



Strengthening Transparency and Governance in Mongolia (STAGE) Project

Final Report

July 27, 2012 - December 31, 2014

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Final Report: Strengthening Transparency and Governance in Mongolia

This Final Report for the Strengthening Transparency and Governance in Mongolia (STAGE) Project is submitted consistent with the relevant clauses of Section A.5 sub-section 2.b of the Cooperative Agreement. This report covers the life of the STAGE project between July 27, 2012, and December 31, 2014.

Acronyms and Abbreviations

ACAP	Anti-Corruption Action Plan
APL	Administrative Procedures Law
APPEAL	Active Partnerships and Public Engagement for Accountable Localities
APPPS	Administrative Processes, Procedures and Performance Study
BCM	Business Council of Mongolia
BPI	Business Plus Initiative
CSO	Civil Society Organization
GAL	General Administrative Law
GPO	General Prosecutor's Office
IAAC	Independent Authority Against Corruption
JGC	Judicial General Council
MACS	Mongolian Anti-Corruption Support Project
MBA	Mongolian Bar Association
MNCCI	Mongolian National Chamber of Commerce and Industry
MONEF	Mongolian Employers' Federation
MONES	Mongolian Women's Foundation
MONPAC	Mongolian Organization of Parliamentarians Against Corruption
MOU	Memorandum of Understanding
MWLA	Mongolian Women Lawyers' Association
NACP	National Anti-Corruption Program
NLI	National Legal Institute
PACI	Partnering Against Corruption Initiative
PTI	Partnership for Transparency Initiative
SPEAK	Survey on Perceptions and Knowledge of Corruption
STAGE	Strengthening Transparency and Governance in Mongolia
STOPP	Study of Private Perceptions of Corruption
UB	Ulaanbaatar
UNCAC	United Nations Convention Against Corruption
UNDP	United Nations Development Program
WLF	Women's Leadership Foundation
WSP	Women for Social Progress

I Project Background

As Mongolia transitioned from a state-controlled to market economy in the 1990s, a lack of legal and regulatory checks and balances contributed to endemic corruption. To address this, anti-corruption measures were gradually introduced starting with the 2005 signing of the United Nations Convention against Corruption (UNCAC), the passing of the Anti-Corruption Law in 2006, itself mandating the establishment of the Independent Authority Against Corruption (IAAC) in 2007, joining the Istanbul Anti-Corruption Action Plan in 2010, and passing the Law on Information Transparency and Right to Information in 2011.

New laws, institutions and a commitment to international protocols were, however, insufficient to curb corruption in an environment of poor law enforcement and often contradictory laws and regulations. Legal provisions fell short of international standards by, for example, not covering mandatory aspects of corruption in the private sector, the trafficking of influence, or a definition of bribery that includes intangible benefits or advantage. And even as there was some progress in developing a more robust anti-corruption framework, there were also set-backs that showed the challenges of moving forward decisively. Examples include the Amnesty Law of 2009, and the 2011 Law on Information Transparency which, whilst creating important advances for obtaining information, also contained weaknesses in relation to exemptions from disclosure.

An absence of effective and efficient administrative systems with strong internal checks and balances also contributes to corruption through lax administrative practices. As Mongolia's administrative system had been growing since the 1990s in an ad hoc fashion without clear rules, regulations or processes, this gave rise to arbitrary and non-uniform processes between government agencies in their decision-making processes and concerning public service integrity, public procurement, public financial control and audit. Efforts at promoting reform, decoupled from building a consensual approach between bureaucrats and political leaders, and detached from public demand, resulted in an absence of public pressure to move the process forward.

By the beginning of the second decade of the century, poor rankings in international indexes of corruption, and a threat to blacklist Mongolia from the international banking system over weak anti-money-laundering provisions, increased pressure on Mongolia to reform. Demand came from within Mongolia as well as outside, the former from an increasingly vocal civil society experimenting with promoting government accountability through the monitoring of public services, itself an opportunity created by the 2011 Law on Information Transparency.

Reform-minded politicians were also pushing for change. Political parties in the ruling coalition issued the *Government Platform 2012-2016*. This was intended to address corruption through an action plan which includes "Radical Change in Combatting Corruption" as an aim. Since the end of the *National Program for Combatting Corruption 2002-2010*, often viewed as ineffective due to a lack of analysis and detail, there has been no national strategy. The new action plan promised to make governance more inclusive with public consultations, and to make all state and government activities open and transparent to the public.

The *Government Platform 2012-2016* advanced momentum generated by the *Policy and Action Program of the President of Mongolia for 2009-2013*. This focused on the elimination of corruption and red tape, and promised to introduce legislation that regulated conflict of interest. In 2012, the Law on the Regulation of Public and Private Interests and Prevention of Conflict of Interest in Public Service (the Conflict of Interest Law) was passed.

In conjunction with the 2011 Law on Information Transparency and Right to Information, and plans for a new national anti-corruption strategy, the environment became conducive for a donor-supported anti-corruption initiative to be established. The Asia Foundation's *Strengthening Transparency and Governance in Mongolia* (STAGE) project was designed to build upon the United States Agency for International Development's (USAID) *Mongolia Anti-Corruption Support* (MACS) project implemented by The Asia Foundation from 2005-2011. MACS had been instrumental in moving the anti-corruption agenda forward through advocacy for the Anti-Corruption and Conflict of Interest Laws, the mobilizing of technical assistance for the design of the IAAC, developing a tool for benchmarking corruption over time, and instituting an annual anti-corruption action planning process in over 100 government agencies.

Through MACS, the Foundation built strong relationships with the key stakeholders necessary to advance an anti-corruption agenda: the IAAC, Cabinet Secretariat, President's Office, Supreme Court, General Prosecutor's Office, the Capital City Land Authority, and leading civil society organizations. STAGE was therefore well positioned to continue MACS' anti-corruption efforts based on the new realities in the political environment, the developing legal framework, and the ability of the Foundation to leverage its own networks and connections to ensure the project would have positive traction.

II Project Approach

Key features were incorporated into STAGE design to bolster effectiveness, taking into account lessons learned through MACS. In this previous program, the Foundation's sole partner was the IAAC through which all activities were conducted. STAGE adopted a more integrated approach, working directly not only with the IAAC but also with a range of diverse stakeholders such as civil society, business, and key government institutions with interests in and responsibilities for anti-corruption. Coupled with this was the Foundation's commitment to cooperation with international stakeholders working on other anti-corruption initiatives. Drawing on the Foundation's experience, STAGE also incorporated more parallel efforts in legislative and administrative reform and emphasized locally designed reform plans that would capitalize on the stakeholders' knowledge and political and other relationships in order to better ensure agreement about the reforms needed. Additionally, the Foundation paid particular focus to gender aspects of the entire integrated approach including the gender dimension of corruption. Details on these key features of the STAGE approach that built on MACS' learning follow below:

Working with multiple stakeholders: The range of stakeholders active in STAGE allowed it to mobilize strategic constituencies for reform. With buy-in from the Cabinet Secretariat, Ministry of Justice and the IAAC, STAGE could develop other critical relationships, such as those with Parliament, the Judicial General Council, the Mongolian Bar Association, Ulaanbaatar City Municipality, and civil society to promote administrative and legislative reform. Without support from all these stakeholders, gaining traction to promote change could prove to be difficult. Linking these vertical constituencies was therefore designed to create pressure to overcome resistance to reform. Also central to STAGE was the inclusion of the private sector, a contributor to and victim of corruption, often silent on the issue, so needing to be more engaged on the issue.

Support for parallel efforts in legislative and administrative reform: More than simply an issue of improved law enforcement and ensuring that laws are fit for their purpose, anti-corruption efforts must take into account the complexities of the internal workings of a bureaucracy. Creating systems with checks and balances for the multiple duties and functions expected of a bureaucracy, itself not a single entity but composed of multiple agencies, is a complex task. Developing and

piloting systems and processes that meet the demands of these multiple agencies is therefore challenging. Such administrative reforms are critical to improve governance, and must go hand-in-hand with legislative reform already identified.

Making a multi-year sustained effort: Legislative and administrative change takes time; drafting and piloting legislation and reform needs to be thought through and part of an inclusive process, requiring input from multiple institutions all of which are working at their own speed and have their own priorities. Civil society activities can be implemented at a quicker speed, but the approach of STAGE was to strengthen state-civil society relationships for mutual benefit, not just to have civil society serve a watchdog function. This requires building trust and confidence, which itself takes time, especially when the multiple stakeholders have no history of constructive engagement for such purposes.

Nurturing locally designed plans for reform: The STAGE approach saw supporting and nurturing home-grown desire for change, emanating from reformist elements in the political, administrative, civil society and business spheres, as central to its success. STAGE could bolster these efforts with technical assistance and ideas, but it was essential for STAGE partners to lead the process to ensure buy-in and legitimacy. It would allow partners to use their political capital to push for change from within to overcome possible resistance to reform.

Gender equity: Program design to ensure gender equity was integrated within the overall approach, giving men and women an equal opportunity to exert influence over the reform agenda. Noting the disparity between women and men in the public service, especially as legislators, a responding effort was to be made to ensure that civil society organizations, understanding of the importance of gender issues, featured prominently in the civil society component of the project. At the research level, the benchmarking surveys were designed to look at the gender dimension of Mongolia's experience with corruption.

Coordination of international stakeholders: For the effective and efficient use of resources, STAGE's approach was to coordinate activities with other international organizations active in the governance field. Mercy Corps Mongolia's USAID funded *Active Partnerships and Public Engagement for Accountable Localities* (APPEAL) project co-implemented the USAID support for anti-corruption initiatives with STAGE. From the start there was a division of labor between APPEAL and STAGE based on the value-added of each partner: APPEAL's strength was working with civil society at the local level whilst STAGE, with its strong ties to national level policy-makers and government agencies, was well suited to provide high level technical assistance for legal drafting and administrative reform working at the national level.

STAGE also coordinated with USAID's *Business Plus Initiative* (BPI) project, implemented by Chemonics. BPI's focus, on private sector transparency and corporate governance allowed for overlap with STAGE's interest in engaging the private sector on anti-corruption issues. In particular, STAGE and BPI complemented one another on their respective work with the General Department of Taxation.

Outside of USAID support, STAGE closely coordinated with the United Nations Development Program (UNDP) and the Asian Development Bank in joint efforts to support the National Anti-Corruption Program (NACP) with, for example, each institution contracting technical experts to focus on different aspects of the draft NACP. The UNDP also complemented STAGE work by, for example, paying for the reprinting of STAGE publications for the IAAC. The work of the

Hans Seidel Foundation (HSF) complemented that of STAGE, with HSF facilitating the visit of a legal drafting expert to focus on the Administrative Procedures Law.

During the life of STAGE, STAGE was able to share information with the International Republican Institute (IRI) to support their development of a corruption risk assessment funded by the National Endowment for Democracy, and give input to the Organization for Economic Co-operation and Development's *Anti-Corruption Reforms in Mongolia: Assessment and Recommendations Report*.

Finally, STAGE also benefitted by the experience of MACS and took strong steps to underpin the STAGE project with evidence based data. With the multi-stakeholder approach of STAGE, strong data was seen as crucial to support all parties gain and sustain momentum for reforms identified. Evidence based data helped to develop appropriate solutions to problems, and made it more difficult for those resistant to reform to foot-drag. The presence of tracking data through the project cycle, in addition to helping monitor changes, was also a means to evidence and identify additional issues around which further anti-corruption efforts can be developed.

III Overview of Achievements

STAGE made great advances in achieving its goal of strengthening democratic governance by building a more transparent and accountable regulatory and legislative environment, and ensuring principles of checks and balances. It did this by working to ensure that legislative and administrative reform progressed in tandem, ensuring stakeholders worked together that brought the benefits of mutual assistance. Mongolia is now far better placed to ensure transparency and strengthened governance as a result of the achievements realized through STAGE, including:

- A broad coalition of state and non-state actors working together on multiple fronts including: analyzing legislation and draft legislation, collecting public input to strengthen legislation, developing joint advocacy initiatives, creating pressure about issues through public awareness materials such as handbooks, training manuals and television programs, and developing anti-corruption plans for government agencies and businesses.
- Now having a grouping in Parliament, the Mongolian Organization of Parliamentarians Against Corruption (MONPAC) is focusing specifically on issues relating to corruption, reaching out to non-MONPAC parliamentarians, influencing the work of parliamentary committees and the passage of key legislation, and acting as a conduit for outside interests to engage with Parliament on corruption issues.
- The IAAC is better placed to carry out its duties and responsibilities because of its ability to work effectively with stakeholders, work on a wider range of activities, and improved internal self-management and strategic planning.
- With more stakeholders actively contributing to and commenting on legislative drafts, there is more openness in the legislative drafting process. This has increased awareness of the contents of proposed legislation, which in-turn has created more demand for such openness and inclusiveness.
- The private sector is now more mindful of corruption issues and is engaging with both its members and external stakeholders as it becomes more willing to address corruption issues within a broader context.

- A strong civil society alliance is now able to engage constructively with government and government agencies, and act as a watchdog.
- For its watchdog function, civil society has pioneered new tools and techniques to monitor the provision of local government services.
- Law enforcement agencies are now communicating effectively through the establishment of a Tripartite Coordination Working Group.
- Anti-Corruption Action Plans (ACAPs) are being implemented with seriousness by government agencies, and are being piloted in the private sector for the first time.
- Software is now in-place to support the merit-based appointment of judges free from possible outside manipulation or interference.
- The public can gain information about court decisions for the first time through specially designed app software.
- The decisions of the mayor of Ulaanbaatar, along with the nine district governors and 27 agency heads, are now all available on-line on a central municipality database.
- In Ulaanbaatar the public now has access to information about land registration for the first time, on-line.
- A curriculum developed specially for prosecutors focusing on corruption, and a curriculum containing corruption related issues for trainee teachers, both of which are mandatory for use, are in place.
- The Ministry of Justice is aware of the use of potential indicators to monitor the performance of public officials.
- There is consensus that a General Administrative Law (GAL) is required to ensure functions, duties and the operations of all government agencies are properly regulated.

These are substantive changes that have come about in 2.5 years, and testify to the willingness of all stakeholders to change the way they work with one another and to support one another. Changes have come not just between institutions and organizations, but also within sectors.

Civil society is an example of change within a sector. At the start of STAGE, the project worked with individual civil society organizations (CSOs). These organizations were active working on transparency and governance issues but had not conceptualized their work within the framework of anti-corruption. Neither had most worked on donor-funded, multi-year projects. Rather, efforts had tended to be short-term, with the relationship between civil society organizations characterized more by competition than cooperation.

In the second year of STAGE, civil society activities were carried out under the umbrella of a newly established Partnership for Transparency Initiative (PTI). The impact was immediate. PTI became an interlocutor for other stakeholders, such as the IAAC and MONPAC, to dialogue with. As PTI and other civil society partners started working together on daily basis, on more practical terms the relationship between the IAAC and civil society strengthened.

With IAAC buy-in, it was easier for grantees to gain recognition for the innovative work they were carrying out in the field, including the use of community score cards. This increased recognition in turn helped change the relationship between PTI members. As they became more comfortable working with one another, they understood the advantages of registering PTI as an

independent organization in its own right. PTI now consists of 11 civil society organizations focusing on transparent and accountable governance (see Annex 1).

In October 2014, PTI signed a memorandum of understanding (MOU) with the IAAC to formalize their relationship. As a sign of the importance of PTI to the IAAC, the IAAC has set aside a budget for PTI to carry out research and monitoring

“With STAGE, we built a good foundation with civil society. That was the best result on our side as we could prove how important CSOs are. Now we have allocated budget for PTI and MONPAC and other monitoring activities” said the IAAC.

activities that will strengthen the IAAC’s work in 2015. This is enabling PTI to diversify its funding base and transition from being a purely international donor-funded organization and thus gain more financial security.

STAGE also allowed for change to take place in the way the IAAC handles its mandate. Established in 2007, MACS contributed technical assistance to its institutional design, development of planning processes and staff capacity building. However, prior to STAGE there were no constructive link between the IAAC and civil society. This partly resulted from the IAAC being new and under-resourced, and at the time focusing heavily at the local rather than the national level. Through STAGE, many aspects of the way the Prevention and Public Awareness Department of the IAAC changed (see Result 1.3.2), so helping it change its relationship with key stakeholders.

Another focal point of change through STAGE was Parliament. In 2012 reformist MPs from different political parties were not working together in any particular coherent fashion. The Foundation, through its links to the Global Organization of Parliamentarians Against Corruption (GOPAC), initiated the idea of re-establishing a Mongolian chapter of this grouping. A chapter had existed in previous years, but by 2012 was no longer active. Following discussions with reformist parliamentarians, in January 2013, MONPAC was launched at Government House. All MPs were invited to join MONPAC, of which 16 did, bringing together representatives from all political parties in Parliament.

Since its re-establishment, MONPAC has paid close attention to anti-corruption initiatives, especially the proposed (GAL) and National Anti-Corruption Program (NACP). Although its effectiveness in pushing forward legislation is limited by the interests of political parties, it has become an important channel of communications within and outside of Parliament, the latter notably with the IAAC and civil society. External stakeholders benefit from their stronger ties and direct links to legislators.

MONPAC itself has influence within Parliament as its members hold key, strategic positions, for example, the Chair of the Standing Committee on Security and Foreign Affairs, responsible for drafting legislation focusing on clean governance. Thus, in the first session of Parliament in 2015, as a new election campaign finance is discussed, the Chair has stated that he is keen for civil society to engage in the drafting and later monitoring of the law once passed; the Chair’s membership of MONPAC and MONPAC’s links with PTI, should support this.

To facilitate sound ties between Parliament and civil society, in October 2014 MONPAC signed an MOU with PTI. MONPAC has also signed an MOU with the IAAC, so there is now complementarity in the triangular relationship between civil society, Parliament and MONPAC.

These relationships have become deeply embedded in a short time, a tribute to the benefits they are perceived to bring to all parties.

Implementing STAGE in accordance with its approach has proved to be successful. Mongolia is now better positioned to support effective, on-going transparency, good governance and anti-corruption cooperation in the years ahead, a legacy of STAGE.

IV Project Results

Goal and Objectives

The Goal of STAGE was to strengthen democratic governance by building a more transparent and accountable regulatory and legislative environment, and ensuring the principles of checks and balances. The Goal was supported by two Objectives:

- i) Promoting good governance to reduce corruption and increase transparency; and
- ii) Improve administrative reform.

Goal Indicator: In support of the Goal Indicator, “Improved legal and regulatory environment designed to increase transparency and accountability”, STAGE has succeeded by contributing to the development of 12 laws. Support for these laws has come at different stages in the legislative life cycle:

- i) Analysis of draft laws, public input for drafts, and technical assistance for drafting;
- ii) Law implementation;
- iii) Proposals for amendments.

Table 1 lists the 14 laws and policy documents STAGE has most directly contributed to, including legislative drafting and development, proposed amendments, and implementation. Further detail can be seen under Results 1.2 and 2.1. In addition to the laws listed in Table 1, Transparency International assessed 41 legislative documents for compliance with UNCAC standards, and PTI looked at eight draft laws with Parliament to identify internal weaknesses that would make implementation to become susceptible to corruption.

Table 1: Contribution of STAGE to Improved Legal and Regulatory Environment

	Law and Policy Documents	STAGE Support
Legislative Drafting and Development		
1	Administrative Procedures Law	<ul style="list-style-type: none"> • Technical assistance through translation of comparative laws • Support for Ministry of Justice Working Group Meetings
2	General Administrative Law	<ul style="list-style-type: none"> • Administrative Processes, Procedures and Performance Study Baseline • Technical assistance through translation of comparative laws • National and international experts support drafting and critiquing • Public discussions facilitated through MWLA • Discussions with judges for technical input • Support for Ministry of Justice Working Group Meetings • Involving MONPAC to advocate for the passage of the law
3	National Anti-Corruption Program	<ul style="list-style-type: none"> • Public discussions facilitated through MWLA • Discussions with professional groups • National and international experts support drafting and critiquing

		<ul style="list-style-type: none"> • Involving MONPAC to advocate for the passage of the law • Direct substantive inputs to the draft NACP
4	National Code of Ethics for Teachers, Ministry of Education, Culture and Science	<ul style="list-style-type: none"> • Draft Code of Ethics developed for Ministry by team of education experts after request from Ministry at suggestion of UB City Education Office • Feedback consultations to discuss draft; now with Ministry of Justice
Proposed Amendments		
5	Criminal Code	<ul style="list-style-type: none"> • Review of implementation practice • Team of experts discuss and agree wording for draft amendments • Recommendations for legislative amendments submitted to IAAC, GPO, Supreme Court and Ministry of Justice
6	Criminal Procedure Code	<ul style="list-style-type: none"> • Review of implementation practice • Team of experts discuss and agree wording for draft amendments • Recommendations for legislative amendments submitted to IAAC, GPO, Supreme Court and Ministry of Justice
Implementation		
7	Anti-Corruption Law	<ul style="list-style-type: none"> • Software for IAAC to assess all applicants wishing to become a state official; software for income and asset disclosure • Assessment of the law to see the extent to which the law has addressed the international standards (particular the UNCAC) through TI
8	Conflict of Interest Law	<ul style="list-style-type: none"> • Trainings for government officials • Trainings for the private sector • Series of Handbooks for different target audiences • Development of a range of public outreach materials including television programs, billboards and brochures • Data collection and tracking through SPEAK • Public awareness and mobilization surrounding the law
9	Law on Information Transparency	<ul style="list-style-type: none"> • Contributed to a Cabinet Secretariat Regulation on transparency • Trainings for government officials • Trainings for the private sector • Series of Handbooks for different target audiences • Development of a range of public outreach materials including television programs, billboards and brochures • ACAP assessment • Social accountability through community scorecards • Obtained disclosure concerning UB land records and decisions
10	Law on Judicial Administration	<ul style="list-style-type: none"> • Provision of software for public access to court decisions
11	Law on Legal Status of Judges	<ul style="list-style-type: none"> • Commissioning report on Performance Evaluation of Judges • Judge selection software for JGC
12	Law on Legal Status for Lawyers	<ul style="list-style-type: none"> • Support for Mongolian Bar Association's development
13	Procurement Law	<ul style="list-style-type: none"> • Monitoring of local procurement • Challenges and needs of Procurement Units
14	Tax Law	<ul style="list-style-type: none"> • Trainings for tax officials nationwide on e-tax payment program • Public information sessions on tax payment

Goal Indicator 2: The second indicator of the STAGE Goal was the “Number of Government of Mongolia institutions involved in USG supported transparency and good governance activities”. In total, STAGE engaged with 17 institutions to support transparency and good governance activities, exceeding the target of twelve. Table 2 notes the institutions and types of support.

Table 2: Institutions involved in USG Supported Transparency and Good Governance Activities

	Institution	Activities
1	Office of the President	<ul style="list-style-type: none"> • Support for NACP • Support for resubmission of GAL to Parliament
2	Parliament	<ul style="list-style-type: none"> • Support for MONPAC • Support to the Parliamentary Committee on Foreign Policy, and national security to emphasize a need to have a separate legal provision to tackle grand corruption
3	Cabinet Secretariat	<ul style="list-style-type: none"> • Support for ACAP monitoring training • Introduction of transparency initiatives of STAGE partners to soum governors as part of Open Governance Partnership action plan
4	Independent Authority Against Corruption	<ul style="list-style-type: none"> • Support for trainings, awareness raising, tripartite coordination, internal capacity building and strategic planning
5	Ministry of Justice	<ul style="list-style-type: none"> • Technical assistance for inclusive GAL and APL drafting process
6	General Prosecutor’s Office	<ul style="list-style-type: none"> • Developing tripartite coordination modalities • Revision of the training manual for prosecutors
7	Judicial General Council	<ul style="list-style-type: none"> • Technical assistance to draft a regulation concerning selection of judges, and support for associated software development; development of app for court rulings
8	Mongolian Bar Association	<ul style="list-style-type: none"> • Support for capacity building of internal committees
9	National Legal Institute	<ul style="list-style-type: none"> • Supported development of anti-corruption handbook for law enforcement agencies; trained trainers on anti-corruption laws
10	Supreme Court	<ul style="list-style-type: none"> • Developing tripartite coordination modalities
11	General Department of Taxation	<ul style="list-style-type: none"> • Support for training General Department of Taxation officials, and outreach to private sector
12	Procurement Office	<ul style="list-style-type: none"> • Identified challenges and needs in functioning of office
13	UB City, Education Office	<ul style="list-style-type: none"> • Supported drafting of a code of ethics based on stakeholder discussions; facilitated training on corruption issues in schools
14	UB City, General Planning Office	<ul style="list-style-type: none"> • Provided public information board
15	UB City, Health Office	<ul style="list-style-type: none"> • Implemented an anti-corruption survey to identify areas most prone to corruption in the health sector; supported ethics trainings for officials
16	UB City, Land and Property Office	<ul style="list-style-type: none"> • Facilitated digitalization and up-loading of land records and demarcation maps onto website; provided public information boards
17	UB City, Law Department	<ul style="list-style-type: none"> • Developed assessment methodology for local level regulations; conducted assessment of 20 UB City regulations; developed software and website for UB City administrative decisions

Objective One: The first objective of STAGE, “Promoting good governance to reduce corruption and increase transparency”, exceeded its target with eleven major activities in Year 2, and an additional five in Year 3. The Breakthrough Anti-Corruption Activities listed in Table 3 below, all major initiatives, had a strong altering impact on government’s regular practice of fighting corruption as many of them are either demand driven, newly introduced or have potential to continue beyond STAGE.

Table 3: STAGE Breakthrough Anti-Corruption Activities

	Institution	Year
1	STOPP and SPEAK surveys	Year 2
2	Work with MONPAC	Year 2
3	Work on the National Anti-Corruption Program	Year 2
4	Support for the General Administrative Law	Year 2
5	Capacity strengthening for the IAAC	Year 2
6	Assessment of ACAPs	Year 2

7	An indexing of ministries based on ACAP performance	Year 2
8	Engagement with the private sector on corruption issues	Year 2
9	Tripartite coordination	Year 2
10	Anti-corruption training for government officials	Year 2
11	Civil society monitoring of government agencies through community score cards	Year 2
12	Piloting of a Ulaanbaatar City Municipality ACAP	Year 3
13	Engagement with a parliamentary standing committee on grand corruption	Year 3
14	An evaluation of the performance of judges	Year 3
15	Support for the establishment of the Mongolian Bar Association	Year 3
16	Informed Cabinet Secretariat's process to introduce Open Governance Partnership to local officials	Year 3

Objective Two: The second objective of STAGE, “Improving administrative reforms”, was planned to result in a new and more detailed legal and regulatory environment. By the end of STAGE, draft laws were in progress but not yet passed. The draft laws are the GAL and Administrative Procedures Law (APL).

Toward the end of the project period, in mid-December 2014, the President submitted the GAL to the Government. Subsequent to the end of the project period, there have been further developments on the GAL. After the Government’s 30-working-day deadline had passed, the GAL was then passed to the Parliament on February 5, 2015 and, on February 16, it was passed by the Legal Standing Committee. The GAL will be considered by the Parliament in the spring session. In addition, criteria for administrative performance evaluation have been received by the Ministry of Justice.

Aside from the issue of the GAL and APL, STAGE worked to improve the administrative reform process which is not limited to the passage of the law:

- Built capacity of the MoJ (through a working group) to gain insights and knowledge on the best international practices of administrative reforms;
- Mobilized citizens around administrative reforms, resulting in an increased level of citizen awareness on the need to have a law and thereby implement reforms; for the first time, administrative performance is subject to citizen scrutiny;
- Developed a draft list of criteria through which future administrative performance can be measured regardless of passage of the law;
- With the discussions organized by STAGE with seven or eight government agencies, there is an increased readiness for reforms (as it was agreed by all agencies but later halted at the request of the MoJ until after passage of the laws);
- As demonstrated by the findings of the APPPs, administrative reform could potentially be implemented in a limited way or as a pilot with or without the law.

Annex 2 shows the outcome of STAGE based on its Performance Management Plan.

Results

Result 1.1: Increased knowledge of the modalities of grand corruption

The Surveys on Perceptions and Knowledge of Corruption (SPEAK) and Studies of Private Perceptions of Corruption (STOPP) became signature hallmarks of STAGE. Repeated twice yearly over the life of the project (SPEAK four times, STOPP five times), they generated tracking data about perceptions of corruption in Mongolia. SPEAK and STOPP results were reported widely in the media as well as at dissemination workshops, distribution of findings to

“Surveys such as SPEAK gives us confidence to speak about corruption as something concrete” said MONES.

survey grantees, and radio programs. This included working closely with the APPEAL partners. As a result, in Year 2, over 2,800 citizens, including government officials and civil society organization members were informed

of the findings. In Year 3, this number was 1,640 (3,243 including the APPEAL sites), beyond the target of 450 for each of Years 2 and 3.

STAGE’s contribution to increased knowledge of modalities of grand corruption, and how grand corruption permeates all aspects of political and bureaucratic systems and structures, was evidenced by the introduction of the concept of grand corruption into the NACP. This came about as a result of public consultations through which the public and local administrators were made aware of grand corruption, supported by increased public discussions around the issue through, for example, radio programs. Public dissemination of the surveys was also intended to result in increased awareness and sensitivity towards the subject.

SPEAK and STOPP made available unique data concerning perceptions and experiences of corruption, forming an invaluable record of change. For example, the March 2014 SPEAK survey shows only 8 percent of respondents claimed that they or their family had paid a bribe in the last three months. This is down from 12.4 percent in March 2013, and 26 percent in March 2006 when first asked (through MACS). However, in the business environment, only 20.6 percent of respondents in the October 2014 STOPP study reported that they were either “Very Satisfied” or “Somewhat Satisfied” with the general business environment, a drop from 27.2 percent in December 2012.

The benefits of such information is that it provides data for evidence-based advocacy efforts with government and state institutions, and are an important way to introduce and engage particular constituencies. Examples include:

- The Women’s Leadership Foundation (WLF) pioneering work on grand corruption (see Result 1.2.1.iv), using the surveys as a starting point;
- The Mongolian Women’s Lawyers Association (MWLA) working with the IAAC, using SPEAK to identify priority government officials to include in discussions for feedback to improve the first draft of the NACP (see Result 1.2.1.i);
- The Mongolian National Chamber of Commerce and Industry (MNCCI) sharing findings with members;
- SPEAK’s use to identify the health sector as a sector in need of further study concerning modalities of corruption found there.



STAGE Program Manager Mr. Bayanmunkh is discussing SPEAK survey results with health sector workers.

Annex 3 provides information on the use of SPEAK.

The STOPP and SPEAK studies will continue to be implemented in 2015 with the support from the Department of Foreign Affairs and Trade of Australia, so ensuring continuity to this important work.

Result 1.2: Strengthened legal and policy environment for anti-corruption

The Indicator for Result 1.2 was the number of practical efforts, including proposal and recommendations and draft decisions, put forward to strengthen the legal and policy environment for anti-corruption. As noted in Table 1, STAGE affected 14 laws and policy documents focusing on strengthening the legal and policy environment. In Year 2, at least 57 recommendations were provided to various government agencies, with 9 recommendations for the Criminal Code and Criminal Procedures Code, 17 for the Judicial General Council, 19 for the IAAC and 12 for the General Prosecutor's Office. In Year 3 at least 39 recommendations were made in relation to procurement laws, and 97 concerning land laws. Analysis of weaknesses in existing and draft legislation carried out by Transparency International and PTI contributed to increased understanding of an additional 49 laws.

Result 1.2 contributed to strengthening of the legal and policy environment through: 1. Creating Partnerships; 2. Research; and 3. Education.

1. Creating Partnerships

i) Support for the National Anti-Corruption Program

As the centerpiece of the Mongolian President's effort to address corruption is the National Anti-Corruption Program. The President's legal advisor, who heads the working group tasked with drafting the NACP, appointed the IAAC to be responsible for gathering public input for the draft. To support the process, the Foundation provided technical feedback on the draft, and to ensure the public was fully engaged in the development of the NACP, APPEAL and STAGE worked with the Mongolian Women Lawyers Association (MWLA) to gather feedback from the local and national levels. In total, over 4,000 comments were collected from over 3,240 members of the public participated through a series of 60 consultations (see Annex 4).

The IAAC's approach to gather public input in this way was groundbreaking as it was the first time it partnered with a civil society organization to obtain popular feedback and comment. Twinning the IAAC with an expert organization to facilitate the process attained rich results. In addition to consulting with the public, the dialogue process included elected representatives and government officials. In a similar exercise, MWLA also gathered public input and comment about the draft GAL (See Annex 5).

ii) Trainings around anti-corruption laws

To improve implementation of anti-corruption laws, STAGE supported the training of over 600 government officials on issues including: how to ensure transparency; avoiding conflict of interest; implementing income and asset declarations; and conflict of interest. These trainings were carried out by Women for Social Progress (WSP) with the full support and participation of the IAAC, which has posted the materials on its website for further outreach (see Annex 6). The materials form part of the training now obligatory for all public officials. This collaborative effort shows the benefit to the IAAC of working with civil society to produce materials and carry out trainings which, on its own, it would not have had the capacity to do.

Another example of trainings for public officials is that carried out by the Mongolian Association of Local Authorities (see Annex 7).

iii) Effective monitoring and piloting of ACAPs

Central to efforts to improve administrative processes is to ensure government agencies implement ACAPs, the internal strategy documents for government agencies. ACAPs, although a requirement since 2008, have been a formality, with little attention paid to the content and no effective assessment of ACAPs thereafter. The Cabinet Secretariat assigned the IAAC to address this.

With support from STAGE, the NGO Onch Shiidel conducted an initial assessment of 28 ACAPs in Year 2, and in Year 3, Onch Shiidel and MDS Associates conducted the assessment of 147 ACAPs. Assessments covered transparency of information, consistency amongst agencies to deal with anti-corruption laws, and internal agency ACAP planning. The success of this endeavor was based on collaboration: through STAGE, the IAAC was introduced to the idea of working with external organizations, one a professional law firm (MDS Associates) and the second a civil society organization (the NGO Onch Shiidel), to manage the ACAP process. The two organizations were tasked with assessing ACAP performance, thereby removing this burden from the IAAC. In 2014, Year 3, IAAC funded the assessments of all 153 agencies – evidence of the importance of this activity to the IAAC.

“Quality of ACAPs has improved significantly. Before they were just a formality. Now we have a new approach, with independent organizations reading the reports. ACAP implementation required will power from agency heads. But now with the public ranking of agencies, attitudes have changed” said the IAAC.

By using independent organizations, agencies are no longer able to try and influence or blame the IAAC for negative reports. Shielding the IAAC has strengthened it, and forced agencies to take ACAPs seriously. Furthermore, the assessors now rank government agencies based on their performance. This has introduced a sense of competition amongst agencies to improve performance, fearing being shamed as the worst performing agency, through the information posted publicly on the IAAC website.



MOU was signed between the IAAC, TAF and Ulaanbaatar City Municipality on successful fight against corruption.

Following the initial ACAP assessment, the Ulaanbaatar City Municipality was keen to improve its ACAP performance, requesting support from the IAAC and The Asia Foundation to do so (see Annexes 8 and 9). In a further example of a positive collaborative effort, four City Municipality agencies (Land and Property Office, General Planning Office, Health Office and Education Office) were identified for inclusion within a single ACAP, agencies identified as the least open and transparent. This resulted in new software and a website being developed to ensure decision-making in all City Municipality agencies is transparent, and over 48,000 pages of

documents relating to land decisions have been scanned, digitized and uploaded to end the culture of limited information about land ownership. For the Education Office, a draft Code of Ethics, involving consultations with 550 teachers, was drawn up. It has since been approved by the Minister of Education and is now with the Ministry of Justice for approval.

iv) Grand corruption

The Women's Leadership Foundation (WLF), along with counterparts from the IAAC, Ministry of Justice and other law enforcement agencies, drew up a set of guidelines concerning how to fight grand corruption. Following this, the Standing Committee for Security and Foreign Affairs, liaising closely with WLF, organized a conference on grand corruption for high level officials from ministries, Parliament, the National Security Council, and the IAAC. The conference discussed the set of guidelines within the framework of how grand corruption is a national security threat. The WLF and IAAC went on to make five recommendations for the President, Speaker of the Parliament and Prime Minister concerning needed actions to address grand corruption (see Annex 10).

In addition to providing specific input for key anti-corruption legislation, including revisions to the Criminal Code, partnerships between state and non-state actors have contributed to informing and reshaping attitudes towards corruption. For example, following the conference, the government accepted corruption as a security as well as governance issue, so reshaping policy.

2. Research

i) Analysis of anti-corruption laws

To strengthen the legal and policy environment, STAGE partners have been active in legal analysis, providing -- through original research -- findings that can contribute to a strengthened legal framework. Examples include Transparency International's evaluation of 41 laws concerning compliance with UNCAC (see Annex 11). Findings were submitted to the IAAC and MONPAC, after which the IAAC organized a meeting on UNCAC implementation for Parliament and government officials.

“Challenge for MONPAC is that it all depends on political will. The IAAC provides PTI with internal reports, and the relationship between MONPAC and IAAC has taken their work to a new level”
said Ms. Oyuntuya Sumiya of WSP.

A second example is PTI’s assessment of eight draft laws scheduled to be discussed by Parliament, focusing on how to improve weaknesses in the draft laws. Findings were submitted to MONPAC and the Speaker of Parliament to raise awareness about the deficiencies. This was the first time an assessment of draft laws had taken place,

although such risk assessments are generally considered as standard best practice. For a summary of issues identified, see Annex 12.

ii) Study to investigate the adjudication of corruption cases

A first activity of the Tripartite Coordination Working Group (see Result 1.3) – also an example of partnership – was the commissioning of a study to investigate the adjudication of corruption cases. The report looked at over 300 cases from the 2010-2013 period, and included a survey of investigators, prosecutors and judges about the legal environment. The study contained 36 recommendations, of which seven relating to the Criminal Law and two to the Criminal Procedures Law were incorporated into the two draft laws to be discussed by Parliament in 2015. There was also a recommendation to create standard practices for investigating corruption.

iii) Study of transparency in land management

With privatization of land, there had been increasing concern at the lack of transparency in the process. To address this, STAGE supported research that identified problems relating to insufficient information about ownership, payment fees for land registration, and the length of time it was taking to process applications. This assessment, carried out by local research NGO IRIM, has not only provided comprehensive information on this issue, but is creating discussion about rules and regulations on land management (see Annex 13).

3. Education and Awareness-Raising

i) Development of handbooks

STAGE supported the development of a series of handbooks by a number of NGOs to support understanding of the legal and regulatory environment. Designed for specific target audiences, these handbooks will help ensure different segments of society better understand the corruption laws, a risk reduction strategy (see Result 1.3.2.iv). Most were distributed to government officers and civil society.

ii) Public awareness-raising

An example of direct and effective linkage between anti-corruption initiatives and public awareness to create public pressure was the free edition of *Undestnii Toim* weekly journal containing the ACAPs ranking results. STAGE also supported the development of other public awareness materials, including a television series (*Water Flows Up*), television documentaries, posters for billboards, and materials for specific target audiences such as youth.

The role and contribution of civil society to awareness-raising and informing the public about the anti-corruption environment has been a key contribution of civil society through STAGE. Details about the activities developed by PTI members can be seen in Annex 14, with a full list of public outreach materials produced by STAGE found in Annex 15. Annex 16 is a list of all STAGE media coverage.

In addition to awareness-raising through media, awareness about the legal and policy environment was raised through public consultation meetings. Examples include those organized by MWLA and held around issues such as the NACP, GAL and findings from the STOPP and SPEAK surveys.

iii) Education

Through STAGE a democracy education curriculum with a chapter on “Society without Corruption” was developed, piloted and instituted at the teacher training faculty of the National University of Education, as well as its social science faculty, and three private universities. Accepting the results of surveys is also an important advance and form of education around which trainings can be tailored, as happened with the health sector (see Annex 17).

Result 1.3: Increased capacity of relevant anti-corruption agencies to fulfill their mandate

A strengthened legal and policy environment for transparency and good governance can only be effective if those agencies responsible for implementation and enforcement have the capacity to fulfil their mandates. Result 1.3 focused on ensuring that the different agencies involved in anti-corruption were able to discharge their responsibilities effectively.

1. Increased inter-agency coordination

Strong, well-functioning inter-agency cooperation and exchange of information is critical for effective law enforcement. In Mongolia, the relationship between the Investigative Department of the IAAC, the GPO and Supreme Court is central to this. Prior to STAGE, the relationship between the three agencies was formal in nature, with correspondence by letter only on particular issues.

STAGE initiated consultation meetings with the three agencies to establish a closer and more expansive relationship between them. This resulted in the establishment of a Tripartite Coordination Working Group in January 2013 to look at ways to improve their coordination. Later, the Judicial General Council joined these discussions. Through the Working Group, these agencies now have a better understanding of their common concerns, and see how these issues are best addressed collaboratively – such as their joint study on the adjudication of corruption cases (see Result 1.2.2.ii) as well as joint planning, and joint learning experiences (see Annex 18).

2. Increased capacity of IAAC to fulfil its mandate

Through STAGE, significant improvements have come about in the IAAC’s: i) Range of activities; ii) Network of working relationships; iii) Internal capacity; iv) Available resource materials; and v) Knowledge and information databank.

i) Range of activities

Prior to STAGE, the Prevention and Public Awareness Raising Department carried out its duties in a narrowly focused way that did not contribute to an increase of its own political capital or influence. STAGE support has allowed it to reassess how it works and to use its mandate more effectively through:

- Advocacy (for example, its work on the NACP);
- Research (for example, contributing to Transparency International and PTI assessments);
- Media outreach (for example, support for television drama and documentaries);
- New methodologies (for example, public input and feedback on drafts; the provision of trainings for public officials; assessing ACAPs);
- Promoting its work to the public (for example, through Good Governance Week);
- Tool development (for example, the handbooks developed by WSP and MONEF).

These activities have increased the prominence, visibility, and standing of the IAAC, linking it with the policy environment (Result 1.2), efforts to engage the business sector (Result 1.4) and civil society (Result 1.5).

ii) Network of working relationships

Through STAGE, the IAAC has cultivated firm relationships with a range of external players to its advantage by having other players provide essential support services, whilst simultaneously using this to influence the environment in which it is working. The key relationships developed through STAGE are with the:

- Business community (BCM, MNCCI, and MONEF);
- Civil society (PTI and Transparency International);
- Parliament (MONPAC);
- Ulaanbaatar City Municipality.

Parliament is a key institution that plays a central role in the anti-corruption environment. As noted in Result 1.2, MONPAC has developed an ability to take the lead in Parliament for raising awareness amongst parliamentarians about legislation such as the NACP and GAL.

Since the opening of the IAAC, efforts have been made to mark the annual International Anti-Corruption Day in Mongolia. Starting in 2012, and in collaboration with the IAAC, the Foundation and Mercy Corps worked to expand awareness-raising from a single day to promotion of Good Governance Week each December. Given the remit of making the week more high profile, IAAC established a working group with representatives from the Cabinet Secretariat and Ministry of Justice, again building its relationships with other state agencies. STAGE contributed by helping support appropriate activities, for example, the publication of the special edition of *Undestnii Toim* in December 2013. STAGE coordinated closely with APPEAL for Good Governance Week events (see Annex 19).



Youth parading to support fight against conflict of interest during the Good Governance Week.

The IAAC's increased communications with the business community is covered in Result 1.4.

iii) Internal capacity

STAGE supported activities that strengthened institutional capacity of the IAAC, including:

a) Support for IAAC to work more effectively: STAGE responded to an IAAC request to build the capacity of its Prevention and Public Awareness Raising Department staff to work more creatively, away from traditional bureaucratic practices.

b) Assessment of prevention and public awareness work: STAGE responded to an IAAC request to assess its work on prevention and awareness-raising work. The assessment was carried out by the NGO Press Institute. Following interviews with staff, stakeholders, national and local

level stakeholders, the Press Institute made recommendations which encouraged it to develop a strategic plan focusing on activities and human resource management and budgeting.

c) Development of a strategic plan for human resources, activities and budget: Following the assessment, with support from an independent team of experts, the IAAC drew up a three-year strategic plan focusing on internal human resource and budgetary management. This was the first time that they discussed and created a long-term plan for themselves.

d) Hotline software: A key way the public can contact the IAAC to report cases of suspected graft is through its telephone hotline. A needs assessment of the hotline was conducted looking at message delivery, data collection and staffing. Following this, software was developed to allow the IAAC to track and monitor incoming calls, generate statistics about complaints, types of corruption reported, and track case monitoring. To support this effort and ensure the public was informed about IAAC's increased capacity to receive reports, STAGE worked collaboratively with the IAAC to develop a PSA to keep the public informed of this enhanced service. This is designed to increase public confidence in the IAAC as it is able to respond more rapidly to the public about its work.

iv) Available resource materials

Through its collaborative relationships with civil society and the business sector, many new anti-corruption related resource materials have been created. These materials were developed for specific target audiences in mind. The IAAC now has at its disposal a series of three handbooks and a training manual. The handbooks (i., ii., and iii. below) were developed by WSP while the handbook for the private sector was developed by MONEF (see iv. below). The IAAC was fully involved in editing and approved the texts. The handbooks it now has are the:

- i) Civil Society Handbook on the Conflict of Interest;
- ii) State Officials Handbook on Anti-Corruption Legislation;
- iii) Trainer's Guide for Explaining Anti-Corruption Legislation;
- iv) Handbook for the Private Sector on Anti-Corruption.

For the IAAC's use, the STAGE project created an illustrated brochure for the general. Before STAGE, the IAAC did not have tailored materials, either for internal use or for outreach purposes to specific target audiences.

v) Knowledge and information databank

Through the research undertaken by STAGE partners, the IAAC now has analysis of high priority laws relating to corruption eradication efforts, analysis of laws scheduled to be debated by Parliament in 2015, analysis about weaknesses in the existing legal and regulatory framework based on UNCAC principles, in depth analysis of practice of investigating, prosecuting and adjudicating corruption cases, as well as detailed knowledge about the contents of the draft NACP.

This in-house knowledge about planned and existing legislation gives the IAAC the opportunity to be pro-active in its advocacy efforts with Parliament and ministries concerning weakness, shortfalls and conflicts between existing and planned legislation. Before STAGE, the IAAC did not have the capacity to act in this way, a benefit that has come about through its expanded network of working relationships.

3. Judicial General Council

In March 2012, a package of laws, including ones focusing on the courts and legal status of lawyers and judges was passed. As a result, there were significant changes needed to the structure of the judiciary, as well as, for example, the selection and performance evaluation of judges.

The Judicial General Council (JGC) requested assistance from STAGE to support it to understand how to evaluate the performance of judges and the use of appropriate indicators. In response, STAGE facilitated arrangements for an internationally recognized expert to work with the JGC to develop performance indicators. The JGC incorporated the recommendations by Dutch legal expert, Pim Albers, into a document that has been submitted to the Supreme Court for approval. Recommendations included training for judges in areas they are underperforming, and the monitoring of decisions made by judges. These could make a significant contribution to strengthening the judiciary.

Also upon request, following the submission of a Judicial Performance Evaluation study, STAGE supported the JGC to develop software to make the process of the selection of judges both systematic and transparent. Before, the selection of judges was open to possible interference by members of the Professional Committee responsible for the selection of judges. By by-passing the possible manipulation of results, judge selection is now truly based on merit. The content of the software – the question blocks – was developed by consultants through STAGE. The test covers legal ethics, judicial temperament, leadership, and management skills. To date the test has been taken by 475 judicial candidates, both existing judges and new judicial candidates, of which 10 percent failed.

To strengthen the JGC in its public outreach, STAGE supported the development of a smartphone app that will allow the public to access court decisions and the location of courts. Until now those without internet have had great difficulty in finding out this information. The app has been available from app stores and Apple i-store since December 19, 2014.

At the annual meeting of the JGC the software for judge selection and app development were praised as the JGC's two most successful projects of the year. This contributes to further momentum for reform, as well as reflecting positively upon support the JGC received from USAID.

All support for the JGC was in response to requests from the JGC. Although not in the original STAGE work plan, they were implemented with authorization from USAID.

4. National Legal Institute

The National Legal Institute (NLI), responsible for the on-going legal education of lawyers, agreed to develop a training curriculum on how to prosecute corruption cases. Prior to this NLI had only a general training curriculum for all prosecutors; this was the first curriculum specifically tailored to the needs of prosecutors focusing on corruption. A manual was developed alongside the training curriculum. The curriculum and manual have been distributed to all law schools and the GPO. Through STAGE, the NLI was able to contract four national consultants to write the curriculum and manual, as well as to print them. The curriculum will be mandatory for all prosecutors, with the Training Committee of the Mongolian Bar Association responsible for implementing it. However, it is not clear whether the GPO or Mongolian Bar Association will be responsible for the training of prosecutors.

5. Mongolian Bar Association

As the Mongolian Bar Association (MBA) was established during STAGE, with a remit to train prosecutors, the MBA requested assistance from STAGE to support its start-up activities. STAGE did this through support for establishment of its Professional Conduct, Training, and Ethics Committees. STAGE support allowed the MBA to benefit from national consultants who helped to draft committee regulations for all three committees. The regulations were all adopted.

Result 1.4: Increased private sector engagement in anti-corruption

The voice of business, a sector which can so negatively influence and be impacted by petty and grand corruption, has made little contribution to addressing the problem. Whilst the business community has experience of discussing the issue, the sector has not been linked to the transparency and good governance stakeholders. Vehicles such as the World Economic Forum's Partnering Against Corruption Initiative (PACI), composed of leading chief executive officers, encourages members to adopt protocols around good corporate governance, but have not held dialogue with state agencies such as the IAAC.

STAGE engaged with Mongolia's three leading business associations, the Business Council of Mongolia (BCM), the Mongolian National Chamber of Commerce and Industry (MNCCI), and the Mongolian Employers' Federation (MONEF), to change this. Activities were first steps designed to encourage the private sector to take on the issue of corruption and an opportunity to link these associations with other stakeholders, notable the IAAC, MONPAC, the General Department of Taxation and civil society.

1. Business Council of Mongolia

Through STAGE, BCM was introduced to the IAAC and it was agreed to organize a training seminar for graduates and university lecturers from the Institute of Finance and Economics. This was followed-up by two BCM organized trainings for both Mongolian and international businesses on best practices for corporate transparency, with an introduction to anti-corruption legislation in Mongolia, the latter being a session conducted by the IAAC. At these sessions, concepts such as business codes of conducts, as tools for minimizing corruption, were introduced.

2. Mongolian National Chamber of Commerce and Industry

An initial roundtable for MNCCI members, primarily representatives of small and medium sized business, with PTI, was the first time MNCCI had met with representatives of civil society to discuss issues relating to corruption, including licensing and permits. MNCCI went on to hold discussions with the General Department of Taxation. Starting with a forthright exchange of views, reflective of the fact that they had not met together before, adversarial attitudes between MNCCI and the General Department of Taxation went on to soften as they grew to understand the other's perspective. The two sides had not met before because senior echelon at the Department had felt no obligation to meet with MNCCI. But with the IAAC's involvement, the General Department of Taxation's attitude changed.

MNCCI, a PACI member, also had the opportunity to raise PACI principles with its members, supported by the IAAC speaking about conflict of interest and corruption prevention. A National Forum on Strengthening Partnership Amongst the State, Private Sector and Civil Society was held with the support and collaboration of both the IAAC and MONPAC. The result of this was a set of 13 recommendations aimed at civil society, the private sector and government on how to strengthen public-private partnership (see Annex 20). The recommendations were submitted to Parliament in June 2014 for consideration.

3. Mongolian Employers' Federation

The primary activity with MONEF focused around the development of ACAPs for businesses and their piloting in ten companies, following a needs assessment and trainings on the issue. MONEF produced an anti-corruption handbook for business, and, working with the IAAC to ensure the content is accurate and in-line with needs. Both MONEF and the IAAC will then have anti-corruption training materials tailored for the business community.

One advance, led by MONEF, was the establishment of a new network, the Mongolian Anti-Corruption Alliance, in July 2014. The Alliance, which includes MNCCI, the trade unions, Mining Association and Banking Association, will be a vehicle for Alliance members to work with PACI, as well as take on responsibility for organizing a PACI conference in 2015.

For more information about some of the activities of BCM, MNCCI and MONEF, see Annex 21.

Result 1.5: Increased capacity of civil society to monitor anti-corruption in the public and private sectors through innovative modalities

The target for Result 1.5 was to support three activities in Year 2 followed by five activities in Year 3, for CSOs to effectively monitor actions of government agencies. Through STAGE, 15 activities took place in Year 2, administered by nine CSOs, followed by a further one hundred and forty three in Year 3, also administered by nine CSOs. The target number of CSO employees trained on anti-corruption laws and monitoring skills – 50 for each of Years 2 and 3 – actually totaled 44 for Year 2 (39 women; 5 men) and 69 in Year 3 (59 women; 10 men) for a grand total of 113.

“Before STAGE, the IAAC did not appreciate the importance of civil society; now they see working with civil society as a win-win situation – a very tangible benefit” said Zorig Foundation.

The ability of civil society to implement analytical research, such as noted under Result 1.2, is an important contribution of civil society. It also derives importance from its ability to develop monitoring and watchdog programs, primarily of government expenditure and services. These allow it to analyze

the effects and effectiveness of government policy, whether at the national or local level. Civil society’s data and findings can then enrich discussion on these issues at the policy level, through activities as detailed below.

STAGE civil society grantees developed a range of monitoring and social accountability tools, from community score cards to the monitoring of government websites. Such activities contributed to their being able to assess the quality and quantity of information available. These exercises provide a learning experience not just for the civil society organization implementing the monitoring, but also for the agency being monitored. Government agencies do not have a tradition of



Civil society representatives are discussing around potential areas of stronger collaboration on fight against corruption.

being assessed or reflective about their work. As new technologies change the way people can and do wish to monitor public services, monitoring is an important way to give feedback to agencies about how they can perform better, with comments generally being welcomed by these agencies. Detailed information about the monitoring activities is provided in Annexes 22-25, while Table 4 (below) summarizes the monitoring of anti-corruption work carried out by civil society organizations:

Table 4: Civil Society Organizations’ Activities for Effectively Monitoring Actions of Government Agencies

	Civil Society Organizations	Activities
1	Democracy Education Center (DEMO) - Education Project	<ul style="list-style-type: none"> • <i>Check My School</i> project initiated; community score cards (CSC) developed to monitor three secondary schools • Measure the performance, including openness and transparency, of the services of the three schools. • Involved 1,061 participants; reviewed 28 legislative documents • Students and parents raised 222 urgent issues to school administrators • Resulted in less classroom overcrowding and better facilities (e.g. bathroom)
2	Democracy Education Center (DEMO) - Health Project	<ul style="list-style-type: none"> • <i>Check My Hospital</i> project initiated in hospitals using CSCc • Measured the performance and openness of services provided • Resulted in better facilities including the provision of a staff training room and information boards, and budget allocation for renovation • Approach raised in national and international for a as best practice example; received recognition by IAAC for its ability to promote good governance
3	Independent Research Institute of Mongolia (IRIM)	<ul style="list-style-type: none"> • Survey on improved transparency of Administration of Land Affairs, Geodesy-Cartography and land offices in countryside • Four aimags’ land offices studied • 343 citizens participated in questionnaire • 42 interviews with land offices conducted • 6 citizens’ case studies recorded • Project results were broadcasted through national TV
4	Khuvsgul Dalai Eej Niigemleg (KDEN)	<ul style="list-style-type: none"> • Monitored land ownership and registration • Advocated for 3 soums and baghs to introduce an information board that post information of status of resolving complaints and requests • Worked closely with local Citizens’ Representatives’ Khural to resolve 1,400 issues
5	Liberal Women’s Brain Pool (LEOS), Dornod aimag branch	<ul style="list-style-type: none"> • Monitoring local procurement process • 25 individuals interviewed and 200 people participated in questionnaire to demonstrate quality of procurement conducted in 2011-2012 • 267 citizens participated in online survey • 36 recommendations sent to the local procurement unit • Succeeded in advocacy of MNT 19,600,000 from local Citizens’ Representatives’ Khural to monitor procurement
6	Mongolian Women’s Fund (MONES) and Women Leader Foundation	<ul style="list-style-type: none"> • Monitoring four kindergartens for openness and transparency • From results, presented nine issues to UB City Municipality Education authority to address • Parents now have the ability to demand openness and transparency • 600 parents participated in information sessions between kindergarten management and parents; 769 parents were trained on information transparency
7	Political Education Academy (PEAD), Dornod aimag branch	<ul style="list-style-type: none"> • Promotion of land issue transparency

		<ul style="list-style-type: none"> • 300 citizens participated in questionnaire • Succeeded in advocating for canceling 6 legal land issue certificates • 24 recommendations delivered to local land office
8	Public Administration New Initiatives (PANI)	<ul style="list-style-type: none"> • For Project 2, monitoring of Ministries of Health, and Education and Science, along with the Offices of Health and Education • Reached out to 1,000 citizens informing them about Freedom of Information Law, as well as 40 officials from the target ministries • Worked to ensure Ministry of Education posted budget on website • For Project 2, monitoring of local development funds • Identified three priority issues in Baganuur district • Resulted in establishing cooperation MOU between khoroo governor's office, district governor's office, Citizens' Representatives' Khural and Citizens' Monitoring Committee
9	Training Evaluation Research Institute (TERI)	<ul style="list-style-type: none"> • Monitoring public services in property rights for low income households • 12 cases documented and further actions determined
10	Transparency Foundation	<ul style="list-style-type: none"> • Created a transparency index to monitor information available on national government agency and UB City agency websites, using the Law on information and Transparency to test information availability • Informed agencies of deficiencies in information available

Result 2.1: Improved understanding on administrative practice in key agencies

This Result was designed to address the lack of clarity concerning administrative procedures, decision-making processes, and internal regulations. The target was for two trends across agencies that affect performance improvement in key agencies and five government agencies to be assessed for current practice. As the GAL was not passed into law during the project period, there are no performance improvement trends to report on. Although there eight agencies were included in the baseline study, there were no agencies to assess based on changing practices in the following years.

The baseline evaluation of procedures and processes in key administrative agencies was conducted by a working group composed of members suggested by the Ministry of Justice, with researchers coming from the Academy of Management. Eight agencies participated in the *Administrative Processes, Procedures and Performance Study (APPPS)*. In total, 296 administrative decisions from these eight agencies were studied. Decisions were studied looking at criteria including:

- Administrative decisions by public servants based on the application of which laws;
- Legal reasoning for the administrative decisions;
- Determining the reason for violations in the decision-making process;
- The possibility for legal entities and citizens to contribute to the administrative decision;
- Dispute resolution with regard to administrative decisions.

APPPS went a long way to highlight aspects of administrative procedures and decision-making processes. For example, the Study noted that:

- 1) It is necessary to categorize types of administrative decisions issued by government and local officials based on content.
- 2) Administrative decisions of government and local officials should have a legal reasoning; without legal reasoning, decisions should be cancelled.
- 3) The decision-making process should be regulated in accordance with the development of

detailed regulations.

The APPPS report was also of importance for its development of categories for which administrative performance can be measured with or without using the GAL.

Whereas there was an opportunity to develop and pilot solutions to identified problems in APPPS to particular agencies, the MoJ did not wish for such piloting to take place until the GAL was passed.

Therefore, there are no outcomes against which to compare to the target, based on the number of trends across agencies that affect performance improvements in key agencies, and the number of key agencies assessed for current practice.

Result 2.2: Strengthen legislative framework for administrative reform

Result 2.2 established five new and innovative regulatory provisions of draft law on administrative procedures as its indicator. This was to be achieved through support for a Ministry of Justice Working Group to deliberate the draft GAL, as well as supporting a Parliamentary Working Group on the GAL once submitted to Parliament. Through STAGE, numerous recommendations were generated to enrich discussions about the draft GAL, and, as the GAL will be entirely new, all its provisions – which are provisional until passed – are innovative. It is, however, particularly important to note that STAGE managed to keep the draft GAL on the government agenda through interactions with key stakeholders. GAL was a priority of the government as STAGE was being designed, but not of the in-coming government that took office as STAGE implementation began and as it progressed.

To contribute to the drafting of the GAL, STAGE supported the translation of laws and provisions from four countries (Japan, Latvia, the Netherlands, and Spain), considered as examples of best practice for Mongolia based on similarities in their legal system, as input for the Ministry of Justice Working Group. The Working Group benefitted from having two national consultants being made available to support the Working Group to draft the law. An international expert on administrative law was also made available to provide a critique of the draft, allowing it to be further revised.

An innovation for the drafting of the GAL was to support the Ministry of Justice to open up the process, a first for this Ministry. Prior to this, the Ministry of Justice would only post drafts of laws on its website for feedback. For the drafting of GAL, STAGE contracted the MWLA to gain input from the public, technical experts and government officials (see Result 2.3). MWLA's report included a set of recommendations for incorporation into the draft law. A translation of the MWLA recommendations as submitted to the Ministry of Justice can be seen in Annex 26.

The MWLA report was also discussed at meetings with administrative court judges and judges from the Supreme Court Administrative Chamber. These meetings were organized by STAGE directly in cooperation with the Ministry of Justice.

Recommendations from APPPS (Result 2.1) were to be included in the draft General Administrative Law. However, because of the time it took the Ministry of Justice to identify researchers, the law had already been drafted by the time APPPS had been completed. However, many findings in the APPPS report were already included in the draft GAL.

Once passed, the GAL will, for the first time, regulate procedures for implementing executive power and general administrative procedures. It will serve as an assurance for preventing the violation of human rights in dealings between an individual and the administration by codifying how the state deals with citizens. The GAL will establish conditions for public participation in the decision-making process to ensure decisions are made in an open and transparent way. The GAL will also standardize and create a uniform operational system for the administration and ensure coherence between administrative agencies. Through GAL, administrative oversight and monitoring will be introduced. Along with public participation in the decision-making process, the measures provided by this law will act to prevent and reduce corruption and the use of unauthorized power.

The GAL, through its introduction of provisions regulating all administrative procedures in Mongolia for the first time, will be the cornerstone of general administrative procedures. STAGE has contributed to this through its provision of technical expertise and ensuring, for the first time, that a law is developed through an open and participatory process. Also, an important contribution of work on the GAL has been for the government to accept the importance of such legislation. Although GAL had been pushed by the Ministry of Justice as a priority for administrative reform, the government was reluctant to focus on it under the direction of the Legal Department of the Cabinet Secretariat. Through the process of discussions and consultations, the government came to accept its importance.

However, to speed up the process, the draft was withdrawn and resubmitted as a Presidential initiative to the government in September 2014. The government agreed to push forward the draft in November 2014. According to the President on December 18, this law now has highest priority. It was passed to the Speaker for parliamentary scheduling in early February 2015 and was passed by the Legal Standing Affairs Committee in mid-February 2015; it will be considered by the Parliament in the spring session beginning in early April 2015. To ensure momentum to push GAL forward, the Voter Education Center, on behalf of MONPAC, has organized and scheduled activities, such as discussions between Members of Parliament and government officials, to discuss the draft GAL. Through these actions, MONPAC is hoping to have its members well represented in the Parliamentary Working Group once established.

In anticipation of the GAL being passed, the Ministry of Justice is already preparing for necessary amendments to the Administrative Procedures Law (APL) to ensure the two laws are in-line. STAGE provided assistance for this by supporting the Ministry to establish a Working Group to consider revisions to the APL, a suggestion initiated by the Supreme Court Administrative Chamber. Similar to its support for the GAL, to aid this process STAGE translated similar laws from Estonia, Germany, and Latvia as input for the deliberations.

Result 2.3: Increased support for and awareness of administrative reform

Support for and awareness about administrative reform came primarily from the contribution of MWLA for gathering input for the draft GAL. The indicator for this was the percentage of government stakeholders and public expressing increased confidence in the need for administrative reform. As the GAL was not passed as of the end of the STAGE project, reform could not be implemented.

However, through a series of public consultations, as well as meetings with government stakeholders, legal advisors, local government agencies (such as the General Department of Taxation and General Department for Social Security Department), over 1,750 people participated in discussions about the draft law. MWLA activities took place in six aimags, including Darkhan

and Erdenet, in addition to Ulaanbaatar. They held a total of 9 meetings in the aimags and districts of Mongolia, and a further one in Ulaanbaatar. In total, 1,750 participated in these meetings. The MWLA report based on these meetings contained 660 recommendations. The report was submitted to the Ministry of Justice's Working Group tasked with drafting the GAL.

The Ministry of Justice, learning from this experience of public consultation with MWLA, used this approach of gaining support amongst the public about administrative reform by forming a committee to hold consultation meetings in all aimags about the packet of 11 criminal laws for revision and the GAL. This approach was also adopted later for the NACP.

Result 2.4: More accountability, transparency and procedural clarity in pilot administrative agencies

As the draft GAL was not adopted for deliberations by the Parliament during the life of STAGE, Indicators under this Result could not be realized.

Although activities could not be implemented, STAGE support over the lifecycle of the drafting and deliberations of the GAL were significant. Through STAGE the baseline study (APPPS) was carried out. The findings were introduced to the Ministry of Justice and GAL Working Group. With APPPS based on an understanding of decision-making processes in eight agencies, the study can be understood as being representative of the way many agencies function and work, so having APPPS has provided reliable information and clarity for the development of criteria needed for improving administrative reform. Significantly, APPPS suggested performance indicators for agencies as a way to improve performance/transparency – an advance on the current situation. Although the eight agencies included in the study do have reservations about the proposed indicators, they had agreed to pilot performance indicators. However, the MOJ suggested such a step would be more appropriate once the GAL is passed.

V Challenges

Project Implementation

The Asia Foundation faced four key challenges during the project implementation, as follows:

i) Cabinet Secretariat: The Prime Minister's office was supportive of the STAGE initiative during the design phase. By the time STAGE began implementation, there was a new parliament and a new Prime Minister. The new Prime Minister and his office, the Cabinet Secretariat, although professing support for STAGE, were difficult to engage and did not work at a speed that allowed for timely implementation of activities. Therefore, the change in Prime Minister, and in power from the People's Party to the Democratic Party, had a significant impact on program implementation.

ii) Civil Society: Knowledge and awareness of legislation around corruption and conflict of interest amongst civil society was very limited at the start of the project. Therefore, rather than being able to develop activities from the start, time was needed to increase awareness about the laws. This required around eight months before STAGE was satisfied that civil society had a sufficient understanding in order to proceed with the agreed-upon project activities.

iii) Legislative Agenda: Much of Result 2 was dependent upon the passing of the General Administrative Law (GAL) – a key piece of legislation needed for meaningful administrative

reform. Once passed, it was hoped to be able to pilot new systems within different agencies. During the design phase of STAGE, the government had shown a willingness and interest to prioritize this law. However, with a change of government, this legislation received lower priority. While STAGE was successful in developing activities that would contribute to the content of the GAL, the legislative agenda is the priority of the government, and it was not possible for STAGE to influence GAL's priority in the legislative agenda. Furthermore, although there was a possibility to develop and pilot new processes based on the APPPS report, the government did not give permission for piloting of new processes in a limited number of agencies before the GAL was passed. The lack of passage of the GAL during the project period and lack of ability to even pre-pilot solutions before the GAL was passed, limited the ability of STAGE to have the impact anticipated for Result 2.

iv) Relationship between the GPO and Mongolian Bar Association: The establishment of the Mongolian Bar Association in late 2013 was the cause of friction between itself and the GPO concerning which organization has the responsibility for training prosecutors. Both organizations believe that training is in their jurisdiction. Due to this lack of agreement on jurisdiction, STAGE therefore had no partner with which to carry out planned training activities, or to assess the results of either the trainings or institutional strengthening. At the outset of STAGE it was assumed that the trainings would be implemented by NLI rather than the Mongolian Bar Association.

Project Management

The STAGE Project benefitted from experienced national staff members that previously worked on the USAID-funded Mongolian Anti-Corruption Support project and were therefore familiar with the key implementing partners and could build effectively on previous work. USAID's continued monthly meetings with the US Ambassador ensured the programming stayed relevant and all parties were clear on the project approach. Monthly meetings were also conducted between the Chiefs of Party of Mercy Corps Mongolia/MCM and the Foundation to ensure smooth synergies between projects.

VI Lessons Learned

1) Flexibility: Slow progress on GAL but effective work on other activities

A key lesson learned has been the need for flexibility in the implementation of governance related programs like STAGE due to the political environment in which such programs operate. Due to the delay in the approval of the GAL by the Government during the project period, project implementation under result 2 could not proceed as planned. At the same time, this presented an opportunity to work on other activities related to the JGC which requested support from the Foundation as the result of a change in laws related to courts and legal status of lawyers and judges requiring adjustments in the selection and performance evaluation of judges. The flexibility provided by USAID by approving assistance to the JGC was crucial to enable the project to move in a new direction under the circumstances of the political environment and achieve positive results.

2) Private Sector Engagement: Work more effectively with business

New approaches had to be developed in order to work effectively with the private sector. Past programming on transparency and good governance has often overlooked key champions within

the private sector. It was therefore important to work through associations and other professional bodies to create a platform to share information. Undertaking regular studies such as STOPP helped to strengthen working relations between all parties.

3) Partnering with Government Institutions: IAAC supportive engagement

One of the key factors that supported STAGE's effective implementation of planned activities was the active involvement of the IAAC. One example of this was STAGE's work with the Ulaanbaatar municipality that benefited from the close collaboration and interaction with IAAC in supporting our efforts to establish various transparency measures. This was done by creating working groups that included participation by the IAAC and helped to resolve bottlenecks and overcome barriers. This resulted in the increased confidence of city departments to operate in a more transparent and accountable manner.

4) Mobilizing Different Actors

Another key lesson learned has been the importance of mobilizing different actors around issues of transparency and building reform constituencies that can work together to prevent and combat corruption. The unique aspect of STAGE has been the collaboration the project has been able to facilitate between Government, civil society and the private sector. The IAAC played a key role in bringing the constructive engagement about between different actors. It partnered with the PTI to conduct awareness on transparency and anti-corruption issues and enabled them to conduct the monitoring of civil society organizations. The private sector partnered with civil society through discussions around STOPP findings. Business associations such as the MNCCI partnered together with the IAAC and MONPAC to organize a National Forum on Strengthening Partnership Amongst the State, Private Sector and Civil Society. The Foundation is observing ongoing indications of diverse consultations on other anti-corruption initiatives well beyond the project period.

PTI: A TRANSFORMATIVE ORGANIZATION

Effective corruption eradication requires more than revising laws and creating specialist agencies. It requires a concerted effort from all sectors of society to get involved in anti-corruption efforts. PTI is leading this effort for civil society, whilst simultaneously building strong links with other sectors.

The Partnership in Transparency Initiative (PTI) is a new model for establishing innovative ways to address corruption in Mongolia.

Systemic change in the anti-corruption field requires all sectors of society to be active: the government, the bureaucracy, specialist agencies, the business community, and civil society. PTI started as an informal network linking around a dozen national non-governmental organizations (NGOs) with the aim of promoting openness and transparency within government agencies. However, with its footprint of success, it is gradually advancing a multi-stakeholder and multi-dimensional approach.

PTI's first activities after its establishment in April 2013 were focused around developing a common understanding about corruption and conflict of interest. This was seen favorably by Mongolia's nationally mandated agency to combat corruption, the Independent Authority Against Corruption (IAAC). With the endorsement of the IAAC, the activities of individual PTI members could gain leverage under the PTI umbrella.

Civil society organizations in Mongolia are implementing increasingly innovative approaches to promote government transparency. This has resulted in important contributions to the anti-corruption effort. For example, NGO Liberal Women's Brain Pool (LWBP) was able to gather data about public procurement in one aimag. This supported the development of a constructive relationship between (LWBP) and the aimag administration; a concrete outcome was the establishment of a citizen's committee to monitor public services both at the aimag level and within selected administrative sub-districts.

Another example is that of NGO MONES (Mongolian Women's Fund). MONES was able to develop and implement a program focusing on budget transparency in four selected Ulaanbaatar kindergartens. Traditionally the state run kindergarten sector has been neither open nor amenable to providing the public with information about its budget or internal management procedures. MONES set about changing this by establishing a relationship with parents and teachers. This became a starting point from which to provide information about the laws governing the right to information, anti-corruption, and the conflict of interest. Empowered with this information, parents

are better able to advocate for their children's rights. Websites for each of the four kindergartens were created, and billboards containing important information were set up at each school. MONES best practices have now been shared with other kindergartens. Furthermore, MONES is now working with the Ulaanbaatar City Education Department to expand the types of information it provides to the public, for example, the job description of kindergarten heads and operational regulations.

Since its inception, PTI has given serious consideration to its internal workings, mindful of the importance of creating an internal governance mechanism commensurate with the role and influence it wishes to exert. In October 2013, a Project Steering Committee, which convenes monthly, was established. The committee is entrusted with coordinating PTI activities, formulating guidelines, and developing strategies on how best to sustain activities and results through its diverse membership. One way it does this is by vetting and deciding which activities are the most appropriate for it to undertake as a network. The introduction of quarterly review meetings in October 2013 gives an opportunity for partners to reflect on how member organizations stand in terms of delivering results and discuss appropriate future activities for individual organizations. Thus, PTI review meetings encourage both coordinated future planning as well reflection on results collectively.

Whereas PTI helps support and increases the impact of individual member organizations, PTI also works at the level of the collective. Advocacy by PTI on an issue can help it gain traction. For example, based on the results of NGO PANI's (Public Administration New Initiative) monitoring, and pressed by PTI, the Ministry of Education, Culture and Science revamped its website to give more accessible and informative data concerning the education budget. This demonstrates a clear linkage between the efforts of civil society and open government in anti-corruption efforts.

Whilst most activities are carried out by individual member organizations based on the value-added that each organization can bring to a specific field, other activities are carried out and implemented in the name of PTI. Public awareness-raising is a prime example. Starting in January 2014, PTI billboards carrying anti-corruption messages were erected in Ulaanbaatar. PTI also supported the development of a four-part documentary series focusing on anti-corruption. This was aired several times on popular television station NTV in April 2014.

Successes such as these have increased the IAAC's own understanding about the role and contribution of civil society. PTI members have signed memoranda of understanding with the IAAC, helping to create space for civil society to promote public service accountability as well as provide cover for civil society to undertake such activities. As a result, PTI is now able to receive modest fund from the IAAC to continue its activities.

This two-way relationship between the IAAC and civil society is noteworthy. Historically, the relationship between civil society and the anti-corruption agency was fractious, with neither trust nor willingness from either side to work together. However, a genuine symbiotic relationship has developed between the IAAC and PTI, with the IAAC being pro-active in reaching out to civil society, so allowing for a new atmosphere of constructive engagement.

An important dimension of the strong relationship between PTI and the IAAC is that the IAAC is keen on joint-programming with PTI members. These combined efforts are both in the form of trainings. An example of the former is the series of trainings for over 600 government officials from 20 government agencies in the first quarter of 2014. Partnering with NGO Woman for Social Progress (WSP), WSP was responsible for organizing the event and the content of the training, with IAAC taking responsibility for inviting the participants. In addition, the IAAC is fully aware and informed of the different programs and activities that PTI members intend to develop, allowing for cooperation and discussion with government.

The interest and enthusiasm of the IAAC is having a knock-on effect on civil society itself. With buy-in and encouragement from the IAAC, civil society is more inclined to work together and coordinate its efforts in a way that has not happened before. In the past, CSOs would work on their own and would neither coordinate nor share their experiences with one another; now there is far greater purpose and reason for them to work together. Supplementary benefits include preventing a duplication of efforts and ensuring a more effective and efficient use of limited resources.

With this firm relationship with the IAAC now established, PTI is exploring ways to develop relations with other key stakeholders, notably parliamentarians and the private sector. Buy-in from the private sector is central to eradicate public sector corruption, procurement accounting for a significant source of public sector corruption. If PTI can help change attitudes and practices in this field, it will directly affect the pattern of corruption in Mongolia. PTI has also had initial meetings with members of the Budget Committee of the Parliament, and there is potential for strengthening relationships with other key committees and figures in Parliament.

These diverse relationships are allowing PTI to work towards its goals of strengthening the legal and policy environment for good governance, and increase the capacity of civil society to monitor and implement laws designed to eradicate corruption.

After one year and the completion of certain activities, some organizations stepped aside from active membership of PTI. PTI now has a membership of 11 consisting of:

1. Democratic Education Center (DEMO)
2. Globe International
3. Khuvsgul Dalai Eej

4. Mongolian Association of Local Authorities (MALA)
5. Mongolian Women's Fund (MONES)
6. Orkhon-XXI Century
7. Public Administration New Initiative (PANI)
8. Transparency Foundation
9. Women Leadership Foundation (WLF)
10. Woman for Social Progress (WSP)
11. Zorig Foundation

Despite being such a new network, PTI has established itself as a “brand” for civil society involvement in anti-corruption activities and initiatives. Accepted and supported by the IAAC, this is a good portend for addressing corruption in a coherent and integrated fashion in the future.

Annex 2: Performance Monitoring and Evaluation Plan

STAGE PERFORMANCE MONITORING AND EVALUATION PLAN (PMP)

	Indicators	Targets	Outcomes	Data Source	Data Collection Frequency
Goal: To strengthen democratic governance by building a more transparent and accountable regulatory and legislative environment and ensuring principles of checks and balances	Improved legal and regulatory environment designed to increase transparency and accountability	Year 1: Baseline Year 2: 3 activities Year 3: 3 activities	Year 1 Baseline: 0 Year 2: 7 legislative activities Year 3: 15 (cumulative legislative activities)	MOUs, corresponding work plans, research studies and official letters	Cumulative report but quarterly updated
	# of GoM institutions involved in USG supported transparency and good governance activities	Total 12 GoM institutions	Total 16 GoM institutions *Mongolian Bar Association also added in the list although it is not a government agency but enacted through a legal act	MOUs, correspondences, meetings, contracts, and official letters	Cumulative report but quarterly updated
Objective 1: Promoting good governance to reduce corruption and increase transparency 	# of breakthrough anti-corruption activities are ongoing in Mongolia, with USG support	Year 1: 2 activities Year 2: 4 activities Year 3: 4 activities	Year 1: 0 activities Year 2: 11 major activities implemented Year 3: 5 additional activity implemented*	Partner reports, media reports, email correspondences, quarterly reports	Cumulative report but quarterly updated
Result 1.1: Increased knowledge of the modalities of grand corruption	# of citizens, Government of Mongolia (GoM) and CSO employees informed about knowledge of types and methods of grand corruption, with USG assistance	Reporting based on SPEAK September surveys: Year 1: Baseline Year 2: 450 Year 3: 450	Year 1: Baseline: 0 Year 2: More than 2,800 citizens, GoM and CSO employees informed through SPEAK and STOPP surveys*	Dissemination workshops, distribution of surveys, grantee report, media releases	Cumulative report but quarterly updated

			Year 3: 1,640 ¹ people involved in discussions about grand corruption (1,102 women and 518 men) *This data is separated from discussions in APPEAL areas for which gender desegregated data is unavailable. Total combined number is 3,243		
Result 1.2: Strengthened legal and policy environment for transparency and good governance	# of practical efforts, including proposals, recommendations and draft decisions, put forward to strengthen the legal & policy environment for AC are ongoing, with USG assistance	Year 1: Baseline Year 2: 6 activities Year 3: 6 activities	Year 1: Baseline: 0 Year 2: At least 57 recommendations provided to various government agencies (9 Criminal Code and Criminal Procedure Code; 17 GGC; 19 IAAC; and 12 GPO) Year 3: At least additional 136 recommendations formulated in relations to procurement laws (39) and land laws (97) ²	Study reports, dissemination workshops and quarterly report	Quarterly
Result 1.3: Increased capacity of relevant AC agencies to fulfill their mandate	Decrease in the # of inter-agency procedural and practical issues conflicts and differences	Year 1: Baseline Year 2: decrease by 3 issues from baseline Year 3: decrease by 3 issues from Year 2	Year 1: No activity Year 2: 10 (Baseline year; critical issues identified) Year 3: reduced by 3 issues* *In year 3, these three issues are	Inter-agency research studies, dissemination, and discussion minutes or reports	Quarterly

The unusually higher number than the target is because the IAAC has taken up grand corruption as one of the discussion themes for the public consultation meetings for the National Anti-Corruption Strategy. It used SPEAK survey and the accounts of grand corruption in it to stimulate the discussions.

² The unusually higher number of recommendations than the target is the result of innovations during the project implementation. Many sub-activities were implemented to follow up on the opportunities and demand created by SPEAK and STOPP surveys, mainly through sub-grants.

			recognized by three agencies and already recommended for legal reforms including the Criminal Code		
Result 1.4: Increased private sector engagement in anti-corruption	# of companies adopting AC plans, rules, regulations to improve corporate governance	Year 2: Baseline Year 3: 3 companies above baseline	Year 2: Baseline: 0 Year 3: 3 (those now having AC plans)	MONEF's report	Quarterly
Result 1.5: Increased capacity of civil society to monitor anti-corruption in the public and private sectors through innovative modalities	# of activities of CSOs effectively monitoring actions of government agencies	Year 2: 3 activities Year 3: 5 activities	Year 2: 15 activities through 9 CSOs (<u>6 women-led and 3 men-led</u>) Year 3: 143 activities through 9 CSOs (<u>6 women-led and 3 men-led</u>)* *the unusually high number of result is because there is an unanticipated rise in the monitoring activities of CSO at the field level.	Partner reports	Quarterly
	# of CSO employees trained on AC laws and monitoring skills	Year 2: 50 employees Year 3: 50 employees	Year 2: 44 employees trained (<u>39 women and 5 men</u>) Year 3: 69 CSO employees trained by the end of the first quarter (59 women, 10 men)	Partner reports, training reports, quarterly reports	Quarterly
Objective 2: Improving Administrative Reforms	New and more detailed set of legal and regulatory environment created	Year 2: Specific draft laws, regulations developed Year 3: Draft law and regulations presented	Year 2: Two draft laws developed (General Administrative Law final draft and Administrative Procedures Law work in progress) Year 3: 2 draft laws (General Administrative Law and National Anti-	MOUs, Working Group reports, correspondences, quarterly reports	Quarterly

			Corruption Action Plan) presented to the President's Office		
Result 2.1: Improved understanding on administrative practice in key agencies	# of trends across agencies that affect performance improvement in key agencies	Year 2: Baseline Year 3: 2 above baseline	Baseline: 0 Year 3: 0	Data not available above baseline as activities were meant after the passage of the General Administrative Law, which has not happened as of September 30, 2014. Furthermore, the Ministry of Justice requested to postpone all activities in government agencies related to administrative law until the law is enacted.	-
	# of government agencies assessed for current practice	5 agencies over the course of the project	Year 2: 8 agencies assessed	APPPS research report	Quarterly

THE USE OF SPEAK

Mongolia's global standing in governance and investment climate continues to rise, ranking it 76 out of 189 economies in the World Bank's 2014 Ease of Doing Business Index. Progressive legislation like the Law on Conflict of Interest and the Law on Information Transparency and Right to Information, and actions of the Independent Authority Against Corruption and other government organizations have contributed to this leap. Yet, talk to Mongolian citizens, and they see corruption as one of the most critical issues affecting families, politics, and businesses. Unfortunately, not all of them know how to fight against it.

The Survey on Perceptions and Knowledge of Corruption (SPEAK), is a joint project of The Asia Foundation, The Sant Maral Foundation, and Mercy Corps Mongolia to strengthen democratic governance by building a more transparent and accountable regulatory and legislative environment while promoting principles of checks and balances. Funds are provided by the United States Agency for International Development (USAID) through the Strengthening Transparency and Governance in Mongolia (STAGE) project, implemented by The Asia Foundation.

Background

The SPEAK survey provides important nationwide data at the household level on perceptions of corruption. Although reforms in legislation and institutions have demonstrated Mongolia's strong commitment to combating corruption, it remains an area of great concern. A successful campaign against corruption requires reliable data along with other tools, yet prior to SPEAK, there had been no scientific data to provide a barometer of citizens' perceptions and experiences. Citizens in the countryside constantly faced a lack of information on corruption issues that might otherwise create popular demand for anti-corruption efforts. One of thousands of SPEAK respondents, Ms Bolormaa, a citizen of Sukhbaatar aimag, knew that she should "do something" about corruption, but she was unsure just what she can do.

The SPEAK survey was introduced to fill this gap and measure corruption levels in Mongolia by capturing data at the household level on people's actual experience of corruption. By encouraging citizens to speak out about different aspects of corruption, the SPEAK survey now fills the gap, providing the data and information needed for constructive discussions among stakeholders.

Activities

The SPEAK survey was first conducted in 2006, and there have since been 15 editions of the survey using the methodology of structured face-to-face interviews with respondents 18 years of age and above from various parts of Mongolia. Multi-stage random sampling with probability sample in an area cluster design was employed. While perception surveys run the risk of presenting conflicting results, a comparative analysis of the data over time has revealed clear trends to policymakers.

The SPEAK survey report is extensively distributed at the grassroots level in collaboration with Mercy Corps' Active Partnerships and Public Engagement for Accountable Localities project (APPEAL), which fosters public discussions of transparency, accountability, and corruption. SPEAK survey results encourage citizens to speak out about different aspects of corruption in their own lives and in the larger society, including petty corruption, grand corruption, and corruption in business.

Results

Ms. Bolormaa, who was unsure of what to do with the corruption issue, attended the public discussions of SPEAK in her aimag, Sukhbaatar. Local government officials, private sector businesses, civil servants such as doctors and teachers, and ordinary citizens gathered in the Citizen Hall for a presentation of the SPEAK results. Public forums on corruption often become heated, especially when there is hard data to discuss, and so it was in Sukhbaatar. Representatives of the government, civil society, and the private sector got into an active debate, followed by cooler, constructive consultations.

During this exchange of views, the parties turned their attention to the Sukhbaatar aimag anti-corruption action plan. The plan scored just 20 in the SPEAK results, leaving much room for improvement. Government agencies that receive bad scores on the SPEAK survey are pushed to take more aggressive steps to become transparent and accountable. Local media produce publications and radio programs on the survey results. Ms Bolormaa is now part of the working group to improve next year's action plan, something she hadn't previously known to exist.

Besides engaging citizens in an important public discourse, these local forums serve as preliminary discussions for public consultations on a draft National Anti-Corruption Strategy. The SPEAK survey also provides policy makers with a useful barometer of people's perceptions and attitudes over time. For instance, 60 percent of respondents said they would report a corruption case if they could remain anonymous, while only 17 percent would do so without this protection. This suggests that if the current law requiring people to reveal their identities were revised, there could be a substantial increase in reports of corruption.

By providing information on long-term trends in everyday corruption, and new information on citizen views of grand corruption, the Foundation believes that SPEAK will continue to spark vigorous, critical dialogue on issues of transparency, accountability, and corruption in Mongolia.

Annex 4: Case Study

CONSULTING CITIZENS ON A KEY ANTI-CORRUPTION DOCUMENT

Since the demise of Mongolia's *National Program for Combatting Corruption 2002-2010*, no strategy for combatting corruption has been in place. The incumbent President of Mongolia took this issue up in 2012 putting the development of a new *National Anti-Corruption Program* at the center of his strategy.

To ensure public participation in the development of the new National Anti-Corruption Program (NACP), consultations were conducted with the public by the Mongolian Women Lawyers' Association (MWLA). Funds were made available by the United States Agency for International Development (USAID) through the Strengthening Transparency and Governance in Mongolia (STAGE) project, implemented by The Asia Foundation.

Background

The *National Anti-Corruption Program 2014-2020* aims to be far wider-ranging in scope, depth and ambition than the previous national strategy that expired in 2010. The NACP will encompass developments in the corruption field including the implementation of the Anti-Corruption Law (2006), the Law on Information Transparency and Freedom of Information (2011), the Integrated Budget Law (2011), and the Conflict of Interest Law (2012).

On July 5, 2013, the President's Office issued Order No. 113 establishing a working group to develop the anti-corruption program. The Anti-Corruption Working Group is headed by the President's legal advisor, with the Secretariat based within the Independent Authority Against Corruption (IAAC).

Activities

To support the Working Group in its mission to develop the NACP, The Asia Foundation was invited to become a member of the Working Group, composed of 17 government agencies and

national and international NGOs. The Foundation supported the Working Group by providing technical input to the first draft of the NACP.

Following this cooperation, the STAGE and Mercy Corps Mongolia's (MCM) *Active Partnership and Public Engagement for Accountable Localities* (APPEAL) were asked to collect public feedback on the draft NACP. To do this, STAGE and APPEAL organized several public fora at which citizens were able to voice their thoughts on the draft document.

Building on this momentum, the IAAC agreed to a wider program of national consultations involving both citizens and government officials. Government officials were included as it is they who will be responsible for implementing the NACP once adopted by Parliament. The Asia Foundation approached MCM to leverage APPEAL help to conduct public consultations in 15 aimags where APPEAL had strong local networks, whereas STAGE stayed focused at the national level. To carry out consultation meetings, STAGE and APPEAL solicited help from the MWLA.

Before reaching out to citizens and public officials, the IAAC, MWLA, MCM and the Foundation formulated a strategy to prepare citizens so that they would be able to contribute meaningfully to the discussions. The strategy called for MWLA to train their members in the presentation of key findings from the *Survey on Perceptions and Knowledge of Corruption* (SPEAK), conducted by the Sant Maral Foundation through STAGE. MWLA organized training sessions for its members in 15 aimags, held at local MCM offices. During these trainings, the IAAC presented its roadmap and a draft of the NACP. This was followed by question and answer sessions.

Invitation to attend consultation meetings were at first extended to the public by means of a press conference, where the IAAC presented the draft NACP and the MWLA encouraged citizens to participate in the consultations. The meetings began held in December 2013. Each meeting started with a brief presentation on current perceptions of corruption in Mongolia. Over 3,000 people participated in the series of 60 consultations; 4,000 comments and recommendations were collected by the MWLA and incorporated into a 50-page report. Once MWLA analyzed the comments, findings were presented to the Working Group Secretariat. MWLA and the IAAC went on to present the draft NACP to members of Mongolian Organization of Parliamentarians against Corruption (MONPAC) to get their feedback as well as seek their support for the passage of the NACP.

The partnership between the IAAC, MWLA, MCM and the Foundation during the public opinion gathering process is seen as a positive example of inter-organizational coordination. The IAAC led the process and provided support in reaching out to government departments and agencies; the Foundation led the process of providing technical advice, and MCM provided logistical support for conducting consultation meetings, with MWLA focusing on conducting the meetings themselves, collecting and analyzing comments, and conducting media outreach.

Since the finding and recommendations were delivered to the Secretariat, the Foundation, along with the UNDP and World Bank, have provided further recommendations from international experts to give a focused and comparative perspective to the draft.

Results

The process of completing the NACP is on-going. One of the highlights noticed during the nationwide public consultations is the need for a common understanding amongst the public for the anti-corruption document at national level. Public and local government officials realize the need for the document, which is why they were keen to participate actively. Having been through this consultation process, the NACP has wide buy-in from citizens and local officials so should establish strong foundations for the implementation of its mission.

Annex 5: Case Study

DRAFTING THE LONG-NEEDED GENERAL ADMINISTRATIVE LAW

How public officials make decisions, and who is responsible for making them, is a cornerstone of civil law. Mongolia has long been without such a law, and the result has been a lack of transparency and clear lines of authority that makes it difficult for citizens to hold their public officials accountable. But after a two-year process that included unprecedented public input, Mongolia is poised to adopt a new General Administrative Law.

The Ministry of Justice (MoJ) had long sought a General Administrative Law to codify the decision-making process in agencies of the Mongolian government. At the MoJ's request, The Asia Foundation provided wide-ranging assistance in drafting such a law. Funds were made available by the United States Agency for International Development (USAID) through the Strengthening Transparency and Governance in Mongolia (STAGE) project, implemented by The Asia Foundation.

Background

After a long period of lobbying and advocacy, the Administrative Case Court was established in 2004 to provide judicial oversight of executive agencies, but with no code of administrative law to

establish the formal legal framework for this oversight, the relationship between citizens and the agencies of their government has remained poorly defined.

Activities

In late 2012, MoJ convened a working group comprising 18 members of professional and civil society organizations to draft a General Administrative Law (GAL). The Asia Foundation, through its STAGE project, provided extensive support throughout the development of the GAL. At the request of MoJ, the Foundation recruited experts on administrative law to conduct a comparative study of the administrative procedures of Japan, Latvia, Spain, and the Netherlands, and to facilitate working group meetings during the drafting process. STAGE also provided an international expert on administrative law to critique the first draft of the GAL. During the drafting process, the working group arranged consultations with Supreme Court justices, justices of the Administrative Chamber, District Administrative and Appellate Court judges, and their assistants. A draft of the law was made public on February 28, 2013.

Citizen engagement was a notable highlight of the drafting process. In a first for Mongolia, The Asia Foundation contracted with the Mongolian Women Lawyers' Association (MWLA) to conduct public consultations on the draft GAL in Ulaanbaatar city and six aimags. The participants included representatives of various government agencies and civil society groups as well as ordinary citizens. In total, more than 1700 citizens participated in these public consultations nationwide, and one public hearing in Ulaanbaatar city attracted more than 120 participants.

The value of these public consultations quickly became clear. Citizens repeatedly voiced their support for the process and the importance of the draft law for Mongolia. The working group and the MWLA were particularly concerned to explain the draft law in clear, simple language that

*“This is the first time they have asked my opinion of the draft law. Although I do not understand legislation well, I do realize the importance of this law. Once the law is passed, it will establish citizens’ rights and obligations with respect to the authorities. I am delighted to be part of this process.” —
N Narantuya, a senior citizen from Zavkhan aimag*

citizens could readily and productively engage with. As a result, some 660 public comments were compiled from these meetings, which were then analyzed and incorporated into the draft law.

Results

On November 21, 2014, the Prime Minister approved a revised draft of the GAL incorporating much of the formative work supported by STAGE as well as the unprecedented feedback from Mongolian citizens. In early December 2014, the President of Mongolia Mr. Tsakhia Elbegdorj took the

initiative to submit GAL to the Parliament as one of the package of laws to ensure accountability in the Government of Mongolia.

Annex 6: Case Study

PREVENTING CORRUPTION AMONG GOVERNMENT OFFICIALS THROUGH COLLABORATION WITH NON-GOVERNMENTAL ACTORS

Collaboration between Mongolia’s leading anti-corruption agency and a veteran NGO produced an innovative new training program to promote transparency and fight corruption. As one government official who had attended many trainings in the past wrote, “The training was new, fresh, and actually helped the change one’s perception.”

Preventing Corruption among Government Officials through Collaboration with Non-Governmental Actors is a training project to increase transparency and build knowledge of corruption prevention among public officials, implemented by local NGO Women for Social Progress (WSP). Funds were made available by the United States Agency for International Development (USAID) through the Strengthening Transparency and Governance in Mongolia (STAGE) project, implemented by The Asia Foundation.

Background

In 2008, the Mongolian government took a significant step to fight corruption by introducing Anti-Corruption Action Plans (ACAPs). ACAPs are annual work plans for government agencies that specify preventive measures and anti-corruption activities for employees. By the end of 2011, 93 state agencies had introduced ACAPs, with designated officials to implement them. But in 2013, a group of independent researchers evaluated ACAP implementation. Out of 72 agencies examined, more than half were rated inadequate, some had no anti-corruption activities, and many were using outdated ACAP forms.

Another important step against corruption was the passage of the Law on Information Transparency and Right to Information in 2011 and the Law on Regulating Public and Private Interests in Public Service and Preventing Conflicts of Interest (the Conflict of Interest Law) in 2012. With the latter, an estimated 47,000 government officials must now submit income and asset and conflict of interest forms annually to the Independent Authority Against Corruption (IAAC), with designated officials at every agency to help their colleagues submit these forms. Nevertheless,

conflicts of interest still persist in many government agencies, and many officials are unaware of the public's right to information.

Activities

The Asia Foundation had been working with the IAAC to expand training for government officials — a direct way to discourage corruption. In search of a fresh approach to training, the Foundation recruited the Mongolian NGO Women for Social Progress (WSP) to develop content, conduct trainings, and evaluate feedback from participants. To get a sense of what training was needed, WSP, the IAAC, and the Foundation first conducted a rapid baseline assessment of the existing implementation of anti-corruption laws and the knowledge of those laws among government officials. A team led by the IAAC then developed the *Handbook for Trainers: Introducing Anti-Corruption Laws* and a *Handbook for Public Officials: Introducing Anti-Corruption Laws*. An interactive training program was also developed.

With training materials in hand, an extended training of trainers was organized. Selected government officials, academics, and NGO personnel learned the basics of corruption and conflict of interest, how to submit income-and-assets and conflict-of-interest forms, and most importantly, how to organize innovative, interactive activities to promote the implementation of ACAPs.

The new trainers conducted workshops for more than 300 officials at their respective agencies. The IAAC and WSP then conducted a second tier of 20 trainings for 627 government officials considered to be at higher risk of corruption. These innovative workshops, devised by WSP, used games and interactive presentations to explore the impact of corruption and its prevention, provisions of the conflict-of-interest law, how to submit income-and-assets declarations, and how government agencies can improve transparency.

Results

The innovative, interactive trainings devised by WSP got high marks from participants more used to lecture presentations. In post-training evaluations, more than 50 percent of participants said the new training methods were “the most satisfactory” compared to previous IAAC trainings. As one participant wrote: “Trainers previously visited the organization and invited all officials to a half-day training. Honestly, this typical training was boring and was not as effective as it could be. But this training session's method was new, fresh, and provided a more positive atmosphere, which seemed to be very effective. Most importantly, the training session was able to change individual perceptions”.

The IAAC has acknowledged the value of its collaboration with WSP.

“The way government agencies train officials is usually closed and limited, whereas the teaching methods of an NGO are much more effective at reaching the target group. The IAAC believes that training officials have gained many new techniques from this training. Also, the handbook and its user-friendly, easy-to-understand content prove the advantages of working with an NGO” an official from the IAAC official said.

The IAAC officially accepted the two handbooks and the new training methodology into its anti-corruption curriculum. Because the number of officials receiving training under the STAGE project is relatively small, the IAAC has posted the handbooks to its website and has printed more copies with the support of other international partners.

These new training modules and the successful partnership with WSP represent a new start for the IAAC, and a new model in which Mongolia’s leading anti-corruption body is able to develop and evaluate new training methodologies in collaboration with civil society organizations.

RAISING AWARENESS OF CONFLICT-OF-INTEREST AND ANTI-CORRUPTION LAWS

For the average citizen, local agencies are the face of government, and, all too often, the face of corruption. Prevention and enforcement are equally important in managing corruption and conflict of interest, and local agencies must complement enforcement mechanisms with codes of conduct, property and asset disclosure regimes, and public education and awareness campaigns. A project of the Mongolian Association of Local Authorities demonstrates that training local officials in anti-corruption law and effective anti-corruption practices can have a substantial effect on corruption and conflict of interest in local government.

The Mongolian Association of Local Authorities (MALA) conducted activities to support local government officials to increase awareness and promote best practices of enforcement of the Anti-Corruption Law and the Conflict of Interest Law. Funds were provided by the United States Agency for International Development (USAID) through the Strengthening Transparency and Governance in Mongolia (STAGE) project, implemented by The Asia Foundation, Mongolia.

Background

Effective policies for dealing with corruption and conflict of interest are essential for public life, especially public agencies which have the primary responsibility for establishing which activities are incompatible with their public functions.

Prevention and enforcement are equal parts of a successful anti-corruption regime. Together they foster an institutional culture in public agencies where corrupt activities and conflicts of interest are recognized and discouraged. While laws and codes form the essential foundation of any anti-corruption regime, public officials also need training, counselling, advice, and practical guidelines to help them identify and resolve corrupt situations and conflicts of interest as they occur.

Activities

Working with the Independent Authority Against Corruption (IAAC), MALA conducted anti-corruption and conflict of interest trainings for officials from the khurals of all 21 aimags, and 330 secretaries representing the khurals of 330 soums. In the capital city, the project included 466 people from six districts and 78 khoros.

In addition to formal trainings, participants took part in consultations, roundtable discussions, and monthly exchanges of information. MALA also produced and distributed 700 handbooks containing the Conflict of Interest and Anti-Corruption Laws, and 400 copies of a handbook on best practices for implementing the two laws.

Other initiatives included placing a sticker reading “I will not give or take a bribe” on the computers of public servants to serve as a permanent reminder. Permanent public information bulletin boards were established, with regular postings of budget information, action plans, and official decisions. Suggestion boxes were placed in 233 khoroo offices to receive citizen feedback regarding the bureaucracy and the behavior of public servants, and 456 complaints and suggestions were received and acted upon by higher officials during the life of the project.

Results

Overall, local government officials who participated in the program felt better informed about corruption and conflict of interest. In a pre-training survey, 71 percent of respondents knew little about the Anti-Corruption and Conflict of Interest Laws other than their names. After the second round of trainings, 86 percent said they now had adequate knowledge of the laws.

Of the 1,300 people involved in the trainings, 468 went on to educate others in their districts and khoros. In one instance, Mr Sedelpurev, head of the Citizens’ Representative Khural of khoroo 16, Bayanzurkh district held a knowledge-sharing event for 600 local leaders.

Progress was observed in how local authorities conducted public business. Public disclosure of budgets, official decisions, and other information improved. Collections of “donations” from businesses and special fees from citizens for conducting routine public business were reduced. With a new understanding that the law requires public agencies to provide service to the public free of charge, some khoros ended the practice of collecting MNT 100–300 from citizens to verify their residency, and absorbed the administrative costs of the service into the khoroo’s budget. And local officials who participated in the project showed a new appreciation of the importance of conflict of interest and property and asset disclosures, submitting them on time with no mistakes.

Several officials who praised the trainings asked that they become regular, ongoing events. Secretary B Bas-Orgil of the Khan-Uul district khural offered this assessment: “The trainings made a big change in people’s understanding. We knew before that bribery was not good, but now we have a much deeper understanding of its negative impact and the laws to prevent corruption and conflict of interest.”

Annex 8: Case Study

USING ACAPs TO CHANGE THE WAY CITY AGENCIES OPERATE

Anti-Corruption Action Plans (ACAPs) are a key tool to ensure government agencies are proactive in taking steps to reduce the possibility of corrupt practices from taking hold. Since 2008, ACAPs are a requirement of all government agencies, but in reality little attention has been paid to their contents, and no effort to assess the results.

The Ulaanbaatar City Municipality, in an effort to improve the performance of its agencies, requested support from The Asia Foundation and Mongolia’s Independent Authority Against Corruption (IAAC) to assess the Anti-Corruption Action Plans of its agencies, and to devise strategies to improve them. Funds were made available by the United States Agency for International Development (USAID) through its Strengthening Transparency and Governance in Mongolia (STAGE) project, implemented by The Asia Foundation.

Background

Efforts to address corruption within the government and bureaucracy are powerless without all government agencies participating fully in these efforts. In 2008, Mongolia’s Independent Authority Against Corruption (IAAC) introduced anti-corruption action plans (ACAPs) - annual work plans for government agencies that specify preventive measures and anti-corruption activities for employees – as mandatory. However, these plans have been largely ineffective as little attention was paid to their content and the IAAC did not have the resources to assess them even if an agency did submit its ACAP.

To improve this situation, STAGE supported the IAAC to conduct an assessment of government agency ACAPs. This involved contracting two independent organizations to assess the ACAPs on behalf of the IAAC, with the assessment considering issues such as transparency of information, consistency across agencies, and completeness of ACAP planning. A mixed methodology was adopted for the assessment that included desk reviews, individual interviews, and site visits.

A total of 147 government agencies, including seven organizations established by the State Great Khural (Parliament), 16 ministries, 27 line agencies, 22 aimag governor’s offices, and 48 state-owned enterprises, were

On learning about this process, the Mayor of Ulaanbaatar City Municipality, wishing to improve the performance of his administration, pro-actively requested support from the IAAC and The Asia Foundation to support his administration in its ACAP performance.

Activities

The IAAC and the Foundation worked initially with mid-level officials from the City Property and Land Office, the General Planning Office, the Office for Education, and the Office for Health, agencies identified through survey work as providing low levels of transparency, to discuss how best approach to the task. On July 30, 2013, the Foundation organized a planning workshop for 28 officials from these four agencies, tasked with developing work plans for their respective agencies. On September 9, the work plans developed were approved as a single City ACAP and signed by Mayor E. Bat-Uul of Ulaanbaatar City, IAAC Commissioner General N. Ganbold, and Ms. Meloney Lindberg of The Asia Foundation.

“It is great to see active involvement of the IAAC at the local level in the countryside; however, we should realize that Ulaanbaatar should not left out giving its importance. Issues and problems of Ulaanbaatar affect more than half of the Mongolia’s population, and tackling these issues requires effective planning and implementation.” Ulaanbaatar City Mayor Mr Bat-Uul.

There were numerous advances in these workplans compared to how each organization previously worked, especially the three agencies with substantive workplans. For example, the workplans established timeframes, and tasks that needed to be accomplished within the timeframe, for each agency. The workplans also guided each agency to look at their administrative structures and responsibilities, as well as ensure that issues of transparency were central to their work, with an emphasis on their work being to serve the public.

Results

Assessing ACAPs, improving the implementation of ACAPs, and the sharing of results has created an unprecedented sense of ownership of anti-corruption efforts among government agencies. The IAAC received many inquiries and much feedback from participating agencies regarding the way forward, and the assessment was a catalyst for real change in the way agencies managed their ACAPs. The consultations and discussions surrounding the assessment of the ACAP with its four workplans was carried out by the IAAC, and there have been significant advances in transparency and access to information in each of the three pilot agencies.

City Property and Land Office: The City Property and Land Office developed its first electronic database, along with demarcation maps for 21 *khoroos* (sub-districts) located in the central district of Ulaanbaatar. The maps contain information on land parcels previously restricted from public access, including size, location, legal ownership, and approved use. Now, all important decisions by the Land Office, along with its organizational structure, are now published on the Office's website.

City Education Office: A Code of Ethics for teachers was drafted by a working group at the Ministry of Education following consultations with 520 teachers and principals. The draft is awaiting approval from the Ministry of Justice. A second activity was making use of the *Handbook on Anti-Corruption Education*, developed through the USAID-funded MACS project, for use by students in grades six to 11 in nine schools in Ulaanbaatar. In addition, more than 20 history and social science teachers have been trained in how to use the handbook, and are now actively using it. Issues taught based on the handbook include justice, integrity, and civil ethics.

City Health Office: As a follow-up to the SPEAK survey and subsequent discussions with stakeholders regarding petty corruption in the health sector, the Foundation and the Independent Research Institute of Mongolia (IRIM) conducted a survey in select Ulaanbaatar hospitals in March 2014. The 900 survey respondents included both providers and recipients of health care services. The results give a nuanced picture of the level and nature of petty corruption at different service locations. The results were used to train service providers on ethical practices and how to improve service delivery.

In addition to the workplans implemented by the three agencies, an assessment of rules and regulations of the City Municipality was undertaken. There are hundreds of rules and regulations City agencies need to observe, but there are numerous inconsistencies between them. For example, one website might state a regulation from 2008 to be followed, whilst another states a different version of that regulation. Such inconsistency confuses both city officials as well as the public. The assessment report noting problematic regulations was delivered to the City Mayor.

To resolve this issue, the City's Legal Department was tasked with developing a City database to serve as a central reference for all current rules and regulations. The software allows members of the public as well as City officials to download all rules and regulation in use. The database, which can be accessed at www.ublegal.mn:8080, currently holds information about 48,000 decisions, decrees, and all resolutions from 1998 to 2013. The information available on the database is increasing daily.

PROMOTING GOOD GOVERNANCE IN THE CAPITAL CITY: ENHANCING INFORMATION TRANSPARENCY IN LAND ADMINISTRATION

When he moved from the countryside to Ulaanbaatar, the capital of Mongolia, six years ago, Mr. Orgil was repeatedly frustrated trying to deal with the City Property and Land Office, but on a recent visit he had a very different experience. Information that used to be closed to the public was now open and accessible, and he even found a useful database that he thinks will be a great tool to prevent land disputes.

Promoting Good Governance in the Capital City: Enhancing Information Transparency in Land Administration is a project to reduce corruption and increase transparency at the city level. Funds were made available by the United States Agency for International Development (USAID) through the Strengthening Transparency and Governance in Mongolia (STAGE) project, implemented by The Asia Foundation.

Background

Ulaanbaatar is home to more than half of Mongolia's people and 60 percent of its businesses, along with major government offices and agencies providing essential government services. But rapid growth and change in this capital city have also fed a growing bureaucracy that is widely criticized as unresponsive and corrupt.

In 2013, with the support of Mayor Bat-Uul, The Asia Foundation and the Independent Authority Against Corruption (IAAC) joined the mayor's office to develop an anti-corruption program for Ulaanbaatar focusing on those city agencies most vulnerable to corruption: the City Property and Land Office, the General Planning Office, the Health Office, and the Education Office. Mayor Bat-Uul, IAAC Commissioner General Ganbold, and The Asia Foundation's Meloney Lindberg signed a joint action plan on December 9, 2013, and a working group was established, comprising representatives of IAAC, the STAGE team, and responsible officials, to oversee implementation.

Activities

As Ulaanbaatar has grown, land has become an ever more important, and contested, resource for homes and businesses, but the difficulty of obtaining accurate information on land titles, permits,

and transactions, and the lack of clarity on procedures and policies, have bred mistrust and suspicion of the Land Office, and created opportunities for bribery and corruption. In The Asia Foundation's semi-annual *Survey on Perceptions and Knowledge of Corruption*, respondents since 2006 have consistently ranked the Land Office as the most corrupt agency.

Increasing transparency was a principal focus of the action plan. Paper records of land allocations, registration, and ownership that were closed to the public at local Land Offices would be digitized and opened to public access. Up-to-date information on policies and procedures would be posted on Land Office information boards.

Over 40,000 pages of land records at six local offices were scanned and uploaded to the Land Office website, then transferred to the City Archive Agency. A template was created, and 150 land demarcation maps were produced, including 20 maps for the central district that were uploaded to the Property and Land Office website (www.umch.ub.gov.mn). These maps and a related database contain information about public lands, providing an important mechanism to prevent land disputes.

To comply with the Law on Information Transparency and Right to Information, and to keep the public informed, ten information transparency boards were produced and installed at ten Property and Land Offices including the main office.

Results

A central challenge for the project team was the prevailing institutional culture. Most officers believed that Land Office information was restricted and could be disclosed only with the permission of higher management. Important information such as the location, size, and legal owner of a parcel was kept entirely secret under the assumption that disclosing it would violate the property owner's privacy. In a series of discussions and consultations that at one point reached as far as the National Intelligence Agency, however, the head of the City Property and Land Office and other officials agreed to the need for greater transparency.

Now the public can get information like the size, location, and permitted use of a parcel, and the date and number of relevant orders and permits from the Property and Land Office's website. The new transparency has helped prevent or resolve multiple-ownership claims and other landowner disputes, and it has significantly reduced the role of bribery and corruption in the issuing of permits.

Another significant result of the project has been to bring Land Office activities into compliance with the Law on Access to Information. In addition to up-to-date information on policies and procedures, agency information boards were updated with a newly designed "organizational

transparency board” to meet the Law’s requirement that government agencies make public their financial, operational, and human resources information.

Annex 10: Unofficial translation of Recommendations to Combat Grand Corruption

RECOMMENDATIONS

**H.E. Ts.Elbegdorj, President of Mongolia,
Z.Enkhbold, Speaker of State Great Khural (Parliament of Mongolia)
N.Altankhuyag, Prime Minister of Mongolia**

Preventing from and combating against grand corruption

We, the participants of dialogue “Understanding and Knowledge on Grand Corruption” representing government, NGOs, media, private sector, lawyers and academia:

Concluding that grand corruption results in societal instability, slant in democratic values, deviation of justice, degradation of social ethics, slack in sustainable development and damage of rule of law and national security,

Highlighting that illegal acquisition of material and non-material property seriously damages democratic system, national economy, rule of law and respect of law,

Taking into consideration the need for ethical public service, strict compliance with legislations, proper management of public properties, principle that all public officers remain honest, accountable and equal to law and creating the culture of refusing from grand corruption,

Assuming that current policy and activities of government and civil society on fighting against and preventing from grand corruption should be intensified,

We are submitting the following recommendations:

One. Reflect fight against and prevention from grand corruption in Government policy on fighting corruption and endorse the document and clarify/legalize concepts and understandings on grand, political and high amount corruptions committed by high ranking government officers, which are detrimental to national security,

Two. Make the respective legal reforms immediately by carrying out thorough analyses on catalytic factors to grand corruption, making political parties financing transparent, setting election costs at minimum possible level, financing such costs from public funds, and amending legislations on immune state of high ranking government officers making it consistent with UN Convention Against Corruption,

Three. Establish an optimal system for effective collaboration of government, NGOs, private sector and media on fighting and preventing grand corruption and change the public knowledge, perception, understanding and attitude on the damage of grand corruption,

Four. Within the framework of comprehensive policy on prevention from grand corruption, create and legal regulation enabling professional experts carry out corruption risk and transparency assessment to bills submitted to Parliament,

Five. In order to fight and prevent from grand corruption, consolidate the activities and ensure collaboration of the Head of National Security Council, its members and judiciary for comprehensive and effective policies and actions.

PARTICIPANTS OF THE DIALOGUE
30 October 2014

ASSESSING MONGOLIA'S COMPLIANCE WITH INTERNATIONAL ANTI-CORRUPTION STANDARDS

The United Nations Convention Against Corruption establishes an international standard for the prevention and control of corruption. It introduces a comprehensive set of rules, measures, and standards for all countries to strengthen their legal and regulatory regimes to fight corruption in the public and private sectors. But a study supported by STAGE has found that Mongolia, a signatory to the Convention, needs to bring its own laws into compliance.

A legal review of anti-corruption related policies and regulations for compliance with the United Nations Convention against Corruption (UNCAC) was conducted by the Mongolian chapter of Transparency International. Funds were provided by the United States Agency for International Development (USAID) through the STAGE project, Strengthening Transparency and Governance in Mongolia, implemented by The Asia Foundation, Mongolia.

Background

Mongolia's Parliament ratified the United Nations Convention Against Corruption (UNCAC) in 2005 and adopted the national Anti-Corruption Law the following year. The national law, however, is in several respects inconsistent with UNCAC, as well as with other Mongolian laws on corruption, and the situation is further complicated by the fact that the Mongolian Constitution requires compliance with UNCAC when there is a conflict with national law.

Activities

The need for a thorough assessment of Mongolian anti-corruption laws and their state of compliance with UNCAC has been a subject of much discussion among anti-corruption specialists for the past two years. In 2013, Transparency International's Mongolia chapter (TI Mongolia) adopted a three-year plan that included monitoring and assessment to improve the legal environment for tackling corruption.

Between March and June 2014, with UNCAC as a baseline, TI Mongolia analyzed current anti-corruption law in Mongolia, identifying loopholes and weaknesses in the laws and their implementation, and offering detailed recommendations for improvement. The study examined 41

national legislative documents for compliance with UNCAC. After a review of the country's situation and a summary of the aims, objectives, and justifications of various national anti-corruption policies, the study report analyzed the gap between Mongolian anti-corruption law and the UNCAC, and offered several key recommendations to bring Mongolian law into compliance. The report included a 271-page matrix containing a comparative analysis of various laws, their state of compliance with UNCAC, and policy recommendations.

Among the report's more salient recommendations were stricter conflict-of-interest rules for public servants, a national anti-corruption strategy emphasizing enforcement of the UNCAC and fighting grand corruption, criminalization of various acts of bribery including soliciting a bribe and bribing a non-Mongolian public official, legal protections for whistleblowers, and better mechanisms to ensure transparency in the public sector.

Results

The study report was submitted to the Mongolian Organization of Parliamentarians Against Corruption (MONPAC) and the Independent Authority Against Corruption (IAAC), which judged its findings very important. The research team also made a public presentation of their main findings at a roundtable discussion of UNCAC implementation attended by the members of MONPAC and the IAAC, other public officials, and civil society partners.

According to Ms Bat-Otgon B, Head of the Prevention and Public Awareness Department of the IAAC, the report's recommendations will be reflected in the draft National Anti-Corruption Program, scheduled for adoption in 2015. The IAAC is also planning a 2015 assessment of UNCAC implementation that will draw on the TI Mongolia study.

SUMMARY OF ISSUES IDENTIFIED THROUGH PTI ANALYSIS OF DRAFT LAWS

21 September 2013

I. Preface

Mongolia has had success in passing necessary legislation to promote open and transparent governance and combat corruption over the last few years. However, such legislation is not necessarily consistent with previous legislation. This situation results in conflict between old and new laws, thus affecting enforcement. Moreover, the law-making process has not sufficiently considered the Constitution of Mongolia and provisions of international conventions and treaties to which Mongolia is party; subsequently there has been an increase in legal contradictions and violations.

However, the Government of Mongolia recognizes the principles of and has joined, the Open Governance Partnership, OECD and OSCE. In addition, main donor and lender agencies such as the World Bank, ADB and EU have required commitment to openness, transparency, accountability and anti-corruption action. Therefore, the present bills, both in drafting and parliamentary revision, must meet internationally recognized norms with commitment and pledges from the Government of Mongolia. Unfortunately, Mongolia has not yet created a culture and behavior of assessing bills in terms of transparency and factors influencing corruption risk.

On 28 September 2013, the Spain-based Access Info Europe and the Canada-based Centre for Law and Democracy conducted a survey to rate right to information legislation (Country Rating Results), the results of which can be seen at the link: <http://www.rti-rating.org/>

They rated 93 countries on 61 indicators, 150 points being the maximum achievable. The highest scoring country was Serbia (135 points), while Austria was last with 37 points; Mongolia was 82nd in this global ranking.

In Mongolia, democratic society must be allowed to contribute to making laws to be enforced effectively and productively based on civil society experiences, knowledge and skills gained from action to ensure constructive engagement of citizens; it is both a demand and a civil society responsibility. Active operation of a civil society means citizens have an informed and knowledgeable participation in developing and discussing bills.

The Partnership for Transparency Initiative, a CSO partnership established under the Asia Foundation STAGE project, developed has developed the first toolkit for assessing bills under international best practice, and the partners have decided to cooperate in a bill risk assessment under three categories and 48 indicators.

The Partnership for Transparency Initiative NGO has worked in a project implemented by the Asia Foundation to analyze and assess bills on the agenda of the parliamentary 2014 autumn session, both currently being discussed at the Parliament and those awaiting debate, for transparency, openness, monitoring, accountability and vulnerability to corruption (particularly potential corruption at the decision-making level), followed by advocacy and presentation of mid-term achievements.

For a full survey, joint stakeholder participation, time and experience are pre-requisite, so this report is on a simplified assessment only; indicators were reduced to 21, and the survey was carried out rapidly only on bills posted on the parliamentary website.

II. Assessment goal, objectives and methodology

Goal: to promote openness and transparency, to attract public attention in creating a favorable legal environment against corruption and to influence decision makers.

Objective: bills were assessed and analyzed for attitudes and principles shown below:

- information openness and transparency;
- citizen participation, oversight and accountability;
- level of corruption risk and impact, particularly of corruption at a decision-making level.

Methodology development:

In developing the methodology for bill assessment, the following sources were used as consistent with survey goals and attitudes.

- Right to Information Law Rating Methodology by the Center for Democracy and Law and Access info organizations: rti-rating.org/Indicatorsfinal.pdf
- Open Government; beyond static measures; OECD: <http://www.oecd.org/gov/46560184.pdf>
- Assessment methodologies of anti-corruption laws, Transparency International, U4 Expert Answer Info Center:

www.transparency.org/whatwedo/answer/assessment.

www.u4.no/publications/assessment-methodologies-of-anti...

The survey was also grounded on the Johannesburg Principles of Freedom of Information as jointly developed and approved by international law, security and human rights lawyers and experts on 1 October 1995.

Legal scope of the methodology

The following laws and international treaties were used for the assessment:

Constitution of Mongolia

International treaties

- *UN Convention Against Corruption .*
- *Article 19, International Covenant On Civil and Political Rights.*
- *International legislation and treaties enacted in the sector.*

National legislations

- *Law on Information Transparency and Right to Information.*
- *Anti-Corruption Law.*
- *Law on Coordinating Public and Private Interests in The Public Service and Prevention of Conflict of Interest.*
- *Other legislation related to the sector.*

Scope of assessment of bills:

For rapid assessment in September 2014, the survey team selected from the list of bills for submission, those attracting attention and new bills. Amendments to existing laws and bills in initial development and discussion were excluded from this assessment.

The assessment does include bills listed for debate in the 2014 parliamentary autumn session, those submitted to parliament and other bills being developed by Cabinet and other initiators.

Timing and schedule

Assessment tools/methodology were completed on 6 September 2014, then tested on the Media Freedom and Economic Transparency bills. As a result, the number of applied indicators was reduced to 21, rapid assessment cards were developed and relevant data was collected.

The methodology was also posted online for Partnership member organizations, who were invited to fill out assessment cards and submit them before 3 pm, 21 September 2014.

Five organizations submitted assessments of 8 bills, which were consolidated by the survey team. The laws analyzed are listed in Table 1.

Table 1: Laws analyzed by PTI

1	Budget Legislation Law
2	Economic Transparency Law
3	Media Freedom Law
4	Licensing Law
5	Public Hearing Law
6	State Registration Law
7	Monitoring Law
8	Glass Budget Law

III. Assessment result

3.1. Data collection stage

On 21 September 2014, the Parliament of Mongolia website published the Economics Standing Committee agenda, while bills submitted to Parliament and being debated, and parliamentary draft resolutions, were not available on the web. The survey team collected bills available by 9 September 2015 through private connections; 42 bills and resolutions at the hearing stage and 85 drafts submitted but not yet in debate.

The Legislative Actions section on the parliamentary website posted submitted bills in alphabetical order in downloadable format, but some information was repeated (e.g. concept notes and intros were posted in multiple places); the lack of clarity as to whether the bill was an amendment (not marked), the lack of marking of modification, an absence of date, what was downloadable, inability to open a file, wrong alphabetical location (e.g. the Debt Management Law appeared under letter P); all these called on intense labor, so it took a long time to access the available bills.

The team was able to get information about agency/officer developing a bill, but the website does not have correct information such as date of submission or names of persons submitting the draft; the website contained much contradictory data.

There was also a lack of information on who spoke on the bill and when; how often it was debated; and whether the bill was approved or withdrawn; this creates confusion. For instance, the Glass Wallet Law and the Law on Gold Trading Transparency had been passed, but on the website were still in draft form, listed as bills to be debated. It seems therefore that the process of posting and updating information on the website in an open and transparent manner still malfunctions. The Glass Budget Law was posted on web link <http://www.legalinfo.mn/law/details/10497?lawid=10497> while the Law on Gold Trading Transparency was not posted on www.legalinfo.mn and a Google search found its draft at www.parliament.mn/files/download/42773 with no information as to whether the bill was adopted.

Sources

Of all bills assessed by rapid assessment card, 7 were obtained from the www.parliament.mn website, while the Monitoring Bill was corrupt and not downloadable, so it was obtained through private connections for the assessment.

The Glass Budget Law passed on 1 July 2014, coming into force on 1 January 2015; we included this law in the survey as it has not yet come into effect.

For the assessment, we studied 7 bills plus one adopted but not yet in effect: 44 articles and 189 clauses.

Risk assessment

Bills were assessed with 21 indicators, using norms in international and domestic regulations. Of these indicators, Compliance with the Constitution and Compliance with International Legal Principles were not used as it was difficult to assess compliance with these criteria; it was impossible to conclude that the bills contain violations or to identify the percentage of such

violations.

The indicators were classified into four categories of risk factors.

A. The 6 risk criteria affecting the transparency and openness

i) 4 degrees to evaluate the level of transparency and openness:

	Criteria	Yes	No	Assessment
1	Maximum transparency and appropriate limits and standards (detailed and is not wide range)	6	2	Though the principles of transparency and openness are reflected in the draft provisions of the legal statute, the implementing mechanism, responsible organs and financing situation are making the case outstanding. There is no provision and possibilities to reveal the closed information even after a period of time There are no methods, mechanism and budget for implementation.
2	Any kind of restricted, prohibited and hidden information will be disclosed after certain timing	2	6	
3	Have liable organs, specialized officials and with budget for providing open and transparent information to legal entities and citizens	1	7	
4	The government have sufficient dissemination methods, channels and publishing (of studies, reports, etc.) for distribution of information	3	5	

ii) The 2 parameters of media and journalism:

	Criteria	Yes	No	Assessment
1	Assigned role to the media (must inform, disseminate, publish and transmit etc.)	5	3	To impose the duties on the media breaches the principles of free media conduction. And the government financing for media advertisements is still very not transparent, which indicates the high risk of breaching these legal provisions.
2	The payment and amount of advertisement for media of decision-making authority is determined in the provision of legal stature article.	1	7	

B. The 6 factors which affects the corruption. Therefore:

i) Public assets budget and spending

	Criteria	Yes	No	Assessment
1	The involvement of the public masses in the monitoring of the budget, donations, funds and revenue collection and etc., access to expenditure oversight.	0	8	The lack of public participation and controlling mechanism, for all public assets accumulated from taxes, fees, charges and other resources and its expenditures; the absence of commitments and desires to create such mechanism; without specifying responsible entities and determining the functions, for what criteria and how to dispose with public
2	Transparency for spending and management of public propriety;	1	7	

	the transparency of organs and officials			assets' management and expenditures, there is tendency of the high risk for corruption.
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ii) Possible abuse of excess authority power

	Criteria	Yes	No	Assessment
1	Equal allotments of authority at any State organs for any Government Official, without perquisites' preferences.	2	6	The legal statutes contains some provisions with apparently dominant advantages for certain administrators of some organs, the oversight monitoring mechanism is not regulated and without any responsibility or liability system it implies the high risk of the corruption.
2	Definite mechanism for monitoring of organs and government officials.	4	4	
3	For any provision or articles included for selection of working group, board of management or any other competitive selection the process must be open and transparent for the access and monitoring of the public.	0	8	
4	Definite, clear cut and comprehensive formulation of responsibilities and punishments for any acts of administrators and organs and to have it outspread for the public awareness.	2	6	

C. 4 criteria for advert appealing and complaints resolving mechanism

	Criteria	Yes	No	Assessment
1	Definite and comprehensive system for resolving the complaints of citizens and legal entities.	4	4	Thought we have 50% study results for complaint receiving and resolving issues, the insufficiency of process, decision decree and appeal reclaims, where the participation of the third independent party cannot be ensured, causes some doubts about transparency and reliability of the particular matter and thus results in the risk of corruption
2	Have specified units and administrators for complaints and dispute resolution.	4	4	
3	Open and transparent process and decision decree for the resolution of complaints and disputes.	2	6	
4	Comprehensive, clear, definite and independent appeal system, including the third party.	2	6	

D. Other regulatory factors of Sector provision - 6 criteria

	Criteria	Yes	No	Assessment
1	Articles items complies with the provision of Constitution	-	-	
2	Article items complies with principles of international Law	-	-	

3	Terms stated in the Law are clear and understandable	5	3	Every legal provision has the liability provision, but it is not certain whether the provision will be implemented at all and without violation, whether it will be effective triggering for the mechanism. It has not been possible to assess, whether the whole law complies with Constitution or with international Law
4	The administrator and organs implementing the provisions are precisely defined for the position	5	3	
5	Illegal organizations and administrator officials are charged for their counter action	8	0	

The level of risk assessment

The criteria for assessing has followed the basic principles of positive and negative criteria of evaluation. In cases with dominated “No” negation concluded as the high risk level of the corruption. Thus the positive answers has been taken for the value calculation of comparative risk assessment.

/calculated by percentage of positive answers/

	LEGISLATIVES/PROJECT TITLE	The risks of transparency /6 specifications/	The risk of corruption /6 specifications/	Complaint resolves and appeals /4 specifications/	Sector regulatory risks /3 specifications/	Total points /the level of risk/
1	About the legal status of the public service offices	0	4	0	3	36,8
2	About the economic transparency	1	0	0	2	15,7
3	Freedom of media	1	1	2	2	31,5
4	About approval	2	2	3	2	47,3
5	Public/masses hearing	2	1	0	3	31,5
6	Registration of legal entities	1	0	0	2	15,7
7	About monitoring and control	4	1	4	3	63,1
8	About Glass account	5	1	3	3	63,1

By the evaluation shown in here, the ‘Monitoring and control’ provision project and ‘Glass account’ provisions have comparatively low level of risk; the ‘Economic transparency’ provision project and ‘Registration of legal entities’ has high risks of the corruption.

	LEGISLATIVES/PROJECT TITLE	Quotes
1	About the legal status of the public service offices	In the draft law of "introduction of the draft Law of Legal Status of the Public Services" writes "The additional assets and sources from the State budget will not be required if Public Service Acts will be approved." It means the financing will come from any organization's budget now present. However, it is also unclear.
2	About economic transparency	<p>"If the newly registered, sales declaration reporting individual or any legal entity voluntarily agrees to disclose their assets for accountability, then the financial statement and balance sheets for the period of 2009.01.01-2014.01.31 and the assets income declaration for the periods of 2006-2013 will be liquidated from the archives."</p> <p>Thus, it means:</p> <ol style="list-style-type: none"> 1. The good, bad or wrong, any kind of the important documents reflecting the economic history of the life of society during these periods will be erased. 2. All illegal actions committed after 2008 tax amnesty remit, will be dismissed. 3. Because all documents for taxes and fees will be destroyed, there will be left no evidence for proving, the exempts remits were done for legal or illegal entities. 4. The liquidation of financial statements of assets incomes is act of debase denying the tax authority.
3	Freedom of media and communication	<p>9.2. "The responsibilities of advertisements arising from the released information will be liability of the media editors. <u>Advertisements and campaign-related disputes will be coordinated by applicable law</u>" Pointing that before each election to an attack on the independence of the media, gives an opportunity to take over the control.</p> <p>Establishing the Media Council by self-regulatory law provisions gives an opportunity for many negative interests and adverse regulation, which creates the risk for corruption.</p>
4	About approval	<p>"5.7.Licensing authority will provide approval for products, services, manufacturers, distributors to owner entities by the measures which <u>meets the requirements of international standars of highly developed countries</u>".</p> <p>What to count as highest criteria for the requirement needs, allows the official to qualify the issues by own criteria, which takes the matter to uncontrolled realm.</p>
5	Public hearing	<p>"1.1. The purpose of a legislative public hearing organized by official organs and administrators is to obtain public input on legislative decisions on matters of policy to involve the citizens in the government."</p> <p>The purpose is this, but there is no regulation on how to ensure the participation of citizens, who will receive a request to resolve the requests. And there are no rules on how to organize the public hearings. To leave the issue as to take the rules, ordained by other organizations reduces the effectiveness of the law regulation.</p>

6	About glass account	The glass account law is not performing audits anymore, allows only form of access by electronic emails, which limits the transparency and public participation
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Conclusion

Access was difficult, with bills unavailable or non-transparent, and information on which stage the bill had reached (development or discussion) was insufficient, so the overall assessment was difficult: for example, it was unclear which version of a bill should be assessed; so we used the versions placed on the Parliament website.

Bills on the website are not always transferred to the relevant menu after adoption, so remain on the website under Draft Laws; adopted bills are not included in the directory or law database. This was found during the data collection stage; it seems therefore that information access and update of website data was insufficient.

There is a need to improve how parliament collects feedback and comments on bills. For instance, the website asks only to click ‘I support the draft’ or ‘I don’t support the draft,’ limiting the possibility to give detailed comment/feedback and weakening participation and oversight.

There is no system by which lawmakers and initiators report on the inclusion of public comments and feedback in a bill final version:

- Bills claim Maximum Transparency, but this remains a principle or declaration, with insufficient provision for implementation mechanisms.
- Lack of obligation on the media to broadcast/publish government information in transparent ways looks positive; however, the absence of obligation on the media or other channel to disclose the interests of government agencies and officers, spending of public funds and information on oversight/monitoring results, poses risks.
- No regulation on making ‘threats’ or ‘damages;’ with limited confidentiality and scope consistent with public interest and disclosure of information after the designated confidentiality period expires.
- No regulation on citizen inclusion, external check/monitoring, receipt and redress of complaints/grievances; this increases risk factors.

Difficulties and issues to consider.

1. The assessment was under the Partnership, but the degree of partner participation was unequal; this in part explains the prolonged process. Constructive and active collaboration and coordination is important to ensure equal participation and opportunity.
2. The assessment was a pilot, asking partner organizations to fill out rapid assessment cards, but differences in understanding caused trouble in filling out forms in compliance with indicators. A consolidated training course is needed for team members before the next assessment.
3. Improve the assessment tools/methodology and clarify instructions.

Annex 13: Case Study

IMPROVING TRANSPARENCY OF GEODESY-CARTOGRAPHY AND LAND OFFICES

A 2003 law opened the path to private land ownership for Mongolian citizens, but many continue to be frustrated by obscure bureaucratic rules and procedures and inadequate access to essential information and services. Land disputes are on the rise, and land offices are ripe for corruption. Now a project has shed new light on land office operations, policies, and procedures, and identified key factors hindering transparency of land office services.

Improving Transparency of Geodesy-Cartography and Land Offices is a project of the Independent Research Institute of Mongolia (IRIM). It is based on work by the Survey on Perceptions and Knowledge of Corruption. Funds were made available by the United States Agency for International Development (USAID) through the Strengthening Transparency and Governance in Mongolia (STAGE) project, implemented by The Asia Foundation.

Background

In 2003, the Law on Privatizing Land to Mongolian Citizens was adopted, signaling the commencement of land privatization. Land office workloads increased drastically: to date, 11.8 percent of all Mongolian citizens now own privatized land, and 67.6 percent of Mongolians have received information on land privatization from district and soum land offices. Rural land offices have received 20 to 30 percent more requests for information than urban offices.

When Mongolians apply for land privatization, they quickly encounter a number of problems. Land office operations are neither open nor transparent: the bureaucracy is complex; access to information is inadequate; and citizens have little understanding of how to proceed. Citizens also encounter problems in getting cadaster maps developed for their khashaa plot. The number of cadaster companies in rural areas is limited, and they often create erroneous maps. New land allocations often overlap previous allocations, and land disputes are on the rise, epitomizing the weak policies and poor integration of government agencies managing land privatization.

Activities

In a September 2013 survey, IRIM looked at the obstacles citizens face when applying to privatize 0.07, 0.35, or 0.5 hectares of land, and the factors leading to their success or failure. The survey

covered four districts of Ulaanbaatar city (Baganuur, Bayanzurh, Songinohairhan and Suhbaatar) and the four aimags of Darkhan-Uul, Dundgobi, Hovd, and Hentii. The survey explored land office operations, structure, staffing, internal mechanisms, and procedures; evaluated land privatization policies, rules, and regulations; and identified key factors hindering transparency of land office services.

The survey used a case-study methodology to explore realistic circumstances and root causes. Cases were selected from complaints and petitions to the IAAC regarding land offices, and from materials on the resolution and redress of complaints and grievances stored at the capital city and district land offices. The survey selected a total of 14 cases.

The survey process also included questionnaires and individual interviews. Questionnaires were given to citizens who had privatized their land. Interviews were conducted with chairmen and senior officers of land office departments, land administrators, cadaster specialists, and land fee officers, to collect data on problems in land ownership, internal land office mechanisms and procedures, and citizen participation.

Results

Access to Information

Although aimag and district land offices say they working to make information more accessible, information on land privatization and land ownership is still incomplete and difficult to access.

Officer A of the Songinohairhan District Land Office said, “Information on land ownership is adequately disseminated nowadays. When the land privatization law was promulgated back in 2003–2005, citizens had almost no access to information except via some small TV ads and short TV programs. The situation has changed now: if citizens want information, they can get a handout from the district administration and the Municipality Property Affairs Department that explains the law and advises them on the documents required to apply for land ownership. At the same time, we give information to our clients and publicize our website address. All handouts, guidelines, and application forms are available free of charge.”

On the other hand, Officer S of the Songinokhairkhan District land office said, “It seems that we must disseminate information to citizens better. Citizens don't properly understand information, or do not check the information board. They come to us several times with incomplete documents, then they blame us, saying that we made them come in several times.”

Citizen A, who lives in Hovd aimag's Jargalant soum, said, “I got a new plot of land in 2012. I found out I could apply to own it from personal connections and rumors, and started the process.” Two citizens of Baganuur district also learned from friends or relatives that they could own the

land they occupied. This shows that information on land ownership is not efficiently disseminated to citizens, and that citizens often rely on rumors and word of mouth for information instead of asking the land office.

Documents and Procedures

Citizens complained that they received insufficient information on required documents and procedures, and so, often submitted incomplete applications and had to come back to the office several times. Citizen D of Khovd aimag said, “When we show up at the land office to privatize our land, there is no list of required documents, so the officers have to tell us what documents to fill in. If there were a list of documents on the information board, we would not have to stand in a queue.”

As a result, land privatization takes a long time. To speed the process, citizens may get help from personal connections. Others resort to bribery, and land officers sometimes solicit bribes. Eighty percent of land offices in urban areas required bribes, and 60 percent of urban citizens had to use personal connections. In rural areas, 62.5 percent of citizens relied on the influence of friends and relatives with connections in the local land office, and 75 percent used their own authority and reputation.

Respondents cited five main factors for this: land offices have no regular monitoring or oversight of service delivery; offices have a high workload; the structure and organization of land offices is inadequate for the large number of customers; laws and policies are outdated; and land office working conditions are poor.

Follow-up Activities

Survey recommendations for improving services were delivered to land office decision-makers. The survey findings were shared with the City Property Relations Office, and in collaboration with this office, a discussion was held among officers of district land offices on service quality, organizational changes, and other topics.

STAGE initiated a follow-up program, *Promotion of Citizens' Rights to Own Immovable Property/Land*, implemented by the Women Leadership Fund NGO with support from USAID. The program ran from April to June 2014.

A permanent blog, irgengazar.blogspot.com was established to inform citizens about land issues and provide support for land e-applications. A series of articles on land laws, rules, and regulations offering practical advice for land privatization was published in daily newspapers during the project period. In addition, more than 100 people were involved in trainings and discussions on land issues in Bayanzurkh, Khan-Uul, Sukhbaatar, and Songinokhairkhan districts.

CIVIL SOCIETY ACTIVITIES TO PROMOTE ANTI-CORRUPTION LEGISLATION

The Partnership for Transparency Initiative (PTI) is a loose network of civil society organizations working to support Mongolia's anti-corruption laws. Through STAGE, various activities were carried out by different civil society organizations.

1. The Zorig Foundation

Project: Promoting awareness of corruption and conflict of interest among young people

Duration: February 2013 – June 2014

Summary

The Zorig Foundation (ZF) designed a campaign using social media to raise young people's awareness of corruption and conflict of interest. ZF has achieved broad popularity among university students and young professionals through its youth and education programs, making it uniquely qualified to manage this project.

ZF started working with high schools to organize student meetings to discuss conflict of interest and the concept of corruption in general. Due to the initial success of the project, the scope and duration of the original contract were expanded several times, and later to include university students.

Main Activities

Student meetings

ZF held a series of meetings with university students with the goal of increasing understanding of corruption and its consequences for society. More than 100 students attended these meetings, and 32 students received certificates. The meetings covered the following topics:

- The general underreporting of corruption
- The role of CSOs in fighting corruption
- Media freedom
- International anti-corruption practices

ZF also introduced high school students to the *Seven Principles of People with Integrity* and other topics related to corruption, including "What is corruption?" and "What is conflict of interest?"

Billboard campaign and video PSA on corruption

ZF introduced a series of six billboards on anti-corruption topics along streets frequented by young people. Two 45-second video public service announcements were produced calling attention to the negative consequences of corruption. These video PSAs were distributed to theaters and on social media.

Newspaper info-graphic posters on corruption

Ten info-graphic posters were developed and published in prominent daily newspapers.

TV series on corruption

The TV series *Water Flows Up* was notable as a successful partnership between civil society and the private sector. ZF participated in storyline and character development and handled marketing for the series, including a music video, promotion, social media, and an opening ceremony.

Social media

ZF is quite active in social media, and all media developed for the project, including the PSAs, the TV series, and marketing and promotional materials were also made available on social media. The social media campaign received 1,727,056 page views by 95,339 non-unique visitors.

2. Globe International

Project: TV series
Duration: August 2013 – March 2014

Summary

Globe International (GI) initially had full responsibility for writing and producing the TV series *Water Flows Up*. As a non-profit organization, however, GI encountered difficulties with the tax code, and so by mutual agreement between GI and STAGE, production responsibilities were transferred to Mongolian broadcaster NTV, while scriptwriting and project oversight remained with GI.

Main Activities

Water Flows Up, a television series about corruption

GI developed seven scripts for this 28-episode television series focused on the anti-corruption and conflict of interest laws and guided by the UN convention on anti-corruption. Produced and broadcast by commercial broadcaster NTV, *Water Flows Up* showed that the private sector and civil society organizations can work together on ticklish issues. Mongolia's Independent Authority Against Corruption (IAAC) also advised on the development of the series. In a first for film development in Mongolia, *Water Flows Up* was written using Celtx pre-production software.

Water Flows Up was broadcast on NTV beginning on April 21, 2014. According to the Maxima media monitoring center, the series was seen by more than two million people.

Speaking at the series debut, Minister of Culture, Sport, and Tourism Ms Oyun-Gerel said, “The broadcast of this anti-corruption drama will help more people, including those in rural areas, understand the consequences of corruption. Because of the successful production of *Water Flows Up*, we will encourage other TV series to address anti-corruption issues.”

3. Mongolian Association of Local Authorities

Project: Training civil servants on the anti-corruption and conflict of interest laws
Duration: March 2013 – June 2014

Summary

Corruption, misuse of public funds, and unethical behavior by government officials have contributed to public discontent and mistrust of government. The Mongolian Association of Local Authorities (MALA) initiated a series of trainings for officials from all districts/khoroos, all aimag representative khurals, and all soum representative khurals.

Main Activities

The primary objective of the trainings was to improve understanding of the law, promote the exchange of practical experience, and strengthen the ethical competence of public officials in order to discourage corruption in public agencies. MALA organized trainings for 951 public servants from the citizen representative khurals of all nine districts and all aimags and soums. This successful initiative was notable in part for the local governments’ recognition of civil society and CSOs as legitimate partners and facilitators of government activities.

4. Northern Regional Branch of the Press Institute of Mongolia

Project: To increase public demand for anti-corruption efforts by increasing public knowledge and awareness
Duration: July 2013 – June 2014

Summary

Fighting corruption is not easy. Unlike many criminals, corrupt public officials often continue to have authority and influence. People will speak out against corruption only in the presence of like-minded people, and only in the face of overwhelming evidence, but the more people do speak out, the more others will do so. By providing the evidence and raising its own voice against corruption, the press can play a crucial role in mobilizing public demand for anti-corruption efforts. The Northern Regional Branch of the Press Institute of Mongolia (NRBPI) undertook a project to

increase public demand for anti-corruption efforts by increasing public knowledge and awareness of corruption.

Main Activities

In order to create public demand for anti-corruption efforts in the countryside, NRBPI developed series of radio programs introducing the anti-corruption law. The aired repeatedly for six months on four different FM stations, reaching an estimated 41,000 people. In addition to creating and airing the radio programs, NRBPI chose 90 individuals from various communities and trained them as community mobilizers. These activists then contacted other informed citizens in their communities, creating a chain of 450 community mobilizers, all equipped with basic knowledge of the anti-corruption and conflict-of-interest laws, to reach out to the rest of their communities. With the help of these activists, NRBPI organized a series of public discussions throughout Darkhan soum entitled *Public Participation Against Corruption*. Some 1200 people attended these discussions. From the views they expressed, NRBPI concluded that people in these communities understand that corruption is one of the greatest threats to rule of law and social development.

Besides working with community people, NRBPI, with the help of the IAAC, organized trainings for government officials on income and asset declarations, a key tool for ensuring transparency and accountability of government.

5. Mongolian Youth Federation

Project: Publishing up-to-date anti-corruption information on the World Wide Web.

Duration: March 2013 – June 2014

Summary

As a leading organization for youth, the Mongolian Youth Federation (MYF) reaches many young people through its website and Facebook page. MYF completely redesigned its website to include the latest technology, and added extensive content on corruption.

Main Activities

With support from The Asia Foundation, MYF redesigned its website, transforming it from an outdated, static design to one that is dynamic and capable of advanced functions, and adding extensive content on corruption. The new website publishes information on incidents of corruption and provides background information discussing anti-corruption law and the serious toll on society of corrupt behavior. To draw users to the newly redesigned site, MYF advertised in the major daily newspapers, on television and other websites, and on Facebook.

Annex 15: Table on Public Outreach Materials of STAGE

THE LIST PUBLIC OUTREACH MATERIALS DEVELOPED BY STAGE			
Public outreach material	Responsible organization	Purpose	Year
Citizens' scorecard report	DEMO	Public outreach	2013/2014
Governance and transparency in Mongolia calendar 2014	DEMO	Public outreach	2014
Freedom of Information Law brochure	PANI	Public outreach; awareness raising	2013
Conflict of Interest Law brochure	Trade Union	Public outreach; awareness raising	2013
Short public service announcement (PSA) video on corruption	Zorig Foundation	Public outreach; awareness raising	2013
Street Billboards Campaign	Zorig Foundation	Public outreach; awareness raising	2014
TV program on Improving Transparency of Geodesy-Cartography and Land Offices Survey	IRIM	Public outreach; awareness raising	2013
SPEAK and STOPP Surveys	TAF, SMF	Perception of corruption	2013/2014
GOPAC handbook for parliamentarians on corruption	TAF	Translated and printed for parliamentarians	2013
GOPAC Handbook on Ethics	TAF	Translated and printed for parliamentarians	2013
TOIM magazine	TAF	For Good Governance Week	2013
COI Brochure	TAF	Public outreach; awareness raising	2013
TV Drama Cost	Tengerleg Aviyas NGO	Broadcasted on community TV stations	2013

On-line video on Conflict of Interest	Globe International NGO	Public outreach; awareness raising	2013
Anti-Corruption handbook for public officials	WSP	Public outreach; awareness raising	2014
Anti-Corruption handbook for facilitators and trainers	WSP	Public outreach	2014
COI handbook	TAF	Public outreach; awareness raising	2014
Survey on corruption in health sector	TAF, IRIM	Perception of corruption in health sector	2014
TV drama 'Water flows up'	NTV	Public outreach	2014
PSA on IAAC's hotline 1800-1969	TAF and IAAC	Public outreach	2014
Grand corruption handbook	The Women leaders Fund NGO	Public outreach; awareness raising	2014
Good governance and transparency in kindergarten handbook	MONES	Public outreach ; awareness raising	2014
Broadcasting program about corruption and surveys	MNB radio	Public outreach ; awareness raising	2014
Documentaries on corruption cases (3 pieces)	Namuun Zet	Awareness raising	2014

Annex 16: Table on Media Coverage of STAGE

	Date	Event name	Content	Media outlets and journalists	URL
1	11/19/12		"My knowledge of Fairness and Justice" essay writing competition among students of colleges and universities was announced by The IAAC, TAF and Mercy Corps. 8 essays will be selected and awarded in 9th Dec.	IAAC's website	http://www.iaac.mn/index.php?coid=1729&coid=17
2	1/14/13	Conference at the Government house	MONPAC, Mongolian parliamentary group, of the Global Organization of Parliamentarians Against Corruption (GOPAC) was re-established. MP Burmaa and other members of the group called a press conference today. Five MPs of the group is going to take part in the 5th Global conference of the GOPAC in Manila, Philippine within the framework of the STAGE project, funded by the USAID and implemented by TAF. GOPAC is an international network dedicated to good governance and combating corruption throughout the world.	open.parliament.mn; MM agency of the MNB; National Radio; Daily post newspaper, C1 TV channel; Shuud.mn; shuud TV channel; Democracy newspaper; Today newspaper; TV 5 TV channel; HD mongol TV channel; SBN TV channel; TM TV; Time.mn; Montsame.mn; Parliament TV;	http://politics.news.mn/content/130677.shtml

3	1/17/13	Round table meeting at the Chinggis Hotel, Ulaanbaatar,	Round table meeting 'Initiatives and Participation of the Private Sector on Anti-Corruption Efforts' was taken place. STOPP I released during the meeting. It is the first survey among private business focused on corruption, tailored for Mongolian context and obtain a picture of corruption in Mongolia based on the experience of businesses. The survey aimed to establish baseline data for future tracking; to be conducted four times over life of project and encourage business to get proactive in developing solutions to corruption.	TVs including SBN; ZA; TV 10; Eagle, MWC; Ekh oron; TV 5; C1; HD mongol TV; Shine Delikhii TV. Newspapers: Today; daily newspaper; Mongolian Truth; Radios: MNRadio; New Mongolia Radui channel.	
4	3/20/13	Online discussion	Online discussion, organized by the MoJ, TAF, Mercy Corps and MWLA about Administration Law which aims to prepare trainers and facilitators was held yesterday. Lawyers who work at the administration, court and prosecutor's offices of the 21 aimags and nine districts of the UB took part in. Trainers will organize open discussions about draft of the Administration law at the local level on March 26.27. All comments will be sent to the working group of MoJ, who works on the draft by April 5.	Today newspaper	
5	4/3/13	SPEAK survey release event	The Asia Foundation today announced the Survey on Perceptions and Knowledge of Corruption (SPEAK) as part of the United States Agency for International Development (USAID) funded Strengthening	Montsame; Eagle-guest program Bayanaa took part in and also interview; UBS C1 Morning news newspaper; Mongolian radio; MM MNB;	http://english.news.mn/content/139332.shtml http://www.news.mn/content/139289.shtml

			<p>Transparency and Governance in Mongolia (STAGE) program. Respondents again ranked “land and property” and “mining” as the two most corrupt government agencies, as they have since 2006. Political parties have been ranked fifth for the last few years. The people surveyed regarded education and health institutions as the fairest institutions. The survey builds on the semi-annual corruption benchmarking survey conducted under the USAID funded Mongolian Anti-corruption Support (MACS) project, implemented from 2006 – 2011 by the Foundation. While past surveys probed citizens’ perceptions and actual experience of corruption at the household level, the SPEAK survey has been expanded to capture data on perceptions and knowledge of administrative practices and grand corruption.</p>	<p>SBN; MN-25; ;MNCTV; Mongol messenger newspaper; News.mn; TV-5; NTV; On National post newspaper</p>	
6	4/6/13	Interview about SPEAK 1 survey release	<p>The interview with the Meloney C.Lindberg was published at the “Daily newspaper” on April 6, 2013. According to the interview Twenty-six percent were ages 18-30, and 48 percent were ages 30-50. A total of 10 surveys were conducted before SPEAK, which allowed for data comparison over time. Respondents again ranked “land and property” and “mining” as the two most corrupt government agencies, as they have since 2006. Political parties have been ranked fifth for the last few years.A slight</p>	<p>Daily newspaper</p>	-

			increase in people’s reported confidence in the Independent Authority against Corruption (IAAC) is evident in 2012.		
7	6/14/13	PTI event within the STAGE program	The Globe International NGO organized an event “NO” which aimed to give knowledge of corruption, COI and transparency of information to public by the support of the Asia Foundation at the Black box Theater yesterday. TAF implements “STAGE” program that funded by the USAID. Within the framework of the program, civil society partnership on transparency was built by the 11 NGOs.	Daily news newspaper & Century news newspaper	
8	9/9/13	MoU signing ceremony at the City Maoyr's office	Mr. Bat-Uul Capital city governor and Mayor of Ulaanbaatar, Mr.Ganbold, Commissioner of the IAAC and Ms. Meloney C.Lindberg, Country Representative of TAF signed on MoU on cooperation against corruption. Four important sectors of the UB city including health, education, and property and planning which serve for significant number of citizens have launched their anti-corruption action plan in 2013. Within the framework of the MoU, the IAAC and TAF will support to implement action plans. City mayor pointed that ‘the most challenge which citizens are facing today in UB is corruption. Public service organizations make trouble for public instead of serving them. Therefore action plans were developed and will be implemented by cooperation.		http://www.ulaanbaatar.mn/content/show/5296 ; http://www.news.mn/content/155661.shtml ; http://www.medee.mn/main.php?eid=36242

			The city governor is discussing with citizens before issuing land permission.		
9	9/25/13	SPEAK II and STOPP II survey	The Asia Foundation and Sant Maral foundation today announced the Survey on Perceptions and Knowledge of Corruption (SPEAK) and STOPP survey as part of the United States Agency for International Development (USAID) funded Strengthening Transparency and Governance in Mongolia (STAGE) program.	Daily news newspaper	
10	10/10/13	TAF photo exhibition STAGE for TAF's 20th anniversary	TAF launched the "What Do Good Governance and Transparency Look Like?" photo exhibition organized by the Young Women for Change NGO as part of the United States Agency for International Development (USAID)-funded Strengthening Transparency and Governance in Mongolia (STAGE) program. The program aims to strengthen democratic governance by building a more transparent and accountable regulatory and legislative environment while promoting principles of checks and balances.	The Government office's web site; news.mn site; montsame news agency Democracy newspaper; Today newspaper; MM news agency, MNB; Khurd news agency Mongolian Radio, MNB; - TV-8 channel; - UBS channel	http://pmis.gov.mn/ http://art.news.mn/content/158770.shtml http://www.montsame.gov.mn/en/index.php/society/item/2344-photographic-exhibition-dislpays-at-state-historic-museum

11	11/18/13		The president's office built working group to develop national strategic plan against corruption. Total of eight discussions, aims to discuss draft national plan and introduce it to public, will be held among the citizens and representatives of public officials in nine districts of Ulaanbaatar city and all aimags. The IAAC and Mongolian women lawyers' Association are responsible to organize and collect ideas of people and The Asia foundation and Mercy Corps supports these activities.	IAAC's website; news.mn; TV 5 channel's website	http://www.iaac.mn/index.php?coid=1924&coid=17# http://news.zindaa.mn/1d9f http://community.tv5news.mn/News/10159
12	11/18/13	Discussion about draft anti-corruption national strategic plan	A series discussion about draft anti-corruption national strategic plan, organized by the Mongolian President's Office, the IAAC and Mongolian Women lawyers' Association, supported by the Asia Foundation and mercy Corps was launched.	news.mn	http://news.gogo.mn/r/131493
13	12/5/13	Roundtable meeting and SPEAK III release	Five corrupted agencies were announced during a roundtable meeting such as Land authority, law implementing agencies. The IAAC is planning to conduct series of workshops at those agencies in 2014. SPEAK survey was released. The IAAC and The Asia foundation conducted a roundtable discussion yesterday. The Asia Foundation has released it's SPEAK survey, which was conducted in Sep, 2013, during the discussion. According to the survey, corruption has been decreased.	18 TV stations including Eagle, MNB, TV5, TV 25, C1, Za TV, Ekh oron TV, Star TV, Shuud.mn, NBS and online news portals	http://www.unen.mn/content/30651.shtml http://www.montsame.gov.mn/index.php/mongol/mongolorond2/law/item/16493-gg http://www.montsame.gov.mn/index.php/mongol/mongolorond2/law/item/16473-2013-12-04-09-10-32 http://mnb.mn/archive/show/id/13001 http://www.infomongolia.com/ct/ci/7114

14	12/6/13	SPEAK III	SPEAK III 'Bribery and bold statement' about corruption in Mongolia and SPEAK survey.	UB post newspaper	
15	12/9/13	STOPP III release event	STOPP survey was released. A roundtable discussion “Initiatives and Participation of the private sector on Anti-Corruption Efforts” was taken place.	news.mn , infomongolia.com, TV 5 channel, dorgio.mn,	http://community.tv5news.mn/News/11003 http://www.eagle.mn/content/read/9457.htm http://read.dorgio.mn/35320.html
16	12/9/13	Anti-corruption day	December 9 is the international anti-corruption day and several activities are organized under the name “Together for justice society” by the IAAC, USAID, The Asia Foundation, Mercy Corps, and other organizations. Two roundtable discussions were held and youth against corruption day was marked.	IAAC's website	http://www.iaac.mn/index.php?coid=1927&coid=17
17	12/12/13		President Elbegdorj initiated to develop national strategy against corruption. The first strategy plan was implemented in 2002-2010. The draft national strategy was developed and discussion about the plan was conducted through the whole country by the MWLA supported by the IAAC, USAID, The Asia Foundation and Mersy Corps Mongolia. Last discussion was held yesterday with the media outlets.	Today newspaper	
18	12/17/13	Roundtable discussion	The IAAC and the Asia Foundation and IRIM organized a roundtable discussion about “Transparency and land ownership.” The case study of land authority, conducted by the IRIM, within the framework of	<u>IAAC's website</u>	http://www.iaac.mn/index.php?coid=1948&coid=17

			the STAGE program funded by USAID, was discussed. The case study was implemented in Darkhan-Uul, Dundgovi, Khovd, Khentii aimags and Baganuur, Bayanzurkh, Sukhbaatar and Songinokharikhan districts of UB city.		
19	1/16/14		The chairman of the parliamentary Standing committee on State Structure A.Bakei Thursday received Meloney C.Lindberg, a Country Representative of the Asia Foundation. At the meeting in the State Residence, present was Tirza Theunissen, a Deputy Country Representative of the Foundation. The sides shared views on cooperative actions, aimed to support the President Elbegdorj's initiative on transferring into Smart Government. In this regard, this Standing committee has formed a working group, which has so far developed a general plan to support the Smart Government initiative.	Montsame news agency	http://www.montsame.gov.mn/index.php/mongolorond1/ulstur/item/19506-2014-01-16-03-58-11
20	3/20/14	PTI event within the STAGE program	The Asia Foundation is implementing a project STAGE in cooperation with the NGO "Administrative new initiative." Within the framework of the project, the NGO conducted an evaluation and monitoring on implementation of the Law on Information Transparency and Right to Information at the some government organizations. According to the monitoring, The Ministry of Education and Science is listed	medee.mn	http://www.medee.mn/main.php?eid=45050

			as the Top transparency organization.		
21	3/26/14		Kh.Temuujin, Minister of Justice submitted to the Speaker draft amendments to some laws such as laws on criminal procedure and on adjudication of administrative cases.	Today newspaper	
22	3/26/14		Interview with B.Udbal, consultant of the micro project “To control services by ourselves”, within the framework of the PTI, funded by the STAGE program, the Asia Foundation, was published at the Century news newspaper today. The project, aimed to improve transparency of the kindergarten’s activity is implemented at four kindergartens. She told that kindergarten is the primary public service. She mentioned about some main outcomes, such as there are growing tendency for good governance and information relating to budget and other activities are now open to the public.	Century news newspaper	
23	4/15/14		TAF’s collaboration with The Anticorruption Agency and Capital City Governor’s Office to implement the “Together” project to build good governance and transparency and to prevent conflict of interest.	MONTSAME - Mongolian National News Agency; Mongolian Economy and Finance	

24	4/18/14	Discussion	<p>A discussion on draft anti-corruption action plan, initiated by the President, was held in the Citizen's Hall today. Delegates from the IAAC, the Asia Foundation, MWLA, legal enforcement organizations, NGOs, and UN took part in. According to the draft plan, there are several objectives such as strengthening good governance and transparency, to combat against the corruption, to decrease corruption's effect on the private sector, to increase public awareness about corruption. The plan will be implemented for 6 years.</p>		http://shuud.mn/?p=346724
25	4/22/14	Discussion	<p>Discussion held on National Anti-Corruption program draft at the citizen's Chamber last Friday. Representatives of the IAAC, TAF, MWLA and judicial and CSOs UN were present.</p>	The UB post newspaper	
26	4/21/14 & 4/23/14		<p>The General Department of Taxation and The Asia Foundation are partnering in support of select activities from the Department's Anti-Corruption Action Plan. The Foundation through the USAID-funded Strengthening Transparency and Governance in Mongolia (STAGE) project is collaborating with various governmental agencies in their bid to reduce corruption and promote transparency. The partnership will advance the capacity within the taxation authority to provide more efficient and timely tax services and reduce bureaucracy.</p>	The UB post newspaper	http://www.infomongolia.com/ct/ci/7730

			<p>The General Department of Taxation introduced the e-tax filing system in early 2014 and, as a result, all Mongolian tax payers are now able to submit tax reports, access tax history, and pay taxes online. This new e-tax system has the potential to increase efficiency and transparency within the taxation department, by reducing face-to-face interactions and bureaucratic red tape. The Department of Taxation and the Foundation will train 700 tax officials across the country to familiarize them with the new system and enable them to encourage citizens to start using the system.</p>		
27	4/23/14		<p>Within the framework of the STAGE program, funded by the USAID, implemented by TAF, The Asia Foundation has collaborated with the BAR association. By the contract, TAF support BAR association to organize discussions, round table meetings, and conduct trainings.</p>		http://www.montsame.gov.mn/index.php/mongol/mongolorond2/law/item/27256-2014-04-22-04-26-51
28	4/25/14	TV serial Movie	<p>‘Water Flows Up’ movie serial have been officially opened at the Tengis cinema yesterday. It will be started from 10:00 PM on April 28 on NTV. Corrupted people will be outed. TV serial shown about effect of corruption will be aired through NTV from April 28, 2014. The movie was written by professional people including D. Mendsaikhan, B. Batzorig and T. Bum, within the framework of the STAGE</p>	Today newspaper ; news.mn	http://art.news.mn/content/177109.shtml

			program, implemented by The Asia Foundation, funded by USAID.		
29	5/2/14		The General Department of Taxation and The Asia Foundation are partnering in support of select activities from the Department's Anti-Corruption Action Plan. The Foundation through the USAID-funded Strengthening Transparency and Governance in Mongolia (STAGE) project is collaborating with various governmental agencies in their bid to reduce corruption and promote transparency. The partnership will advance the capacity within the taxation authority to provide more efficient and timely tax services and reduce bureaucracy.	Mongol messenger	
30	6/16/14	SPEAK release event	The Asia Foundation, the Sant Maral Foundation, and Mercy Corps Mongolia (MCM) released the fourth Survey on Perceptions and Knowledge of Corruption (SPEAK) at the government palace. The survey was conducted under the United States Agency for International Development (USAID)-funded Strengthening Transparency and Governance in Mongolia (STAGE) project. Mrs. Meloney C. Lindberg noticed that "By providing information on long-term trends in every day corruption and new information on citizen views on grand corruption, the Foundation believes that the surveys will trigger invigorated and critical dialogues on issues	Bloomberg TV ; TV-5; Mongolian national Radio; TV 2; NBS; MNC TV; SBW ; Shuud.mn; 25 TV ; Eagle TV; Parliament TV; Montsame.mn; TV 10	http://open.parliament.mn/content/4258.htm ; http://sonin.mn/news/politics-economy/28000 ; http://www.mass.mn/n/6639 ; http://vip76.mn/content/25463 ; http://read.dorgio.mn/57882.html ; http://politics.time.mn/content/46481.shtml ; http://politics.time.mn/content/46481.shtml ; http://www.bolod.mn/modules.php?name=News&nID=127894 ; http://mnb.mn/i/25938 ; http://www.infomongolia.com/ct/ci/7996 ;

			<p>of transparency, accountability, and corruption in Mongolia.” According to the survey, corruption was named the third most critical problem in the country, as in the three earlier surveys.</p>		<p>http://arslan.mn/social/news/4457.shtml ;</p>
31	7/1/14		<p>Only the IAAC and the law against corruption are not enough to combat against corruption. According to a study that business people give about 479 million MNT bribery to public officials annually because they run their business normally. Therefore business people discussed how to solve the issue. The USAID funded survey was conducted among 330 business people. Similarly, the number of businesses reporting that there is “always” corruption in private sector tenders and contracting. Mrs. Bat-Otgon, Senior Commissioner, director of the Prevention and Public Awareness Department, IAAC told that “Some countries has introduced the law that the one who take bribery is punished. Unfortunately it has not solved issue because of slanders. CSOs started working together against corruption.</p>		<p>http://mnb.mn/archive/show/id/27239</p>

32	7/4/14	Opening ceremony of the software for court's selection that aids in the transparent recruitment process of judges	The Interactive Company successfully installed a software for court's selection that aids in the transparent recruitment process of judges. This system ensures the recruitment process of judges is fair and transparent and adheres to the revised laws passed in 2012 that seek to promote an independent judiciary in Mongolia. The initiative, initiated by the Judicial Council of Courts, was implemented by The Asia Foundation under the USAID-funded Strengthening Transparency and Governance in Mongolia or STAGE project. Opening ceremony was taken place at the Puma hotel and representatives of the Council, USAID, the Asia Foundation and Interactive Company participated. About 403 judicial candidates were selected from 612 who submitted their application and 58 times of 11 groups' examination were taken in two batches this spring.		http://www.judcouncil.mn/main/211--.html ; http://www.mglradio.com/main/index.php?document_srl=1008356 ; http://www.montsame.mn/index.php?option=com_k2&view=item&id=33453:2014-07-03-08-58-30&Itemid=658 ;
33	7/7/14	STOPP IV survey release event	<p>The Asia Foundation Releases its fourth USAID-Funded Study of Private Perceptions of Corruption (STOPP) as part of the Strengthening Transparency and Governance in Mongolia (STAGE) project at the Best Western Premier Tuushin Hotel.</p> <p>The project, funded by the United States Agency for International Development (USAID), aims to strengthen democratic governance by building a more transparent and accountable regulatory and</p>	22 media outlets including TV channels such as SBN; ZA; TV 10; Eagle, Ekh oron; TV 5; C1; HD mongol TV; Shine Delikhii TV. Newspapers: Today; daily newspaper; Century news newspaper; Radios: MNRadio; New Mongolia Radio channel	http://www.infomongolia.com/ct/ci/8094

			<p>legislative environment while promoting principles of checks and balances.</p> <p>Implemented since December 2012, the STOPP survey has captured data on the experiences of the business community to find out how corruption debilitates the business environment. The fourth survey interviewed 330 senior-level managers of Mongolians businesses in Ulaanbaatar in April 2014. The STOPP survey is complemented by the Foundation's other survey on perception and knowledge (SPEAK) which is designed to capture data on perceptions and knowledge of administrative practices and grand corruption.</p>		
34	7/7/14		<p>The President presented newly appointed courts with their court certifications today. The courts were selected by the new software which were installed at the Judicial General Council of Mongolia.</p>		<p>http://www.news.mn/content/184278.shtml; http://www.president.mn/mongolian/node/4049</p>
35	9/3/14	TV program	<p>The Asia Foundation is a part of the partnership with the Judicial Council of Courts in promoting transparency in the judiciary. This initiative was implemented by TAF under the USAID-funded Strengthening Transparency and Governance in Mongolia or STAGE project. In the fight against corruption, the traditional anti-corruption bodies, specifically, the court system, play a key role as the ultimate arbiters in ensuring equal access to justice.</p>		<p>http://www.judcouncil.mn/main/452--.html</p>

36	10/16/14	Interview	<p>N.Udval, lawyer and researcher gave interview about grand corruption to the Daily news newspaper. According to her interview "Social development rival- Grand corruption. Everyone knows that grand corruption is social development rival and you can easily notice that there are grand corruption in Mongolia by four studies, conducted by the Sant Maral foundation, funded by TAF. According to the survey, which is about public perception and awareness, citizens' image about grand corruption is some crimes which is high level officials were involved, organized crime, white-collar crimes etc. How long we accept all kinds of corruption? Now it is time to consider grand corruption, which is blossoming now and its risk becoming more dangerous to the national security."</p>	Daily news newspaper	
37	10/30/14	National conference of soum governors	<p>Two-day conference for soum and district governors has launched today. The Cabinet Secretariat has collaborated with The Asia Foundation and Mercy Corps Mongolia to promote the Open Government Partnership agenda, which aims to make the Mongolian governments more transparent, accountable, and responsive to citizens at all levels. During the conference best practices of the the two USAID-funded projects, implemented by the Mercy Corps Mongolia, and implemented by the Asia</p>	MN 25 TV channel; TV8; TV 5; Olloo TV; Khurd agency, Radio, MNB.	<p>http://www.montsame.mn/index.php?option=com_k2&view=item&id=42708:2014-11-06-08-12-49&Itemid=648; http://mnb.mn/archive/show/id/36625</p>

			Foundation, were shared with governors of 350 soums and districts.		
38	10/31/14	STOPP V release event	The Asia Foundation and the Sant Maral Foundation today released the fifth Study of Private Perceptions of Corruption (STOPP) as part of the Strengthening Transparency and Governance in Mongolia (STAGE) project at the press hall of the MN 25 TV channel. The project, funded by the United States Agency for International Development (USAID), aims to strengthen democratic governance by building a more transparent and accountable regulatory and legislative environment while promoting principles of checks and balances. The STOPP surveys are envisioned to inform critical debates between state actors and the business sector to promote good governance in their exchanges which in turn will foster the business enabling environment.	18 TV channles such as ZA; C 1; MM agency of MNB; Aist Mongolia; TV channel 2; Olloo TV; TV 8; TV5; Mongol HD TV etc and other newspapers and online portals such as Today newspaper;	http://news.gogo.mn/r/149276 ; http://www.ikon.mn/n/bqn http://www.mglradio.com/main/1098947 ; http://www.bolod.mn/modules.php?name=News&nID=135616
39	11/7/14	The first Conference against grand corruption	The Standing Committee on Security and Foreign Policy of the Parliament of Mongolia, the Independent Authority Against Corruption (IAAC), Women Leaders' Foundation (WLF), the National University of Mongolia (NUM), and The Asia Foundation organized the "Corruption As A Threat To National Security: Theory and Practice" conference at the government house. The objective of the conference was to listen to views from civil		http://mnb.mn/archive/show/id/37324 ; http://mnb.mn/i/37249 ; http://www.ikon.mn/n/bqy ;

			<p>society, academics and state actors that have been conducting recent research on grand corruption and create a common understanding of what grand corruption is and how it affects Mongolia.</p> <p>The conference submit its recommendations from today's discussions to relevant state actors suggesting concrete next steps and potential areas for strengthening.</p>		
40	11/7/14	STOPP V survey	<p>Nearly half of the companies surveyed (43.3 percent) in the fifth Study of Private Perceptions of Corruption (STOPP) reported that corruption in the public sector is affecting them directly. The Asia Foundation and the Sant Maral Foundation released the study on Mongolian corruption in cooperation with the United States Agency for International Development's Strengthening Transparency and Governance in Mongolia (STAGE) project. 64.5 percent of individual citizens who participated in study feel the public sector is fundamentally corrupt. Mongolian businesses report that the main obstacles to business in Mongolia are high taxes, access to credit, and strong competition from other companies.</p>		http://mongolianeconomy.mn/en/i/6917
41	11/7/14	Grand corruption	<p>N.Udval, head of the Women Leaders' Foundation gave interview to the IKON.MN news portal and mentioned about the STAGE project and grand corruption. According to</p>		http://www.ikon.mn/n/bqy

			the interview, SPEAK survey was conducted 4 times by the Asia Foundation and Sant Maral foundation and grand corruption was brought in the public attention first time.		
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Annex 17: Case Study

BETTER EDUCATION AND IMPROVED ETHICS AS A WAY TO GUARANTEE SUCCESS IN ANTI-CORRUPTION EFFORTS

Creating anti-corruption legislation and regulations and punishing corrupt officials are just part of an effective anti-corruption strategy. Often overlooked but equally important is the ethical education of public employees, the provision of which had been lacking in Mongolia.

Mongolia’s Independent Authority Against Corruption wished to explore the effectiveness of ethics education in reducing corruption and the tolerance of corruption in Mongolian society. Funds were made available by the United States Agency for International Development (USAID) through the Strengthening Transparency and Governance in Mongolia (STAGE) project, implemented by The Asia Foundation.

Background

As the lead organization against corruption in Mongolia, the Independent Authority Against Corruption (IAAC) is now trying to focus on improved education for public officials. Recent initiatives have shown that ethics education can change public attitudes towards corruption and improve transparency in social services.

Activities

Integrity Classes

One principle of IAAC's public awareness activities is that the earlier young citizens are educated in the values of public integrity and fairness, the more effective these educational efforts will be. Although eligible students for such an initiative number in the tens of thousands, 2700 pupils from nine high schools were initially selected for a pilot project in ethics education. The *Teacher's Handbook on Integrity Education*, developed for the USAID-funded MACS (Mongolian Anti-Corruption Support) project was used. Topics included corruption and its consequences, respect for justice, equity vs. inequity, the rights and standing of the citizen, saying "no" to bribery, and others.

Classes were interactive, including role-play, case studies, and writing essays. Students showed lively interest in the classes, and actively participated. At the end of the project, the 17 teachers praised the effectiveness of the classes, reporting that their students' grasp of the ethical issues surrounding corruption had grown significantly. One teacher even conducted a brief survey of his students at the start and end of the classes to measure their achievement.

Ethics Training in the Health Sector

According to the Survey on Perceptions and Knowledge of Corruption (SPEAK), jointly administered by The Asia Foundation and the Sant Maral Foundation as a component of the STAGE program, Mongolians rank healthcare institutions above law enforcement in fairness, but they regard doctors as the most corrupt professionals. Evidence shows that reducing corruption can improve healthcare services by increasing the effectiveness of public expenditures, but corruption in this sector can't be tackled without improving professional ethics.

After extensive consultation, the city Health Office agreed to a survey project to measure the extent, nature, and impact of corruption, and to use this information to educate healthcare professionals. This agreement was itself an important step forward, since health administrators had previously denied the existence of any corruption among health professionals whatsoever.

The survey included interviews with 300 doctors and nurses from hospitals and family centers in Ulaanbaatar, and over 700 patients. For the first time, an independent research body was able to explore questions like which professionals were taking bribes at which hospitals, and why were patients paying bribes. The complete findings of the survey were presented to the ethics committee of the Office of Health and to nearly 300 doctors at six districts health centers. The study laid the foundation for further work in two directions: how to discourage patients from paying bribes to healthcare workers, and how to change the ethical views of healthcare professionals to reduce their tolerance of corruption.

Results

These educational activities introduced participants — high school students in one case, healthcare professionals and their patients in another — to a new, ethical perspective on the issue of corruption in Mongolian society.

For the students and for their teachers, the special program on citizenship, ethics, and corruption helped bring the headlines and media speculations about corruption down to the level of real-life, ethical choices, strengthening the values of citizenship, justice, equity, and fairness.

For healthcare workers, some of the hardest work may have been simply acknowledging the reality of corruption in their profession, but the detailed findings, including the accounts of patients, have helped them face the facts and advance their understanding. Acceptance of the survey results at the management level, including the ethics committee of the Office of Health, suggests there will be further work, building on this foundation, to eliminate corruption in the healthcare sector.

Annex 18: Case Study

IMPROVING COOPERATION AMONGST LAW ENFORCEMENT AGENCIES IN THE FIGHT AGAINST CORRUPTION

An anti-corruption body cannot function in a vacuum, nor can it perform alone all the tasks required of it to prevent corruption. In recognition of this, close cooperation and an exchange of information amongst agencies involved in anti-corruption work is a feature of international best practice. In Mongolia, foundations have now been laid for better understanding and communications amongst law enforcement agencies, in the hope of advancing the fight against corruption.

To improve cooperation amongst law enforcement agencies in the fight against corruption is important, especially between law enforcement agencies the Independent Authority Against Corruption (IAAC), the General Prosecutor's Office (GPO), and the Supreme Court. To support this, funds were made available by the United States Agency for International Development (USAID) through the Strengthening Transparency and Governance in Mongolia (STAGE) project, implemented by The Asia Foundation.

Background

Since its establishment in 2007, the Investigation Department of the IAAC, and its relationship with the Prosecution Offices and the Supreme Court in their respective roles of investigating, prosecuting, and adjudicating corruption cases, has received much public attention. The success of these institutions in prosecuting anti-corruption cases depends greatly on the level of effective cooperation between them. In practice, however, cooperation has been a challenge, due to their conflicting competencies and overlapping mandates.

According to the Investigation Department's own statistics and a random analysis of adjudicated cases, some problems in particular have defied resolution for years. An example is the large number of cases dismissed by prosecutors or courts or returned for additional investigation, resulting in cases remaining unresolved for years and an inconsistency in court rulings for similar types of cases. This has led to public criticism of the IAAC for being unable to charge and convict high-level officials suspected of corruption.

For these and other reasons, the relationship between IAAC, Prosecution Offices, and the Supreme Court has not been good. Organizations and officials from each camp have blamed each other for professional incompetence, including poor investigation, prosecution, and adjudication practices, and little has been done to overcome the counterproductive antagonism among these key agencies.

Activities

Because each agency operates under its own strict regulations and a set of well-established bureaucratic rules, an independent initiative from a neutral third party was seen as the best starting place to begin to defuse these inter-agency antagonisms. The STAGE project team began a long process of consultation with the higher management of the three agencies, which eventually bore fruit in the form of an unofficial working group to explore ways to improve inter-agency coordination. The tripartite working group, consisting initially of two officials from each agency, held four meetings to discuss the current situation, a possible agenda, and other issues.

It was soon concluded that most inter-agency conflicts could be traced to the laws and regulations governing each agency. The group decided to conduct a comprehensive study of the laws, regulations, and practices that shaped their approach to corruption crimes.

Research study of existing practices for dealing with corruption

The three-month study was conducted by the IAAC, the city prosecutor's office, and prosecutors' offices in three other provinces. The results were presented to the tripartite working group, and participants then worked to develop suggestions and proposals. Eventually, an eight-page

document of recommendations covering 30 different laws and practices was officially submitted to the IAAC, the GPO, the Supreme Court, and the General Council of Courts. The agencies gave the recommendations high priority, especially the establishment of universal procedures and the principle of precedential guidance,³ and have since been effective to improve agency work practices and inter-agency collaboration.

Study tour to Singapore

In February 2014, The Asia Foundation organized a four-day study tour to Singapore for the tripartite working group to learn more about international best practices in inter-agency collaboration to prevent corruption. The Civil Service College of Singapore hosted the study tour, which included lectures and visits to anti-corruption agencies.

Following the Singapore tour, STAGE organized a knowledge-sharing workshop for 37 officials of the IAAC, the GPO, the Supreme Court, and the Judicial General Council. The tour participants gave presentations, and a discussion was held on a corruption case study commissioned by the tripartite working group. At the workshop, Mr. Amarbat, head of the Investigation Unit at the IAAC, noted, “There are many similarities in the structure and organization of Singapore’s anti-corruption body, but there are differences in implementation, process, and methodology. What we need is to be more efficient in our work and to change our attitude. There are cases that last for three or four years, and then disappear with no resolution.”

Mr Galdaa, head of the research team, asked how the effective practices that team members had observed in Singapore might be translated to Mongolia. He suggested that a joint training program for investigators, prosecutors, and judges, using concrete cases, would help to establish a common understanding of the issues. This joint training should become an ongoing program, he said, not a one-time event.

Results

Although the project began with high expectations, the process proved that changing institutional culture and behavior is never quick and easy; nevertheless, some important results were achieved. Notably, Justice Erdenebalsuren, a member of the tripartite working group, became part of the team that drafted the new Law on Crime and the new Criminal Procedures Code, and 11 recommendations from the study were incorporated in those drafts. The draft Law on Crime is

³ Precedential guidance is the principle that a court’s rulings should be guided by precedents established by previous rulings in similar cases.

currently under discussion in Parliament, and the draft Criminal Procedures Code is in the final stages of review at the Ministry of Justice.

The tripartite collaboration led to better understanding and clearer communication among the parties. Officials who previously had communicated only through official letters and about specific cases were able to meet face-to-face and share their professional views and experiences more broadly. In a testament to the power of these simple forms of communication, the IAAC and the City Prosecutor's Office recently held a joint press conference—the first in their history—leaving behind the old model of separate press conferences and competing facts and figures. This is progress that bodes well for future cooperation in the fight against corruption.

Annex 19: Case Study

GOOD GOVERNANCE WEEK 2013

International Anti-Corruption Day was once a low-key affair, inspiring little excitement or public participation, but Mongolia's Independent Authority Against Corruption is working hard to change that. They've given it a new name and recruited key players for a working group with a simple assignment: come up with activities that are creative, original, effective and fun.

Good Government Week, inspired by International Anti-Corruption Day, is public-private collaboration between the Mongolian government, Mercy Corps, and The Asia Foundation. Funds were made available by the United States Agency for International Development (USAID) through the Strengthening Transparency and Governance in Mongolia (STAGE) project, implemented by The Asia Foundation.

Background

In October 2005, Mongolia joined the global effort to combat corruption by ratifying the United Nations Convention Against Corruption (UNCAC), and shortly thereafter began to observe International Anti-Corruption Day held each December 9. The Independent Authority Against Corruption (IAAC) AC Day events in 2008 honored the late Zorig Sanjaasuren, the leader of Mongolia's democratic revolution for his commitment to promoting integrity and justice.

In 2012, the Prevention and Public Awareness Department of the IAAC was given the remit to make the day more prominent and interesting. The Department recruited a working group from the Cabinet Secretariat, the Ministry of Justice, and international NGOs Mercy Corps and The Asia Foundation to organize informative and effective activities for the day. The following year, the working group reimagined AC Day as Good Governance Week, targeted mostly to youth and with a new, more optimistic slogan, “Hand In Hand for a Fair Society.”

Activities

Building Knowledge through the Media

According to the semi-annual Survey on Perceptions and Knowledge of Corruption (SPEAK),⁴ most people in Mongolia learn about corruption from television,⁵ so The Asia Foundation, in consultation with the IAAC, supported the production of a television program, *Cost*, dramatizing the cost of corruption to an ordinary Mongolian family. Shot in the style of a pre-1990s television drama, with a small cast and a single studio, *Cost* was seen on public television in every aimag.

The Foundation and the IAAC also worked closely with a young lecturer to create a live, one-hour telecast called *Seven Habits of a Fair Young Person*. Using simple examples, he explored the positive principles that lead to a good life, including responsibility, honesty, and setting goals. The lecture was followed by a rock band debuting their latest song, based on justice and integrity. Some young viewers later expressed their appreciation that this outreach effort had spoken to them in their own language.

Another Foundation-led initiative based on discussions with the working group was a special edition of *Undestnii Toim*, the country’s leading news journal. The 62-page special edition highlighted the importance of youth in combating corruption, and surveyed the most important anti-corruption activities to date, including the draft National Anti-Corruption Strategy, activities of the Mongolian Organization of Parliamentarians Against Corruption (MONPAC), and anti-corruption efforts in the private sector.

Engaging Stakeholders in Constructive Dialogue

Procurement Offices and Units were established throughout Mongolia in October 2012, and SPEAK surveys have shown repeatedly since then that the Procurement Office is perceived as one of the most corrupt agencies in Mongolia. To address this, the working group organized a participatory event, *Open and Transparent Procurement*, attended by 60 procurement officers who discussed challenges and best practices and shared their achievements over the year.

⁴ A key component of STAGE, the SPEAK surveys are implemented by the Sant Maral Foundation.

⁵ For example, in the September 2013 SPEAK survey, 71.5 per cent of respondents said they receive information on corruption through television.

Prior to this event, the Dornod aimag branch of the Liberal Women's Brain Pool (LEOS), a STAGE partner, conducted procurement monitoring in their aimag in cooperation with the Dornod aimag Procurement Unit. LEOS and the Procurement Unit shared their experiences and discussed the importance of citizen participation. Event participants then had the opportunity to raise other issues of concern before voting on a list of priority issues. These related to the compensation package for procurement officials, their roles and responsibilities, information confidentiality, and the need for a conference on the implementation of the procurement laws.

Anti-Corruption Surveys

A highlight of Good Governance Week was the release of the third Survey on Perceptions and Knowledge of Corruption (SPEAK 3) and the third Study of Private Perceptions of Corruption (STOPP 3). The two ongoing surveys are key tools for understanding the Mongolian public's views of corruption and administrative practices and procedures. More than 1,400 copies of SPEAK 3 and 1,200 copies of STOPP 3 were distributed during Good Governance Week, and speakers throughout the week made reference to the two surveys in their public presentations, clear testament to the surveys' importance and credibility.

Youth Participation

Working with the IAAC, The Asia Foundation recruited an enthusiastic young academic to tour secondary schools and universities with his presentation, *Seven Habits of a Fair Young Person*. Accompanied by IAAC staff, he visited 15 secondary schools and ten universities in Ulaanbaatar city, reaching more than 7,000 young people with his message.

The lecture was accompanied by a *Hand in Hand for a Fair Society* parade, organized with the Zorig Foundation and the participation of over 200 youths. The young people marched over half a mile to Ulaanbaatar City Citizens' Hall displaying *Fair Society* slogans and promoting *Хамдаа* (*Chamdaa*), a Mongolian word meaning "together against corruption."

The event also included entrants from a T-shirt design competition organized by Mercy Corps for school children in 15 aimags⁶.

The working group arranged for *Seven Habits of a Fair Young Person* to be broadcast nationwide. Filming took place at the Mongolian National Broadcaster in front of 100 school children wearing the Mercy Corps T-shirts exhibited at the parade.

Acknowledging the Anti-Corruption Role of Civil Society

Since the first International AC Day in 2008, only a few individuals had received the Integrity Award. In 2013, the IAAC announced an open competition, *Corruption-Free Good Governance Practice*. Recognizing the important role of civil society, the IAAC encouraged NGOs to

⁶ Under Mercy Corps' USAID-funded APPEAL project.

participate in the competition. As a result, three STAGE partners were honored with the Integrity Award: the Democracy Education Center, the Mongolian Women’s Fund, and the Dornod aimag branch of the Liberal Women’s Brain Pool.⁷

Results

Good Governance Week 2013 was a successful public-private collaboration in which a broad range of partners brought their own ideas and experience to the table to transform the stodgy International Anti-Corruption Day into a fun, participatory, and highly visible week-long celebration. Over 11,000 people participated directly in the public events, and half a million joined the celebration via television.

The government of Mongolia provided the initial impulse and much support for Good Governance Week, and the working group was able to plan and coordinate a constellation of innovative activities bringing unprecedented visibility and public attention to the crucial issues of corruption, transparency, and good governance.

This new visibility has built substantial momentum for follow-up activities, and new relationships among the participating agencies and organizations have opened up new opportunities for anti-corruption initiatives. For example, The Asia Foundation is now working with the General Procurement Agency on follow-up events for senior managers to improve inter-unit procurement coordination and information transparency, and the Democracy Education Center shared its innovative community score cards at the Asia Pacific Open Government Partnership regional meeting in September 2014.

Annex 20: Recommendations

INTENSIFYING ANTI-CORRUPTION COLLABORATION OF GOVERNMENT, PRIVATE SECTOR AND CIVIL SOCIETY

Recommendations from National Forum

We, participants of National Forum “Intensifying Anti-Corruption Collaboration of Government, Private Sector and Civil Society”, having convened on 25 June 2014, in Ulaanbaatar,

Responding to need and demand from people of Mongolia to establish corruption free society,

⁷ The Foundation was to participate in the Integrity Award selection process, but withdrew to prevent a conflict of interest once its partner organizations entered the contest.

Affirming the commitment for implementation of UN Convention Against Corruption, to which Mongolia is a Party,

Highlighting the need that private sector must comply with international initiatives and principles, which focus on promoting anti-corruption ideas and initiatives, in their operations including UN Global Compact, Anti-Corruption Initiative of World Economic Forum,

Committing for intensifying collaboration of government, private sector and civil society to fight corruption, are giving the following recommendations.

PRIVATE SECTOR

Private sector and business operators to comply and mainstream the following in all their operations:

- Adhere to principle of corruption-free, just and accountable operations;
- Make tangible contribution to establishing stable, transparent and open society in cooperation with government and civil society;
- Regularly report and publicize the impact of business on economy, society and environment and support green development;
- Boost participation of private sector in fighting corruption and creating corruption-free environment by create proper jobs that respect human rights and taking leadership in establishing good governance principles.

In addition, we call all legal entities and businesses to increase their initiatives, ideas and actions to raise awareness of staff and officers of corruption, to provide information on corruption, to implement a designated anti-corruption plan and program, to ensure fair competition, to adhere to business ethics, and mainstream the corporate social responsibility and corporate governance principles.

We propose the following recommendations in order to improve anti-corruption legal environment, support the private sector initiatives on fighting corruption and intensify the public-private partnership on combating corruption:

1. Modify the provision in law imposing sanctions to both giving and receiving a bribe to sanctifying only the giver and reflect provisions on protection of informants about corruption;
2. Amend the Law on Political Parties prohibiting receipt of donations from businesses, or necessitate publicizing the receipt of donations if political parties receive;

3. Establish conditions for fair competition among private sector for public procurement bids and increase the autonomy of bid evaluation committee members;
4. Make the list of government officers, who vulnerable to bribe, and publicize;
5. Cease the current system that announces citizens and business entities as involved with corruption through media and attack the business reputation before court finally considers them guilty, and start the responsibility system to media for such acts;
6. Eliminate the burden and demand and threatening from tax offices onto the operations of private sector and start imposing responsibilities to officers for such wrongful doing;
7. Businesses to make their operations open and transparent and establish a system for financial and non-financial performance reporting;
8. Eliminate that local authorities and administrations claim from and pressurize for donations.

CIVIL SOCIETY ORGANIZATIONS

Civil society organizations propose the following:

1. Establish a tri-partite Consultative Committee at the Cabinet Secretariat, tasked to promote the partnership initiative between government, private sector and civil society, ensure stable operations, monitor and oversee the anti-corruption actions, integrate and cohere actions and provide recommendations to police and decisions;
2. Frequently conduct national level corruption study with government funding and establish a mechanism to develop and implement evidence based policy;
3. Create realistic mechanism for civil society organizations to regularly monitor the activities, decisions and budgets of government agencies and allocate respective funding in the government budget;
4. Establish conditions for civil society organizations to frequently carry our anti-corruption information, advertisement and training to target groups,
5. Include corruption in school curriculum in order to establish anti-corruption understanding and concepts in the education system from the young ages.

Announce year 2015 as “Anti-Corruption Year” and implement the aforementioned recommendations under motto “Together Against Corruption”.

BUSINESS ASSOCIATIONS' INITIATIVES AGAINST CORRUPTION

1. Business Council Mongolia: Spearheading the International Business Community's Activities

Background

Corruption is a multi-dimensional problem that affects the public and private sector, national and international businesses alike. The Government of Mongolia's anti-corruption initiatives have focused primarily on the legal, regulatory and enforcement framework, rather than reaching out specifically to the international business community, a significant stakeholder in the Mongolian economy.

Within the international business sector, perceptions and reports about corrupt practices, for example the paying of bribes to officials, mirror those of the host Mongolian business community. Buy-in from, and focused interventions by the private sector, are essential therefore if the government's anti-corruption drive is to be effective.

Globally, new norms in corporate governance are encouraging businesses to establish robust, anti-corruption frameworks consisting of compliance policies, code of ethics, and risk assessments of both corporate transparency and business integrity. While time-consuming and potentially resulting in short-term business uncertainty, in the long-term abiding by such practices can protect companies from negative practices in a hostile business environment. In Mongolia, the establishment of such protocol is at a nascent stage.

Activities

The Asia Foundation, through its STAGE project, invited the Business Council of Mongolia (BCM) to initiate preliminary anti-corruption activities for its members. Founded in 2007, BCM, with around 250 members, is Mongolia's largest network of national and international businesses working to promote the interests of the business community in Mongolia. Under STAGE, BCM adopted a dual-track strategy: one track providing trainings for the business community, the second on the provision of anti-corruption education for university students.

Trainings for BCM members resulted in a tailored curriculum covering common problems around the issue of corruption, and detail about current anti-corruption legislation. In providing this, BCM has been pioneering. A key innovation in BCM's approach was to work closely with the Prevention and Public Awareness Department of the Independent Authority Against Corruption

(IAAC), Mongolia's state mandated body to tackle corruption. BCM invited over 60 members to trainings at which members were able to ask the IAAC questions. A major challenge for implementing anti-corruption legislation has been the Criminal Code which punishes both those involved in giving as well as taking, so making it difficult for businesses to report corruption. The trainings created an opportunity for the private sector to build a constructive working relationship with the IAAC in how best to tackle such problems.

Rather than just providing trainings, BCM is also making use of its own resources, such as the multi-country experience of some of its larger members. For example, representatives from PricewaterhouseCoopers and Anglo-American have shared their anti-corruption and business integrity best practices with participants, as well as their experiences of working with their Mongolian counterparts.

Under its second track, BCM has organized workshops for more than 100 students majoring in finance and economics, as well as 'professionals at-risk of corruption', for example, those from the Customs Department. These trainings are building upon BCM's existing program for universities that aims to increase knowledge for students so that on starting their working careers, they are acquainted with tax regulations and issues such as conflict of interest.

Students and teachers of the Institute of Finance and Economics and Mongolian National University who participated in the workshops regarded such trainings as highly informative. Junior professionals from the IAAC were invited by BCM to make the trainings participatory and interactive by using knowledge-based games and discussions as part of the program.

The Business Council of Mongolia has not limited its anti-corruption activities to these two of trainings. It has also taken the initiative to organize information sessions around corruption for members at its monthly meeting. For example, the Sant Maral Foundation (SMF) presented its Study of Private Perceptions of Corruption (STOPP) findings at an event to mark International Anti-Corruption Day in December 2014. Changing attitudes towards corruption and fighting entrenched business practices will be a long struggle. STOPP findings highlight the daunting nature of the task: according to STOPP findings, over 70 per cent of companies are yet to take steps to combat corruption. But there is room for optimism as the number of businesses which have adopted anti-corruption policies is on the rise. One indicator of the importance and contribution an organization such as BCM can make in the drive against corruption amongst the business community.

2. Mongolian National Chamber of Commerce and Industry's Engagement in Combating Corruption in Mongolia

Mongolia's private sector grew rapidly by the second decade of the century but it was understood it could have grown much more if widespread corruption in the business environment was eliminated. The Mongolian National Chamber of Commerce and Industry (MNCCI) therefore joined the World Economic Forum created Partnering Against Corruption Initiative (PACI) Mongolia network to take up this challenge.

MNCCI therefore initiated a series of two roundtable discussions. The first was held with the Partnership in Transparency Initiative (PTI), a network of civil society organizations working on an array of anti-corruption activities, to see how PTI and the private sector could identify areas for joint cooperation. This was a first attempt to bring the two sectors together. Following discussions, a roadmap was developed emphasizing increasing the legal knowledge of the private sector, and the need to report the unlawful actions of public officials.

In the working group to push the agenda forward, MNCCI was joined by government policy-makers and the private sector. Lead by the head of the Cabinet Secretariat, a review of all business related laws was instigated. A result of the study was a decision by government to cut up to 50 percent of the special permissions and licenses companies needed to obtain, so reducing significantly both the bureaucracy they needed to deal with, and opportunities for corrupt practices to creep in.

A second workshop was held between the Tax Office and business sector to develop a common understanding about obstacles hindering business, and to explore ways to eliminate these hindrances. This included both legal and practical impediments, with a focus on potential changes to the tax code. Most distressing for the business sector was the challenge of multiple types of taxes, discrepancies within tax legislation, and issues relating to value-added tax (VAT). The business sector discussed these findings with officials from the Tax Office, with a focus on unscheduled tax reviews that burden business. Resulting from this MNCCI submitted a *Declaration* to the government which outlined the challenges faced by the private sector on tax matters, and gave recommendations on how to solve them in light of an anticipated revision of the tax code.

MNCCI also organized a PACI training for representatives of 30 small and medium enterprises. At the training participants learnt about anti-corruption efforts in Mongolia based on PACI principles. The IAAC participated in the training delivering a presentation about Mongolian anti-corruption legislation with a focus on information important for business sector.

A *National Forum on Strengthening Partnership among State, Private Sector and CSOs* was also organized by MNCCI. The objective of the forum was to share ideas and to come up with concrete recommendations on how to promote cooperation amongst state agencies, the private sector, and civil society organizations, to counter corruption and promote transparent and accountable governance in Mongolia. Nearly 100 people representing government agencies, the private sector and civil society participated in the event, which resulted in a *Declaration* addressed to the Cabinet Secretariat and both the Leal Affairs and Security and Foreign Policy Standing Committees of the Parliament.

3. Mongolian Employers' Federation Combatting Corruption

The tenth principle of the UN Global Compact focuses on corruption, underlining the shared responsibility of the private sector to play its part in eliminating corruption. This reflects the ongoing development of rules on good corporate governance which is prompting companies to develop anti-corruption measures as a means to protect their reputation. The growing number of business managers looking at internal controls is evidence of increased adherence to good business practice and sound management.

The Mongolian Employers' Federation (MONEF), established in 1990, has branches in all 120 *soums*, and works to support its 8,000 member organizations. A survey conducted among 560 employers by MONEF in 2008-2010 showed that the private sector, especially employers, often fall victim to corruption as they become bribe givers to speed up 'getting things done' and promote their business interest. Thus, there is a need and urgency to change the behavior of businesses, and to set up anti-corruption systems. To move such an agenda forward, MONEF carried out the following activities:

1. Assessment: A needs assessment was conducted amongst eight companies. Findings showed that private sector business people understand the negative effects and consequences of corruption, but consider giving a bribe as the easiest way to promote their business interests. Employees were found to have a lack of understanding about corruption and were not involved in any kind of trainings or workshops on the subject. Very few companies have any provisions against corruption in their internal regulations and do not know how to take action in this field. However, they expressed a willingness to participate in trainings and prevention activities. Based on these findings discussions were held amongst representatives of the private sector, employers and business associations. It was decided that MONEF would act as an umbrella organization to assist companies in trainings to generate a joint understanding about corruption, conduct surveys, develop prevention activities, standards and training curricula, as well as disseminate best practices and provide updated information issued by state agencies in terms of anti-corruption legislation.

2. Development of Anti-Corruption Training Curriculum: No training curricula existed for the private sector. As the Assessment noted that trainings for businesses and business associations were needed, a curriculum for a two day training was designed in consultation with the Ministry of Justice, Procurement Agency, Authority for Fair Competition and the Prevention and Awareness Raising Department of the IAAC. Topics covered included a general understanding of corruption, forms and types of corruption, definitions, its negative impacts and consequences for the business sector, conflict of interest, corruption-related legislation, the importance of internal monitoring systems, transparency, support for fair competition, public procurement, corporate social responsibly, and company codes of ethics.

Trainings for the Private Sector: A two day Training of Trainers for 25 participants on was held, with participants coming from professional associations such as the Association of Mongolian Service and Industry Cooperatives, the Association of Food and Agriculture, the Confederation of Mongolian Business Women, and the Road Association. Following this, the trainers conducted a series of one day trainings for 100 companies from various sectors including construction, trade and service, industry and the mining sector. Companies were selected according to whether the management of these businesses were willing to develop internal codes and company corporate responsibility. The workshops illustrated how motivated participants were to seek further information and knowledge, and what an eye-opening experience this was for participants.

Pilot Anti-Corruption Action Plans: The project team visited selected companies to get acquainted with their management systems, internal rules and regulations. The visits showed most do not have any anti-corruption rules or internal documents dealing with corruption. Based on this, draft anti-corruption action plans (ACAPs) was developed and disseminated to the companies for their implementation.

Anti-Corruption Handbook for Businesses: The first anti-corruption handbook aimed at the private sector was designed to build the skills for all levels in the business sector, increase understanding of corruption, and change their approach to prevention activities. The handbook contains a full range of information about the legal environment, definitions, cases, types and issues the private sector needs to focus on. The IAAC provided professional guidance in the development of the handbook.

MONITORING PUBLIC EDUCATION SERVICES IN ULAANBAATAR

Parental involvement is essential to maximize children’s educational achievement, but many parents expect schools and teachers to be solely responsible for their children’s success. As head of a metropolitan education department in Ulaanbaatar, Mr Otgonbagana found that a project to monitor the transparency and accessibility of public education services created new levels of parental engagement with the schools.

Monitoring public education services in Ulaanbaatar is a project to improve the quality and delivery of education services by giving parents and students new tools to monitor how well these services are being implemented. Funds were made available by the United States Agency for International Development (USAID) through the Strengthening Transparency and Governance in Mongolia (STAGE) project, implemented by The Asia Foundation.

Background

The Government of Mongolia’s *Medium Term Civil Service Reform Strategy* stresses the importance of transparent and flexible delivery of public services. To meet this goal, it is essential to strengthen the role of citizens and community organizations. Under STAGE, the Democracy Education Center (DEMO) developed a project to monitor public education services in Ulaanbaatar.

In the public education sector, there are 28 articles within various laws, resolutions, rules and standards, against which the project team measured the quality of services amongst target groups. According to the 2010 Law on Social Protection of the Disabled, for example, the government is required to implement measures to protect the rights of people with disabilities. In practice, students with disabilities often face barriers to education, and many classrooms continue to be inaccessible to both disabled students and disabled family members.

In the school's bathroom there is no proper seat for my son who has a physical disability. Therefore, he needs to wait until I pick him up from school.

Transparency and openness in educational services are critical to ensure that services are delivered efficiently and equitably, but due to a lack of transparency in the budgeting process, parents rarely

know how schools are spending their money. This makes it hard to tell if children are receiving the appropriate services.

Activities

Local civil society organizations, officials of the Ministry of Education and Science, and the Metropolitan Education Department (MED) all participated in the implementation of this project. The project team selected three public schools in Ulaanbaatar: one representing a regular city schools, one a ger district school, and a third, a school for disabled children.

Working with children, teachers, and parents as part of the monitoring team was a real eye-opener in identifying students' issues. Helping them resolve these was extremely rewarding. The project's outcome is useful in this regard. Our NGO gained monitoring skills by using the Citizen's Score Card and performing monitoring at day-care centers.

A central feature of the project was the Citizen's Score Card (CSC), a tool developed by DEMO that allows citizens to monitor public services. The CSC allows both the community and service providers to engage in active monitoring, and when problems are identified, to quickly address them in face-to-face meetings.

The CSO monitoring group, under the facilitation of DEMO mentors, develops an *Input Tracking Matrix* of laws, regulations, norms and standards that regulate issues identified, and compare the standard with the actual situation by documenting numbers, statistics, and using photographs, interviews and focus group discussions.

Parent and student satisfaction with education service providers was shown to be low despite existing laws and policies. For example, one CSC component compares the responses of school staff to those of students. In the category of staff attitudes, students gave staff a score of 34.5 out of 100. The school staff, however, gave themselves a much higher score of 80, based on their low salaries and heavy workloads.

The study found that some school staff were unaware of the law relating to transparent and open education services. One school accountant said, "Why should we disseminate a budget performance to the public? No one will comprehend these numbers. This is a pointless idea."

Results

While it is difficult to accurately measure the project's impact on public awareness and the behavior of service providers, both the project team and participants were extremely satisfied with the overall outcome of the project. As a result of the CSC methodology, students and parents brought 222 issues to the attention of school administrators, of which eight were identified as the

most urgent to be addressed, including information transparency, budget transparency, school staff ethics, overcrowding and high student numbers per class, and the insufficient number of school toilets, cloakrooms, chairs and tables, with a need to improve bathroom sanitation, sports hall safety, and the overall comfort of schools. The monitoring of budget spending also identified issues. For example, at School #55 for students with disabilities, it was found only 21 percent of an additional approved budget had been provided.

During the project, students found the courage to reveal inappropriate behavior by teachers and staff, like the teacher who asked his students to contribute to the cost of publishing his book. Following the project, teachers initiated a follow-up process to improve services and foster a more respectful attitude towards students.

Contributing to the project's success was DEMO's membership in the national budget transparency network, which includes government agencies, NGOs, and donors supporting social accountability and responsibility. Network members and professionals helped with training in the CSC methodology. For example, the NGO Budget Watch made a presentation on budget transparency and related laws to the DEMO and CSO monitoring team.

The project team concluded that the goal of equipping representatives from 40 NGOs with the tools and expertise to improve social accountability had been achieved. By following the CSC methodology and establishing school monitors, participants were equipped with skills they can use for their own monitoring projects in other public service sectors in the future. Furthermore, after a face-to-face meeting regarding the issues students identified in their schools, participants made plans to address those problems. Follow-up assessments were undertaken at the three schools in 2014 to monitor the rate of improvements, and follow up with school administrators.

Participants expressed a desire for a long-term project to reach out to all schools, including those in remote areas. Mr Otgonbagana, the head of the MED, said, "We wish and hope that the monitoring project will continue and cover all education services in the long run to help improve the overall quality of public services." Mr Otgonbagana also noted a change in parents. Often, parents expect the schools to take the sole responsibility for their children's education and behavior. Following this project, he said, parents became more willing to work with teachers and school staff to improve public education services. "The citizen's score card methodology not only showed a way to improve schools' delivery of services to students, it also gave us new insights into co-operation between parents and schools."

MONITORING STATE BUDGET ALLOCATION AND TRANSPARENCY

Ms T, a former health department official now working in the private sector, is an advocate for safer, more modern medical equipment in the public health sector. She believes old equipment should be taken out of service and replaced with up-to-date equipment at a faster pace. Now that the state budget is open to the public, she hopes transparency and public scrutiny will lead to changes that benefit all public health service users.

Monitoring State Budget Allocation and Transparency is a project to monitor transparency and openness in local state budgets in Ulaanbaatar and Darkhan-Uul Province, implemented by Mongolian NGO Public Administration New Initiative (PANI). Funds were made available by the United States Agency for International Development (USAID) through the Strengthening Transparency and Governance in Mongolia (STAGE) project, implemented by The Asia Foundation.

Background

The Law on Information Transparency and the Right to Information of 2011 has created many opportunities for civil society organizations to monitor transparency and openness in the allocation and use of state funds. Though passed with good intentions, however, the law has not been implemented as effectively as anticipated. In March 2013, PANI launched an initiative to make use of the new opportunities created by the 2011 law, focusing on the Ministry of Health; the Ministry of Education, Culture, and Science; and the Offices of Health and Education, because of their impact on people's daily lives.

The PANI team collected data through surveys and face-to-face discussions from 450 people—both ordinary citizens and state officials. According to the survey, 73.2 percent of randomly selected respondents, and 86 percent of state officials, agreed that budget information should be transparent and accessible to the public. Forty percent of respondents had heard about state budget and fiscal transparency, and ten percent already considered themselves as experts; however, thirty percent of respondents knew nothing about the law.

Activities

Government Resolution #17, issued in 2012, mandates transparency concerning budget information. All state bodies must post timely, comprehensive budget information on public information boards, on line, and in print. The Law on Information Transparency and Access clearly states that information must be delivered in a user-friendly format. Too much detail and technical or bureaucratic language merely confuses the public, the survey found, and can only be interpreted by professionals.

The project team monitored the websites and other information points of the two selected ministries. Both failed to fulfill their obligations: neither provided complete, timely budget information to the public.

On the other hand, the Health Office of Darkhan-Uul province displayed timely information to the public in a user-friendly format. “Darkhan-Uul province pays attention to budget transparency as a public service,” said PANI project officer Ms. Ariunchimeg.

The project team noted that Darkhan’s public services were generally more user-friendly than other agencies. An exception was the Education Office: instead of complete budget information for all schools and kindergartens in the province, it displayed only its own budget information, for which it blamed recent changes in management.

The PANI team used its focus on budget transparency to improve the overall quality of public services. “This project was not intended to criticize the government’s services to the public,” said Ms Ariunchimeg. “We just wanted to help them improve their services.”

The project team also observed budget transparency in the library sector, including the state library, the Ulaanbaatar City library, the Ministry of Health library, the Ministry of Education, Culture, and Science library, and the Bayanzurkh district library. Only the Bayanzurkh district library displayed information about the district’s budget allocation. This information had been posted on an information board with the help of Citizen’s Budget Watch, a local NGO.

Overall, the PANI team found that implementation of the information transparency laws was lagging. The team plans to create “information pools” by conducting training and advocacy on budget monitoring and transparency, and will publish a guide to information best practices for public service organizations. The strategy is to create an active and informed constituency for information transparency that will continue to pursue new community approaches to monitoring.

Results

Several challenges were overcome in the start-up phase. Most notably, some officials were reluctant to work with the PANI team after the word “monitoring” was introduced, viewing it,

perhaps, as a threat. With the project team's persistence, however, officials began to participate in the project.

The Ministry of Health and the Ministry of Education, Culture, and Science made incremental improvements in several aspects of budget transparency. In 2012, the Ministry of Health posted its budget performance and audit results on its website even though they were behind schedule, and it followed up by developing internal regulations for budget transparency.

The Ministry of Education, Culture, and Science was sympathetic and cooperative throughout the project. Mr Bayarkhuu, a director at the Department of Investment, admitted that they had not displayed timely budget information on an information board in the past, and appreciated the reminder of their obligations. "Government needs the help of civil society," he said. "It is crucial that NGOs monitor budget transparency and openness in the education sector. The process of budget allocation is at a new stage, and we appreciate the Public Administration New Initiative's monitoring project."

PANI continues to monitor the websites and offices of the target groups to see if timely, comprehensive budget information is being displayed to the public. The project team's ongoing monitoring will ensure continuing, long-term results.

As civil society has become increasingly effective at influencing the actions and policies of the public sector, the general public should also be educated about budget transparency to empower ordinary citizens to participate in the budget allocation process.

In the future PANI hopes to focus on accountability, including sanctions, for public servants who fail to perform their legal duties, such as those who fail to disseminate timely, comprehensive budget information to the public as provided by law.

MONITORING PUBLIC PROCUREMENT IN DORNOD PROVINCE

Millions of dollars are spent each year buying goods and services for public projects. From schools and hospitals, to power plants and dams, this means huge budgets and complex plans. It also means ideal opportunities for corruption. Contracts to suppliers can be awarded without fair competition. This allows companies with political connections to beat their competitors, or firms within the same industry to rig their bids, increasing costs to the public, reducing the quality of work, and sometimes costing lives from crumbling roads, collapsed buildings, and counterfeit medicines. But a project to increase transparency in government procurement shows how ordinary citizens and civil society organizations can help ensure taxpayers' money is well spent.

Monitoring Procurement of Goods, Works, and Services with State and Local Funds in Dornod Province is a project of the Liberal Women's Brain Pool (LWP), in partnership with The Asia Foundation, to promote monitoring and oversight of the government procurement process by civil society organizations. Funds were made available by the United States Agency for International Development (USAID) through the Strengthening Transparency and Governance in Mongolia (STAGE) project, implemented by The Asia Foundation.

Background

Governments have a mandate to provide quality services at fair prices, but procurement systems must be transparent so that stakeholders can see that the government is fulfilling this mandate. Effective monitoring can identify and manage corruption risks, and civil society can use accumulated monitoring data to identify structural vulnerabilities and shape recommendations for reform. Monitoring individual procurements enables civil society to hold governments, bidders, and contractors accountable for their actions, and provides incentives for all stakeholders in the procurement process to act with integrity.

This project by LWP to monitor public procurement in Dornod province was the first such project to enlist the collaboration of provincial NGOs. The project set out to monitor whether public procurement was handled according to the law, to identify shortcomings and suggest possible solutions, and to make recommendations based on core principles of transparency and accountability.

Activities

For this six-month project, researchers identified organizations that had made public procurements in the preceding two years. There were eight schools, eight kindergartens, one university, one health agency, a police unit, and the office of the governor of Kherlen soum. The project involved members of the evaluation committee, local procurement officials, and representatives of the Citizens' Khural, NGOs, and the private sector.

“Monitoring” consisted of a variety of activities: reviews of tender documents, individual interviews, questionnaires, focus groups, and discussions with larger audiences. Altogether, 1,044 people contributed their time and their views.

The monitoring clearly revealed that people know very little about public procurement in Dornod province. Most expressed doubt about the quality of important public procurements, citing the concrete in schools and kindergarten buildings, or the safety of medical equipment. They blamed cheap materials, the hiring of incompetent contractors, and poor performance monitoring, among other factors.

Based on these findings, the project team developed recommendations to improve the planning and organization of public procurement, to establish transparency and public access in procurement activities, to improve performance oversight, and to strengthen collaboration between the state and civil society organizations (CSOs) on transparency, accountability, and steps against corruption. These recommendations were delivered to all relevant stakeholders.

Results

Public discussion of the monitoring findings, and awareness-raising activities with participating NGOs, proved a powerful catalyst for a new public critique of poor quality public works and other procurement issues, and program graduates produced a surge of violation reports, both through formal channels and in the press.

Local CSOs have expanded their cooperation and coordination against corrupt procurements. CSO representation on the Governor's Council of Dornod aimag and on the Local Development Fund has provided direct insight into pending procurements.

Due to the efforts of local NGOs, the governor's 2014–16 Action Plan has called for improved oversight and accountability—including the promotion of public-CSO partnerships, the transferring of some state duties to CSOs, and an opportunity for the public to monitor and participate in budget activities.

Finally, the project enlisted a number of social science students in parts of the monitoring process, including interviews, focus group discussions, and data analysis. They learned first hand the process of public procurement, its risks, and the negative consequences of poorly managed procurements, but they also became acquainted with the core principles of transparency, integrity, and accountability.

After review of the project, LWP outlined its next steps:

- Discuss and adopt a public-civil society joint action plan to improve monitoring, accountability, and access to public information;
- Monitor public procurement in 2015-2016;
- Conduct ongoing assessments of local government transparency;
- Prepare a public information campaign using handouts, leaflets, and brochures, written in accessible language, describing public procurement issues.

Annex 25: Case Study

MONITORING INFORMATION TRANSPARENCY IN KINDERGARTENS

Public awareness of how public services are administered remains low, and the schools are no exception. Ms. Dulam, the mother of a kindergartener in Ulaanbaatar, was frustrated by the lack of transparency in her child's kindergarten budget and by other parents' the lack of concern, but since she attended a workshop and a series of discussions designed to empower parents, things have changed. Ms. Dulam is now one of many parents whose attention to how kindergartens are managed has resulted in tangible improvements.

Watchdog for Transparency in Kindergarten Services is an initiative of the Mongolian Women's Foundation (MONES) and the Women's Leadership Foundation (WLF). Funds were provided by the United States Agency for International Development (USAID) through the Strengthening Transparency and Governance in Mongolia (STAGE) project, implemented by The Asia Foundation.

Background

Mongolia's rising birthrate has been accompanied by an increase in the number of kindergartens, but concerns have been raised about many aspects of these kindergartens, from health and safety to everyday management.

To find out what was happening in these kindergartens, a group of NGOs in Ulaanbaatar banded together to monitor four of them. In addition to monitoring, the NGOs worked to educate parents about the laws on transparency and disclosure of budget information, and to show parents and staff where to get more information on accountability and responsibility in the public sector.

Activities

The NGO team began their project with an in-depth study of thirteen laws related to information transparency and eight laws governing pre-school education. The Law on Information Transparency and Right to Information of 2011 requires every state body to inform the public about its activities, budget, and human resources, and to conduct procurement in a public manner. The Law on Pre-School Education of 2008 gives parents the specific right to examine school budgets and to receive information about all school expenditures.

Despite these laws, the public is largely unaware of its right to this public information. The NGO team distributed a survey on information transparency to 1,000 parents and 110 staff. Responses were received from 35 percent of parents and 41 percent of staff. The survey found that 53 percent of parents wanted to know more about the curriculum, 54 percent were interested in the calorie content of school meals, and 46 percent were concerned about school safety. Few expressed interest in the school budget or how it was used. It was also clear that neither parents nor kindergarten staff were familiar with the Law on Information Transparency, and three of the four target kindergartens did not publicly display any information about their budgets, because there was no demand from parents.

Based on these findings, the team organized workshops on information access and budget transparency at the four kindergartens. A total of 169 parents and 45 staff attended. The workshops were a revelation for many parents. Said one, "We now realize the practical impact of democracy and citizens' participation. Previously, such concepts were not part of our lives." The project team also launched a competition amongst the four schools to devise creative approaches to improving information transparency.

The team created a citizen's score card (CSC) to allow parents and staff to grade their kindergartens in various categories. The CSC displays the responses of all parties, and can often turn up unexpected disparities that call for remedial action. For example, parents gave their schools a low score on information transparency, while staff gave a much higher score. "We thought our

kindergarten provided adequate information,” remarked Ms Tsevelmaa, a director at kindergarten #22, “but the parents’ responses were not what we expected.” So Ms Tsevelmaa organized a meeting for parents at the beginning of the school year to discuss budget information and how it could best be displayed. The school concluded that both the format and the content of its existing approach needed to change completely.

Results

The project produced several important advances. Parents and staff now have a much better understanding of budget transparency and access to information, and parents are more motivated to seek information. Now that they are more actively engaged with their schools, parents are no longer worried about the daily activities of their children. The kindergartens have installed video cameras in every classroom, and parents can review what happened in class by viewing the recordings. “When I was little, my parents had no idea what was going on unless they came to the classroom,” commented Ms Odonsuvd, a parent at one of the schools. “As for my child, I don't worry anymore.”

The CSC helped the kindergartens to cooperate with parents. Ms Ulziikhutag, a director at kindergarten #2, called the CSC, “the most innovative project we have ever had and an eye-opening experience.” She and her employees had had misgivings about using the CSCs, she said, but their views completely changed during the project. She realized that poor information transparency had led to misunderstandings with parents. “After the CSC comparison, I felt a pang of shame about the way we displayed budget and transparency information,” she said. The CSC improved parent-school relations, and helped her cooperate with parents in other ways, for example, in deciding to install hot and cold water at the newly established kindergarten in a remote district, and installing pedestrian warning signs on a nearby road.

Each kindergarten developed a website that contains information on budgets and other matters and allows families to monitor the day-to-day activities of the school. Each kindergarten is responsible for updating the content of its site, with the Women’s Fund and the Women’s Leadership Fund providing ongoing oversight. Ms Sarantuya, a director at kindergarten #76, hails the website as the public face of her kindergarten. “These positive results will inspire other kindergartens to be open and transparent about their daily activities,” she says.

Watchdog for Transparency in Kindergarten Services has shown how cooperation between government and civil society can enhance public services. As parents learned more about staff workloads and insufficient budgets, they became more sympathetic towards the staff. “After the workshop and information session,” notes one project team member, “parents realized that the

budget allocation for kindergartens was insufficient.” Small budgets also meant that parents had been concerned about extra-curricular activities. Parents were keen to raise funds for their kindergartens, but a regulation prohibits it. Some parents are now calling for the repeal of this regulation.

Finally, the kindergartens and the project team signed a memorandum of understanding establishing the project as an ongoing collaboration. The project has striven to make state employees proud to be good stewards of pre-school education. Encouraging the active involvement of parents has been the key to success.

Annex 26: Report

REPORT on the Public Consultation of the Draft General Administrative Law “GENERAL ADMINISTRATIVE LAW”

The USAID Agency, Mercy Corps’ “Active Partnerships and Public Engagement for Accountable Localities” (APPEAL) project, the Asia Foundation’s “Strengthening Transparency and Governance in Mongolia” program, Ministry of Justice and Mongolian Women Lawyers Association (MWLA) have jointly organized public consultation of the draft “General Administrative Law” (GAL) in 21 provinces, Ulaanbaatar and three remote districts of Ulaanbaatar from 15th to 31st of March, 2013. The purpose of the consultation was to improve and refine the draft of “General Administrative Law”, developed by working group established by the order of the Minister of Justice, through introducing it to civil society organizations, staff of local and municipal governments and general public and organizing discussions with above parties. The consultation has amply fulfilled its purpose.

The preparation for the consultation was organized by MWLA and its branch network in rural regions. On 19th of March, 2013, an online training was organized as part of the preparation for over 80 moderators from 21 provinces, Ulaanbaatar and three remote districts of Ulaanbaatar to develop moderators’ capacity, especially in remote regions. The training was conducted from the headquarters of Mercy Corps Mongolia. Notably, this time most of the moderators in rural areas were highly educated legal professionals, including judges and attorneys. The training included

seminars by D.Sunjid, the head of the Monitoring, Evaluation and Internal Audit Department of the Ministry of Justice and a member of the working group, on “Concept and structure of the draft law” and by Dr. P.Odgerel, lecturer at Law School of National University of Mongolia and a member of the working group, on “Innovative concepts and regulations of the draft law”. Ms. Sunjid and Dr.Odgerel have also participated in a detailed Q&A session with the attendees. During the Q&A session over 210 questions, by double count, were received and answered in either written or spoken form. Also as part of the preparation, V.Udval, board member of the MWLA, has produced a simplified guidebook for introducing the draft “General Administrative Law” to general public. The guidebook and the draft law were distributed to the attendees and the attendees provided their comments and suggestions.

Two sessions of consultations (each session was attended by at least 30 delegates from government and non-governmental organizations and at least 40 individuals) were organized in each aimags and districts. The sessions were organized by Legal department of local government, local branch offices of the MWLA, and local offices of the Mercy Corps in accordance with the instructions provided by the MWLA. The members of the board of the MWLA have participated as moderators in consultation sessions of 6 aimags and 3 districts. Over 1750 people, by double count, participated in the public consultation and over 660 comments and suggestions were received. The consultation was organized well in Bayankhongor, Bulgan, South Gobi, and Selenge provinces. Bagakhangai district was unable to organize the consultation at a proper level. Government employees and citizens from Altanbulag and Shaamar soums of Selenge province have participated actively in the consultation and provided valuable and constructive opinions. Mr. Batbold, head of Special Inspection Agency in Bulgan province, Ms. Ts. Narantuya from Bayankhongor province, Ms. L.Tungalag from Zavkhan province, U. Bavuu from Selenge province, and judge N.Gereltuya from Uvs province have actively participated in the consultation providing the largest number of suggestions. The consultation sessions of Ulaanbaatar region were held at the Ulaanbaatar Civil Chamber and over 120 people attended the sessions including officers of legal, tax, special inspection, and monitoring, evaluation and internal audit departments from 6 districts of Ulaanbaatar. The sessions were moderated by Mr. Otgongerel and the participants exchanged opinions on the draft law freely. The organizers would like to thank chief judge Amarsanaa and chief prosecutor Bat-Ochir from Darkhan-Uul province, chief judge Tungalagsaikhan and chief prosecutor Dagvadorj from Bayankhongor province who have actively participated in the consultations with their fellow judges and prosecutors.

Most of the participants agreed that the law was long awaited and it is important to approve the law immediately so that the legal regulation can be applied to abuse of power by administrative organizations to protect the rights and interests of the public. However the participants pointed out

that parts of the draft law have syntax errors, are similar to a literal translation from foreign language, and that the terminologies and wordings are vague or have ambiguous meaning. The participants recommended providing explanations for some terminologies within the scope of the law and revising the draft for consistency with other legislations. Some participants noted redundant articles and syntax and composition errors. Also it was suggested to reconcile the GAL with other legislations and issue a list of legislations to be amended upon adoption of the law. The participants said that reconciling the law with other relevant legislation of the sector is of foremost importance and the law needs to define the procedures for interaction between administrative organizations and citizens more clearly. Also its was proposed to change the name of the law to “Law on administrative activities”, “General law on public Administration” or “General law on government and civil cooperation”. The participants also reminded that a lot of organizations collect opinions from the public, but does not provide any feedback about the results and requested to provide information about the results of the consultation. Also the participants noted that often no efforts are made to implement a law after a law is enacted. The participants said that organizing a precursory consultation is a progress in its own right, but feedback about the results of the consultation will be much appreciated. Administrative officers from Dund-Gobi province noted that if the law permits excessive participation from public, it might hinder operations of government organization as the citizens will file complaints at every level. Additionally it was proposed to define processes and procedures of the law in more detailed manner. Some participants said that it was good that the operations of public administrations will be regulated by a consolidated legislation, but were cautious of the law creating opportunities for power abuse by authorities. Also some participants criticized incompatibility with other draft laws. For example, the part about responsibility should be removed and included in the newly drafted offence & violations law. Furthermore the participants noted the importance of promoting new laws to public and introducing new laws with explanations and examples of practical applications. Establishing an appropriate system for delivering information about planning to public and for distributing such information through media outlets was considered to be especially important. Also it was suggested that outsourcing promotional activities of the new law to non-government organization will be more productive. Mr. B.Nyamtsend, secretary of United Civil Society Council of Darkhan-Uul province, suggested to include section about “public information centers”. (Public libraries will be transformed into “public information centers” after the Law on Information Transparency is enacted.)

Most of the participants considered the law to be quite strict. However some participants proposed to make the law even stricter as lenient laws allow infringing the rights of ordinary citizens. Mr. B.Enkhtur of “Citizen with Disabilities” non-government organization from Dakrhan-

Uul province, proposed to define penalties for criminal negligence for officials more clearly. He has lost one child and another child disabled in a railroad accident. The officials from railroad were not prosecuted for the accident due to the lack of legal grounds.

This consultation showed that discussions among staff of government and non-government organizations and general public regarding draft laws are highly productive. Additionally we learned following lessons based on the results of this consultation. Documents regarding draft laws should be circulated among the participants at least seven days prior to the consultation itself and introductory materials about the project should be broadcast through media with appropriate frequency. No suggestions and comments were contributed from regions where the draft law was not provided prior to the consultations which showed that the organizers should not only distribute documents but also provide the time to read and analyze the documents.

On the whole the public consultation of the draft GAL project was successful. Compilation of suggestions, proposals and comments from participants was delivered to the working group of the Ministry of Justice. A compilation of suggestions, proposals and comments for each article of the draft law is attached to this report.

P.S: The participants requested from the organizers to provide feedback about their comments and suggestions and whether it was reflected in the draft law.

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