvorkhangai (annex 2); petitions to public officials on issues of public interest by the Ongi River Movement (annex 3); and public demonstrations, direct negotiation with government, and information campaigns by all three CSOs. Other examples of social accountability mechanisms include interactive radio talk shows that host public officials; community scorecards, which are a part of the Bank-supported Local Initiatives Fund; and the Public Service Reform Project, which is using citizen report cards to monitor the health sector.

Most of these efforts have been undertaken by conventional NGOs, often with support from foreign donors, including international non-governmental organizations (INGOs) like the Asia Foundation, the Konrad Adenauer Foundation, and the Open Society, as well as bilateral and multilateral donor agencies. There is also encouraging evidence of interest in social accountability at different levels and branches of government. For example, the Ministry of Finance's Poverty Reduction Group, in collaboration with the World Bank, organized a workshop in February 2005, to introduce social accountability concepts and tools. The audience was diverse, with mid-level officials from the finance, health, education, and social welfare ministries, the state audit agency, the public reform project, and several CSO leaders.

To analyze the successes and failures of social accountability mechanisms, this study applies a civic engagement analytical framework to assess the enabling environment: the components that would permit CSOs to promote public accountability. Within this framework, there are five enabling elements, the ability of citizens to: Associate to further their purposes; mobilize appropriate Resources; exercise their Voice; gain access to Information that is relevant, timely, and accessible; and Negotiate with public officials through established mechanisms and rules of engagement. These elements, represented by the acronym ARVIN, informed the research for this study, exploring factors that contribute to and detract from effective civic engagement for social accountability (civic engagement/social accountability).

After the initial assessment mission, the team decided to concentrate on only three aspects of ARVIN. Association appeared to be straightforward and did not warrant an exhaustive analysis; whereas issues related to Resources were too complex to be fully researched and analyzed in the restricted time. Association-related issues are, nonetheless, discussed in part II, the overview of Mongolian civil society,

[9] The movement's name, *Eruul Niigmiin Hudulguun* is varyingly translated as either Just or Healthy Society.

[10] The preliminary CIVICUS report identified 10 different elements in Mongolian civil society, including: NGOs, trade unions, religious organizations, the chamber of commerce, apartment owners' unions, savings and credit cooperatives, nonprofit media, private sector philanthropy, and informal self-help health and leisure or community groups. All of these were analyzed in this report, although not classified in the same manner or given the same attention. The CIVICUS report also included political parties in its definition of civil society, whereas parties are defined here as a part of political society that are nonetheless implicated in social accountability both as an object of and potential proponent of civic engagement.

and Resources-related issues are discussed in various parts of this study, although not as thoroughly as the issues related to Voice, Information, and Negotiation, analyzed in part III.

Since the elements of ARVIN are influenced by factors that are both external and internal to civil society, the impact of these factors is briefly outlined in part II. The analytical framework identifies four principal external factors: the legal and regulatory framework, political factors (including governance), economic issues, and sociocultural characteristics. Internal factors that influence civic engagement/social accountability are grouped into three analytical categories: capital (financial, human, and physical), internal governance, and accountability relationships between CSOs and their constituencies.

1.4 DESCRIPTION OF METHODOLOGY

The study draws on both qualitative and quantitative methods to ensure both breadth and depth. The study was conducted in three stages: the assessment mission in Mongolia in February 2005, the field research mission in April/May 2005, and the dissemination mission in February-March 2006. During each of those phases, the team met with government officials, civil society leaders, media workers, parliamentarians, and representatives from INGOs and foreign donors (see Stakeholders' Map, annex 8). The study team set up interviews and focus groups to gain insights into the stakeholders' views on and participation in civic engagement and social accountability. These also provided the team with extensive documentation on government policies and legislation, the mission and activities of CSOs, and the role of media and international actors in supporting civic engagement/social accountability, as well as the legal, political, institutional, and socioeconomic climate in which they operate.[11] The team also reviewed vast secondary sources before and after each mission (see Bibliography). The analysis from these various publications added to the body of information available to the team.

While the focus groups permitted meetings with more stakeholders in a relatively short time, they also permitted the team to observe the dynamics among them and their level of consensus on key issues related to civic engagement and social accountability. Moreover, the six focus groups with CSO leaders permitted follow-up on issues that came out of the CSO Survey and offered an opportunity to pose broader, more open-ended questions (see Survey of CSOs, annex 6). Participants in the CSO focus groups were selected from among the survey respondents, who fell into two categories: a sample of randomly selected NGOs registered with the Ministry of Justice (35) and a list of "active" CSOs (61), identified in consultation with several different NGOs, INGOs, and members of the donor community.[12] The CSO focus groups were held simultaneously. Plenary sessions were conducted before and after the focus groups to present survey findings of the CSO survey and discuss both the key issues and recommendations that participants identified as critical to the enhancement of civic engagement/social accountability.

In addition to basic demographic information and general questions regarding their involvement in civic engagement and social accountability, the CSO survey specifically probed key issues of involvement in social accountability, as well as the enabling environment for voice, information and negotiation as well

[11] Outside of direct personal requests for documentation, it was surprisingly difficult to gain access to reports on various issues related to the study. An exception to the rule was the impressive Web site maintained by the Open Society Forum, which has a wealth of information.

[12] The difficulties encountered while conducting the random sample of registered NGOs, including difficulties in ascertaining the list from the ministry and locating selected NGOs, are indicative of a number of issues discussed in this report.

as resources.[13] The quantitative component of the research methods was a national opinion poll on the performance of the government and general knowledge about and opinions on the role of CSOs in enhancing the performance and conduct of public officials, that is, social accountability (see annex 7).[14]

As mentioned above, the study's methodology also included four case studies that were selected to provide greater depth and insight into key issues related to civic engagement/social accountability and the World Bank's mission. These experiences offer concrete illustrations of the benefits of and obstacles to civic engagement/social accountability (see annexes 1-4). Another component in the study's methodology is an overview of the vital role of the media in expanding social accountability practices (see annex 5).

The final component of the study was a dissemination mission that involved both bilateral interviews with various stakeholders and another CSO forum. Before the meetings, stakeholders were provided a summary of the studies findings and recommendations so they could provide informed responses and detailed feedback. The analysis presented here reflects their comments and suggestions.

[13] Although several NGOs in Uvorkhangai responded to our questionnaire, the overwhelming majority of respondents to the CSO survey (93 percent) were based in Ulaanbaatar. This is a reflection of a UB-bias among active CSOs discussed in part II, and a bias toward those registered with the MoJHA.

[14] The CSO survey was conducted by TAF, whereas the opinion poll was contracted to a Mongolian NGO, Sant Maral, which has extensive expertise in conducting nationwide polls.

PART II. Key Aspects of the Mongolian Country Context[15]

2.1 Overview of Mongolia's Political, Economic, Legal, and Sociocultural Context

Since 1990, Mongolia has undergone a rapid economic and political transition from being an authoritarian socialist regime with a centrally planned economy to a democracy with a market-based economy. However, corruption in key sectors has undermined its economic performance and political reforms. In addition, economic and environmental factors, combined with relaxation in state control of internal migration, have contributed to a dramatic increase in urban migration, particularly to the capital city, which now constitutes approximately half of the Mongolian population. Although Mongolia's legal regime is relatively conducive to civic engagement and social accountability, there remain problematic areas within its legal and regulatory codes as well as inefficiencies in implementation, some resulting from Mongolia's socialist legacy.

2.1.1 Political Institutions

Mongolia fares well across several governance indicators. At a global as well as regional level, World Bank indicators suggest that Mongolia has above-average levels of political stability; slightly above-average levels of voice, accountability and rule of law; though only average levels of government effectiveness, regulatory quality, and corruption control (Kaufman 2003). Moreover, the annual Freedom House survey ranking political freedom and civil liberties in countries throughout the world, classifies Mongolia as "free." Mongolians currently enjoy most civil and political freedoms: dissenting views are regularly expressed and tolerated, and government intervention is largely absent from everyday personal life (Freedom House 2005). The indicator on which Mongolia is comparatively weak is the Corruption Perception Index of Transparency International, which currently ranks Mongolia eighty-fifth out of 147 countries, on par with Romania and the Dominican Republic (Transparency International 2005).

Since its initial transition, the country has moved toward the establishment of democratic laws and institutions. The 1992 Constitution created a semi-parliamentary system with a unicameral parliament and a prime minister-led dual executive branch. The president exercises little power other than an advisory veto over legislation. Nonetheless, this provision has resulted in revisions to pending legislation in recent years such as the public broadcast law adopted in 2005 (see part 3.2 and annex 5 on the media). In addition to the dual executive, the Mongolian Constitution promotes a balance of power among the executive, legislative, and judicial branches of government. The Constitution also recognizes the "supreme objective of building a humane, civil, and democratic society in the country," and explicitly guarantees basic civil rights, including freedom of expression, assembly, and association, as well as the right to own property.[16]

Following the transition to a multiparty democracy in 1992, Mongolia has held relatively free and fair elections regularly, with several peaceful transfers of political power between parties. However, according to a preliminary draft of the CIVICUS report on civil society in Mongolia (2006), "the 2004

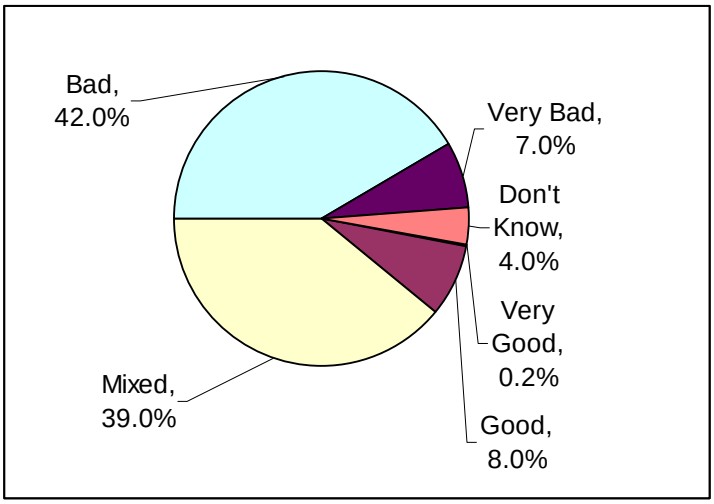
[15] The overview of the country context and Mongolian civil society draws heavily on two academic sources (Kaplonski 2004 and Rossabi 2005) and the preliminary CIVICUS report (2006), as well as several reports by the international donor community. See inter alia reports by Asian Development Bank (2004a), UNDP (2000), and the World Bank (2003b, 2005a).

[16] Mongolian political and economic institutions have weathered recent changes in land tenure laws that initially created a great deal of popular dissatisfaction and political instability.

parliamentary elections demonstrated an alarming trend of increasing corruption of election management and campaign practices at all levels," including voter list manipulation and the misuse of public servants and state property by the ruling party. According to the report, some of these practices were repeated during the 2005 presidential election.

While researchers have emphasized Mongolia's exceptional success in consolidating its democratic transition (Fish 1998 and 2001; Fritz 2002), an opinion poll conducted for the study by Mongolian NGO, Sant Maral, in May 2005 shows that there is growing concern about the political situation. Nearly half the respondents indicated that the current political situation in Mongolia is bad or very bad, with another 39 percent describing it as mixed (see figure 2.1.1).[17]

Figure 2.1.1 Popular View of Political Situation in Mongolia



Source: Opinion Poll (Annex 7, Question B).

These popular attitudes are largely a reflection of what the Economist Intelligence Unit (EIU) describes as the current "volatile" political scene in Mongolia (EIU March 2006). Following the 2004 parliamentary elections, opposition parties and the Mongolian People's Revolutionary Party (MPRP)—the socialist party that ruled Mongolia for most of the twentieth century— formed a coalition. The coalition collapsed later that year, leading some members of parliament (MPs) from the Mongolian Democratic Party (MDP), Mongolia's largest opposition party, to "cross over" to the MPRP parliamentary group. This new coalition governed until January 2006 when the MPRP withdrew its support and, in February 2006, formed a new government with several smaller parties. Since then the MDP and the Civil Will Party have been attempting to create a "shadow government."[18]

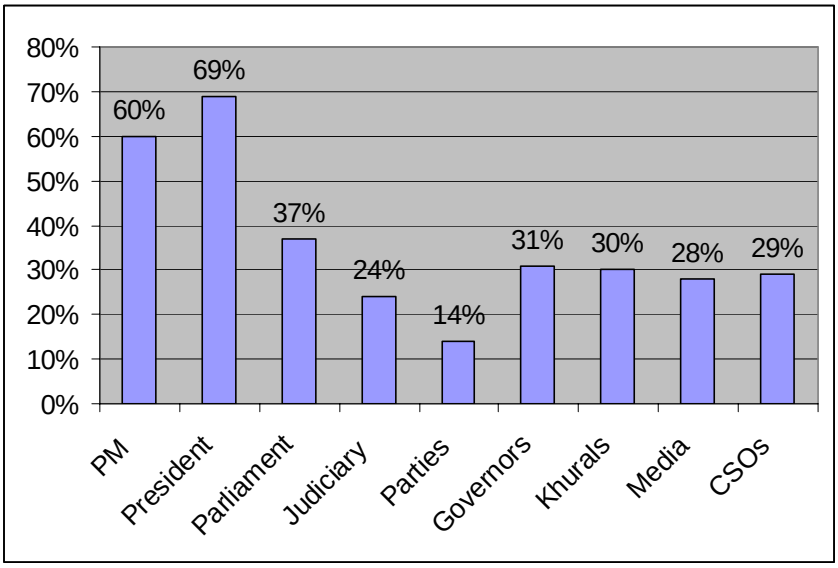
Leadership struggles within both the MDP and the MPRP have intensified the volatility of the political environment and reinforced popular perception of Mongolia's political parties as institutionally weak. An opinion poll conducted in May 2005 (see figure 2.1.2) and various other independent polls conducted by

[17] Subsequent independent polling by Sant Maral in November 2005, January 2006, and April-May 2006, indicates a high level of dissatisfaction with the current political system. The data from the frequently conducted Sant Maral opinion polls are largely available online via the Open Society Forum portal at www.soros.org.mn.

[18] There have also been persistent calls for the dissolution of parliament by leaders of civil society, some of whom have been demonstrating outside the Government House, where a group of protestors went on a hunger strike in April 2006, demanding that issues of corruption be immediately addressed by the dismissal of various prominent public officials.

Sant Maral show an extreme lack of confidence in political parties. In January 2006, for example, respondents once again gave political parties the lowest confidence rating (13.7 percent) among Mongolia's various sociopolitical institutions, while 18 percent of the respondents indicated that they preferred no party rather than any of the existing choices. Moreover, 31.5 percent believed that Mongolia does not need parties but should instead have a strong presidency.

Figure 2.1.2 Level of Confidence in Social and Political Institutions (percent)



Source: Opinion Poll (Annex 7, Question I).

As public confidence in Mongolia's political parties has waned, popular support for a presidential system has intensified.[19] In the January 2006 Sant Maral poll, 36.9 percent of respondents reported that a presidential system is "more suitable for Mongolia." A Mongolian political scientist cited newspaper speculation on the need for a presidential system just prior to this study's dissemination in February 2006, observing that some politicians are playing to a populist desire for strong leadership in a time of political crisis.[20] Various observers expressed concern that a presidential system would undermine Mongolian democracy as it has in other former socialist countries, most notably the Russian Republic.

Other stakeholders, including several prominent CSO leaders, have also voiced concern that the potential rise of a dominant party in Mongolia could erode its democratic institutions. Research conducted by the Political Education Alliance (PEA) indicates that the MPRP has increased its spending on campaigns as a percentage of total spending by political parties from 25 percent in 2000 to 75 percent in 2004. Although this raises the issue of "where the money is coming from," a question rhetorically posed by a PEA leader, it is also noteworthy that in spite of increased campaign spending, the MPRP received a mere plurality of votes in the 2004 elections. Moreover, an opposition MP noted during a dissemination interview that opposition parties have introduced some important legislative reforms, including campaign finance reform and a 30 percent quota for women candidates.

[19] This study's analysis includes political parties, but does not define them as part of civil society as does the recent CIVICUS study. Parties are nevertheless an important part of political society. As such, parties are a potential target for demands for social accountability as well as one of its potential promoters.

[20] An MP also speculated about who was "paying" for this press coverage and financing the push for the dissolution of parliament so that this alternative political system may be proposed.

As figure 2.1.2 clearly illustrates, Mongolian society also lacks confidence in the country's judiciary. During the dissemination CSO forum, several CSO leaders concurred that the judicial system was "the most corrupt institution in Mongolia." Criticisms included allegations of high levels of corruption and low levels of professionalism among judges, a lack of transparency within the legal system, and cronyism between the judiciary and politicians.

2.1.2 Intergovernmental Relations

Mongolia's intergovernmental structure is a mixture of decentralization and deconcentration (World Bank 2005c). At the subnational level, the structure consists of three levels of government outside of Ulaanbaatar: aimags (provinces), soums (districts), and bags (rural communities).[21] At each of these levels, there is a khural (assembly) and a governor who serves as an executive administrator. The aimag governor is nominated by the local khural and appointed by the prime minister, while soum and bag governors are nominated by their khurals but appointed by the governor at the next highest level of government. Citizens directly elect their aimag and soum khurals. Although the local election of khurals indicates a certain level of political decentralization, critics claim that this structure of authority undermines the autonomy of the governors in relation to the central government, their horizontal accountability to the local khurals, and their vertical accountability to the local citizenry (see part III, Finding 3.4.1, annexes 3 and 4, and Findings ORM 6 and EDU 6, respectively).

At each level of the three-tiered structure, khurals serve as governing bodies that pass laws. However, neither the 1992 Constitution nor the Administrative and Territorial Units and their Management Law (ATUTML) clearly defines the functional jurisdiction of the khural, which appears to be more a voice for local views than a body for pivotal decision making. Members of the local khurals were described by a CSO leader at the dissemination forum as acting like "apparatchiks looking for instructions from their superiors."

Among the three subnational levels of government, soums and bags are the basic administrative and territorial units for consolidating communal services. Indeed, Mongolians have expressed that bag governors are the most visible and accessible government officials (McClean 2001). According to the ATUTML, however, bags have no independent budget. The salary and expenditures of bag governors are included in the soum budget (Center for Mongol Management 2004).[22] This scenario clearly restricts the scope for citizen engagement in local governance at the lowest level.

Although public administration and sector policy making in Mongolia are formally deconcentrated, local governments at the aimag and soum levels have little effective input in sector policy formulation (McClean 2001). The 2002 Public Sector Management and Finance Law (PSMFL) significantly centralized fiscal management, including most of the revenues that were previously shared with local governments, leaving these with limited power to institute new taxes. The PSMFL also shifted most of the expenditure assignments from local governments to central government, and curtailed local governments' responsibility for service delivery (World Bank 2005a). At present, local governments do not have adequate resources to fulfill even their limited service-delivery responsibilities as mandated by Article 52 of the PSMFL (see part III, Finding 3.4.1).

[21] The capital itself is divided into similar levels of administration, referred to as *duuregs* and *hooros*.

[22] The CIVICUS report gave Mongolia a score of zero for decentralization because the "sub-national share of government expenditure is less than 20 percent" (CIVICUS 2006:29).

2.1.3 Economic Context

Immediately after its political transition, Mongolia suffered from rapid economic contraction and the breakdown of its trade and economic relations with the Soviet-led Council for Mutual Economic Assistance (COMECON). However, Mongolia moved rapidly to establish a framework of market-based laws, policies, and institutions. In 2004, it had the world's highest growth rate of 10 percent. Despite relative macroeconomic stability, however, the sources of its record economic growth have remained narrow, and the economy remains vulnerable to external shocks.

Similarly, Mongolia has mixed results in social sector development. Since its transition, Mongolia has preserved the relatively high levels of human development that characterized the socialist period and recovered from sharp drops in key indicators such as infant mortality and school enrollment (see annex 4). However, progress toward several key Millennium Development Goals has been weak. For example, more than one-third of the population remains below the poverty line, and rural-urban disparities in economic activity and social services have widened, contributing to further rural-urban migration (HIES/LSMS 2004).[23]

In particular, Mongolia's economy remains highly dependent on the mining sector. According to a background paper on "Mineral Wealth and Equitable Development" prepared for the 2004 World Development Report by UCLA Professor Michael Ross, Mongolia's mineral dependence is twenty-third highest in the world; this is due to its sizable deposits of copper, gold, and various other minerals and its relatively narrow economic base. On the positive side, rapidly rising mineral prices in recent years have fueled economic growth, improved Mongolia's trade balance, contributed to Mongolia's first budget surplus in 2005, and attracted significant foreign interest and investment by large multinational mining companies.[24] This mining boom has catalyzed an intense debate over whether Mongolia is receiving a fair share of the benefits from its mineral resources. Some politicians have urged greater governmental participation in new mining ventures, while the mining industry remains opposed to amending the country's 1997 Mining Law.[25] In addition, parliament recently passed a windfall tax on copper and gold revenues when prices exceed set levels. The current boom has also prompted discussions on how Mongolia can utilize mineral windfalls accrued during boom years to compensate for future price downturns; the GoM is discussing various options, including the establishment of a stabilization fund. The GoM's decision late last year to join the global Extractive Industries Transparency Initiative, an initiative promoting good governance, transparency, and balanced development in resource-rich countries such as Mongolia, has been well received by civil society and international partners.

2.1.4 Legal Context

All stakeholders, including CSOs, concur that Mongolia's legal framework is relatively conducive to civic engagement and social accountability. Nevertheless, there remain some problematic areas. For example, although the Mongolian Constitution and the 1998 Law on Freedom of Media guarantee freedom of expression, certain legal codes such as criminal defamation laws and media registration and licensing systems may constrain the exercise of this right (see part III, Findings 3.2.2 and 3.2.3).

[23] The Bank-supported Participatory Living Standards Assessment documented the emergence of multiple sources of vulnerability.

[24] Copper and gold prices increased by 28 and 8.6 percent, respectively, in 2005.

[25] An opinion poll taken by Sant Maral in November 2005 showed that when the parliament debated the existing mining laws, 41 percent of the respondents indicated that foreigners or multinational corporations benefited a lot from these laws; and 30 percent indicated that the GoM and politicians did as well. However, only 5 percent thought that ordinary citizens benefit a great deal from the current legal regime, with 36 percent indicating that they do not benefit at all.

The Constitution also guarantees the "right to seek and receive information from public bodies; but in practice, this right is limited by the State Secrecy Law and the absence of an Access to Information Law (see part III, Findings 3.3.1 and 3.3.2; and annex 5, Findings MEDIA 5 and 6). According to the 2006 CIVICUS study, this "political culture of nontransparency" is largely responsible for the ineffectiveness of the Mongolian bureaucracy, which is ranked in the World Bank Governance data set as slightly below average with a score of -0.46.

Over the last year a parliamentary working group has considered revisions to Mongolia's 1997 Law on Non-Governmental Organizations, which prompted the proliferation of NGOs. Although there are more than 5,300 NGOs at present, observers estimate that there are only between fifty to a few hundred active NGOs. Under the current law, there are two types of NGOs: mutual benefit NGOs, which serve the interests of their members; and public benefit NGOs, which promote public interests in specific areas. Regardless of their mission and activities, most NGOs are registered as public benefit NGOs as this designation offers more favorable tax status. Consequently, individuals misuse this tax "loophole" to register their enterprise as an NGO.

According to the CIVICUS study, "many government officials as well as conservative NGO representatives express concern over the 'excessive' number of NGOs and stress the need to 'bring order to the NGO field' by restricting their numbers, imposing hierarchical umbrella structures, and heightening state supervision" (CIVICUS 2006:40). These issues, combined with the desire to "remove NGOs from politics," were an impetus for the proposed Non-Profit Law. Although its enactment would prohibit the registration of politically affiliated associations, such as the women's group of a political party, which is currently registered as an NGO, a broad interpretation of this provision could prevent the registration of NGOs explicitly involved in civic engagement/social accountability (Finding 2.1). Healthy Society, for example, alleges that the Ministry of Justice and Home Affairs (MoJHA) has refused its registration on the basis of its political activism against corruption, requiring instead that it register as a political party.

Corruption is one of Mongolia's most serious challenges as it seeks to maintain high levels of economic growth and ensure equitable development for all citizens (see annex 7, Question C).[26] In October 2005, Mongolia ratified the UN Convention on Anti-Corruption. A new Anti-Corruption Law is on the parliamentary agenda for the Spring 2006 session, but key provisions of the law, including provisions on asset and income disclosure of public officials, are still under debate (see box 2.1.1 and Finding 2.2).

Box 2.1.1 Proposed Changes to the Anti-Corruption Law

The 1996 Law of Mongolia on Anti-Corruption lacked implementation measures, relying primarily on a system of confidential asset declarations. Importantly, the new draft Anti-Corruption Law, which was put to parliament in December 2005, includes some recognition that the fight against corruption will depend on mobilizing the support of civil society. The draft establishes an independent central Anti-Corruption Agency with broad powers to enforce the Law. It proposes a range of educational, informational, and promotional roles for NGOs and citizens. A key issue is the extent to which the new law will require officials to provide public asset declarations; such information is key in civil society investigations in order to expose corruption. The document Ten Steps to Intensity: The Implementation of the National Program to Combat Corruption, published by the government late in 2005, only calls for income declarations. It also proposes that the media be educated about these declarations. However, as of 15 December, 2005, the draft Anti-Corruption Law provided that asset declarations were protected by private secrecy rules and that only the total sum of assets and income for senior officials would be made public (Articles 10 and 12). Such general declarations are of limited use in tracking corruption.

[26] On corruption in Mongolia, see Quah (2003), as well as reports by UNDP (2002), and the Zorig Foundation (2004). The Zorig Foundation is an NGO that focuses on anticorruption, headed by MP S. Oyun whose brother was assassinated on the eve of his appointment as prime minister.

The new disciplinary committee for judges has found extensive corruption. During the first two years of the committee's operation (2003–2004), 31 judges—an astounding 7 percent of all judges—were subject to disciplinary measures. Given that many judgments were not enforced, there are significant issues regarding the enforcement of legal decisions against public authorities such as these justices.

2.1.5 Sociocultural Context

In sociopolitical terms, Mongolian civil society continues to be marked by legacies of the old socialist regime. Under this system voluntary citizen association was highly restricted and state-society relations were strictly a top-down affair. The high level of political deference and passivity among stakeholders and the general population undermined civic engagement and social accountability.

The socialist period was also characterized by large state-controlled mass organizations affiliated with the ruling MPRP. These "legacy associations"—such as trade unions, the Red Cross, and associations for women, youths, and the elderly—continue to exist and typically enjoy privileged access to state resources, reinforcing upward accountability toward public officials rather than downward accountability to Mongolian civil society.

Religious-based components of civil society among Mongolia's overwhelming Buddhist majority have also been constrained by the socialist legacy. Buddhist leaders and institutions were severely repressed for decades by the socialist state. Although Buddhism is now experiencing a strong resurgence, along with other minority religions, Buddhism has not served as a focal point of social activism or civic engagement in Mongolia.[27] Rather, a prominent lama in Ulaanbaator (UB) acknowledged that "politicians use the monks to gain support from the population" by associating themselves with the monasteries. He noted that they do not support a political party but rather individuals who they believe to be honest and trustworthy and who provide them with access to political resources, quickly adding that after the elections they never hear from the politicians again.

In contrast to the historical legacy of socialism, Mongolia's nomadic culture has reinforced the need for and value of mutual assistance. However, the vast expanse of the Mongolian countryside has constrained the development of communal associations, presenting a geographic obstacle that explains the limited number of community-based organizations in Mongolia compared to the multitude of "national" NGOs based in Ulaanbaatar (see annex 3, Finding ORM 8).

2.2 Overview of Civil Society in Mongolia

In a relatively short time, Mongolia's civil society has made notable strides in supporting economic, political, and social development, although there remain some significant challenges and obstacles to their participation in civic engagement and social accountability.

2.2.1 Civil Society-State Relations

Although state-society relations have been influenced by each of the external factors discussed above, the characteristic political deference and passivity associated with the socialist legacy in Mongolia did not prevent the

[27] Christian missionary groups have found post-socialist Mongolia to be a fertile ground for conversion, which they promote through INGOs and the English-language-instruction programs.

rise of mass pro-democracy movements that played a critical role in the transition to democracy in 1989–90 nor the creation of more than 5,300 registered NGOs that have formed largely since the transition.28

Post-transition relations between CSOs and public officials have been marked by the state's acceptance of an independent civil society. The transition is not unqualified, however; the CIVICUS report notes that CSOs continue to be "subject to occasional unwarranted government interference" (CIVICUS 2006:39). Methods of state control include the NGO registration process; control of information dissemination through state-owned mass media; and restrictions on public protests and demonstration; as well as intimidation, interrogation, and surveillance at the local level. The CIVICUS report also criticizes the state's discriminatory dialogue with a small set of CSOs and selective legitimization of CSOs by hand-picking "friendly" organizations for collaboration, a practice that leads to self-censorship by some civil society leaders (CIVICUS 2006:39–41).

As a result, civil society is susceptible to politicization by public officials and political party leaders. This is clearly a double-edged sword for CSOs pursuing social accountability. On the one hand, the more politically well-connected CSOs enjoy better access to public officials, information, and other resources (see part III, Finding 3.4.4; and annexes 1 and 2, Findings NCAV 4 and WSP 1, respectively). On the other hand, close affiliation with government officials or political parties undermines CSO autonomy and, therefore, its effectiveness at civic engagement/social accountability (see box 2.2.1 and annex 3, Finding ORM 2).

Box 2.2.1 MACNE and UMENGO: A Tale of Two Environment Networks

In the late 1990s, the Mongolian branch of the World Wildlife Fund facilitated the establishment of the Union of Environmental NGOs (UMENGO). The Union served as an umbrella organization with 30 members, including the Mongolian Association for Conservation, Nature and the Environment (MACNE), the biggest environmental NGO in Mongolia. MACNE is a "legacy" NGO that was established in the socialist era as a governmental NGO (referred to as a GONGO) that still has strong ties to government. UMENGO initially benefited from this close relationship with the Ministry of Nature and Environment (MoNE). After the 2000 elections, however, UMENGO's relationship with both MACNE and the Ministry deteriorated. MACNE withdrew from UMENGO over "differences of opinion," while the new Environment Ministry shifted emphasis from protection of the environment to the exploitation of natural resources to balance its budget. For instance, hunting licenses became easier to obtain, causing an increase in trophy hunting of endangered species.

Over the last few years, the environmental NGO community under the leadership of UMENGO has been active in pressuring the government about protected areas. According to a leading environment NGO, "the Ministry of Environment's reaction is that we are enemies, and those NGOs who are not criticizing them, like MACNE, are friends." The tension has mounted to the point where "enemy" NGOs claim they are not invited to high-level workshops and meetings. This partisan approach has made it difficult for environmental NGOs to work with the government and influence public policy while MACNE, as a legacy NGO, continues to receive government funding. Meanwhile, the government accuses UMENGO and some of its members of not being willing to work with it. This partisan approach has made it difficult for environmental NGOs to work with the government and influence public policy. Given the challenges of working with this Ministry, the environmental NGOs would be more effective were they to work together as a united front.

Although the majority of respondents to the CSO Survey indicated that there is some possibility for a cooperative relationship with the GoM (annex 6, Question P), CSO leaders in interviews and focus groups frequently described their relationship with the GoM and public officials in general as adversarial. For example, participants at the dissemination forum raised concerns that this study's findings could be interpreted as critical of CSOs, such as their politicization, and would allow public officials and politicians to denounce civil society and undermine their efforts at social accountability. Although there was consensus that some CSOs do succumb to political pressure, CSO leaders emphasized that the fundamental problem was that politicians and political parties create CSOs to capture donor funding.

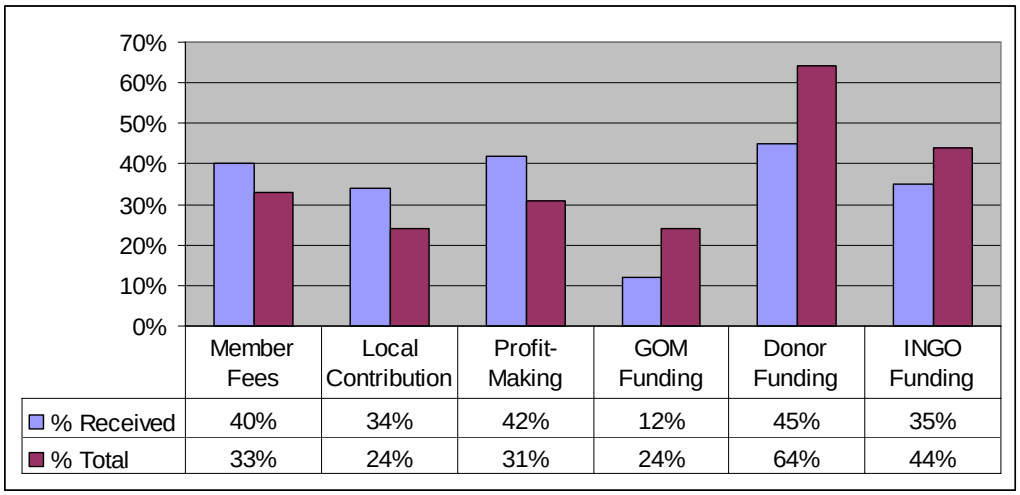
[28] In contrast with business associations and trade unions, women are well represented in most professional associations and NGOs. In fact, they dominate certain areas such as health, education, poverty alleviation, and human as well as women's rights, leading some observers to refer to Mongolian civil society as "matriarchal" (CIVICUS 2006:19).

Therefore, it is incumbent upon "donors to be careful about what sort of CSO is receiving (donor) funding" (Finding 2.3).

2.2.2 CSO Capital

Mongolian CSOs are particularly sensitive to funding issues as they suffer from a chronic lack of financial resources. As a result, the few CSOs who have access to foreign funding are highly dependent upon it (see figure 2.2.1).[29]

Figure 2.2.1 Sources of Funding and Mean Percentage of Budget (percent)



	Member Fees	Local Contribution	Profit-Making	GOM Funding	Donor Funding	INGO Funding
% Received	40%	34%	42%	12%	45%	35%
% Total	33%	24%	31%	24%	64%	44%

Source: CSO Survey (Annex 6, Question U).

The three case studies on Mongolian CSOs with impressive records of civic engagement and social accountability illustrate CSOs' critical need for financial resources. CSO successes in social accountability were attributable to significant and diverse international funding sources. Similarly, failures arose from their vulnerability to a limited and precarious resource base. In several instances, CSOs were forced to halt successful social accountability initiatives due to a cessation of funding (see annexes 1-3, Findings NCAV 1, WSP 2, and ORM 1).

Furthermore, during interviews and focus groups as well as in the survey, CSO leaders repeatedly complained that donor funding was short term and did not cover administrative costs (see annex 6, Questions Y and Z).[30] CSOs also criticized the lack of significant GoM tenders or philanthropic contributions from the private sector. While the scarcity of GoM tenders was attributed to GoM's favoritism toward certain CSOs, some stakeholders tied the lack of private donations to the shortcomings in the current tax code (see Finding 2.2).[31]

Although there are few opportunities for local funding at present, a few CSOs have striven for greater financial self-sufficiency. The lack of fiscal autonomy makes CSOs vulnerable to the vagaries and

[29] Whereas the CIVICUS study scored CSO human and technical resources at a moderate- to low-level of capacity (2 and 1 respectively on a 3-point scale), the financial capacity of CSOs was rated a zero (CIVICUS 2006:24-25).
[30] Donors were also criticized at the dissemination forum for perceiving "CSOs as [a] cheap labor force to implement their projects."
[31] The CIVICUS study also noted that there were no tax benefits available to individuals or corporations for charitable giving and that "the level of state resources channeled through CSOs is insignificant" (CIVICUS 2006:36, 41).

preferences of funders. This has led some organizations to pursue funding for activities that divert them from their self-identified mission and objectives.

Whereas most CSOs leaders pointed out that scarce financial resources were one of the largest problems in pursuing social accountability, the survey also showed that NGOs are confronted with insufficient physical and human capital. For example, more than half of the CSOs indicated that their organization does not have a vehicle and that they rent rather than own their own office, whereas more than 10 percent operate without office space (annex 6, Questions Q and R). These statistics would be more dramatic if the survey had included more CSOs outside of Ulaanbaatar. Similarly, the human capital (particularly in terms of formal education and knowledge of technical issues such as legal and regulatory codes), which clearly was key to the social accountability successes of the CSO case studies, is undoubtedly higher among NGOs in Ulaanbaatar.

2.2.3 CSO Accountability and Internal Governance

The scarcity of funds also affects which CSOs are actually allowed to form and operate; and that, in turn, determines whose interests are represented by the CSO's civic engagement activities. For example, 90 percent of the registered NGOs are located in Ulaanbaatar, whose residents, therefore, benefit from better representation by and services from CSOs (Finding 2.4). However, even within the capital city, there are disparities, so that the largely poor inhabitants in the Ger District along the city's periphery are often marginalized.

Although many of the UB-based NGOs have branches in provincial centers (see annex 6, Question C), these branch organizations are typically established by the UB office and lack financial or programmatic autonomy from the UB leadership. A notable exception is the Women for Social Progress' Uvorkhangi branch (see annex 2, Finding WSP 7). The overall lack of community-based organizations results in an under-representation of rural Mongolians. Some CSO leaders attribute the UB-focus to the centralization of resources in the capital and suggest that once effective decentralization occurs, CSOs will decentralize as well.

Although stakeholders were concerned that local branches of NGOs suffered from a lack of autonomy, they also criticized the lack of effective umbrella organizations (Finding 2.4). According to the CIVICUS report, Mongolians are averse to umbrella organizations due to CSO "efforts to confront and counteract the socialist tendency toward massive hierarchical structures" and continued "hypercentralization" in the post-socialist era (CIVICUS 2006:20). Notable exceptions include the Mongolian Women's NGO Coalition, which has successfully lobbied for more female candidates in the 2000 parliamentary elections, and the collaboration of the National Center Against Violence (NCAV) with other CSOs to advocate for the Law Against Domestic Violence (see Finding NCAV 2).

At the other end of the spectrum there are CSOs that depend upon the leadership and vision of a single individual; in such cases they are known as nongovernmental individuals (NGI) (see annex 2, Finding WSP 6). The NGI phenomenon makes it exceedingly difficult to ensure the durability of the organization or replicate its successes in other localities (Finding 2.4).

Although limited in number, the existence of NGIs raises the issue of CSO accountability. Although a full discussion of this issue is beyond the scope of this study, it is important to note that the perception of CSO accountability is critical to their capacity to promote social accountability. Public officials are unlikely to respond to an organization that is not seen as representative of a constituency, or one that is not accountable to the beneficiaries of its services. One measure to ensure the accountability of CSOs would be to make accounts public; unfortunately a preliminary CIVICUS report indicates that only a

minority of CSOs have done so (January 2006). CSOs are also typically confronted by multiple "constituencies" to whom they are accountable, including international actors and governmental agencies from which they receive funding. CSOs in many countries have addressed these concerns by developing voluntary codes of conduct and establishing mechanisms of self-regulation, which are currently being discussed in Mongolia as part of the agenda of regional consultations organized for the CIVICUS report.

The Bank's study, "Civil Society in Mongolia's Development and Governance," notes that NGO internal governance systems to enable board members and constituents to monitor the use of resources are weak or, in many cases, completely lacking. Although there is generally stronger upward accountability to funders than to constituents and beneficiaries, "most NGO boards play a limited role in setting strategic priorities and objectives, monitoring organizational finances and implementation, contributing to fundraising, or reviewing the performance of the organization" (Finch 2005).

2.2.4 Lack of Visibility and Popular Support of Accountability Initiatives

Perhaps the two greatest obstacles to effective civic engagement and social accountability in Mongolia are a dearth of CSOs explicitly working in this area and a lack of knowledge among the public of those who are (Finding 2.5). Most of the registered NGOs do not define their missions as civic engagement activities that lead to social accountability.[32] Moreover, the 2006 CIVICUS report also gives civil society a relatively low score of 1 out of 3 for its capacity to influence public policy, although some CSOs have played a high profile role in development-related activities, political advocacy, and legal reform. The CIVICUS report maintains, however, that there is a lack of broad-based support and visibility of such initiatives.

Indeed, one of the greatest challenges for Mongolian CSOs is a general lack of knowledge among the public about their role and function. Ninety-two percent of respondents to the opinion poll conducted in May 2005 indicated that they knew little to nothing about civil society organizations (annex 7, Question Q1), which may explain the low level of confidence in CSOs (see figure 2.1.2 above). Whereas the expectations of what a relatively young civil society can and should do may be high—a result of foreign-imposed expectations according to one observer—the achievements and potential of Mongolian civil society should not be minimized.[33]

2.3 FINDINGS AND RECOMMENDATIONS

The external and internal factors influencing Mongolian CSOs outlined in this section have a significant impact on the capacity of CSOs to participate in civic engagement and social accountability initiatives. Although the implications of these factors will be discussed more fully in the subsequent analysis of the Mongolian Enabling Environment in part III, there are several findings in this section related to the structure, resources, and involvement of CSOs in social accountability initiatives that have prompted the following recommendations.

Finding 2.1. The proposed Non-Profit Bill may undermine the capacity of CSOs for involvement in civic engagement and social accountability if current provisions prohibiting their political activism are broadly interpreted.

[32] According to a survey done by UNDP in 2000, most registered NGOs that are involved in sports and cultural activities are less likely to become involved in CE/social accountability than NGOs involved in human rights or environmental issues, for example.

[33] Still optimistic about the future of Mongolian civil society, this CSO leader offered the counterexample of civil society in the Russian Republic, rhetorically asking "Why should we be any different?"

Recommendations:

1) The Ministry of Justice and Home Affairs and MPs should revise the definition of explicitly political organizations (for example, wings of political parties or lobbying firms) that would be excluded under the Non-Profit Bill.
2) CSOs should present a revised version of the Non-Profit Bill and pursue legal remedies if the revised provision is not adopted or is improperly implemented.

Finding 2.2. The Proposed Anti-Corruption Law only provides for disclosure of the total sum of assets and income for senior officials, undermining CSO capacity to track corruption.

Recommendations:

1) The MoJHA and MPs should revise the wording of the bill to stipulate that individual officials disclose asset and income declarations to strengthen the mechanisms for tracking corruption.
2) As proposed in the GoM document, To Intensity: The Implementation of the National Program to Combat Corruption, implementation of the law should include a provision for media training. Media-related CSOs could offer technical support, along with INGOs and donor agencies, which could also provide initial financial support.

Finding 2.3. Mongolian CSOs have limited and precarious access to financial resources owing to several factors. These include the lack of GoM tenders, limited philanthropic donations, and the creation of CSOs specifically to attract donor funding.

Recommendations:

1) Public officials and CSOs should seek technical support from the international community to reform the tax code affecting CSOs, particularly the absence of tax breaks for philanthropic donations.
2) The GoM should expand the number and amount of tenders available to CSOs and other private enterprises, based on a competitive system, to increase the capacity and efficiency of service delivery
3) CSOs should eschew "mission creep," to lure donor funding. This detracts from their core mission and may undermine their reputation and that of civil society in general. Instead, their energies should be directed toward lobbying for greater access to GoM tenders, competitive donor funding, and the development of autonomous resources (membership fees or donations), as pursued by the Ongi River Movement (see annex 3).
4) Donors should consider longer term commitments and the need to finance institutional and administrative costs, while bearing in mind the origins, purpose, and sustainability of the CSOs they fund.

Finding 2.4. The capacity and effectiveness of CSO involvement in social accountability is adversely affected by CSO concentration in UB, the lack of CSO umbrella organizations, and the existence of de facto nongovernmental individuals.

Recommendation:

Donors should provide technical and financial support to expand current CSO efforts at institutionalization while targeting programs that assist in the creation and development of community-based organizations (CBOs) and CSO branches outside of UB. They should also promote CSO umbrella organizations that may be more efficient and effective at social accountability.

Finding 2.5. Two of the greatest obstacles to effective civic engagement/social accountability are a dearth of CSOs explicitly working in this area and a lack of public understanding of the importance of their accountability initiatives

Recommendations: Stakeholders should strive to inform and educate Mongolians about their rights to and opportunities for civic engagement with public officials, the importance of civic engagement, and the role of CSOs in promoting social accountability. The range of possibilities is broad. Some options include:

1) Public officials, monitored by CSOs and the media, should implement laws that promote direct citizen engagement. Focus should be on key sectors such as education, given its important role in economic and social development. The GoM, for example, should ensure that citizens are fully aware of their right to participate in school councils. GoM should ensure that citizens are informed about elections, meetings, and agendas as well as the importance of active civic participation (see annex 4, Finding 2). Moreover, training and awareness-raising activities should be promoted, such as seminars for parents who are newly appointed to a school council.
2) Stakeholders should collaborate to develop civic education programs to inform citizens of their rights to civic engagement and the key role of CSOs in social accountability initiatives. Activities may include: public service announcements and community theater projects for adults as well as innovative educational initiatives for youth (see related recommendation under Finding 3.2.1).
3) Given the importance of CSO-media relations, CSOs should redouble their efforts to develop strong relations with various media outlets and individual journalists. Sound media relations would ensure publicity of civic engagement/social accountability activities, as suggested by the example of the Ongi River Movement (see Finding ORM 5). CSOs should also enhance both outreach and accountability to instruct their constituents about their important roles and activities in social accountability.
4) The donor community should provide greater support to better publicize the CSO mandate and agenda. Donors should help CSOs and GoM build capacity and expertise in civic engagement and social accountability. For example, they may target activities that provide public officials and community leaders with a comparative perspective on the role of school boards in other democratic countries.

PART III – Assessment of the Enabling Environment for Social Accountability

3.1 INTRODUCTION

Having established the sociopolitical and economic context in which social accountability mechanisms operate in Mongolia, the remainder of the ESW focuses on an assessment of the enabling environment for CSOs to exact accountability from their public officials. The three aspects of the environment the study evaluates—Voice, Information, and Negotiation—serve as an analytical framework to evaluate both the opportunities for and constraints on civic engagement and social accountability.

3.2 THE ROLE OF VOICE IN SOCIAL ACCOUNTABILITY

Social accountability initiatives empower citizens, particularly the poor and other disadvantaged groups, by reinforcing their rights to voice opinions and demand accountability from public officials and by providing them with the opportunities to do so. There are two sets of critical factors for Voice to function effectively as an enabling element for civic engagement/social accountability. The first is the need for Freedom of Expression without fear of political, economic, or social retribution. The second concerns the availability of Mechanisms for Voice that ensure that demands are heard by appropriate public officials (those with authority to respond), and are received in a manner that will result in accountability, either an explanation or a change in policies or performance of public officials.

3.2.1 Freedom of Expression

Article 16.16 of the Mongolian Constitution guarantees the rights to freedom of thought, opinion, expression, and the freedom of the press. The 1998 Law on Freedom of the Media expands on these constitutional guarantees, prohibiting censorship and enactment of laws that restrict media freedom (Articles 2 and 3). However, in court cases involving freedom of expression (cases involving obscenity, contempt of court, or defamation) defendants rarely employ these legal codes as part of their defense.

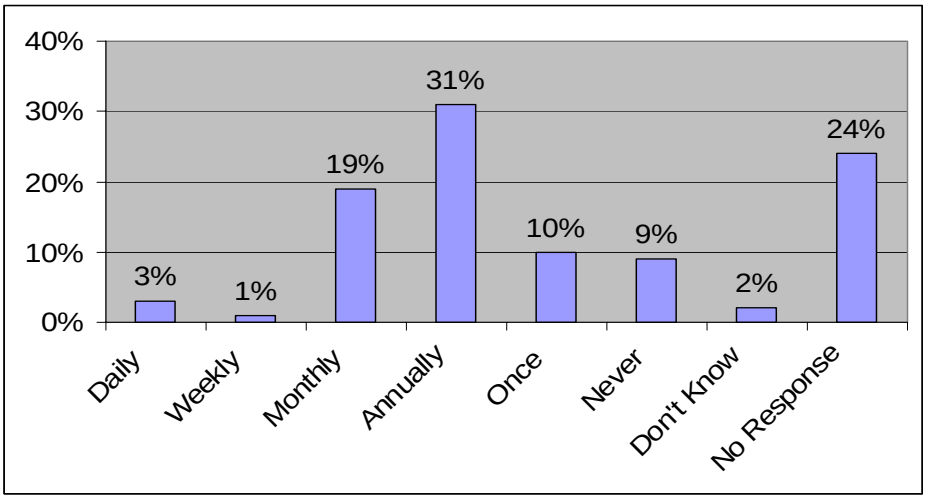
Nevertheless, stakeholders, as well as outside observers, generally agree that there is a relatively high level of freedom of expression in Mongolia (Freedom House 2005; CIDCM 2003; Press Institute 2004b).[34] There are several media outlets with editorial opinions that span the political spectrum. Moreover, the opinion poll conducted for this study indicates that respondents voiced their opinions and concerns in significant numbers. For example, 12 percent of the respondents reported that they had written to public officials, 37 percent had petitioned them, and 39 percent had participated in a demonstration or rally (see annex 7, Question M).[35]

[34] According to two opinion polls conducted by the Mongolian NGO, Press Institute, public perception of freedom of the press has dramatically improved since 1998 when only 10 percent of the respondents believed that media freedom was fully guaranteed, to more than 42 percent in 2004, with another 46.5 percent believing that it is at least partially guaranteed. In 2004, less than 1 percent claimed that the media has no freedom compared to 15 percent in 1998 (Press Institute 2004b:24-25).

[35] Responses to this question also indicate a smaller percentage of participation in activities that involve interaction with officials, requiring Voice, but are also more clearly examples of Negotiation, such as meeting with an official (25 percent), participating in a call-in radio show with an official (15 percent), and legislative lobbying (5 percent). These activities will be discussed more fully in a subsequent section that focuses on Negotiation.

The CSO Survey indicates even higher rates of "speaking to power." For example, when asked whether their organizations publicly commented on public policy or the conduct of public officials, 64 percent indicated they had at least once, while 23 percent of these respondents stated they had done so at least once a month (see figure 3.2.1).

Figure 3.2.1 Frequency of CSO Comment on Policy and Conduct of Officials (percent)



Source: CSO Survey (Annex 6, Question H).

There remain, nonetheless, certain constraints on the ability of Mongolian civil society to translate freedom of expression into voices that will compel public officials to be socially accountable. The qualitative research for this study revealed several sources of such constraints.

First, many Mongolian citizens are not aware of their civil rights (Finding 3.2.1). For example, the Governor of Uvorkhangai issued a resolution to remove vendors from the city of Arvaiheer. The vendors did not wish to relocate to a new market but were uncertain of their legal rights.[36] After a violent confrontation with the police, the vendors approached Women for Social Progress-Uvorkhangai (WSP-UV), which was able to counsel them on their legal right to demonstrate as well as assist them in voicing their concerns to the National Human Rights Commission (NHRC). During an interview in April 2005, the coordinator for the WSP-UV remarked that the order to vacate the market had provided an opportunity for the vendors to learn about their rights, something her organization had been unable to achieve despite years of disseminating information about human and civil rights (see annex 2, Finding WSP 5).

In other cases, sociocultural barriers appeared to prevent members of Mongolia's civil society from speaking out. Research on community involvement in Mongolian schools suggested that one of the obstacles to effective participation in the oversight of school administrations and their budgets was a sociopolitical legacy from the socialist era. During this period, governmental institutions such as schools were very hierarchical, with top-down structures of authority that characterized them as state rather than public institutions. According to the NGO, Mongolian Education Alliance, parents continue to believe that principals, and those above them, are the sole authority in school management. As a result, they do not avail themselves of opportunities such as school councils to voice concerns about school management

[36] The vendors claimed that the new facilities did not provide sufficient storage for their perishables and that they were losing clientele because the new location was too far from the town's center.

and operations, or demand elections for council members as mandated by the law (see annex 4, Finding EDU).

The National Center Against Violence also had to confront social norms and taboos to give voice to the victims of domestic violence. In 1994 when several leading women's NGOs decided to join forces to address this issue, the term "domestic violence" did not exist in Mongolian society, let alone in its legal code. NCAV struggled to educate the public. Its efforts resulted in government funding for NCAV shelters for victims in 2001 and legislation against domestic violence in 2004. By giving voice to the victims of domestic violence, this NCAV played a crucial role in delivering a public service and generating legal reform (see annex 1, Finding NCAV 3).

The ability of Mongolians to exercise Voice and achieve accountability is restricted by the Mongolian legal code on defamation which exerts a chilling effect upon media (Finding 3.2.2). Mongolia has both civil and criminal defamation laws. The civil code stipulates payment of damages for defamation in several circumstances. This is problematic for a number of reasons, such as insufficient defenses against these charges and the high level of damages that may be awarded.[37] The criminal code, however, lends itself to more egregious problems (see annex 5, Finding MEDIA 7). It includes a provision for imprisonment for up to five years and special provisions for defamation against public officials (see box 3.2.1). The two main offences are deliberate propagation of false allegations and willful humiliation. The defendant has no basis for defense against these charges and in the latter case, the law does not require that the allegations be false,

Box 3.2.1 Imprisonment for Defamation

At least two journalists have been imprisoned in Mongolia for defamation in recent years. One of the cases concerned an allegation of serious wrongdoing by an MP who was accused of using his influence to secure a lighter sentence in a criminal case involving his illegitimate daughter. This second case was based on an article in the newspaper, Mongoliin Neg Udur (One Day in Mongolia) in 2004. After the allegations were found to be false and defamatory, the journalist was sentenced to three months' imprisonment and forced to pay a fine. The penal sentence was lifted on appeal, but only after she had spent 23 days in prison.

Although the case involved serious and unwarranted mistakes by the journalist, proponents of media freedom both in Mongolia and internationally argue that it is inappropriate to address such mistakes through criminal law, and excessive to imprison journalists for defamation. The defense lawyer noted that the journalist wrote the article not to harm the MP but to expose public wrongdoing by a public official. Such cases are inevitably detrimental to the media's freedom of expression. Journalists raised the issue of criminal defamation in numerous interviews and with CSOs, who identified legal threats such as defamation as the second most serious threat to media reporting, after political pressure (see annex 6, Question EE).

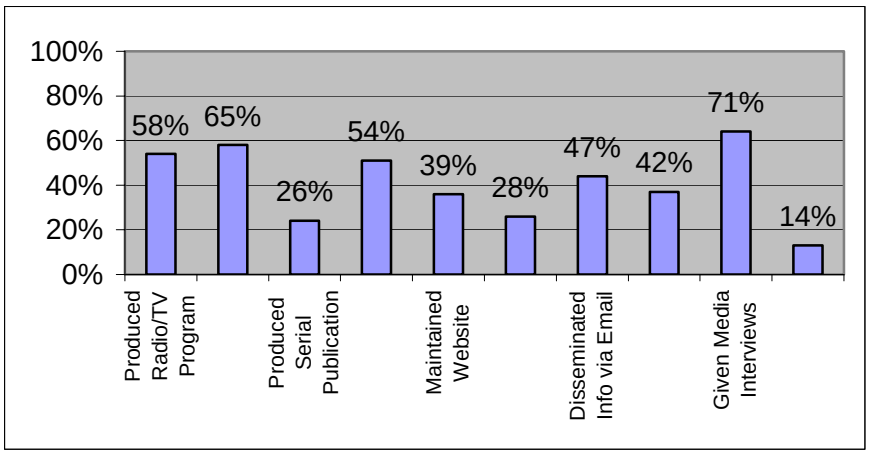
Consequently, the guarantee of freedom of expression in Mongolia remains constrained. Survey responses indicate the inability of CSOs to voice their views on areas related to their organization's work, with only 27 percent indicating that they have sufficient opportunities to present their views (annex 6, Question MM). Nevertheless, CSOs and the media have developed an impressive array of mechanisms for Voice since the transition from authoritarian rule.

[37] Article 7 of the Civil Code provides for damages, for actual harm to name or dignity when the defendant cannot prove the truth of the allegations. Article 377 provides for damages for defamation for harm to name, dignity, or reputation when the defendant fails to prove he or she acted without fault. Article 392 provides for damages for defamation for nonmaterial harm to name, dignity, or reputation when the defendant cannot prove his or her allegations were true.

3.2.2 Mechanisms for Voice

As illustrated above, CSOs have been closely involved in providing mechanisms for Voice both for themselves and for ordinary citizens. Respondents to the CSO Survey indicated that their organizations have used an array of means to voice their opinions and to disseminate information (see figure 3.2.2).

Figure 3.2.2 CSO Methods of Disseminating Information (percent)



Source: CSO Survey (Annex 6, Question JJ).

Several CSO respondents disseminate information via e-mail or maintain a Web site. Their numbers indicate the growing importance of IT in Mongolia (InfoCo., Ltd. 2003:15). In the CSO Survey, more than 95 percent of respondents said that they have computers, most have more than one, with the overwhelming majority (80 percent) also having access to the Internet. It should be noted, however, that these results are skewed as the overwhelming majority of respondents were registered NGOs with greater access to IT-related resources (annex 6, Question R). In addition to the Gateway Web site that provides subportals for stakeholders to discuss pressing issues such as sustainable development and poverty reduction, several other CSOs maintain impressive Web sites that both voice their views and provide a forum for others to do so. The Open Society Forum in particular has an impressive Web site filled with contributions by various other organizations and individuals on a range of social, political, and economic issues.

Although the Internet is a critical tool for Voice as well as for Information and Negotiation, other more traditional mechanisms for Voice remain relevant to reaching the broader Mongolian public, which has limited access to computers and the Internet. Most CSOs rely on a combination of both methods to voice their opinions and disseminate information.

The social movement Healthy Society, for example, has used the Internet not only to mobilize support both within and outside of the country, but also to voice its critiques and demands of the government and specific officials. It has also staged mass demonstrations to call attention to political corruption among senior officials. Its efforts have met with various political and legal obstacles, including difficulties obtaining the required authorization from city officials to hold a demonstration. According to the leadership of the movement, when they decided to hold their first demonstration in February 2005 in front of the Government House in Sukhbaatar Square, the administration “trumped up” an agricultural trade fair as a pretext to disallow the rally. In the end both events took place in relative calm.

Both the NCAV and the Ongi River Movement (ORM) also employ remarkably diverse approaches to inform both officials and the general public. These range from more traditional forms, such as press

conferences and workshops, to more innovative methods such as the ecology protest march organized by the ORM in 2004 (see box 3.2.2).

Box 3.2.2 The Ecology Protest March for the Ongi River

Gold mining activities in the region have severely damaged the environment by the drying up of the Ongi River and the Ulaan Lake. For three years, the Ongi River Movement has demanded government action to reverse this trend. The movement has used different strategies to raise awareness and garner support for its cause among both public officials and citizens. One recent activity was an ecology protest march in May and June 2004, tracing the entire 478 kilometers of the Ongi River. More than 2,000 people participated in the march, which provided a rallying point for people to air their concerns about the plight of the Ongi River, while serving as an educational forum for citizens as well as for public officials. During the walk, Ongi leaders addressed 12 public rallies, including a protest rally at a gold mine. Buddhist priests also conducted religious ceremonies, offering prayers for the preservation and protection of the Ongi ecosystem. Extensive media coverage, both broadcast and print, ensured wide publicity for the event and greater dissemination of the movement's message.

In addition to mechanisms for Voice, social accountability requires a vibrant and autonomous media.[38] Since the end of socialist rule in Mongolia, media outlets have grown rapidly. The sector is now characterized by numerous competing media outlets in the different subsectors of radio, television, broadsheets, tabloids, and magazines. Ulaanbaatar has the largest concentration of the media outlets in the country although all provincial centers have some locally based media, typically newspapers, radio, and television, even some cable services (see annex 5).

The more repressive forms of control over the media that characterized the Socialist period no longer exist, but a range of what might be termed 'soft' limitations remain in place to control media content. In addition to restrictive defamation laws, many informal measures are employed to censor the media, such as threatening telephone calls from public officials and threats to investigate the tax or registration status of a media outlet in retaliation for unfavorable reporting.

The Mongolian media is also constrained by various systems of media regulation. For example, all media outlets in Mongolia are required to register with the Ministry of Justice and Home Affairs. Applications are reviewed by the Minister to make sure that the applicant does not pursue illegal objectives (see annex 5, Finding MEDIA 4).

In many democracies, registration systems for the media no longer exist since they serve no purpose that cannot otherwise be achieved with less risk to freedom of expression. At a minimum, registration systems should not obstruct those who wish to enter the market, and should never be used to delay or refuse registration or to resolve political disputes, as happened recently in Mongolia (see box 3.2.3). Consequently, the registration system threatens the independence of the Mongolian media (Finding 3.2.3). To avoid the risk of political abuse or financial exploitation, the submission of the requisite information should be sufficient to guarantee automatic registration or alternatively, responsibility should be transferred to a nongovernmental agency to avoid undue political influence in the registration process.

[38] Social accountability requires all stakeholders in social and economic development, whether NGOs, media, government, religious institutions, or professional associations, to embrace a culture of accountability, both to enhance their credibility and to improve governance and the effectiveness of development initiatives.

Box 3.2.3 Registration: The Mongol Times Case

The Mongol Times was founded as a weekly newspaper in the 1990s by Kulanda Chonoido, who registered the newspaper in her own name. A complicated series of events led to the closure of the newspaper in June 2004, and its takeover by Uyanga Gantumur in October 2004. Uyanga effectively ran The Mongol Times as a Democratic Party opposition paper, building subscriptions to 1,500 and overall circulation to 3,000 by the first quarter of 2005. The newspaper was noted for its harsh critiques of the MPRP presidential candidate during the 2005 electoral campaign.

According to Uyanga, subscribers started complaining about harassment at work, where they had their newspapers delivered, so she established a home delivery system. Based on a letter from the MoJHA in early March, the newspaper's printer, Free Press Foundation, refused to print it. The Press showed Uyanga a letter from the Ministry of Justice and Home Affairs indicating that the paper was registered in Kulanda's name and thus Uyanga was not authorized to publish it. Printing difficulties continued, but the newspaper continued to circulate.

At the same time, due to changes in the Law on State Registration of Legal Entities, all newspapers had to reregister with the MoJHA by the end of March 2005. The Ministry refused to reregister The Mongol Times to Uyanga. It also refused to register a new newspaper under the name The New Mongol Times as it was too similar to the original name. Uyanga reported that she agreed to register under another name but faced repeated delays. The registration certificate for the new Political Newspaper was finally received on 19 May, 2005; funding is currently being sought to launch it.

This case illustrates complications in the newspaper registration process. First, the registration system arbitrarily decided the question of ownership of the newspaper in favor of the original owner. Second, delays in registration led to the effective silencing of an important political newspaper for most of the crucial period of the presidential election campaign.

In terms of media licensing, the 2001 Law on Communications stipulates that for private broadcasting, a media license must be obtained from the Communications Regulatory Commission (CRC). As with Mongolian media registration, the CRC lacks the guarantees of independence that characterize international law and best practices in this area in that its oversight body is composed largely of government employees appointed by the Prime Minister (Finding 3.2.4). Moreover, applicants for a broadcasting license need a letter of support from the governor. The purpose of this is unclear, and it is not a practice that is followed in other countries, even relatively decentralized ones, given the obvious potential for politically or economically motivated interference. For example, many interviewees noted instances of refusals or delays if the applicant had a reputation of being staunchly independent or critical of the governor (see annex 5).

Furthermore, the present broadcast licensing system does not use opportunities present in existing regulation to promote public interest. For example, the system does not assess the type or quality of programming as part of the license tender process. Local licenses are offered regardless of the market so there is an oversupply of broadcasters who rely on the support of wealthy individuals, who in turn demand political support. On the other hand, the lucrative national market is dominated by one player, the public broadcaster. Nor does the licensing system specifically recognize community broadcasting, an effective vehicle for local voice, particularly in a poor, low-population-density country like Mongolia.

Some independent radio stations in rural areas are playing a vital role in promoting social accountability by giving Voice to citizens, access to Information, and occasionally a means to Negotiate with public officials through call-in radio programs.[39] While this sector is vulnerable and operating on limited funding, it has the potential to expand social accountability in the countryside. As is discussed more fully in the 2005 World Bank report, "Community Media Activity in Mongolia: Stocktaking and Design of a

[39] These local stations have produced programs that support several World Bank initiatives, including segments on herder diversification, starting a small business, street law, and local health concerns.

Capacity Building Program," independent rural radio provides citizens with both "Voice and Access to Information in their communities…[and] serves as an open forum to hold public officials accountable" (Siemering and Rice 2005: 3).

Box 3.2.4 Mongolian Community Radio and Social Accountability

Community radio is an effective tool to monitor and negotiate with public bodies and officials. It permits citizens and their CSO forums to Voice their views and concerns, gain access to both government-controlled and alternative forms of Information, and provides opportunities to Negotiate with public officials who appear on call-in programs.

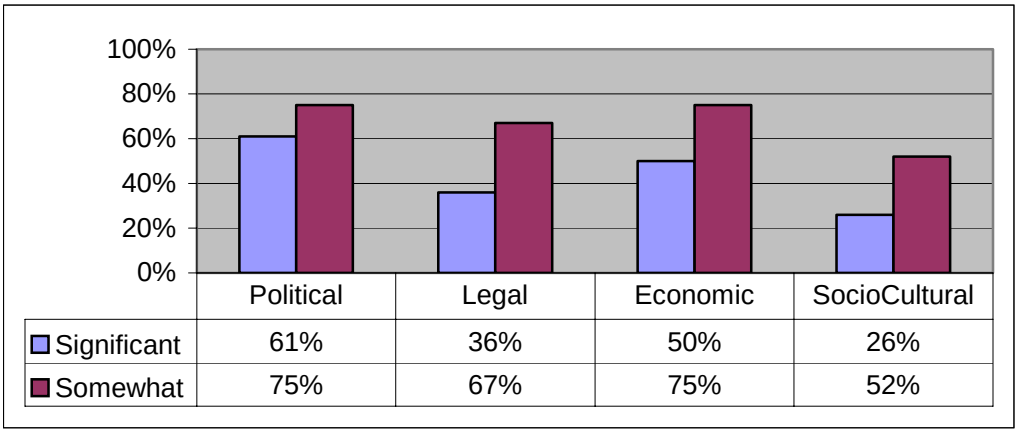
According to the 2005 study, "Community Media Activity in Mongolia: Stocktaking and Design of a Capacity Building Program," conducted by Bill Siemering and Charles Rice, prominent members of the public radio community in the United States, "the four community radio stations currently on the air in Mongolia form the only independent radio sources in the country and are among only a few independent broadcast media stations in the nation." These stations air programs to empower, educate, and inform Mongolian citizens, while facilitating a dual flow of information between local communities and public officials.

The study cited several examples of community radio programming that have promoted social accountability in Mongolia. The Selenge and Darkhan stations, for instance, were the only radio stations in the country to broadcast the 2004 parliamentary debates. In addition, Radio Orkhon 106 in Darkhan has produced a series of soap operas on "street law," which have been distributed to other stations around the country. Several local World Bank projects have also supported the production of several series addressing issues related to HIV/AIDS, herding, and business in Mongolia. These series were produced by three community radio stations and aired by all four.

Although the existing community radio stations in Mongolia are self-sustaining, their ability to operate effectively is hindered by overextended management, limited financial resources, and a lack of basic infrastructure. Moreover, Mongolian law currently provides no special recognition to or consideration for community radio as providers of public interest broadcasting. These factors not only hinder the operation of the existing radio stations but hinder the creation of others as well. To ensure that community radio plays a critical role in social accountability and the effectiveness of local development strategies, in general, the 2005 report recommends that the local independent radio stations be transformed into a network of Community Information Resource Centers under a central agency that sets professional standards and raises funds for the sector (Siemering and Rice 2005).

The quality of media coverage is also a serious concern. The three most common complaints are political bias, a focus on "yellow" or sensational reporting, and inaccurate or misleading reporting (Finding 3.2.5). These problems are fueled by weak standards of professionalism, the absence of a central body to set standards, a lack of sufficient funding for investigative journalism, and widespread self-censorship (see annex 5, Findings MEDIA 8-10). Indeed, respondents to the CSO Survey found that media coverage was influenced especially by political and economic pressures (see figure 3.2.3).

Figure 3.2.3 CSO Views on Influences on Media Coverage in Mongolia (percent)



	Political	Legal	Economic	SocioCultural
Significant	61%	36%	50%	26%
Somewhat	75%	67%	75%	52%

Source: CSO Survey (Annex 6, Question EE).

Although recent media monitoring exercises show improvements, the media's close links to political parties (through their owners) result in politically biased reporting (Globe International 2005a and 2005b). Ministries and other public bodies are informally required to subscribe to the pro-government tabloid, News of the Century, a significant economic advantage for that newspaper given the very low circulation numbers in the country.

Officials often deal with critical press by resorting to the Defamation Law, which, as noted above, can have a chilling effect on freedom of expression. An alternative is to establish a press or media council with the power to entertain and resolve complaints from the public (see box 3.2.5).

Box 3.2.5 The UK Press Complaints Commission

The Press Complaints Commission (PCC) is the leading body in the United Kingdom for dealing with complaints about the print media. Its members are appointed by an Appointments Committee, which is dominated by nonjournalists; and a majority of the PCC's members are also from outside the media. Press members are nominated by various media bodies, while lay members are selected on a competitive basis.

The PCC has adopted a Code of Practice for the print media, which deals with issues ranging from a right of reply and accuracy to payment for articles. Several of the PCC articles may be overridden if this serves the overall public interest; for example, if it prevents the public from being misled or exposes a serious crime.

Complaints are free and do not require a lawyer. The procedure for processing complaints is simple: in 2004, the average complaint was processed in 17 days. The vast majority of complaints are resolved through mediation. When the PCC adjudicates a complaint and finds in favor of the complainant, the newspaper concerned must print a copy of the adjudication, under a headline that refers to the PCC. At many newspapers, compliance with the Code of Practice is also part of the contractual obligations of editors, offering another means of enforcement. The more than 3,500 complaints lodged with the PCC in 2004 are evidence of its success in redressing unprofessional behavior in the print media sector.

Mongolian stakeholders expressed general support for the idea of a press council. Overall, the preference was for a nonstatutory, self-regulatory initiative led by the media sector, although the possibility of a mixed statutory but media-led council was also canvassed by some stakeholders. The need for better training for media workers, including editors and owners, was also often noted as a way of promoting a more professional media sector.

Efforts to transform the state broadcaster into a public service broadcaster are directed at increasing the political autonomy of the media (Finding 3.2.6). Although the 1998 Law on Freedom of the Media formally prohibited state control of the media, this change in public policy was never implemented; Mongolian Radio and Television (MRTV) thus remained a state-controlled media outlet. The Law on Public Radio and Television, which came into effect on July 1, 2005, however, transformed MRTV into Public Radio and Television (PRTV). It is now operating under an independent board, the National Council, with a mandate to provide a variety of high-quality programming to the public.

The new Public Service Broadcasting (PSB) Law, however, restricts PRTV's access to advertising, which was formally limited to 2 percent of airtime on July 1, 2005, and then eliminated altogether on January 1, 2006 (see annex 5, Finding MEDIA 3).[40] As a result, serious concerns have been raised about the ability of PRTV to survive let alone to continue its current levels of programming. On the other hand, interviewees pointed out that the old MTVR operated inefficiently, and that PRTV could realize significant savings by establishing more effective systems and by retrenching staff.

There have also been problems with the appointment and early operations of the National Council (see Finding MEDIA 2 in annex 5). The Mongolian Press Institute oversaw a wide-ranging and highly participatory process that led to the nomination by civil society of 37 candidates for the 15 positions on the National Council. When the president, government, and parliament made the final selection, however, only 8 of those appointed to the Council were from the list of nominees. The others were selected without any open discussion or democratic process. It was suggested that the Chair of the Council, an MPRP MP until 2004, lacked the requisite independence that his position demanded.[41] Following their controversial appointment, there was also a serious rift in the Council over the designation of the new General Director of PRTV. This led some members to lodge a court case challenging the appointment, although the case was ultimately withdrawn and the appointments ratified.

Despite the politicization of the media, CSOs receive a high level of media coverage of their activities as indicated in interviews with CSO leaders and their responses to the CSO Survey. Sixty-five percent reported that they had been interviewed or their organization profiled in the media, and 61 percent said that an activity or event had been covered. Only 44 percent, however, indicated that they received media coverage upon their request, whereas many CSO leaders complained that they had to pay for media coverage, including advertisements for their events. Consequently, some stakeholders from both the media and CSO community described their relations as adversarial. Moreover, CSO leaders as well as various other stakeholders repeatedly stated that adequate coverage of an event was only possible if one were to read all Mongolian newspapers as each report with its own particular political slant.

Nevertheless, a number of CSOs indicated that they have worked closely with the media over a number of years to build stronger relationships and thus ensure better coverage (see recommendations in Finding 2.5). Globe International, for example, has cultivated a positive working relationship with the media, in part through its work to defend freedom of expression (see box 3.2.6).

[40] The complete elimination of all advertising was added to the PSB Law after a presidential veto of the law originally adopted by the State Great Khural.

[41] The Public Service Broadcasting Law prohibits the appointment of elected officials and members of management of political parties to the National Council, but not former MRTV officials or former members of management.

Box 3.2.6 Promoting Freedom of Expression: Globe International

Globe International is a Mongolian NGO founded in 1999 with a mission to promote freedom of expression, information, and the media. It has been active in promoting an Access to Information Law, as well as the 2005 Law on Public Radio and Television. Globe has undertaken a range of activities aimed both at the media and policy makers. In 2002, Globe published Report on Media Law Reform in Mongolia, an in-depth analysis of legal and other constraints on media freedom, in collaboration with ARTICLE 19, an INGO that promotes freedom of expression (ARTICLE 19 and Globe International 2002). Globe is currently working with two local NGOs, the Press Institute and the Zorig Foundation, on a project to support the role of the media in promoting transparency. The project includes training for investigative journalism and bringing together editors from a range of media outlets to form an editors' task force, to enhance the role of the media in anticorruption activities. Globe also conducted a media monitoring exercise during the 2005 presidential elections, aimed at exposing political biases in six TV channels, the national radio, and four daily newspapers.

Other instances of CSO-media cooperation include the Ongi River Movement, which has cultivated a strong relationship with various media outlets to gain extensive coverage of its events and a greater voice in promoting awareness about environmental degradation (annex 3, Finding ONGI 5). In addition, the Gender Center for Sustainable Development has worked with certain journalists over time and built supportive relationships, while the National Human Rights Commission has awarded media workers for their role in giving Voice to human rights abuses and related issues.

3.2.3 Voice: Findings and Recommendations

As a critical enabling element of civic engagement/social accountability, the capacity of citizens and CSOs to Voice their concerns and opinions has dramatically increased since the transition to democracy in the early 1990s. Nevertheless, certain weaknesses remain in both the guarantee of freedom of expression and the various mechanisms for voice. As a remedy, the study suggests the following recommendations.

Finding 3.2.1. Mongolians lack awareness of their civil rights, including freedom of expression.

Recommendations: Citizens' understanding about their own democratic rights and obligations should be fostered. There are a wide range of options, including the following:

1) Public officials, CSOs, foreign donors, and the media should collaborate in civic education programs to inform citizens about their rights. Information may be disseminated through public service announcements; literature that uses accessible language and illustrations based on local experiences; and projects that directly involve citizens in exploring their rights and responsibilities, such as community theaters.
2) An innovative educational curriculum should target youth for special instruction on citizenship, including their democratic rights and responsibilities. In addition to current drama and art programs and essay contests, the GoM and education-focused NGOs should explore the experiences of other countries within the region to generate new programs.

Finding 3.2.2. The harsh punitive provisions of defamation laws constrict the media's freedom of expression.

Recommendations:

1) In collaboration with other stakeholders, public officials should comprehensively review and reform the criminal and civil defamation regimes in accordance with international standards. At a minimum, the provision of imprisonment for defamation should be removed. International donor agencies, INGOs, and CSOs with an expertise in defamation laws should advocate for these changes, for example, by providing comparative materials on defamation laws in other countries.

2) Given the culture and norms that have developed under the current defamation regime, stakeholders need to undertake explicit actions to implement reforms to the legal code. In addition to technical and financial support that need to be provided by the donor community, stakeholders should revise the legal text, and have media-related CSOs sponsor training on its implications for both journalists and the judiciary.

Finding 3.2.3. The registration system for the media poses a threat of politicization that can delay or obstruct the entry of various media outlets.

Recommendation: In consultation with the media and media-related CSOs, public officials should revise the media registration system to ensure it does not arbitrarily impede entry into the market. To curb political interference in the registration process, responsibility for media registration may be transferred to a nongovernmental agency. International donor agencies, INGOs, and interested CSOs should actively advocate for these changes, for example, by providing comparative studies on other country experiences.

Finding 3.2.4. The current licensing system for broadcasters is susceptible to political distortions, fails to promote public interest broadcasting, and constrains the capacity of broadcasters by saturating the market.

Recommendations:

1) The GoM should strengthen the autonomy and capacity of the Communications Regulatory Commission to promote public interest broadcasting by enabling it to take into account diversity of content and ownership, as well as market-carrying capacity when licensing broadcasters. The GoM should also establish a differential fee schedule that offers lower fees for nonprofit community broadcasters.
2) In consultation with independent and public broadcasters as well as media-related CSOs, the GoM should revise the laws governing broadcast licensing to eliminate the requirement of a letter of support from the governor and add a provision for the licensing of nonprofit and community broadcasters.

Finding 3.2.5. Inadequate funding and related problems of self-censorship have resulted in the poor quality of media output. This is a serious threat to both freedom of expression and the public's right to diverse sources of reliable information.

Recommendations:

1) Media-related CSOs, public officials, and media representatives should hold a broad social consultation to analyze the negative influences on media reporting, such as the politicization of the media, funding constraints, weak ethical and professional norms, and the narrow concentration of media ownership. They should also explore actions to improve quality and reliability. A media council should be established to address the problem of poor media reporting and make concrete, country-specific recommendations.
2) Additional training for media workers, including editors and owners, should be provided. The training should promote not only professional reporting but also financial viability of media outlets through efficiency and fundraising.
3) Seniors officials should address the widespread phenomenon of self-censorship by taking the following measures: prosecute threats and acts of violence against journalists to the fullest extent of the law and publicly expose the perpetrators; stop pressuring state employees to subscribe to particular media outlets; and instruct the intelligence services to restrict monitoring of media output to a limited set of legally defined issues related to state security.

Finding 3.2.6. The politicization of the National Council for the PRTV and dramatic reductions in its funding have resulted in inadequate public interest programming.

Recommendations:

1) In collaboration with the PRTV and media-related CSOs, the GoM should promote the capacity building of the PRTV to ensure better management and resource mobilization. International donors should provide initial support, including investigation of cost-saving measures within broadcasting operations and exchanges with other public broadcasters that have been forced to cut back on operations (for example, the Georgian Public Broadcaster).
2) PRTV should monitor the elimination of advertising resources, keeping the GoM and the public informed about the adverse consequences. If this critically undermines the ability of PRTV to provide public interest programming, public officials should not only amend this restriction but also establish a five-year budget to promote PRTV autonomy.
3) With initial technical and financial support from the international community, media-related CSOs should monitor the implementation of the Public Broadcasting Law. If complications arise, they should initiate inquiries with government agencies and the judiciary.
4) The international community should provide technical assistance to the National Council for capacity building, to enable this body to operate effectively and in accordance with best practices around the world.

3.3 PROMOTING SOCIAL ACCOUNTABILITY THROUGH INFORMED OPINIONS AND DECISIONS

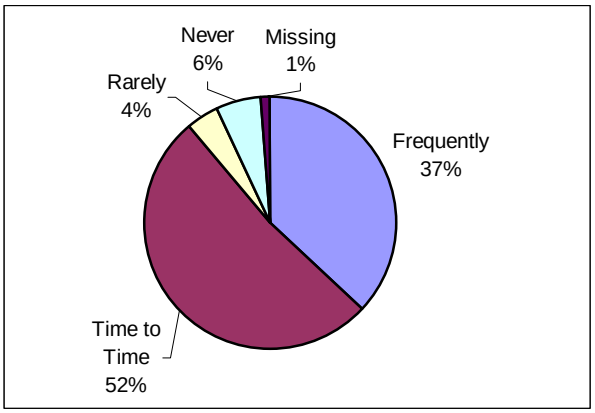
Information is a critical enabling element for civic engagement and social accountability. Civil society actors require sufficient information from multiple sources to formulate and voice their opinions, monitor governmental expenditures and service delivery, and effectively negotiate with public officials. Unfortunately, all categories of stakeholders repeatedly indicated during interviews, in focus groups, and in their survey responses that they are unable to access information, particularly information held by Mongolian public institutions. Additionally, a recent study by the Press Institute on freedom of information (2005b) indicates that the lack of access to information is one of most serious obstacles for both the media and civil society to fulfill their roles in Mongolia's democracy.

As in the case of Voice, there are two critical factors for Information to function effectively as an enabling element for civic engagement/social accountability. The first is the need to recognize and implement the right to access information, specifically information held by public officials. The second is the capacity of and opportunities for civil society actors, including the media, to generate and disseminate alternative sources of information that permit CSOs and ordinary citizens to evaluate the performance of public officials.

3.3.1 Access to Information

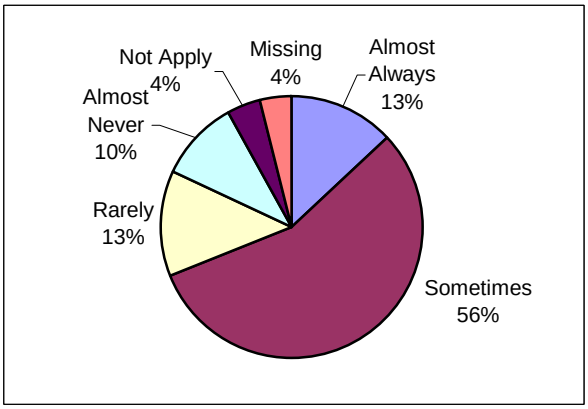
While the vast majority (93 percent) of respondents to the CSO survey indicated that they have requested documents or other information at least once, they have had variable success in obtaining them (annexes 3, 4, and 5: Findings ONGI 3, Finding EDU 5, and MEDIA 5, respectively). The majority of respondents (56 percent) indicated that officials only provided information sometimes, while 23 percent said that they rarely or never received the materials they requested (see figures 3.3.1 and 3.3.2).

Figure 3.3.1 Frequency of CSO Requests for Information from Officials



Source: CSO Survey (Annex 6, Question AA).

Figure 3.3.2 Frequency with which Officials Provided Information to CSOs



Source: CSO Survey (Annex 6, Question BB1)

Among the ministries, information is most difficult to access at the Ministry of Finance and Economics (MoFE). A staff member at one NGO stated that the MoFE considers all information on the GoM budget to be "top secret." Various informants confirmed this perception, including a staff member of an MP who added that budget information in general is not published. Inability to access budget information has serious implications for CSOs and individuals for civic engagement/social accountability.

The 1995 Mongolian Law of State Secrets and its culture of secrecy were repeatedly cited as significant constraints on access to information (Finding 3.3.1) Article 16.17 of the Mongolian Constitution gives citizens "the right to seek and receive information except that which the state and its bodies are legally bound to protect as secret" (emphasis added). The justification for secrecy is based on the need "to protect human rights, dignity and reputation of persons and to ensure national defense, security and public order." Under this Article, information that is not subject to disclosure is to be classified and protected by law. As the Constitution fails to define secrecy or to set limits on what may be considered secret, the government is able to classify documents without regard for international standards.

Under international law, restrictions on the right of access to information are legitimate only when they are proved to be necessary to protect a small number of legitimate aims listed in international treaties. The standard of necessity requires public officials to demonstrate that all restrictions are clearly and narrowly drawn and that disclosure is likely to damage a protected interest.

The Mongolian Law on State Secrets and its supplementary List of State Secrets (revised on January 2, 2004) provides the legal framework for secrecy.[42] Article 3 of the law describes secrets as information that must not be disclosed in the interest of national security. Article 5, however, broadly characterizes the scope of state secrets, including in its definition, ambiguous concepts such as economic security (see annex 5, Finding MEDIA 6). Moreover, in a recent study conducted by the Press Institute (2005b), some officials claimed that by law, they could only disclose information through one central source, for example, the public relations department of a ministry. This regulation is problematic as it gives this

[42] The law establishes a procedure for official bodies to propose items for the List of State Secrets, which is ultimately submitted to the State Great Khural. The current list includes 58 categories of secrets, along with lengthy periods of classification. There is no provision for overriding secrecy in the public interest.

department unchecked authority to provide or deny access to information and may, thus, arbitrarily obstruct access to information.[43]

The wide range and ambiguous content of the legal code effectively allow individual bureaucracies to define their own rules, leading to an extensive classification of documents. During both interviews and focus groups, CSO leaders and journalists repeatedly complained that too many government documents are classified. In a welcome development, however, the government made a commitment in 2005 to revoke the Law on Secrets in its Ten Steps to Intensity the Implementation of the National Program to Combat Corruption. Unfortunately, during the study's dissemination in February 2006 opposition leaders called into question the government's commitment to reforming the secrecy laws. A prominent opposition MP indicated that "there is no talk yet of modifying [the laws on secrecy] either within the government or among the MPs." Another MP from a different opposition party indicated that "there might be some struggles for (retaining) the secrecy laws." When a representative of the Ministry of Justice and Home Affairs was asked to comment; he responded that this was not within their preview but the responsibility of the State Intelligence Agency.

Poor accessibility of information characterizes the Mongolian legislative process as well (Finding 3.3.2). During an interview in February 2005, an MP cited a proposal for mandatory publicizing of all bills to be considered in parliament at least 30 days before they are put to a vote. During this period, citizens have the right to evaluate the bill and voice concerns. However, the provision was revised to read that bills can be publicized; consequently very few are. The MP attributed the revision to the socialist legacy of state secrecy but asserted that "the soil is now ready" to change this practice and other legalities that hinder CSO civic engagement and social accountability.

Access to parliamentary deliberations is also limited, so that citizens rarely attend parliamentary sessions and standing committee meetings. Citizens are permitted no more than 15 minutes to observe sessions of the State Great Khural; and minutes from the sessions are not easily accessible to the public. It is therefore difficult, if not impossible, for citizens to evaluate the performance of their representatives or monitor the legislative process, including budget allocations.

To address this issue, The Asia Foundation (TAF) funded a project in the mid-1990s to publish multiple copies of parliamentary debates for the public record and to deliver them to various public access libraries. One of these depositories was the UB headquarters of Women for Social Progress, which also gained live television access to parliamentary debates (see box 3.3.1). After TAF funding ran out, the GoM continued to publish and distribute parliamentary deliberations, as had been previously agreed upon with TAF, but soon stopped, citing budgetary reasons. Currently, the only copy of the minutes from recent parliamentary debates is in the archives of the State Great Khural. The general public has a legal right to access these archives, but many people are unaware of this or are unable to travel to UB to consult the documents.[44]

[43].A survey by Globe International (2003) reports that out of the 47 government agencies surveyed, only 32 had produced a list of secrets; and 33, a procedure for classifying documents as secret, indicating that many agencies have not fulfilled the legal requirements to establish their own secrecy regime. Of the agencies that are complying, 23 considered the lists and procedures, themselves, to be secret.

[44] The UNDP also allegedly attempted to undertake a project to promote public parliamentary hearings, but there was some political resistance, so it was never implemented.

Box 3.3.1 Women for Social Progress: Pursuit of Information for Voter Education

In 1994 the leader of the Women for Social Progress (WSP) proposed a project to The Asia Foundation to conduct a voters' education survey. To evaluate voter selection of officials, WSP conducted research on political campaign promises and the performance of politicians while in office. However, WSP could neither locate such information nor obtain MP voting records, as it could not gain access to the State Great Khural's archives. The leader of WSP presented her complaint to the Constitutional Court and received permission, a year later, to see the parliamentary protocols. These, however, were of little help as the MPs had used a secret voting system.

Since the TAF project could not be implemented as initially envisioned, the WSP approached "Vote Smart," an American nonprofit organization, for assistance with another project to enhance voter awareness of their legal rights. WSP published brochures and organized workshops for voters in the countryside; and in 1995, just prior to the 1996 parliamentary elections, WSP asked the State Great Khural to change its policy and deliver its transcripts to the public. There was no reply. The leader of the NGO then wrote to political parties asking them to include open voting and the right of access to parliament protocols in their campaign platform. Only the MDP agreed. After its coalition won a majority in parliament, access to parliamentary debate became easier, although it remained restricted to 15-minute intervals. With funding from TAF, parliament also provided the WSP and other public access libraries around the country with copies of parliamentary deliberations. WSP also gained live television access to the parliamentary debates, which was piped into their library.

Although this window into the legislative process ended shortly after the TAF funding ran out, WSP considers the opening of the parliamentary voting system one of its greatest successes. With Sansar Cable TV's resumption of live broadcasts of parliamentary debate in April 2004, under a UNDP parliament-strengthening project, WSP is considering lobbying once again for greater access to parliamentary records.

Stakeholders also consider the judicial system to be a particularly secretive branch of the government; its broad claims of legal confidentiality reinforce a legal regime on secrecy (Finding 3.3.1). Journalists who wish to attend a court session must receive prior permission from the presiding judge. Even members of the National Human Rights Commission, which as an official body has authorized access to confidential information, have experienced problems accessing information from the judicial system.

Other stakeholders have claimed that the worst offenders in Mongolia's "culture of secrecy" are the police, who have even refused to provide human rights NGOs with the regulations that guide police conduct.45 Ironically, in this culture of secrecy, CSO leaders and journalists alike have reported that it is easier to get information from high ranking officials as lower-level officials are afraid of the consequences of providing information.

The absence of a general law on access to information exacerbates this culture of secrecy (Finding 3.3.3). Certain laws hold disclosure provisions, such as the 1993 Law on Government, Article 31 which provides for the publication of GoM Decrees and PM Ordinances, but only with consent of the chair of the Administration Department (administrative staff). The Political Parties Law, Article 18.4 also requires disclosure of information about donations to political parties, and the draft Anti-Corruption Law will require senior officials to disclose their income (see box 2.1.1).

[45] The leader of this NGO, which provides access to pro bono legal advice and monitors the judicial system, also mentioned that when trying to get a map of a *soum*, she was told that this was "secret information."

Box 3.3.2 Globe International: Promoting an Access to Information Law

Since 2002, Globe International has actively promoted the adoption of an Access to Information or Freedom of Information (FOI) Law, giving citizens the right to access information held by public bodies. They have adopted a multi-tiered strategy that focuses on drafting legislation and publishing research, lobbying MPs and other decision makers, and conducting public education campaigns.

Globe initially prepared a Draft Law of Mongolia on FOI. The draft was written by a team of eight leading Mongolian lawyers, in consultation with their international partner, ARTICLE 19. This allowed them to set the baseline standards against which a parliamentary legislative proposal would be judged. They also prepared a "Law Concept" (legal concept note) on FOI to explain the law's structure. Globe's Executive Director, Munkhburen Dash, is a member of the working group recently set up by the MoJHA to prepare access to information legislation.

To achieve its objective, Globe has primarily targeted legislators. It prepared a Handbook for Legislators on FOI, which was sent to all MPs. A series of roundtables and seminars for MPs have had remarkable success, with one roundtable on December 17, 2002, attracting 19 MPs. Globe also accompanied a group of MPs on a Study Trip to Bulgaria to expose them to mechanisms of FOI in other parts of the world.

Globe has undertaken a number of public awareness campaigns, using the media to transmit their message. In addition to a number of national and local programs on both radio and television, Globe prepared a 50-minute TV quiz show to engage the public more actively in the issue.

These disclosure provisions can play an important role in empowering civil society. Public disclosure of assets by senior officials can be an invaluable tool for CSOs and investigative journalists seeking to expose corruption. Similarly, rules on public disclosure of Environmental Impact Assessments (EIAs) allow civil society to monitor both the EIA itself and its implementation of recommendations.

These legal provisions, however, are not an effective substitute for a comprehensive Access to Information Law. The constraints on access to information have led various civil society actors, most notably Globe International (see box 3.3.2), to advocate for the adoption of an Access to Information Law, which would require public bodies to provide access to information. At present, a working group of CSO representatives set up by the MoJHA is developing a draft with comments from the other ministries. The draft may be ready for parliamentary review by April 2006.

The Access to Information Law must provide information seekers the opportunity to appeal refusals. Ideally, the law should establish an independent administrative mechanism for appeal, but in smaller countries like Mongolia, this may not be practical. Instead, this task may be allocated to an existing body such as the National Human Rights Commission.

A provision to appeal denied or delayed access would greatly assist CSOs frustrated by both refusals and "foot dragging" by public officials. It would also serve as an important mechanism for promoting accountability to the law, ensuring that decisions on access are not left exclusively to civil servants. The recent experience of the Ongi River Movement exemplifies such bureaucratic delays (see box 3.3.3)

Box 3.3.3 Ongi River Movement: Denial of Access to Information Law by "Passing the Buck"

In 2004, leaders of the Ongi River Movement approached the mining company Erel to request information on the volume of it earth removed during its operations in order to know the level of water diverted and to monitor the company's rehabilitation activities of its sites in Uyanga. The company declined to release the information. The team proceeded to the local environment inspector, who said that he did not have the information. They then contacted the soum governor, who by law should have had this information. He informed them that he did not and directed them to the inspector at the aimag level. The inspector told them that he had the report, but that it was in the possession of someone else. The inspector then referred them to the Ministry of the Nature and Environment in Ulaanbaatar, to whom the ORM leaders submitted an official request letter. To date, they have not received a response (see annex 3).

These bureaucratic delays highlight the need of CSOs to draw from independent sources of information and for investigative journalists to uncover issues of public interest.

3.3.2 Generating and Disseminating Alternative Sources of Information

During interviews and in focus groups, various CSO leaders and journalists commented that one of the biggest problems is not only the selective provision of information by public bodies, but also the quality of the information obtained. These stakeholders felt that public officials typically offer information that shows the GoM in a favorable light while covering up more negative or potentially damaging information about government policy, budgets, or the performance of public officials. Hence, stakeholders frequently referred to the need for "truthful" or "objective" information.

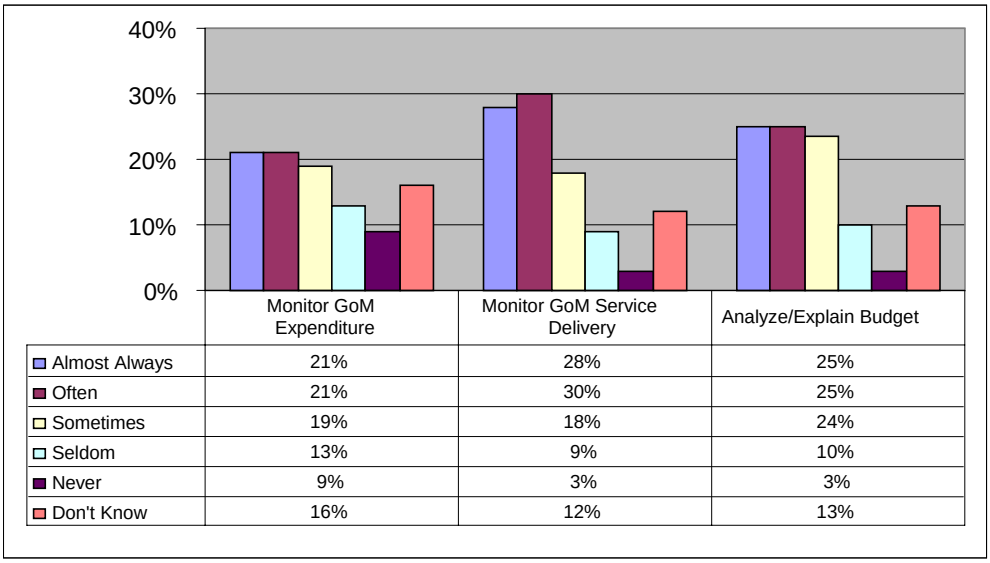
Ironically, stakeholders also contended that Mongolian society believes that "true" and "objective" information can only be obtained from the state. One informant quoted a journalist outside of Ulaanbaatar who asserted that "we want objective truth and the only truth comes from government, and the higher the position the greater the truth."

This mentality, a by-product of the socialist era, is highly problematic for several reasons. First, it is an uncritical evaluation of the source (public officials), and hence, the information they provide. Second, it undermines the ability of the citizenry (including receptive public officials) to evaluate information that contradicts the official line or to challenge official positions. The ability to critically evaluate and challenge official information is a key aspect of civic engagement/social accountability.

Social accountability requires not only evaluating the limits and biases of governmental sources but also requires access to alternative sources of information. As discussed in the previous section on Voice, the media is an important source of information, although the degree to which media outlets and individual journalists critically evaluate the information provided by public officials and seek alternative sources of information can vary dramatically. CSOs also generate alternative sources of information through monitoring public service delivery and governmental expenditure and general analysis of the budgetary process (Finding 3.3.4).

Although the CSO Survey indicates that CSOs are more involved in monitoring of public service delivery (32 percent) than governmental expenditures (9 percent), they are actively involved in budgetary analysis (22 percent) for their own constituencies and for Mongolian citizens in general. Fifty-eight percent of respondents reported that the monitoring of services influences public policy, legislation, or the conduct of officials almost always or at least often, 50 percent in the case of budget analysis, and only 42 percent for the monitoring of expenditures (see figure 3.3.3).

Figure 3.3.3 Activities Likely to Result in Policy, Legislation, or Conduct Changes (percent)



	Monitor GoM Expenditure	Monitor GoM Service Delivery	Analyze/Explain Budget
Almost Always	21%	28%	25%
Often	21%	30%	25%
Sometimes	19%	18%	24%
Seldom	13%	9%	10%
Never	9%	3%	3%
Don't Know	16%	12%	13%

Source: CSO Survey (Annex 6, Question I).

When respondents were asked if CSOs have sufficient opportunities to influence policy, legislation, or the conduct of officials in these areas, the statistics were more dramatic: 31 percent reported some opportunities to monitor services and only 15 percent to monitor expenditures (annex 2, Finding WSP 3)[46] . This will be discussed further in the final section on Negotiation. The case study on the Uvorkhangai branch of Women for Social Progress (WSP-UV) offers a prime example of how alternative sources of information can play a critical role in social accountability (see box 3.3.4).

Box 3.3.4 Provision of Information by the Women for Social Progress-Uvorkhangai: Triangle News

In 2002, the WSP-UV began publishing the Triangle News "to deliver local information to the local citizens" for enhanced participation in local government (WSP-UV 2003).[47]

The suspension of this publication in 2004 was particularly unfortunate as Triangle News had published information about governmental policies and actions, particularly budgetary issues, and thus played an important role in promoting civic engagement/social accountability. In each of its issues, an entire page presented information on local budget issues in simple, accessible language.

Articles in the newspaper also provided important information about governmental policies and public goods and services that were available to citizens. For example, in April 2002, the newspaper reported that the GoM was distributing free hay for livestock that were suffering from recurrent drought in the region. When their readers realized that they had been illegally charged for the hay by soum officials, they contacted the local agriculture office. Even though no action was taken against the responsible parties, by June, soum officials had stopped their illegal sales

[46] Respondents were not asked about opportunities for budget analysis, although the survey questions focused on CSO monitoring of GoM. In interviews and focus groups there were some references to the need to monitor CSO projects and for government and foreign funding, as the government's internationally funded projects are insufficiently monitored.

[47] With funding from the Globalization Fund for the Future and subsequently the Mongolian Foundation for an Open Society (now the Mongolian Open Society Forum), WSP-UV published 18 issues with a circulation of 9,000 (one-third of the households in the *aimag)* before funding ran out, forcing them to stop publishing the newspaper in March 2004. After an interview with study team members in April 2005, the Bank's Ulaanbaatar office provided WSP-UV additional funding to publish 12 monthly issues with a circulation of 6,000 copies through a grant under the regional BNPP for social accountability.

Other ways for CSOs to generate alternative sources of information are research and publication of nongovernmental documents about their activities. As previously mentioned, the Open Society Forum Web site presents documents on an array of issues related to its work, and lists a fellowship program that supports independent research on topics ranging from land privatization to participatory budget analysis.

Other examples of such documents from case studies include the environmental research conducted by ORM in collaboration with Professor Chandmani, an agronomist and lecturer at the Mongolian Agriculture University, who acted as advisor and researcher for ORM (see annex 3, Finding ONGI 4). The NCAV has also conducted extensive research and documentation of its efforts to convince both the public and GoM officials of the gravity and extent of domestic violence (see annex 1, Finding NCAV 3).

3.3.3 Findings and Recommendations Related to Information

Access by citizens, CSOs, and the media to state information has dramatically increased since the transition to democracy in the early 1990s. Similarly, the capacity of civil society to independently generate and disseminate information has also radically improved. Nevertheless, there exist several legal and cultural constraints on access to information and opportunities to generate and disseminate alternative information. These serve as the basis for the following recommendations.

Finding 3.3.1. The GoM culture of secrecy, reinforced by broad and ambiguous laws on the confidentiality of information, obstructs citizen access to information of public interest that is necessary to civic engagement.

Recommendations:

1) In consultation with the relevant CSOs, and in accordance with constitutional and international standards, the GoM should review the legal regime of secrecy to provide a balance between state interests and the need for openness (see Finding 3.3.3).
2) With initial support from the donor community, the GoM should address problems related to its culture of secrecy. It could initiate training programs for civil servants and politicians on the negative effects of secrecy and the importance and benefits of openness to good governance and socioeconomic development. Moreover, senior officials and political leaders should send clear signals that excessive secrecy will no longer be tolerated—for instance, by disciplining officials and civil servants who withhold information to which public access is guaranteed under law.

Finding 3.3.2. Mongolian citizens have insufficient information about the legislature and GoM decisions and proceedings.

Recommendations:

1) The GoM should explore ways to make proceedings and key decisions more accessible to citizens. For example, it should produce regular publications (an official journal) containing presidential decrees, parliamentary proceedings, and significant judicial rulings and local decrees. These publications should be available at public libraries and other depositories in every aimag, and should be sold at cost. While the international community may cover initial costs, the GoM must be prepared to assume the financial costs of distributing this information as a responsibility of a democratic state to its citizenry.
2) Parliamentarians should mandate that pending legislation be disseminated through public hearings or the media within a reasonable period (for example, 30 days) prior to their deliberation.

3) CSOs should be a primary means for disseminating information about pending bills and recent legislation to an informed public and should be encouraged to assist in disseminating this information to the broader public.
4) The media, in particular public broadcasters, should produce public interest programs about pending issues, proceedings, and key decisions by public bodies.

Finding 3.3.3. Public officials deny or delay access to information, whereas the absence of a comprehensive Access to Information Law undermines the ability of civil society to exercise its constitutional right to access information held by public bodies.

Recommendations:
1) Public officials should enact the comprehensive Access to Information Law, currently on the parliamentary agenda. To assist in that process, CSOs should continue their efforts to ensure that the Law meets constitutional and international standards. This includes a general presumption of openness, clear procedures for citizens to access information, and a narrow regime of exceptions to the right of access.
2) The Law should also provide for a right to appeal any refusals or undue delays to an administrative body. This body could be either an existing body, such as the National Human Rights Commission, or one specifically created for this purpose, such as an Information Commissioner. Once operational, a capacity-building program should be established so that this body is able to fulfill its responsibilities under the Law. Any further appeals should be assigned to the courts.
3) After the law is adopted, stakeholders should ensure that it is implemented effectively. CSOs should make active use of the law through comprehensive training and increased incentives for public officials to act efficiently in providing the public access to information, publicity to ensure the public is aware of its right to information, and training for judges to ensure effective implementation of the legislation.

Finding 3.3.4. CSOs are providing critical alternative information through the conduct of independent research or the creation of forums, including newspapers, that confirms, counters, or expands upon the information provided by the GOM.

Recommendations:
1) With initial technical and financial support from the international community, CSOs should expand their provision of alternative sources of information to fill in gaps and to confirm the accuracy of official information. Collaboration among CSOs working in similar or overlapping areas may promote efficiency and cost-effectiveness.
2) Given the costs of research, CSOs should collaborate with the GoM and other international actors who are analyzing related issues. Donors should provide start-up funding for data collection and analysis in policy areas critical to governance and development.

3.4 SOCIAL ACCOUNTABILITY THROUGH NEGOTIATION

Citizens' participation in governance beyond the electoral process enhances the effectiveness of government and its socioeconomic policies.[48] When civil society actors Negotiate with public officials,

[48] A great deal has been written about the role of citizens in governance. See, for example, the OCED publication, *Citizens as Partners* (2001).

development initiatives become more responsive to socioeconomic problems such as poverty reduction, while strengthening democratic institutions and political legitimacy.[49]

International precedents and norms establish the right of citizens to participate in their own governance. The Universal Declaration of Human Rights refers specifically to the right of each citizen to "take part in the government of his country," without delineating the form of participation beyond the electoral process. The United Nations Declaration on the Right to Development broadly recognizes the "inalienable human right" of each citizen "to participate in, contribute to and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized" (UN General Assembly Res. 41/128, December 4, 1986). Once again, the precise mechanisms are to be worked out according to the customs and conditions of each individual country.

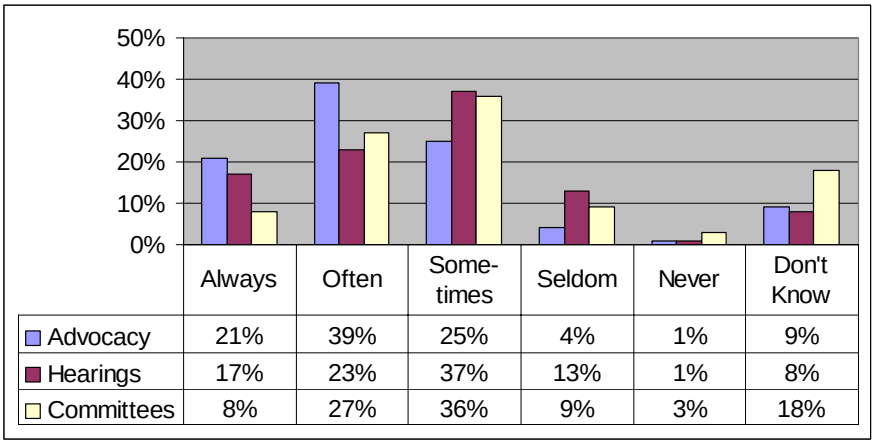
Mongolia's legal code contains provisions for CSO and citizen participation in governance and development. However, CSOs generally consider these formal mechanisms for negotiation to be inadequate, relying on other informal opportunities to negotiate with public officials. Moreover, CSOs frequently collaborate with public officials and international donors or act on their own to initiate forums that encourage negotiation and promote social accountability.

3.4.1 Provisions and Opportunities for Negotiation

More than 65 percent of the respondents to the CSO Survey participated in a public hearing or meeting with public officials on a regular basis (at least one a month), while 34 percent participated in more selective state commissions and advisory committees. More than a third of CSO leaders also stated that they regularly engage in advocacy for changes in public policy or legislation (see annex 6, Question H).

Moreover, the vast majority of respondents believe that these activities influence the performance of public officials at least some of the time, with a significant percentage (35-60 percent) believing that they do so often, if not always (see figure 3.4.1).

Figure 3.4.1 Likelihood that Negotiation Activities Will Result in Changes in Policy, Legislation, or Conduct of Officials (percent)



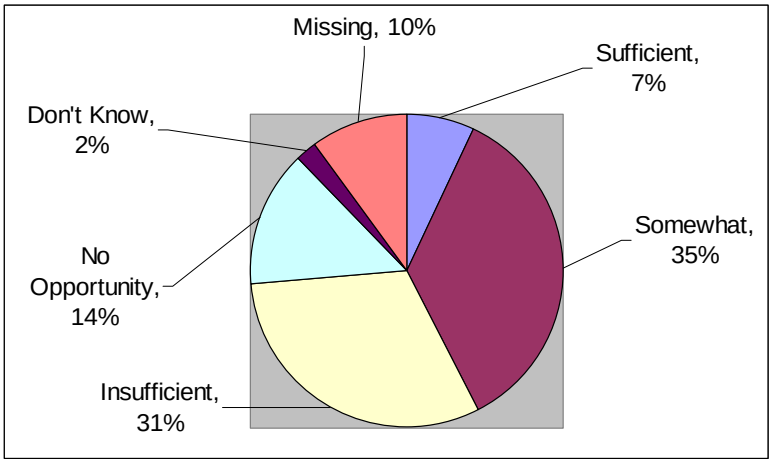
	Always	Often	Some-times	Seldom	Never	Don't Know
Advocacy	21%	39%	25%	4%	1%	9%
Hearings	17%	23%	37%	13%	1%	8%
Committees	8%	27%	36%	9%	3%	18%

Source: CSO Survey (Annex 6, Question I).

[49] Mechanisms for negotiation also entail opportunities for civil society actors to Voice their opinions and concerns, and potentially to gain Information from public officials while providing it as well. The overlap is evident in references to Negotiation in the two previous sections.

Nevertheless, while more than 40 percent of the respondents indicated that opportunities to influence public policy and legislation by negotiating with public officials were at least somewhat sufficient, nearly a third stated that they are insufficient. Another 14 percent went so far as to declare that there were no opportunities for negotiation, undoubtedly reflecting their own inability to negotiate with public officials (see figure 3.4.2).

Figure 3.4.2 Ability of CSOs to Negotiate with Public Officials



Source: CSO Survey (Annex 6, Question N).

One might assume intuitively that negotiation between citizens and public officials at the local level would be greater, due to the greater accessibility of local officials and their more direct accountability to local constituents. Indeed, this is the underlying assumption of decentralization initiatives among international development agencies and donors. In fact, respondents to the CSO Survey found local officials to be only slightly more receptive to their social accountability-related activities than were national officials, with 48 percent of respondents indicating that local officials are at least somewhat receptive to social accountability initiatives by CSOs, as opposed to 45 percent for national officials (annex 6, Question K). There is, however, a great deal of potential for local-level social accountability initiatives, including the use of Community Scorecards (CSCs) in the World Bank-sponsored Sustainable Livelihoods Project (SLP) (Finding 3.4.1). Donors, governments, CSOs, and service delivery agencies all over the world are increasingly using community scorecards and citizen report cards for stakeholders to evaluate the quality of services and negotiate desired changes. In Mongolia, however, the CSCs will become an effective mechanism for negotiation only if there is greater GoM ownership and closer CSO involvement (see box 3.4.1).

Box 3.4.1 The Community Scorecard: Giving Stakeholders a Platform to Review Project Activity

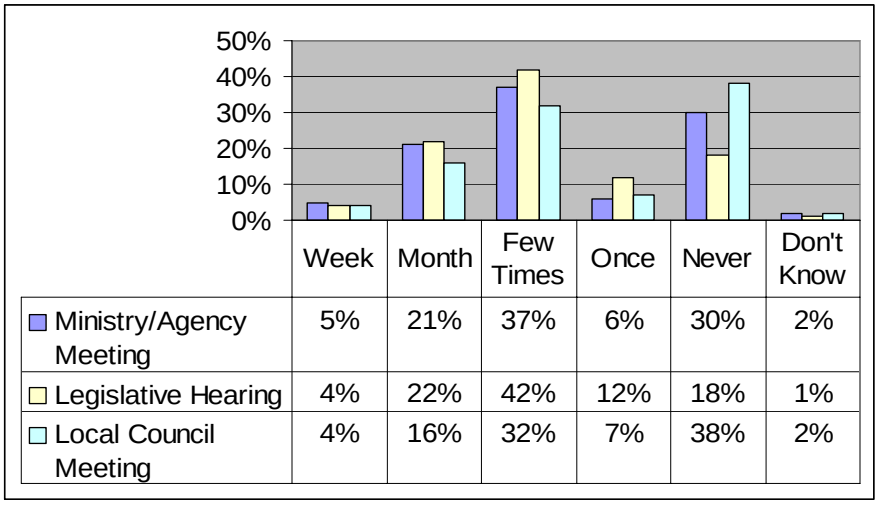
Following the failure of the National Poverty Alleviation Program to significantly reduce poverty, the GoM made poverty reduction one of the highest priorities. A key instrument to this end is the Mongolian Sustainable Livelihoods Project (MSLP) under the Household Livelihoods Capacity Support Council (HLCSC 2004). Stakeholder monitoring of the quality and effectiveness of social services under this program would help GoM to attain its goal "to reduce vulnerability and achieve a secure and sustainable livelihood by targeting poor and vulnerable near-poor households and individuals nationwide."

In particular, the CSC mechanism of the Local Initiatives Fund (LIF) that facilitates community-based performance monitoring has the potential to become a model of social accountability in service delivery, which may be replicated on a larger scale. According to the Project Implementation manual, the process is to be facilitated by the bag governor, khural members, and trained community members, assisted by the soum HLCSC secretary. After the completion of a one-month subproject, the soum HLCSC secretary presides over an open community meeting to assess the subproject and its impact. At the same time, information is elicited from individual community members, and a CSC and Impact Record completed. In a process largely driven by the HLCSC secretariat as opposed to CSOs or user communities, the information from the CSC and Impact Record is combined with that from the community assessment and compiled into a report, which is sent to the aimag HLCSC secretary. The aimag HLCSC retains a record of the information on which the evaluation report is based and then submits a compiled report to HLCSC.

The current system of implementation, however, constrains social accountability in several ways. A report by the World Bank's supervision mission in March-April 2005, notes that the HLCS secretaries regard community score cards and the Impact Record as cumbersome paperwork that they must complete to comply with World Bank requirements. Their attitude indicates a common problem of ownership and sustainability of donor-initiated social accountability mechanisms. The attitude could reduce the usefulness of such tools and must be addressed to promote institutionalization. Fortunately, the Bank's task team intends to monitor whether community views are aired and heeded, and review how the score cards and other monitoring and evaluation tools are used. This will be done through direct observation by the project's M&E Officer (MSLP 2005:49).

Moreover, when asked about their participation in forums organized by public officials, respondents said they were least likely to participate in a local council on a regular basis (see figure 3.4.3).[50]

Figure 3.4.3 Frequency of CSO Participation in GoM Forums (percent)



	Week	Month	Few Times	Once	Never	Don't Know
Ministry/Agency Meeting	5%	21%	37%	6%	30%	2%
Legislative Hearing	4%	22%	42%	12%	18%	1%
Local Council Meeting	4%	16%	32%	7%	38%	2%

Source: CSO Survey (Annex 6, Question KK).

[50] Even this low percentage seems a bit high. One CSO leader noted that local councils do not meet monthly, let alone weekly, as some CSOs indicated in their responses, and in any case, far fewer than the 20 percent indicated, participate in local councils on a regular basis.

Respondents were equally divided on whether participation in a local council meeting would be effective, somewhat effective, or slightly effective (annex 6, Question LL). The results of the survey are explained partly by the UB-bias of NGOs in Mongolia and the likelihood that national rather than local officials were targeted. Additionally, the centralization of public policy and the budget process have weakened incentives for citizens and CSOs to negotiate with relatively anemic local governmental institutions that are upwardly accountable (Finding 3.4.2).

A striking example is weak involvement in school councils or local communities in general (see annex 4, Finding EDU 6). When the Ongi River Movement tried to gain information that would make mining companies and public officials accountable, the lack of downward accountability thwarted its efforts for enforcement of laws on environmental protection (see annex 3, Finding ONGI 6).

Many stakeholders blame the Public Sector Management and Finance Law for the lack of downward accountability. The PSMFL has shown positive results in several areas, such as timely budget transfers, control of wage arrears, and overall fiscal discipline. However, the law has also removed most revenue-raising authority from local governments, and limited their role in service delivery. Nor have any compensating arrangements been made for citizen engagement in local budget processes and expenditure tracking (see box 3.4.2).

Box 3.4.2 Decentralization: Structural and Practical Impediments to Social Accountability

An important constraint on social accountability in Mongolia is the inconsistency between the centralized intergovernmental fiscal transfer system and the relatively decentralized political structures. The centralized fiscal management system has achieved macroeconomic stability, controlled wage arrears, and enabled timely budgetary transfers to local governments (Mongolia's Regional Development Note 2005).

The intergovernmental fiscal mechanism has its legal basis in the General Budget Law, which regulates revenue relations, and the 2002 Public Sector Management and Finance Law, which regulates expenditure responsibilities. The intention of the PSMFL is to increase the accountability and effectiveness of public sector institutions at all levels while respecting the need for fiscal restraint and sustainability. Unfortunately, by centralizing fiscal powers, the law effectively weakened local governments, severely limiting their tax-raising powers and responsibilities for service delivery. Indeed, the current governance system "fragments responsibilities of local governments and control over resources, resulting in weakening of accountability and service delivery for public resources" (Mongolia's Regional Development Note 2005:2).

The PSMFL does not make provision for the participation of soum khurals or ordinary citizens in budget processes. At present their roles are ad hoc and varied in practice (World Bank 2004d). During interviews and focus groups, many stakeholders concurred that the PSMFL had not enhanced downward accountability of public sector institutions, but rather limited the autonomy of local officials and thereby strengthened their upward accountability. These findings are supported by the work of Robin Mearns, Decentralization, Rural Livelihoods and Pasture-Land Management in Post-Socialist Mongolia. Mearns notes that while the PSMFL requires all public agencies to review and submit reports annually to the Ministry of Finance and Economics, there are no provisions holding these agencies accountable to local citizens. Consequently, under the current system, the governors "have little downward accountability to their local constituencies."

The PSMFL also centralized most taxes previously shared with local governments, and local governments have few powers to institute new taxes. Such restrictions in revenue-collection powers may diminish incentives for governors to be downwardly accountable, as well as for citizens, who do not pay taxes to local governments, to demand accountability from local officials.

Local governors have limited decision-making powers in each sector. Although aimag budgets reflect spending on education and health, the funds actually flow directly from the central government to respective schools and hospitals. Hence local governments do not have any control over these funds. As one soum governor noted, these "limitations on budget spending on the part of the governor also constrain citizen influence on the budget-allocation process," as line-item provisions leave little room for local decision making. Indeed, as Mearns argues, in this environment there is little incentive for local populations to use their elected representatives as channels for articulating concerns and making claims (Mearns 2002:138).

Negotiation also ensures that legislative processes are democratic and responsive to citizen needs. As figure 3.4.3 indicates, citizen participation in a public forum was highest for legislative hearings. Moreover, half of the respondents found these hearings to be at least somewhat effective, indicating the highest level of confidence in this form of negotiation to influence public policy (annex 6, Question LL).

Still, there are no formal mechanisms for CSO participation in the drafting of legislation (Finding 3.4.3). Various NGOs have been invited to participate in targeted working groups that provide citizen input into certain draft pieces of legislation. NGOs have also given critical testimony before parliament and, in some cases, independently prepared draft legislation, which has been picked up by officials.

Three recent examples on NGO involvement include the proposed Access to Information Law; the Public Service Broadcasting Law, which was passed in January 2005; and the Domestic Violence Law, which was passed in 1994, due largely to advocacy efforts by the National Center Against Violence (see annex 1, Finding NCAV 5). The Ongi River Movement also submitted detailed recommendations to inform proposed amendments to the 1996 Water Bill at both a National Workshop on the Management of River Basins organized by the government and a meeting of the cabinet in August 2002 (see annex 4). Although most of their inputs did not feature in the amended law, the ORM leadership claimed that the new law had in fact reflected a number of the positions they had promoted in their recommendations, including those related to the functions of the water management committees.

A representative of the Association of Mongolian Elders (AME) also claimed that his organization had made recommendations over the years on legislation related to welfare, medical insurance, family, retirement, and pension law, adding that AME cooperates closely with the Ministry of Labor and Welfare. The AME is a "legacy institution" as it was created and received state funding under the socialist regime. As such it continues to be one of the few CSOs to receive state funding in Mongolia. Undoubtedly, the informal and formal ties that AME enjoys with public officials have been key not only to its continued funding but also to its presumed influence in the legislative process.

Although there are relatively few CSOs that receive resources from the GoM, newer CSOs rely on informal networks with public officials for their advocacy work. In fact, most active CSOs reported having extensive networks and allies among public officials, often on a partisan basis (Finding 3.4.4). Both the WSP-UV and the NCAV, for example, reported that formal and informal networks with officials have been critical to their capacity to voice the distinct and varied opinions and concerns of Mongolian civil society (see annexes 1 and 2, Findings NCAV 4 and WSP 1, respectively).

Nevertheless, CSO ties to government officials and politicians may be a double-edged sword that undermines CSO political autonomy and capacity to promote social accountability.[51] Politicians may create organizations to gain access to financial resources from foreign donors, or manipulate the agenda of existing CSOs as their board members or benefactors. In fact, a leading political party has been accused of instructing its members to gain control over the growing number of CSOs to gain access to their financial and social capital.

In contrast, however, the blurred line between state and societal actors involved in the Ongi River Movement is not the result of local politicians with nefarious intent but an indication of their commitment to the environmental mission and activities of ORM. When Ongi leaders decided to send a letter to the prime minister and members of parliament, however, the presence of local officials in the organization

[51] In the extreme form of state corporatism, public officials control civil society, and thus, disallow pressure for social accountability. Although there is less concern about the inverse relationship under societal corporatism in which societal groups dominate policy areas (for example, health, labor, or the environment) through participation in state institutions or forums, state autonomy (that is, the capacity to avoid capture by domestic or foreign interests) is equally critical to social accountability.

nonetheless threatened its ability to voice its concerns. In the letters, ORM called on the GoM to protect the Ongi River system, which has been drying up over the last decade in large part because of mining practices in the region. One local official, who had been under pressure from senior officials not to sign the letter, resigned from ORM, while several local governors refused to sign and were ultimately replaced as members of the ORM board. The experience of ORM indicates one of the reasons why the promotion of social accountability requires autonomy from vested political interests to ensure the voice of civil society is not compromised or muted (see Finding ORM 2 in annex 3).

Based on interviews, focus groups, and the CSO poll, it was nevertheless clear that the overwhelming majority of Mongolians view CSO relations with public officials, especially the GoM, as characteristically adversarial. During a dissemination interview, a prominent CSO leader went so far as to describe CSOs and the GoM as seeing "each other as enemies."

Although Mongolia does not have an ombudsman to mediate disputes between these stakeholders, the National Human Rights Commission has played an intermediary role in encouraging vertical as well as horizontal accountability. For example, the Women for Social Progress asked the NHRC to mediate a dispute in Uvorkhangai between local vendors and the aimag governor who had decreed that the vendors must relocate to a new market area. When the police attempted to enforce the resolution by harassing the vendors and confiscating their goods, the vendors turned to the local branch of the WSP. The WSP requested the NHRC to investigate possible human rights violations. The NHRC ruled that the vendors' rights had indeed been violated, but the governor refused to rescind the resolution (which would have been a case of horizontal accountability). The ruling nevertheless became a "resource" for the vendors and their NGO allies to elicit a response from the governor (see annex 2).

In addition to "supply-side" forums for negotiation initiated by the GOM, some CSOs have created forums for stakeholders to meet and discuss various topics (Finding 3.4.4). The Open Society Forum takes the lead in organizing forums to promote negotiation and provide opportunities to voice societal concerns and disseminate information. The OSF organizes numerous seminars and workshops that are attended by government officials, politicians, CSO leaders, and members of the media. In January 2004, OSF organized a meeting for stakeholders involved in budget work to discuss participatory budgeting. As a follow-up, the Minister of Finance, who had attended the conference, contacted local public officials in Uvorkhangai, encouraging them to cooperate with the important work of the WSP-UV.

The WSP-UV has also organized tripartite or "triangle" discussions for community business leaders (see Finding WSP 4). In 2003, The Asia Foundation funded WSP-UV to conduct a series of individual meetings with representatives of CSOs, the business community, and local government officials along with a tripartite meeting to discuss a survey WSP-UV had conducted on the creation of small businesses and other business-related issues. WSP-UV held a follow-up consultation in December 2004, which resulted in a series of successes: the dismantling of a passport photo monopoly for the aimag's citizen registration bureau and the dismissal of the Central Intelligence Agency official involved; expedited licensing by the land department; and improved conditions in the local market, including toilets and garbage disposal.[52]

[52] After the first BDC, the *aimag khural* created a Business and Economic Council that includes three representatives of the business community, three governmental officials, and three CSO leaders. Although this may be seen as a positive development as the BDC attempts to institutionalize dialogue among the three sets of stakeholders, the WSP-UV noted that there had not been a great deal of commitment to the council, which has only met a few times. From their perspective, one of the main problems is that the representatives are mostly "progovernment" (that is, pro-MPRP), including the two NGOs other than WSP-UV on the council (Chamber of Commerce and the Gobi Initiative). Therefore, they are not interested in confronting controversial issues.

Although the Environmental Impact Assessment Law exists, environmental NGOs stress that there is lack of both capacity and consistency in enforcing that law. Citizens therefore have few opportunities to give their views on natural resources projects prior to government approval. The Ongi River Movement case study (Annex 3) provides an illustration of mining operations that were begun without prior EIAs.

3.4.2 Findings and Recommendations Relating to Negotiation

As with the enabling elements of Voice and Information, formal mechanisms for Negotiation with public officials have dramatically increased since the transition to democracy in the early 1990s. Nevertheless, citizens and CSOs alike seek informal opportunities to negotiate with officials. However, informal setting such as this one results in highly ad hoc basis for negotiation that favors CSOs with extensive social capital (networks) and greater proximity to officials (UB-based). Although some of the obstacles to negotiation may be mitigated through GoM, CSO, and donor actions, as outlined in the following recommendations, the most critical challenge to Negotiation (as well as Voice and Information) is the lack of understanding about the CSO role in promoting civic engagement/social accountability among officials and the general public.

Finding 3.4.1. While the Community Scorecard, as part of the World Bank-supported Sustainable Livelihoods Project, allows beneficiaries to assess the quality and effectiveness of SLP subprojects, it could be enhanced to provide more opportunities for Voice, Information, and Negotiation.

Recommendation: Incorporate best practices from the portfolio of Bank-supported operations using CSCs into the Sustainable Livelihoods Project so that citizens can monitor the quality of services and negotiate the necessary changes to improve the program. This effort may be supported, for example, through "South-South" learning and in-country capacity-building activities. The SLP should create partnerships with CSOs and develop their capacity to use community score cards effectively.

Finding 3.4.2. Mongolia's intergovernmental arrangements, particularly the PSMFL, limit local government accountability to local constituents and constrain citizen participation in local governance.

Recommendations:

1) In consultation with CSOs, public officials should address the lack of downward accountability. They should consider legal and regulatory reform and the creation of forums or other mechanisms, as well as the need for leadership from senior public officials to change the current political culture of upward accountability.
2) The Ministry of Finance and Economics, in particular, should collaborate with CSOs to enhance citizen engagement in the budget process. There should be greater budget disclosure to local citizens, more forums for civic involvement in setting local development and budget priorities, tracking expenditures, and in evaluating performance. There must also be mechanisms for transparency and direct accountability; governors, khurals, and citizens should also be responsible for the local components of line ministry budgets (for example, schools and hospitals).
3) Since local governors wield substantial power but lack downward accountability, the GoM, CSOs, and donors should evaluate the adverse economic and governance consequences of this structure of authority, and develop programs to increase awareness of the important role that citizens and CSOs play in improving local governance, and how local governments can facilitate such a role. Such a program, which could benefit from international best practices, may inform future proposals for improvement of political and fiscal decentralization in Mongolia.

Finding 3.4.3. There are no formal mechanisms through which CSOs can become involved in the legislative process or policy formulation.

Recommendations:

1) CSOs and public officials should consider formal mechanisms to encourage civil society and citizen input into the legislative process and policy formulation. This should be done in consultation with international donors, who may provide initial financial and technical support, including comparative studies of best practice. Civil society input could include expert testimony, preparation of draft legislation, participation in working groups, and in public hearings on pending legislation and public policies, which they could also help to disseminate.
2) Public officials should also work collaboratively with CSOs to encourage dialogue and networking through regular meetings (for example, town meetings and CSO councils to the prime minister, president, or local governments) to discuss common ground and specific areas for potential collaboration. Such forums may be organized by public officials, by CSOs, or jointly by both stakeholders.

Finding 3.4.4. CSO-organized forums have promoted networking and Negotiation with public officials and politicians, and provided opportunities to Voice societal concerns, and disseminate Information generated by CSOs, the GoM, and other stakeholders.

Recommendation: With initial support from the donor community, CSOs should establish individually and jointly organized forums among themselves and with other stakeholders. The CSO forums should meet regularly and include the participation of public officials. In the interim, they should communicate regularly through various mechanisms such as a common list serve or Web site.

Part IV—Conclusion

This study on the enabling environment for social accountability in Mongolia has illustrated diverse approaches to promoting accountability of government institutions through civic engagement. These include legislative advocacy, participatory public expenditure monitoring, information campaigns, and community score cards. These mechanisms have had mixed results because of certain factors external to civil society (the political, economic, legal, and socio-cultural context) and internal factors (CSO capital, governance, and accountability) that affect the ability of civil society actors to exercise their Voice, gain access to Information, and Negotiate with public officials to promote social accountability (part II). In particular, the study concurs with the findings of the 2005 World Bank study, "Civil Society in Mongolia's Development and Governance: An Overview of Trends, Constraints, and Opportunities" (Finch 2005), which established that CSO financial constraints lead to a high level of dependency on foreign resources and limits their ability to fulfill their missions, including civic engagement.

There are several key issues identified by this study. First, the findings and recommendations (summarized in the chart in section 4.2) indicate the need for legal and regulatory reforms, including the adoption of an Access to Information Law as well as the reform of the defamation regime and the Law on State Secrets. In addition there is a need for institutional reform and capacity building among the stakeholders to reinforce a political culture of accountability among not only public officials but also all stakeholders that share the common goal of good governance and economic development in Mongolia. This point is closely tied to the final key issue raised in this study: For Mongolia to reap the potential benefits of civic engagement and social accountability, it must be given time, resources, and a commitment by all stakeholders.

It is recommended that formal dissemination of this report, which took place in March 2005, should be complemented by broader dissemination to more stakeholders across the country. In addition to informing the GoM's reform agenda, the report should continue to be a part of the in-country dialogue on governance and accountability in Mongolia, as much as it is an important resource to the Bank's own Governance Assistance Project, and the strategies and programs of other donor agencies and CSOs. Moreover, the highly participatory, multi-stakeholder approach employed in the study can help to strengthen constituencies for reforms in Mongolia, and promote new frameworks of collaboration.

4.2. SUMMARY OF FINDINGS AND RECOMMENDATIONS

FINDINGS	RECOMMENDATIONS			
	Policy, Legal, & Regulatory Reform	Institutional Reform and Capacity Building		
		CSOs	Public Officials	Other: Media, Donors
PART II. External and Internal Factors				
2.1.1. Proposed nonprofit law could restrict CSO involvement in civic engagement and social accountability.	* The MoJHA and MPs should revise the wording of the bill before its passage with a more specific definition of the explicitly political organizations (for example, wings of political parties or lobbying firms) that would otherwise be excluded.	* CSOs should offer a revised version of the nonprofit bill that addresses this issue and then pursue legal remedies if the revised provision is not adopted or is improperly implemented.		
2.2. Proposed anti-corruption law stipulates disclosure of only the total sum of assets and income for senior officials, thereby undermining capacity to track corruption.	* The MoJHA and MPs should revise the wording of the bill before its passage to provide for the publication of asset and income declarations by individual officials to strengthen the mechanisms for tracking corruption.	Media-related CSOs could provide technical support in media training to insure implementation of the law		* As proposed in the GoM document, Ten Steps to Intensity: The Implementation of the National Program to Combat Corruption (2005), implementation of the law should include media training on the publication of these declarations for which donors provide both technical and financial support.

4.2 SUMMARY OF FINDINGS AND RECOMMENDATIONS (CONTINUED)

FINDINGS	RECOMMENDATIONS			
	Policy, Legal, & Regulatory Reform	Institutional Reform and Capacity Building		
		CSOs	Public Officials	Other: Media, Donors
2.3 Although access to resources is critical for the success of social accountability initiatives, CSO financial resources remain limited and precarious due to the following: - GoM offers few tenders - Public officials create CSOs to capture donor funding - Donor funding is short term and limited to project costs - Limited philanthropic donations - CSOs' lack of fiscal autonomy leads to distortion of mission	* With technical support from the international community, public officials and CSOs should consult to reform the tax code affecting CSOs, particularly the absence of tax breaks for philanthropic donations.	* Despite their limited resources, CSOs should avoid "mission creep," which detracts from their initial mission and can potentially undermine their reputation and that of civil society in general. Instead, their energies would be better spent on lobbying for greater access to GoM tenders and more competitive donor funding , and develop greater independent resources.	* The GoM should expand the number and amount of tenders available to CSOs and other private enterprises, based on a competitive system that would increase the capacity and efficiency of its service delivery.	* Donors should consider financial commitments that are long term; include institutional and administrative costs; and consider the origins, purpose, and sustainability of the CSOs that they fund.
2.4 The Structural limits to CSO capacity for social accountability as a result of: - Concentration of CSOs in UB - Lack of CSO umbrellas - De facto non-governmental individuals		Creation and development of CBOs and CSO branches outside of UB and promote those CSO umbrella organizations that could be more effective at social accountability.		Donors should provide technical and financial support to expand current CSO efforts at institutionalization, while targeting programs that assist in the development of CBOs, CSOs outside UB and umbrella organizations

4.2 SUMMARY OF FINDINGS AND RECOMMENDATIONS (CONTINUED)

FINDINGS	RECOMMENDATIONS			
	Policy, Legal, & Regulatory Reform	Institutional Reform and Capacity Building		
		CSOs	Public Officials	Other: Media, Donors
2.5 Lack of involvement in and knowledge of accountability initiatives: - Few CSOs are involved in civic engagement and social accountability - Few Mongolians are aware of their role or its importance		* CSOs should double efforts to develop strong relations with various media outlets and individual journalists. Good relations ensure publicity of their activities and enhance their outreach and accountability to their constituents.	* Public officials should actively promote direct citizen engagement, focusing on key sectors such as education.	* The donor community should provide greater incentives, including capacity-building support to increase CSO and GoM expertise in civic engagement and social accountability.
		* Stakeholders should collaborate to develop civic education programs to inform citizens of their right to civic engagement and the key role of CSOs in social accountability initiatives. Activities may include public service announcements and community theater projects directed at the adult population, as well as innovative education curricula for Mongolian youth.		

4.2 SUMMARY OF FINDINGS AND RECOMMENDATIONS (CONTINUED)

FINDINGS	RECOMMENDATIONS			
	Policy, Legal, & Regulatory Reform	Institutional Reform and Capacity Building		
		CSOs	Public Officials	Other: Media, Donors
Part 3.1 Voice				
3.2.1. Lack of awareness of civil rights including freedom of expression		* Stakeholders should collaborate to develop civic education programs to inform citizens of their rights. These may include public service announcements, distribution of culturally specific literature that illustrates these rights, and community theater projects that involve citizens in exploring their rights and responsibilities, as well as innovative education curricula for Mongolian youth.		
3.2.2. Defamation laws unduly restrict freedom of expression and exert a chilling effect on the media. The most egregious issues: - Civil code stipulates stringent punishment for damages but offers insufficient defenses against these charges - Criminal code stipulates imprisonment for up to five years	* In collaboration with other stakeholders, public officials should comprehensively review and reform the criminal and civil defamation regimes, at a minimum, to remove the possibility of imprisonment for defamation.	* Given the norms that have developed under the current defamation regime, stakeholders need to undertake explicit actions to ensure the implementation of legal reforms. With the donor community and media-related CSOs providing financial and technical support, GoM should revise the legal text and provide training on its implications for both journalists and the judiciary.		
3.2.3. Media registration system is susceptible to political distortions.	* In consultation with the media and media-related CSOs, public officials should revise the media registration system and consider the proposed transfer of media registration to a nongovernmental agency.			

4.2 SUMMARY OF FINDINGS AND RECOMMENDATIONS (CONTINUED)

FINDINGS	RECOMMENDATIONS			
	Policy, Legal, & Regulatory Reform	Institutional Reform and Capacity Building		
		CSOs	Public Officials	Other: Media, Donors
3.2.4. Broadcast licensing system is susceptible to political distortions, fails to promote public broadcasting, and constrains the capacity of broadcasters by saturating the market.	* In consultation with broadcasters and media-related CSOs, the GoM should revise the laws governing broadcast licensing, including elimination of a required letter of support from governors, and provision for the licensing of nonprofit or community broadcasters.		* The GoM should strengthen the autonomy and capacity of the CRC to promote public interest broadcasting. In licensing broadcasters, CRC should consider the diversity of content and ownership as well as market-carrying capacity.	
3.2.5. Poor quality of media threatens freedom of expression and right to reliable information			* Senior officials should take measures to address widespread self-censorship among journalists: prosecute threats and acts of violence against journalists; eliminate pressure to subscribe to particular news outlets; and instruct members of the intelligence services to restrict media monitoring to a limited set of legally defined issues related to state security.	* International community should provide initial funding for additional training for media workers, including editors and owners, to focus on enhanced professionalism and the financial viability of the media.
		* Media-related CSOs, public officials, and media representatives should have a broad consultation to analyze the factors that influence the poor quality of media reporting in Mongolia, with special consideration given to the establishment of a media council.		

4.2 SUMMARY OF FINDINGS AND RECOMMENDATIONS (CONTINUED)

FINDINGS	RECOMMENDATIONS			
	Policy, Legal, & Regulatory Reform	Institutional Reform and Capacity Building		
		CSOs	Public Officials	Other: Media, Donors
3.2.6. Capacity of PRTV to produce public interest broadcasting is threatened by reductions in funding and politicization of its governing board.		* With initial technical and financial support from the international community, media-related CSOs should monitor the implementation of the Public Broadcasting Law and initiate inquiries with the agencies or the judiciary if shortcomings or failures are identified.	* The GoM should work with media-related CSOs and PRTV to promote the capacity of the PRTV for efficient management and resource mobilization. * The international community should provide technical assistance for capacity building of PRTV National Council members, to enable this body to operate effectively and in accordance with best national practices around the world.	* The PRTV should monitor the elimination of its access to advertising resources. If there are undue adverse effects, public officials may consider amending this restriction and adopting a five-year budget to promote the autonomy of the PRTV. * Foreign donors should provide technical and financial support to promote the capacity of the PRTV

4.2 SUMMARY OF FINDINGS AND RECOMMENDATIONS (CONTINUED)

FINDINGS	RECOMMENDATIONS			
	Policy, Legal, & Regulatory Reform	Institutional Reform and Capacity Building		
		CSOs	Public Officials	Other: Media, Donors
Part 3.3 Information				
3.3.1. The Mongolian Law on State Secrets and the culture of secrecy undermines any provisions for access to information, such as: - excessive claims to legal confidentiality - required permission to attend court session.	* In consultation with CSOs working in related areas, the GoM should review the legal regime of secrecy to provide an appropriate balance between state interests and the need for openness to guarantee access to information.	* With initial technical and financial support from the donor community, CSOs should monitor the implementation of legal reforms and GoM efforts to counter the culture of secrecy, including notification of the proper authority of infractions by civil servants and other public officials.	* With initial technical and financial support from the donor community, the GoM should counter the current culture of secrecy by providing training programs for civil servants and other public officials on the negative effects of excessive secrecy. * Senior officials and political leaders should send clear signals that excessive secrecy will no longer be tolerated, such as disciplining those who unlawfully withhold information.	

4.2 SUMMARY OF FINDINGS AND RECOMMENDATIONS (CONTINUED)

FINDINGS	RECOMMENDATIONS			
	Policy, Legal, & Regulatory Reform	Institutional Reform and Capacity Building		
		CSOs	Public Officials	Other: Media, Donors
3.3.2. Mongolians have insufficient access to information of proceedings and decisions by parliament and the GoM.	* Parliamentarians should require that pending legislation must be disseminated through public hearings or media publication within a reasonable period (for example, 30 days) prior to their deliberation.	* CSOs should be the primary means for disseminating information about pending bills and recent legislation to an informed public and assist in disseminating this information to the broader public.	* With initial support from the donor community, the GoM should explore ways to make proceedings and key decisions by public bodies more accessible to citizens. Such information may include pending and adopted legislation, significant judicial rulings, and executive orders.	* The media, in particular public broadcasters, should produce public interest programs about pending issues, proceedings, and key decisions by public bodies.

4.2 SUMMARY OF FINDINGS AND RECOMMENDATIONS (CONTINUED)

FINDINGS	RECOMMENDATIONS			
	Policy, Legal, & Regulatory Reform	Institutional Reform and Capacity Building		
		CSOs	Public Officials	Other: Media, Donors
3.3.3. Public officials are denying or delaying access to information held by government agencies; this is aggravated by the absence of a law on access to information.	* Public officials should adopt a comprehensive access to information law that permits citizens and their CSOs to exercise their constitutional right to access information. The law should include: - a presumption of openness; - clear procedures to gain access; - a clear and narrow regime of exceptions to the right to access; - and the right to appeal any refusals or undue delays in granting access.	* Although CSOs are currently lobbying for the adoption of an access to information law, they should also continue in their efforts to ensure that it meets constitutional and international standards. After the law is adopted, they should ensure its full implementation and institutionalization by actively using it to gain access to information and challenge any constraints through available mechanisms. This may require initial technical and financial assistance from INGOs and donor agencies.	* After passing an FOI law, the GoM should adopt a program to train civil servants and other public officials on how to efficiently provide information and increase their incentives to do so. * Stakeholders with expertise in the area should train members of the administrative body mandated to hear appeals on denied or delayed requests to fulfill their responsibilities. * The GoM, should ensure that the judiciary has access to the law and is sufficiently trained to give effect to the legislation.	* Foreign donors should provide initial technical and financial support to train civil servants on implementation of an FOI law and insure distribution of legal code to the judiciary.
		* With initial technical and financial support from the international community, the media, related CSOs, and the GoM should undertake a publicity campaign to inform the public about their more comprehensive rights to information.		

4.2 SUMMARY OF FINDINGS AND RECOMMENDATIONS (CONTINUED)

FINDINGS	RECOMMENDATIONS			
	Policy, Legal, & Regulatory Reform	Institutional Reform and Capacity Building		
		CSOs	Public Officials	Other: Media, Donors
3.3.4. CSOs play a critical role in providing alternative information.		* With initial technical and financial support from the international community, CSOs should expand their provision of alternative sources of information both to fill the gaps in information available from or provided by public officials and to confirm the accuracy of this information.		
		Given research costs, CSOs and the GoM should collaborate in both gathering and analyzing data.		
Part 3.4. Negotiation				
3.4.1 Community scorecards are a critical tool for civic engagement and social accountability that could be used more extensively in Mongolia.		* Best practice from Bank-supported operations using CSCs could be incorporated in the Sustainable Livelihoods Program to increase the scope for citizen monitoring and assessment of the quality of services, and citizens' ability to negotiate changes to improve the program. * The SLP should create partnerships with CSOs and develop capacity to facilitate CSCs.		

4.2 SUMMARY OF FINDINGS AND RECOMMENDATIONS (CONTINUED)

<table>
<tr><td rowspan="2">FINDINGS</td><td>RECOMMENDATIONS</td><td colspan="3"></td></tr>
<tr><td>Policy, Legal, & Regulatory Reform</td><td colspan="3">Institutional Reform and Capacity Building</td></tr>
<tr><td></td><td></td><td>CSOs</td><td>Public Officials</td><td>Other: Media, Donors</td></tr>
<tr><td rowspan="3">3.4.2. Intergovernmental arrangements limit downward accountability and constrain civic engagement and social accountability at the local level.</td><td rowspan="3">* Stakeholders should organize a consultation on the impact of intergovernmental arrangements on downward accountability, giving due consideration to the reform of relevant legal and regulatory codes (for example, PSMFL).</td><td></td><td>* To change the current political culture, stakeholders should collaborate to develop training programs for public officials that increase awareness of the importance of decentralization and downward accountability to good governance and development, and encourage local officials to facilitate the participation of citizens and CSOs in local governance to this end.</td><td></td></tr>
<tr><td colspan="2">* Local officials should create more forums for dialogue and negotiation with citizens and CSO representatives on a regular basis (for example, well-publicized “town hall” meetings with the governor and open council meetings with stated but open agendas).</td><td></td></tr>
<tr><td colspan="3">* With technical and financial support from the donor community, the GoM (for example, MoFE) should collaborate with CSOs to explore mechanisms to enhance citizen engagement in the budget process.</td></tr>
<tr><td>3.4.3. Lack of formal mechanisms for CSOs input into the legislative process and policy formulation.</td><td>* The GoM and parliament should create formal mechanisms to encourage civil society and citizen input into the legislative process and policy formulation</td><td colspan="2">* Public officials should encourage dialogue and networking with CSOs through regular meetings (for example, CSO councils to the prime minister and president and parliamentary working groups) that can be individually or jointly sponsored by these stakeholders.</td><td></td></tr>
</table>

4.2 SUMMARY OF FINDINGS AND RECOMMENDATIONS (CONTINUED)

FINDINGS	RECOMMENDATIONS			
	Policy, Legal, & Regulatory Reform	Institutional Reform and Capacity Building		
		CSOs	Public Officials	Other: Media, Donors
3.4.4. Forums created by CSOs play a critical role in civic engagement and social accountability.		* With initial technical and financial support from INGOs and donors, CSOs should develop forums to meet other stakeholders, such as the trilateral conferences organized by the WSP-Uvorkhangai, which could be supplemented by interim communication through various mechanisms (for example, a common list serve or Web site).		

Annex 1. Social Accountability and Legal Advocacy: The National Center Against Violence[53]

BRINGING A SOCIAL PROBLEM OUT OF THE SHADOWS

The National Center Against Violence was initially founded in 1995 by three Mongolian women's organizations: the Liberal Women's Brain Pool, Women for Social Progress, and the Women Lawyers' Association (WLA). At that time it was known as the Center Against Violence (CAV). After CAV became an autonomous organization, it reregistered with the Ministry of Justice and Home Affairs as the National Center Against Violence in January 1998. During this early period, domestic violence (DV) was a concept that was unknown in Mongolian society; there was little information about or discussion of the widespread abuse of Mongolian women and children. The founding of the Center was an important step to bring DV out of the shadows so that both its symptoms and causes could be legally and socially addressed.

The NCAV's initial mission was twofold: to provide legal and psychological counseling and shelter to victims, and to educate the government and the public on domestic violence. As a result of an internal reassessment in 2002, the NCAV realized that its fight against DV must include the transformation of social structures. To achieve its mission, the NCAV attempts to: 1) raise public awareness and shape the social mindset so that DV is no longer tolerated; 2) build a legal framework that effectively prevents and ultimately eliminates violence; and 3) develop a social protection system that overcomes the consequences of violence (NCAV 2005). Whereas the motto of the organization is "a human life free from violence," the central message in both their public awareness campaign and legal advocacy has been that "DV is not just a private issue," thus requiring the intervention of both Mongolian civil society and the government.

The NCAV is governed by a seven-member board, which includes representatives from the Ministry of Social Welfare and Labor (MSWL), the Parliamentary Secretariat, the Ulaanbaatar Citizen Representatives' Khural, the UB Police Department, and associations of women, children, and the elderly. Representatives of elderly Mongolians are included on the NCAV board as one in four Mongolians over the age of 50 is a victim of DV. This statistic is nearly as high as the number for Mongolian women (one in three) who suffer from DV (NCAV et al. 2003; NCAV and TAF 2003).[54]

More than 20 donors, mostly international, including the embassies and aid agencies of the United States, the United Kingdom, the European Union, Germany, Sweden, and Australia, have provided financial assistance to NCAV in its efforts against DV. Four Mongolian donors, both governmental and nongovernmental, have also contributed to the NCAV: the MSWL, the Poverty Alleviation Program Office, the Mongolian Women's Fund, and the National AIDS Foundation. Significant and diverse international funding has allowed the NCAV to pursue legal advocacy and provide services to victims that the GoM has not been able to provide (Finding NCAV-1).

[53] Research for this case study was conducted primarily by Oyuna Baasanjav, Gender and Participation Specialist, World Bank-Mongolia.

[54] In 1995, a survey involving 5,000 respondents was jointly conducted by the NCAV and the Ministry of Population Policy and Labor. In 1998, another survey involving 3,000 respondents was jointly conducted by the NCAV and the Center for Training and Research for the Population at the National University of Mongolia. In 2003, a survey of 1,000 elderly Mongolians was jointly conducted by the NCAV and the Federation of Senior Citizens (NCAV and TAF 2003).

Currently, the NCAV works in six separate but interrelated program areas: comprehensive client services; gender development and legal reform; child protection; advocacy to change the behavior of male perpetrators; community mobilization and participation; and a shelter network (NCAV 2005). The NCAV implements these programs with a 14-member staff,, half of whom have worked for the Center for more than five years.

The NCAV shelter network is composed of two shelters with a total of 20 beds. The UB shelter faced a great deal of resistance when it first opened in 1995. Owing to Mongolian cultural attitudes toward DV, it took two months for the first DV victim to have the courage to come to a shelter. Since then the beds in the shelter have never been empty. This underscores the success of the shelter in responding to DV and the enormity of this problem.

In June 2004, an NCAV set up a second eight-bed shelter, the Gobi Regional Information Center, to serve five neighboring aimags. Filled to capacity since its opening, the Gobi Center receives frequent requests from other surrounding aimags and soums to shelter and assist victims of DV.

The NCAV also operates a transfer facility in UB, a one-room housing unit for a woman and her children who have "graduated" from the shelter and are awaiting permanent housing so that they do not have to return to violence. Since 2004, the Center has also run a toll-free hot line for DV victims. Meanwhile, the NCAV has provided counseling at the Men's Education Laboratory to prevent DV and rehabilitate male perpetrators.[55] With a grant from The Asia Foundation, the Center began publishing a newspaper, Helhee, in 1997 to promote public awareness of DV and the organization's policy advocacy agenda. Between 1997 and 2002, the newspaper's circulation reached more than 1,000 copies. However, when funding ran out in January 2002, the NCAV was forced to stop publication; demonstrating that even Mongolia's relatively well-funded CSOs continue to struggle with a limited and precarious resource base (Finding NCAV-1).

Since 1998, when it first established chapters outside of UB in the aimags of Bayanhongor and Uvorkhangai, the NCAV has expanded to include branches in 13 aimags; the most recent are the Gobi Center and two remote districts of Ulaanbaatar. These local chapters operate with significant and consistent volunteer support. Between one and four times a year, the NCAV consults with these volunteers to provide methodological and professional guidance, and share experiences and strategies.

Despite Mongolian society's initial misgivings, the Center now enjoys an excellent reputation, a trusted relationship with the Ministry of Social Welfare and Labor, and regular funding from both foreign donors and the GoM. Relations between NCAV and the government have generally been positive. In 2004, for example, the aimag of Bayanhongor named NCAV's local chapter as the best NGO in the aimag, recognizing its collaboration with the local government, its cooperation with other NGOs, and its broad inclusion of the population.

Unfortunately, the high turnover of public officials (both civil servants and elected officials) has adversely affected the NCAV's relationship with the GoM. During an interview in May 2005, the Center's director noted that despite years of public advocacy work on DV, the NCAV must continually educate new public officials about DV and the organization's mission and activities. Nonetheless, in contrast with the typically adversarial relationship between CSOs and the GoM, the NCAV has achieved a high level of NGO-government cooperation.

[55] The laboratory was first established by the Mongolian Open Society Forum in 1998 and has benefited from the support of the UB Police Department since 2000.

Two issue areas in which collaboration with public officials have resulted in impressive accomplishments are the passage of a DV law and government funding for the NCAV shelters. Nevertheless, the Center continues to advocate for the state to assume responsibility for the shelters and the development of additional shelters as stipulated by the new Law Against Domestic Violence.

LEGAL ADVOCACY FOR DOMESTIC VIOLENCE LEGISLATION

The NCAV has advocated extensively for legal reform on DV, beginning with its campaign to reform Mongolia's Family Law, which had not been amended since its adoption in 1972. The 10 amendments that were adopted in 1999 incorporated various NCAV's proposals, including the redefinition of the family home as shared property between husband and wife despite the tradition of male bias in Mongolian culture. The NCAV along with the WLA, Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) Watch, and the Center for Human Rights and Development, continued to advocate for specific legislation on DV in the Criminal Code and Code of Criminal Procedure, which were passed in 2002. NCAV's collaboration with other CSOs was critical to the successful legal advocacy for DV legislation (Finding NCAV 2).

Despites its successful advocacy for reform of family law and criminalization of DV, the NCAV felt that such piecemeal legislative reform could not address such a widespread social problem. Since its inception, the Center had lobbied for the passage of a comprehensive DV law. The idea met with considerable opposition at first since such a law seemed to counter family values and Mongolian culture. Some MPs trivialized the problem by ridiculing, for example, the idea of sending someone "to jail just because of slapping a wife once." Some opponents to DV legislation (especially legislators and legal professionals) claimed that the reforms to the Family Law and Criminal Code had sufficiently addressed domestic violence.

The NCAV and its partners, therefore, took a two-pronged approach to advocate for a DV law. The first part of their strategy was to develop a better conceptual understanding of and support for a DV law among a coalition of nongovernmental partners working on human rights and issues related to women, children, and the elderly. Through their various efforts, the NCAV and its CSO partners provided critical information on DV to public officials as well as the general public (Finding NCAV 3).

The second prong of their strategy was to lobby key public officials in the legislative, executive, and judicial branches at all levels of government. This networking and collaboration with government officials permitted the NCAV greater access to Information, ability to Voice its concerns about the need for DV legislation, and opportunities to Negotiate the content of the legislation (Finding NCAV 4).

Various tools were deployed in their advocacy efforts. These included polling among MPs, appearances on TV talk shows, articles in the print media publicizing international experiences with DV laws, seminar discussions with parliamentarians at the National Human Rights Commission, and collective letters from shelter victims to the president, speaker of parliament, and prime minister.

The NCAV provided extensive studies and surveys to demonstrate the need for a special law on DV. These included a national baseline survey of 5,000 respondents conducted jointly with the Ministry of Population Policy and Labor (1995); a follow-up survey with 3,000 respondents conducted with the Center of Training and Research for Population of the National University of Mongolia (1998); regular surveys of shelter clients and analysis of the NCAV's own records of legal and psychological counseling (1995–2003); a study on the impact of child abuse in the family (2001); a study of forensic hospital records (2003); and a survey of the effect of DV on elders conducted jointly by the NCAV and the

Mongolian Federation of Senior Citizens (2003).[56] With funding from TAF, the results and findings from all of these surveys and studies were summarized in 2003 in a comprehensive fact sheet categorized under five different topics: 1) "DV is a common and negative phenomenon" in Mongolian society; 2) "the consequences and harm of DV [are a threat not only to] individuals but also the national security"; 3) "DV is a specific crime with its distinctive acts, stimuli, and purpose, resulting in specific damages"; 4) "the current legal framework and remedies utilized" to fight domestic violence are inadequate; and 5) "there is a demand to adopt an independent law on the prevention of domestic violence." The fact sheet, as a centerpiece of the legal advocacy efforts, was widely distributed among public officials and helped build support among them for adoption of a DV law.

In particular, the CSOs targeted MPs to ensure their support of DV legislation. Prior to the 2000 elections, for example, they petitioned parliamentary candidates to include the adoption of a DV law as part of their campaign promises, noting that one-half of all voters are women. Many of the 20 candidates who did endorse this idea were elected. Later, 19 MPs jointly presented the legislation to parliament, apparently the largest number to have ever proposed a bill in the State Great Khural.

Some of the provisions in the DV bill, including separation orders, victim protection, and mandatory training for offenders, were radical innovations to Mongolia's legal system. Thus, NCAV and other advocates had to overcome initial resistance to their inclusion in the DV law. Moreover, key provisions, relating to implementation costs, threatened passage of the bill in the final stages of legislative debate. Fortunately, the CSOs were well placed to advocate for their inclusion.

In 2003, the State Great Khural set up three specialized working groups composed of key representatives from the police, courts, prosecutor's office, media, and CSOs. Whereas the group on costs was headed by a MoFE official, the other two working groups were headed by CSO leaders: the director of the WLA headed the group on the drafting of legislation and the director of NCAV headed the group on legislative advocacy. To address resistance to the law, the working groups focused on protection of victims and prevention of domestic violence. They also pushed for legislation for the government to develop a national DV program, thus allowing latitude for later insertion of a more comprehensive set of mechanisms and public funding for DV programs.

Once the draft had been placed on parliament's agenda, the NCAV and its CSO partners were concerned they would be excluded from the process, and critical issues that remained would be determined without their input. Fortunately, the Legal Affairs Standing Committee formed another working group in March 2004, to develop consensus on "principally differing views on certain provisions" in the proposed legislation. The directors of both the NCAV and the WLA were included in this working group. Thus, they were able to give testimony to the LASC, a rare opportunity for CSOs to speak directly to parliament on pending legislation. The ability of the NCAV and WLA to advocate for the adoption of the DV law illustrates the importance of CSO access to ministerial and legislative forums at key junctures in the formulation of legislation and public policy (Finding NCAV 5).

Following a successful hearing on the DV bill in May 2004, the State Great Khural unanimously passed the law Against Domestic Violence. The adoption of the DV Law was a remarkable success for the NCAV and its CSO partners. In less than a decade, Mongolian society had not only accepted DV as a widespread social ill, but also adopted progressive legislation that established DV as a criminal offense. As a result, a nationwide Civil Society Index Survey conducted by CEDAW Watch in 2005 indicated that

[56] Research by other organizations included analyses of relevant court rulings conducted by the research center of the Supreme Court (2001–02) and a survey of 300 police officers by the Gender Center for Sustainable Development (2003).

64.5 percent of respondents considered NGO advocacy for the Law Against Domestic Violence to have been highly effective.

ADVOCACY FOR THE IMPLEMENTATION OF THE DV LAW

Once the Law Against Domestic Violence was passed and the parliamentary resolution on development of a national DV program was adopted, NCAV and its CSO partners successfully lobbied the prime minister's office to form a task force on the DV program. The task force was headed by the Minister of Justice and Home Affairs, but also included representatives of the CSOs and various other ministries and government agencies that had promoted the adoption of the law.

A year later, the Minister of Justice and Home Affairs issued a decree to set up a technical working group to draft the DV program. The national DV program is expected to provide detailed guidelines and mechanisms to coordinate enforcement of the DV Law. Recently, members of the technical working group traveled to Korea to learn about the efficient organization and operation of the services that will be provided.

In January 2005, the NCAV and parliament's Social Policy Standing Committee, with funding from the World Bank, held an open discussion on enforcement of the DV Law. They recommended the promotion of public awareness of the Law Against Domestic Violence and the need for aimag governors to educate and guide law enforcement officials on the application of the law. The Standing Committee sent the recommendations to the Ministries of Justice, Health, and Education, along with members of the judiciary, law enforcement agencies, aimag khurals and governors' offices. The NCAV also provided aimag, soum, and bag governors with the text of the law and educational materials on domestic violence and the new Law.

The judiciary's inability to access the legal text has hindered implementation of the DV. For example, the NCAV had to provide a copy of the law to judges in the Chingeltei district court for them to rule on a separation order in March 2005.[57]

In addition, several technical legal issues have hindered the effective enforcement of the law. This includes the need for Supreme Court interpretation of key provisions. For example, the NCAV has proposed that in the case of a separation order, the Supreme Court should clarify that abusers, not their victims, must leave the family home. The NCAV has also proposed several amendments to the Law Against Domestic Violence. For example, the law requires a court decision "within 24 hours after receipt of a domestic violence complaint in order to secure the victim's safety and health" (Article 17.2). As this is clearly impractical and often infeasible, the NCAV recommends that individual judges be authorized to issue such decisions. The Center has secured a verbal commitment from the Legal Affairs Standing Committee to sponsor such an amendment, although this issue has not yet been addressed by parliament. Both the successes and the continuing challenges that the NCAV has faced regarding the implementation of the DV Law indicate the importance of its continued collaboration with public officials and other CSOs (Findings NCAV 2 and 4).

One of the NCAV's highest priorities in insuring implementation of the DV Law is to transfer responsibility for DV shelters to the state. Although GoM has offered some financial assistance officials

[57] To date, only one other case has gone to court: in Bayanhongor, where the head of the NCAV branch served as an attorney for the victim.

are reluctant to assume full responsibility for running the shelters and for building others for which there is a clear demand.

ADVOCACY FOR THE PROVISION OF A PUBLIC SERVICE

After learning that the government had allocated funding to the Ministry of Social Welfare and Labor to implement the National Program on Promotion of Status of Women, the NCAV launched a campaign in 2000 to obtain government funding for their UB shelter. Senior NCAV officials invited the minister to the shelter where he was shown photographs of battered women and briefed on the legal and practical side of DV. Meanwhile, within the ministry, a NCAV board member advocated official support for shelters based on provisions in the national program. At the same time, the NCAV emphasized the need for the GoM to provide services to DV victims at events such as the roundtable discussions on DV organized with health and social workers in 2000–01. NCAV collaboration with public officials and its encouragement to the GoM to assume its role indicates that the GoM-CSO relationship is not necessarily adversarial nor it is competitive (Finding NCAV 4).

In December 2001, the NCAV signed its first contract with the MSWL for one year of funding worth Tog 2.9 million for the "operation of shelter, legal and psychological counseling and limited health care" for victims of DV. Although the contract was renewed in 2002, only half of the funds were transferred despite persistent efforts by the NCAV. This contributed to a six-month delay in the extension of the contract in 2004. Having learned its lesson, the Center requested that the contract extension for 2005 provide for the transfer of funds in a single installment; the ministry agreed. Although the MSWL contract provides Tog 3 million, approximately 60 percent of the total expenses of running the shelter, the NCAV had hoped for Tog 5 million, the sum necessary to cover all of the shelters' costs as the ultimate goal is to transfer these facilities to the GoM.

The NCAV has also had problems with the Han-Uul administration in its attempts to create a new shelter specifically for DV victims who are children. Although the District Governor officially agreed to provide accommodations for the new shelter, he reneged on this promise in April 2005. The NCAV contacted the head of the city's property department, who preferred to lease the space rather than provide it for free to abused children.

In a desperate effort to find funding for the shelters and other DV services, NCAV is analyzing the local government finance laws; exploring various government funds, such as the Crime Prevention Fund, administered by the MSWL; and using participatory budgeting and budget monitoring techniques, especially at the local level.[58]

An obvious precondition to the transfer of shelters to government management is that the GoM must shoulder the full cost of the shelter. According to its director, NCAV's top priority is to force reluctant officials to accept their legal responsibility to provide shelter to victims of DV, and to manage the NCAV shelters as required under the new DV Law. She noted, however, that when she and her CSO colleagues have confronted officials with their legal responsibility, they put the document aside and indicate that they will study it later. This illustrates the important role CSOs play not only in advocating for but also insuring implementation of legal reforms.

[58] One of the *aimag* chapter coordinators participated in the Social Accountability Regional Seminar in Bangkok in March, 2005, and is now assigned to lead the local government-sponsored network of *aimag* shelters.

CONTINUING EFFORTS AT RAISING AWARENESS ABOUT DV AND LEGAL ADVOCACY IN RELATED AREAS

The new Law Against Domestic Violence would not have been adopted without the NCAV's work in raising public awareness. According to the Chair of the NGO Gal Golomt (Hearth), the NCAV's "main achievement is public awareness that DV is a societal issue and that society needs to fight against it." Since the adoption of the DV Law, the NCAV has stepped up its efforts to raise public awareness about DV and provide information about the Law Against Domestic Violence to ensure its implementation (Finding NCAV 3).

Working with the MSWL's Department on Children, the NCAV developed children's educational materials on DV, entitled "My Family." In August 2004, the Minister of Education, Culture, and Science decreed that the DV curriculum be taught at all grade levels in schools across the country, making it the country's first nationwide DV-education program for children.[59]

In December 2004, during a month-long campaign to raise public awareness on the new law, the NCAV conducted 10 programs on national and FM radio, one live program on national TV, and a press conference. The Center also held various training sessions for journalists, NGOs, local-level legal officers, prosecutors, council members, social workers, and police officers.

The NCAV has had a long-term partnership with the police to promote greater awareness of DV and legal protections among Mongolia's law enforcement officers. For example, under a 1998 agreement with the General Police Department, the NCAV conducted training programs for police officers in UB and various aimags on working with abusive men. A specially trained instructor at the Ulaanbaatar detention facility operates the Education for Men Pilot Cabinet, which was also established by the NCAV in 1998. After the passage of the Law Against Domestic Violence in 2004, a new course was introduced, "Police Response to Domestic Violence," which is taught by a human rights professor specially trained by the NCAV. Through the Center's work with the Police Academy, a special Men's Education Laboratory on DV was also established in that year.

Building on its successful legal advocacy for the Law Against Domestic Violence, the NCAV is currently working on addressing sexual violence, and specifically, incest.[60] In addition to providing counseling services, the Center is drafting a law that will address the need to reform the criminal code and the provision of services for victims. According to the NCAV executive director, the law should provide a private room for victims in police stations, as well as the opportunity for female victims to speak to a woman police officer. The executive director also claimed that whereas rape victims generally fail to report the crime, incest victims are even less likely to do so as "those convicted of incest are sentenced to death, so their victims do not seek prosecution." Consequently, the NCAV is proposing a reduction in the current punishment for these sex crimes.

[59] Prior to the curriculum developed in 2004, the NCAV developed a curriculum in 2002 entitled, "Specifics of Working with Victims of Violence" with an accompanying video and manuals for teachers and students.

[60] During a dissemination interview in February 2006, the NCAV executive director indicated that the Center is working with the International NGO "Asia Pacific Women's Law and Development" to improve Mongolian women's access to child support. When asked how this was connected to issues of violence, she noted that many, if not most, of the women seeking child support are victims of DV, citing an analysis of family court cases between 2000–02 in which DV was a factor in 58.6 percent of the divorce cases.

FINDINGS AND RECOMMENDATIONS: NATIONAL CENTER AGAINST VIOLENCE

Finding NCAV 1. The NCAV's successes are attributable in large part to its access to significant and diverse international funding, even though its staff regularly confronts financial constraints on maintenance and expansion of their activities.

Recommendation: Whereas CSOs such as the NCAV should pursue sustainable, independent funding sources, the GoM and international donors should provide CSOs with greater resources (tenders and projects) on a competitive and transparent basis, recognizing the limited resource base currently available in Mongolia.

Finding NCAV 2. The NCAV's success in bringing DV out of the shadows and giving Voice to the needs and concerns of its victims is largely attributable to the unusually high level of collaboration among CSOs committed to addressing this and other issues related to women's and human rights.

Recommendation: CSOs should pursue collaboration through increased and regular communication (more CSO forums, greater use of list serves and shared Web sites) as well as through jointly funded projects, with technical and financial support from international donors.

Finding NCAV 3. NCAV collaboration with other CSOs has been particularly effective and critical in providing Information about domestic violence to public officials as well as to the general public.

Recommendation: CSOs should pursue diverse forums for distributing information, and pursue information from public and other sources. Donors should provide start-up funds for CSOs, as well as technical support on achieving self-sufficiency in this area.

Finding NCAV 4. The NCAV's collaborative relationship with public officials, including the GoM, MPs, political parties, police officials, and other civil servants, was critical to their ability to voice the needs of DV victims, raise awareness about DV among law makers, and enable the passage and implementation of the DV Law.

Recommendation: Collaborative relations should be encouraged among both public officials and CSO leaders who may typically conceive of their relationship as more adversarial and competitive. Both groups would clearly benefit from opportunities to meet on a regular basis (town meetings; CSO councils to PM, president, or local governors) to discuss common causes and specific areas for potential collaboration.

Finding NCAV 5. The NCAV enjoyed an unusually high level of access to public officials and forums through both informal and formal channels. Their participation in parliamentary working groups permitted them to ensure passage of the Law Against Domestic Violence and to ensure that its content responded to the needs of DV victims.

Recommendation: To ensure the social accountability role of CSOs in legal advocacy, the GoM, parliament, and local councils should institutionalize their participation in legislation and public policy.

Annex 2. Social Accountability and Local Governance: Women for Social Progress-Uvorkhangai[61]

THE UVORKHANGAI "FRANCHISE" OF WOMEN FOR SOCIAL PROGRESS

In 1997, five years after the NGO Women for Social Progress was first established in Ulaanbaatar, a local branch of WSP was set up in the central province (aimag) of Uvorkhangai. Although the WSP-UV is not registered separately with the Ministry of Justice and Home Affairs, this local chapter of the WSP might be better described as a franchise rather than a branch in that it is "independent in most of its funding, activities (and) projects" (WSP-UV 2003). Although both organizations focus on governance issues, the mission of WSP-UV is to work specifically with impoverished rural households, community-based structures, and family units to: 1) improve their capacities to lobby local government on issues concerning local development; 2) strengthen local self-government and good governance through networking among local NGOs, government, and business; 3) support the development of micro- and small-scale enterprises in the province; and 4) promote the position and role of women in local development.[62]

According to the founder of WSP-UV, the main goal of the organization is to encourage citizen participation in local development, in decision-making processes in local government, and in monitoring government actions to establish democracy at the local level. For nearly a decade, the WSP-UV has educated local citizens about their political, social, and economic rights and promoted communication among local government, citizens, and the business community, while serving as a "watchdog" to ensure that public officials are accountable to the community (WSP-UV 2003:11-14). This broad mission has led WSP-UV to become involved in various local governance issues, including budget analysis and monitoring through a small pilot project financed by the World Bank.

Until 2001, the WSP-UV's staff included its coordinator and a handful of volunteers. The organization now has three permanent staff members and nearly 50 volunteers, operating in every soum within the aimag.[63] All of the staff have a high level of research skills and experience. As the founder of WSP-UV, the coordinator's unique professional background have provided the organization with critical human as well as social capital. Trained as a lawyer at the University of Irkutsk (Russia) with a master's degree from Mongolian National University, [64] she was a criminal prosecutor (1987–90) and then worked for the provincial khural (1990–92) before becoming a legal consultant to the Governor of Uvorkhangai (1992–97). Her experiences in local government provide not only insights into its operations but also important contacts both in the aimag and in Ulaanbaatar. Given her frequent challenges of and confrontations with local government officials, it is difficult, however, to conclude that her previous role in local government has constrained her individual capacity or that of WSP-UV for civic engagement and social accountability (Finding WSP 1).

[61] Research for this case study was conducted primarily by Linda Beck, Professor of Political Science, University of Maine-Farmington.

[62] Despite occasional references to the promotion and participation of women, the coordinator of WSP-UV stated during an interview in April 2005 that the organization does not have a "gender agenda; WSP is just about women working towards social progress." In fact, she noted that they consider the absence of male staff members to be a weakness that they are attempting to rectify.

[63] WSP-UV is currently looking to hire a fourth staff member to replace one who recently joined the staff of the Training in Advocacy for NGOs (TAN) project of Mercy Corps. In the past, WSP-UV has also benefited from the assistance of three Voluntary Services Overseas volunteers (VSO-UK).

[64] Appropriately, her master's thesis was on the improvement of the laws governing local *khurals* (councils**).**

WSP-UV's coordinator remains in close contact with her former colleagues as the organization's main office is in the aimag government house in the provincial capital of Arvaiheer. In their two-room office, they are equipped with a telephone and fax machine and three computers donated by the WSP-UB after it received a prize of $20,000 as the recipient of the 1998 Civil Society Award. This prestigious award was given jointly by the European Union and the United States to commemorate the fiftieth anniversary of the Marshall Plan and the fortieth anniversary of the Treaty of Rome.

Aside from the WSP-UB contribution, the WSP-UV has relied heavily on international funding. This is a very common phenomenon among active Mongolian CSOs. Since its inception, WSP-UV has implemented projects totaling more than $70,000 that were entirely financed by grants from foreign donors. Their funders have included British Globalization Fund, Canadian International Development Agency, Gobi Regional Economic Growth Initiative, Konrad Adenauer Foundation, Technical Aid to the Commonwealth of Independent States, The Asia Foundation, UNDP, and UNESCO-Asian Region. Such significant and diverse international funding has permitted the WSP to encourage citizen participation in local government and to monitor its actions (Finding WSP 2).

Nevertheless, the greatest challenge WSP-UV faces is the dearth of financial resources. In a 2003 Strengths-Weaknesses-Opportunities-Threats analysis, the staff attributed funding insecurity to the lack of a reliable long-term donor (WSP-UV 2003). During an interview in Uvorkhangai, the coordinator sharply criticized the "short-termism" of the donor community as undermining the growth of Mongolian civil society. In 2003, WSP-UV's desire for financial autonomy led to its involvement in the marketing of women artisans' products in foreign countries. Although the WSP-UV noted in its business plan for 2003–04 that it should "seek donations from UB-based companies, gifts in kind" and general fundraising, it concluded that these options "do not look very promising as they will not adequately improve WSP's financial resources" (WSP-UV 2003:20). In this sense, the WSP-UV provides an excellent illustration of the importance of CSO access to resources, particularly foreign, for successful social accountability as well as the fiscal precariousness of the few Mongolian CSOs that do have access to these resources, given the limited opportunities for fundraising in Mongolia.[65]

Perhaps one of the greatest potential sources for self-financing is the WSP-UV's popular newspaper, Gurvalijin Medee (Triangle News), which has been critical to its mission to promote good governance at the local level.

PROVIDING INFORMATION THAT PROMOTES SOCIAL ACCOUNTABILITY: TRIANGLE NEWS

The name Triangle News refers to the trilateral relationship that the WSP-UV seeks to promote among government officials, the private sector, and civil society to enhance local governance and economic development. The WSP-UV began publishing the newspaper in 2002 "to deliver local information to the local citizens" and enhance their participation in local government (WSP 2003).

In 2000, a grant of $4,600 from the Globalization Fund enabled WSP-UV to publish six issues with a circulation of 9,000 per issue, covering approximately a third of the households in the aimag. The following year, the Mongolian Foundation for an Open Society (now the Open Society Forum) contributed $10,000 to publish 12 issues. Unfortunately, in March 2004, after these 18 issues had been

[65] Although this study did not focus on the complex resource issues confronting CSOs in Mongolia, various stakeholders cited the need for improved tax breaks and incentives (for example, on charitable donations) to improve the fiscal autonomy and stability of CSOs.

printed, the WSP-UV ran out of funding and was forced to stop publishing. The experience demonstrates how a limited and precarious resource base may impede even a well-funded CSO's ability to provide an alternative source of information (Finding WSP 2).[66]

Triangle News has published information about government policies and actions, particularly budgetary issues; thus, it has played an important role in promoting civic engagement and social accountability (Finding WSP 3). In each issue, an entire page was devoted to the local budget, where information about local governmental budgets and the budgetary process was presented in simple, accessible language. Articles included "What Is the Budget and Responsibilities of the Aimag Governor on the Budget" (Issue No. 1, 2003); "How Were MT 75 Million Allocated?" (Issue No. 4, 2003); and "Weird Things on the Soum Budget" (Issue No. 11, 2003).

Articles also provided information about government policies and the goods and services available to citizens. For example, in April 2002, an article entitled "Free Disaster Relief Assistance by Soums" appeared in Triangle News, which reported that the GoM was distributing free hay for livestock that were suffering from recurrent drought in the region. When their readers realized that the hay that they had been purchasing for MT 2,000 per bundle from soum officials should be distributed to them for free, they contacted the aimag agricultural department. Though no action was taken against those responsible, by June the illegal practice was stopped.

Triangle News also discussed and influenced nonbudgetary issues. For example, interviews with GoM officials on water pollution led the Governor of Arvaikheer to protect the local river from pollution by prohibiting the washing of cars and clothes in the river, and decreasing the number of dogs living along its banks by "exterminating them in a humane manner" (WSP 2002:5).

Although there are numerous other examples of news articles leading to modification in behavior by government officials, in some instances the publication of critiques of practices by local civil servants and elected officials also resulted in threats of retribution against WSP-UV. In the first issue of Triangle News, for example, an article cited the harassment of local businesses by tax officers; the officer threatened to sue the coordinator of WSP-UV although the issue was never pursued.

Rather than dodging criticisms of their newspaper, however, the WSP-UV conducted research and sought opinions from rural citizens. In 2002, WSP-UV organized six meetings with its readership[67] in which dozens of government officials, business leaders, and CSOs participated and discussed various issues. The meetings were the precursors to the Business Development Consultations (BDCs) organized by WSP-UV.

PROMOTING A FORUM FOR NEGOTIATION: BUSINESS DEVELOPMENT CONSULTATIONS

In 2003, TAF provided funding to the WSP-UV for a series of individual meetings with local representatives of CSOs, the business community, and the government, along with a tripartite meeting to discuss a survey WSP-UV had conducted in three soums and the aimag center. According to the TAF

[66] Following our interview with the WSP-UV coordinator in April 2005, the Ulaanbaatar office of the World Bank provided additional funds through a grant under the regional BNPP for social accountability, so that WSP-UV could publish another 12 issues with a circulation of 6,000 copies.

[67] In addition, the WSP-UV received letters from herders in seven different *soums* who sought more information on reproductive health and family planning (WSP 2002).

program officer, the methodology used in the survey was "simple and unique." WSP-UV had used its extensive network of contacts to conduct interviews with ordinary people on how they had started their own small businesses. The surveys revealed a great deal of misinformation about Mongolian laws, including poor legal advice at the soum level.

After conducting the survey, the WSP-UV confronted some initial resistance to organizing a joint forum of the various stakeholders in the community. During an interview in May 2005, the TAF program officer reported that they had made several attempts at holding the 2003 consultation. While the WSP-UV described them as "preparatory meetings," the TAF representative characterized them as failed attempts that reflected the need to convince stakeholders of the value of the BDCs.

The meeting covered various other issues, including the difficulties that businesses faced selling liquor as a result of apparent police confiscation of their licenses for minor infractions.[68] At the meeting, the WSP-UV cited Mongolia's 2003 Human Rights Report on criminal charges brought against more than 200 police officers who had abused their powers. Subsequently, 18 out of the 19 businesses involved reported that the police had stopped confiscating their licenses. When discussing this with the WSP-UV coordinator, she commented that "the nice thing about working with the police is when they stop doing something, they do so abruptly and for good." This is just one example of how WSP-UV's new forum for negotiation promotes social accountability (Finding WSP 4).

After the first BDC, the aimag khural created a Business and Economic Council that included three representatives of the business community, three governmental officials, and three CSO leaders. Although this may be interpreted as a positive outcome of the BDC to institutionalize dialogue among the three sets of stakeholders, the WSP coordinator noted that there has been little commitment to the Council. From her perspective, one of the main problems is that the representatives are mostly "progovernment" (that is, pro-MPRP), including the two other NGOs on the Council (the Chamber of Commerce and the Gobi Initiative). Consequently, they are not interested in taking up controversial issues.

Nonetheless, a subsequent tripartite consultation held in December 2004 contributed to additional changes in local governance, including the breakup of a monopoly on passport photos by an alleged "official" photographer for the aimag's citizen registration bureau and the dismissal of the official involved; the improved expedition of licensing by the land department; and efforts by the manager of the local market to improve its sanitation by installing toilets and providing garbage disposal. This local market was, in fact, the focal point of an important example of civic engagement in Uvorkhangai the previous year that enhanced the social accountability of the aimag government to its citizenry, and in which WSP-UV played a crucial role.

GIVING CITIZENS VOICE IN LOCAL GOVERNMENT: STRUGGLE AGAINST MARKET RELOCATION

In November 2003, the professional inspection agency of the aimag and local police entered the local market and demanded that food vendors move to a newly constructed marketplace. When they refused, the police confiscated their meat and spilled their milk to force them to leave. The vendors complained to WSP-UV about the actions of the inspection agency and the police. Upon further investigation, however,

[68] The most egregious infraction was flouting a resolution by the *aimag* governor that required businesses that sell liquor to close by midnight to curtail drunkenness, alcoholism, and domestic violence. However, according to a survey conducted by the WSP-UV and financed by the health department, this policy was unlikely to achieve these goals.

it was revealed that the agency and the police were merely acting on the orders of the aimag governor who had issued Resolution 128 on October 15, 2003, to close down the food market.

The previous month the vendors had voluntarily moved to the new location; but they claimed that they had lost customers because of its distance from the town center. Furthermore, although the new market was clean and "modern," the storage facilities were inferior and thus their products spoiled within a few days.[69] Ironically, the vendors had been asked to leave the old market because the health department had determined that it did not meet basic health requirements. When the vendors then attempted to move back to their old market space, the confiscations and harassments began, ending with the arrest of three of their leaders, who were detained for a few hours and released.

The vendors approached the WSP-UV, asking for advice on their legal rights. After analyzing the governor's resolution, the WSP coordinator claimed that it contained legal flaws, specifically the violation of the law on fair competition that invalidated the decree. She therefore sent a copy of the resolution to the National Human Rights Commission. The Commission then sent out human rights experts, who investigated the case and wrote a report indicating that there had been a violation of constitutional provisions, specifically in relation to fair competition and the illegal confiscations.

The WSP-UV also advised the vendors of their legal right to demonstrate, which they did in front of the aimag government house for more than three months (November 2003 to February 2004). The governor who was running as the MPRP candidate for a seat in the State Great Khural was greatly concerned. The official campaign did not begin until April 2004, but the market relocation became a campaign issue when the Democratic Party candidate running in a neighboring legislative district broadcast a meeting with angry vendors on a local television station. Given that it is the only private station in the area and had begun broadcasting just prior to the 2004 legislative elections, the WSP coordinator emphasized the important "balancing" role it played in relation to public television, which she claimed is controlled by the MPRP.

The DP candidate from the neighboring district then shared the footage with a colleague in the DP party running against the MPRP governor, rebroadcasting it in the Uvorkhangai district. In the meantime, the vendors collected money for the leader of the local Business Women's Association to attend a national meeting of the Chamber of Commerce where her speech on Uvorkhangai's vendors "stole the floor."[70]

Ultimately, the MPRP grew concerned about electoral fallout and urged the governor to rescind the order. The governor annulled it 10 days before the election, but suffered a resounding defeat in any case.[71] Whereas the case was a decisive victory for social accountability, there were other less tangible benefits as well. In April 2005, the WSP-UV coordinator noted that Resolution 128 had provided an opportunity for the vendors to learn about their rights. She noted that she had been "propagating information about human rights for years, but it was only when this concrete issue arose that people were able to understand the relevance and importance" of what she had been saying all along. Clearly the WSP-UV played a

[69] Interestingly, the new market facilities are owned by a Democratic Party politician, whereas the governor is a leader of the MPRP. Although this belies the argument that party politics was at play, there are also rumors of "bipartisan" collusion by elites.

[70] A relatively soft-spoken woman, Ms. Dolgorsuren described how she was first thwarted from being placed on the agenda by the local chamber of commerce, which was closely allied with the MPRP governor. Then, at the last minute, she went up on stage, took the microphone from the recognized speaker, politely excused herself and described the current conflict between the vendors and the governor.

[71] When questioned about his stance on the unpopular resolution, the head of the citizens' representative *khural* in UV also claimed that he and his fellow representatives opposed the forced relocation. Although they had the power to rescind it, they preferred to encourage the governor to do so.

critical role in promoting social accountability by informing local citizens about their legal rights regarding the market relocation, as well as their political rights to voice their objections (Finding WSP 5).

WSP-UV AS A MODEL FOR SOCIAL ACCOUNTABILITY: TURNING AN NGI INTO AN NGO

Clearly one of WSP-UV's greatest strengths is the leadership of its coordinator. On the other hand, one of the greatest risks to the organization is that it may not be able to survive without her. Moreover, the WSP-UV's success cannot be replicated without similarly qualified leaders. This problem has appeared even within the coordinator's own aimag at the soum level, where WSP-UV is run by volunteers who are considered lacking "enough motivation to deal with everyday needs… [and] experience in either training or capacity building" to serve their communities (WSP-UV 2002). The difficulties in replicating the successes of the WSP-UV are clearly tied to the fact that WSP-UV is one of Mongolia's many nongovernmental individuals (Finding WSP 6).

Nevertheless, the coordinator strives for the institutionalization of WSP-UV. Whereas other NGIs operate with one paid staff member, the WSP-UV has expended resources to build a staff, which the coordinator mentors and involves in all of the organization's activities. Moreover, the WSP-UV's mission is to build the capacity of other CSOs. For instance, WSP-UV encouraged Business Women's Association's involvement in the campaign against the market relocation, which bolstered its reputation and overall capacity.

Even if at the moment WSP-UV may be classified as an NGI, it is clearly embedded in and responsive to the local community. As such, WSP-UV represents an important departure from other NGO branches that maintain a dependent relationship with the national NGO (Finding WSP 7). One of WSP-UV's long-term strategies is to transform itself into an autonomous NGO that could serve as a model for grassroots activism across the country, thereby thwarting the current model of UB-based NGOs that dictate the agendas of their financially dependent branches.

Whereas the WSP-UV has undoubtedly been strengthened by its relationship with the WSP-UB, a key feature of this relationship has been the fact that the national director has encouraged WSP-UV to autonomously develop its own priorities and agenda. The benefits of such decentralized relationships should be considered by other NGOs seeking to build networks and by the Mongolian government, seeking to improve the opportunities for social accountability.

FINDINGS AND RECOMMENDATIONS: WSP-UV

Finding WSP 1. The capacity of the Women for Social Progress-Uvorkhangai to encourage citizen participation in local government and monitor its actions is attributable in part to both its challenge and collaboration with local and national public officials.

Recommendation: Given the typically adversarial relationship between CSOs and public officials, both stakeholders should pursue collaborative relationships in various formal and informal forums while maintaining clear boundaries between political and civil society.

Finding WSP 2. Although significant and diverse international funding sources have permitted the WSP-UV to promote citizen participation in local governance and development, a limited resource base has also impeded certain of its social accountability activities such as the publication of Triangle News.

Recommendation: CSOs such as the WSP-UV should continue to pursue various sources of sustainable, independent funding. The financial solvency of CSOs must be addressed collaboratively with the GoM, which could provide funding (for example, tenders and projects) on a competitive and transparent basis.

Finding WSP 3. The WSP-UV newspaper has provided alternative information about local governance and development issues that are critical to civic engagement and social accountability.

Recommendation: As the transition from state to public broadcaster remains incomplete (see annex 5), alternative media outlets should be pursued and expanded by CSOs. International donors should provide initial technical and financial assistance, as well as training in how to make such enterprises self-sustaining.

Finding WSP 4. The Business Development Consultations serve as trilateral forums for local officials, CSO leaders, and representatives of the business community to engage in an ongoing dialogue and in negotiations.

Recommendation: Such forums may be organized with limited resources and should be pursued by all stakeholders to foster an ongoing dialogue at both the national and local levels.

Finding WSP 5. By informing them of their legal and political rights, the WSP-UV played a critical role in giving local citizens voice in local governance. The experience also highlighted Mongolians' general lack of knowledge about their civic and political rights.

Recommendation: With the support of the international donor community, the GoM should collaborate with CSOs to develop and implement civic education programs to educate Mongolians about their legal and political rights. These programs should target adult as well as school-age populations through the media (public radio and television advertisements and special programming), as well as special events and competitions (theatrical and essay contests).

Finding WSP 6. Although WSP-UV's success is in large part due to its leadership, the organization is building up the size and capacity of its staff to avoid the longer-term perils of NGI status.

Recommendation: Both CSOs and the donor community should prioritize CSO capacity building through the training of staff and volunteers, and through practices that further the institutionalization of CSOs.

Finding WSP 7. The WSP-UV represents an important departure from the dependent relationship that is common between national NGOs and their branch offices.

Recommendation: Whereas CSOs should address the UB-centric nature of CSO, which restricts their ability to represent and provide services to rural Mongolians, the GoM and the international donor community should channel resources to CBOs and other locally based CSOs.

Annex 3: Social Accountability and Environmental Protection: The Ongi River Movement[72]

THE BIRTH, GROWTH, AND MISSION OF A COMMUNITY-BASED ORGANIZATION

The Ongi River Movement began in 2001 in response to the environmental degradation of the Ongi River System in central Mongolia. The river system originally spanned more than 435 kilometers from the Khangai Mountains through the Khangai Steppe into the Gobi Desert, and fed into Ulaan ("Red") Lake, which covered an area of 175 square kilometers. Historically, the Ongi sustained the lives of more than 100,000 people and more than 1 million livestock (TAF 2004c). The Ongi now flows only 100 kilometers, less than a quarter of its natural length, whereas the lake had completely dried up by 1995.[73] As Mongolia depends largely on surface water (70 percent of its water reserves), the depletion of this river system has serious implications for the region. It has led to a shortage of drinking water for more than 57,000 people and their animals. As a result pastoralists have been forced to herd their livestock in other aimags, causing serious problems for pastureland management in other regions as well.

The driving force behind the movement was the chair of the Citizen Representative Khural in the Saikhan-Ovoo soum. In 2001, he gathered residents of eight soums from the three neighboring aimags through which the Ongi flows in a shared mission to reverse the drying up of the Ongi River System and restore Ulaan Lake.[74] Initially he gathered several dozen people to discuss the matter. This was followed by a broader campaign that drew governors, leaders of other local khurals, and ordinary citizens from all eight soums to a meeting later that year. Local soum governments committed a total of MT 100,000 to support the emerging movement, which then registered with the Ministry of Justice and Home Affairs as a nongovernmental organization. Today, ORM is at once a community-based organization and part of a growing environmental movement with broad appeal beyond its region.

The chair of the ORM has held his post since his election in 2001. In addition to the chair, the organization has four other paid staff positions: an executive director, a manager, a program officer, and a driver. ORM's home base remains Saikhan-Ovoo soum. It is headed by the executive director who served as a volunteer until the end of 2004. In this and the seven other soums where the ORM operates, there are a total of eight branch offices run by volunteers. The organization also has a small, one-room liaison office in Ulaanbaatar to facilitate public campaigns, advocacy, policy dialogue, and fundraising. The chair operates from this office but commutes frequently to the river basin. The movement further benefits from assistance from the director of the Center for Land, Forest and Water Resource Management at the Mongolian State Agriculture University, who acts as both an adviser and researcher for ORM on a pro bono basis.

Over the last four years, ORM has expanded its objectives to achieve its initial mission to revive the Ongi River Basin. As part of its efforts to promote the restoration and rehabilitation of the Ongi River System, its 2004 program included several other objectives: 1) sustainable community-based organizations that care for the environment; 2) informed and committed local citizens who monitor and protect the environment; 3) transparent local government structures that ensure a healthy environment; and 4) an interactive relationship between local governments and CBOs that cooperate with and support each other.

[72] Research for this case study was conducted primarily by Jeff Thindwa, Senior Social Development Specialist, World Bank.
[73] In Saikhan Ovoo, for example, the river no longer runs, although a World Water Action report recorded its water flow at 1.8 cubic meters per second in 1950.
[74] The three *aimags* in which the ORM works are Uvorkhangai, Umnigobi, and Dundgobi; the eight *soums* are Uyanga, Zuunbayan-Ulaan, Taragt, Arvakheer, Bayangol, Saikhan-Ovoo, Bulgan, and Mandal-Ovoo.

GOVERNANCE CHALLENGES: FINANCIAL AND POLITICAL AUTONOMY

Foreign donors have provided significant assistance to the ORM. The Konrad Adenauer Foundation (KAF) provided initial start-up support and continues to provide training in strategic planning and organizing. The training was vital as this kind of social activism was new for rural Mongolians in both sociopolitical and cultural terms (Finding ORM 1). After decades of authoritarian rule, Mongolians find it difficult to challenge the state. Even the leaders of Buddhist monasteries see a restricted social role for themselves (see section 2). On the other hand, the head lama at a local monastery in Uyanga was quick to point out that Buddhist teachings about respect for nature and the environment inspired people's involvement in the campaign.

In addition to KAF funding, ORM has received financial and technical support for projects, training, publications, and administration from various other international NGOs and donor agencies, including The Asia Foundation, Mercy Corps, the United States Agency for International Development, the Japanese Government, and the Open Society Forum. These international sources are critical as local resources are limited, particularly in impoverished rural areas. In 2004, the ORM budget exceeded $72,000, at least 90 percent of which was from international sources. This raises concerns about the sustainability and autonomy of ORM (Finding ORM 1). Currently, the organization receives $2,000 per year from membership fees. The amount may be impressive for a rural-based organization, but it is still a small fraction of its operating budget. Asked if financial dependence compromises their autonomy, ORM leaders stated that they try not to give way to donor pressures and priorities, and that donors have to date been more flexible and deferential than they had expected.

ORM has also enjoyed a high level of support from Mongolia's political class, beginning with the participation of soum governors and khural leaders at their first meeting in 2001. In 2004 ORM created an "interest group" of MPs who act as advisers and help improve the organization's engagement with government. Initially, the movement had an 11-member board of directors, also referred to as the steering committee, which boasted several soum governors and a mining company director. The board was subsequently reduced to five members, including the former khural chair of the Saikhan-Ovoo soum who founded and currently leads the ORM.

Despite close collaboration with public officials, the ORM leadership understands that to promote social accountability, they must have a certain amount of detachment from political vested interests (Finding ORM 2). After the current chair was nominated to head the ORM board, he resigned his position as chair of the local khural and focused on the goals of the movement. In 2002, when the ORM leadership sent a letter to the prime minister and members of parliament, calling on them to halt mining activities in the Ongi Basin and ensure rehabilitation of mining sites, other local politicians made a similar choice between their dual roles in local government and civil society. One of the board members explained that "we felt a lot of pressure from the aimag and central government, and some of the governors struggled whether to sign the letter or to leave the ORM." The board member claimed that he was "safe" because as khural chair, he had been elected by the people. The fact that he was not a member of the ruling party undoubtedly helped as well, as the MPRP reportedly put pressure on its members not to be associated with the letter.[75]

The soum governors of Taragt, Arvakheer, Zuunbayan Ulaan, and Bayangol, along with the chairs of the soum khurals, succumbed to political pressure and refused to sign the letter. The Uyanga governor resigned from the movement when he failed to be reappointed as governor. Two governors and two

[75] Similarly, the governor of Mandal *soum* in Umnugovi *aimag*, who was a founding member of the movement but not a member of MPRP, has also remained an active board member.

khural chairs who served on the ORM board gradually withdrew from the organization, and were subsequently replaced at the annual ORM meeting that followed, thus freeing up the organization to press its demands for government action to protect the Ongi River system from further decline. Curiously, the governors of Dundgovi and Umnugovi aimags, who also belong to the MPRP, maintained their support for the organization. They may have realized the political implications of opposing such a groundswell of support from among their local constituencies. Moreover, the ORM had, by this time, established a rapport with highly placed MPRP leadership in UB.

THE IMPORTANCE OF CSO ACCESS TO AND PROVISION OF INFORMATION

Although there are other environmental factors, such as desertification and overgrazing, mining practices in Mongolia have had devastating environmental implications. In 2002, the leadership of ORM successfully lobbied the Ministry of Nature and the Environment to investigate the causes of environmental problems in the Ongi River Basin. The study determined that mining had caused environmental damage in the basin (Finding ORM 3). Heavy mining had diverted the Ongi waters from their natural course, and the lack of effective restoration measures had impacted the drying up of the river. Furthermore, the study revealed that 28 rivers in the 8 aimags were in danger of drying up (Ongi 2004:3).

Although the GoM study was critical to the ORM mission, the movement sought in 2002 to gain further independent information about the current condition of the river system (Finding ORM 4). A study conducted by ORM's consultant at Mongolia State University concluded that as a result of the seven ponds built along the Ult River by mining companies, the river could no longer flow into the Buruljut River, one of the tributaries of the Ongi River. He also found 10 other examples of mining activities that had diverted rivers flowing into the Ongi. Although there has been no formal response to these findings, which were presented to key parliamentarians and the Deputy Minister of Nature and the Environment, the study provides further documentation of mining company practices that adversely affect the environment.

In Mongolia, 625 mining companies are registered to explore and mine mineral resources, Among the 307 that mine gold, 32 mining companies are licensed to operate in the Ongi River basin. Together, they use 20 percent of the region's water resources (World Water Actions, 2004). The main environmental issues surrounding mining in Mongolia are 1) no regulation of water use in the establishment of gold mines; 2) use of antiquated technology by gold mining companies that involves creating dams and ponds; 3) weak monitoring and enforcement of environmental laws, notably provisions on diversion of rivers, requirements for rehabilitation measures after mining, and sanctions for noncompliance by mining companies; and 4) mining practices that attract artisanal "Ninja" miners along the rivers, whose activities are unregulated and therefore difficult to control by local government authorities.

"Ninjas" wear metal gear that earned them their name from the popular Ninja cartoon characters. They dig ponds and deep shafts to divert river water and then use mercury to filter the gold, polluting the land and water. Some public officials claim that the Ninjas alone are to blame for current environmental problems. The chair of an aimag khural remarked that mining companies rehabilitate the land after extraction, but Ninjas dig up this land looking for remnants of gold deposits. Aimag authorities, however, may be complicit. For example, in Arvakheer they allegedly permitted, perhaps even encouraged, the Ninjas to dig up shafts that a mining company had filled in as part of a restoration project. Aimag authorities maintained that the Ninjas also have rights to mine and that this was "a complicated human rights issue." As a remedy, Ongi representatives recommended that regardless of whether the companies or Ninjas were responsible, soum governors should be authorized to stop companies from operating the following season if they fail to rehabilitate a mining area.

In its efforts to monitor environmental compliance over the last few years, the ORM has approached the Ministry of Nature and the Environment for information on Environmental Impact Assessment reports, protection plans, and monitoring plans as they relate to the Ongi River watershed.[76] Under the Environmental Protection Law, these documents must be publicly available. The ORM chair noted, however, that "ministry officials prevaricated on these requests and in some cases gave implausible excuses for not releasing the documents." In a few incidents ORM leaders were prevented from seeing the appropriate ministerial officials. The experience underscores the urgency of a freedom of information law to guarantee access to information, require officials to respond, and thus render government more transparent and accountable (Finding ORM 3).

On the other hand, the movement has had some positive responses to its demands for information. In addition to its request in 2002 for an environmental study, ORM requested in 2003 that the Mineral Resource and Petroleum Authority (MRPA) provide the names of companies operating in the Ongi Basin and maps showing the location of their operations. They also requested information on the volume of mining activities and the assessed environmental damage. The ORM confirmed that the MRPA provided this information "in a timely manner."

In May 2004, the ORM and the MRPA conducted a joint tour of gold mining sites. They were joined by the governors of three affected soums and representatives of the mining companies. As a result, the MRPA commissioned a comprehensive study into the causes of the depletion of the river and lake. The MRPA sought a financial contribution from ORM for the study; but unfortunately the ORM did not have the resources. Such financial participation would have increased ORM's stake in the study and enhanced the report's objectivity and credibility. This illustrates that the capacity of CSOs to generate, as well as to gain access to, information is contingent on sufficient financial resources (Findings ORM 1 and 4).

In comparison with the GoM, the movement has had less success obtaining information from mining companies. For example, in 2004, Ongi leaders requested information on the volume of earth removed by the mining company Erel in order to know the level of water diverted and monitor the company's rehabilitation activities of their sites in Uyanga. The company declined to release the information, whereupon the team went to the local environment inspector, who said he did not have the information. They then contacted the soum governor, who should have had this information but did not. The governor directed them to the inspector at the aimag level, who said he had the report but that it was in the possession of someone else. The inspector referred them to the Environment Ministry in Ulaanbaatar, to whom the Ongi leaders submitted an official request letter but have yet to receive a response.

To monitor the GoM's performance, ORM has also sought information under the government's international treaty obligations. The MoNE informed ORM that there are 11 such treaties and 4 protocols. The ORM leadership complained that the environment ministry only gave a partial response that did not cover all the conventions.

Based on its studies and those requested of the GOM, the leaders of the ORM have demonstrated that mining companies are not being held accountable for damaging the river basin. The ORM and observers from various INGOs, the media, and donor agencies maintain that the Environmental Impact Assessments demonstrate a lack of compliance with the applicable laws, and that the GoM's environmental monitoring

[76] During a discussion of the preliminary synthesis of the study with the Secretary of State at the Ministry of Nature and the Environment in February 2006, he indicated that under the Environmental Impact Assessment Law, adopted in 1998, there are 40 specialized agencies authorized to conduct EIAs, including Mongolian NGOs. The secretary noted that this is because "the government cannot control or monitor its own activities." He added that over the last two years MoNE has monitored 61 entities, of which only 4 percent have carried out restoration activities on sites as required by law.

is inadequate. Part of the problem is that some companies go bankrupt and disappear, and cannot be held accountable for rehabilitation. In other cases, mining companies bribe local officials to escape their responsibilities.

In proving these allegations and ensuring that they are redressed ORM faces an uphill battle. Its mixed experience in seeking information demonstrates the need to address deferred requests and incomplete responses, as well as outright refusals to provide information (Finding ORM 3).

VOICING THEIR CONCERNS: A MULTIFACETED STRATEGY IN PURSUIT OF SOCIAL ACCOUNTABILITY

Ongi leaders have employed a variety of approaches to achieve their objectives. For example, in April 2003, ORM submitted a petition to the prime minister. The petition was signed by 1,200 people, mostly residents of the eight affected soums. They requested that the prime minister take the following actions: 1) stop mineral extraction in and around the source and outflow of the Ongi River; 2) ensure the rehabilitation of lands after gold extraction; and 3) include Ongi River and Ulaan Lake Basins in the State Special Protected Areas. In May 2003, Ongi leaders also presented a letter to the President of Mongolia outlining these requests. The president personally acknowledged the letter, but authorized no immediate action.

Ongi leaders also requested a meeting with the prime minister, but were received by the deputy prime minister instead. Unsatisfied with the meeting, they called a press conference and issued a press release on April 15, 2003, "to provoke a response from the prime minister." Their concerns were carried in several media outlets, including the UBS television, Eagle, Channel 25 TV, the Udriin and other daily newspapers.

The chair of ORM then presented the movement's concerns and demands at a workshop to commemorate the year 2004 as Mongolia's "Water Policy Reform Year" (internationally, the "Year of Fresh Water"). The Deputy Minister for the MoNE, who attended the workshop, invited the chair of the Ongi board to address a cabinet meeting. Although he submitted a statement in March, 2004, the Ongi leader maintains that the Environment Ministry's real motive in inviting his submission had been to garner support for a water law amendment the ministry was pursuing, which required it to show specific interest in environmental protection measures.

In May and June 2004, the ORM leadership also organized an ecology protest march to raise public awareness. The 478-kilometer march traced the entire span of the river. More than 2,000 people participated, mostly residents of the river basin. The march provided a rallying point for participants to air concerns about the plight of the Ongi River, and served as an educational forum for citizens and public officials. During the walk, Ongi leaders held 12 rallies, including a protest rally at a gold mine. Buddhist priests conducted religious ceremonies, offering prayers for the preservation and protection of the Ongi ecosystem. Extensive media coverage, both broadcast and print, ensured wide publicity for the event and greater dissemination of the movement's message.

Like other savvy Mongolian NGOs, Ongi leaders invite the media to all their major events, using radio, television, and the print media to convey their message to both the public and policy makers. The media also appears to have a genuine interest in ORM's environmental agenda, as evident in the Mongol Radio journalist who has extensively covered the movement's programs. The movement's activities have been covered extensively in both radio and television programs, illustrating the importance of a collaborative relationship between CSOs and the media (Finding ORM 5). With a grant from TAF, the organization

also created its own Web site (www.Ongi.mn) in November 2003 to promote awareness of the problems of the Ongi River Basin, as well as broader environmental and natural resource management issues in Mongolia.

ENVIRONMENTAL MONITORING: CHALLENGES FOR LOCAL GOVERNMENT AND CIVIC ENGAGEMENT

The ORM work with public officials has borne mixed results in terms of concrete political actions to improve the environment. Some public officials have been fairly responsive to inquiries by the organization. For example, Ongi leaders submitted a compendium of laws to MRPA that it allegedly had been flouted by mining companies operating in the Ongi River Basin (Ongi 2004e). While they responded to each charge, MRPA officials shifted responsibility to local governors and inspectors, who they suggested had not effectively discharged their duties.

For example, one allegation by the ORM was that Khaangarid LLC had violated Article 15 of the Environmental Protection Law requiring restoration of its mining site on the Buyant River. The MRPA responded by citing Article 20.2.4 of the law on Subsoil, which holds local authorities responsible for verification. ORM also claimed that contrary to Articles 31.2 and 31.4 of the Environmental Protection Law, mining companies have not allowed public access to site-restoration schedules or completion reports of restoration activities. The MRPA responded that Article 30.6 of the law on mineral resources legislated only that companies must deliver these reports to local authorities. Similarly, the movement claimed that GoM had not ensured efficient utilization of natural resources and protection of nature in accordance with Section 38, Article 2.4 of the Constitution. The MRPA retorted that the specialized inspection agencies and local authorities had not taken the necessary actions against violations by gold mining enterprises.

However, as one soum governor observed, local government structures are not conducive to social accountability as they are responsive to their superiors in GoM and not to the citizenry (Finding ORM 6). This is attributable to the legal code by which a soum governor is nominated by the local khural but appointed by an aimag governor, who is nominated by the aimag khural but appointed by the prime minister. Furthermore, as the central government licenses mining operations, local governors are powerless to enforce compliance or penalize offences. As an illustration of the powerlessness of local officials, one Ongi board member cited an incident where local environment inspectors had stopped mining in Uyanga, but aimag authorities had superseded that order and allowed the company to proceed.

Similarly, the ORM submitted a letter to a local khural in 2002, requesting action against two mining companies that were allegedly conducting harmful extractive practices. Khural leaders admonished company officials, but to no avail. The khural then passed a resolution to stop mining activities but was ignored. It then requested that the governor shut down the mines. He did so initially, but the mines were reopened through the intervention of the central government.

In yet another incident, a local khural passed a resolution to stop the mining activities of Erel if it did not rehabilitate a former mining site by July 2004. When the company failed to comply, the site was initially shut down. However, it was subsequently reopened by order of the aimag authorities. One soum governor noted that this was “a very complicated political situation” in which vested economic interests often dictate outcomes. Indeed, local members of ORM complained that aimags do not enforce compliance as they, themselves, benefit from tax revenues from mining operations.

Even ministerial support does not ensure compliance. According to Ongi leaders, two mining companies, Seligdar Mongolia and Erel, were ordered by the Ministry of Justice and Home Affairs in 2003 to halt operations until they had implemented restoration plans. The companies never implemented restoration

plans, but there was no follow-up action taken by the GoM. According to the ORM, only 10 percent of sites have been restored following mining operations. The only response offered by the MRPA is that its Mining Department has set out an annual schedule of sites needing restoration and a list of the associated costs, while conceding that implementation has been weak (MRPA 2004).

REPLICABILITY

Currently Ivanhoe Mines Mongolia, Inc., and the GoM are negotiating a stability agreement to mine the massive Oyu Tolgoi copper and gold deposit. Hence, the issues affecting the Ongi River Basin are likely to extend to other regions of the country, which are also beginning to organize themselves in social movements and community-based organizations.

One such organization is the Uuguul ("Native") movement, established by dwellers of the South Gobi region in 2005 to oppose the government's Stability Pact with Ivanhoe Mines, which allows Ivanhoe to retain 95 percent of extracted minerals. Uuguul also advocates reform of the Mongolia Mineral Law to include stricter environmental standards for the mining industry. The "movement for Giving Half of Oyu Tolgoi to Mongolians" (or the 50/50 Movement) is pressing for the equitable distribution of mineral resources in Oyu Tolgoi. Toson Zaamar is a movement formed by herders to defend the sacred Barjin Mountain against the activities of the Mongolian-Chinese mining company, AshB.[77] These organizations have explicitly stated that they want "to bring their voice to the government and demand [that] … the government leaves … their land alone" (interview with Liberty Center, April 2005).

During this study's dissemination, the ORM chair listed several new and important developments in the growth of the Mongolian environmental movement. He cited the creation of "Calls for Khongor Aimag" to protect the aimag's lakes and rivers in 12 soums; "Holy Stupor" [sic.] to protect Aokhon, Tamir, and Tarniliin Rivers in Arkhangai aimag; "Huvsgul Lake Dalai Movement" to protect Huvsgul Lake; "Ardin Elch Peoples Missionaries" to protect rivers in Selenge aimag; and "GToson Daamar" in Tuv aimag to protect the Tuul River.

The leaders of the ORM deserve much of the credit for inspiring these movements, many of which they advise informally and several of which they hope to incorporate into an umbrella organization of environmental protection for Mongolia's river systems. Their emergence indicates the urgency of environmental concerns affecting Mongolia's watershed and the perception that if citizens do not act, mining activities will cause serious environmental decline. Whether these organizations achieve ORM's level of social accountability will depend upon their capacity to tap into political and financial resources, as well as their ability to network and coordinate their activities (Finding ORM 7).

FINDINGS AND RECOMMENDATIONS: THE ONGI RIVER MOVEMENT

Finding ORM 1. Although access to significant and diverse resources, including extensive pro bono contributions, have been critical to the success of the ORM, there are continuing concerns about its sustainability and autonomy, especially in light of the limited resources they have been able to raise through membership dues.

[77] It has been suggested by various observers that the Zaamar movement's campaign may be rooted more in economic concerns and the anti-Chinese and anti-Russian sentiments of disaffected Ninja miners than in purely environmental concerns.

Recommendation: Although the ORM, and CSOs in general, should pursue sustainable, independent funding sources, the GoM and international donors should continue to provide financial and other material resources, recognizing Mongolia's limited resource base.

Finding ORM 2. The ability of the ORM leadership to balance collaboration with and cooptation by public officials has been critical to its social accountability initiatives.

Recommendation: Whereas CSOs should expand their collaboration with public officials (for example, joint research studies and fact-finding missions), the autonomy of both stakeholders must be sustained through formal or informal regulations on the behavior and appointment of officials, as well as internal CSO regulations regarding board membership.

Finding ORM 3. Although the ORM's close relationship with public officials has allowed it to lobby for research and obtain information from the GoM, the ORM has nevertheless faced difficulties in obtaining information in a timely manner.

Recommendation: Public officials should adopt a Freedom of Information Law to ensure the timely access to information that renders government more transparent and accountable. Donors and CSOs working in this area can provide technical support and comparative insights into international standards and best practices.

Finding ORM 4. ORM-sponsored research has been an important alternative source of information that has confirmed or elaborated upon GoM's records and data.

Recommendation: Given the costs of such research, CSOs should collaborate with the GoM and other national and international actors on related issues, while donors should fund both data collection and analysis in policy areas critical to social accountability.

Finding ORM 5. Compared to other Mongolian CSOs, the ORM has been particularly effective in collaborating with the media, allowing it to voice its environmental concerns and offer its recommendations.

Recommendation: CSOs should be encouraged to cultivate a collaborative relationship with broadcast and print media at the local and national levels through joint programming and other activities (for example, training journalists about the role of CSOs) that may initially be supported by international donors.

Finding ORM 6. Social accountability is weak at the local level because local governors lack downward accountability to their constituents and lack the capacity and the mandate for enforcement. Hence, mining companies are responsive only to the central government.

Recommendation: To promote CSO capacity to negotiate with public officials, the GoM should reform the legal code on the structure of political and administrative authority to promote greater downward accountability. To transform the political culture of centralization, senior officials should send clear signals that downward accountability is an important component of good governance and critical to economic development.

Finding ORM 7. Although the proliferation of environmental organizations is a sign of growing civic awareness and engagement, the large numbers may also pose a challenge to effective coordination and cooperation among these various CSOs.

Recommendation: Effective CSO collaboration should be promoted through increased and regular communications (forums, list serves, and shared Web sites and UB offices), and encouraged by donors through jointly funded forums and projects.

Finding ORM 8 (based on overall assessment). Effective community-based organizations such as the ORM are relatively uncommon in Mongolia.

Recommendation: The GoM, INGOs, and donors should channelize resources to CBOs and expand training programs for these and other local CSOs.

Annex 4. Social Accountability and Service Delivery: Community Involvement in Mongolian Schools[78]

One of the more positive legacies of Mongolia's socialist past is its high level of literacy, which remains at 98 percent despite a relatively high level of poverty. Primary school enrollment has also been sustained at a nearly universal rate. However, secondary school enrollment dropped dramatically in the mid-1990s, but recovered to more than 93 percent by academic year 2004–05 (United Nations Statistical Yearbook 2004).[79] Although public expenditure on education has been higher than in most transition countries, total spending has fallen and remains below the 1990 level of 12 percent of GDP, declining to 5.5 percent in 1995 before gradually increasing to 9 percent by 2002 (Dung et al. 2006). Stakeholders nevertheless indicate that education remains a high priority. In the opinion poll conducted in May 2005, nearly one-quarter of the respondents said that education was their highest priority, although only 40 percent thought that public officials were providing sufficient access to education, and 23 percent indicated that they were able to ensure the quality of education (annex 7, Questions C and K).

This case study on community involvement in kindergarten through secondary school is based largely on data collected at two public schools, one in Ulaanbaatar and the other in Uyanga soum, Uvorkhangai aimag, in central Mongolia. Interviews were held with stakeholders at the national and local levels, including representatives of the Ministry of Education, Culture and Science (MoECS), local government officials, parents, and leaders of education-related NGOs. Whereas the schools were chosen to provide both an urban and a rural perspective, the school in Ulaanbaatar was selected for its location along the "border" between the city center and the Ger District, which is composed largely of recent migrants.[80] Although it is difficult to draw general conclusions about the Mongolian education system from just two examples, the case study provides insights into issues related to social accountability in the education sector.

Over the last decade, the MOECS' reforms have varyingly supported and undermined civic engagement and social accountability in Mongolia's education sector. Although reforms were intended to ensure local input into the management of public schools, it has been difficult to achieve the appropriate balance between community involvement through the school boards and stability in the management of public schools. As a result, effective participation of parents and the broader community in the education sector appears weak. The need for community involvement in schools is illustrated by concerns about mismanagement of funds and allegations of corruption in the private tutoring by public school teachers.

LOCAL PARTICIPATION IN PUBLIC SERVICE DELIVERY: FROM SCHOOL BOARDS TO SCHOOL COUNCILS

In 1995, the State Great Khural passed a new Law on Education that established local School Boards for preschool, primary, and secondary schools. Pursuant to Article 30 of the Law, the Boards were given a

[78] Research for this case study was conducted primarily by Alison Dong, a graduate student at Teacher's College, Columbia University and Bilge Byambaa, a consult with The Asia Foundation. with guidance from Charles Abelmann (Lead Program Coordinator, World Bank).

[79] An OSF education program officer noted that GoM statistics tend not to include disabled children, mostly mentally but often physically disabled, who are not enrolled in school.

[80] *Gers* are traditional tents commonly used in rural Mongolia and increasingly by migrants whose *gers* circle much of the perimeter of Ulaanbaatar. In the Ger district as well as the countryside, household incomes tend to be lower and social services, less accessible.

wide mandate to manage and monitor the operations of schools. In 2000, MoECS adopted Regulation 92 to clarify the role of school boards, specifying their authority to: 1) hire and dismiss school principals; 2) approve and amend school budgets and investment schedules; 3) approve salary funds and number of employees; 4) approve the development of policy, mission, curriculum, and business plans; and 5) develop their own internal procedures.

Initially, the boards were to be composed of 17 members, with only teachers, students, parents, and representatives of local organizations to serve on a board. In 1998, however, an amendment extended representation to include alumni and representatives of the aimag governors as "the founders" of public schools.[81] Under this new amendment, the representatives of the founders were not elected to the board like other members, but were usually the soum governors or their designees. Moreover, the amendment stipulated that the founders were to hold a majority of 51-60 percent of the seats on the board.

In May 2002, a new law on education was adopted in which the role of the now highly politicized boards was essentially reduced to an advisory one (Finding EDU 1). These changes were adopted in the broader context of recentralization, which stripped the boards of their fiscal responsibility. The boards lost their power to approve school budgets and were left only with the right to comment on proposals submitted by school principals to representatives of the Ministry of Education.

In addition to their lost fiscal authority, school boards lost their power to hire or dismiss principals; they could merely propose candidates for the positions. The governor of Uyanga soum acknowledged that under the new system, boards could technically "block" a candidate nominated by a governor, but ultimately the governor could override their veto and hire or dismiss a principal over the board's objections. Consistent with the new more limited advisory role of school boards, in 2002 Regulation 230 changed their name from school boards to school councils.

The 2002 Law on Education also changed the process for appointing members to the councils. The changes were deemed necessary to depoliticize the boards and to enhance continuity. In addition to reducing the council's number to between 9 and 11, the new law stipulates that all members are to be elected at a general meeting (an annual meeting of stakeholders), although representatives of the other organizations are nominated by the founders and merely approved at the general meeting. These representatives retain a majority on the councils even though there is no legal stipulation for this.

THE REDUCED BUT CONTINUING ROLES OF SCHOOL COUNCILS IN SOCIAL ACCOUNTABILITY

Public officials and community members both perceived the reduced authority of the school councils as undermining their role. The two parent representatives on the Uyanga School Council, for example, noted that unlike the former school boards, the councils have no real authority to monitor the principal or the school budget. At the national level, a member of the Standing Committee on Education of the State Great Khural also noted that school councils have no real authority, as they can merely suggest how to support school activities, improve the quality of services, and maintain parent involvement. Various stakeholders in both Ulaanbaatar and Uyanga echoed these critical assessments of the new school councils.

[81] Under Mongolian Education Law, the *aimag* or city governors have the authority to create, transform, or disband a local school. As such they are characterized as the "founders" of public schools.

On the other hand, the initial legal code vested inordinate power in the school boards, which exercised more power than community school bodies in other countries. Various stakeholders indicated problems that were created by the boards' exercise of their full powers. For example, stakeholders said that boards would replace principals according to their political affiliation when a new government took office. According to the director of the Mongolian Association for Primary and Secondary School Development (MAPSSD), the changes in 2002 were a result of "founders" politically appointed to the councils asserting their right to hire and dismiss principals. The principal of the Ulaanbaatar school confirmed this practice, noting that 10 principals in one UB district alone were fired in rapid succession in 1997–98, only to be reinstated by the courts.[82] Such practices were obviously disruptive and destabilizing, but could possibly have been remedied by curtailing political appointments to the council rather than disempowering them.

Although the new councils serve only in an advisory capacity, they still play a role in school governance. They make proposals on policy and development, review budget documents, supervise principals, and recommend their hiring or dismissal. Although their powers are markedly reduced, the councils can nonetheless continue to play a role in promoting civic engagement and social accountability.

Nevertheless, the significant reduction in the power of the councils has reinforced the popular perception that they are not relevant. This perception is problematic and needs to be addressed because to be effective, bodies such as the school councils must have the support and trust of the community (Finding EDU 2).

NEED TO CHANGE POPULAR PERCEPTIONS OF COMMUNITY INVOLVEMENT IN MONGOLIAN SCHOOLS

Community involvement in the education sector has been limited even when the boards held extensive formal powers. According to a representative of the NGO, Mongolian Education Alliance (MEA), the general citizenry lacks the sense of public schools being "public." Parents feel that they "just need to send their kids to school and worry about their getting good grades; that is enough." She noted that parents rarely attend meetings where their representatives to the school council are elected, because these meetings are "boring" and teachers publicly denounce poorly performing students at these meetings. Moreover, parents believe that principals and those above them have "all the authority" and set the rules of school governance.

These attitudes may well be linked to Mongolia's socialist legacy in which schools had top-down structures of authority, which characterized them as state rather than public institutions. Such authority structures are difficult to reform through legal processes; they require outreach programs that encourage community involvement in the education sector. The need for civic education at the local level was stressed not only by NGOs working in this sector but also by public officials such as the chair of Uyanga's soum-level Khural, who observed that parents are oblivious to the importance of their participation in school councils.

The MEA is collaborating with the Open Society Forum to improve parent and community involvement in schools by setting up a grant competition to which school and local government officials can apply. The MEA/OSF project has sent out questionnaires to 80 schools in all aimags and the Ger district of

[82] Although there was insufficient time to ascertain the grounds for either the dismissals or the court rulings, the principals' terminations occurred shortly after the election of a new ruling party in 1996.

Ulaanbaatar, asking them to identify their needs and make specific requests to enhance collaboration with the community.

Although more than 40 percent of the respondents to the CSO Survey indicated that their organization works in the area of education (annex 6, Question G), there are relatively few NGOs dedicated specifically to education, most notably MAPSSD and MEA. Both NGOS are spin-offs from the OSF and work to increase community involvement in Mongolia's schools. MAPSSD n particular specifically supports school councils. In addition, whereas unions in the education sector are instrumental in promoting social accountability in many countries, in Mongolia they are, in the words of a CSO leader, "just kind of sleepy" (Finding EDU 3).

ENHANCING THE PROFILE AND SIGNIFICANCE OF SCHOOL COUNCIL ELECTIONS

Enhancing the profile and significance of school council elections may be an effective way to change popular perceptions about community involvement in local schools. Although the majority of council members are typically nominated by the governors, the law now stipulates that the remaining council members must be elected. The implementation of this important provision, however, has been problematic (Finding EDU 4).

Not all members of the community or even those elected to the councils are aware of the elections. The governor of Uyanga soum related that a parent had visited him to discuss a matter unrelated to the school. During their conversation, the governor had mentioned that the parent had been "elected" to the local school council. The parent had neither solicited nor accepted his nomination before he became a parent representative on the council.

According to the Uyanga governor, it is not uncommon for parent representatives to school councils to be elected in absentia. Indeed, another parent representative at the school in Uyanga mentioned that she had not known of her election to the council until she was contacted by the school social worker who serves as the chair of the council. According to the social worker, the election took place at the first parents' meeting at the beginning of the school year, which this parent, like many others, did not attend.

Moreover, the director of MAPSSD noted that council members are often chosen by principals. Not only is this contrary to the rules and the purpose of the elections, which is to ensure that council members are accountable to the community, but it seriously undermines the capacity of councils to objectively evaluate the performance of principals or to recommend their dismissal.

THE IMPORTANCE OF ACCESS TO INFORMATION FOR COMMUNITY INVOLVEMENT IN THE EDUCATION SECTOR

Another factor that undermines community involvement in the education sector is the inadequate access to the information necessary for activism in and monitoring of school governance (Finding EDU 5). Preliminary results from the World Bank-sponsored Public Expenditure Tracking Survey (PETS) project indicate that parents characteristically have no information on the school budget processes. Although the representative of MEA noted that it is easiest to gain access to information "at the bottom" (soum level), she indicated that officials typically refuse at the aimag level. Currently, the law on education does not require that school finance or fiscal information be available to the public, a legal lacuna that clearly undermines the capacity for social accountability in the education sector.

Gaining access to budgets is a critical first step in addressing complaints about the mismanagement of resources to public schools. In one instance, local officials allegedly colluded with those delivering heating fuel to schools to supply less than the amount budgeted but then charge the full amount, and pocket the rest.[83] According to the principal, however, the funds that were "skimmed" off were used to cover teachers' salaries. Regardless of the accuracy of the allegations, they indicate a need for greater transparency and local involvement in the management of schools.

The Asian Development Bank (ADB) is implementing a Public Administrative Reform Program to assist educational institutions to adhere to the Public Sector Management and Finance Law adopted in 2002. The ADB's focus is on budgetary bodies and public institutions, as opposed to the participation of local communities or CSOs in budget formulation or monitoring. Moreover, various stakeholders, including education specialists, noted that the PSMFL has reinforced upward rather than downward accountability to institutions such as school councils and local communities (Finding EDU 6). This trend is reflected in the reduced role of school councils.

THE LOCAL INITIATIVE FUND: A COMMUNITY INITIATIVE?

The Uyanga school was selected for this study from among a group of schools that have received funding from the Local Initiative Fund.[84] A key goal of LIF is to "facilitate community prioritization, selection, cofinancing, and execution of investments in basic infrastructure and social services provision" (World Bank 2005a). LIF provides financial resources to bag and soum communities for a small-scale sustainable livelihood project to empower local governments For this reason LIF seeks to empower local government and communities and strengthen their capacity to improve the potential for sustainable livelihoods by making financial resources available to bag and soum level communities for a small-scale sustainable livelihood project that they deem to be their highest priority. Priorities are identified at a bag-level meeting and then voted upon by the soum khural. The decision is forwarded to the aimag khural and ultimately to the LIF project office in Ulaanbaatar that coordinates these projects.

The LIF project is being conducted as a pilot in Bayangol, a duureg (neighborhood) in Ulaanbaatar, and in 8 aimags (provinces), where 143 soums (districts) were initially eligible to receive grants of up to $8,000, subsequently raised to $16,000 in January 2005. With the exception of Bayangol, LIF targets mostly rural areas. A LIF project can fund anything that is not on a "negative list."[85] As of January 2005, however, more than 730 projects had been approved to enhance the infrastructure of educational institutions, representing approximately 60 percent of the total number of grants awarded. In addition to enhancing local control over public resources, these education-related LIF projects enhance community involvement in Mongolian schools and empower school councils. The evidence from the Uyanga school, however, suggests that this potential is not being realized.

According to the local SLP secretary in Uyanga soum, meetings were held in the local bags to identify priority sectors for LIF funding. After the bags identified education as the priority for LIF funding, the school authorities selected the actual project. However, parent representatives on the local school council who were questioned about this, were uninvolved in the process and unaware that their school had even received funding from the LIF program (Finding EDU 7).

[83] Heating and electricity costs account for 20 percent of the money spent on education in Mongolia (World Bank 2002c).
[84] LIF projects are a component of the World Bank-financed Sustainable Livelihoods Project, funded through an International Development Association loan.
[85] The negative list includes projects that would benefit only a few households, may have a negative environmental impact or social consequences, or are financed by another World Bank project or funding source.

Moreover, after a World Bank Supervision Mission in September 2004, the team reported that "a worrisome trend has emerged in which aimag Household Livelihoods Capacity Support Councils appear to be taking away responsibility for subproject design, costing, procurement, and financial management from soum and bag communities." In a worst-case scenario, these projects designed to empower local communities and governments may actually undermine the authority and role of preexisting bodies such as school councils.

FINDINGS AND RECOMMENDATIONS: SCHOOL COUNCILS (EDU)

Participation in school governance through school councils and parent-teacher associations is one of the most effective forms of civic engagement in countries around the world. Education is a matter of great importance to Mongolians: it represents one of the largest public service delivery sectors in Mongolia. Although school councils offer an important opportunity for communities to affect school governance, active community participation has been negatively impacted by certain cultural and legal factors.

The 2002 Law on Education has significantly curtailed the capacity of Mongolian school councils either to demand social accountability of public officials in the education sector, or to be socially accountable to the local community or a constituency of students and parents. Although the initial draft of the PETS report on the education sector indicates that this legal reform has enhanced school councils' capacity to ensure that allocated resources are delivered in a timely fashion, the report does not consider the role of councils in monitoring budget formulation or expenditures, or the need for this important aspect of social accountability.

Finding EDU 1. The 2002 Law on Education transformed School Councils into advisory bodies and thus, radically reduced their capacity to promote social accountability.

Recommendation: With technical support from the international community, the GoM and education-related CSOs should reevaluate the role of school councils to increase community involvement and social accountability in the education sector. Stakeholders should avoid another pendulum swing such as occurred when the powerful school boards were transformed into the anemic school councils with limited authority to negotiate with the public officials who control school budgets and administration.

Finding EDU 2. There is a general lack of knowledge about the role of school councils. This ignorance is reinforced by the sociopolitical context in which school council members, ordinary parents, or community members are unlikely to challenge figures of authority, including school principals.

Recommendation: The GoM and education-related CSOs should undertake a civic education program in schools and among the adult population to explain the role of local school councils, specifically, and social accountability in general.

Finding EDU 3. Relatively few CSOs are actively engaged in the education sector and even fewer promote community involvement in the local schools and their councils.

Recommendation: More CSOs, particularly CBOs at the local level and education-related unions at the national level, should monitor the education sector through targeted capacity-building programs sponsored by the international community and by NGOs working in this area.

Finding EDU 4. As legal provisions for school council elections are not typically implemented, councilors who are unaware of their appointment and responsibilities may be designated. This undermines their capacity to voice local concerns when advising the ministry and other government officials about the budgetary and managerial needs of the schools.

Recommendation: For school councils to effectively serve as local representatives, at least the majority of the school council must be directly elected in regularly scheduled, well-publicized elections. Ideally, these should be held across the country on the same day along with other local elections.

Finding EDU 5. Local communities, parents of students, and representatives on local school councils lack information about school management and governance.

Recommendation: In addition to the adoption of an access to information law, the GoM should revise the current law on education to ensure public access to information about school finances.

Finding EDU 6. The education law, as well as the PSMFL passed in the same year, has reinforced upward accountability toward the Ministry of Education, Culture, and Science rather than downward accountability to institutions such as school councils and local communities.

Recommendation: Public officials must redress the lack of downward accountability through legal and regulatory reform while senior public officials must send clear signals about the importance of downward accountability and the important role of local representative institutions such as school councils.

Finding EDU 7. Specifically designed to promote community control over the selection and implementation of projects, the Life Initiative Fund presents an invaluable opportunity for local communities (particularly school councils) to become involved in school governance.

Recommendation: The experience of the school in this study shows that more could be done to realize the potential of the LIF Program, including the notification, if not the involvement, of local stakeholders.

Finding EDU 8 (based on overall assessment). Given the dearth of rural CSOs that engage in social accountability, the school councils represent an important and underdeveloped mechanism or forum for social accountability at the local level both outside and within Ulaanbaatar.

Recommendation: Public officials should empower school councils through legislative and regulatory reform. Meanwhile, CSOs should enhance the capacity of these local councils through workshops for their members and other public officials, which may be sponsored by the international community.

Annex 5. Mongolian Media: Overview of Constraints and Opportunities for Social Accountability[86]

The Mongolian media sector is characterized by lively, if sometimes not very professional, reporting from outlets that represent the full range of political viewpoints, although few outlets are politically neutral. In many respects, the challenges facing the Mongolian media are similar to those facing the media in other countries emerging from the oppression that characterized the period of socialist rule, although progress toward a free and responsible media has been hampered by Mongolia's relative poverty.

The media play a key role in giving voice to the views and demands of citizens, as well as providing information to both ordinary citizens and decision makers. A free and effective media acts as a two-way conduit for communication between government and the citizenry. As such, the media play a crucial role in facilitating civic engagement for social accountability.

This study provides an overview of the media sector and the various constraints and opportunities for media in Mongolia. In addition to legal constraints on the media, the study outlines some of the informal and internal challenges that the media confront. In this manner, the study provides a framework to identify priorities for reform that can promote an environment in which the media maximizes its role in facilitating social accountability.

MEDIA OVERVIEW

A survey by the Press Institute in 2004 found that there were six dailies, 25 weeklies, and numerous less frequent newspapers, along with 69 magazines, 43 radio stations, 36 television stations, and 13 cable operators (Press Institute 2005a).

All six dailies are alleged to have political biases. The allegations were confirmed by media monitoring of the 2005 presidential election campaign by Globe International, a prominent NGO based in Ulaanbaatar that works on media-related issues (Globe International 2005a and 2005b). All of the daily newspapers are privately owned, with daily circulations ranging from just under 3,000 to almost 12,500 copies in 2004.

There is only one national radio broadcaster, the state-owned, Mongolian Radio. Of the 15 Ulaanbaatar-based stations, 12 were privately owned and three were state broadcasters. In contrast, the state owns the largest share of the province-based stations (10 out of 25), followed by NGOs, which own eight, mostly community radio stations. Another five are privately owned and two are classified as other.[87] The 2005 Globe International project only monitored the national radio, which was found to be relatively nonpartisan in its coverage of the presidential candidates.

There is only one national television station, the state-owned Mongolian TV. There are five television stations operating in Ulaanbaatar, although four more have recently been licensed,[88] bringing the total to

[86] This note was primarily researched and written by Toby Mendel, Law Program Director, Article 19.

[87] Figures for provincially based stations come from the Press Institute survey for 2003 (Press Institute 2004a). In a more recent report (Press Institute 2005a), the Press Institute indicates that there are now 27 province-based stations, but it does not separate them into different categories.

[88] Two were due to start in August 2005, and the other two must start operating by April 2006, or lose their licenses.

nine.[89] Of the 28 province-based television stations, 20 were state-owned, seven were private, and one was classified as other.[90] As part of its 2005 election media monitoring efforts, Globe International covered the five Ulaanbaatar-based television stations, as well as the national broadcaster. The first round of monitoring found serious biases in all but one station. although this had improved significantly during the period covered by the second report (Globe International 2005a and 2005b).

The relations between Mongolian media and civil society are generally sound. Most CSOs, particularly Ulaanbataar-based NGOs, are able to attract news coverage of their work. Several CBOs, such as the Ongi River Movement (annex 3) have worked closely with the media over a number of years to build better relationships and thus ensure better coverage. Many CSOs have complained, however, that they are often required to pay for coverage that may be tied to the structure of the media discussed below. Furthermore, NGOs must pay to broadcast their own productions, including various public interest programs, though they have effectively relieved the media of the responsibility to produce it themselves.. Consequently, several stakeholders described CSO-media relations as adversarial. In response to a wave of media criticisms at the CSO forum during the study's dissemination, a representative of PRTV commented that "it is easy to accuse the media."[91]

THE LEGAL FRAMEWORK

The constitution guarantees basic human rights, including freedom of expression and freedom of the press (Article 16.16). These rights may not be used to harm national security or the rights and freedoms of others, or to violate public order (Article 19.3). The 1998 Law on Freedom of the Media supports these constitutional guarantees, prohibiting censorship and the adoption of laws that restrict media freedom (Articles 2 and 3.1). In practice, however, neither of these documents is consulted in legal cases involving the media such as defamation cases (discussed below). As the president of Globe International observed, Mongolia has "good [media] laws but bad governance" in terms of weak enforcement, as well as the journalists' lack of awareness of their rights.

BROADCAST REGULATION

All broadcasters are required to obtain a license from the Communications Regulatory Commission (CRC), ostensibly an independent body with its own oversight committee. The CRC is appointed by the prime minister and staffed almost entirely by senior civil servants. Licenses are awarded through a competitive tender process. A group composed of staff from the CRC and other related ministries (such as finance and justice) assesses applications and makes recommendations to the CRC oversight committee, which makes the final licensing decision. There is a methodology for rating competing applications, which is based on technical factors such as financing, broadcasting expertise, and equipment rather than more general public interest considerations such as proposed program content.

It is unclear whether or to what extent there is political interference in the licensing process at the CRC level. None of the broadcasters interviewed registered any complaint, although as successful applicants

[89] Mention should also be made of Eagle TV, formerly a terrestrial broadcaster that now goes out on cable. Channel 8 is apparently being held in reserve for Eagle TV, should it be able to resolve internal differences that led it to cease terrestrial operations in 2003.

[90] As these figures are from 2003, for reasons noted in footnote 2, there are now in fact 30 province-based television stations.

[91] While one CSO leader interviewed during the dissemination phase indicated that CSO-media relations are "not so good… not very developed" in Mongolia because "the media doesn't think the CSOs are important," another criticized the media for "not appreciating democratic values."

they would be unlikely to do so. CRC staff members stated that the working group's recommendations are usually accepted by the oversight committee.

Aspirant broadcasters must receive permission from the relevant local governor (Law on Radio Waves, Article 10.1.4). In many cases governors have delayed applications for political reasons, sometimes until significant pressure has compelled them to provide the requisite permission as was attested to by members of the CRC staff during the dissemination mission. The purpose of requiring the governor's approval is unclear.

License fees are the same for all similarly placed broadcasters without regard to either the management/ownership structure or the content. The fee structure penalizes broadcasters that aim to provide higher quality (and therefore more costly) content. It also jeopardizes sustainability for community broadcasters that are operated by NGOs on a nonprofit basis.

The number of licenses awarded in a given sector is determined by the frequency capacity and interest, rather than public interest considerations or market-carrying capacity. As noted above, nine terrestrial TV licenses have now been issued for UB. The disparity between demand and supply results in a serious incapacity on the part of the market to support these broadcasters (Finding MEDIA 1).

GOVERNANCE AND FINANCING OF NEW PUBLIC BROADCASTING

The 1998 Law on Freedom of the Media formally prohibited state control over the media (Article 4)), though this was never put into effect. However, a new public service broadcasting law, which came into effect on July 1, 2005, aims to implement that law. It provides for an independent governing board, the National Council, for the new public radio and television, which replaced the old national state broadcaster.[92] The new law provides that the 15 members of the board be nominated by the president (four members), prime minister (four members), and State Great Khural (seven members), from a list of nominees proposed by NGOs. Appointments are made by the State Great Khural from these, although this last step would appear to be more or less a formality.[93]

The first National Council was appointed in October 2005, albeit with certain difficulties (Finding MEDIA 2). The Mongolian Press Institute oversaw the participatory process that led to 34 nominations by civil society for the National Council. However, only eight of the appointees were drawn from this list; the other seven were nominated in ways that remain unclear. The chair of the Council, an MPRP member of parliament until 2004, is viewed by some as too partisan for this position.[94] The Council was divided over the appointment of the new general director of PRTV. Some members lodged a court case to challenge the appointment. However, the case was withdrawn and the appointments ratified.

During dissemination of the study in February 2006, some of the director's critics complained that he was less qualified than the other candidates, describing him as "untrustworthy" and "totally close to the MPRP." During a subsequently televised "open debate" at which members of the National Council were permitted to pose one question to each of the other three finalist for the position, he was asked to explain a 6-year-old charge of having embezzled MT 125 million from the national television to produce his own

[92] The law originally proposed by the State Great Khural was vetoed by the president on two grounds, namely appointments to the governing board and advertising. The president's proposals, described below, were accepted by legislators and are reflected in the adopted law.

[93] The State Great Khural would presumably not review its own nominations.

[94] The Public Service Broadcasting Law prohibits the appointment of elected officials and members of political party management to the National Council, but not former officials or former members of management.

movies. The Council member who had raised this question indicated during a dissemination interview that she was subjected to "black PR" when she tried to sue to prevent the new director from taking office, with newspaper articles accusing her of being of Chinese ancestry, which in Mongolia is considered slanderous.

As of July 1, 2005, the new law also significantly reduced PRTV's access to advertising to 2 percent of airtime and completely eliminated it from January 1, 2006 (Finding MEDIA 2). In their original budget estimates for 2005, PRTV estimated that it would raise 12.9 percent of its total revenues from advertising, almost all of which was targeted toward programming. As a result, the new system will make it particularly difficult to maintain program quality, although the precise implications of these changes remain to be seen. Under the new arrangements, the transmission system will be split off from PRTV, leaving the former to be managed by the government.

According to an MP interviewed during the dissemination of this study, there is some discussion of reintroducing advertising on public broadcasting. The MP attributed the elimination of advertising to heavy lobbying by commercial broadcasters of political leaders, in particular the former president who vetoed the bill in February 2005, because he objected to provisions for limited advertising.

Various stakeholders also noted that the PRTV has an exceptionally large staff in comparison to independent broadcasters, who use digital technology. Although this could be redressed through an initial outlay by the GoM, a National Council member also recommended that state funding for PRTV be stabilized through five-year budgets as annual submissions that are time consuming and make it difficult to plan programming in advance. This would also enhance the autonomy of PRTV as it makes its transition from state to public broadcasting.

There is no provision in the law on Radio Waves to address content issues in broadcasting, despite serious problems relating to quality (see below), and to political bias in the media. Although CRC staff members claimed that local broadcasting was not an issue in Mongolia, given the large number of radio stations outside of Ulaanbaatar, a leader of the Press Institute noted that there is a need for local public media, which is not covered by the new legislation, save one minor reference. She believes that this could be readily addressed through legislation parallel to the new law on national public broadcasting.

REGISTRATION OF NEWSPAPERS

Print media outlets are required to register with the Ministry of Justice and Home Affairs. Applications are considered by the board of the ministry, a high-level internal body—and a recommendation is then made to the minister, who makes the final decision. Ministry staff indicated that ultimately no applicant has ever been refused, although MoJHA does review proposals to ensure that they do not pursue illegal goals. Proposed names have been rejected on the basis that they are either already taken, or that they fail to conform to rules on the use of the Mongolian language.

This process, however, is open to political abuse and numerous allegations have been made that the registration system is used as a means to control newspapers (Finding MEDIA 3). In at least one case, during the 2005 presidential election, a newspaper was closed due to a dispute over ownership and over a special requirement for all newspapers to reregister (see box 3.2.3, section on Voice). Nonetheless, various stakeholders expressed during dissemination interviews the need to maintain media registration to identify publishers so that they may be held accountable for the content and quality of their reporting. As the president of Globe indicated, "the public should know who is behind the media, who is the 'real owner.'" To avoid having registration become a means to restrict content and further self-censorship (see

discussion below), the director of the Press Institute suggested that registration be done through a nongovernmental agency.

ACCESS TO INFORMATION AND THE LEGAL REGIME OF SECRECY

The media's access to information determines the extent to which they can provide information to the public. A 2005 study by the Press Institute revealed that media workers identified problems in accessing information held by public bodies as one of the most serious constraints on their work (Press Institute 2005b). General publication practices in the public sector are improving slowly.[95] A more fundamental issue, however, is that Mongolia does not have an access to information law, though the need for general legislation of this sort was identified as a key priority by all stakeholders. In 2005, the coalition government made a clear commitment to adopt such a law, including it in the Ten Steps to Intensity: The Implementation of the National Program to Combat Corruption. More recently, a working group set up by the MoJHA, which includes representatives from CSOs, has been developing a draft of the Access to Information Law and is currently seeking comments from other ministries.

Given that the Convention on Corruption recently signed by the GoM requires passage of an access to information law, it is likely that a draft of this law will be considered during the spring 2006 parliamentary session. Failing this, an opposition MP indicated during a dissemination interview that opposition leaders are willing to put it on the agenda themselves. Nonetheless, Globe International, which prepared a Draft Law of Mongolia on Freedom of Information in 2002 in collaboration with the INGO ARTICLE 19, was skeptical since the issue was on the parliamentary agenda in the fall of 2005 as well and was never addressed (Finding MEDIA 4).[96]

While there are a number of specific disclosure provisions in various laws, there is also a draconian State Secrets Law that establishes broad categories under which information may be classified, and grants individual bureaucracies the power to develop their own lists of secret documents based on these categories (Finding MEDIA 5).[97] The government, however, made a commitment in its 2005 anticorruption document to replace this law with a more narrowly drafted one. More recently, a prominent MP indicated that "there is no talk yet of modifying the state secrecy laws either within the government or among the MPs." When the question was put to a representative of the MoJHA, he responded that "this is not within [their] purview but the responsibility of the State Intelligence Agency."

The history of secretive government and bureaucratic obstacles dating from socialist rule reinforces the legal regime of secrecy. As one journalist put it: "We have to sneak around almost like thieves to get information." Obstacles include rules specifying that information may be obtained from only one central contact point; officials causing delays in providing information; and fear among lower officials of the consequences of disclosing information. Consequently, the president of Globe International indicated that reform of the state secrecy laws and introduction of a freedom of information law, although critical, would only be a first step toward changing the culture of secrecy in Mongolia.

---

[95] In the legal area, for example, many laws are still not available online, and it is difficult for nonlawyers to access them in hard copy. Moreover, only a small number of leading court decisions is published. On the other hand, court archives are generally well maintained and accessible, albeit for a fee. Mongolia's extremely ambitious plans for new technology, and particularly e-government, may help address this problem.

[96] The director of Globe International also indicated that they have not yet analyzed the new draft, which would require them to obtain additional outside funding.

[97] For example, Article 36 of the Law on State and Local Property requires publication of information prior to a process of privatization: all laws of the State Great Khural, orders of the President, and ministerial resolutions must be published (ARTICLE 19 and Globe International 2002:103).

DEFAMATION

The Defamation Law is regularly employed in response to critical reporting in the media; the vast majority of suits are initiated by politicians and other officials (Finding MEDIA 6). The Defamation Law was repeatedly cited in interviews and various studies as a serious impediment to free reporting.[98] Moreover, there have been high-profile cases of imprisonment for defamation in recent years (see box 3.2.1, in the section on Voice).[99] Although the poor quality of reporting is a very serious problem in Mongolia, the necessity of criminal defamation laws has been seriously questioned.[100] Furthermore, both the criminal and civil defamation laws do not provide internationally recognized defenses, but do provide special protection to public officials contrary to international standards.

During dissemination, various stakeholders, including MPs and a representative of the Ministry of Justice and Home Affairs, expressed their support for reform of the criminal code on defamation. One legislator indicated that "if CSOs push for this, we could get the government on board."

INTERNAL CHALLENGES

Poor Quality and the Structure of the Media

The poor quality of the media content remains a very serious problem in Mongolia despite the numerous training programs offered by both local and international groups. Factors affecting quality include funding constraints, the extent of politicization, the lack of an authoritative standard-setting body, and weak ethical and professional traditions among journalists.[101] At the same time, some excellent work is being produced. For example, TV Forum, a weekly show broadcast on national television under the sponsorship by the Open Society Forum was widely praised as opening up the debate on issues of national importance.

As to the lack of ethical or professional standards, a study by Globe International identified a number of common failings in media coverage, including a failure to check the reliability of sources or to obtain more than one source; failure to update stories with more current information; copying stories from other media sources without assessing their accuracy; and publishing stories to increase circulation without regard for their accuracy or relevance (Press Institute 2005b:15). Stakeholders noted that the problem exceeds a simple lack of commitment to ethics or professionalism and that the structure of the sector is such that ethical behavior is not rewarded by either financial reward or career advancement (Finding MEDIA 7).

According to the Globe International study, poor training also undermined professionalism. One journalist related that he was required to take a course on agriculture as part of his journalism degree, although the subject was irrelevant to his work (Press Institute 2005b:15). In another study, Globe surveyed 200 journalists, half of whom felt that journalists as a group needed to increase their professional knowledge (Globe International 2004).

[98] A 2001 study by the Mongolian Open Society Forum found that of the 79 civil defamation cases studied from the three preceding years, only four were decided in favor of the defendants (Mongolian Open Society Forum 2001b; see also ARTICLE 19 and Globe International 2002:110-115).

[99] There were no cases of imprisonment for defamation during the Democratic Party government tenure: 1996–2000 (Press Institute 2005b).

[100] One interviewee described the phenomenon of journalists' negative reporting on one person as a form of character assassination.

[101] The Press Institute survey rated distribution of false information, journalists' professional irresponsibility, and their political affiliation or dependence as the leading constraints on media quality in Mongolia (Press Institute 2004b:26).

Social and cultural considerations also affect journalistic standards. For example, sports writers find it difficult to criticize players because they are personally familiar or socially connected with many of them. A mutual acquaintance may request that the journalist refrain from a negative or unflattering account, as is also the case with politicians.

Moreover, media owners, who are all politically linked, exercise close control over political content, which results in systemic biases in coverage. There are numerous accounts of editors who either refuse to carry content or insist on a certain slant to a story. Thus, even highly qualified journalists may face obstacles from their editors or the owners of the media outlet. In light of this, stakeholders have proposed trainings for owners and editors as well as journalists.

Despite political slanting in the media, both major political parties are supported by outlets from each media subsector. As a result, stakeholders repeatedly stated that they had to read numerous newspapers to get a composite picture. There are, however, signs that the political polarization of the broadcast media has decreased since the 2004 parliamentary elections and that Mongolia Radio and Television, now PRTV, in particular, is becoming less biased toward the government and ruling party. Monitoring of the media during the 2005 presidential election campaign indicated that MRTV had become far more balanced (Globe International 2004, 2005a, and 2005b; Press Institute 2004b:25-26). It should be further noted that politicization extends to various civil society actors in the media sector, who may, as a result of their own involvement, fail to protest abuses of media freedom.

Another concern is the concentration of the media such as the vertically integrated media empire controlled by Mongol News, as well as Igel's growing network of local (aimag) newspapers (Press Institute 2004a). At present, there is no specific regulation on the concentration of ownership in the media sector or any proposal for such a legal reform.

The criminal and civil laws are the primary means for redressing harmful media content. However, this form of redress is inaccessible for most Mongolians as it is a lengthy, expensive, and unreliable process. On the other hand, when powerful economic or political actors initiate cases, the consequences are oppressive for the media outlets and for the journalists. In many countries, self-regulatory or statutory but independent bodies receive complaints from the public who claim to have been adversely affected by media content. The idea of a self-regulatory press council has been discussed for some time in Mongolia, but the serious divisions within the media community have prevented any sustainable initiative from emerging.[102] There is also discussion about a statutory press council, although there are some concerns regarding the possibility of official interference or control because, as one CSO leader noted, it is "the GoM and politicians who have politicized the media, resulting in the poor quality of the media."

A major obstacle to establishment of such a council is the serious lack of solidarity that permeates the media sector, which also hinders the ability of journalists and media owners to stand up for freedom of the press and their rights as media workers. In a 2004 Globe International survey, 50 percent of journalists indicated that the sector needs a strong organization to project its rights and interests. A lack of such an organization was cited as the most common cause of self-censorship.

[102] In the 2004 Globe International survey, 47.5 percent of journalists called for a system of self-regulation to improve ethical reporting. In that same year, the Open Society Forum and Globe International worked with various media groups to establish a temporary press jury to hear complaints about coverage of the 2004 parliamentary elections for the three months leading up to the elections.

Media Self-censorship

All of the factors discussed here, as well as the financial constraints and incentive structures noted below, place pressure on journalists to practice self-censorship (Findings MEDIA 7 and 8). There are also a number of informal restrictions that result in self-censorship. For example, critical media coverage may attract telephone calls or threats of investigations under the media registration or tax regimes. The intelligence services also allegedly monitor media output, with obvious implications for self-censorship. In addition, public officials use access to official information as a lure to mute criticism, so that friendly media outlets receive better access (Press Institute 2005b:4-10). Moreover, government funds have reportedly been channeled to the media, in particular to the yellow press that focuses on pro-government and anti-opposition "reporting." As a further reward, ministries and other public bodies are strongly encouraged to subscribe to the tabloid, News of the Century, a significant advantage, given the low circulation rates in the country.

One of the best examples of self-censorship identified by the study occurred in 2005 under the UNESCO-sponsored project "Media for Transparent Government." The president of Globe International recounted in a dissemination interview that 20 journalists had worked in teams of four to write 12 anticorruption articles. These were then published in the newspaper People's Right under the name of the team, as the journalists had refused to publicly reveal their identity for fear of reprisal. One of the teams even refused to publish an article it had investigated on corruption in the education sector, preferring to take the safer though still risky path of writing on the difficulties they faced during their investigations and the need for media legal reform. Further evidence that self-censorship is a widespread phenomenon is provided in the 2004 Globe International survey: Each of the 200 journalists polled identified self-censorship as a problem in Mongolia.

Consequences of Inadequate Funding

Inadequate funding for the media sector adversely affects the quality of output in various ways. The 2005 Survey of Civil Society Organizations (annex 6 Question HH) indicates that 43 percent of the CSOs surveyed thought that lack of funding was a significant contributing factor to the lack of investigative journalism in Mongolia. As noted above, the underlying problem is the existence of more outlets than the market can support. As a result, almost all media operate at a loss and can only survive with the financial support of a patron that contributes to politically biased coverage (Finding MEDIA 8).

As competition for sales is based on short-term returns, the media are pressured to provide sensationalist stories, regardless of their veracity. For example, one newspaper reportedly published a story about Mongolians in Saudi Arabia; the actual story had concerned Russians, but was adapted for the local audience.

"Financial journalism"—reporting a particular view in exchange for cash—is widespread and precipitated by the poor wages that journalists receive. This point was repeatedly raised in interviews with various stakeholders, while journalists complained that they were forced to write stories they did not believe to keep their jobs.

The media in any democracy have a crucial role to play in informing the public, transmitting popular views to officials, providing a forum for public debate, and monitoring public performance. A combination of legal, informal, and internal constraints undermine the media's ability to fulfill these roles. Since the end of socialism, Mongolia has made significant advances in the legal framework and in the diversification of the media sector. More is currently required to refine the legal framework, to improve implementation of progressive laws, to address the financial constraints facing the media, to build a culture of tolerance among political figures, and to promote professionalism in the media.

Findings and Recommendations: Mongolian Media (MEDIA)

Finding MEDIA 1. The current licensing regulations enable political distortions by requiring a letter of support from the local governor; failing to promote public interest broadcasting by disregarding content; and undermining the capacity of broadcasters by licensing more than the market can currently support.

Recommendation: The GoM in consultation with media-related CSOs should 1) remove the licensing requirement of a governor's signature from the law on Radio Waves; 2) regulate licensing by considering diversity of content and ownership, including nonprofit and community broadcasters; and 3) reduce the number of television licenses to reflect the capacity of the market.

Finding MEDIA 2. The full potential of the national public broadcaster (PRTV) to produce public interest programming is threatened by dramatic reductions in its sources of funding and the politicization of its new governing body, the National Council.

Recommendations:

1) In collaboration with the PRTV and media-related CSOs, the GoM should promote the capacity building of the PRTV to ensure more efficient management and resource mobilization. International donors should provide initial support for such a program, which should include investigation of cost-saving measures within broadcasting operations and exchanges with other public broadcasters who have been forced to cut back on operations (for example, the Georgian public broadcaster).
2) PRTV should monitor the impact of eliminating access to advertising resources, keeping the GoM and the public informed about adverse consequences. Should this seriously undermine the ability of PRTV to provide public interest programming, public officials should amend this restriction and establish a five-year budget to promote the autonomy of the PRTV.
3) With initial technical and financial support from the international community, media-related CSOs should monitor the implementation of the Public Broadcasting Law and initiate inquiries with the agencies or the judiciary should any shortcomings be identified.
4) The international community should provide technical assistance for the capacity building of National Council members to enable them to operate effectively and in accordance with best practices around the world.

Finding MEDIA 3. The registration system for the media threatens its independence by permitting politicization that causes delays or obstructions for those wishing to enter the market.
Recommendation: In consultation with the media and media-related CSOs, public officials should revise the registration system for the media to ensure it does not pose obstacles to potential entrants. They may transfer this responsibility to a nongovernmental agency to avoid undue political influence in the registration process. International donor agencies, INGOs, and interested CSOs should actively advocate for these changes by, for example, providing comparative materials on other countries' experiences.

Finding MEDIA 4. Although a Draft Law of Mongolia on Freedom of Information was prepared in 2002, parliament has not passed legislation to ensure access to information required by the media.

Recommendation: Public officials should take immediate action to adopt an access to information law that is in line with constitutional and international standards. In collaboration with CSOs and the media, and with initial funding from the donor community, the GoM should then promote its implementation through training and publicity.

Finding MEDIA 5. A culture of secrecy, reinforced by several broad secrecy laws, is inconsistent with open government and obstructs the media's access to information.

Recommendation: Public officials should amend secrecy laws to bring them in line with international standards. To ensure implementation, senior officials should send clear signals against undue secrecy, such as disciplining officials and civil servants who withhold information unlawfully. The GoM, with initial donor funding, should also provide ongoing training for both civil servants and politicians on the negative effects of secrecy and the benefits of open government to socioeconomic development.

Finding MEDIA 6. Defamation laws unduly restrict freedom of expression and exert a chilling effect on media reporting.

Recommendations:

1) In collaboration with other stakeholders, public officials should comprehensively review and reform the criminal and civil defamation regimes to bring them in line with international standards. At a minimum, the provision of imprisonment for defamation should be removed. International donor agencies, INGOs, and interested CSOs with an expertise on defamation laws should actively advocate for these changes by, for example, providing comparative materials on defamation laws in other countries.
2) Given the norms that have developed under the current defamation regime, stakeholders need to undertake explicit actions to ensure the implementation of reforms to the legal code. With technical and financial support from media-related CSOs and the donor community, they must revise the legal text and provide training on its implications for both journalists and the judiciary.

Finding MEDIA 7. The poor quality of media output in Mongolia is a product of inadequate funding and the related phenomenon of self-censorship, which threaten both freedom of expression and the public's right to diverse and reliable information.

Recommendations:

1) Media-related CSOs, public officials, and media representatives should have a broad social consultation to analyze the factors that influence the quality of media reporting, such as the politicization of the media, funding constraints, weak ethical or professional norms, and the concentration of media ownership. They may also consider possible actions to enhance incentives to improve quality and reliability. Special consideration should be given to the establishment of a media council that offers country-specific recommendations to address the problem of poor media reporting.
2) There should be additional training for media workers, including editors and owners, that focuses not only on promoting professional reporting, but also on enhancing the financial viability of media outlets by promoting efficiency and fundraising.
3) Senior officials should take the following measures to address the widespread phenomenon of self-censorship: Prosecute threats and acts of violence against journalists to the fullest extent of the law and publicly expose the perpetrators; stop pressure to subscribe to particular media outlets; and instruct intelligence services workers to restrict monitoring of media output to a limited set of legally defined issues related to state security.

Finding MEDIA 8. Inadequate resources contribute to the poor quality, politicization, self-censorship, and ownership concentration of media in Mongolia.

Recommendation: As the primary underlying problem is that the number of outlets exceeds the market, broadcast licensing and print registration should reflect this concern, while the concentration of media ownership should be regulated.

Annex 6. Survey of Civil Society Organizations on the Enabling Environment for Social Accountability in Mongolia

The Mongolian CSO Survey was conducted to assess the opportunities for and constraints on the ability of civil society organizations to influence the policies of the Government of Mongolia. The study was conducted in April-May 2005 by The Asia Foundation.103 Almost 100 CSOs were surveyed in two categories of respondents: a sample of randomly selected NGOs (35) registered with the Ministry of Justice and Home Affairs (MoJHA), and a list of "active" CSOs (61) identified in consultation with various NGOs, INGOs, and members of the donor community.

The team decided to take a dual approach because a survey of active CSOs would not reflect Mongolia's larger CSO environment, where access to resources (human and financial) and public officials is markedly reduced. On the other hand, a random sample of registered NGOs would not reflect the dynamic involvement of Mongolian CSOs in civic engagement and social accountability. Moreover, the team was uncertain at the outset whether TAF would gain access to the MoJHA list, and if it could, whether it would be able to locate most of these organizations and obtain their participation in the survey.104 In the end, the survey is heavily dominated by CSOs located in Ulaanbaatar (93 percent). This does not reflect a bias in the survey, however, because according to the MoJHA 90 percent of registered NGOs are based in the capital, although only 50 percent of the population resides there.
A greater number of respondents would have enhanced the survey, particularly respondents from the underrepresented provinces as well as informal organizations. Nevertheless, the findings from the survey have been very informative, confirming and clarifying the qualitative research conducted for the study.

I. ORGANIZATIONAL INFORMATION

To assess the scope of civil society organizations involved in civic engagement, we need some basic information about your organization.

In what year was your organization established?[105]

Prior to the 1990 Transition	6%
1990–96	29%
1997–2004	55%
No response	9%

Location of main office (city or province)[106]

Ulaanbaatar	94%
Other	6%

[103] Recent Politobarometer polls conducted by Sant Maral are available at the Open Society Forum Web site www.sorros.org.mn.
[104] In fact, the refusal rate for the randomly selected NGOs was nearly double the rate for active CSOs. Moreover, the list of NGOs provided by the MoJHA frequently had outdated or insufficient information, forcing TAF to take the next NGO on the list.
[105] We also asked the year in which CSOs were registered, but given that responses closely corresponded to the reported date, and a third of the respondents gave registration dates prior to the 1997 legislation that set up NGO registration, this question was dropped from our analysis.
[106] The UB-bias reflects that the category of pre-identified "active" NGOs, which constitute more than 60 percent of the respondents, is based in the capital. It is also a product of incomplete or outdated contact information from the MoJHA on NGOs outside of UB, as well as the fact that most NGOs are based in UB.

In which parts of the country does your organization operate? [107]

Hangai	45%
Central	47%
Eastern	38%
Western	44%

Is your organization membership-based?

Less than 10 members	4%
11-25 members	5%
26-50 members	6%
51-100 members	7%
101-500 members	8%
More than 500 members	12%
No members	10%
Don't know	1%
No response[108]	47%

How many people work each week at your organization?

Paid full-time (20+ hrs)	68%
Volunteer full-time	29%
Paid part-time (<20 hrs)	28%
Volunteer part-time	55%

Which of the following activities is your organization involved in?

Legal services	19%
Monitoring government services or performance	18%
Training and capacity building	72%
Provision of services	28%
Research/publications	39%
Other	43%

What areas does your organization work in?

Education	41%
Environment	27%
Economic development	22%
Social development	43%
Human, political, or civil rights	40%
Media/information	22%
Women/family	29%
Other	37%

II. INVOLVEMENT IN SOCIAL ACCOUNTABILITY

The questions in this section of the survey are intended to assess the opportunities and constraints on the ability of your organization to influence public policy and conduct.

[107] A total of 57 percent of the respondents reported operating in a region outside of UB.

[108] As the survey did not include "no members" as a response, which some respondents added, a significant number of those who did not respond (47 percent) undoubtedly do not have members.

How frequently has your organization been involved in the following activities?

	At least monthly:
Comment publicly on official conduct or policy	23%
Undertake advocacy for a change in public policy or legislation	26%
Meet or correspond directly with public officials (informally)	56%
Participate in a public hearing/meeting	61%
Participate in state commission or advisory committee	21%
Monitor government expenditure	7%
Monitor the performance of public services	22%
Analyze budgets or explain them to citizens	8%
Other	11%

In your opinion, which of the activities described in the previous question are likely to result in changes in public policy, legislation, or conduct of public officials?

	Often to Almost Always:
Comment publicly on official conduct or policy	53%
Undertake advocacy for a change in public policy or legislation	60%
Meet or correspond directly with public officials (informally)	66%
Participate in a public hearing/meeting	40%
Participate in state commission or advisory committee	35%
Monitor government expenditure	42%
Monitor the performance of public services	58%
Analyze budgets or explain them to citizens	50%
Other	0%

J. In relation to the activities listed above, how frequently have you received the following types of responses from public officials?

	At least sometimes:
Your recommendations were incorporated and policy or conduct changed	44%
Public official(s) were held accountable for wrongdoing	4%
Received direct feedback (for example, in the form of a letter or telephone call)	41%
Received negative feedback (for example, in the form of criticism or sanction)	35%
Received no feedback or response	34%
Other	1%

Rate the following types of public officials according to the degree to which they are receptive to the activities listed in Questions H and I.

	At least usually receptive:
National officials	45%
Local officials	48%
Senior officials	37%
Middle- and low-ranking officials	40%

Are public officials working in certain ministries or policy areas more or less receptive to the activities listed in Questions H and I?

Some are more receptive	8%
Some are less receptive	26%
No difference between ministries or policy areas	18%

Over the last 12 months have public officials become more responsive to efforts by civil society organizations to influence public policy or conduct?

Much more responsive	17%
More responsive	33%
No change	30%
Less responsive	4%
Much less responsive	6%
Don't know	8%
No response	1%

In your opinion, are there sufficient opportunities for civil society organizations to influence policy, legislation, and conduct of public officials in the following areas?

	At least somewhat sufficient:
Voice views on public policy, legislation, and conduct of officials	64%
Monitor implementation of policy, legislation, and conduct of officials	32%
Monitor public allocations and expenditure	13%
Monitor performance of public services	28%
Negotiate with public officials to influence policy and legislation	43%

Question on the ability of CSOs to influence public policy, legislation, and the conduct of officials dropped due to mistranslation.

In your opinion, is the relationship between the government and CSOs cooperative or confrontational?

Very cooperative	3%
Somewhat cooperative	57%
Somewhat confrontational	19%
Very confrontational	7%
None of the above	2%
Don't know	3%
No response	8%

III. ORGANIZATIONAL RESOURCES

To assess the opportunities as well as the constraints on the ability of civil society organizations to influence the policies and conduct of public officials, in this section we seek to determine the level and types of resources that your organization has at its disposal.

Does your organization have an office?

Own a building	25%
Rent an office	57%
Use someone's home	3%
No office	10%
Other	2%
No response	2%

Does your organization own or have access to the following (check all that apply)?

Vehicles	41%	up to 7 vehicles, 71% only 1
Telephone	91%	up to 10 telephones, 46% only 1

Computer	95%	up to 40 computers, 21% only 1
Internet	80%	
Other	31%	

What was the size of your organization's annual budget in 2004?

< 1 million MT	16%
>1-5 million MT	8%
>5-10 million MT	6%
>10-15 million MT	9%
>15-20 million MT	1%
> 20 million MT	43%
Don't know	1%
No response	16%

Does the size of your budget vary greatly from year to year?

Varies dramatically	12%
Varies somewhat	43%
Varies little	29%
Never varies	4%
No response	13%

Please indicate the percentage of your 2004 budget that came from the following sources:109

	No. of responses:	Mean of reported:
Member fees and contributions	38	33%
Local private contributions	33	24%
Profit-making activities	41	31%
Funding from Mongolian public sources (GoM)	11	24%
Funding from international donors	43	64%
Cooperation with international NGOs	34	44%

If your organization has received government funding, please indicate the terms, and which ministry disbursed the funds.[110]

Contract with a government office	10%
Other form of funding	3%
No funding received	62%

In your opinion, is the allocation of public resources (funding, contracts) to CSOs sufficiently transparent and fair?

Transparent and fair	9%
Transparent but not fair	12%
Fair but not transparent	6%
Neither fair nor transparent	58%
Don't know	9%
No response	5%

[109] The varying level of "no response" suggests that those who do not have this budget source did not respond, which of course influences the mean. This is one indication why a face-to-face interview would have been preferable had there been more time.

[110] The percentage of CSOs that reported receiving government funding in Question U (12 respondents) is almost identical to those who reported having a GoM contract or other funding in Question V (13 respondents**).**

If you do not believe that the allocation of public resources is transparent and fair, which of the following are factors?

Contracts are often given to CSOs with links to GoM	24%
Contracting is too bureaucratic	34%
Funds provided are insufficient to deliver quality products	26%
Instructions on how to obtain GoM awards are not available to the public	30%
Information about who was awarded is not disclosed	37%
Very few CSOs meet requirements to access public resources	54%
Other	7%

In your opinion, which of the following pose a significant constraint on the ability of your organization to raise or obtain funds? [111]

	At least somewhat significant:
Laws and regulations	55%
The policies of international donors	47%
Political interference	47%
CSO is unknown	47%
Too few sources of funds	65%
Lack of time for fundraising	30%
Don't know	5%
Other	7%

In your opinion, which of the following pose a significant obstacle to CSOs obtaining funding from international donors?[112]

	At least somewhat significant:
Funding processes are not competitive enough	51%
Funding processes are not transparent enough	57%
Funding is too short term	43%
Funding is too focused on project work rather than overheads	62%
Funding is limited to a one-time grant for a project	46%

IV. INFORMATION

To assess the opportunities as well as constraints on the ability of civil society organizations to influence policies and conduct of public officials, we need to establish the types of information sought, received, and disseminated by your organization.

How many times has your organization requested documents or other information from public authorities?

Very rarely	4%
From time-to-time	52%
Frequently	37%
Never	6%

[111] There was a wide range of "no responses" on Question Y, ranging from 19 percent on limited sources as a constraint on ability to raise or obtain funds to 37 percent for lack of time to fundraise. It is unclear as to whether the lack of a response reflects disagreement about the significance of the factor or lack of knowledge.

[112] There was also a wide range of "no responses" on Question Z, ranging from 24 percent on funding that was too project-focused to 37 percent for funding that was limited to a one-time grant.It is unclear as to whether the lack of a response reflects disagreement about the significance of the factor or lack of knowledge. One response noted a "language barrier."

No response	1%

BB1. If you have requested information, was it provided?

Almost always	13%
Sometimes	56%
Rarely	13%
Almost never	10%
Not applicable	4%
No response	4%

BB2. If you have never requested information, why not?[113]

Did not expect to receive the information	1%
Did not know how to request information	3%
Concerned about reaction a request would generate	5%
Government information is not relevant to our work	3%

CC. Question on GoM openness to civic engagement/social accountability committed due to mistranslation.

DD. Through which of the following sources does your organization receive information from the government?

Government publications (journals, newsletters)	87%
Government Web sites (specify)	49%
Independent Web sites	18%
Informally from officials (private meetings)	63%
Informally from other individuals	31%
Public TV/radio	74%
Private TV/radio	58%
Newspaper(s)	73%
Seminars, conferences, other events	63%
Other	10%

V. VOICE AND MEDIA

To assess the opportunities as well as constraints on the ability of civil society organizations to influence the policies and conduct of public officials, we need to establish the autonomy of the media, its relationship your organization, and other mediums at your disposal to voice concerns and opinions as well as disseminate information.

EE. In your opinion, do any of the following influence media coverage in Mongolia?

	At least some influence:
Political pressure	83%
Legal pressure (for example, threat of defamation or libel suit)	75%
Economic pressure (writing for pay)	83%
Sociocultural pressures (for example, impropriety of airing dirty laundry)	59%

[113] The 20 responses to Question BB2 were made by respondents who had either not responded to Question AA or stated that they never requested information (6), very rarely (2), and from time to time (7). However, there were also several respondents to Question BB2, who answered as to why they did not request information but had in fact stated that they frequently requested information (4).

FF. Question on factors that make media more dependent omitted due to mistranslation.
In your opinion, is the media conducting sufficient investigative journalism (for example, exposing corruption or violations of law)?

Sufficient	2%
Somewhat sufficient	26%
Insufficient	56%
Don't know	1%
No response	15%

If there is insufficient investigative journalism, which of the choices below are significant impediments to this?

	At least somewhat significant:
Fear of reprisals (for example, from the government)	68%
Lack of training	38%
Lack of commitment to this	64%
Lack of funding	43%

II. Has your organization ever received media coverage for any of the following?

An activity or event organized by your organization	69%
Interviewed/profiled your organization	72%
Referred to your organization in a story or program	60%
Covered issue in response to request from your organization	49%
Other	6%
Don't know	3%

JJ. In the last year, has your organization used any of the following means for disseminating information?

Produced radio or TV programs	58%
Written articles for publication in a magazine or newspaper	65%
Produced a regular publication (for example, a newsletter)	26%
Written or published books or research papers	54%
Maintained a Web site	39%
Contributed to a Web site	28%
Disseminated information via e-mail	47%
Issued press releases	42%
Given media interviews	71%
Bought advertising	14%
Other	4%

VI. NEGOTIATION

To assess the opportunities as well as constraints on the ability of civil society organizations to influence the policies and conduct of public officials, we need to establish the ability of civil society organizations to negotiate with public officials, including the availability of forums for negotiation.

KK. Over the last year, how frequently has your organization participated in the following?

	At least monthly:
National government/ministry/national council meeting	26%
National public forum or hearing	14%
Legislative hearing	26%
Local council (aimag, soum, or bag)	20%
Other	4%

LL. How effective were these activities in influencing public policy?

	At least somewhat effective:
National government, ministry, or council meeting	30%
National public forum or hearing	40%
Legislative hearing	50%
Local council	26%
Other	2%

MM. In your organization's particular field, please indicate the extent to which you feel you have an adequate opportunity to present your views to the government

Sufficient opportunity	27%
Quite a lot of opportunity	29%
Some opportunity	32%
No opportunity	5%
Don't know	2%
No response	4%

VI. INFORMATION ABOUT THE RESPONDENT

NN. Your position in the organization:

Director	67%
Staff member	16%
Volunteer	1%
Board member	3%
Other	10%
No response	3%

OO. Your gender:

Male	49%
Female	49%
No response	2%

PP. Your age:

21-30	12%
31-40	24%
41-50	41%
51-60	15%
>60	7%
No response	2%

Annex 7. Opinion Poll on Government Relations with Mongolian Civil Society

The purpose of the opinion poll was to gauge popular views on the relationship between the Government of Mongolia and Mongolian civil society. The study was conducted in May 2005 by Sant Maral, a Mongolian NGO with extensive experience in opinion polling.[114] There were slightly more than 600 randomly selected respondents to the poll; half of them reside in Ulaanbaatar, while the rest reside in three other randomly selected aimags. One of the aimags is Uvorkhangai, where we conducted interviews to confirm our findings from the capital and strengthen the case studies.[115]

In evaluating Mongolia's political economy, the two most important issues identified by respondents were economic issues, although they generally considered the economy to be better than the political situation in Mongolia today (Questions A-C). After unemployment (53 percent) and poverty (38 percent), the third most important issue cited was corruption (24 percent), which nearly all respondents consider to be a serious political obstacle (Question G).

One of the most significant findings from the poll was that the overwhelming majority of respondents (92 percent) indicated that they knew little to nothing about civil society organizations (Question Q1). This may explain why the level of confidence in CSOs was extremely low (29 percent), especially when contrasted with the prime minister (60 percent) and the president (69 percent), though not nearly as low as either the judiciary (24 percent), or political parties (14 percent), with which the ordinary citizens presumably have greater familiarity (Question I). The respondents' assessment of the role and influence of CSOs should be considered in this light.

A. What is your opinion of the current economic situation in Mongolia?

Very good	.3%
Good	7%
Mixed	54%
Bad	33%
Very bad	5%
Don't know	1%

B. What is your opinion of the current political situation in Mongolia?

Very good	.2%
Good	8%
Mixed	39%
Bad	42%
Very bad	7%
Don't know	4%

[114] Recent Politobarometer polls conducted by Sant Maral are available at the Open Society Forum Web site www.sorros.org.mn.
[115] Although several NGOs in Uvorkhangai responded to our questionnaire, the overwhelming majority of respondents to the CSO survey are based in Ulaanbaatar (see annex 6).

C. What are the most important sociopolitical or economic issues in Mongolia today?[116]

Education	23%
Health	21%
National economy	21%
Unemployment	53%
Corruption	24%
Poverty	38%
Environment	6%
Other(s)	2%

D. Are public officials concerned about the issues you identified in question C?

Very concerned about these issues	3%
Somewhat concerned about these issues	37%
Little concern for these issues	43%
Not at all concerned about these issues	14%
Don't know	3%

E. Are these issues being effectively addressed by government officials and politicians?

Very effective in addressing these issues	10%
Somewhat effective in addressing these issues	20%
Not very effective in addressing these issues	41%
Totally ineffective in addressing these issues	18%
Don't know	11%

F. What are the greatest political obstacles to addressing economic issues?

Insufficient financial resources	32%
Insufficient technical expertise	13%
Lack of political will	20%
Political instability	35%
Political dominance of a single party	14%
Corruption	36%
Other	5%

G. If you consider corruption to be a serious political obstacle, which of the following sociopolitical and economic factors are the most important sources of corruption?

Weak political institutions	18%
Political legacy of the previous socialist regime	6%
Inadequate anti-corruption laws	42%
Inadequate access to information about GoM activities	16%
Low incomes	36%
Informal economy	22%
Weak or disempowered CSOs	9%
Weak or politicized media	7%
Other	9%
Corruption is not a serious obstacle	.5%

[116] For Questions C, F, and G respondents were asked to list up to two issues. Consequently the responses total more than 100 percent.

H. To what degree are the following institutions or sets of actors responsible for reducing the corruption of public institutions?

At least somewhat responsible:	
Prime Minister	81%
President	79%
Parliament	76%
Judiciary	73%
Political parties	60%
Local governors	62%
Local khurals	58%
The media	71%
Civil society organizations	54%
Mongolian citizens	73%

I. What is your level of confidence in the following social and political institutions?

	Confident or very confident:
Prime Minister	60%
President	69%
Parliament	37%
Judiciary	24%
Political parties	14%
Local governors	31%
Local khurals	30%
Media	28%
Civil society organizations	29%

J. Are coalition governments more likely to improve the government's performance through political consensus or increase corruption through political conspiracy between members of the coalition government?

Improve GoM performance through political consensus	28%
Increase corruption as result of political conspiracy	33%
Improve GoM performance in some areas and corruption in others	34%
Neither improve GoM performance nor increase corruption	5%
Don't know	17%
No response	.8%

K. Are public officials effective in the following areas?

	Effective or very effective:
Providing access to education	40%
Insuring the quality of education	23%
Reducing poverty	7%
Protecting the environment	8%
Providing access to natural resources	13%
Addressing women's issues	15%
Reducing domestic violence	15%

L. How much influence do citizens have on public officials in the following areas?

	At least some influence:
Policy making	32%
Policy implementation	31%
Legislation and legal reform	20%
Budget allocations and expenditures	18%

M. Have you ever attempted to influence public officials in any of the following ways?

	At least occasionally
Write to a public official	7%
Attend a public hearing	14%
Meet with a public official	14%
Participate in call-in radio program with a public official	7%
Petition a public official or government agency	18%
Lobby for the passage, reform, or elimination of legislation	3%
Participate in a demonstration or rally	24%

N. Do you know your representative to:

The national khural	84%
The aimag khural	40%
The soum khural	29%

O. Did you vote in the last parliamentary elections?

Yes	87%
No	13%
No response	.3%

Which party do you support? (optional)

MPRP	41%
Motherland-Democratic coalition	37%
Other party	3%
No response/missing	20%

P. Do you plan to vote in the upcoming presidential election?

Yes	92%
No	4%
Don’t know	3%
No response/missing	.9%

P1. Which candidate are you supporting? (optional)

Enkhbayar (MPRP)	36%
Enkhsaikhan (MDP)	18%
Erdenebat (Motherland)	3%
Jargalsaikhan (Republican)	12%
Don’t know	20%
No response/missing	12%

Q1. How much do you know about civil society organizations in Mongolia?[117]

A lot	.3%
Enough	8%
A little	51%
Nothing	41%

Q2. How much influence do civil society organizations have on Mongolian public officials and politicians in the following areas?

	At least some influence:
Policy making	49%
Policy implementation	47%
Legislation and legal reform	36%
Budget allocations and expenditures	25%

R. Are CSOs making an important contribution to Mongolia in the following areas?

At least some influence:	
Mobilizing resources for their members, constituents, or community	47%
Organizing social activities for members, constituents, or community	49%
Providing information to citizens about budget revenues and expenditures	33%
Monitoring performance of government	34%
Engaging public in discussion over issues of public concern	49%
Gathering opinions to communicate to public institutions or officials	44%
Communicating government positions on issues of public concern	50%
Assisting government in policy implementation (for example, GoM contracts)	37%

S. How effective are CSOs at addressing the needs of their members or constituents in the follow areas?

	Effective or very effective:
Representing their political interests	35%
Promoting their political awareness	36%
Promoting their political activism	37%
Representing their economic interests	32%
Promoting their economic activities	32%
Promoting their sociocultural interests	36%
Providing them with a social community	35%

T. Have you personally benefited from the assistance of a CSO in any of the following areas?

Representing your political interests	5%
Promoting your political awareness	8%
Promoting your political activism	14%
Representing your economic interests	8%
Promoting your economic activities	11%
Promoting your sociocultural interests	12%
Providing you with a social community	11%
Other	6%

[117] After testing the survey, Sant Maral discovered a significant number of respondents could not respond to Questions S through W. Question 1 was, therefore, added and pollsters were instructed to move on to Question W if respondents indicated that they knew nothing about CSOs (41 percent). Consequently, the number of potential respondents for Questions 2 through W was reduced from 606 to 355.

U. Are most civil society organizations autonomous of public officials and politicians?

All are autonomous	7%
Most are autonomous	8%
Some are autonomous	16%
Few are autonomous	12%
None are autonomous	3%
Don't know	11%

V. Which of the following are important roles for the Mongolian media to play?

	Very important:
Reporting on national events	76%
Reporting on local events	67%
Informing the public about major issues and debates	72%
Providing competing views of major issues and debates	60%
Engaging the public in discussion over issues of public concern	66%
Communicating government's positions on issues of public concern	71%
Reporting on the performance of government institutions and officials	61%
Gathering public opinions to communicate to public institutions/officials	70%
Reporting on international donor activities in Mongolia	62%

W. What types of information in the Mongolian media are important to you?

	Very important:
Information about government policies	54%
Information about political debates	45%
Information about the economy	49%
Information about civil society organizations and their activities	31%
Information about international events	33%
Information about sports and other leisure activities	32%

X. Are most members of the media autonomous of public officials and politicians?

All are autonomous	4%
Most are autonomous	15%
Some are autonomous	26%
Few are autonomous	20%
None are autonomous	10%
Don't know	20%
No response/missing	7%

Y. What is your gender?

Male	43%
Female	57%

Z. How old are you?

< 21	9%
21-30	24%
31-40	27%
41-50	21%
51-60	12%
>60	7%

AA. What is your profession?

Public sector employee	14%
Small business owner	17%
Large business owner	.3%
Private sector employee	19%
Student	7%
Housewife	11%
Unemployed	22%
Other	9%

BB. Education

None	.5%
Primary[118]	15%
Secondary	38%
Vocational	22%
Higher	25%

CC. Location

Ulaanbaatar	51%
Uvorkhangai	17%
Sukhbaatar	16%
Khuvsgul	17%

[118] Also includes those who did not complete secondary school.

Annex 8. Stakeholders' Map

CSO NAME	CONTACT INFORMATION	CORE ACTIVITY AREAS	DOCUMENTS	INTERVIEWS
Agriculture Risk Management Center	Ms. Oyun, Coordinator risk@agronet.mn jemr@magicnet.mn Tel: 976-11-323230	Risk assessment		May 2, 2005 Focus Group: May 3, 2005
Association Against Alcoholism and Drug Addiction in Uvorkhangai Aimag	Mr. Enkhtsogt, Head Cell: 976-99-712656	Support services for reforming alcoholics and drug addicts		April 28, 2005
Association of Employment	Ms. Oyunchimeg, President			Focus Group: May 3, 2005
CEDAW Watch and Democracy Support Group	Ms. Zanaa Jurmed, Director zanaa@magicnet.mn www.iowc.org.mn/cedaw Tel/Fax: 976-11-328798 Tel: 976-11-328823 Cell: 976-99291777 Mr. Enkhsaikhan Jargalsaikhn, Enkhee53@yahoo.com Icsf-200@magicnet.mn www.icsfd.org Cell: 976-99-162908 Ms. T. Undarya undarya@mobinet.mn Cell: 976-9927-3230 Suite 09, Bagatoiruu-44 Sukhbaatar District P.O. Box 636 Ulaanbaatar-46A	Monitors implementation of CEDAW convention on status of women Promotes CSOs and democracy Implements CIVICUS Survey and Democracy Index	Civil Society Partnerships for Democracy ICSF (2003) Violence Against Women and Legal Framework in Mongolia (2002) Civil Society Index, Preliminary Report (January 2006)	Feb. 14, 2005 May 2, 2005 March 1, 2006 Focus Group: March 3, 2006
Center for Citizen Education	Dr. R. Narangerel, Dir. cce@magicnet.mn Tel/Fax: 976-11-313619 Tel: 976-91911799 (H) P.O. Box 1165 Ulaanbaatar-11	Education	Mongolian NGOs Blueprint for Development (2000)	Feb. 17, 2005

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

CSO NAME	CONTACT INFORMATION	CORE ACTIVITIY AREAS	DOCUMENTS	INTERVIEWS
Center for Human Rights and Development	Dr. Urantsooj Gombosuren, Chair chrd@mongolnet.mn urantsooj@mongolnet.mn www.owc.org.mn/chrd Tell/Fax: 976-11-325721 Cell: 976-99-192857 P.O. Box 551 Central Post Office Ulaanbaatar-13	Research, training, documents violations, helps capacity building of NGOs on report writing, lobbying * Co-authored courses with National Legal Center	Violence Against Women and Legal Framework in Mongolia (2002) Political Participation of Women in Mongolia: An Outline of Country Report (1999)	April 2005 Focus Group: May 3, 2005
Center for Rural Women's Empowerment	Ms. Otgonbayar, Director			Focus Group: May 3, 2005
Center for Women's Development	Ms. Oyunsan, Director			Focus Group: May 3, 2005
Center of Female Lawyers	Ms. Nyamjav, Executive Director			Focus Group: May 3, 2005
Confederation of Mongolian Journalists	Ms. Sarangerel, Head Tel: 976-11-330948 Assistant's Cell: 976-91188017	Media union		Focus Group: May 3, 2005
Consumer Rights Protection Association	Mr. D. Togtokhbayar, Director www.owc.org.mn Tel: 976-11-329783	Protects interests and rights of consumers		Focus Group; May 3, 2003
Democracy Education Center	Ms. Undral GoMbodorj, Director demo@magicnet.mn Tel/Fax: 976-11 310560 Cell: 99164419 P.O. Box 308 Ulaanbaatar-13 Ms. Oyungerel	Strengthens civil society through education on democracy and promotion of active citizenship NGO capacity building; democracy education; school for young political leaders, volunteers		Feb. 17, 2005 Focus Group: May 3, 2005
Employers' Union	Mr. Baatar			Focus Group: May 3, 2005
Federation of Private Universities and Colleges	Mr. Avir, Chief of Chancellery			Focus Group: May 3, 2005

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

CSO NAME	CONTACT INFORMATION	CORE ACTIVITIY AREAS	DOCUMENTS	**INTERVIEWS**
Gandan Monastery	Mr. Choijamts, Hamba Lama Mr. Purevbat, Buddhist monk, mibapur@yahoo.com www.mibart.org Tel: 976-11-362008 or 363831 Fax: 976-11-360354 Cell: 976-99194670	Buddhist religious institution		Feb.18, 2005 April 26, 2005
Gandantsemnel Monastery	Mr. Tugs, Head Lama and Mr. Yangiv, Ven Gesgui Lama Uyanga Soum, Uvorkhangai Aimag	Buddhist religious institution		April 29, 2005
Gender Center for Sustainable Development	Ms. Amgalan, Executive Director terbish_amgalan@yahoo.com, www.wirc.mn Tel/Fax: 976-11325627	Promotes women's role in and benefits from development	Survey Report on NGO-Implemented Assistance in Social Sector in Mongolia (2000)	April 28, 2005 Focus Group: May 3, 2005
General Committee of the Pioneers	Mr. Samdansuren			Focus Group: May 3, 2005
Globe International	H. Naranjargal globe@magicnet.mn http://www.globeinter.org/en/index.php Tel: 976-11-324627 D. Munkhburen, Executive Director Cell: 976-11-99189576 J. Tuul, Law Program Coordinator tuulj@mongolnet.mn Tel/Fax: 976-11-324764 Sukhbaatar duureg, City Cultural Palace,Tower A, #334	Media Draft of Freedom of Information legislation Independent media project that led to Public Service Broadcasting legislation Currently pursuing 1 percent rule, parallel to Hungary's, to set aside 1 percent of the 10 percent income tax for charities	See Bibliography	Feb. 18, 2005 April 24 and 28, 2005, March 2, 2006. Focus Groups: May 3, 2005, March 3, 2006

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

CSO NAME	CONTACT INFORMATION	CORE ACTIVITIY AREAS	DOCUMENTS	INTERVIEWS
Inforum NGO	Mr. B. Lutaa, Director and Editor of Info newspaper and New Times online magazine nomad_lut@yahoo.com , www.newtimes.mn, www.mongoliatoday.com Lutaa@adonline.mn Tel: 976-11-312919 (O) Cell: 976-99113306			
Japan-Mongolian Information Technology Association	Mr. B. Erdenesuren, President and MP erdenesuren@mail.parl.gov.mn Tel: 976-11-266457 Fax: 976-11-322866 Cell: 976-99113468 Assistant's Cell: 976-99883222	ICT Distribution of Japan-donated computer equipment in schools		May 3, 2005
Just Society (or Healthy Society)	Ms. Ichinnorov lcslr@magicnet.mn www.olloo.mn www.owc.org.mn/lcslr Tel: 976-11-329895 Fax: 976-11-327898 Cell: 976-99153273 Mr. Batzandan, Leader www.entik.net Cell: 976-99111403	Corruption Rallies and sit-ins in Spring 2005		Feb. 15, 2005 April 25, 2005 March 2, 2006
Kyokushuzan Development Foundation	Mr. Tumurbaatar, Deputy Director			Focus Group: May 3, 2005
Lawyers' Center for Legal Reform (or Just Society0	Ms. Ichinnorov, Head lcslr@magicnet.mn www.olloo.mn www.owc.org.mn/lcslr Tel: 976-11-329895 Fax: 976-11-327898 Cell: 976-99153273	Legal reform TV programs to educate on legal rights Legal cases to challenge system		February 2005

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

CSO NAME	CONTACT INFORMATION	CORE ACTIVITIY AREAS	DOCUMENTS	INTERVIEWS
Liberal Women's Brain Pool NGO	Ms. P. Baigalmaa, Executive Director pbaigal@leos.mn leos@magicnet.mn www.leos.mn Tel: 976-11-319774 Fax: 976-11-312865 Cell: 976-99820871	Promotes political and socioeconomic development in Mongolia	Mongolian NGOs Blueprint for Development (2000)	
Liberty Center	Ms. Oyungerel, Advisor to PM oyunlta@yahoo.com www.liberty-center.org Tel: 976-11-304387 Fax: 976-11-322727 Cell: 976-99175324 Ms. A. Ariuntuya, Director Tel: 976-11-321297	Human rights, especially legal and political Engages judicial system with goal of systemic change: success in 20 out of 40 cases	Environmental Movements Burst as Mongolian Mining Industry Booms. http://www.liberty-center.org/	Feb. 15, 2005 April 27, 2005
Mamba Datsang Monastery	Mr. Amgalan, Abbot			Focus Group: May 3, 2005
Mining Association	Mr. Alagaa, Head mongma@mobinet.mn Tel: 976-11-314877 Fax: 976-11-319563 Cell: 976-99127929 Mr. P. Ochirbat, President Tel: 976-11-327233 Cell: 976-99117505	Promotes mining industry		May 2, 2005 Focus Group: May 3, 2005
Mobile to Mongolia	Mr. Bilegsaikhan			Focus Group: May 3, 2005
Mongolian Association for Local Governance Authorities	Mr. D. Manaljav, Head Cell: 976-99172152 Mr. M. Mandakh, Deputy Director Cell: 976-91914003	Promotes local governance and decentralization	The Manifesto on Local Self-governance of Mongolia (2001)	April 26, 2005
Mongolian Association for Primary and Secondary School Development	B. Jadamba, Director jadamba@magicnet.mn Tel: 976-11-311588 School of Education Studies, Room 29 Ulaanbaatar-48	Education		

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

CSO NAME	CONTACT INFORMATION	CORE ACTIVITIY AREAS	DOCUMENTS	INTERVIEWS
Mongolian Association of Higher Educational Schools	B. Erdenesuren, President and MP erdenesuren@mail.parl.gov.mn Tel: 976-11-266457 Fax: 976-11-322866 Cell: 976-99113468	Education		
Mongolian Bar Association	Ms. Orkhon, Desk Officer			Focus Group: May 3, 2005
Mongolian Democratic Socialist Women's Association	Dr. Dulbaagiin Altai, Chair and former MP Mdswa94@yahoo.com mmatsfl@magicnet.mn Tel: 976-51-262249 Fax: 976 11-321136 Room 506, Central Building of MPRP	Women's wing of the MPRP though registered as an NGO		Feb. 17, 2005
Mongolian Development Gateway	Ms. Tsetseg-Ulzii Yadamsuren, Executive Director tsetsegu@magicnet.mn www.gateway.mn Tel: 976-11-319367 Cell: 99091156 P.O. Box 349 UB 210646-A Suite 109-B National Informtion Tech Park Baga Toiruu-49 List Serve: demo-ngos@gateway.mn	ICT Provides Internet forums and sub-portals for discussion on policy issues	Current Status of ICT Development in Mongolia (2003)	Feb. 16, 2005 Focus Group: May 3, 2005
Mongolian Education Alliance	Ms. Enkhtuya, Executive Director Tel: 976-11-329285 Cell: 976-99283618 Ms. Baasanjav, Implementation Manager	Promotes education sector, focusing on teacher training and curriculum development	MEA Pamphlet List of MEA Partner Schools The Class Monitor: Product and Producer of a "Darga Mentality" in the Classroom	April 26, 2005 March 1, 2006 Focus Group: March 3, 2006
Mongolian Information Development Association (MIDAS-MONITA)	S. Enkhjargal, Executive Director secretary@ict.mn Tel/Fax: 976-11-329902 Cell: 976-99129385 Ms. Ariuntsetseg			April 26, 2005 Focus Group: May 3, 2003

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

CSO NAME	CONTACT INFORMATION	CORE ACTIVITIY AREAS	DOCUMENTS	INTERVIEWS
Mongolian Information Network Media and Strategy NGO	Mr. Bat-Orgil, Executive Director info@mn.org.mn www.min.org.mn Tel/Fax: 976-11-324632 Cell: 976-99116632	Media		April 29, 2005
Mongolian National Chamber of Commerce and Industry	Mr. S. Demberel, Director chamber@mongolchamber.mn www.mongolchamber.mn Tel: 976-11-324620 or 324489 Fax: 976-11-312707 Cell: 976-99112509 Ms. Zolzaya, Director (UV) Tel: 976-01322-23858	Promotes business	Corruption in Business Sector (2000)	
Mongolian Women's Association	J. Erdenechimeg, President Tel: 976-11328336 Fax: 976-11320790 Cell: 976-99095474 Ms. Ariunaa, Executive Director www.owc.org.mn/mwa Tel: 976-11328336 Fax: 976-11320790	Women		Focus Group: May 3, 2005
Mongolian Youth Federation	Mr. Zorigtbaatar, President Zorig68@yahoo.com http://Mongolianyouth.org Tel/Fax: 976-11-322046 Baga Toiruu-44 Ulaanbaatar Ms. Oyuntsetseg	Youth		Feb. 17, 2005 Focus Group: May 3, 2005

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

CSO NAME	CONTACT INFORMATION	CORE ACTIVITIY AREAS	DOCUMENTS	INTERVIEWS
National Association of the Elderly	Mr. Tserendorj, Director Tel/Fax: 976-11-326138 Cell: 976-91115353 Mr. Odonchimeg, Social Worker	Elderly		Focus Group: May 3, 2005
National Center Against Violence	Ms. D. Enkhjargal, Head mongolcav@magicnet.mn www.ncav.org Tel: 976-11-329850 Fax: 976-11-318087 Cell: 976-99194012 Ms. Purevsuren, (Uvorkhangai aimag) Tel: 976-01322-23737(H) 976-01322-22884 (O) Cell: 976-99240762	Worked on recent legislation on: -Domestic violence - Violence against women and the legal framework in Mongolia	Violence Against Women and Legal Framework in Mongolia (2002) With TAF, Fact Sheet on Domestic Violence (2003) With Amnesty International, Catalogue for Photo Exhibit on Gender in Mongolia,	April 27, 2005 March 2, 2006 Focus Groups: May 3, 2005 March 3, 2006
National Network of Mongolian Women's NGO	Ms. D. Baljinnyam, Head Tel: 976-11-328263	Women		
Ochirbat Foundation	Mr. P. Ochirbat, Head First President of Mongolian Republic, Former President of the Mining Association Tel: 976-11-327233 Cell: 976-99117505			May 2, 2005

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

CSO NAME	CONTACT INFORMATION	CORE ACTIVITIY AREAS	DOCUMENTS	INTERVIEWS
Ongi River Movement (ORM)	Munhbayar, Head Tel: 976-11-327781 Cell: 976-99823551 Mr. Amarsanaa, Executive Director ongii@chinggis.comm www.ongiiriver.mn P.O. Box 264 Ulaanbaatar 210535 Mr. Chandmani. Advisor chandmani@chinggis.com Tel: 976-11-341918 (O) Tel: 976-11-368466 (H) Cell: 976-99132604 Gendentogmid, Mr.Davaasuren, and Tumurchudur, members of Ongi River Movement, Uyanga Soum, Uvorkhangai Aimag	Environment (mining) - Education of population and public officials - Conducted 8 soum town hall meetings - Conducted letter drive targeting 76 MPs, GoM, and the President - Campaigned to get MoNE to assess causes of river's disappearance - Lobbying to change and implement environmental protection laws - Inspired creation of other watershed-based CBOs with which it is currently seeking to form a union under "Rivers at Risk"	Letter to N. Enkhbayar, Prime Minster, April 14 (2002) Invitation Letter to Director of Retona Ink Mongolia Co., Ltd. (2002) Invitation Letter to Mr. Badamdorj, Director of Baket Co., Ltd. (2002) Letter to N. Enkhbayar, Prime Minister (2003) Letter to N. Bagabandi, The President of Mongolia and Head of National Security Consul, #10 (2003) Some facts about the violation of laws and regulations by mining entities operating in upstreams of Khangai mountain range, and by national and local policy makers Letter to N. Enkhbayar Leader of MPRP, #46 (2004) Request letters to N. Enkhbayar, Leader of MPRP; M. Enkhsaikhan, Leader of MDP; and B. Erdenebat, Leader of Mongolian New Socialist Party, #46/47/48 (2004) Request letters to the Head of the Citizens' Representative Khural and Governor of Soum (2004) Introduction letters to the President of Mongolia and Standing Committees of Parliament (2004) See Bibliography for additional documents produced by ORM	April 25, 29 2005; May 2, 2005; March 1, 2006

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

CSO NAME	CONTACT INFORMATION	CORE ACTIVITIY AREAS	DOCUMENTS	INTERVIEWS
Open Society Forum	Ms. P. Erdenejargal, Executive Director jargal@soros.org.mn , www.forum.mn Tel: 976-11-313207 Fax: 976-11-324857 Jamiyan Gun Street-5/1 Sukhbaatar District Ulaanbaatar- 48 Ms. Gerelmaa, Social Sector Manager Mr. Delgertsogt, Research Fellow N. Dorjdari, Manager dorjdari@soros.org.mn www.forum.mn Cell: 976-99-199594 Ms. Bayartsetseg, Rule of Law Program Coordinator bayar@soros.org.mn	- Election campaign-financing project, - Access to justice project - NGO legal regulation - Freedom of information - Open and transparent budget - Ethics of politicians - Information and communication technology policy - Role of media during elections	School 2001, Evaluation Project Year 1 (1999) School 2001, Evaluation Project Year 2 (2000) Report on Internet for Project Rural Schools (2001) Survey Report 2003, Internet and Information Needs of NGOs (2003) Directory of Mongolian NGOs (2003) Evaluation Report: First Project Phase 2000 –2004, Rural School Development Project in Mongolia (2004) Striking Balance Between Central and Local Government (2005)	Feb. 18, 2005 Feb. 18, 2005 April 28, 2005 May 3, 2005 Focus Groups: May 3, 2005 March 3, 2006 Feb. 18, 2005 April 28, 2005 March 2, 2006
Political Education Academy	Dr. D. Ganbat, Executive Director ganbat@apemongolia.org info@apemongolia.org pecademy@mobinet.mn www.apemongolia.org www.owc.org.mn/pea Cell: 976-99119112 P.O. Box 337 Ulaanbaatar 210620 Ms. Pagma Ariunjin, (UV) Tel: 976-01322-23440	Governance and decentralization - Training and seminars - Applied research - Publishing periodicals, brochures, and textbooks		Feb. 15, 2005 May 3, 2005, Feb. 28, 2006 Focus Group: March 3, 2006 Focus Group: May 3, 2005

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

CSO NAME	CONTACT INFORMATION	CORE ACTIVITIY AREAS	DOCUMENTS	INTERVIEWS
Press Institute	Munhmandah, Managing Director munkhmandakh@pressinst.org.mn pim@pressinst.org.mn www.pressinst.org.mn Tel/Fax: 976-11-350002 Ms. Oyuntsetseg, Teacher of "Journalist" College and Deputy Director of Training Department ravdano@yahoo.com , www.owc.org.mn/Press_Institute Tel: 976-11-353476 Cell: 976-99238768	- Supports median transparency program by Globe International along with the Zorig, Foundation and UNESCO	Freedom of Information in Mongolia: Case Study Report (2005)	April 28, 2005 Feb. 27, 2006 Focus Group: March 3, 2006
Red Cross	MP Odonchimed, President redcross@magicnet.mn www.redcross.mn Tel: 976-11-311941 Fax: 976-11-320934	Public service delivery: Health - Blood donor program funded by Govt		Feb. 14, 2005
Rivers at Risk		Environment - Umbrella organization for environmental organizations focused on rivers		
Sant Moral Foundation	Mr. Sumati, Director lsumati@magicnet.mn Tel: 976-11-350543 Fax: 976-11-350542 Cell: 976-99116373	- Conducts surveys including political polls and is involved in World Bank business survey	Politbarometer (2004-06) http://www.opensocietyforum.mn/res_mat/SMPBM04.6_eng.pdf	Feb. 17, 2005 April 25, 2005 May 3, 2005 Feb. 27, 2006
Social Development Center	Mr. Gantumur, Director csd@mongolnet.mn Tel: 976-11-329607 Cell: 976-91911926			April 26, 2005

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

CSO NAME	CONTACT INFORMATION	CORE ACTIVITIY AREAS	DOCUMENTS	INTERVIEWS
Supreme Council of Condominium Associations of Mongolia	Ms. Shatarkhuu Jargalsaikhan, Executive Director, Tsognyam, Chief sccam@mobinet.mn www.owc.org.mn/sccam Tel/Fax: 976-11 323106 Khvsgalchdiin Avenue Ulaanbaatar-38	Owners association/ public service delivery - Mediation - Builds capacity of associations - Attempts to get action by local officials on issues and unlawful constructions		Feb 18. 2005
Suvd	Bolorchuluun, Director suvd615@yahoo.com Tel/Fax: 976-11-318529 Cell: 976-91910615	Provides legal service		April 29, 2005
Tseh	Mr. Lamjav, Lawyer Cell: 976-99118804	Protects human and constitutional rights		May 2, 2005
Union of Savings and Credit Unions	Ms. Munkhtuya			Focus Group: May 3, 2005
UNMENGO	Dr. Jamsran Batbold, President umengo@magicnet.mn batbold@magicnet.mn www.umengo.mn Tel/Fax: 976-11-315306 Cell: 976-99113499 P.O. Box 192 Ulaanbaatar-46	Environment - Umbrella organization for CSOs involved in environmental issues	A. Bolat, Deputy Minister of Nature &Environment, Request letter to D. Odbayar, Governor of Dornod Aimag, # 4/1400 (2002) D. Odbayar, Governor of Dornod Aimag, Reply letter to A. Bolat, Deputy Minister of N&E, #1/674 (2002) N. Ekhbayar, Prime Minister of Mongolia, Submission of Proposal to S. Tumr-Ochir, Parliament Speaker (n.d.)	April 26, 2005
Voters Education Interest	Ms. Burmaa (also WSP), Director wsp@magicnet.mn www.mol.mn/wsp Tel: 976-11-328291 Cell: 976-99117596	Citizen and voter education		Feb. 18, 2005 May 2, 2005 March 1, 2006 Focus Group: March 3, 2006

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

CSO NAME	CONTACT INFORMATION	CORE ACTIVITIY AREAS	DOCUMENTS	INTERVIEWS
Women For Social Progress, (Ulaanbaatar Headquarters)	Ms. Burmaa (also VEI), Director wsp@magicnet.mn www.mol.mn/wsp Tel: 976-11-328291 Cell: 976-99117596	Citizen and voter education	Report on Issues of Soum Government Budgets (2001)	Feb 18, 2005 May 2, 2005 March 1, 2006 Focus Group: March 3, 2006
Women For Social Progress, Uvorkhangai	Ms. Byambaa, Director uvwsp@chinggis.com Tel/Fax: 976-01322-22667 Cell: 976-99182189	Citizen participation in governance and decision making, monitoring government actions. Operated 40 projects, 90 percent of which involved citizen monitoring (see annex 2 for list of activities)	Report on Issues of Soum Government Budgets (2001)	April 29, 2005 March 1, 2006 Focus Group: March 3, 2006
Women's Leader Fund	Ms. Bolormaa, Head wlfound@magicnet.mn Tel: 976-11-328263 Cell: 976-91197177	Promotes women in leadership positions		April 26, 2005 May 3, 2005
World Wildlife Fund	Ms. Chimeg, Director wwfmon@magicnet.mn, chimeg@magicnet.mn Tel: 976-11-318447 Fax: 976-11-310237			April 26, 2005 Focus Group: May 3, 2005
Zorig Foundation	Ms. Oyun, Chair and MP oyuna@mail.parl.gov.mn Tel: 976-11-323645 Fax: 322866 Government House 251 Ulaanbaatar-12 Ms. Naranzul, Executive Director naranzul@mail.parl.gov.mn Tel/Fax: 976-11-315444	Governance and corruption - On board of Transparency International - Supports Globe International project on media transparency	Final Report on the project "Monitoring of the Implementation of the Government's National Anti-Corruption Program (NACP) in Mongolia and the Role of the Open Society in Fighting Corruption (2004)	Feb 17, 2005 April 26, 2005 Feb. 28, 2006 Feb. 29, 2006

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

AFFILIATION	CONTACT	Civic Engagement/ Social Accountability ACTIVITIES	CSO COLLABORATION	OTHER
PUBLIC OFFICIALS				
Prime Minister	Mr. Ulaan, Deputy Prime Minister, Tel: 976-11-304387 Fax: 976-11-322727 Cell: 976-99175324 Ms. Oyungerel, Advisor to PM oyunlta@yahoo.com www.liberty-center.org Mr. Enkhbat, PM's Office responsible for LIF Bloc Grant, Cell: 976-99860741		Liberty Center, "Project Implementation Manual" for the Local Initiative Fund (2003)	April 25, 2005 April 26, 2005 April 30, 2005
President	Mr. Bayasgalan Gungaa, Legal Advisor bayasgalan@presi.pmis.gov.mn State House Ulaanbaatar-12 Tel: 976-11-324419 Fax 976-11-311121			Feb 15, 2005

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

AFFILIATION	CONTACT	Civic Engagement/ Social Accountability ACTIVITIES	CSO COLLABORATION	OTHER
State Great Khural (Parliament)	Mr. B. Erdenesuren, MP erdenesuren@mail.parl.gov.mn Tel: 976-11-266457 Fax: 976-11-322866 Cell: 976-99113468 Assistant's Cell: 976-99883222			May 3, 2005
	Mr. Batuul, MP and Leader of the Mongolian Democratic Party			Feb. 28, 2006
	Ms Oyun, MP Civil Will oyuna@mail.parl.gov.mn Tel: 976-11-323645 Fax: 322866		Chair, Zorig Foundation	Feb. 26, 2005 April 30, 2005; Feb. 27, 2006
	Nadine Kreisberger, Advisor Nadine@inmongolia.com Cell: 99175015 Government House 251 Ulaanbaatar-12			
	D. Idevkhten, MP			Feb. 27, 2006
	M. Sharavdorj, MP			Feb. 28, 2006
Mongolian Standing Committee on the Economy	Mr. Damiran, MP and Committee Chair Tel: 976-11-260749 or 262569 Fax: 976-11-322569			May 2, 2005
Mongolian Standing Committee on State Structure	Mr. C. Batbold, MP and Committee Chair batbold@mail.parl.gov.mn Tel: 976-11-320382, 976-11-320385 Cell: 976-99117130 Fax: 976-11-322866			April 25, 2005
	Gavaagiin Chagnaadorj, Coordinator			

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

AFFILIATION	CONTACT	Civic Engagement/ Social Accountability ACTIVITIES	CSO COLLABORATION	OTHER
Cabinet Secretariat	Mr. Bayartsogt, State Secretary and MP, Chief of Cabinet bayartsogt@prime.pmis.gov.mn bayartsogt@mail.parl.gov.mn Tel: 976-11-263501 or 323501 Fax: 976-11-315401 Mr. Battuvshin, Local Governance Advisor to Cabinet Secretariat Cell: 976-99117458			April 25, 2005
Communication Regulatory Commission	Ms. Ninjbolor, Expert, Regulatory Department Tel: 976-11304258 Cell: 976-99094688 Mr. D. Myanganbaatar, Expert of Radio Frequency, Regulatory and Monitoring Department myanganbaatar@crc.gov.mn www.crc.gov.mn Tel: 976-11-304257 Fax: 976-11-327720 Cell: 99096727	Media	Procedure to issue special (broadcasting) license (2002)	April 29, 2005 Feb. 27, 2006
Economic Policy Department	Mr. Enkhbayar, bayar.n@mailcity.com enkhbayar_n@corp.mofe.mn Tel: 976-11-264772 Fax: 976-11-325383			April 26, 2005
ICT Authority	Mr. Chimed Saikhanbileg, Chair saikhanbileg@icta.gov.mn www.icta.gov.mn Tel: 976-11-319626 Fax: 330780 Cell: 99118687 Bat-Amgalan Boldbaatar, Vice Chair boldbaatar@icta.gov.mn www.icta.gov.mn Tel: 976-11-330791 Fax: 976-11-330780 P.O. Box 785 Central Post Office Sq. Sukhbaatar-1 Ulaanbaatar-13 211213 Mr. R. Ganbold, Director General of Policy and Planning			April 29, 2005 Feb. 29, 2006

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

AFFILIATION	CONTACT	Civic Engagement/ Social Accountability ACTIVITIES	CSO COLLABORATION	OTHER
Mineral Resource and Petrol Authority	Mr. Lu Bold, Chair Tel: 976-11-263707 Assistant's Tel: 976-11-263701	Environment	See Bibliography	May 3, 2005
Ministry of Culture, Education, and Science	Mr. Tumur-Ochir, Vice Minister SbTumurochir@med.pmis.gov.mn Tel: 976-11-260613 976-11-267131 Fax: 976-11-260613 Government Building 3, Room # 110 Ulaanbaatar		See Bibliography	April 26, 2005; May 3, 2005
Ministry of Finance and Economics	Mr. Khurelbaatar, State Secretary and creator of Open Government Web site, Chair of National Council for Millennium Challenge Account Tel: 976-11-264346 or 976-11-320247 Fax: 976-11-323447 Mr. Jargalsaikhan E. Namjildorj, General Director of Economic Policy Department		Law on Public Sector Management and Finance (2002).	Feb. 18, 2005 April 26, 2005 March 1, 2006
Ministry of Justice and Home Affairs	Mr. Tserendorj, State Secretary T. Altangerel, Head, Foreign Relations and Cooperation Division Tel: 976-11327700 or 325225			Feb. 16, 2005 April 28, 2005; Feb. 27, 2006
Ministry of Nature and Environment (MoNE)	Mr. Adiya, State Secretary Tel: 976-11-326595 Mr. B. Bayasgalan, Director, Department of Sustainable Development and Environment bayasaa35@hotmail.com olonlog@mongol.net Tel: 976-11-326616 or 976-11-264166 Fax: 976-11-321401 Cell: 976-91910091	Environment	Letter to Ts. Munkbayar, Head of ORM. Reply letter, #4/2130, October 10 (2002)	May 2, 2005 Feb. 29, 2006

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

AFFILIATION	CONTACT	Civic Engagement/ Social Accountability ACTIVITIES	CSO COLLABORATION	OTHER
Mongolian Standing Committee on Budget	Mr. R. Badamdamdin, MP and Chairman badamdamdin@mail.parl.gov.mn Tel: 976-11-329758 Fax: 976-11-311798 Cell: 976-99114609 Baigalmaa, Assistant Tel: 976-11-312346 Cell: 976-99199593			May 2, 2005 Feb. 28, 2006
Mongolian State Auditing Control and Inspection Committee	Mr. Javzmaa, Chairman Tel: 976-11-264653			May 2, 2005
Mongolian State of Democracy Conference	Hulan, Manager Tel: 976-11-319603			May 3, 2005
Mongolian State Property Committee	Mr. N. Enkhbold, Chairman enkhbold@spc.gov.mn Tel: 976-11-312460			April 28, 2005
National Human Rights Commission of Mongolia	Mr. S. Tserendorj, Chief, s.tserendorj@nhrc-mn.org Tel: 976-11-320284 Fax: 976-11320284 Cell: 976-99115421 Jadamba Dashdorj, Commissioner j.dashdorj@nhrc.mn www.nhrc.mn Tel: 976-51-266717 (O) Tel: 976-11-366547 (H) Fax: 976-11-262971 Room 503 Government Building 11, Liberty Square, Ulaanbaatar-38 Ms. G. Zoljargal, Public Affairs Officer g.zoljargal@nhrc-mn.org Cell: 976-9159794	Human rights	Human Rights and Freedoms in Mongolia: Status Report 2003 Human Rights and Freedoms in Mongolia: Status Report 2004	Feb. 17, 2005 April 25, 2005

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

AFFILIATION	CONTACT	Civic Engagement/ Social Accountability ACTIVITIES	CSO COLLABORATION	OTHER
National Legal Center (Judicial Research, Training and Information)	Dr. Jugnee Amarsanaa, Director Tel: 99186759 Fax: 976-11-315735 amrsna@yahoo.com D. Orosoo, Researcher Tel: 976-11-315734 Cell: 976-99193620 Dr. Dorjdamba Zumberellkahm, Head of Sector for Criminological Research Tel: 976-11460997 Ulaanbaatar-46		Assessment of the Mongolian Law on Non-Governmental Organizations (2000) Regulation on registration of legal entities (newspapers, religious organizations, NGOs) (n.d.) Regulation on visiting parliament (2004)	Feb. 15, 2005 April 27, 2005; March 1, 2006
Parliamentary Standing Committee on Education, Culture and Science	Mr. B. Erdenesuren, MP and Chairman erdenesuren@mail.parl.gov.mn Tel: 976-11-266457 Fax: 976-11-322866			May 3, 2005
Ravisher Soum, Uvorkhangai Aimag	Ch. Chinbat, Aimag Deputy Governor Togtokhsuren (MPRP), Secretariat of Khural Tel: 976-01322-22354		Report on the investigation on legality of the resolution issued by O. Batmunkh, Governor of Uvorkhangai aimag, #128 (2003)	April 28 and 29, 2005
Supreme Court Justice	Baasan Tsognyam, Chief Justice			April 25, 2005
UB School # 2	Mr. Yadamsuren, Director of School # 2, Principal			May 2, 2005
Uyanga Soum, Uvorkhangai	Mr Mishigdorj, Soum Governor Mr Baatar, Head of Citizens Representative Khural Tel: 976-01322-22200 Mr. Dorjsuren, State Environment Inspector at Uyanga Soum Mr. Ganhugel, School Principal Ms. Tungalag, Social Worker Mr. Tungalag and Bold, Parent Representative Council, Schools #1 and #2, Uyanga Soum			April 28 and 29, 2005 May 5, 2005

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

AFFILIATION	CONTACT	Civic Engagement/ Social Accountability ACTIVITIES	CSO COLLABORATION	OTHER
MEDIA				
Eagle TV	Mr. Tom Terry, General Director tom@eagletvmongolia.com Tel: 976-11-457431 Cell: 976-99113967	Media		April 25, 2005
Inforum NGO	Mr. B. Lutaa, Director and Editor of Info newspaper and New Times online magazine			
Mongol Times (weekly) Newspaper	Uynga former Editor-in-Chief Tel: 976-99193467			April 27, 2005
Mongolian Info Network Media and Strategy NGO	Mr. Bat-Orgil, Executive Director info@mn.org.mn www.min.org.mn Tel/Fax: 976-11-324632 Cell: 976-99116632	Media		April 29, 2005
Mongolian National Television	Chonai Kulanda, General Director mrtv@magicnet.mn ckulanda@magicnet.mn Tel/Fax: 976-11-328939 Cell: 976-99-112531 P.O. Box 365 Huvisgalyn Zam-3 Ulaanbaatar-11	Media		

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

AFFILIATION	CONTACT	Civic Engagement/ Social Accountability ACTIVITIES	CSO COLLABORATION	OTHER
Mongolian Radio and TV Broadcasting	Mr. Batbayar Sharavjamts, Vice Chair mrtv@magicnet.mn Tel/Fax: 976-11-32-72-57 Cell: 976-11-65-02 P.O. Box 365 MRTV Huvisgalyn Zam-3 Ulaanbaatar-11 Mr. Purevdash Baaran, Director General mrtv@magicnet.mn Huvisgalyn Zam-3 Ulaanbaatar-13 210524 Mr. Batzorig Tuvshintugs, Head of Foreign Relations batzorig@fastmail.fm Tel: 967-11-326663 Fax : 327234 Cell: 91166888 Khuvisgalyn Zam-3 Ulaanbaatar-11 21524 Mr. Nyamaa Tungalag, Director, Financial Department Tel/Fax: 976-11-327257 Mr. Myagmar, Executive Director of PRTV 323801 mrtv@magicnet.mn	Media	Budget of Public Service Broadcasting (2004 and 2005)	Feb. 5, 2005 April 27, 2005 Feb. 28, 2006
Steel Pen Rural Newspaper Association	Mr. Lhvagasuren, Director			
TV 9	Mr. Enkhbat Tsend, General Director enhbat@tv9.mn www.tv9.mn Tel/Fax: 976-11-343647			
TV 25	Mr. Altai, Executive Director and journalist Tel: 976-91197913 or 976-11330796 or 9919123 or 95258625			

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

AFFILIATION	CONTACT	Civic Engagement/ Social Accountability ACTIVITIES	CSO COLLABORATION	OTHER
UB Post	Ms. Bulganaa			Focus Group : May 3, 2005
Wind FM 104.5	Mr. Batjargal, Owner and operator windfm@mongol.net Tel: 976-11-461045 Fax: 976-11-461212			April 29, 2005
INTERNATIONAL DONORS				
Asian Development Bank	Mr. Barry J. Hitchcock, Country Director The Honorable N. Altanhuyag, Minister of Finance, Governor for Mongolia, ADB adbmnrm@adb.org http://www.adb.org/MNRM/ Tel/Fax: 976 11 313 440/323507 Fax: 976 11 311 795 MCS Plaza, 2nd Floor, 4 Natsagdory Street Ulaanbaatar-46 Ms. Tsagaach, Education Expert of Public Administration Reform Program tsagaach@magicnet.mn Tel: 976-11-260325. Fax: 976-11-329877		See Bibliography	April 26, 2005
AusAid	www.ausaid.gov.au			
Canada Fund	www.acdi-cida.gc.ca			
Danida	Tel: 976-11-361299 Fax: 976-11-361245			
Japanese Government (JICA)	Tel: 976-11-325939 Fax: 976-11-310845 www.jica.go.jp/mongolia/english/index.html			

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

AFFILIATION	CONTACT	Civic Engagement/ Social Accountability ACTIVITIES	CSO COLLABORATION	OTHER
UNDP	Mr. Tur-Od, Governance Program Officer Tel: 976-11-330597 Ms. Seema Tikare, Senior Urban Poverty Expert seema@ulaanbaatar.mn seema@cape.com Tel: 976-11-330597 Fax: 976-11-330598 Ulaanbaatar Municipality Building, Room 225, Sukhbaatar Square-11 Ulaanbaatar Ms. Bolormaa, Urban-Rural Poverty Program 319177 Bolormaap2001@yahoo.com Mr. Joachim Nehem, Governance Program	Key themes: democracy, governance, poverty reduction, economic transition, and environment * social audit and citizen report cards * funding Democracy Index and CIVICUS	"The Guide: UNDP in Mongolia: A Partnership for Progress, Poverty Eradication, Environment, Governance" (1997) Mongolian NGO Capacity Survey to Support Sustainable Human Development (1997) Report on "NGOs Needs Assessment Study in China, Mongolia, and ROK" (1999) Survey Report on "NGO- Implemented Assistance in Social Sector in Mongolia" (2000)	Feb. 18, 2005 Feb. 28, 2006 March 1, 2006
UNICEF	Richard Prado, (Philippines) Representative unicef@magicnet.mn http://www.un-mongolia.mn/unicef Tel: 976-1-312185, 312183, 312197 312201, 312213, 312217 Fax: 976-1-327313	Youth		
USAID	Mr. Leon S. Waskin, USAID Representative LWaskin@usaid.gov Tel: 976-11-312390 Fax: 976-11-300440 Cell: 976-99119946 Robert La Mont, Judicial Reform Project rlamon@magicnet.mn Tel: 976-11-327696 Fax: 976-11-310335 Cell: 976-99114390	Judicial reform project		March 3, 2006 April 26, 2005

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

AFFILIATION	CONTACT	Civic Engagement/ Social Accountability ACTIVITIES	CSO COLLABORATION	OTHER
INGOS				
Adventist Development and Relief Agency International (ADRA)	Mr. Richard Sandell, Education Coordinator webmaster@adra.org.mn www.adra.org.mn info@adra.org.mn Tel: 976-95151251, 976-11-315730 Fax: 976-11-311458, 976-11-311970	Education		May 4, 2005
Asia Foundation	Mr. T. Layton Croft, Country Rep (through May 2005) William Foerderer Infante, Country Rep (from Jan. 2006) lcroft@asiafound.mn laytoncroft@yahoo.com Cell: 976-9911-3339 Tel: 976-11-330-524, 323-413 Fax: 976-11-311-497 UN Street 18 P.O. Box 1003 UlaanBaatar-13 210613	Development	See Bibliography	April 24 and 26, 2005 Focus Group: May 3, 2005
Friedrich Ebert Foundation	www.fesdc.org	Development		
Konrad Foundation	Dr. Thomas Schrapel, Country Representative kasmon@magicnet.mn Tel: 976-11-350544, 976-11-350546 Fax: 976-11-350542 Erhuugiin Gudamj 5 P.O. Box 337 Ulaanbaatar 210620 Mr. Batmunkh, Program Manager kasmon@magicnet.mn www.kas.de Tel: 976-11-350-544, 350-546 Fax: 976-11-350-542 Cell: 976-99094082 Erchuugiin Gudamj 5 P.O. Box 337 Ulaanbaatar 210620	Focus on political parties, parliament, media, and civil society		Feb. 18, 2005

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

AFFILIATION	CONTACT	Civic Engagement/ Social Accountability ACTIVITIES	CSO COLLABORATION	OTHER
Mercy Corps	Mr. Silas Everett, CS Program Manager (2005) silas@mercycorps.org.mn Tel: 976-11-460968 Cell: 976-99131299 Mr. Sean Granville-Ross, Deputy Chief of Party and Rural Economy Advisor sean@mercycorps.org.mn Mr. Sam Kane, Rural Agribusiness Support sam@mercycorps.org.mn Tel: 976-11-460905 Fax: 976-11-40967 P.O. Box 761 Ulaanbaatar-49 Ms. Olena Burian olena@mercycorps.org.mn Ms. Mandal mandal@mercycorps.org.mn	Training, advocacy, and networking program Service improvement manual results for My Aimag 2005	"Civil Society Development in Mongolia" (2002) "Training, Advocacy, and Networking Program: Program Guide, 2004/2005" (n.d.) Service Improvement Manual Results for "My Aimag 2005: A Management Framework for Local Service Providers" (2005) "Rural Government Procurement Assessment" (Training in Advocacy for NGOs 2005)	Feb. 14, 2005 May 3, 2005 March 1, 2006
Pact	Mr. Steven Buxt, Senior Technical Advisor- Information for Development stevan@gob.initiatine.org.mn Tel: 976-11-460901 Fax: 976-11-461048 Cell: 976-99119618 Mr. Ganhuyag, Editor-in-Chief www.pactworld.org , www.rbn.mn Tel: 976-11-460901 Cell: 976-99117922	CSO capacity building		April 26 and May 4, 2005
Save the Children	Mr. Stephen Morrow, Interim Program Director monscf@magicnet.mn www.savethechildren.mongolia.mn Tel: 976-11-329371, 329365 Fax: 976-11-329361	Development and relief work for children		

ANNEX 8. STAKEHOLDERS' MAP (CONTINUED)

AFFILIATION	CONTACT	Civic Engagement/ Social Accountability ACTIVITIES	CSO COLLABORATION	OTHER
World Bank	Mr. Saha D. Meyanathan, Country Manager and Resident Representative smeyanathan@worldbank.org Tel: 976-11-312347, 976-11-312654 Fax: 976-11-312645 Ms. B. Oyunbileg, Consultant (Gender and Participation) obaasanjav@worldbank.org www.worldbank.org Mr. D. Bayartsogt, Rural Development Operations Officer dbayartsogt@worldbank.org	Development	See Bibliography	May 5, 2005 Feb. 28, 2006
World Vision	Mr. Warren Ferdinandus, Country Representative Tel: 976-11-345323, 345464 Fax: 976-11-345322 warren_ferdinandus@wvi.org	Development		
ACADEMIA				
Academy of Management	Mr. D. Tserendorj, Director of School of Public Administration, Former Head of "Good Governance" UNDP project mmatsfl@magicnet.mn Tel: 976-11-342152 Fax: 976-11-343037 Cell: 976-99115825 P. Darisuren, Professor Tel: 976-11-342190 Fax: 976-11-343037 Ms. Otgontuya, Professor Tel: 976-11-342190 Fax: 976-11-343037 Cell: 976-99167565	Public management and policy		April 25, 2005
National University of Mongolia	Dr. S. Narangerel, Director, School of Law Ms. Selengee, Director, Global Consensus	Education	A Micro Study of Internal Migration in Mongolia (2001) In-Migration Survey Report (2004)	April 27, 2005 Focus Group: May 3, 2005

Bibliography

Ackerman, John M. 2004a. Social Accountability for the Public Sector: A Conceptual Discussion. Washington, DC: World Bank.

---. 2004b. "Co-Governance for Accountability: Beyond Exit and Voice." World Development. 32 (3): 447–63.

---. 2004c. State-Society Synergy for Accountability: Lessons for the World Bank. Washington, DC: World Bank.

Amarsanaa, J. 2000. Assessment of the Mongolian Law on Non-Governmental Organizations. Ulaanbaatar: National Legal Centre.

Amnesty International. 2003. Mongolia. www.amnesty.org.

Arroyo, Dennis. 2004. Summary Paper on Stocktaking of Social Accountability Initiatives in Asia and Pacific (draft). Washington, DC: World Bank.

Article 19. 2002. Memorandum on the Law of Mongolia on Public Radio and Television. London: Article 19.

---. 2003. Memorandum on the Law of Mongolia on Freedom of Information. London: Article 19.

--- and Globe International. 2002. Report on Media Law Reform in Mongolia. Ulaanbaatar: Mongolian Foundation for Open Society.

Asian Development Bank.1997. Governance: Promoting Sound Development Management. Manila: Asian Development Bank.

---. 2002. Mongolia's Environment, Implications for ADB Operations. Manila: Asian Development Bank.

---. 2003a. Capacity Building for Integrated Regional Development. Manila: Asian Development Bank.

---. 2003b. Program Completion Report on the Education Sector Development Program in Mongolia. Manila: Asian Development Bank.

---. 2004a. Governance: Progress and Challenges in Mongolia. Manila: Asian Development Bank.

---. 2004b. Legal Empowerment in Mongolia: Mongolia Country Study Asia Regional Report Overview. Manila: Asian Development Bank.

The Asia Foundation. 2000. "Financial Sustainability of Local Non-Governmental Organizations." Notes from seminar, September 2000. Ulaanbaatar.

---. 2003a. Annual Report. www.asiafoundation.org.

---. 2003b. Narrative Report and Minutes of Civil Society Review Round Table Discussion. August 14-15, Ulaanbaatar.

---. 2004a. Mongolia. Ulaanbaatar: Asia Foundation.

---. 2004b. Mongolia's Legal Empowerment Country Paper. www.asiafoundation.org.

---. 2004c. Ongi River Movement Program: Only Local Community Can Save the River. Concept paper. Ulaanbaatar: The Asia Foundation.

---. 2005. Strengthening Legislative Research and Analysis Capacity of Mongolia's State Great Khural. Ulaanbaatar: The Asia Foundation.

Barsbold, U. 2002. Ministerial Order: Taking Actions Relating to Ongi River. 19 (January 22).

Batnasan, N. 2003. Freshwater Issues in Mongolia. Proceeding of the National Seminar on IRBM. 53–61. Ulaanbaatar, Sept. 24-25.

Bruun, Ole, and Ole Odgaard. 1996. Mongolia in Transition. Richmond, U.K.: Curzon Press, Ltd.

Bures, Oldrich. 1980. Mongolia and its Mass Media. Prague: International Organization of Journalists.

Center for Citizenship Education, and Liberal Women's Brain Pool. 2000. Mongolian NGOs' Blueprint for Development. Ulaanbaatar: The Asia Foundation.

Center of Mongol Management Company, Ltd. 2004. Research Report on Fiscal Decentralization. RFP: 3657 MOG/2020-04VG. Ulaanbaatar.

Certificate of ORM as an NGO. December 11, 2001.

Chuluun, D. "Erel and Seligadar Mongolia Stopped their Gold Extractions." Zuuni Medee. April 20, 2002.

Chuluunbaatar, G., Advisor to Speaker, Chancellery Office of Parliament of Mongolia. 2002. Letter to U. Barsbold, Minister of Nature and Environment. 4 (651, September 13).

CIVICUS. 2001. Using the Civil Society Index: Assessing the Health of Civil Society: A handbook for using the CIVICUS Index on Civil Society as a Self-Assessment Tool. Johannesburg, South Africa: World Alliance for Citizen Participation, www.civicus.org.

---. 2006. Civil Society Index Country Report. Preliminary draft. January.

Commonwealth Foundation, and CIVICUS. 1999. Citizens and Governance. London: Commonwealth Foundation.

Communication Regulatory Commission. 2002. Procedure to Issue Special License (broadcasting, airing). Ulaanbaatar.

Dung, Alison, Batjargal Ayush, Bolormaa Tsetgee, and Tumerdelger Sengedorj. 2006. Mongolia. Document and international report on education received from the Mongolian Education Alliance, Ulaanbaatar.

Economist Intelligence Unit. 2006. Country Profile: Mongolia. London.

Finch, Christopher. 2002. “Mongolia in 2001: Political Consolidation and Continued Economic Reform.” Asian Survey 42 (January-February): 39–45.

---. 2005. “Civil Society in Mongolia’s Development and Governance: An Overview of Trends, Constraints, and Opportunities.” Washington, DC: World Bank.

Fish, Steven M. 1998. “Mongolia: Democracy without Prerequisites.” Journal of Democracy 9 (3): 127–41.

---. 2001. “The Inner Asian Anomaly: Mongolia’s Democratization in Comparative Perspective.” Communist and Post-Communist Studies. 34 (3): 323–38.

Fratkin, Elliot. 1997. “Pastoralism: Governance and Development Issues.” Annual Review of Anthropology 26: 235–61.

Freedom House. 2003a. Freedom in the World: Mongolia, 1999–2003. www.freedomhouse.org.

---. 2003b. Freedom of the Press 2003—A Global Survey of Media Independence. www.freedomhouse.org.

Freedom House. 2005. Freedom in the World: Mongolia 2005. www.freedomhouse.org.

Fritz, Verna. 2002. “Mongolia: Dependent Democracy.” Journal of Communist Studies and Transition Politics 18 (4): 75–100.

Gender Center for Sustainable Development. 2003. Survey Report on NGO-Implemented Assistance in Social Sector in Mongolia. Ulaanbaatar.

Ginsburg, Tom. 1995. “Political Reform in Mongolia: Between Russia and China.” Asian Survey 35 (5): 459–71.

---. 1998. “Mongolia in 1997: Deepening Democracy.” Asian Survey 38 (1): 64–68.

Globe International. 2003. Government Transparency and Citizens’ Right to Access Information. Ulaanbaatar.

---. 2004. Democratic Elections and Media Project: Evaluation Survey Report. Ulaanbaatar.

---. 2005a. First Report on Media Coverage of the 22 May Presidential Election. Ulaanbaatar.

---. 2005b. Second Report on Media Coverage of the 22 May Presidential Election. Ulaanbaatar.

---. 2005c. Final Monitoring Report on the 2005 Presidential Election. Ulaanbaatar.

Globe International, Press Institute, and the Zorig Foundation. Freedom to Journalists! Final report on the Media for Transparent Governance Project. October 2005.

Goetz, Anne Marie, and John Gaventa. 2001. Bringing Citizen Voice and Client Focus into Service Delivery. IDS Working Paper No. 138, Institute of Development Studies, Brighton.

Grayson, Robin, William Murray, U. Tuul, Ts. Delgertsoo, and Baatar Tumnbayar. 2003. Ninja Gold Miners of Mongolia: Assistance to Policy Formulation for the Informal Gold Mining Sub-sector. Ulaanbaatar.

Griffin, Keith B., ed. 2003. Poverty Reduction in Mongolia. Port Melbourne, Australia: Southwood Press.

Humphrey, Caroline. 2003. "Avgai Khad: Theft and Social Trust in Post-Communist Mongolia." In The Unmaking of Soviet Life: Everyday Economies After Socialism. New York: Cornell University.

Ickowitz, Amy. 2003. "Poverty and the Environment." In Poverty Reduction in Mongolia, ed. Keith Griffin, Port Melbourne, Australia: Southwood Press.

Information and Communications Technology Authority. 2006. Welcome to 2006 ICT Year Mongolia. Ulaanbaatar.

International Budget Project. 2004. "Findings of the 2004 Open Budget Questionnaire." http://www.internationalbudget.org/openbudgets.

International Centre for Not-for-Profit Law. 2003. Comments on and Recommendations for Amendments to the Law of Mongolia on Non-Governmental Organizations. www.icnl.org.

International Monetary Fund. 2001. Mongolia: Report on the Observance of Standards and Codes—Fiscal Transparency. Washington, DC: IMF.

---. 2003. Mongolia: Joint Staff Assessment of the Poverty Reduction Strategy Paper. Washington, DC: IMF.

James, Ross, and Eila Romo-Murphy. 2003. "Findings: Media Survey 2002 in Ulaanbaatar, Mongolia." Media Asia 30 (2): 103 –08.

Kaplonski, Christopher. 2004. Truth, History and Politics in Mongolia. New York: Routledge.

Liberty Center. 2005. Environmental Movements Burst as Mongolian Mining Industry Booms. http://www.liberty-center.org/.

Malena, Carmen, Reiner Forster, and Janmejay Singh. 2004. Social Accountability: An Introduction to the Concept and Emerging Practice. Social Development Paper. World Bank, Washington, DC.

McLean, Keith. 2001. An Assessment of Decentralization in Mongolia. Washington, DC: World Bank.

Mearns, Robin. 2002. Decentralization, Rural Livelihoods and Pasture-Land Management in Post-Socialist Mongolia. Bellagio, Italy.

Mercy Corps. 2001. Exploitation of Reserves of Placer Gold Deposits at Ongi River Basin and Other Relevant Indices. Ulaanbaatar: Mineral Resource and Oil Authority of Mongolia.

---. 2002. Civil Society Development in Mongolia. Ulaanbaatar.

---. 2003. List of Mining and Exploration License Holders at the Territories of Uyanga, Zuunbayayn Ulaan, Khujirt of Uvorkhangai aimag. Ulaanbaatar: Mineral Resource and Oil Authority of Mongolia.

---. 2004. Rural Government Procurement Assessment: Towards a Pro-Development Strategy. Draft report, July 25. Ulaanbaatar.

Mineral Resource and Petroleum Authority of Mongolia (MRPA). n.d. Some Facts Investigated by ORM on Violation of Laws and Regulations of Nature and Environment Protection. Ulaanbaatar: MRPA.

---. n.d. Some pacts delivered from ORM on violation of laws and regulations of nature and environment protection. Ulaanbaatar.

---. n.d. Mining operation of entities using the gold mines at Ongi river basin. Ulaanbaatar.

---. 2001. Exploitation of reserves of placer gold deposits at Ongi river basin and other relevant indices. Ulaanbaatar.

---. 2003. List of Mining and Exploration License Holders at the Territory of Uyanga, Zuunbayayan Ulaan, and Khujirt of Uvorkhangai Aimag. Ulaanbaatar.

Ministry of Science, Technology, Education and Culture. 1999. Mongolia Education Sector Strategy 2000–2005. Ulaanbaatar: Government of Mongolia.

---. 2000. Regulation # 92. Governing Board Procedures for School's Kindergartens, 2000. Ulaanbaatar: Government of Mongolia.

---. 2002. Regulation # 230. School Council Procedures of Secondary School # 93, Bayangol District, Ulaanbaatar. Ulaanbaatar: Government of Mongolia.

Mongolia Development Gateway. 2003. Current Status of ICT Development in Mongolia. Ulaanbaatar: Government of Mongolia.

Mongolia Environmental Monitor. 2003. Land Resources and their Management. Washington, DC: World Bank.

Mongolia, Government of. 2000. Mongolia Legal Needs Assessment Report. Ulaanbaatar.

---. 2002. Development of a National Water, Sanitation and Hygiene Education Program for the 21st Century: Final Project Report 1999–2002. Ulaanbaatar.

---. 2003a. Economic Growth Support and Poverty Reduction Strategy. Ulaanbaatar.

---. 2003b. Study and Assessment Report: Impact of Current Climate Hazards on the Livelihoods of Herders' Households. Ulaanbaatar.

---. 2003c. Sustainable Grassland Management: Semi-annual Progress Report, August 2003. Ulaanbaatar.

---. 2004. Action Plan of the Government of Mongolia for 2004–2008. Annex to Resolution No. 24. Ulaanbaatar.

Mongolian Association of Local Authority, Mongolian National Governance. The Manifesto on Local Self-governance of Mongolia in 2001. Ulaanbaatar.

Mongolian Open Society Forum. 2001(a). Report on Internet for Schools, Project Rural Schools. www.gateway.mn.

---. 2001b. Project Legal Aid for Media. Ulaanbaatar.

---. 2003a. Directory of Mongolian NGOs. Ulaanbaatar.

---. 2003b. Survey Report 2003, Internet and Information Needs of NGOs. Ulaanbaatar.

---. 2005. Striking Balance between Central and Local Government. Ulaanbaatar.

Mongolian Population and Development Association. 2005. Status and Consequences of Mongolian Citizens Working Abroad: Survey Report. Ulaanbaatar.

Munkhbayar, Ts. "At Ongi River, People Put Soul into the Gold and Recalling the River Water at the End." Unuudur, October 10, 2002.

Nanzaddorj, Buluut, and Sambuu Altangerel. 2001. Report on Educational Finance and Budgeting in Mongolia. Paris: UNESCO and the International Institute for Educational Planning.

Narayan, Francis B., and Barry Reid. 2000. Financial Management and Governance Issues in Mongolia. Manila: Asian Development Bank.

National Center Against Violence. 2005. National Center Against Violence. Ulaanbaatar.

-----. Center for Human Rights and Development, and CEDAW Watch Network Center. 2002. Violence Against Women and Legal Framework in Mongolia. www.owc.org.mn/mones.

-----. Center for Human Rights and Development, CEDAW Watch Network, and the Asia Foundation. 2003. Fact Sheet on Domestic Violence. Ulaanbaatar.

-----. Center for Human Rights and Development, CEDAW Watch Network, and Amnesty International. ND. Catalogue for Photo Exhibit on Gender in Mongolia. Ulaanbaatar.

National Human Rights Commission of Mongolia. 2003. Human Rights and Freedoms in Mongolia: Status Report 2003. Ulaanbaatar.

---. 2004. Human Rights and Freedoms in Mongolia: Status Report 2004. Ulaanbaatar: National Human Rights Commission of Mongolia.

National Legal Center, Mongolian Open Society Forum, Save the Children, UNDP, and World Vision. 2000. Evaluation of Mongolia's National Programme for Pre-School Strengthening (NPPS) 1995–2000. Ulaanbaatar.

National Statistics Office of Mongolia. 2002. Gender in Mongolia: Analysis Based on the 2000 Census. Ulaanbaatar.

National University of Mongolia. 2001. A Micro-Study of Internal Migration in Mongolia. Ulaanbaatar: National University of Mongolia.

---. 2004. Urban Poverty and In-Migration Survey Report. Ulaanbaatar: National University of Mongolia.

O'Donnell, Guillermo. 2003. "Horizontal Accountability: The Legal Institutionalization of Mistrust," in Democratic Accountability in Latin America, ed. S. Mainwaring and C, Welna. Oxford: Oxford University Press.

Oleynik, Igor, and Natasha Alexander. 2003. Mongolia: Foreign Policy & Government Guide. Washington, DC: International Business Publications.

Ongi River Movement. 2003a. Proposals and Recommendations on Amendments to Water Law. Ulaanbaatar.

---. 2003b. Report on Operation of the Ongi River Movement, October 19, 2001–March 1, 2003, Ongi Tsagaan Ovoo Camp. Ulaanbaatar.

---. 2003c. Rules of Ongi River Movement NGO, October 06, 2003, Ongi Tsagaan Ovoo Camp. Ulaanbaatar.

---. 2004a. Action Report, October 19, 2001–March 01, 2004. Ulaanbaatar.

---. 2004b. March 2004. Major Facts. Ulaanbaatar.

---. 2004c. Progress Report, 2004. Ulaanbaatar.

---. 2004d. Safe Environment Is a Fundamental Right that Never Can Be Given Up. March 13. Ulaanbaatar.

---. 2004e. Some Facts about the Violation of Laws and Regulations by Mining Entities Operating in Upstreams of Khangai Mountain Range, and by National and Local Policy Makers. Ulaanbaatar.

---. 2005. "Citizen's Movement." Proposal, March 21. Ulaanbaatar.

Ooluun, B. "Rivers Endangered by Gold Extraction." Mongol Messenger, March 31, 2004.

Organisation for Economic Co-operation and Development. 2001. Citizens as Partners: Information, Consultation, and Public Participation in Policy-Making, 2001. http://www1.oecd.org/publications/e-book/4201141e.pdf.

Pact Mongolia. 2005. Freedom of Information in Mongolia: Case Study Report. Ulaanbaatar: Press Institute.

Participation and Civic Engagement Group. 2005. "Social Accountability: What Does it Mean for the Bank?" Draft of chapter for Social Accountability Sourcebook. Washington, DC: World Bank.

Peyra, M.B. 1997. Mongolian NGO Capacity Survey to Support Sustainable Human Development. Ulaanbaatar: UNDP.

Center for International Development and Conflict Management (CIDCM). 2004. Polity IV Country Report 2003: Mongolia. http://www.cidcm.umd.edu/inscr/polity/Mon1.htm.

Pomfret, Richard. 2000. “Transition and Democracy in Mongolia.” Europe-Asia Studies 52 (1): 149–60.

Press Institute. 2004a. Monitoring Mongolian Media, 2003. Ulaanbaatar: Press Institute.

---. 2004b. Survey on Public Assessment: Media Freedom in Mongolia Today. Ulaanbaatar: Press Institute.

---. 2005a. Monitoring Mongolian Media, 2004. Ulaanbaatar: Press Institute.

---. 2005b. Freedom of Information in Mongolia. Ulaanbaatar: Press Institute.

Quah, Jon S. T. 2003. Curbing Corruption in Asia: A Comparative Study of Six Countries. Singapore: Eastern Universities Press.

Ross, Michael. 2004. “Mineral Wealth and Equitable Dependence.” Background paper for the 2006 World Development Report. Washington, DC: World Bank.

Rossabi, Morris. 2005. Modern Mongolia: From Khans to Commissars to Capitalists. Berkeley: University of California Press.

Sant Maral Foundation. 2004. Politbarometer. http://www.opensocietyforum.mn/res_mat/SMPBM04.6_eng.pdf.

--- and Charles Rice. 2005. “Community Media Activity in Mongolia: Stocktaking and Design of a Capacity Building Program.” Washington, DC: World Bank.

Steiner-Khamsi, Gita, and Anh T. Nguyen. 2001. Access and Quality of Education: Education Sector Note in Mongolia. Washington, DC: World Bank.

Steiner-Khamsi, Gita, and Ines Stolpe. 2004. “Decentralization and Recentralization Reform in Mongolia: Tracing the Swing of the Pendulum.” Comparative Education 40 (1): 29–53.

SURF. 2004. An Introduction to Performance Measurement Systems and Social Auditing Tools. Bangkok: SURF.

Sveringhaus, Sheldon. 2001. “Mongolia in 2000.” Asian Survey 41(1): 61–70.

Thomas, Helen T. 2004. Mongolia Country Gender Assessment. Washington, DC: World Bank.

Transparency International. 2005. Annual Report Transparency International 2005. www.transparency.org.

Tumenbayar, N. 2002. Herders’ Property Rights vs. Mining in Mongolia. Providence, RI: Brown University.

United Nations Development Fund for Women. 2001. Women in Mongolia: Mapping Progress under Transition. http://www.unifem.org/.

UNDP. 2001. A Strategy for Poverty Reduction in Mongolia. Ulaanbaatar: UNDP.

---. 2002. Human Development Report 2002. Oxford: UNDP.

---. 2003. Human Development Report 2003. Oxford: UNDP.

---. 2004. Human Development Report 2004. Oxford: UNDP.

UNDP Consulting and Business Centre, Academy of Management, Gender Centre for Sustainable Development. 2000. Survey Report on NGO Implemented Assistance in Social Sector in Mongolia. Ulaanbaatar: UNDP.

United States Agency for International Development. 2005. Mongolia. http://www.usaid.gov/regions/ane/newpages/one%5Fpagers/mong01a.htm.

Uyanga Soum Khural. 2005. Budget for First Quarter. Uyanga, Mongolia.

Water Sanitation and Hygiene for the 21st Century. 2002. Final Project Report 1999–2002. www.gateway.mn

Women for Social Progress—Uvorkhangai Province Branch. 2001. Report on Issues of Soum Government Budgets. Arvaiheer.

---. 2002. "Annual Report 2002." Uvorkhangai.

---. 2003 "Business Plan 2003–2004." Uvorkhangai.

---. 2004. "Letter of Interest." Proposal submitted to the World Bank-Ulaanbaatar.

Working Group, Ministry of Nature and Environment. 2002. Summary Report on Inspection of Mining Activities Conducted by Each Exploitation Company at the Territory of Uyanga, Zuunbayan-Ulaan Soum of Uvorkhangai Aimag, June 14, 2002. Ulaanbaatar: Government of Mongolia.

World Bank. 1996. Mongolia Poverty Assessment in a Transition Economy. Washington, DC: World Bank.

---. 1998. Mongolia Country Assistance Strategy. Washington, DC: World Bank.

---. 2001a. Country Assistance Evaluation. Washington, DC: World Bank.

---. 2001b. Mongolia Participatory Living Standards Assessment 2000. Washington, DC: World Bank.

---. 2001c. World Bank—Civil Society Collaboration: Progress Report FY 2000–01. Washington, DC: World Bank.

---. 2001d. World Development Report 2001: Attacking Poverty. Washington, DC: World Bank.

---. 2002a. Empowerment and Poverty Reduction: A Sourcebook. Washington, DC: World Bank.

---. 2002b. Mongolia Country Portfolio Performance Review. Washington, DC: World Bank.

---. 2002c. Mongolia Public Expenditure and Financial Management Review: Bridging the Public Expenditure Management Gap. Washington, DC: World Bank.

---. 2002d. Mongolia: Sustainable Livelihoods Project, 2002. Washington, DC: World Bank.

---. 2003a. Civic Engagement to Improve Development Effectiveness in the Europe and Central Asia Region: The Role of the World Bank. Washington, DC: World Bank.

---. 2003b. Mongolia Client Survey. Washington, DC: World Bank.

---. 2003c. Project Implementation Manual for the Local Initiatives Fund. Ulaanbaatar: World Bank.

---. 2003d. The Role of Civic Engagement and Social Accountability in the Governance Equation. Social Development Notes. Washington, DC: World Bank.

---. 2003e. Working Together: World Bank Civil Society Relations. Washington, DC: World Bank.

---. 2004a. Citizen Report Card Surveys. Social Development Notes. Washington, DC: World Bank.

---. 2004b. Community Score Card Process. Social Development Notes. Washington, DC: World Bank.

---. 2004c. From Shouting to Counting: A New Frontier in Social Development. Washington, DC: World Bank.

---. 2004d. Mongolia Country Assistance Strategy. Washington, DC: World Bank.

---. 2004e. Mongolia Environment Monitor 2004: Environmental Challenges of Urban Development. Washington, DC: World Bank.

---. 2004f. Mongolia: Mining Sector Sources of Growth Study. Washington, DC: World Bank.

---. 2004g. Mongolia: Sustainable Livelihoods Project (International Development Association Cr. 3657-MOG). Supervision Mission No. 4, Aide Memoire. Washington, DC: World Bank.

---. 2004h. Mongolia: Sustainable Livelihoods Project (International Development Association Cr. 3657-MOG). Mid-term Report, July, 2004. Washington, DC: World Bank.

---. 2004i. Technical Assistance for Improved Education Expenditure in Mongolia. Washington, DC: World Bank.

---. 2004j. Transforming Institutions to Empower People: Social Development in World Bank Operations. Washington, DC: World Bank.

---. 2005a. Mongolia: Sustainable Livelihoods Project, (International Development Association Cr. 3657-MOG). Semi-annual Progress Report. Ulaanbaatar: World Bank.

---. 2005b. Empowering People by Transforming Institutions: Social Development in World Bank Operations (Social Development Strategy). Washington, DC: World Bank.

---. 2005c. Mongolia's Regional Development, World Bank Policy Note (draft). Washington, DC: World Bank.

Zorig Foundation. 2004. “Monitoring of the implementation of the Government’s National Anti-Corruption Program (NACP) in Mongolia and the Role of the Open Society in Fighting Corruption.” Ulaanbaatar.