

State of Civil Society in Mongolia
(2004-2005)

CIVICUS Civil Society Index Report for Mongolia

**Center for Citizens' Alliance (former CEDAW Watch)/
ICSFD Ulaanbaatar Secretariat**

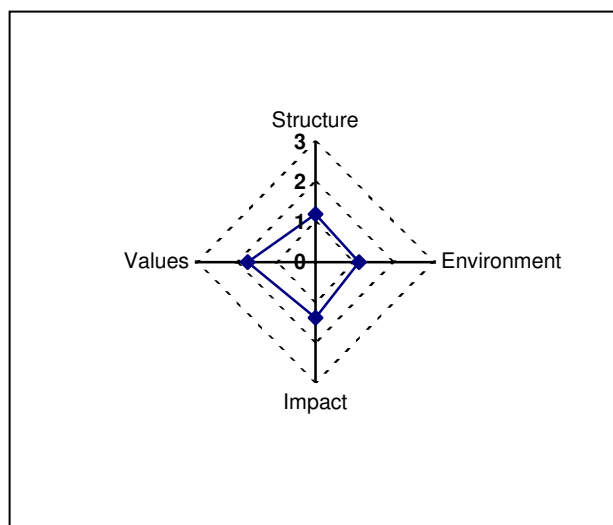
**Follow-Up Project to the International Civil Society Forum-2003 and the Fifth
International Conference of New and Restored Democracies**

EXECUTIVE SUMMARY

From 2004-2005, the Center for Citizens' Alliance (formerly the National CEDAW Watch Network Center), a Mongolian NGO that functioned as the ICSFD Secretariat, undertook the assessment of the state of civil society in Mongolia using the Civil Society Index (CSI) methodology, developed by the international civil society network CIVICUS: World Alliance for Citizen Participation.¹ The CSI was conducted with guidance from CIVICUS and with the broad participation of national civil society stakeholders. It is part of a broader, long-term effort to institutionalize a democracy watch system in Mongolia, based on the development of an appropriate methodology and nationally-owned indicators. The need for such a system was stressed by Mongolian civil society leaders at the 2003 Civil Society Review Round Table Discussion² and reflected in the outcome documents of the International Civil Society Forum-2003 and the Fifth International Conference of New and Restored Democracies.³

The CSI was conducted in Mongolia between September 2004 and October 2005 and produced the first comprehensive study of the state of civil society in the country. Unlike most existing assessments of Mongolian civil society, the CSI research was initiated and conducted by Mongolian civil society activists, involved a broad range of CSOs and civil society activists and used a variety of methods and data sources, with a specific focus on information and analyses produced by Mongolian citizens. The assessment relied heavily on methods of collective analysis, such as the community survey and the regional stakeholder survey and produced concrete strategic recommendations and an action plan for further strengthening Mongolia's civil society. It also significantly fostered CSOs' capacity for collective analysis and action. Furthermore, the assessment used a broad definition of civil society, including trade unions,

Figure 1: Civil Society Diamond - Mongolia



¹ At the second ICSF-2003 Steering Committee Meeting in New York, on 28-29 February 2004, the title of the international process was formally modified as the International Civil Society Forum for Democracy (ICSFD).

² The RTD was held on 14-15 August 2003, with financial support from The Asia Foundation's Mongolia Office and the National Human Rights Commission. It was attended by 78 civil society leaders representing diverse civil society sectors. See Appendix XII for the Narrative Report on the RTD.

³ These parallel events took place in September 2003, in Ulaanbaatar, Mongolia. See Appendices XIV and XV for the outcome documents.

apartment owners' unions, political parties, chambers of commerce and community groups, among others. In that sense, the current report is more inclusive than other civil society studies of Mongolia, even though NGOs did figure prominently in the study. Within the scope of this action-oriented research, the CSI Mongolia Team systematically collected a wealth of qualitative and quantitative data along 70 indicators. This data was then used by the National Advisory Group (NAG), consisting of diverse civil society stakeholders, to score the indicators and produce an overall assessment of the state of civil society in Mongolia along the CSI's four key dimensions: structure, environment, values and impact. The result of this assessment is visually represented by the Civil Society Diamond for Mongolia. As the Civil Society Diamond shows, civil society in Mongolia is still in a nascent stage of development and operating in a largely disabling environment, but is driven by rather strong positive values.

The CSI assessment also revealed that the civil society arena in Mongolia is increasingly diverse and vibrant, with a growing number of non-governmental organizations (NGOs), grassroots groups and social movements. However, it still bears strong traces of the socialist period, primarily manifested in the continued influence of inherited mass organizations, as well as the wide-spread state-cantered attitude among average citizens and a significant number of civil society actors.⁴ These features and the heterogeneity of the Mongolian civil society have often been obscured, intentionally and unintentionally, by the indiscriminate use of the term 'non-governmental organization' (NGO) with regard to all organizations formally covered by the 1997 NGO Law, as well as, separate laws for the Trade Unions, Chambers of Commerce, the Red Cross Association and the Apartment Owners' Unions, regardless of the nature of their relationship to the state. When, later on, the term 'civil society' became more popular, its introduction did not add much conceptual clarity to the definition of civil society's boundaries, make-up and the nature of its relationship to the state, family and market. The term was used interchangeably with the existing term 'NGOs', denoting only a small subset of civil society actors as well as referring both to organizations that in fact act as the extension of the state's coercive power as well as citizens' groups that are de facto non-governmental, i.e. independent of the state. In this regard, the CSI assessment brought greater clarity to the heterogeneous nature of civil society and existing state-CSO relations in evaluating the overall state of civil society in Mongolia.⁵

The examination of civil society's STRUCTURE (score: 1.2) showed that, although the overall level of people's participation in civil society remains rather low, there are strong signs of increasing grassroots mobilization in both rural and urban areas, in response to the harmful social and environmental impact of

⁴ A well developed network of mass organizations guided by the Party-State.

⁵ Appendix III presents scores for each indicator, sub-dimension and dimension.

mining and construction companies' operations. The greater opening of the political space following the 2004 parliamentary elections also spurred numerous public protests and demonstrations organized by mass movements demanding government accountability and social equity. Most civil society activities, however, are concentrated in the capital city where most well established and professional CSOs, especially NGOs, are located. Rural civil society remains sorely underdeveloped, due to the lack of crucial resources, especially financial support and information. Rural citizens, especially herders, poor people and ethnic and religious minorities are generally under-represented at CSO leadership levels while women are not only adequately represented in most types of CSOs but in fact dominate in the leadership of issue-oriented, well established NGOs. There are strong trends for increasing inter- and intra-sectoral cooperation among CSOs, but the issue of the effectiveness and legitimacy of umbrella organizations remains contentious, due to the continued predominance of inherited hierarchical structures in this area. Moreover, while inherited mass organizations are largely financially sustainable as well as able to benefit significantly from state resources at national and local levels, the financial sustainability of independent human rights and pro-democracy NGOs, in both urban and rural areas, is still extremely fragile as they continue to be almost exclusively dependent on foreign funding.

The study indicated that the external ENVIRONMENT of Mongolia's civil society (score: 1.1) is largely disabling. The rather hostile political context marked by the domination and repression of society by the state, excessive centralization, widespread corruption in the government and the strong entrenchment of oligarchic power constitute the main obstacles to civil society's development. Frequent violations of human rights, widespread poverty and unemployment, absence of a strong middle class, considerable urban-rural development gap and significant social problems, such as alcoholism, crime and violence further obstruct the development of civil society. On the more positive side, the legal framework for the operation of most CSOs, including political parties, human rights NGOs and anti-corruption and pro-democracy mass movements has so far been rather liberal, backed by the democratic Constitution of 1992. However, the Ministry of Justice is advocating for a new law on non-profit organizations that has a high potential to undermine independent citizen action, especially on more political issues such as demanding government accountability, countering oligarchic economic interests and combating the use of torture by law-enforcement institutions. The nature of state-civil society relations clearly differs by the branch and level of government and by the type of the CSO concerned. Nevertheless, on the whole, both state-civil society and private sector-civil society relations were assessed as largely unproductive.

The assessment of civil society's VALUES was more positive (score: 1.7). It showed that overall CSOs, especially NGOs and social movements, display a significant degree of commitment to promoting

democracy, government accountability, non-violence, gender equality, poverty alleviation and environmental protection. However, the research showed there is a general lack of consistent application of democratic and humanitarian values and principles in the internal practice of CSOs, especially in terms of ensuring internal democracy, financial transparency, gender equitable hiring and promotion policies and non-violence. Political parties, apartment owners' unions and inherited mass organizations, including trade unions, were generally regarded as less democratic and transparent and, in some cases, prone to corruption and intolerance based on political affiliations.

Overall, despite clear and important examples of success in legislative advocacy, direct service, public education and empowerment of various social groups, especially women, the CSI assessed the IMPACT of civil society as somewhat limited (score: 1.4). As a NAG member put it, CSOs are generally unable to effectively convert their efforts and values into direct impact, due to the unfavourable political and economic environment. The CSI demonstrated that CSOs were especially active and had impact in areas of empowerment of various groups, through non-formal education, information dissemination and awareness-raising activities, particularly with regard to promoting women's rights and gender equality. They are also more successful in policy advocacy on human rights and gender equality but have not been very effective in holding the state and corporations accountable. It is also clear that CSOs provide crucial services to underprivileged and marginalized citizens such as free legal aid, psychological counselling, services for battered women and children and non-formal education for poor children. Unfortunately, most of these services are limited in scope and are often irregular.

The CSI exercise not only produced the first comprehensive assessment of the state of civil society in Mongolia, but also provided a major impetus to the development of civil society in Mongolia, by fostering a higher degree of integration and mutual trust among diverse sectors of Mongolia's civil society and by helping develop a common strategic vision for strengthening Mongolian civil society nationally, beyond the boundaries of a few urban centres. Civil society stakeholders that participated in the CSI assessment agreed to cooperate towards establishing an effective civil society 'justice system'⁶ starting with the establishment of ethical self-regulatory mechanisms for CSOs, developing a national civil society network of information and communication with an emphasis on *aimag* to *aimag* sharing of experience and equitable distribution of information from Ulaanbaatar to aimag. They also came up with an idea of working out an innovative, non-hierarchical, partnership-based approach to community empowerment and democracy promotion entitled "Islands of Freedom" and emphasized the need to build

⁶ The term 'justice' is a direct translation from Mongolian. It is about fairness and justice and hence carries a more moral and spiritual connotation than the word 'accountability', which is usually used in this context.

CSOs' monitoring, research and analytical skills to increase their capacity to hold the State and corporations accountable and combat corruption. Furthermore, the stakeholders agreed to cooperation on promoting institutional, financial and technical capacity of CSOs with a special emphasis on rural CSOs and relations between local legislatures and local civil society; and mobilizing support for rural civil society stakeholders to create and/or strengthen aimag, regional and national civil society councils to improve cohesion, coordination and cooperation among CSOs.

Finally, the participants deemed it useful to undertake CSI exercises at local level in each of the aimags in order to examine more closely each of the contexts, regional differences, support better coordination and cooperation among local CSOs, increase their capacity for collective action and analysis and help develop strategies and action plans better suited to the local context. In addition, aimag CSIs shall enable national comparison of aimags by their level of civil society development, which can help spur competition among aimags to score better on this indicator and hold local government more accountable on the issue of promoting democracy, human rights and civil society at the local level.

Thus, the CSI project provides Mongolian civil society with a collectively generated and owned roadmap for future actions directed at effectively fostering the development of a civil, democratic and humane society in Mongolia, which is the prime goal stated in the 1992 democratic Constitution of Mongolia.