



DEFENDING CIVIC SPACE IN A TIME OF COVID-19 PANDEMIC WITH FOCUS ON SDG16+ IN MONGOLIA



No one, ever, anywhere should be subjected to VIOLENCE!

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List of Acronym

CHRD	Centre for Human Rights and Development
CSO	Civil society organization
EIU	Economist Intelligence Unit
FATF	Financial Action Task Force
JANIC	Japan NGO Center for International Cooperation
IO	International organization
NGO	Non-governmental organization
OGP	Open Government Partnership
SDG	Sustainable Development Goals
SWB	Steps without Border
UPR	Universal Periodic Review
VNR	Voluntary National Review

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Executive Summary

“*Defending civic space in a time of COVID-19 pandemic with focus on SDG16+ in Mongolia*” report was produced for the Tokyo Democracy Forum held in February 15-16, 2022. The report includes a brief review of the two reports on SDG 16+ targets which are the Mongolian Government report on VNR and Mongolian CSOs Joint Report for VNR. Both reports were drafted in 2019.

The report reflects observations and views of CSOs, members of the Mongolian CSOs Network on SDGs, on the status, progress and failures in the implementation of SDGs 16+ targets which have been made since 2019 as well as some presentations made by CSOs for the North-east Asia CSO Forum on SDGs and North-East Asia Multi-stakeholder Forum on SDGs in 2021

The report also includes findings of the online survey on *Civic space in Mongolia* conducted with the technical and financial support from Japan NGO Center for International Cooperation (JANIC) during November 2021. The survey involved 127 CSOs based in Ulaanbaatar and in all 21 provinces of Mongolia and revealed existence of major difference in the civic space for CSOs based in Ulaanbaatar and in provinces. The survey results showed that CSOs in provinces have much less freedom to express their views on their concerned issues to public and media if compare to CSOs in based in Ulaanbaatar.

Centre for Human Rights and Development, on behalf of the Mongolian CSOs Network on SDGs, is grateful to JANIC for the opportunity to produce this report and present it at the Tokyo Democracy Forum.

Ulaanbaatar, 2022

I. SDG 16+ IMPLEMENTATION IN MONGOLIA

1.1. VNR report by the Government of Mongolian

The government of Mongolia produced VNR report only once in 2019. The report highlights four issues in the section of SDG 16. They are Mongolia’s policies and strategies to respect human rights, the challenges in reform of the legal environment to protect human rights, the importance of multi-stakeholder participation in addressing human rights abuses, the lack of public confidence in law enforcement.¹ These issues are mostly related to SDG 16.1, SDG 16.2, and SDG16.5 targets. The report illustrated the issues with relevant research data and statistics.

Within the first issue the report mentions positive changes resulted from legal reforms in line with international human rights standards, establishment of mechanisms for their implementation and strengthening institutional capacity and increased budget allocation on the example of the adoption and implementation of the law on child rights and the law on child protection.

On the second issue the VNR report describes about the challenges caused by the lack of citizen participation in the implementation of the legal reforms, the gap in understanding of the reforms at all levels, and the lack of consensus in the implementation of the laws despite the progresses resulted from the legal reforms. The challenges were illustrated by the data on violations of the child rights and domestic violence.

In relation to the third issue, the importance of multi-stakeholder participation in addressing human rights abuses was highlighted. It was also noted the focus on improving the participation of citizens and civil society in the delivery of public services and oversight, but the process was slow and could not cover all sectors evenly. The report mentions about the critics made by civil society organizations about human rights abuses including violations of the rights of detainees and prisoners, restrictions on the media and on the rights to assembly, violations of the rights of children and victims of human trafficking, and discrimination against persons with disabilities and sexual minorities. It also noted the needs to review these issues, to improve the statistics, and information, and then to identify and eliminate violations, to take crime prevention to a new level, to change approaches and attitudes, and to improve government-CSO cooperation.

In the fourth issue, it was stated that “public trust in law enforcement agencies is weak due to the fact that corruption and crimes committed by officials are not decreasing and the transparency and accountability of government organizations are weak. The report notes that corruption has become hidden, “public services” are the most vulnerable sector to corruption, and that business confidence has weakened in the legal system and the government efforts to curb the spread of corruption and refers research findings about increase of corruption and failures to hold accountable high-ranking officials for corruption. At the same time, the 2015, 2016, and 2017 indicators of corruption were compared to 2018, indicating an improvement in the corruption indicators as result of government’s measures.

The report also included some information on the status of implementation on SDG 16+ targets including SDG 4.7, and SDG 5.5. For example on SDG 4.7 it was said that sustainable development education concepts have been adapted and included in pre-school, primary, secondary, and tertiary educational curriculums since 2015. Further it says that “the updated curricula is in the implementation stage; in the future, sustainable development issues should be reflected in teachers’ as well as students’ performance assessments”.ⁱⁱ In relation to SDG 5.5, the report says that women's participation in economic, social and political life has improved, and women's share at the “expert” level is nearly double that of men. However their share in higher decision-making positions remains still lower than men’s. “At the senior management level, women constitute 36.7 percent (2016) while their share of parliamentary seats is 17.134 percent (2016). This trend has continued for the past ten years”.ⁱⁱⁱ

It can be seen from this report that at the time of VNR national targets and indicators for SDG 16 were not clear and there was lack of data on the baseline and the trends of SDG 16 targets except SDG 16.1, 16.2, 16.3 and 16.5 targets.

Currently, the Government has developed national targets and indicators for all SDGs including SDG 16. However they have not been approved yet by the Parliament and therefore not fully

reflected in the long, midterm development policy documents, Five year development directions of Mongolia for 2021-2025 and the Government action programme for 2020-2024.

The long and midterm term development policy documents include *Vision 2050* and seven 10 year target programs for its implementation. They are target programs on: *human development; social development; economic and infrastructure development; environment; governance; regional development; and increasing national competitiveness*. The target program on Governance will be the most relevant to SDG 16. Currently all seven target programs are still in the process of development.

1.2 CSO report on SDG16 in Mongolia

Mongolian CSOs network on SDGs produced a *CSO Joint Report on SDGs* in 2019. The purpose of this report was to implement and to ensure the principle of multi-stakeholder participation in VNR process, to contribute in the Government review, to support cooperation of the Government and CSOs, to deliver voices of the citizens to the global community and to ensure progress in achieving SDGs in relevant sectors of their work. The report was drafted as result of collaboration of 27 CSOs, members of the network.^{iv}

The report described the situation and challenges on all forms of violence-SDG 16.1, violence against children SDG 16.2, corruption- SDG 16.5, and public access to information – SDG 16.10. The concerned issues were highlighted by statistics and reasons for that, relevant policies and recommendations for change.

For example, it was highlighted in the report that over ten individuals lose their lives annually because of gender-based violence and the revised law on domestic violence since its adoption in February 2017 still lacks of adequate funding for its full enforcement. The report also brought research data on children who experienced physical punishment, victims of human trafficking and proportion of young men and women who experienced sexual abuse by age 18. Rights of 225 children were violated in the period of 2015-2018 who became victims due to the crimes of domestic violence. 132 of victims of domestic violence were children of young age. 65% of victims in 2015, 53.6% in 2016 and 57.7% in 2016 were children under age of 14.^v

The issue of corruption in this report was brought in case of education sector as significant amount of the state budget, foreign loans and assistance was spent for education in the last years. However, the conditions and results of the sector do not meet the public expectations says the report and civil society organizations believe that one of the reasons of such failure is the corruption and bribery. The report refers to the research conclusion made by the Transparency International that the law to provide general education for free is not fully implemented, the quality of education is degraded, schools become more and more difficult for children from poor families. Parents are burdened to pay for school uniforms, textbooks, class fund, costs for school and classroom repair. Over 50 per cent of individuals participated in the study said they had given donations and paid money to schools and kindergartens. The consequences include discrimination among school students, change of teacher's behavior toward students and even to drop out from schools.^{vi}

Mongolia adopted the Law on transparency and the right to information in 2011 and joined the Open Government Partnership in 2013. Despite this, due to the lack of adequate knowledge of public servants and capacity of public institutions, it's a challenge for the Government to ensure full enforcement. Glob International Centre with other local NGOs conducted an independent assessment on the implementation of the rights to access information in Mongolia in 2019 applying methodology developed by the Freedom of Information Advocates Network. Mongolia was evaluated as yellow from three rates of red, yellow and green with 39.8 points out of possible 100.^{vii}

1.3 CSO efforts to follow on SDG 16+ targets in Mongolia

Since this *CSO Joint Report on SDGs* members of the CSOs Network on SDGs try best to continuously follow and report on the progress and failure in the implementation of some of SDG 16+ targets. As an example member organizations have actively been involved in the North-east Asia CSO Forum on SDGs, North-east Asia Multi-stakeholder Forum on SDGs and Asia Pacific Peoples Forum and Asia Pacific Forums on Sustainable Development annually and make presentations which include issues relevant to SDG 16+targets.

For example, in the North-east Asia CSOs and Multi-stakeholder Forums on SDGs in 2021members of the network made presentations on the status of SDG 4 and SDG 16 targets. In the presentation on SDG 4 it was concluded that SDG 4.7 target is neglected and poorly implemented. The reason is lack of comprehensive curricula for all level of education, teacher training, textbooks and supplementary materials supporting for teaching.^{viii}

In the presentation on SDG 16 prepared by two NGOs, CHRD and SWB, it was highlighted some progress and failures relevant to SDG 16.5, 16.6, 16.7, 16.10 targets. As progress it was mentioned about the revision and approval of the Law on National Human Rights Commission of Mongolia with the increase of number of commissioners from three to five and the improvement of selection process of commissioners which became open, inclusive and participatory. Secondly it mentioned about the adoption of the Law on legal Status of Human Rights Defenders which had been enacted since July 2021.^{ix}

As failures on SDG 16, the presentation included the data showing trends in ranks and scores of corruption perception index (SDG 16.5), concerns on lack of effectiveness, accountability and transparency in functioning of public institutions (SDG 16.6) and, as well as lack of capacity to make decisions with participation of multi-stakeholders (SDG16.7).

The presentation highlights the fact that despite the policies and structures in place and resources allocated against corruption Mongolia's corruption perception index has not been improving for the last several years. According to the Corruption Perception Index of 2020 by the Transparency International Mongolia ranks at 111 and leads the 10 countries in Asia pacific with most corruption.^x

It was also stated in this presentation that the government fails to transform public institutions into open, effective and accountable institutions. CSOs send numerous demands, recommendations to government organizations at all levels, but often they are not able to get response within the legal

timeframe, and even if they are received, the response is insignificant. It is alarming that such insignificant responses are increasing.

The presentation highlighted^{xi} about how CSOs have been challenged because of delays in responses, passing on to other organizations or not responding at all in due time to their demands. As an example, the report brought a recent case on the demand to consult with local communities and local governments on the draft laws on land in accordance with the Law on Legislation. The request was made by the Human Rights NGO Forum to the Ministry of Construction and Urban Development. However the Human Rights NGO Forum failed to get a response within 30 days, within the law. After two months and 20 days since the demand was submitted the meeting was held with the law drafting working group. However the meeting was useless because the working group refused to accept the demand to hold the consultations.

When the legal terms of 30 days to answer expired the Human Rights NGO Forum continued making calls every day to the ministry for another month but could not succeed. Then it wrote a letter to the Prime minister and received a copy of the letter to the minister of construction and urban development to organize consultations in accordance with the law. As result the working group on drafting the land laws met with the Human Rights NGO Forum. But the meeting was not successful because the working group did not accept the demand to hold consultations with local communities and local governments even though the Human Rights NGO Forum offered to help in organizing online consultations for the working group. This meeting was held two months and twenty days after the demand was delivered to the ministry. Almost three months efforts of CSOs were waste of time and efforts. This case made the Human Rights NGO Forum to discuss on future strategies and to decide to collect similar cases, document them and to publicize annually to wide public and to demand accountability.

Further the presentation states that there are many laws in Mongolia which enable public participation in decision making at all levels. However they have not been implemented frequently during the COVID-19 because of restrictions on public events. It also mentions that access to information has been getting worse for the last 2 years. This has been observed in case of the Ministry of Mining and Heavy Industry and the Ministry of Environment and Tourism to get information on budget expenditure, on project reports implemented by foreign aid breaching the provision in the Constitution of Mongolia on the right of citizen to access information on minerals sector and the Law on Glass Account which obliges every expense made by government agencies above 5 mln. tugrug to be disclosed.^{xii}

CSOs view that the state of implementation of SDG 16 is very slow. There is very little progress has been made since 2019. The current condition is almost same with the assessment made in the CSOs Joint Report on SDGs^{xiii}, and the needs defined by CSOs have not been met yet. The needs are integration of SDGs into national, local and sector development policies and plans; establishment of adequate structure and mechanism to ensure policy coherence for sustainable development; creation of multi-stakeholder consultation mechanism and localization of SDGs; and involvement of CSOs in policy development, planning and monitoring of SDGs.

In addition to these structural gaps there is lack sustainability in the functions of government agencies for implementation of SDGs. For example, the government agencies and officials responsible for implementing the SDGs are not stable. This has a negative impact on performance, partnership development, and building common understanding and trust. The national Development Agency mandated to coordinate, plan, monitor and evaluate the implementation of

SDGs by line ministries had lack of authority and human resources. There is no officer specifically responsible for SDGs in line ministries, and not any officer responsible for SDGs at provincial level. Therefore there is lack of initiatives and reluctance towards implementation of SDGs. The Parliament Sub-committee on SDGs has been silent since the VNR until it held a high level consultation on SDGs on October 4, 2021.

In order to accelerate the implementation of SDGs it is needed to undertake the following actions: to adopt the recently developed national SDG targets and indicators immediately and to incorporate them into state budget planning and performance reports; to introduce additional indicators for SDG 16.6 and SDG 16.10 to assess and improve the transparency of government information, and the quality of e-government activities; to reduce corruption in government organizations through merit principles and to strengthen the detection and accountability of corruption related cases; to eliminate the almost “socially accepted” unfair system in which government officials are not selected on the basis of merit, but only on winning party members and affiliates.

II. CIVIC SPACE SITUATION ACCORDING TO the INTERNATIONAL DATA on MONGOLIA

2.1. Democracy Index by Economist Intelligence Unit

Democracy Index by the Economist Intelligence Unit (EIU) provides a snapshot of the state of democracy worldwide for 165 independent states and two territories. By the Democracy Index 2020 Mongolia is ranked at 61 out of 165 with an overall score of 6.48 with a regime of ‘flawed democracy’. If compare it with 2019 the rank and the score have both slightly decreased from the rank of 62 and overall score of 6.50 respectively.^{xiv}

Year	Overall score	Rank	Electoral process and pluralism	functioning of government	political participation	political culture with 5.00	civil liberties
2019	6.50	62	9.17	5.61	5.56	5.00	7.06
2020	6.48	61	8.75	5.71	5.56	5.63	6.76

In the past the Democracy Index for Mongolia has been decreasing since 2014 with overall score from 6.62 in 2014. Despite the pandemic the parliamentary national elections in 2020 and the presidential national election in 2021 took place in peacefully in Mongolia.

2.2 Global Monitor of COVID-19’s impact on Democracy and Human Rights by International IDEA

According to the Global Monitor of COVID-19’s impact on Democracy and Human Rights produced by the International Institute for Democracy and Electoral Assistance (IDEA) Mongolia has been defined as a country with weak democracy in 2020, after having been a mid-range democracy between 1992 and 2014, and 2017-2019, and a weak democracy in 2015-2016. ^{xv} According to the Global State of Democracy Indices 2020 Mongolia has scores on *Representative Government:0.66; FundamentalRights:0.62; Checks on Government: 0.61; Impartial Administration: 0.46.*

Mongolia has low performance in *Local democracy* and *Direct democracy*. The Monitor has indicated alarming developments in *freedom of expression* with fines, arrests, and criminal charges imposed during the COVID-19.^{xvi} For example, in April 2021 it was reported that the authorities had used the pandemic to restrict freedom of expression. A whistleblower who first informed the public about a COVID-19 cluster in a government quarantine facility was facing criminal charges. That is why these incidents caused by COVID-19 related measures have been indicated as concerning developments from a democracy and human rights perspective to watch as they violate human rights and considered to be disproportionate, unnecessary, illegal, or indefinite. Besides there were other potentially concerning COVID -19 measures to watch from a human rights perspective as they may lead to a violation of human rights when they restrict freedom of movement; schooling from home; distribution of government aid plans; IFIs loans aid packages; health system capabilities; domestic violence; gender discrimination; disinformation and fake news; reporting during the pandemic and harassment of journalists.^{xvii}

2.3 World Press Freedom Index by Reporters Without Borders

Mongolia is ranked at 68 with score of 28.97 according to 2021 World Press Freedom Index.^{xviii}

The table below shows the trend of the ranking and score between 2013 and 2021. Between 2013 and 2015 significant progress is shown in ranking from 98 to 54. Then from 2015 the ranking falls down up to 71 in 2018 and then it was kept at same almost same level ranking of 70-73. 2021 index shows a little progress.

Year	2013	2014	2015	2016	2017	2018	2019	2020	2021
Ranking	98	88	54	60	69	71	70	73	68
Score	29.93	30.3	25.25	27.61	28.95	29.05	29.51	29.61	28.97

Defamation, attacks against journalists and media workers, and self-censoring of journalists seem to be major challenges with regards to access to information and press freedom in Mongolia. In August 2021, the NGO Global International Center published media Freedom Report 2020 on the state of media freedom in Mongolia based on their monitoring of violations of civil and political rights conducted from 25th November 2020 to 25th February 2021. In the report around 80 cases of violations have been documented.^{xix} 2021 survey by the Mongolian Media Council of 300 journalists found that 59 percent of them have had their press freedom curtailed due to COVID-19 regulations.

In their report of Reporters Without Borders^{xx} it was that more than half of the defamation cases in Mongolia are brought against journalists and media outlets, pushing them to censor themselves”. As other challenges can be concentration of media ownership, affiliation of media with political parties, lack of transparency and sensitivity to criticism of the government.

2.4 CIVICUS Monitor

“Mongolia upgraded from “obstructed” to “narrowed” in civic rights rankings” says CIVICUS monitoring report for 2021 as result of adoption of a new law to protect human rights defenders. The Law on Legal Status of Human Rights Defenders was adopted in April 2021. Further in the report it says that “narrowed” is the second-best rating a country can receive by the CIVICUS Monitor. In reality, it means that people in Mongolia are allowed to exercise civic freedoms, including the freedoms of association, peaceful assembly and expression. However, occasionally violations of these rights may take place.^{xxi} Especially during the COVID-19 pandemic freedom of expression and assembly has been violated.



In May 2020, the Government warned that it would take legal actions against those who spread misinformation on COVID-19.^{xxii}

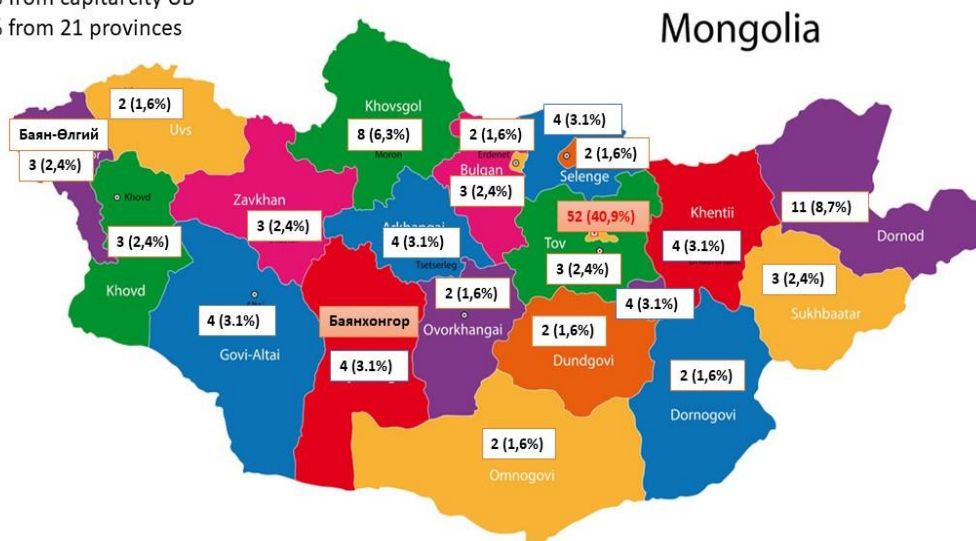
III. CIVIC SPACE SURVEY IN MONGOLIA

3.1 Basic information of the survey

The survey was conducted on-line using google form, in November of 2021 involving 127 NGOs. 52 NGOs were involved from Ulaanbaatar capital city and the rest 75 NGOs were involved from 21 provinces of Mongolia. Most of provincial NGOs were from province centre however there were also several NGOs working in soums which are smallest administrative unit in rural Mongolia.

Data collection for the survey was conducted by a team of 3 persons from 2 NGOs namely Food Coalition and CHRD. They reached out to NGOs, explained the purpose of the survey and how to fill in the on-line questionnaire for rural CSOs. Most of the questions were closed and to be answered by choosing one of the most matching answers from: 1 = Strongly Disagree; 2 = Disagree; 3 = Moderate; 4 = Agree; 5 = Strongly Agree. The survey questionnaire was translated into Mongolian language to involve NGOs from provinces. The Questionnaire was answered by one person from each NGO.

- 127 NGOs participated in the survey
- 40,9% from capital city UB
- 59,1% from 21 provinces



Survey has been conducted in November, 2021

3.2 Survey Results

Freedom of Expression freedom of assembly and freedom of association are essential for civic space. On-line survey results showed that 42% of respondents don't feel free to speak in *public* and 45% don't feel free to speak to the *media*. Most of such responses were from NGOs working in provinces. Respondents also explained that media had closed contracts with politicians to censor critical issues and never said truth or they did not say truth because of fear to be intimidated or harassed. It was unexpectedly high extent of fear among NGOs.

Freedom to access information was negatively impacted by the COVID-19 pandemic. Public information was almost closed for journalists and they have been struggling to find out the official and reliable source of information. Ban on spreading or sharing "unconfirmed" "unauthorized" information and ban on public gatherings have been overly used by law enforcement and politicians who have targets to silence. *According to the Mongolian Media Council Survey conducted in 2020* among 300 journalists, one third of respondents agreed that their rights have been restricted since the pandemic.^{xxiii}

Freedom of assembly & Freedom of association 34% of respondents feel free to hold assemblies peacefully and 49% of them feel free to join civil society groups. Almost two third of respondents don't feel free to hold public meetings and gatherings. They explained that "many permits are required to hold meetings at the square" and "increased incidences of arrest, detention, prosecution and fine using the COVID-19". However the respondents expressed observation of unequal treatment and criticized that "during election campaigns public meetings were possible for politicians. But for people it was banned".

Covid-19 had impact on Freedom of Assembly & Association. 71% of respondents feel that the government restricts the right of people to assembly, association and speech. But 54% of respondents think that this is because of COVID-19 outbreak. They also say that since the COVID-19 outbreak there were many cases of violations of fundamental freedoms against ordinary citizens and journalists. COVID-19 lockdowns and ban on public events, demonstrations is being used by the government to suppress all attempts to express dissatisfaction with the government and legislature decisions. Increased incidences of arrest, imprisonment, prosecution and fine using the COVID.

The survey respondents had opinion that the right to express own views & the right to assembly were restricted unnecessarily during the COVID-19 law. The law on COVID-19 has a provision for protection of human rights but the number of supplementary regulations for implementation of the law have not been developed in time and delayed long affecting peoples lives and rights. Lawless arrests for those who hold a free gathering took place during the COVID-19 pandemic clearly breaching the freedom of expression & the Constitution of Mongolia. The lack of clear regulations regarding to COVID19 enabled the government, including police to abuse power. People were criticizing them that they break people's right to speak. Since COVID-19 outbreak there were many cases of violations of fundamental freedoms against ordinary citizens and journalists.

The survey respondents referred to the number of media sources with information on how the rights of people to speak and to assembly have been violated during the COVID-19 pandemic.

Protests, Hunger strike, demonstrations



Over the past year around 200 demonstrations and protests were held across Mongolia. Monitoring results of the Globe International Center indicate that since 20 November 2020, 51 cases of violations of the right to peaceful assembly and association were registered. In all of these cases, perpetrators are, or were, public officials or law enforcement officials, with violations mostly including physical assault, fines, detention, and use of force against individuals.

COVID-19 impacted on Rule of Law The most serious critics from people was about double standards observed for civil servants and citizens to follow the COVID prevention rule: During the COVID-19 when ordinary citizen lost their relatives they were not able to see them and to say goodbye to their final journey. The city mayor with his wife was free to cross the red zone to visit their relative.

The respondents said that there was no control on the ruling party. “One party Government has arbitrary judicial decisions” and “there are some provisions of the law are stolen or secretly changed” and used selectively. It is related to the “stolen” provision of foreign funding resource for NGOs and the NGO was investigated when it organized “No Naadam” protest on the main square in July 2021.

During the COVID's time, foreign and domestic aid was taken over by high-ranking government officials. So far, spending has not been reported to the public. In addition, COVID testing, testing equipment, and medicine have all become very lucrative businesses.

Shrinking civic space 65% of respondents feel that the laws regulating CSOs in the country have become tightened and 53% of respondents feel that the regulations for CSOs have tightened because of COVID-19 outbreak. The respondents have given numerous of examples on shrinking civic space. Newly adopted COVID-19 law puts strong restrictions on freedom of expression, freedom of peaceful assembly and association. It is increasing different inspection from tax, social welfare offices, police and even intelligence depending on activities and funds of CSOs.

Some government organizations try to weaken public participation requirement in laws using the COVID - 19 restrictions especially in provinces. The State Emergency Commission banned citizens' assembly and demonstrations because of high spread of COVID-19. The civic space has started closing due to the FATF recommendation #8 on non-profit organizations but closed even more with the law on COVID-19.

Taking advantage of the COVID-19 situation the authority tries to change the law on NGOs. The new draft laws on non-profit Associations and Foundations submitted for approval to replace the current NGO law will affect the civic space. 68% of respondents feel that the government submitted unfair laws restricting civic space. Many CSOs criticize that the draft laws were submitted without proper consultations with CSOs. CSOs demand to withdraw the draft laws to be consulted properly.

Public is banned to gather on the square during the COVID-19 and those who protest it were arrested. The ban was also relevant to CSOs. Peaceful demonstrations with safety from infection were constrained as well. Any small mistake during such events lead to a risk of being arrested.

Registration for a new NGO is difficult because a name to be given need to meet certain requirement like you can't give a foreign name or use the word "national" etc.

CSOs were prevented from organizing trainings, consultations and workshops during the COVID -19 and in fact almost all activities for CSOs were stopped. Everything has become electronic and inactive.

Covid-19 impact on the State Policy & CSOs The respondents expressed views that it is not likely CSOs play soon active role in developing and implementing policies & laws. Public authorities think CSOs make more trouble to their work so they like to avoid CSOs involvement or they involve them just in some stages, and do not involve fully. The Government does not care about civil society development. Civil servants don't understand the role of civil society in democracy.

COVID-19 deteriorates the situation even more. Capacity building, effectiveness of CSOs depend only on themselves, whether they get a foreign funding or not. Most of CSOs are not well established and not institutionalized themselves.

There is big issue on Governance part of the CSOs. Some CSOs have a few staff (1-2) due to COVID-19 and do not functioning well. Getting project funding from call announced internally

by the Government and local donors is big issue, because there is high level of corruption and bribery.

Covid-19 impacted on the increase of VIOLENCE 68% of respondents feel that violence by the police has increased since the COVID-19 outbreak has started. 78% respondents feel that violence against women has increased as well since the COVID-19 has started. 82% of respondents feel that violence or abuse against children has increased

In the first quarter of 2020, the National Police Agency received 1,911 phone calls reporting domestic violence, which is an increase of 48.7 percent compared to the previous year. Although the reported numbers of domestic violence incidents are extremely unfortunate, the overall crime rate has decreased by 19.2 percent compared to the same period in the previous year.^{xxiv}

IV. POLICY RECOMMENDATIONS

4.1. Recommendations for governments and international organizations

- Revise and approve the State policy on CSOs developed and submitted in 2012.
- Withdraw the draft laws on Legal status of Associations and Legal Status of Foundations for proper consultations.
- Develop policy regulations for enabling environment of CSOs and reflect in newly developing laws.
- Implement the law about Legal status of HRDs, appoint a commissioner on HRD issues establish HRD's Committee.
- Support local and national CSOs in monitoring of the government performance for effective use of public resources
- Encourage effective cooperation of CSOs with government institutions to improve the transparency in reporting on the use of donor aid.
- Support capacity building of local CSOs in their advocacy activities for protection of civic space.

4.2. Recommendations for CSOs

- CSOs need to collaborate nation wide to protect civic space, build capacity of CSOs in provinces and soums using the laws which enable them to protect and demand their rights.
- CSOs need to organize and mobilize for advocacy to approve the Sate policy on CSOs and laws that build enabling environment for CSOs everywhere in Mongolia to protect civic space for strengthening human rights and democracy.

V. SURVEY CONCLUSION

- The results showed that the civic space is not same in Mongolia. The civic is more open in Ulaanbaatar city, than in province centre and in soums. The civic space is most closed in soums.
- The COVID-19 pandemic has affected the civic space country wide.
- There is need to provide more support for CSOs in provinces, especially in soums to protect civic space.

VI. THE ADVOCACY ACTIVITY after the CIVIC SPACE SURVEY

Mongolian Human Rights NGO Forum, coalition of 57 CSOs, organized a press conference on “Shrinking civic space in Mongolia” and sent the 8 demands to the President, Speaker and Prime Minister of Mongolia to improve the civic space on the occasion of Civil Society Day at 31 January, 2022 in the Press Institute of Mongolia. They demanded:

1. Revise and approve the State policy on CSOs developed and submitted in 2012 and incorporate it in the development policy document for implementation: “10 year Governance target program”.
2. Withdraw the draft laws on Legal status of Associations and Legal Status of Foundations submitted to the parliament by the government for proper consultations with civil society organizations.
3. Develop policy regulations for establishing enabling environment for CSOs and reflect it in relevant laws.
4. Introduce and implement specific policies to support strengthening of NGOs, CBOs, citizen’s groups in rural Mongolia.
5. Develop and approve the law on NGOs with full and equal participation of all parties in accordance with the recommendations from UPR, OGP and FATF.
6. Improve civil servants’ understanding of about role of CSOs, encourage them to accept CSOs as equal partner in development.
7. Improve accountability mechanism for civil servants.
8. Improve the implementation of laws for direct participation of citizens such as Law about law, the Law on public hearing, the law





ШААРДЛАГА

Иргэний нийгмийн өдөрт зориулж Хүний эрхийн 50 гаруй Төрийн бус байгууллагуудын форумаас "Иргэний нийгмийн орон зайд тулгамдаж буй асуудал"-аар Монгол Улсын Ерөнхийлөгч У. Хүрэлсүх, УИХ-ын дарга Г. Занданшатар, Ерөнхий сайд Л. Оюун-Эрдэнэ нарт найман асуудлаар шаардлага хүргүүлээ.



ⁱ Mongolia Voluntary National Review Report 2019, p.35-36. <http://nda.gov.mn/backend/files/sFAXIzibzli6k5N.pdf>

ⁱⁱ *Ibid*, p.22

ⁱⁱⁱ *Ibid*, p.22

^{iv} Mongolian Civil Society Joint Report on Implementation of Sustainable Development Goals. 2019.

<https://sdghelpdesk.unescap.org/e-library/stakeholder-views-mongolia-civil-society-joint-report-implementation-sustainable>

^v *Ibid*, p.40-41

^{vi} *Ibid*, p.43

^{vii} *Ibid*, p.62

^{viii} Promoting Quality Education, "All for Education" National Civil Society Education Power point presentation made at the Multi-stakeholder Forum on SDGs organized by UN ESCAP in 2021, slide 4.

^{ix} SDG 16 in Mongolia, Power Point Presentation made by CHRД and SWB for the North East Asia Civil Society Forum on SDGs in 2021.

^x *Ibid*, slide 3.

^{xi} *Ibid*, slide 4.

^{xii} *Ibid*, slide 5-6.

^{xiii} Mongolian Civil Society Joint Report on Implementation of Sustainable Development Goals. 2019, p. 9-11.

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