Independent Reporting Mechanism

Results Report: Mongolia 2021–2023

Open
Government
Partnership

Independent
Reporting
Mechanism

Executive Summary

Mongolia's fourth action plan opened access to usable information on public procurement and government services, as well as strengthening access to information legislation. The national OGP platform offered little oversight or coordination with civil society or government commitment holders but began to course correct during the final six months of the implementation period. By building government ownership of commitments and consistent collaboration with civil society, Mongolia could achieve more meaningful outcomes from the OGP process.
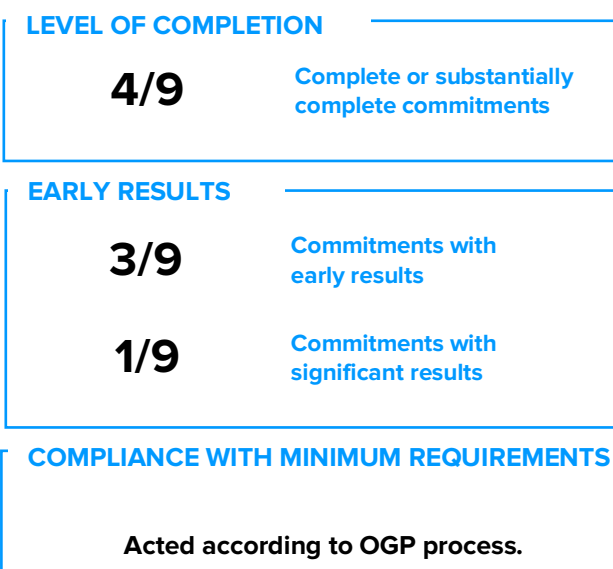
Early Results

Three of the action plan's nine commitments produced early results, primarily opening access to government information. Commitment 3 achieved significant results, building on previous action plans' progress to integrate government procurement systems, improve the online tender portal, and launch an open data portal for tender information. Two commitments moderately improved access to information legislation (Commitment 2) and practical information about government services available on the E-Mongolia and newly launched E-Business platforms (Commitment 9). The action plan's other six commitments did not produce notable early results, struggling with implementation obstacles, including three of the five commitments that IRM identified as having the potential to realize the most promising results at the design phase. Overall, this action plan had better results than the previous action plan, in which only one commitment had marginal results on opening government.

IMPLEMENTATION AT A GLANCE

LEVEL OF COMPLETION

4/9 Complete or substantially complete commitments

EARLY RESULTS

3/9 Commitments with early results

1/9 Commitments with significant results

COMPLIANCE WITH MINIMUM REQUIREMENTS

Acted according to OGP process.

Completion

Four of the action plan's nine commitments (44%) were substantially or completely implemented (2, 3, 6, and 9), most of which produced early results in opening government. This was a slightly higher implementation rate than the previous action plan, in which 4 of 13 commitments (31%) were substantially or completely implemented. With little oversight or coordination from Mongolia's OGP platform, commitments that made progress were often instead linked to wider government priorities. The initiatives' inclusion in OGP commitments was not the key motivation for their implementation. For instance, Commitment 6 shared goals with existing World Bank projects. Commitments 2 and 3 were buoyed by government's heightened focus on anti-corruption measures amid intense public demand following national scandals. Implementation of the action plan's other commitments faced challenges, including high stakeholder turnover, lingering effects of the pandemic, and geopolitical crisis. A breakdown in civil society engagement left significant gaps in resources and support for commitments' delivery. Promising commitments on protecting civic space and freedom of the press (4 and 8) did not see substantial

Open Government Partnership

Independent Reporting Mechanism

progress, leaving a continued need for Mongolia's open government process to address these reforms.

Participation and Co-Creation
Mongolia met the OGP threshold for participation during the co-creation and implementation phases, as compared to the previous two action plans when Mongolia was found to be acting contrary to OGP process. Co-creation saw slight improvements in participation, including the provision of reasoned response to the public on how their contributions were considered during development of the action plan. During most of the implementation period, there was virtually no oversight over commitment progress, engagement across the bureaucracy on the action plan, or coordination between government and civil society stakeholders through Mongolia's OGP platform. The OGP coordination role shifted from the Cabinet Secretariat to the Ministry of Economy and Development to the National Committee for Human Rights (NCHR) under the Cabinet Secretariat. Cabinet reshuffles affecting the Ministry of Mining and Heavy Industry, the Ministry of Environment and Tourism, and the Ministry of Digital Development and Communications exacerbated coordination gaps, as the ministries were responsible for multiple commitments. During the final six months of implementation, NCHR began to course correct, with newly appointed members of the OGP National Council meeting twice in July and August 2023, followed by the publication of an action plan implementation self-assessment report on Mongolia's OGP repository.

Implementation in Context
In addition to government turnover, implementation of Mongolia's action plan faced geopolitical and domestic challenges. As a landlocked country, Mongolia is significantly impacted by developments in China and Russia, its two neighboring countries. China is responsible for more than 60% of Mongolia's total trade.[1] As China implemented its zero-COVID policy, consumer products became scarce, and inflation rates soared from 1.9% in 2020 to 3.5% in 2021 and 8.3% in 2022.[2] Amid the war in Ukraine, Mongolia also faced pressure to balance between sustaining political independence and reliance on Russia—whose banks facilitate most of its foreign trade and whose energy companies provide nearly all of its oil.[3] Meanwhile, despite easing COVID-19 restrictions in the later stage of the implementation period, their impact meant that the government had to prioritize economic measures and could not allocate a budget to support action plan implementation. In addition, government corruption continued to erode public trust. A corruption scandal involving state-owned enterprises triggered weeks-long public protests at the end of 2022. This also led to a heightened focus on anti-corruption measures progressed by some of the action plan's commitments. Meanwhile, the operating environment for civil society continued to be a challenge, defined by CIVICUS as "narrowed."[4]

---

[1] Antonio Graceffo, "Mongolia Suffers Under China's Zero-Covid Policy," The Lowy Institute, 19 January 2022, https://www.lowyinstitute.org/the-interpreter/mongolia-suffers-under-china-s-zero-covid-policy.
[2] "Inflation, Consumer Prices (annual %), Mongolia," The World Bank, accessed 20 August 2023, https://data.worldbank.org/indicator/FP.CPI.TOTL.ZG.
[3] David Stanway, "Mongolia's East-West Balancing Act Buffeted by Russian Invasion of Ukraine," Reuters, 3 March 2022, https://www.reuters.com/world/asia-pacific/mongolias-east-west-balancing-act-buffeted-by-russian-invasion-ukraine-2022-03-03.
[4] CIVICUS, *People Power Under Attack 2023*, 2023, https://civicusmonitor.contentfiles.net/media/documents/GlobalFindings2023.pdf.

Open
Government
Partnership

Independent
Reporting
Mechanism

Table of Contents

Section I: Key Observations

This section highlights three key observations on Mongolia's fourth action plan cycle. These observations address the leadership of the OGP process, wider government priorities' influence on commitment implementation, and weak coordination with civil society. Altogether, the following observations imply that through stronger collaboration with civil society, the government could achieve more meaningful outcomes from the OGP process.

Observation 1: Meaningful collaboration on OGP works best with stable government ownership and a well-resourced multi-stakeholder framework. After the co-creation phase, the initial OGP lead agencies were often inactive, and the OGP platform lost momentum. Commitment delivery was not monitored regularly, and leadership changes among implementing agencies limited engagement with civil society. Since becoming the lead agency in March 2023, National Committee for Human Rights (NCHR) began to course correct—facilitating the only OGP National Council meetings in the action plan cycle and collecting commitment implementation reports from lead agencies. However, these improvements came during the last months of implementation. Ahead of the next action plan's co-creation process, NCHR convened a meeting with the civil society stakeholders that have been strong partners since Mongolia became an OGP member. It is important to sustain this momentum through the implementation of the next action plan, beyond the co-creation phase. This will require providing NCHR and the OGP National Council with sufficient national budget funding and resources, which could be ensured by providing a legal basis for funding and mandate. Additionally, leadership of the multi-stakeholder process can be shared between government and civil society stakeholders, with clearer rules of engagement.

Observation 2: Wider government priorities determine commitment implementation. The commitments that achieved at least a substantial level of completion and generated at least moderate early results in this action plan were all built on wider government priority agendas. Commitments 3, for example, achieved significant results due to Mongolia's heightened focus on strengthening anti-corruption measures amid intense public demand for the government to root out corruption following national scandals. Conversely, commitments not specifically aligned with government priorities did not generate early results. Commitment 4 failed to complete any of its milestones despite being assessed as promising in the Action Plan Review, mostly due to inaction from the government and pushback from civil society over concerns that it could add barriers for CSOs to operate legally. Likewise, Commitment 7 was not perceived as a top government priority, and implementation was limited.

Observation 3: Public demand contributes to results. Because Mongolia's OGP platform lost momentum during implementation, most of the milestones that were not delivered were ones that required active participation from civil society. For instance, legislative amendment and policy evaluation in Commitments 4 and 5 were not fully completed, partly due to lack of support from civil society and the public. However, for the commitments with stronger early results, wider public demand notably incentivized the government to take action. Strong public support via an online petition to strike down the social network control law led to a presidential veto. A significant increase in the number of active users of the E-Mongolia platform under Commitment 9 influenced the government to invest in making the platform more accessible. The next action plan could identify specific commitments that would benefit from linking wider public engagement to certain steps in policy-making, in addition to consultation with civil society

Open
Government
Partnership

Independent
Reporting
Mechanism

representatives. For example, in cases where stakeholders have struggled to achieve regulatory reforms, generating public demand could potentially help make notable improvements (through tools such as online petitions or open public consultations).

Section II: Implementation and Early Results

The following section looks at the three commitments that IRM identified as having the strongest results from implementation. To assess early results, IRM referred to commitments or clusters identified as promising in the Action Plan Review as a starting point. After verification of completion evidence, IRM also took into account commitments or clusters that were not determined as promising but that, as implemented, yielded significant results.

Commitments 2: Access to Government Information
Implementing Agency: Ministry of Justice and Home Affairs

Context and Objectives
Aimed at limiting the discretion of government agency decisions to withhold information under the Law on State and Official Secrets, this commitment set out to evaluate the impact of the Laws on Information Transparency, Legislation, Public Hearing, and General Administration and propose legal amendments. Prior to the implementation period in 2020, Freedom House and Mongolian CSO Globe International Center reported inconsistent implementation and enforcement of Mongolian laws and regulations on government transparency—noting that government bodies who refused to provide information often invoked the Law on Information Transparency's exemptions and the Law on State and Official Secrets.[1] By opening access to government information, the commitment intended to improve public oversight and participation in governance, especially related to the Independent Authority Against Corruption's efforts.

Early Results: Moderate
This commitment was substantially completed. It passed three of its intended legal amendments. These amendments had moderate early results on opening access to government information.

Parliament passed an amendment to the Law on Information Transparency in June 2022.[2] The amendment added 68 new categories of public information that must be disclosed by the government, including information on underground resources, special permits, beneficial owners, environmental impact, and water usage, as well as government plans and reports—including drafts of government regulations. However, it did not clarify the definition of "state secrets" in Article 10 on closed information. Consequently, this continues to be regulated by the Law on Official State Secrets, a law the commitment did not amend by the end of the implementation period.

According to the National Committee on Human Rights, improved access to drafts of government regulations has facilitated civic engagement—as observed in the development of the uih.mn/petition online petition tool. While this was not a milestone of the commitment, it illustrates the amended Law on Information Transparency's results.[3] For example, following the parliament's decision to pass the Law on the Protection of Human Rights on Social Networks on 20 January 2023, public access to the draft law allowed for a petition demanding President Ukhnaagiin Khurelsukh to veto the law, gathering 7,353 signatures.[4] Reporters Without Borders called the law a "threat to journalism and the public's right to information."[5] On 30 January 2023, the president announced that he had officially vetoed the law.[6]

Regarding the Law on Legislation, the parliament passed amendments in May 2023.[7] Some noteworthy changes include a minimum 15-day public comment period to collect input from

citizens (Article 38.3) and a mandate for the government agency responsible for a draft bill to provide a written overview of all considered proposals on their official website within 30 days of the conclusion of the public comment period (Article 38.7).[8] These strengthened earlier provisions of the amended Public Hearing Law, which were passed in December 2021 and June 2022.[9] The amendments included detailed provisions on the government's responsibility to publish the schedule of public hearings with adequate notice (Article 21), to provide sufficient information to participants of public hearings (Article 15), and to make minutes of public hearings available within three days of the hearing (Article 19).[10] In practice, while these amendments provide a stronger legal basis for a stronger information disclosure regime, a civil society representative underlined that the government is still not proactively releasing this information.[11]

This commitment also made some progress on creating public participation opportunities in government information dissemination. Against the backdrop of the COVID-19 pandemic, the Media Council of Mongolia organized public events discussing press freedom and ethics. As government, civil society, and media actors at times disagree on approaches to public information disclosure, the council piloted a program to train citizens across several districts on handling the dissemination of information in crisis situations. A plan to institutionalize the program within the National Emergency Management Agency was developed but not realized by the end of the implementation period.[12]

Other commitment activities were not fully completed as planned. The Independent Authority Against Corruption planned to promote citizen participation and oversight of corruption through a public council in the Anti-Corruption National Program, which was approved by the parliament in June 2023, but was not established by the end of the implementation period.[13] Planned promotion activities had not been conducted due to the national program's finalization in the later stage of the implementation period.

Overall, this commitment progressed access to government information, but certain limitations remain. The commitment's amendments widened the categories of public information subject to government disclosure but did not address exemptions in the Law on Official State Secrets. In 2023, Freedom House reported that implementation and enforcement remained inconsistent.[14] A survey by the Globe International Center found that one of the most common problems faced by Mongolian journalists continued to be government refusal to provide information.[15] Separately, the Ministry of Justice and Home Affairs noted that several online government information portals improved transparency, although these were not directly related to the commitment.[16]

Looking Ahead
Improving Mongolia's legal environment for information transparency requires a multi-pronged approach—this commitment evidences the need to update multiple laws to enact any thorough reforms. Reflecting on the successful examples of citizens demanding a public hearing on government plans through online petitions, future efforts can focus on supporting the uptake and use of public information by citizens at large—as opposed to exclusively CSO representatives.

In addition, lack of clear and consistent parameters for "state secrets" remains a major loophole in the information transparency legal framework. Going forward, measures could be taken to amend the Law on Official State Secrets and establish a mechanism for citizens to challenge government decisions to close certain information. In Indonesia, for example, the Public Information Disclosure Law mandates that all government agencies appoint a designated public

information officer and provide citizens with a Public Information List, a clear overview of all information that is open by default.[17]

Commitment 3: Public Engagement in Procurement
Implementing Agency: State Procurement Agency of the Ministry of Finance

Context and Objectives
This commitment intended to digitize the public procurement process and introduce a red flag indicator to limit awarding bids to companies with high corruption risks. It also planned to raise public awareness of the online procurement system and evaluate its use in public oversight of government procurement. These efforts aimed to address the high corruption risks faced by Mongolia's public procurement process.[18] The commitment built on the previous action plan, which progressed efforts to open access to online procurement data. Led by the State Procurement Agency, this was the only commitment in the action plan initiated by a government agency.

Early Results: Significant
This commitment achieved significant results on opening the public procurement process. Half of its milestones were completed, while the other half made substantial progress. It strengthened systematic publication of procurement data, which could be used to monitor any irregularities. It also improved the availability of Mongolia's public procurement information by progressing the transition to digital bid submission and cataloging of data on tender.gov.mn. The Democracy Education Center particularly noted the State Procurement Agency's strong leadership in the process of making procurement data accessible online, despite the issues inhibiting the overall coordination of action plan implementation.[19]

To strengthen the legal basis for digitizing and increasing public participation in procurement, the Ministry of Finance created a government-civil society working group to review existing regulations. The working group produced an amendment proposal on the Procurement of Goods, Works, and Services with State and Local Property Funds Law,[20] which parliament approved in June 2023.[21] The amendment introduced provisions intended to reduce human error in procurement, such as a mandate to create an electronic bidder database, transparency measures in the bid selection process, prevention of conflicts of interest, and creation of working groups to evaluate government tenders.[22]

Procurement data are made available for public access on the tender.gov.mn portal, where information of tender invitations, lists of bidders (including prohibited ones), contract winners, and delivery of contracts are published regularly. Previously, information on tenders and bidders was published on separate systems.[23] The integration means that verified bidders can now submit their bids online via the portal. The development of an electronic catalog of procurement data dating back to 2018 was also completed, although it had not been publicly launched by the end of the implementation period.[24]

In line with IRM recommendations, the design of the portal's user interface and experience were significantly improved. For example, when looking up an invitation to tender, users can now search by categories such as date, name of tender, portfolio manager, and category of work as specified in the amended procurement law.[25] The Open Society Forum notes that the portal also hyperlinks to procurement data in the Open Contracting Data Standard format, although many

return an error message when clicked. Information on the portal saw a significant increase by the end of the implementation period. As of July 2023, over 17,000 tender invitations were published on the integrated system—constituting all government tenders carried out during the action plan implementation period. Over 286,000 tender references had been downloaded, illustrating a high level of user engagement.[26]

The commitment also made progress on public accountability mechanisms. Its intended red flag indicator was under development by the end of the implementation period. To inform its development, during the integration of the tender and bidder systems, the State Procurement Agency collected data and solicited feedback on irregularities from bidders and citizens.[27] The agency also launched the opendata.tender.gov.mn portal to give citizens access to the application programming interface (API) of the tender.gov.mn portal, which means that tender data can now be reused for public monitoring purposes.[28] The Authority of Government Supervisory was created in early 2023 to oversee the handling of public complaints and carry out independent oversight of government budget use and public service delivery, including government contracting. The newly formed body was still in the process of developing a new draft monitoring and evaluation policy by the end of the action plan cycle.[29]

According to the Ministry of Finance, the commitment has helped mitigate corruption risk. Digitization of the procurement process allows relevant stakeholders to check and verify information such as social insurance, court decisions, bidder certification, equipment feasibility, labor safety measures, and the bidder's track record.[30] Public checking of bid winner documentation has also begun. As of July 2023, 1,921 out of 34,443 documents submitted by 1,891 bidders that won government contracts had passed public checking.[31] Additionally, trained procurement officers conduct public consultations via a government hotline that has amassed over 25,000 minutes of recorded phone conversations as well as over 3,800 email inquiries— indicating an institutionalized approach toward making this practice sustainable.[32] This practice allows citizens to have a direct role in ensuring that government contracts are compliant with proper procedures. Findings of any irregularities can be used to reveal potential misconduct or human errors in the public procurement process. In parallel, journalists and civil society organizations have made use of the expanded procurement information in anti-corruption efforts. For instance, the Mongolian Data Club uncovered links between suppliers and 535 public officials and politicians.[33]

Looking Ahead
Public procurement is vulnerable to corruption risks, especially due to bribery and payment irregularity in the awarding of government contracts.[34] While digitizing the procurement process and introducing open data standards help mitigate the risks, these efforts need to be mainstreamed across government practices. For example, the government could aim for more ambitious reform by extending the scope of transparency and public oversight to include post-tender processes such as contract delivery, payment release, and evaluation of completed work.

The passing of the National Anti-Corruption Program in June 2023[35] lends itself to building greater momentum toward this objective as it emphasizes the need for an anti-corruption strategy—including in public procurement—to align with international standards.[36] In their assessment of Mongolia's public procurement systems, the Asian Development Bank noted a pressing need to update existing regulations around standard bidding documents at the central

level, and regulate and monitor public procurement activities in both central and local governments.[37]

Commitment 9: Digitalization, Availability, and Accessibility of Government Services
Implementing Agency: Ministry of Digital Development and Communications

Context and Objectives
This commitment aimed to improve access to public services in the digital space by increasing their availability on the e-mongolia.mn platform as well as enhancing accessibility for users. The platform offers services tailored for regular citizens (such as civic registration, employment, and law enforcement support) and businesses (such as legal registration, taxation, and real estate).

Prior to commitment implementation, the E-Mongolia portal was already widely used. As of 9 December 2021, a few weeks before the action plan's entry into force, there were 1,934,723 active users with over 500 public services available online.[38] By this point, the portal had already facilitated the provision of 6,145,809 individual services for its users.[39] With this commitment, the government intended to improve the number of services available by integrating more online government services into the portal (creating a one-stop service portal) and the number of individual services delivered.

Early Results: Moderate
The government improved public access to government services by making upgrades to the E-Mongolia platform, completing all of the commitment's milestones. However, efficient access to government services is not directly relevant to open government values. Regarding open government results, the platform's byproduct was a moderate improvement in the accessibility of information on government services.

During the implementation period, access to the platform increased with the introduction of a free-to-download mobile application available on the Google Play Store and Apple App Store, as well as improvements to the web-based portal. Additionally, the prime minister launched a separate platform called E-Business in April 2023, tailored to integrate government services for businesses and legal entities.[40]

The E-Mongolia platform offered access to information on a greater number of government services (1,448 in August 2023 compared to 500 in December 2021), which was previously not available in a central location.[41] The number of active users declined from 1,934,723 in December 2021 to 1,603,678 in August 2023 due to the creation of a separate portal for businesses and legal entities. However, this number still represented almost half of Mongolia's population (3,398,366 people as of 2022),[42] which indicates high uptake by citizens.

In addition to accessing integrated information about various government services, users applied the information to directly access individual services through the portal, which the Democracy Education Center considers to be a notable improvement.[43] For example, citizens can complete all steps required to get an official ID or passport issued by the government entirely online through the portal.[44] Similarly, the E-Business platform allows new businesses seeking an official license to operate online within as few as two working days. Overall, the platform significantly increased the number of individual services that had been accessed and completed online (29,052,441 in August 2023 compared to 6,145,809 in December 2021).[45] By cutting down on the otherwise lengthy and inefficient bureaucratic procedures, the government sees the platform as

Open
Government
Partnership

Independent
Reporting
Mechanism

helping to tackle corruption, which "is vital in making Mongolia more business-friendly and attracting the foreign investment needed."[46]

While the internet penetration rate had increased significantly from 66% in 2020 to 84% in 2021,[47] this commitment responded to IRM recommendations from previous reports on facilitating access to similar information and services for citizens who remain unable to access the internet due to infrastructure or capacity gaps, especially among people with disabilities, the elderly, and citizens in rural areas. E-Mongolia staff are stationed in 395 public service centers across the country and "khurdan" centers in 3 counties, 13 capital cities, and 8 rural locations.[48]

Upgrades made to the E-Mongolia platform during the action plan implementation period also ushered in new accessibility features in line with the Web Content Accessibility Guidelines (WCAG)[49] that allow users to adjust screen resolution, font size, and spacing between text and letters, as well as ability to switch to a night mode display and special ID for persons with disabilities. These features were introduced especially to aid people with conditions such as blindness, visual impairment, and hypersensitivity.[50] Additionally, a live chat feature was also added to provide instant help for users who encounter difficulties and receive feedback.[51] The Ministry of Digital Development and Communications identified problems such as infrastructure gaps, especially in remote areas, low technological literacy, and inadequacy of the country's postal address system as key implementation challenges.[52] To maintain efficient operation, the platform is equipped with AI-based functions that adjust its processing capacity based on user access, network traffic, and load levels.[53]

Overall, this commitment benefited from strong institutional support—both in terms of technical, capacity, and financial support—from the Ministry of Digital Development and Communications as the implementing agency, as well as the inclusive approach taken in designing the improvements to the E-Mongolia platform and developing the new E-Business platform. This is further institutionalized by the Agency for Standardization and Metrology's approval of the General Requirements for the Provision of Public Services by Operator Mode (MNS 6984:2022).[54]

Looking Ahead
The moderate early results generated by this commitment serve as an important marker for Mongolia in its five-year plan to become a "digital nation" by 2025.[55] Going forward, the government could leverage the OGP platform to co-create data management standards to ensure that citizens are protected when processing their personal information online. It could also introduce stronger mechanisms for citizens to provide feedback on the quality of government services and ensure accountability in government responses to this input.

---

[1] "Freedom in the World 2020, Mongolia," Freedom House, accessed 2 November 2023, https://freedomhouse.org/country/mongolia/freedom-world/2020; "Media Freedom Report 2020," Globe International Center, 10 August 2021, https://www.gic.mn/en/post/r/1423.

[2] "Amendments to the Law on Public Hearing," Government of Mongolia, 24 December 2021, https://legalinfo.mn/mn/detail?lawId=11225&type=2.

[3] Bolorsaikhan Badamsambuu and Nominchimeg Davaanyam (National Committee for Human Rights), IRM questionnaire, 19 July 2023.

[4] "Ерөнхийлөгч У.Хүрэлсүхийг "Цахим орчинд хяналт тавих хууль"-д ХОРИГ тавихыг хүссэн өргөдөл," [Petition demanding President U. Khurelsukh to veto the Social Network Control Law], United Info Hub, accessed 3 August 2023, https://www.uih.mn/petition/view/17.

Open
Government
Partnership

Independent
Reporting
Mechanism

[5] Cédric Alviani, "Mongolia: RSF Commends Presidential Veto of a Dangerous Social Media Bill, Reporters Without Borders," 27 January 2023, https://rsf.org/en/mongolia-rsf-commends-presidential-veto-dangerous-social-media-bill.
[6] Gemma B. Mendoza, Mongolian President Vetoes Controversial Social Media Law, Rappler, 30 January 2023, https://www.rappler.com/technology/social-media/mongolian-president-vetoes-controversial-social-media-law.
[7] "Law of Mongolia on Legislation," Government of Mongolia, amended on 4 May 2023, https://legalinfo.mn/en/edtl/16759676308921.
[8] "Law of Mongolia on Legislation," Government of Mongolia.
[9] "Law of Mongolia on Public Hearing," Government of Mongolia, amended on 24 December 2021, https://legalinfo.mn/mn/detail?lawId=11225.
[10] "Law of Mongolia on Public Hearing," Government of Mongolia.
[11] Undral Gombodorj (Democracy Education Center), interview by IRM researcher, 9 October 2023.
[12] "OGP Mongolia National Action Plan Self-Assessment Report 2021–2023," Mongolia OGP National Council, 31 August 2023, https://irgen-tur.mn/file/download/37, 10–11.
[13] Purevsuren Batzaya, "National Anti-Corruption Program Approved," 30 June 2023, https://news.mn/r/2658523.
[14] Freedom in the World 2023, Mongolia," Freedom House, https://freedomhouse.org/country/mongolia/freedom-world/2023 (accessed 2 November 2023).
[15] "The Right to Freedom of Expression, the Right to Be Informed, and the Right to Informed Participation in the Political Process," Globe International Center, 10 May 2023, https://www.gic.mn/en/post/r/1729/.
[16] "Official Reply No. KhEG/721," Ministry of Justice and Home Affairs, 30 March 2023.
[17] See: "Law of Indonesia on Public Information Transparency," Government of Indonesia, 30 April 2008, https://www.peraturan.go.id/files2/uu-no-14-tahun-2008_terjemah.pdf.
[18] Risk & Compliance Portal, "Mongolia Corruption Report," *GAN Integrity* (May 2020), https://www.ganintegrity.com/portal/country-profiles/mongolia/.
[19] Undral, interview.
[20] Bolorsaikhan and Nominchimeg, IRM questionnaire.
[21] "OGP Mongolia National Action Plan Self-Assessment Report 2021–2023," Mongolia OGP National Council, 12.
[22] "OGP Mongolia National Action Plan Self-Assessment Report 2021–2023," Mongolia OGP National Council, 12–13.
[23] "Mongolia Action Plan 2021–2023," Mongolia OGP National Council, 31 December 2021, https://www.opengovpartnership.org/wp-content/uploads/2022/01/Mongolia_Action-Plan_2021-2023_EN.pdf, 21.
[24] "OGP Mongolia National Action Plan Self-Assessment Report 2021–2023," Mongolia OGP National Council, 13.
[25] "Тендерийн урилга хайх," [Invitation to tender], State Procurement Agency, accessed 19 August 2023, https://www.tender.gov.mn/mn/index.
[26] "OGP Mongolia National Action Plan Self-Assessment Report 2021–2023," Mongolia OGP National Council, 13.
[27] Bolorsaikhan and Nominchimeg, IRM questionnaire.
[28] See: "Using data from procurement systems for infrastructure monitoring," Open Contracting Partnership, accessed 16 October 2023, https://standard.open-contracting.org/infrastructure/latest/en/guidance/using.
[29] "Supporting Government to Redevelop the Guideline for M&E in Public Policies," Mongolian Evaluation Association, June 2023, https://www.mongolianevaluation.mn/31/nitem.
[30] Bolorsaikhan and Nominchimeg, IRM questionnaire.
[31] Bolorsaikhan and Nominchimeg, IRM questionnaire.
[32] "OGP Mongolia National Action Plan Self-Assessment Report 2021–2023," Mongolia OGP National Council, 14.
[33] Delgermaa Boldbaatar and Erdenechimeg Dashdorj, "Digging Out Data to Shine a Light on Public Buying in Mongolia," Open Contracting Partnership, 11 October 2023, https://www.open-contracting.org/2023/10/11/digging-out-data-to-shine-a-light-on-public-buying-in-mongolia.
[34] "Mongolia Risk Report," GAN Integrity, updated 5 November 2020, https://ganintegrity.com/country-profiles/mongolia/#public-procurement.
[35] Purevsuren Batzaya, "National Anti-Corruption Program Approved," 30 June 2023, https://news.mn/r/2658523.
[36] Bolor Lkhaajav, "What's in Mongolia's New Anti-Corruption Strategy?" *The Diplomat*, 8 June 2023, https://thediplomat.com/2023/06/whats-in-mongolias-new-anti-corruption-strategy.
[37] "Mongolia: Strengthening of Public Procurement for Improved Project Implementation," Asian Development Bank, April 2022, https://www.adb.org/sites/default/files/project-documents/49193/49193-001-tcr-en.pdf, 4.
[38] "E-Mongolia (Wayback Machine 9 December 2021)," E-Mongolia, accessed 19 August 2023, https://web.archive.org/web/20211209040105/https://e-mongolia.mn/home.
[39] "E-Mongolia (Wayback Machine 9 December 2021)."
[40] "New Mongolian E-Business Platform to Make It Easier to Start and Grow a Business," Yahoo! Finance, 11 April 2023, https://finance.yahoo.com/news/mongolian-e-business-platform-easier-154900214.html.

Open Government Partnership

Independent Reporting Mechanism

[41] "E-Mongolia," E-Mongolia, accessed 19 August 2023, https://e-mongolia.mn/home.
[42] "Population Total, Mongolia," The World Bank, accessed 19 August 2023, https://data.worldbank.org/indicator/SP.POP.TOTL?locations=MN.
[43] Undral, 9 October 2023.
[44] Bolorerdene Battsengel, "How to Do Digital Government: Experiences from E-Mongolia," Urbanet, 8 February 2022, https://www.urbanet.info/digital-governance-mongolia.
[45] "E-Mongolia," E-Mongolia, accessed 19 August 2023, https://e-mongolia.mn/home.
[46] "New Mongolian E-Business Platform to Make it Easier to Start and Grow a Business," Yahoo! Finance.
[47] "Individuals Using the Internet (% of population) – Mongolia," The World Bank, accessed 19 August 2023, https://data.worldbank.org/indicator/IT.NET.USER.ZS?locations=MN.
[48] "Official Reply No. KhEG/721," Ministry of Digital Development and Communications, 30 March 2023; Bolorerdene, "How to Do Digital Government: Experiences from E-Mongolia," Urbanet.
[49] "WCAG 2 Overview," Web Accessibility Initiative, accessed 17 August 2023, https://www.w3.org/WAI/standards-guidelines/wcag/#:~:text=The%20WCAG%20standards%20have%2012,A%2C%20AA%2C%20and%20AAA.
[50] "Official Reply No. KhEG/721," Ministry of Digital Development and Communications.
[51] "Official Reply No. KhEG/721," Ministry of Digital Development and Communications.
[52] "Official Reply No. KhEG/721," Ministry of Digital Development and Communications.
[53] "OGP Mongolia National Action Plan Self-Assessment Report 2021–2023," Mongolia OGP National Council, 27.
[54] "OGP Mongolia National Action Plan Self-Assessment Report 2021–2023," Mongolia OGP National Council, 28.
[55] Bolorerdene Battsengel, "How to Build a 'Digital Nation': Perspectives from Mongolia," University of Oxford Blavatnik School of Government, 8 February 2021, https://www.bsg.ox.ac.uk/blog/how-build-digital-nation-perspectives-mongolia.

Section III. Participation and Co-Creation

After failing to meet the minimum participation and co-creation requirements in its second and third action plan cycles, the quality of Mongolia's OGP process improved slightly during development of the fourth action plan. However, high government staff turnover, budget constraints, and leadership vacuum in key government agencies led to a disconnect with civil society stakeholders throughout the implementation period.

Over the fourth action plan cycle, the agency coordinating the OGP process in Mongolia shifted twice. The Cabinet Secretariat, which had been the coordinating agency for the previous action plan, continued its role until September 2022. Next, the Ministry of Economy and Development took over until March 2023. Since March 2023, the National Committee for Human Rights (NCHR)—an agency under the Cabinet Secretariat—has been the coordinating agency. Cabinet reshuffles led to changes in key ministerial posts—especially the Minister of Mining and Heavy Industry, the Ministry of Environment and Tourism, and the Minister of Digital Development and Communications. This further weakened implementation, as new ministers took considerable time to familiarize themselves with the OGP process.

The OGP National Council, which serves as Mongolia's OGP Multi-Stakeholder Forum (MSF), did not meet until July 2023 (three months before the end of the implementation period) and did not facilitate any meetings between government and civil society to support commitment delivery.[1] While some civil society groups were engaged in some activities related to commitment implementation, their participation was sporadic and not coordinated via the MSF. These shifts diminished the level of engagement between government and civil society, which was just beginning to improve following a turbulent co-creation process in 2021.[2]

Previously, a series of issues that ranged from high turnover of government staff to challenging political leadership transitions and constitutional crisis led Mongolia to act contrary to OGP process during implementation of its second action plan, as well as design and implementation of its third action plan.[3] Failure to meet the minimum requirements in consecutive cycles triggered a procedural review by the OGP Criteria & Standards Subcommittee.[4]

Slight improvement in the fourth action plan's co-creation process helped Mongolia meet the OGP threshold for participation.[5] This reflected progress in providing reasoned responses to the public on how their contributions were considered during the development of the action plan. Civil society stakeholders began preparatory design meetings in January 2021. Spurred by receipt of an Under Review Letter from the OGP secretariat,[6] the prime minister's advisor on governance affairs began to discuss the co-creation process with civil society. Official government participation in the co-creation process commenced in September 2021, with the establishment of the Working Group to Develop the National Action Plan, including government, civil society, and private sector representatives. The process generated proposals for commitments, which were narrowed down to nine commitments, only one of which was initiated by a government agency (Commitment 3). During finalization of the action plan in December 2021, the government amended the scope of some proposed commitments without consulting civil society partners.[7] Compared to the previous action plan, the process included a more diverse group of civil society stakeholders (for example, engaging new CSOs focused on freedom of the press).[8]

This indicated a positive signal, but the leadership vacuum left by the OGP National Council's inactivity and continued turnover of government staff resulted in complete disengagement between government and civil society stakeholders during the implementation period. This was exacerbated by a lack of budget allocation for the OGP process, which, according to NCHR, was due to resource constraints caused by the COVID-19 pandemic.[9] As such, implementing institutions had to resort to sourcing the necessary funds from their own budget—albeit in a very limited capacity—and could not deliver results to the best of their abilities.

In March 2023, the government issued a decree that amended the composition of the National Council with 15 high-level government officials (including the chief cabinet secretary as the council's chair) and 5 civil society representatives.[10] The new forum met twice on 4 July and 29 August 2023. During these meetings, government and civil society representatives discussed the implementation of the fourth action plan and preparation for the co-creation of the next action plan.[11]

It is important to sustain this momentum through implementation of the next action plan beyond the co-creation phase. This will require providing NCHR and the OGP National Council with sufficient national budget funding and resources, which could be ensured by providing a legal basis for funding and mandate. Additionally, leadership of the multi-stakeholder process can be shared between government and civil society stakeholders, with clearer rules of engagement.

Compliance with the Minimum Requirements
IRM assesses whether member countries met the minimum requirements under OGP's Participation and Co-Creation Standards for the purposes of procedural review.[12] During co-creation, Mongolia acted according to the OGP process.[13] The two minimum requirements listed below must achieve at least the level of "in progress" for a country to have acted according to OGP process.

Key:
- Green = Meets standard
- Yellow = In progress (steps have been taken, but standard is not met)
- Red = No evidence of action

Acted according to OGP process during the implementation period?	
The government maintained an OGP repository on the irgen-tur.mn/mn/blog/ogp portal with free public access. The repository was not updated regularly for the majority of the implementation period. However, following the takeover of coordination by NCHR in March 2023, the repository was updated more regularly. On 31 August 2023, the government published its self-assessment report on action plan implementation.[14]	Yellow
The government organized two MSF meetings on 4 July and 29 August 2023, which were attended by government and civil society members of the OGP National Council.[15] The government provided information on action plan implementation and requested civil society feedback on the government self-assessment report, which was then published on 31 August 2023.[16] The meetings also discussed preparation for co-creation of the fifth national action plan.[17]	Yellow

Open
Government
Partnership

Independent
Reporting
Mechanism

[1] Bolorsaikhan Badamsambuu and Nominchimeg Davaanyam (National Committee for Human Rights), IRM questionnaire, 19 July 2023.

[2] See: "IRM Action Plan Review: Mongolia 2021–2023," Open Government Partnership, 21 July 2022, https://www.opengovpartnership.org/wp-content/uploads/2022/07/Mongolia_2021-2023_Action-Plan-Review_EN.pdf, 4–5.

[3] "IRM Mongolia End-of-Term Report 2016–2018," Open Government Partnership, 20 August 2020, https://www.opengovpartnership.org/wp-content/uploads/2020/08/Mongolia_End-of-Term_Report_2016-2018_EN.pdf, 3; "IRM Mongolia Design Report 2019–2021," Open Government Partnership, 3 November 2021, https://www.opengovpartnership.org/documents/mongolia-design-report-2019-2021, 12; "IRM Mongolia Transitional Results Report 2019–2021," Open Government Partnership, 16 February 2022, https://www.opengovpartnership.org/wp-content/uploads/2022/02/Mongolia_Transitional-Results-Report_2019-2021_EN.pdf, 13.

[4] "Mongolia – Under Review Letter (September 2021)," Open Government Partnership, 13 September 2021, https://www.opengovpartnership.org/wp-content/uploads/2021/09/Mongolia_Contrary-to-Process_20210909.pdf; "Mongolia – Contrary to Process Letter (February 2022)," Open Government Partnership, 23 February 2022, https://www.opengovpartnership.org/wp-content/uploads/2022/02/Mongolia_Contrary-to-Process-Letter_February2022.pdf.

[5] "IRM Action Plan Review: Mongolia 2021–2023," Open Government Partnership, 21 July 2022, https://www.opengovpartnership.org/wp-content/uploads/2022/07/Mongolia_2021-2023_Action-Plan-Review_EN.pdf, 4.

[6] "Mongolia – Under Review Letter (September 2021)" Open Government Partnership.

[7] Undral Gombodorj (Democracy Education Center), interview by IRM researcher, 16 February 2022.

[8] Namsrai Bayarsaikhan (Steps without Borders), interview by IRM researcher, 14 February 2022.

[9] Bolorsaikhan and Nominchimeg, IRM questionnaire.

[10] "Government Decree No. 103 (22 March 2023)," Government of Mongolia, 22 March 2023, https://www.irgen-tur.mn/file/download/33.

[11] "Open Government Partnership Multi-stakeholder Forum Meeting Was Held," Mongolia OGP National Council, 4 July 2023, http://www.irgen-tur.mn/en/blog/ogp/single/195; "Diverse Representatives Joined Open Government Partnership Roundtable Meeting," Mongolia OGP National Council, 4 July 2023, http://www.irgen-tur.mn/en/blog/ogp/single/197; "Second Session of the OGP National Council Meeting and Round Table Discussion Were Held," Mongolia OGP National Council, 29 August 2023, https://irgen-tur.mn/mn/blog/ogp/single/198.

[12] Please note that future IRM assessment will focus on compliance with the updated OGP Co-Creation and Participation Standards that came into effect on 1 January 2022. See: "OGP Participation and Co-Creation Standards," Open Government Partnership, 24 November 2021, https://www.opengovpartnership.org/ogp-participation-co-creation-standards.

[13] "IRM Action Plan Review: Mongolia 2021–2023," Open Government Partnership, 20–21.

[14] "Open Government Partnership Mongolia National Action Report 2021–2023," Mongolia OGP National Council, 31 August 2023, https://irgen-tur.mn/file/download/37.

[15] "Open Government Partnership Multi-stakeholder Forum Meeting Was Held," Mongolia OPG National Council.

[16] "Second Session of the OGP National Council Meeting and Round Table Discussion Were Held," Mongolia OGP National Council.

[17] "Diverse Representatives Joined Open Government Partnership Roundtable Meeting," Mongolia OPG National Council.

Open Government Partnership

Independent Reporting Mechanism

Section IV. Methodology and IRM Indicators

This report supports members' accountability and learning through assessment of (i) the level of completion for commitments' implementation, (ii) early results for commitments with a high level of completion identified as promising or that yielded significant results through implementation, and (iii) participation and co-creation practices throughout the action plan cycle. The IRM commenced the research process after the first year of implementation of the action plan with the development of a research plan, preliminary desk research, and verification of evidence provided in the country's OGP repository.[1]

In 2022, OGP launched a consultation process to co-create a new strategy for 2023–2028.[2] The IRM will revisit its products, process, and indicators once the strategy co-creation is complete. Until then, Results Reports continue to assess the same indicators as previous IRM reports:

Completion
The IRM assesses the level of completion for each commitment in the action plan, including commitments clustered in the Action Plan Review.[3] The level of completion for all commitments is assessed as one of the following:
- *No Evidence Available*
- *Not Started*
- *Limited*
- *Substantial*
- *Complete*

Early Results
The IRM assesses the level of results achieved from the implementation of commitments or clusters that have a clear open government lens, have a high level of completion, or show evidence of achieving early results (as defined below). It considers the expected aim of the commitment or cluster prior to its implementation, the specific country context in which the commitment or cluster was implemented, the specific policy area, and the changes reported. For commitments that are clustered, the level of results is typically assessed at the cluster level, rather than the individual commitment level.

The Action Plan Review for Mongolia's 2021–2023 Action Plan clustered Commitments 2 and 8, which relate to legislation on freedom of information and the press. In terms of design, a milestone repeated in both Commitments 2 and 8 planned for an amendment to the Law on State and Official Secrets to establish a legislative procedure for defining the state secrets lists. However, implementation of these commitments varied widely, and their shared milestone was not completed. As such, this Results Report does not assess these commitments as a cluster and conducts the assessment of early results at the individual level, rather than the cluster level.

The early results indicator establishes three levels of results:
- **No Notable Results:** According to the evidence collected (through desk research, interviews, etc.), the implementation of the open government commitment or cluster led to little or no positive results. After assessing the activities carried forward during the period of implementation and its outcomes (if any), the IRM did not find meaningful changes toward:
  - improving practices, policies, or institutions governing a policy area or within the public sector, or

- o enhancing the enabling environment to build trust between citizens and the state.
- **Moderate Results:** According to the evidence collected (through desk research, interviews, etc.), the implementation of the open government commitment or cluster led to positive results. After assessing the activities carried forward during the period of implementation and its outcomes, the IRM found meaningful changes toward:
    - o improving practices, policies, or institutions governing a policy area or within the public sector, or
    - o enhancing the enabling environment to build trust between citizens and the state.
- **Significant Results:** According to the evidence collected (through desk research, interviews, etc.), the implementation of the open government commitment or cluster led to significant positive results. After assessing the activities carried forward during the period of implementation and its outcomes, the IRM found meaningful changes toward:
    - o improving practices, policies, or institutions governing a policy area or within the public sector, or
    - o enhancing the enabling environment to build trust between citizens and the state. Significant positive results show clear expectations that these changes (as defined above) will be sustainable in time.

This report was prepared by the IRM in collaboration with Ravio Patra and was reviewed by Brendan Halloran, an IRM external expert. The IRM methodology, quality of IRM products, and review process are overseen by the IRM's International Experts Panel (IEP). The current IEP membership includes:
- Snjezana Bokulic
- Cesar Cruz-Rubio
- Mary Francoli
- Maha Jweied
- Rocio Moreno Lopez

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual[4] and in the Mongolia Action Plan Review 2021–2023. For more information, refer to the "IRM Overview" section of the OGP website.[5] A glossary on IRM and OGP terms is available on the OGP website.[6]

---

[1] "Mongolia OGP Repository," Government of Mongolia, accessed 27 September 2023, https://irgen-tur.mn/mn/blog/ogp.
[2] See "Creating OGP's Future Together: Strategic Planning 2023–2028," Open Government Partnership, https://www.opengovpartnership.org/creating-ogps-future-together.
[3] The IRM clusters commitments that share a common policy objective during the Action Plan Review process. In these instances, the IRM assesses "potential for results" and "Early Results" at the cluster level. The level of completion is assessed at the commitment level. For more information on how the IRM clusters commitments, see Section IV on Methodology and IRM Indicators of the Action Plan Review.
[4] "IRM Procedures Manual," Open Government Partnership, 16 September 2017, https://www.opengovpartnership.org/documents/irm-procedures-manual.
[5] "IRM Overview," Open Government Partnership," https://www.opengovpartnership.org/irm-guidance-overview.
[6] "OGP Glossary," Open Government Partnership," https://www.opengovpartnership.org/glossary.

Open Government Partnership

Independent Reporting Mechanism

Annex I. Commitment Data[1]

Commitment 1: Extractive industry transparency

- **Verifiable:** Yes
- **Does it have an open government lens?** Yes
- **Potential for results:** Substantial

- **Completion:** Limited
- **Early results:** No notable results

During the implementation period, the Ministry of Mining and Heavy Industry used the existing EITI database to build a new mineral resources information database in an open data format, with support from the World Bank.[2] However, civil society stakeholders view the EITI database as more comprehensive and instead advise integrating the databases.[3] Regarding the commitment's key objective, the Extractive Industry Transparency Bill (formerly the Mineral Resources Transparency Bill) was not approved by the end of the implementation period. The Ministry of Mining and Heavy Industry began drafting the bill, which was coupled with public discussions and efforts by the Ministry of Justice to include sectors like water resources, forest commodities, and game hunting in drafting.[4] A legal working group, which also included the Ministry of Finance and the Ministry of Environment, approved the bill. Despite the Speaker of the Parliament's public support, cabinet approval stalled.[5] Civil society stakeholders noted that without passage, Mongolia continues to rely on foreign funding for national extractive transparency initiative activities.[6] While the draft bill does not mandate government budget allocation, civil society believes it would increase the likelihood of such allocation and also attract more sustainable international support.[7] This reform effort remains vital to anti-corruption in Mongolia, with weeks of protests in 2022 following reports of theft of USD 12.8 billion of coal exports through price discrepancies between 2013 and 2019.[8]

Commitment 2: Access to government information

- **Verifiable:** Yes
- **Does it have an open government lens?** Yes
- This commitment was clustered as: Legislation on Freedom of Information and the Press (Commitments 2 and 8)
- **Potential for results:** Substantial

- **Completion:** Substantial
- **Early results:** Moderate

This commitment is assessed in Section II.

Commitment 3: Public engagement in procurement

- **Verifiable:** Yes
- **Does it have an open government lens?** Yes
- **Potential for results:** Substantial

- **Completion:** Substantial
- **Early results:** Significant

This commitment is assessed in Section II.

Open
Government
Partnership

Independent
Reporting
Mechanism

Commitment 4: Legislation protecting civic space

- **Verifiable:** Yes
- **Does it have an open government lens?** Yes
- **Potential for results:** Modest

- **Completion:** Limited
- **Early results:** No notable results

This commitment aimed to introduce regulation to protect civic space but did not make positive progress. The Ministry of Justice and Home Affairs drafted the Bills on Associations and Foundations and submitted them to parliament in November 2021. By the end of the implementation period, they did not progress beyond a preliminary parliamentary discussion in January 2022.[9] While the government perceived the bills as measures to strengthen civil society, CSOs were concerned by the bills' lengthy and expensive CSO registration process. They anticipated that these could create barriers for small-scale and under-resourced CSOs to operate legally.[10] As for the commitment's other milestones, there was no evidence that the CSO registration process was simplified or that an online CSO registry was embedded in the opendata.burtgel.gov.mn portal managed by the General Authority for State Registration.[11] Finally, the policy-making process for the State Policy on Civil Society Partnership ended in a deadlock, despite the prime minister's public support in April 2023.[12] According to the Ministry of Justice and Home Affairs, there was a failure to reach a common understanding of the extent of government oversight of CSOs.[13] Overall, despite the commitment's promising design, it faced disengagement between government and civil society midway through the implementation process.

Commitment 5: Public participation on the implementation of Laws on Public Hearing, General Administration, Legislation, and Waste Management

- **Verifiable:** Yes
- **Does it have an open government lens?** Yes
- **Potential for results:** Modest

- **Completion:** Limited
- **Early results:** No notable results

This commitment aimed to improve the implementation of the Laws on Public Hearing, General Administration, Legislation, and Waste Management. For each law, the commitment planned to involve the public in evaluating implementation to inform proposals for amendment. Parliament passed amendments to the Laws on Public Hearing and General Administration, respectively, on 24 December 2021[14] (a week before the action plan's submission) and 23 December 2022.[15] However, there was no evidence of public participation in either drafting process.[16] No progress was made on the Waste Management Law by the end of the implementation period. Overall, this commitment did not produce early results in engaging public participation in the evaluation of its laws—which was the main objective of the commitment and not the passing of the aforementioned laws. Early results generated following the amendments to the Law on Public Hearing itself are assessed under Commitment 2 (See Section II).

Commitment 6: Public participation in state budget and public investment	
• **Verifiable:** Yes • **Does it have an open government lens?** Yes • **Potential for results:** Modest	• **Completion:** Substantial • **Early results:** No Notable Results

A bulk of this commitment's milestones to improve public participation in government budget and investments were delivered by ongoing Ministry of Finance projects. In terms of Mongolia's glass account portal,[17] the 2022 legislative agenda included a proposed amendment to the Law on Glass Accounts, which was never submitted to the parliament.[18] The commitment improved the portal quality in January 2023, but all prior budget data disappeared.[19] The International Budget Partnership noted that inconsistency in reporting across budget documents made it difficult for citizens to monitor government programs. This was exacerbated by the absence of a participation channel on the portal.[20] Additionally, the 2022 Budget Law[21] and budget planning for the 2023 fiscal year[22] were amended to add requirements for information on the investment project budget, which did not cover the entire public budget. Despite the amendment's provisions on public participation, these were not concretely implemented in the budget calendar, as of October 2023.[23] Under two milestones on the citizens' budget portal,[24] the ministry introduced a Citizen Participation menu and Poll and Discussion submenu,[25] but this was not coupled with a mechanism for feedback on how public inputs are considered in budget decision-making.[26] Finally, the ministry developed the publicinvestment.gov.mn portal to provide public information on government investment. However, the portal only contained information on projects started in 2023, which limited access to relevant information from previous years.[27] In budgeting for the 2024 fiscal year, the ministry created opportunities for citizens to vote for public investment project proposals that would receive government funding at subdistrict, district, and provincial levels.[28] The IRM does not have evidence on how voting impacted the projects selected.

Overall, this commitment did not produce notable results in opening government. Public participation mechanisms were not clearly linked to informing decision-making—with a lack of reasoned response from the government to citizen feedback on the budget and a lack of opportunities to provide input beyond the budget planning stage.[29] There were some improvements in access to fiscal information, but these were undermined as previous years' information became inaccessible. Moving forward, the government could provide greater clarity on the role of the public consultation mechanisms, including specifying how these inputs are taken into account in decision-making. It is also important to prioritize efforts to update relevant legislation to mandate greater transparency during budget implementation and evaluation stages. It may also be useful to consider integrating the different portals into a single platform where citizens can follow the flow of public funds throughout planning, execution, reporting, and audit. To do so, the government must improve the comprehensiveness of the citizens' budget and ensure consistency in data reporting across the full-year budgeting cycle from planning to audit.[30]

Commitment 7: Transparency of medicine and medical device procurement	

Open
Government
Partnership

Independent
Reporting
Mechanism

• **Verifiable:** Yes • **Does it have an open government lens?** No • **Potential for results:** Modest	• **Completion:** Limited • **Early results:** No notable results

Under this commitment, the Ministry of Health conducted regular drug price assessments and convened a cross-ministry working group to discuss relevant regulations and foster collaboration to integrate data.[31] The working group developed a Bill on Drugs and Medical Devices, which, among others, included specific provisions on price ceilings and import mechanisms for medicines and medical devices. However, the process did not involve any civil society representatives and facilitated no opportunities for public feedback.[32] Overall, the ministry was slowed by its focus on the COVID-19 response, making limited progress toward completion of the commitment's milestones. As the commitment did not have an open government lens, it did not produce notable results in opening government.

Commitment 8: Legal environment enabling freedom of the press	
• **Verifiable:** Yes • **Does it have an open government lens?** Yes • This commitment was clustered as: Legislation on Freedom of Information and the Press (Commitments 2 and 8) • **Potential for results:** Substantial	• **Completion:** Not started • **Early results:** No notable results

This commitment aimed to facilitate a multi-stakeholder process to amend the Law on State and Official Secrets, Law on Whistleblower Legal Status, and Law on Freedom of the Press. Implementation did not progress during the action plan cycle, based on evidence in the government self-assessment report and comments from the Media Council of Mongolia. Prior to the implementation period, initial assessment of the three laws was completed by March 2020.[33] This was then followed by the creation of a working group to develop amendment proposals in December 2020.[34] Amendment of the Law on State and Official Secrets particularly did not see any progress due to the proposal being screened in secrecy by the National Security Agency.[35]

Commitment 9: Digitalization, availability, and accessibility of government services	
• **Verifiable:** Yes • **Does it have an open government lens?** Yes • **Potential for results:** Modest	• **Completion:** Complete • **Early results:** Moderate

This commitment is assessed in Section II.

---

[1] **Editorial notes:**

1. For commitments that are clustered, the assessment of potential for results is conducted at the cluster level, rather than the individual commitment level. As implementation of clustered commitments in this action plan varied widely, the assessment of early results is conducted at the individual level, rather than the cluster level (See Section IV. Methodology and IRM Indicators).
2. Commitments' short titles may have been edited for brevity. For the complete text of commitments, please see: "Mongolia Action Plan 2021–2023," Mongolia OGP National Council, 31 December 2021, https://www.opengovpartnership.org/documents/mongolia-action-plan-2021-2023.
3. For more information on the assessment of the commitments' design, see: "IRM Action Plan Review: Mongolia 2021–2023," Open Government Partnership, 21 July 2022, https://www.opengovpartnership.org/documents/mongolia-action-plan-review-2021-2023.

[2] Tsolmon Shar (EITI Mongolia Secretariat), interview by IRM researcher, 5 October 2023.

[3] Erdenechimeg Dashdorj (Open Society Forum Mongolia), interview by IRM researcher, 5 October 2023.

[4] Tsolmon, interview.

[5] Erdenechimeg, interview.

[6] While the government provides some budget to cover salaries and operational costs of the EITI Secretariat, activity budget related to extractive transparency initiative remains fully reliant on international donors with minimal allocation in government budget plan (Shar, interview).

[7] Tsolmon and Erdenechimeg, interviews.

[8] Munkhchimeg Davaasharav, "Mongolians Brave Bitter Cold to Protest 'Coal Theft' Corruption," Reuters, 8 December 2022, https://www.reuters.com/world/asia-pacific/mongolians-brave-bitter-cold-protest-coal-theft-corruption-2022-12-08.

[9] "Civic Freedom Monitor: Mongolia," International Center for Not-for-Profit Law, updated 9 August 2023, https://www.icnl.org/resources/civic-freedom-monitor/mongolia.

[10] Ariuuna Shagdarsuren (Mongolian Women's Employment Supporting Federation), interview by IRM researcher, 17 February 2022.

[11] Upon comparing the versions of the portal as of 15 June 2021 (prior to action plan implementation) and 19 August 2023, IRM also observed no changes that could justify coding this milestone as completed. See "Open information (Wayback Machine 15 June 2021)," General Authority for State Registration, accessed 15 August 2023, http://web.archive.org/web/20210615211349/http://opendata.burtgel.gov.mn.

[12] "Civic Freedom Monitor: Mongolia," International Center for Not-for-Profit Law.

[13] "Official Reply No. KhEG/721," Ministry of Justice and Home Affairs, 30 March 2023.

[14] "Amendments to the Law on Public Hearing," Government of Mongolia, 24 December 2021, https://legalinfo.mn/mn/detail?lawId=11225&type=2.

[15] See: "Захиргааны Ерөнхий Хуульд Нэмэлт, Өөрчлөлт Оруулах Тухай," [Amendments to the General Administrative Law], Government of Mongolia, 23 December 2023, https://www.parliament.mn/files/060227daa6fe46f69622ec44d59e4f32/?d=0.

[16] "Official Reply No. KhEG/721," Ministry of Justice and Home Affairs.

[17] See: shilendans.gov.mn.

[18] Open Society Forum, comment included in "OGP Mongolia National Action Plan Self-Assessment Report 2021–2023," Mongolia OGP National Council, 17–18.

[19] Erdenechimeg, interview. .

[20] Suad Hasan and Lilianna Ziedins (International Budget Partnership), interview by IRM researcher, 12 October 2023.

[21] See: "Монгол Улсын 2022 Оны Төсвийн Тухай Хуульд Өөрчлөлт," [Amendments to the 2022 Budget Law of Mongolia], Government of Mongolia, 29 April 2022, https://www.parliament.mn/laws/904.

[22] See: "Монгол Улсын 2023 Оны Төсвийн Тухай," [2023 Budget Law of Mongolia], Government of Mongolia, 11 November 2022, https://legalinfo.mn/mn/detail?lawId=16532001935011.

[23] Hasan and Ziedins, interview.

[24] See: iltod.mof.gov.mn.

[25] The project is funded by the Swiss Development Cooperation and the World Bank's Global Partnership for Social Responsibility (GPSA) with World Vision Mongolia and Globe International as co-implementers alongside the Ministry of Finance. See: "The Mainstreaming Social Accountability in Mongolia II (MASAM II) project has been successfully implemented, World Vision Mongolia, 9 June 2023, https://worldvision.mn/http-www-irgen-tur-mn-en.

[26] Erdenechimeg, interview.

[27] Open Society Forum, comment included in "OGP Mongolia National Action Plan Self-Assessment Report 2021–2023," Mongolia OGP National Council, 22.

Open
Government
Partnership

Independent
Reporting
Mechanism

[28] Voting is done via the Local Development Fund mobile application, which was developed as part of the Sustainable Livelihoods Phase III project funded by the World Bank. See: "Онхс-Ийн Цахим Санал Асуулга 6 Дугаар Сарын 25-Нд Дуусна," [LDF e-poll ends on June 25], Local Development Fund, 15 June 2023, https://tusuv-oronnutag.mof.gov.mn/?p=27910; "Mongolia – Third Sustainable Livelihoods Project Additional Financing," The World Bank, 24 April 2020, https://www.worldbank.org/en/news/loans-credits/2020/04/24/mongolia-third-sustainable-livelihoods-project-additional-financing.

[29] Open Society Forum, comment included in "OGP Mongolia National Action Plan Self-Assessment Report 2021–2023," Mongolia OGP National Council, 21–22.

[30] Hasan and Ziedins, interview.

[31] Official Reply No. KhEG/721," Ministry of Health, 30 March 2023.

[32] "Official Reply No. KhEG/721," Ministry of Health.

[33] Media Council of Mongolia, comment included in: "OGP Mongolia National Action Plan Self-Assessment Report 2021–2023," Mongolia OGP National Council, 31 August 2023, https://irgen-tur.mn/file/download/37, 25.

[34] Media Council of Mongolia, comment included in: "OGP Mongolia National Action Plan Self-Assessment Report 2021–2023," Mongolia OGP National Council, 23.

[35] Media Council of Mongolia, comment included in: "OGP Mongolia National Action Plan Self-Assessment Report 2021–2023," Mongolia OGP National Council, 26.

Open
Government
Partnership

Independent
Reporting
Mechanism