



Appendix of the Resolution No. 91 of December 31, 2021
of the National Council of OGP Mongolia

OPEN GOVERNMENT PARTNERSHIP MONGOLIA



FOURTH NATIONAL ACTION PLAN

2021-2023

MONGOLIA

Working Group to develop the National Action Plan for OGP Mongolia for 2021-2023

31 December 2021

Ulaanbaatar

INTRODUCTION: MONGOLIA'S PARTICIPATION IN OGP

Driven by its goal to strengthen governance, Government of Mongolia became a member of Open Government Partnership (OGP), a global multi-stakeholders and voluntary initiative, in 2013, aimed to ensure transparency of public services, increase citizens participation by incorporating community inputs into central and local government actions, curb corruption and introduce advanced technology and tools in public service delivery. As a member of OGP, Government of Mongolia has been implementing specific commitments mainstreaming transparency of public services, promoting citizens participation and innovation and focusing on creating healthy and safe society.

Currently, Cabinet Secretariat of the Government of Mongolia takes responsibility of OGP implementation in Mongolia. At the initial stages when Mongolia joined the OGP, Ministry of Foreign Affairs was responsible for National OGP implementation, which was later shifted to Cabinet Secretariat effective from June, 2013. Enabling this shift, Prime Minister of Mongolia made a resolution #207 (dated as of 23 October, 2015) amending Annex 1 to previous resolution #61 (dated as of 16 May, 2014) replacing Ministry of Foreign Affairs to Cabinet Secretariat to be responsible for overall OGP implementation in Mongolia.

OGP National Council consists of multi-stakeholder representatives, including line ministries, local government agencies and the civil society. Chairman of Cabinet Secretariat and Cabinet Minister chairs OGP National Council where Deputy Chair of Cabinet Secretariat, representatives of Ministry of Foreign Affairs, Ministry of Justice and Home Affairs and Ministry of Finance act as members. The Head of Monitoring, Evaluation and Internal Audit Department of the Cabinet Secretariat serves as Secretary of the National Council. Civil society in the National Council is represented by Mongolian National Chamber of Commerce and Industry, Mongolian Employers' Federation, Mongolian Federation of Trade Unions and Open Society Forum.

OGP member states are obliged to develop and implement their OGP National Action Plans, which incorporate specific measures for making government open and transparent, in compliance with OGP Co-Creation and Participation Standards. Since its inception, Government of Mongolia has implemented three National Action Plans, including:

1. First National Action Plan - 2014-2016:

Mongolian First National Action Plan for 2014- 2016 reflected 35 commitments falling into 3 main categories. In the course of this National Action Plan implementation, Cabinet Secretariat made “Mid-term self-evaluation” and OGP IRM made “Independent Review”, respectively, in 2015. The latter assessed three commitments in National Action Plan, including disclosure of environmental information, fiscal transparency and establishing system for responding to citizens’ complaints submitted to Government Hotline 1111, as “Starred Commitments” and became international best practice.

2. Second National Action Plan - 2016-2018

Mongolia’s Second National Action Plan for 2016- 2018 contained 13 commitments that were developed in response to recommendations from government, CSO, media and private sector dialogues and implemented with considering stakeholders’ priorities, pressing issues, recommended solutions and proposed actions.

3. Third National Action Plan – 2018-2020/2019-2021

Mongolia’s Third National Action Plan for 2018- 2020 was developed and implemented with proactive initiatives from the CSOs, collecting inputs from government, citizens, civil society, private sector media and international organizations, resulting in determination and implementation of 13 commitments.

MONGOLIA’S EFFORTS TOWARDS OPEN GOVERNMENT

1. COMMITMENTS planned for implementation in 2021- 2030 as part of Vision- 2050 long term development policy:

- 5.2.15. Establish legal and regulatory framework for independent and autonomous development of civil society organizations.
- 5.2.17. Develop digital democracy and create equitable opportunities for citizens to digitally participate, oversee and provide inputs in/to state policy formulation and decision making.
- 5.3.13. Encourage national IT and communication service providers to participate in the shift/provision of public services to online systems.
- 5.4.15. Develop and implement citizen-centered public service standards that ensure demand-driven, quick, flexible and premium quality delivery.
- 5.5.1. Promote public, civil society and businesses participation, collaboration and cooperation for human rights protection and create enabling legal environment.
- 5.5.5. Encourage government, civil society and businesses engagement, initiatives and participation in ensuring human rights and cooperate with all stakeholders.
- 5.5.7. Enhance environment that facilitates equal participation of citizens in governance, ensures the right to association and expression, and improves capacity and responsibility.
- 5.5.8. Establish systems that allow different societal groups to participate in governance process equally.
- 5.5.9. Ensure press freedom and develop professional and ethical journalism.
- 5.6.3. Improve regulatory environment to ensure government accountability and transparency and oversight on government agencies.
- 5.6.8. Increase openness and transparency of public agencies and minimize corruption risks.

2. Government of Mongolia ACTION PLAN for 2020-2024:

- 3.1.12. Introduce integrated fiscal and financial electronic system, make the public services effective and efficient, ensure transparent and efficient spending of foreign aid, loan and fiscal expenditures and investment.
- 4.1.8. Increase transparency and access to information of government agencies and ensure civic participation.
- 6.2.6. Increase resources allocated for Local Development Funds and introduce new, innovative and advanced tools and forms for improving,

monitoring and evaluating the fund operations/management and ensure community participation and access to information.

3. INTENSIVE ACTION PLAN, implemented by NATIONAL ANTI-CORRUPTION COMMITTEE

- Get the renewed drafts of Law on Information Transparency and Right to Access to Information (renamed to Law on Public Information), Law on Personal Confidentiality (renamed to Law on Protection of Personal Information), Law on E-Signature and Law on Cyber Security passed by State Great Khural.
- Develop draft Law on Whistleblower Protection and submit to State Great Khural for endorsement.
- Develop renewed draft Law on Press Freedom and submit to State Great Khural for adoption.
- Develop draft Law on Extractive Industry Transparency, draft amendment to Mineral Law and draft Law on Minerals Commodity Exchange and submit to State Great Khural.
- Develop and propose draft Law on Political Party Financing to State Great Khural.
- Eliminate coincidence of some government functions based on findings of a survey on opportunities of re-allocating public functions and take step-by-step actions to transfer some public functions to sectoral associations and NGOs.
- Optimize public procurement website -tender.gov.mn- to 2-way site, add automatic vendor selection functions, enable to download some necessary information on bidders from public websites, simplify the selection/voting process and increase use of the system by public agencies to ensure enforcement of Law on Public Procurement.
- Improve activities towards ensuring transparency and openness of public services, frequently update information on public domain, receive complaints on public services through Government Hotline 1111 and improve the responsive actions.

According to OGP Guidelines, Mongolia has faced the risk that it must go through the OGP Criteria and Standards Sub-Committee review. In order to prevent Mongolia from

shifting to “inactive” status, Government of Mongolia assessed the situation and subsequently planned to undertake the process of planning its Fourth National Action Plan for 2021- 2023 meeting the co-creation standards of Open Government Partnership.

In addition, structural change has been planned in order to intensify activities for implementation of OGP commitments, including step-by-step actions to renew the composition of OGP National Committee and transfer functions of Secretariat to new structure.

NATIONAL ACTION PLAN CO-CREATION PROCESS

Throughout the process of developing National Action Plan for 2021- 2023, Government of Mongolia fully complied with requirements on “participation”, set forth in OGP Participation and Co-Creation Standard.

Co-creation process for 2021-2023 National Action Plan included the following:

- Civil society organizations started consultation process for 2021-2023 National Action Plan and organized workshops to collect inputs and proposals from civil society, media, private sector, political parties and international agencies on 29 June and 8 July, 2021, respectively. A total of 104 representatives of aforementioned stakeholders participated in these two online discussions, where 80 issues were proposed, followed by prioritizing 23 pressing issues that awaited quick response. (Annex: Agenda, List of participants and minutes of two online discussions with civil society, media, private sector, political parties and international organizations).



- A joint Working Group, with representatives of stakeholders participating in the 4th NAP, was established on 21 September, 2021. The Working Group elaborated its Action Plan for meeting OGP participation/consulting criteria (Annex: Resolution for establishing Working Group to develop the NAP and List of WG members).



- Series of discussions for determining the commitments in the National Action Plan were organized between 27 September and 15 October, 2021, involving representatives of public agencies, private sector, community and civil society, each. With inputs from 170 representatives of all stakeholders, including public

agencies, private sector, community and NGOs, followed by compiling all proposed commitments.



- At the dialogues, representatives raised 47 issues, mainly in the areas of ensuring citizens participation, improving fiscal transparency and holding public agencies and officials accountable, followed by prioritizing 12 commitments. Also, another 23 draft commitments, which were selected from 80 commitments proposed by 104 representatives of civil society, media, political parties, researchers and international organizations in June- July, 2021. In total, 35 draft commitments were presented to the OGP Working Group meeting. The Working Group prioritized all proposed commitments using OGP criteria.

- Extended meeting of the Working Group prioritized proposed 35 commitments following the scoring criteria, described in OGP Handbook, including OGP values and relevance criteria such as openness and transparency, citizens' participation and broader public interests; subsequently determined 9 commitments.
- Stakeholders formed teams for planning implementation of 9 commitments, and Cabinet Secretariat organized half-day training for officers of ministries and agencies and representatives of civil society that are responsible for implementation of commitments totaling 34 trainees, on 2 November, 2021.



- Following the sequence for OGP activities, teams responsible for each of 9 commitments (commitments determination and planning) organized joint meetings on 9 November, 2021, where all teams assigned to improve the relevance and coherence of commitments, clarify responsible agencies and ownership, and submit the final versions of commitments to the Working Group responsible for writing National Action Plan.



- Moreover, draft commitments were posted on the Government of Mongolia website to garner comments from the public between 30 November and 6 December, 2021 and get comments through Government Hotline 1111, but no comments were submitted from stakeholders.
- Co-creation process of developing National Action Plan for 2021- 2023 undertook through consultation with over 200 representatives of government agencies, community, civil society, media and private sector that provided ideas and proposals regarding their priority areas, pressing issues, potential solutions and commitments. Dialogues took place between June and November, 2021 by 8 meetings, either in-person or online. Commitments reflected in this plan are grounded on inputs and proposals made at these consultation events.

ACTIONS TO HONOR

OPEN GOVERNMENT COMMITMENTS

Commitment One: Strengthening extractive industry transparency	
Timeframe: 2021– 2023	
Lead Agency:	Ministry of Mining and Heavy Industry
Commitment Description	
Statement of public problem	<p>Mongolia’s extractive industry is a core economy sector making up alone 20-30% of fiscal revenues.¹ The country’s long-term development strategy Vision 2050 defines the mining sector to hold the position for the coming 30 years.² The important role of the sector makes promoting good governance through improved transparency and public participation, and strengthened government and private sector accountability priority issues for the industry. Mongolia scored 70 points out of 100 for the Natural Resources Governance Index in 2021 with recommendations on strengthening transparency. It is a prime necessity that the Ministry of Mining and Heavy Industry (MMHI) and the Mineral Resources and Petroleum Authority (MRPA) uphold open data norms by expanding the use of digital information and, in particular, providing public access to a better disaggregated information on licensing, industry production and sales in digital formats allowing data processing.³ Although the MRPA places the license holder information on its website, the practice does not meet the Extractive Industry Transparency Initiative (EITI) disclosure requirements for the completeness of information and machine-readable digital formatting. Furthermore, the production and sales information should be more detailed than the project-level data currently furnished, and discrepancies in</p>

¹ <https://www.eitimongolia.mn/p/21>

² Mongolia long-term development policy Vision 2050, <https://legalinfo.mn/mn/detail/15406>

³ Natural Resource Governance Index 2021, <https://resourcegovernanceindex.org/country-profiles/MNG/mining?years=2021>

	<p>the Customs Office, MRPA and National Statistical Office (NSO) data need to be eliminated.</p> <p>Although Mongolia has been implementing the EITI since 2006, the failure to put in place a more effective legal framework is resulting in challenges such as weak government monitoring and mainstreaming of open data processes, and lapses in transparent contract management and public disclosure of beneficial ownership information.</p> <p>Hence, the pressing needs are as follows:</p> <ul style="list-style-type: none"> • to assure transparency and public monitoring for each and every stage of natural resources management starting from exploration to production and to revenue allocation; • to prevent corruption and conflict of interest in the extractive industry by creating an enabling business environment for fair competition and to expand sector development by attracting investment; • to improve public information and public debate for better natural resource management policy and decision making process.
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Commitment definition	<p>Adopt a Mineral Resources Transparency Law to lay legal grounds for establishing international transparency standards in the sector, assuring due disclosure of contract management and beneficial ownership information, strengthening the governance of wholly or partially state-owned enterprises and guaranteeing civil society participation in decision-making.</p>
Contribution to addressing public problem	<ul style="list-style-type: none"> - Submission of the draft Mineral Resources Transparency Law to the Parliament for deliberations at the Autumn Session 2021. - Establishment of an integrated mineral resources information system: It will contain comprehensive information and data such as minerals and oil exploration and exploitation licenses; land and water use permits; environmental and social impact assessment reports; environmental management plans and reports; mineral resources reserves, exploration, production and sales, prices and revenues data; taxes, royalties and fees paid to state and local budgets; rehabilitated land area and environmental protection expenditures; all contracts awarded by public agencies

	<p>for subterranean resource exploitation, especially procurement and sales contracts of state-owned enterprises; beneficial owners information; financial transactions, transfers and budget allocations done with public agencies; the Future Heritage Fund income and expenditure, efficiency assessments and financial reports.</p> <ul style="list-style-type: none"> - Project operations transparency and reporting: Each active project will be providing comprehensive and disaggregated data on the extracted, processed and marketed products; royalties and land and water use fees; affected land area, environmental rehabilitation expenditures and other relevant matter; - Roles and responsibilities of relevant public authorities and state-owned companies will be precisely defined for transparency purposes so that they establish a routine process of entering their respective information in the database in open data formats; - Safe and secure information database operation ensured with appropriate technical and technological solutions; - Setting up institutional arrangements ensuring transparency and public engagement in extractive industry policy dialogue. The definition of roles and responsibilities of civil society representatives in the EITI National Committee by the proposed mineral resources transparency law will ensure their effective participation in the extractive sector’s policy planning and implementation.
<p>Relevance to OGP values</p>	<ul style="list-style-type: none"> • Advances transparency and access to quality information • Strengthens public engagement in government authorities decision making, creates favorable environment for civil society; • Reinforces the potential for the public to influence government policy making and creates favourable conditions for civil society activism.
<p>Additional information</p>	<ul style="list-style-type: none"> • Funding <p>The adoption of a Mineral Resources Transparency Law requires no expense as the feasibility study and other relevant assessments including cost estimations have already been completed.</p>

	<ul style="list-style-type: none"> ● Policy coherence The Mongolian Government Action Plan 2020-2024 states: <i>Provision 4.1.8. "Increase information transparency of public sector operations and ensure the participation of citizens and communities</i> <i>Provision 3.2. "...Develop transparent and responsible mining..."</i>⁴ The draft Mineral Resources Transparency Law is listed on the agenda of the Parliament's Autumn Session. ● Consistent with National Development Policy and Guidelines, other sectoral and/or local development programs and plans, e.g. Mongolia's Vision 2050 Long-term Development Policy's Provision 4.2.1 sets the goal to develop responsible mining. ● Relevance to the [UN] Sustainable Development Goals Transparency in the mineral resources industry, a core economic sector, not only supports the sector's development but also has positive impact on other social and economic spheres, thus duly contributing to the SDGs achievement. It contributes to the objectives of poverty and inequality reduction, health and quality education services, gender equality, decent work and economic growth, innovation and infrastructure development, climate change mitigation, dryland ecosystems protection, peace and justice building, and fostering partnerships for development. ● Gender assessment and monitoring The adoption of the proposed Mineral Resources Transparency Law will bring to light the information on male and female labor force participation in mining and oil industries, and programs, projects and other initiatives on women's participation and employment implemented under the mining community development agreements. Analysis of these records will contribute to identifying the extractive industry's gender impacts and formulating appropriate policy responses.
Target definition	An effective legal environment is in place to ensure optimal use of the benefits of natural resources for sustainable development and their just and fair distribution to all citizens

⁴Government Action Plan 2020-2024. Source: <https://legalinfo.mn/mn/detail/15586>

	today and in the future, and to guarantee the implementation of the people's constitutional right to know as true owners of the natural wealth.	
Follow-up actions	<ul style="list-style-type: none"> ● Assessment of the new law's implementation and effects; ● Public information and communication activities to promote the law and its implementation; ● Review the mineral resources database against the open data requirements; ● Strengthen the capacity of media and civic organizations for open data use and monitoring 	
Milestone:	Start date:	End date:
- The draft Mineral Resources Transparency Law submitted to the Parliament for Autumn Session hearing and its approval thereof.	2021.6.30	2022.6.30
- An integrated mineral resources information base with open data set up	2021.6.30	2022.6.30
- Roles and responsibilities of relevant public authorities and state-owned companies defined for transparency purposes to establish a routine process of having them upload their respective information in the database in open data formats. Reports currently available via EITI posted directly on government websites.	2021.6.30	2022.6.30
- Technical and technological solutions identified for safe and secure information database operation.	2021.6.30	2022.6.30
- State Budget financing secured for the establishment of transparency systems.	2022.10.1	2022.11.15
- Mechanisms and structures established in the extractive industry to strengthen transparency and engagement of civic organizations in sectoral policy formulation and decision making processes.	2022.6.30	2023.6.30
Contact information:		
Lead Agency	Ministry of Mining and Heavy Industry (MMHI) MMHI Mineral Resources and Petroleum Authority (MRPA)	

Desk Officer		Baasanpurev, T. baasanpurev@mmhi.gov.mn landline phone: 976-51-264057 Mineral Resources and Petroleum Authority (MRPA)
Position, Department/Division Title		Damba, D., Misheel, G. Research and Investment Department, MMHI Tuyatsetseg, O. Officer, Public Administration and Management Department
E-mail, landline and cell phone numbers		damba@mmhi.gov.mn (+976)9918 7723 tuyatsetseg@mmhi.gov.mn (+976)8911 9968
Other stakeholders	Ministry and Agency, CSO, Private Sector Entity, Multilateral Organization, National Committee, Working Group	Ministries of: Justice and Home Affairs Finance Nature Environment and Tourism Labour and Social Protection General Authority for State Registration Mongol Bank Independent Authority Against Corruption National Statistical Office National Geology Office Mongolian Taxation Authority Customs Office Legal Entity Registration Office Governors (provincial, capital city, soum and district) Citizen Representatives Hural Civil Society Alliance- <i>Publish What You Pay (TAN)</i>

Commitment Two: Ensure guaranteed fulfillment of the public's right of access to government information and improve government transparency by strengthening legal environment for information transparency	
Timeframe: 2021– 2023	
Lead Agency:	Ministry of Justice and Home Affairs
Commitment description	
Statement of public problem	1/ The Law on State and Official Secrets has turned into an instrument of malpractices such as information concealment

	<p>under ‘state secret’ and ‘official secret’ pretexts, reluctance to provide information to citizens and cover-up of public office malfeasance. There is an urgent need to improve the existing legislation so that it protects the public’s ’ right to know, establishes the highest degree of transparency of government information, allows secrecy of information only for public interest purposes and prohibits an agency from discretionary classification of its information..</p> <p>2/ The pandemic is being accompanied by an ‘infodemic’, a new phenomenon of a spread of false information that aggravates the damage inflicted on people especially in terms of increasing denial of vaccination. People living in remote areas or isolated groups, and low income or low media literacy persons have been affected particularly heavily as demonstrated by the experience of recent years. On the other hand, there have been many incidents where individuals who expressed their views and criticism of government services in the social media were given warnings, fined or detained, and media workers were denied the right to seek, receive and impart information through access restrictions and censorship. Attempts to control media coverage through undue influence and pressure up to threats by local authorities have been reported as well. Hence, it is important to upgrade communication strategies for emergency situations and to increase the availability of public information.</p>
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Commitment definition	<p>Urgently strengthen the legal framework to end the malpractice of withholding information from the public under the guise of “secret” and to ensure the exercise of citizens’ right to know and to timely receive information in appropriate formats during pandemics and other such emergency situations.</p> <p>In order to ensure public access to information other than that the government and its institutions are legally bound to protect, the existing legislation shall be aligned with international legal norms, in particular, the letter and spirit of Article 19 of the International Covenant on Civil and Political Rights.</p> <p>1/ Strengthen Mongolia’s Law on Information Transparency and Right to Information and Law on State and Official Secrets by allowing denial of access to information and its classification as state or official secret only when and where the UN Human Rights Commission’s all three tests for</p>
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	<p>permissible limitations of the right to information apply simultaneously:</p> <p>a/ the given information is pertinent to the interests defined by law; b/ materiality of damages entailed by information disclosure is mandatorily assessed and presented as a proof of the limitation of the right to information; and c/ the said material damage(s) take precedence over the public interest of the freedom of information.</p> <p>Amend the Law on State and Official Secrets by annulling Article 13.2 which states that “<i>public organizations and other legal entities shall develop their lists of pertinent sectoral and agency information subject to classification as state secret[...], obtain clearance by the intelligence agency and submit to the Government for approval</i>”, and Article 14.1 stating “<i>The list of information to be classified as official secret shall be compiled by the relevant authority and approved by the decisions of the Member of the Cabinet in charge of the portfolio and the Chief Executive of the organization</i>”, and adopt a separate law on the identification and registration procedure for state and official secrets.</p> <p>2/ Take action to evaluate the application and improve the implementation thereof of the Law on Legislation, Law on Public Hearing and General Administrative Law of Mongolia that directly bear on the transparency of government processes and the right of people to participation.</p>
<p>Contribution to addressing public problem</p>	<p>1/ Improvement of Mongolia’s ranking in international independent reports on information freedom. Special care will be taken of the following aspects in the implementation of the commitment:</p> <ul style="list-style-type: none"> • The draft law undergoes vigorous and broadly-based public discussion which is organized to meet the principle of meaningful participation; • The Parliament duly monitors and reviews the implementation of the law; • Training and consultative activities build the capacity of relevant actors and stakeholders for effective implementation and monitoring; • Civil society engagement in the aforementioned activities is ensured at all stages and times; <p>2/ A system of multi-stakeholder partnership is fostered to promote high quality communication and information flows, and to strengthen mutual trust between citizens, the media</p>

	<p>and government. The increased availability of and access to public information will be an important factor in the fulfilment of the right to information of vulnerable population groups.</p>
<p>Relevance to OGP values</p>	<ul style="list-style-type: none"> ● Transparency Better exercise of the right to information by opening up more data and information to the public, improving the quality of the existing and protecting public access to information. ● Public engagement Increased opportunities and capacities of the public to be informed of and influence government decision-making. ● Government accountability Enhanced openness and availability of information assures public accountability of government and civil servants.
<p>Policy coherence</p>	<ul style="list-style-type: none"> ● Relevance to the SDGs: Goal 16: <i>Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and develop effective, accountable, and inclusive institutions at all levels</i>; its Target 16.5. (<i>Substantially reduce corruption and bribery in all their forms</i>); Target 16.6. (<i>Develop effective, accountable, and inclusive institutions at all levels</i>); Target 16.7 (<i>ensure responsive, inclusive, participatory, and representative decision making at all levels</i>); Target 16.10 (<i>Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements</i>); ● In 2020, Mongolia submitted the <i>Third National SDG Report</i> and received recommendations from UN member-countries on the freedom of expression including the following: <ul style="list-style-type: none"> - protect freedom of expression by revoking Article 6.21 of the Law on Infringements - 70 (UK); Though the said legal provision has been revoked, Section 13.14 added to the Criminal Code in 2020 poses a risk to the freedoms of expression and information if applied wrongfully. ● Parliament-approved policy documents contain provisions on the right to information. In particular, “<i>The National Security Concept of Mongolia</i>” (Parliament Resolution 48 of 15 July 2010) has Provision 3.6.4.1 saying “Freedom to information shall be sustained by protecting the right to seek, receive, obtain and disseminate information not prohibited by law, and by providing free access to information infrastructure, components and services”; and Provision 3.6.4.5 stating “ Create a favorable environment

	<p>for mass media outlets to obtain and publish information not prohibited by law”. Furthermore, Provision 2.1.8 of the “National Anti-Corruption Program” (Parliament Resolution 51 of 2016) states “ensure implementation of the law guaranteeing citizen’s right to information”.</p>	
<p>Target definition</p>	<p>End the malpractice of denying information, or giving incomplete information, or avoiding giving information by government institutions or public officials under the pretext of secrecy. The legislation on classified information will be aligned with the Constitution of Mongolia and her international treaties.</p> <p>To ensure access of special target population groups to information in emergency situations, the knowledge of communication strategies and communication skills of the following parties will be improved:</p> <ul style="list-style-type: none"> - Public sector officials and specialists (National Emergency Commission/NEC, National Emergency Management Agency/NEMA, Ministry of Health/MoH, National Center for Communicable Diseases/NCCD, National Center for Public Health/NPHC etc.) - Mass media professionals, other representatives - Broadly networked civil society/NGO entities working closely with target groups - Local government managers responsible for target groups, local decision-makers, representatives of sectors of priority relevance such as health and disaster management; - Social media influencers. 	
<p>Follow-up actions:</p>	<ul style="list-style-type: none"> ● Public promotion and advocacy of the revised legislation; ● Monitoring and evaluation of the implementation of the law, public reporting thereof; ● Continuous strengthening of the mechanisms providing citizens and journalists with unimpeded access to public interest information. 	
<p align="center">Milestones:</p>	<p align="center">Start date:</p>	<p align="center">End date:</p>
<p>Align the State and Official Secrets Registry with information transparency objectives and norms</p>	<p align="center">2021.11</p>	<p align="center">2023.09</p>
<p>Strengthen information transparency in conditions of pandemic/public emergency</p>	<p align="center">2021.11</p>	<p align="center">2023.09</p>

- FOURTH NATIONAL ACTION PLAN MONGOLIA 2021-2023 -

Reflect the constitutional amendment to the effect “Citizens, within their right to live in a healthy and safe environment, shall have the right to know the environmental impacts of the use of mineral resources” in the relevant legislation.		2021.11	2023.09
Undertake evaluations of the effects of the Law on Legislation, Law on Public Hearing and the General Administrative Law that contain transparency in decision-making and citizens participation norms, and develop an evidence-based proposal for their amendment.		2021.11	2023.06
Support initiatives promoting citizen participation in and oversight of corruption control and prevention activities, strengthen the independent status of the Public Council (under the IAAC), further improve the legal framework;		2021.11	2023.06
Contact information:			
Lead Agency		Ministry of Justice and Home Affairs (MOJHA)	
Desk Officer		Sainzorig, P.	
Position, Department/Division Title		Director, Legal Policy Department	
E-mail, landline and cell phone numbers		sainzorig@mojha.gov.mn tel: (51)-261957	
Other stakeholders	Ministry and Agency, CSO, Private Sector Entity, Multilateral Organization, National Committee, Working Group	Government Media and PR Department (Cabinet Secretariat) Public Council under the IAAC NEC, NEMA, UB Health Authority, NCPH, NCCD, National Human Rights Commission/NHRC Media and Information Council Press Institute Mongolian National Public Radio and TV Mongolian TV Broadcasters Association Mongolian Websites Association Mongolian Broadcasters Union Mongolian Newspapers Association	

Commitment Three: Reduce human factor in public procurement by way of introducing advanced technologies and increase engagement with the public and CSOs	
Timeframe: 2021-2023	
Lead Agency	Public Procurement Department, Ministry of Finance
Commitment description	
Statement of public problem	<ul style="list-style-type: none"> • Opaque bid evaluation • Public perception of unfair tendering • Inequality in the access to information among government, civil society and private sectors as well as population groups
Commitment definition	<ul style="list-style-type: none"> • The legal framework is improved. • The public procurement system /www.tender.gov.mn/ is connected to the bidders' systems to enable information exchange. • Accountability system for public procurement is strengthened and the Red Flag Indicator introduced. • Information collected on procurement contract progress and execution, and made public in line with international Open Contracting standards . <p>The digital procurement system /www.tender.gov.mn/ will be upgraded to digitalize the bid formulation and selection processes and thus minimize the human factor.</p>
Contribution to addressing public problem	Public investment efficiency will be enhanced through integration of the norms of fairness, transparency and accountability in the observance of due process and its monitoring in public procurement. Open data on the procurement contract management will be conducive to introducing risk management systems, making knowledge-based decisions, and to public monitoring and independent analysis of public budget expenditures.
Relevance to OGP values	<ul style="list-style-type: none"> • Increasing transparency • Strengthening public participation and engagement • Reducing corruption and conflict of interest

Additional information	Budget: State budget and investment by international organizations Coherent with: <ul style="list-style-type: none"> • “Vision-2050” Long-term Development Policy; • “Mongolia Sustainable Development Vision-2030”; • Provision 3.1.15 of the Government of Mongolia’s Action Plan 2020-2024 		
Target definition	Human factor adverse effects reduced in public procurement through application of advanced technologies; Participatory monitoring and evaluation reports undergo stakeholder reviews and are made open to the public.		
Follow-up actions:	Continuous monitoring and assessment, public information and communication activities		
Milestones:	Start date:	End date:	
Strengthen legal environment	2021.11.01	2022.09.30	
Compile and operationalize a digital data catalog	2021.11.01	2022.06.30	
Link the procurement bidders systems to the <i>KHUR</i> integrated system, increase information exchange, improve operational coordination within the public sector domain	2021.11.01	2023.06.30	
Collect management information on each and every contract concluded under the Law on Procurement of Goods, Works, Services with State and Local Funds, and make publicly accessible using the OCDS format.	2021.11.01	2022.06.30	
Strengthen public procurement accountability systems, introduce the RED FLAG indicator and make it open to the public.	2022.02.01	2022.12.01	
Clients and bidders are engaged in public consultations by conducting information and communication activities on digital procurement systems and evaluating progress in oversight and control thereof.	2021.11.01	2023.06.30	
Contact information			

Lead Agency		Ministry of Finance (MoF), Its State Procurement Office
Desk Officer		Ts. Batzul, Public Procurement Policy Division, Legal Department N. Tserensambuu, Digital Procurement and IT Division State Procurement Office
Position Department/Division Title		Public Procurement Policy division, Legal Dept, Digital Procurement and IT Div., State Procurement Office
E-mail, landline and cell phone numbers:		batzul_ts@mof.gov.mn Tel: 267648, tserensambuu@tender.gov.mn ; Tel: 7272-0000
Other stakeholders	Ministry and Agency, CSO, Private Sector Entity, Multilateral Organization, National Committee, Working Group	General and direct budget governors State and locally owned legal entities PIUs CSOs/NGOs participating in procurement

Commitment Four: Improve legislation to guarantee the protection of civic space and the right to freedom of association, and conditions for the development, independence and self-governance of civil society

Timeframe: 2021-2023

Lead Agency	Cabinet Secretariat Ministry of Justice and Home Affairs (MOJHA) General Authority for State Registration (GASR)
Commitment description	
Statement of public problem	Mongolia is witnessing a number of challenges emerging with regard to the right to freedom of association, civic space and civil society. The possibilities of conducting activities independently from the state are diminishing, and a tendency to repudiate formal and informal voluntary groups is becoming

	<p>evident. The lack of appropriate policy and legal frameworks conducive to the development of civil society and constructive cooperation between government and civic organizations restricts nonprofit entities from growing to reach their full potential and make the best of their capacity to augment and effectively mobilize social capital for public good.</p>
<p>Commitment definition</p>	<p>Formulate and adopt a state and civil society partnership policy which spells out fundamental values and principles of civic space and civil society; and create a regulatory framework for not-for-profit and public benefit activities, that is transparent and consistent with the law</p>
<p>Contribution to addressing public problem</p>	<p>An enabling legal and regulatory framework for CSOs will foster the independence and capacity of civil society as an instrument of democracy and create conditions for the expansion of not-for-profit activities as an important development factor benefitting public good.</p>
<p>Relevance to the OGP values Reducing corruption and conflict of interest</p>	<p>Transparency</p> <p>The not-for-profit entities registry and information base is strengthened with open data systems.</p> <p>Public participation</p> <ul style="list-style-type: none"> ● The revised not-for-profit entities legislation strengthens the role and functions of civil society actors as participants in governance and development processes. ● Within the framework of the improved not-for-profit entities legislation, voluntary organizations formed by people enjoying their right to freedom of association, and their independent activities will strengthen people's voice, knowledge and experience as drivers of the public's capacity to effectively implement their legally assured rights and duties of participation in policy planning, implementation and monitoring.
<p>Additional information</p>	<p>The commitment is coherent with the following laws and policy documents:</p> <ul style="list-style-type: none"> ● Constitution of Mongolia, Chapter Two, Article 16 on Human Rights and Freedoms, Provision 10: "right to form ... mass organizations and freedom of association to

	<p>these organizations on the basis of social and personal interests and opinion. All ... other mass organizations shall uphold public order and state security, and abide by the law. Discrimination and persecution of a person for association with or membership in a ... mass organization shall be prohibited.”</p> <ul style="list-style-type: none"> • Article 22 of the International Covenant on Civil and Political Rights⁵, ratified by Mongolia, states “Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests”, thus elucidating the centrality of the freedom of association in the enjoyment of other rights⁶ and in the creation of the opportunity to participate in the country’s development. • Guidelines to Strengthen Mongolia’s Legislation in the Period to 2024, approved by Parliament Resolution 12 of 2021, Provisions 58 and 59, • National Security Concept of Mongolia⁷, Provision 3.3, “<i>The foundation of internal security shall rest on ensuring human rights and freedoms, adherence to the Constitution, respect for the rule of law, continuity of the Mongolian state governance and national unity, support for political parties, civil society, free press and media, individual liberties as well as safeguarding public order and social stability.</i>”; “<i>Undertake a policy to...delegate economic functions to civil ...entities.</i>”⁸; “<i>Further develop civil society through equal participation and consensus with non-governmental organizations, develop public policies to encourage the exercise of oversight over state. Establish a legal basis to support non-governmental organizations offering services to society and develop creative state and civil society partnership forms</i>”⁹.
Target definition	<p>State and civil society partnership policy spelling out fundamental values and principles of civic space and civil society is in place. Legal environment will have been strengthened to ensure conditions for citizens to freely</p>

⁵ [Mongolia signed on 05.01.1968 and, ratified 19.11. 1974.11.18.](#)

⁶ [International Covenant on Civil and Political Rights. Article 25.a “to take part in the conduct of public affairs, directly or through freely chosen representatives”. Article 12 “the right to complaints to administrative body and to public office holder for resolution”. Article 19.“the rights to freedoms to hold opinion, of expression orally and in writing or in print, to peaceful assembly”. “the right to freedom to seek and receive information except that of restricted by law”.](#)

⁷ [Attachment to Parliament Resolution 48 of 2010;](#)

⁸ [Provision 3.3.2.5 National Security Concept of Mongolia;](#)

⁹ [Provision 3.3.4.2, National Security Concept of Mongolia.](#)

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	associate in not-for-profit organizations, conduct activities on the basis of transparency, accountability and independence from the state, participate in policy planning, implementation and monitoring, and protect the interests of particular population groups.		
Follow up actions	Public information and communication activities to promote the new legislation		
	Milestone	Start date:	End date:
	Revision and improvement of the legal environment to ensure civic space for freedom of association, freedom of expression and independence of civic initiatives.	2021.10.01	2023.12.25
	Development and adoption of a state and civil society partnership policy spelling out fundamental values and principles of civic space and civil society, through an open, transparent and broadly participatory process.	2021.12.01	2023.12.31
	Simplification of SCO registration procedures and introduction of a digital registry system.	2022.01.01	2023.01.01
	Establishment of an information database system to enable CSO transparency	2022.01.01	2023.01.01
Contact information			
Lead Agency	Cabinet Secretariat, Ministry of Justice and Home Affairs (MOJHA)		
Desk Officer	Sainzorig, P., Director, Legal Policy Department Tel: 88110079		
Position, Department/Division Title	Jamyankhuu, N., Expert, Legal Policy Dept.		
E-mail address, landline and cell phone numbers	jamiyankhuu@mojha.gov.mn 51+261935 (976) 99187051		

Other stakeholders	Ministry and Agency CSO, Private Sector Entity, Multilateral Organization, National Committee, Working Group	<p align="center">Ministry of Justice and Home Affairs (MOJHA) General Authority for State Registration (GASR)</p> <p align="center">Civic Society Support Council Civil Society Consortium Human Rights NGOs Forum</p>
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Commitment Five: Increased public participation and independent monitoring improves the implementation of the Law on Public Hearing, General Administrative Law, Law on Legislation, Waste Management Law

Timeframe: 2021– 2023

Lead Agency

Ministry of Justice and Home Affairs (MOJHA)
Ministry of Nature Environment and Tourism (MNET)
Provincial/UB Governors Offices

Commitment description

Statement of public problem

Although the legislation including the Law on Public Hearing, General Administrative Law and the Law on Legislation provide for the responsibility of public institutions to base their decision-making on consultations and consensus with citizens especially those whose interests are to be directly impacted, administrative decisions are still being taken in a manner shunning the legally prescribed duty to ensure their quality through participatory consultative processes. This results in damages to people’s mental and physical life, property and general well-being as well as in breaches of democratic governance values. The Waste Management Law introduces a new management approach but its weak implementation violates the right of urban residents to life in a healthy and safe environment.

Commitment definition.

Align the General Administrative Law (GAL) with the Constitution and the Law on Administrative and Territorial Division of Mongolia to protect the right of the Governor to veto

	<p>a decision passed by the local assembly. The exercise of this right is contravened by a provision in the GAL which stipulates that a normative act issued by a local assembly be reviewed and submitted to the registration authority in the same period of time as set for normative acts of other entities. This conflict arising from an inappropriate timeframe needs to be resolved and accountability for breach of law enhanced.</p>
<p>Contribution to addressing public problem</p>	<ol style="list-style-type: none"> 1. Elimination of duplication, gaps and conflicts between the General Administrative Law and other related laws will contribute to consistent Interpretation and implementation of the legislation. 2. Evaluation of the Law on Public Hearing is expected to improve legal guarantees of the right to access to information and participation of relevant population groups, communities and public at large in all stages of policy planning and decision-making. 3. Evaluation and strengthened monitoring of the Waste Management Law will contribute to reducing air, water and soil pollution in settlements for the benefit of the residents' right to live in healthy and safe environments.
<p>Relevance to OGP values</p>	<ul style="list-style-type: none"> • Transparency The commitment positively contributes to the policy objective of making government responsive, open and accountable to the people, and to better guarantees of the right of individuals and organizations to file complaints and seek their prompt resolution. • Public participation The commitment will result in the elucidation of the concepts of a request and a complaint, and streamline the request and complaint management procedures for the benefit of the public. • Government accountability The elimination of duplications and gaps in related laws will result in smoother and speedier processing and clearance of requests and complaints filed by individuals and legal entities.
<p>Additional information</p>	<p>Goal Five of the “Vision 2050” Long-Term Development Policy of Mongolia, ratified by Parliament Resolution 52 of 2020, states: <i>“Build a country that is free of corruption and upholds integrity, justice and human rights by developing a human development-oriented smart and stable governance, establishing optimally structured public administration and civil service, introducing a digitalized citizen-centered public service</i></p>

	<i>delivery, and expanding government-private sector-civil society partnerships in all spheres of life.”</i>	
Target definition	The processes and effects of the Law on Public Hearing, General Administrative Law, Law on the Management of Requests and Complaints Filed by Citizens with Public Institutions or Officials and Waste Management Law will be evaluated, results communicated to government and other parties concerned, and a recommendations implementation plan formulated.	
Follow-up actions	Public information and communication activities to promote the revised legislation	
Milestones	Start date:	End date:
Independent evaluation of the General Administrative Law implementation	2022.01.25	2022.03.25
Assessment of the implementation of the Law on Public Hearing, pursuant to the Law on Legislation	2022.01.25	2022.03.25
Assessment of the implementation of the Waste Management Law, pursuant to the Law on Legislation.	2022.01.25	2022.03.25
Findings of the above legal reviews presented to the public and decision-makers, a follow-up action plan developed	2022.03.25	2022.05.30
Amendments to the General Administrative Law drafted	2022.04.25	2022.05.25
Amendments to the General Administrative Law submitted for Government review and clearance	2022.05.25	2022.06.01
Amendments to the General Administrative Law submitted to the Parliament	2022.06.05	2022.07.25
Public information and communication campaign on the new legislation	2023.04.01	2023.06.30
Contact information		

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Lead Agency		Ministry of Justice and Home Affairs (MOJHA) , Ministry of Nature Environment and Tourism (MNET)
Desk Officer		P. Sainzorig, Director, Legal Policy Dept. Tel: 88110079
Position, Department/Division Title		Jamyankhuu, N., Expert, Legal Policy Dept.
E-mail address, landline and cell telephone numbers		jamiyankhuu@mojha.gov.mn 51+261935 (976) 99187051
Other stakeholders	Ministry and Agency, CSO, Private Sector Entity, Multilateral Organization, National Committee, Working Group	Public administration agencies Hanns Seidel Stiftung (Hanns Seidel Foundation, FRG) CSOs

Commitment Six: Increasing public participation in and monitoring of state budget and public investment processes	
Timeframe: 2021-2023	
Lead Agency	Ministry of Finance: Fiscal Policy and Planning Dept, Public Investment Dept, Treasury Office
Commitment description	
Statement of public problem	In Mongolia, the increasing poverty rates and diminishing economic freedoms are the adverse effects of the Covid-19 pandemic. Fiscal policy is an important poverty reduction tool. With regard to budget planning, approval, implementation and reporting, there is a need to strengthen the application of the principles of “comprehensiveness and accuracy of the budget; efficient financial and fiscal management; fiscal transparency and accountability” as prescribed by the Budget Law of Mongolia. This need for a better implementation of the law is

	<p>confirmed by the delays in public investment projects which entail yearly project cost overruns and diminished public spending efficiency.</p> <p>In this context, the requirements to the content of budget planning documents must be strengthened. The Government template for public investment projects has been drawn only to show the nominal budget planned for the given financial year, which does not give indication of its percentage in the project's total budget. This form of presentation interferes with the ability of law makers to verify the conformity of a project budget planning with the law. Furthermore, the initial budgets of multi-year projects are not indicated in the proposal to be approved by parliament. Meanwhile some projects experience significant cost overruns during their life cycles. Such limited information on new and existing public investment projects weakens the ability of parliament members to make informed budget decisions and prevents the public from getting accurate budget information.</p> <p>International Budget Partnership's Open Budget Survey report highlighted Mongolia's weakness in budget description. For content comprehensiveness the country scored 30 out of 100 points. Compared to international best practices, Mongolia budget allocation is not classified by economic activity, goals, programs and income sources. Article 22 of the Budget Law dictates that budgets be planned, accordingly executed, recorded and reported in line with the prescribed classification categories. A way to address the issue is the adoption of a well-formulated methodology for the publicly available budget allocation information.</p> <p>It is necessary to complete the work on upgrading the Glass Account Information System and its web platform in conformity with international open data standards and provide the public with systems enabling easy access, downloading and analysis of budget information. Furthermore, a cyber space should be created on the basis of the existing platforms to enable year-round discussions and comments by tax payers and the public at large.</p>
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<p>Commitment definition</p>	<p>The following commitments will aim at improving the transparency and accessibility of the state budget and public investment information, and increasing citizen participation in and oversight of the budget process and execution:</p> <p>1. Amend the legislation towards enhancing the transparency, timeliness and comprehensiveness of the budget process information Provisions supporting the generation and dissemination of transparent, timely and comprehensive information on state budget, public investment, special funds, international assistance finance and all stages of project and program implementation from their inception to closure will be introduced to the budget legislation in the course of this 4th OGP NAP. To do this, analysis of the current legal and regulatory frameworks will be undertaken and proposals developed using multi-stakeholder consultative mechanisms specially set up for the purpose.</p> <p>2. Glass Account Information System update Strengthen the Glass Account information system with open data standards. The process of improving the <i>shilendans.gov.mn</i> website will involve evaluation and participatory consultations on its design to ensure the data systems operational coherence and orchestration for budget execution transparency.</p> <p>3. Create a cyber platform where taxpayers and the public freely discuss fiscal policy topics, including state budgeting, public investment and spending, special funds and the use of the international assistance finance</p> <p>A discussion platform will be established on the Glass Account website for the public and taxpayers to discuss and exchange ideas on matters concerning state budget planning and spending throughout the year. Update the <i>publicinvestment.gov.mn</i> website by installing a project “start date” search option.</p>
<p>Contribution to addressing public problem</p>	<p>The commitment will improve the transparency of public budget- and investment project-related information, and the efficiency of public spending by increasing citizen participation in and oversight of the budget process. Thus, it will have a positive impact on strengthening overall fiscal management, and improving Mongolia’s performance and</p>

	ranking measured by the Open Budget Index (the IBP) and Corruption Index.
Relevance to OGP values	<ul style="list-style-type: none"> - Transparency and openness - Accountability - Public participation
Additional information	<p>1. Vision -2050 Long-Term Development Policy (Part 5: Goal 5.1.20)</p> <p>2. Government Action Plan 2020-2024 (Prov. 3.1.12; 4.1.8)</p> <p>3. Strategic Plan and Vision for the Parliament 2019-2024 (<i>Strategic goal 2.2, Article 2.2.5 & 2.2.7; Strategic goal 3.1, Article 3.1.12; Strategic goal 3.2, Article 3.2.1; Strategic goal 6.1, Article 6.1.3</i>)</p> <p>4. National Anti-Corruption Program (Part 3, Articles 4.1.3.1- 4.1.3.4)</p>
Target definition	<ol style="list-style-type: none"> 1. Legislation amended to enforce budget cycle transparency, responsive and comprehensive information dissemination practice. 2. Glass Account Information System upgraded to comply with open data norms and standards 3. Cyber platform created as a forum for the public and taxpayers to learn and discuss state budgeting processes, public investment and spending, special funds, international development finance.
Follow-up actions	<p>1. Amendment of the legislation, reinforcing the transparency, comprehensiveness and timeliness of public budget information.</p> <p>In the course of Mongolia OGP NAP-4, strengthen the legislation with provisions on the transparency, timeliness and comprehensiveness of information on the state budget, public investment and spending, special funds, international development finance, projects and programs' entire life cycle from inception to closure; develop these legislative amendments on the basis of legislative reviews and proposal drafting done by multi-stakeholder consultative mechanisms set up specially for the purpose. Add following provisions to public investment planning guidelines: i) The financial year budget template shall include a description of the allocated budget as a "percentage of the total project budget" for new projects, and an "initial approved budget" indicator for roll-over</p>

	<p>projects; ii) Special templates for listed public investment projects shall be used in the budget revision process.</p> <p>2. A plan for Glass Account Information System update prepared and launched.</p> <p>3. A plan on the design and operationalization of a digital public budget discussion forum prepared through consultative processes.</p>	
Milestones	Start date:	End date:
Strengthen transparency, comprehensiveness and timely delivery of information on the entire public budget and public investment project cycles (public investment and spending, special funds, international assistance finance, projects and programs) through legislative reviews and amendments prepared by multistakeholder mechanisms.	2022.03.01	2022.12.31
Insert a rule on detailed budget information in the Content and Standards Guidelines approved by Government Resolution 29 of 2016 for the Glass Account website.	2022.06.30	2022.12.31
Reconstruct the <i>shilendans.gov.mn</i> website based on evaluations and proposals developed through consultative processes to ensure proper data orchestration and systems coherence for open data operations.	2022.06.01	2023.02.30
Set up and operationalize a cyber platform for public comment on state budget and spending.	2022.08.01	2023.03.31
Online systems upgraded to provide feedback to the public on their proposals/suggestions	2022.10.01	2023.03.31
Update <i>publicinvestment.gov.mn</i> website by installing project “start date” search option.	2022.06.01	2023.03.31
Information communication contacts		
Lead Agency	Fiscal Policy and Planning Dept., Public Investment Dept., Treasury Office, MoF	
Desk Officer	<p align="center">Zolboo, G., Head, Budget Consolidation Div., Fiscal Policy and Planning Dept, MoF zolboo_g@mof.gov.mn</p>	

		Tel: 9919 6439
Position, Department/Division Title:		Nomin, B. Consultant, Budget Consolidation Div, Policy and Planning Dept.
E-mail address, landline and cell phone numbers		Tel: 88022089, 264495
Other stakeholders	Ministry and Agency CSO, Private Sector Entity, Multilateral Organization, National Committee, Working Group	Budget Standing Committee of the Parliament Cabinet Secretariat National Audit Office Citizen Representatives Khurals National Development Agency Ministry of Justice and Home Affairs (MOJHA) Open Society Forum NGO, Transparency Fund NGO, True Will NGO

Commitment Seven: Improve transparency and monitoring of the procurement, quality, safety and supply of medicines and medical devices

Timeframe: 2021-2023

Lead Agency	Medicines and Medical Devices Regulatory Authority (Government Implementing Agency) of the Ministry of Health
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Commitment description

Statement of public problem	<p>The Plan of Action for the <i>Health Promotion Policy 2020-2026</i> defines a goal “Provide the population with quality and affordable medicines and medical devices, foster rational consumption” to be achieved by:</p> <ul style="list-style-type: none"> • Defining the types, price ceilings and copayment ranges for health insurance covered essential medicines; • Strengthening legal and regulatory frameworks for the pharmaceutical industry and its transparency and accountability
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Commitment definition	<ul style="list-style-type: none"> • Meet the demand in affordable essential medicines covered by health insurance
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	<ul style="list-style-type: none"> Establish an integrated digital medicines registry, ensure information transparency
Contribution to addressing public problem	<ul style="list-style-type: none"> Post the insurance covered essential medicines lists on open access websites; Update the essential medicines list to increase their availability; Expand the Health Information Management System with content on medicines management to strengthen the substance of public information.
Relevance to OGP values	<p>Transparency The essential medicines lists and insurance covered medicines price information will become open;</p> <p>The registered medicines list available on the LICEMED information system for public access;</p> <p>Government accountability Rational medicines consumption information will become open.</p>
Additional information	<ul style="list-style-type: none"> Regulation of pharmaceutical prices is to be done under the revised Law on Medicines and Medical Devices <p><i>Funding:</i></p> <ul style="list-style-type: none"> State budget; Health Insurance Fund. <p><i>Relevance to other Government programs and projects</i></p> <ul style="list-style-type: none"> The Government Action Plan 2020-2024; Health Promotion Policy 2020-2026
Target definition	<ul style="list-style-type: none"> The essential medicines specification list is updated and information on price ceilings is open for public use. A reference system of international and domestic prices is introduced in the pricing of insurance covered medicines.
Follow-up actions	<ul style="list-style-type: none"> Rational medicines consumption content developed and delivered to the public Pharmaceuticals price regulations assessed, price regulation provisions updated in the related legislation; A reference system of international and domestic prices is introduced in the pricing of insurance covered medicines;

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		<ul style="list-style-type: none"> A practice of using the Medicines Regulation and Customs Office information and data is established. 	
Milestones		Start date:	End date:
Content development on rational medicines consumption, public information and communication activities		2022.01.01	2022.05.30
Drug pricing system assessed and modifications introduced in the legislation thereof.		2022.02.20	2023.11.30
A reference system of international and domestic prices is introduced in the pricing of insurance covered essential medicines.		2022.06.30	2023.11.30
The Medicines Regulation and Customs Office information and data integrated in overall information system.		2022.06.30	2023.11.30
Contact informaton			
Lead Agency		MOH's Medicines and Medical Devices Regulatory Authority/MMDRA (Government Implementing Agency) Ministry of Health	
Desk Officers:		<ol style="list-style-type: none"> Tsetsegsaikhan, B. Purevjav, D. Enkhtuya, Sh. 	
Position, Department/Division Titles		<ul style="list-style-type: none"> Chief, MMDRA; Director, Medication and Medical Resources Control Dept, MMDRA; Director, Quality Control Dept, MMDRA 	
E-mail address, landline and cell phone numbers		<p align="center">purevjav@mmra.gov.mn; enkhtuya@mmra.gov.mn; +(976) 8808 8119, (976) 9925 0976</p>	
Other stakeholders	Ministry and Agency CSO, Private Sector Entity, Multilateral Organization, National	<p>National Health Insurance Council Ministry of Finance Ministry of Food, Agriculture and Light Industry Ministry of Education and Science Government Procurement Agency General Customs Authority State Professional Inspection Authority</p>	

	Committee, Working Group	General Authority for Veterinary Services Border Protection Office General Tax Authority Information Technology Center of Customs, Taxation and Finance Mongolian Private Health Providers Association EM-Pharmaceuticals Association
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Commitment Eight: Legal environment enabling freedom of the press

Timeframe: 2021-2023

Lead Agency

Ministry of Justice and Home Affairs (MOJHA)

Commitment description

Statement of public problem

Mongolia’s revised Criminal Code and Law on Infringements establish liability for “**dissemination of obviously false information to the public**” that damages a person’s dignity or a legal entity’s business reputation. The broad and vague description such as “*obviously false*” ignores the nature and effects of information impartation, one of which is information distortion, and entails the risk of abuse of law, discriminatory or arbitrary ruling and ultimately the threat of restricting freedom of expression.

The Law of Mongolia on Broadcasting, effective since 1 July 2020, does not guarantee independent regulation of the sector and grants the Government full authority for licensing from granting to revoking. Under the Public Radio and Television Management Law, a national broadcaster has been set up with the function of providing the public with objective information free of any political or business interest. However, some provisions of the PRTV Law and problems in its implementation prevent due discharge of this function of delivering impartial and balanced information. Source confidentiality is granted only under the PRTV Law, which creates a situation where reporters working for other media outlets, and particularly investigative journalists are compelled

	to reveal their source identities when summoned to the court of law for their critical reporting.
Commitment description	Strengthen legal guarantees of the freedoms of the press and expression by aligning the aforementioned legislation with international legal norms, in particular with the spirit of Article 19 of the International Covenant on Civil and Political Rights.
Contribution to public problem	<ul style="list-style-type: none"> • Transparency of the activities of public institutions and officials will increase in line with policy objectives and public expectations. • The risk of being groundlessly denied the freedom of expression and the professional duty of independent reporting on the pretext of imparting “obviously false information” will be effectively mitigated . • People’s right to receiving quality information from diverse sources will be strengthened by limiting political interference in the broadcasting sector which has exceptional influence on shaping public opinion • Increased transparency with regard to media owners will help opening up conflicts of interest that bear on the content and quality of information and ultimately be of benefit to people’s right to know. • Institution of clearly defined and effective legal safeguards from overcentralization in the media sector will be conducive to nurturing pluralistic media serving the public as a source of diverse information.
Relevance to OGP values	<ul style="list-style-type: none"> • Transparency The commitment aims at supporting public right to know by strengthening the basis of transparency, availability and diversity of information . • Public participation The commitment is to ensure the public’s right to receive information on government decision-making and thereby contribute to the public’s capacity to influence policy decisions. • Government accountability The commitment is to improve availability of information that is essential for bringing government accountability mechanisms into effect.

<p>Coherence with other policies and strategies</p>	<ul style="list-style-type: none"> - “National Anti-Corruption Program”, Section 5.2.5;” <i>create conditions for citizen oversight of investigations of acts of corruption, abuse of power and conflict of interest as well as informant protection processes by establishing systems for corruption control and prevention in political and law enforcement organizations</i>”, to be implemented in the Program’s second stage 2020-2023. (NACP approved by Parliament Resolution 51 of 2016) - “Vision-2050” Long-Term Development Policy, Parliament Resolution 52, 2020, its Action Plan for 2021-2030: Provision 5.6.5 <i>“Improve systems for receipt and confidentiality of information on corruption and abuse of power; develop a legal framework for the protection of persons who uncovered and/or reported such acts of malfeasance; strengthen private sector and civil society cooperation in corruption prevention, and citizen oversight”</i>. - “Guidelines to Strengthen Mongolia’s Legislation in the Period to 2024”, Article 92: <i>“ put in place a legislation protecting individuals who criticised, reported and/or disclosed wrongful activities of public and/or private entities from being harassed, penalized or criminally charged to ensure that whistleblowers are not victimized through vengeance and/or other criminal acts”</i>. (Guidelines approved by Parliament Resolution 12 of 2021) - Relevance to the SDGs: Goal 16: <i>“Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and transparent institutions at all levels”</i> Target 16.5 (<i>Substantially reduce corruption and bribery in all their forms</i>), Target 16.6 (<i>Develop effective, accountable and transparent institutions at all levels</i>), Target 16.7 (<i>Ensure responsive, inclusive, participatory, and representative decision making at all levels</i>), Target 16.10 (<i>Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements</i>);
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Target definition	Protect person's right to receive balanced and objective information from an independent media, and assure the right to freedom of expression.		
Follow-up actions	<ul style="list-style-type: none"> • Public advocacy and promotion of new legislative amendments • Information and education activities for relevant public servants to ensure implementation of the legislation • Independent monitoring of the implementation of the legislation 		
Milestones	Start date:	End date:	
1. A working group in charge of the commitment formed	2021.12.1	2022.3.15	
2. Assessment of the legislation relevant to the commitment, and communication of outcomes to stakeholders	2021.12.15	2022.3.15	
3. Study of international norms and standards relevant to the commitment, drafting of amendments	2022. 2.15	2022.5.15	
4. Discussion and feedback on the proposed amendments from the public and communities	2022. 5.15	2022.7.15	
5. Finalization and submission of amendments, lobbying	2022.7.15	2022.9.15	
6. Insertion of a provision securing the right of a reporter to protect source anonymity in the Law on Whistleblower Legal Status and the Freedom of the Press Law.	2022.7.15	2022.9.15	
7. Amendment to the Law on State and Official Secrets to establish a procedure whereby the state secrets list only be defined and approved by law rather than Cabinet Resolution and/or government agency decision.	2022.7.15	2022.9.15	
Contact information			
Lead Agency	Ministry of Justice and Home Affairs (MOJHA)		

Desk Officer		Sainzorig, P., Director, Legal Policy Dept.
Position, Department/Division Title		Amgalan, J., Senior Officer, Legal Policy Dept.
E-mail address, landline and cell phone numbers:		sainzorig@mojha.gov.mn tel: 51+261957
Other stakeholders	Ministry and Agency CSO, Private Sector Entity, Multilateral Organization, National Committee, Working Group	National Human Rights Commission Media Council Press Institute Globe International Center Journalists Union National Committee on E-governance and Public Service Free from Bureaucracy and Corruption” National Committee for Sustainable Development “Public Participation” project

Commitment Nine: Digitalization and increased availability and accessibility of government services

Timeframe: 2021-2023

Lead Agency	Communications and Information Technology Authority (Government Regulatory Agency)
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Commitment definition

Statement of public problem	<ul style="list-style-type: none"> • Availability, accessibility, transparency and prompt delivery of government services for individuals and businesses needs improvement. • Inequality is caused by disparities in the access to digitalized services in remote rural areas and among such groups of population as the disabled people, visually impaired individuals, seniors and herders. • Organizational structures of public institutions with different functions need streamlining, operational costs and efficiency should be improved.
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Commitment description	<ul style="list-style-type: none"> • Increase the types of services accessible via the “eMongolia” integrated government services system, introduce digital single window services to eliminate bureaucracy, irresponsiveness, procedural delays and
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	<p>other challenges, introduce information dissemination and public notification systems using AI based technology.</p>
<p>Contribution to addressing public problem</p>	<p>Expansion of public services delivered via the “eMongolia” integrated system, targeting 30 new types in 2022 and 20 more in 2023 with user friendly interface. Identification of types of services with access and delivery problems for individuals and legal entities, their digitalization for easy access Prompt public notification of available government services and latest decisions Filing of requests and complaints by citizens with public agencies and officials, and response from the latter are resource-efficient (less wastage of time and paper) Timely and hassle-free delivery of accurate information on government services to individuals and business enterprises. Improved accessibility of information through the introduction of inform standards for public service websites and mobile applications.</p>
<p>Relevance to the OGP values</p>	<p>Transparency The commitment is aimed at increasing the scope and quality of open data, and improving its availability and with extended, streamlined and user friendly technologies . .</p> <p>Public participation The commitment will strengthen people’s access to open data on government services and activities which in its turn will be conducive to increased public participation in government’s policy and program decision-making.</p> <p>Government accountability Complaint resolution and application handling online tracking system reveals government bodies operational delays on time which would push the authority to act responsibly.</p>
<p>Additional information</p>	<ul style="list-style-type: none"> • “Vision 2050” Long-Term Development Policy • Government Action Plan for 2020-2024, objective “<i>provide public services promptly, efficiently and transparently</i>” • National Development Policy and Guidelines, sectoral and local development plans • [UN] Sustainable Development Goals.
<p>Target definition</p>	<p>Individuals and companies promptly receive accurate and full information on government services and decisions.</p>

- FOURTH NATIONAL ACTION PLAN MONGOLIA 2021-2023 -

Follow-up actions	Plan the next stage of the systems upgrade.		
	Milestones	Start date:	End date:
	Increase the types of public services available via the “eMongolia” integrated system, make its interface more user-friendly	2021.12.15	2023.06.15
	Streamline Hotline operation to reduce red tape, irresponsiveness, procedural delays and other challenges encountered by individuals and business entities	2021.12.15	2022.02.15
	Develop an AI technology-based integrated platform for prompt delivery of information on public services and tax returns and credits notifications.	2022.02.15	2022.05.15
	Improve the 1111 Call Center’s management of incoming queries and complaints on government agency bureaucracy and malfeasance, and of the outgoing feedback to further strengthen the transparency and up-to-dateness of the information on government services	2022.05.15	2022.07.15
	Monthly reports on the Hotline 1111 information and complaints management delivered to relevant authorities and posted on the Government website	2022.02.15	2023.12.31
	Uniform standards for online public services developed and introduced	2022.07.15	2022.09.15
	Ongoing activity: Transforming Large Government into Smart Government, and developing citizen-centered public service	2022.07.15	2022.09.15
Contact information			
Lead Agency	Communications and Information Technology Authority (Government Regulatory Agency)		
Desk Officer	Enkhbat, L.		
Position, Department/Division Title	Director, Digital Development Department		

E-mail address, landline and cell phone numbers		Enkhbat@cita.gov.mn +(976) 88085764
Other stakeholders	Ministry and Agency, CSO, Private Sector Entity, Multilateral Organization, National Committee, Working Group	Cabinet Secretariat All Ministries Independent Authority Against Corruption (IAAC) Public institutions Other relevant organizations Accredited organizations, private sector entities

Working Group to develop the OGP Mongolia NAP for 2021-2023

Sept 23-Dec 30, 2021

Ulaanbaatar

Appendix

Working Group to develop the National Action Plan for 2021-2023

1	Ch.Bolortuya	Advisor to Prime Minister of Mongolia
2	E.Bat-Ider	Head, Monitoring, Evaluation and Internal Audit Department, Cabinet Secretariat
3	D.Byambadulam	Officer, Monitoring, Evaluation and Internal Audit Department, Cabinet Secretariat
4	R.Duurenbayar	Expert, Monitoring, Evaluation and Internal Audit Department, Cabinet Secretariat
5	B.Bulganchimeg	Deputy Chair, National Development Agency
6	N.Tserensambuu	Chair, E-Procurement and IT Division, Procurement Agency
7	D.Dulamsuren	Chair, Prevention and Public Awareness Department, Independent Agency Against Corruption
8	L.Tur-Od	Chair, Transparency International Mongolia
9	A.Bayanmunkh	The Zeitgeist Movement, Mongolia
10	S.Tsendbaatar	CEO, “Undsen Urtrag” NGO
11	Ch.Dorjgunmaa	CEO, Confederation of Private Medical Institutions
12	B.Murungua	Project Officer, International Republican Institute
13	D.Batzaya	“Erkhemseg Orshikhui” NGO
14	G.Undral	CEO, Democracy Education Center
15	N.Bayarsailhan	CEO, Steps without Borders NGO
16	Sh.Ariunaa	CEO, Association for Promotion of Women’s Employment NGO
17	G.Chinzorig	CEO, National Association for Reducing Chemical Waste
18	M.Munkhmandakh	CEO, Press Institute of Mongolia
19	A.Oyunchimeg	Citizens’ representative
20	R.Dulamjav	Citizens’ representative
21	S.Mendbayar	Citizens’ representative
22	D.Erdenechimeg	Program Manager, Open Society Forum
23	D.Batjargal	CEO, Mongolian National Recycling association
24	G.Ganbat	Chair, Public Council, Independent Agency Against Corruption
25	P.Yanjinkham	Head of Secretariat, Mongolian Local Governance Association
26	G.Bileg-Urnukh	Project Officer, Project for Strengthening Capacity of Local Governance Institutions