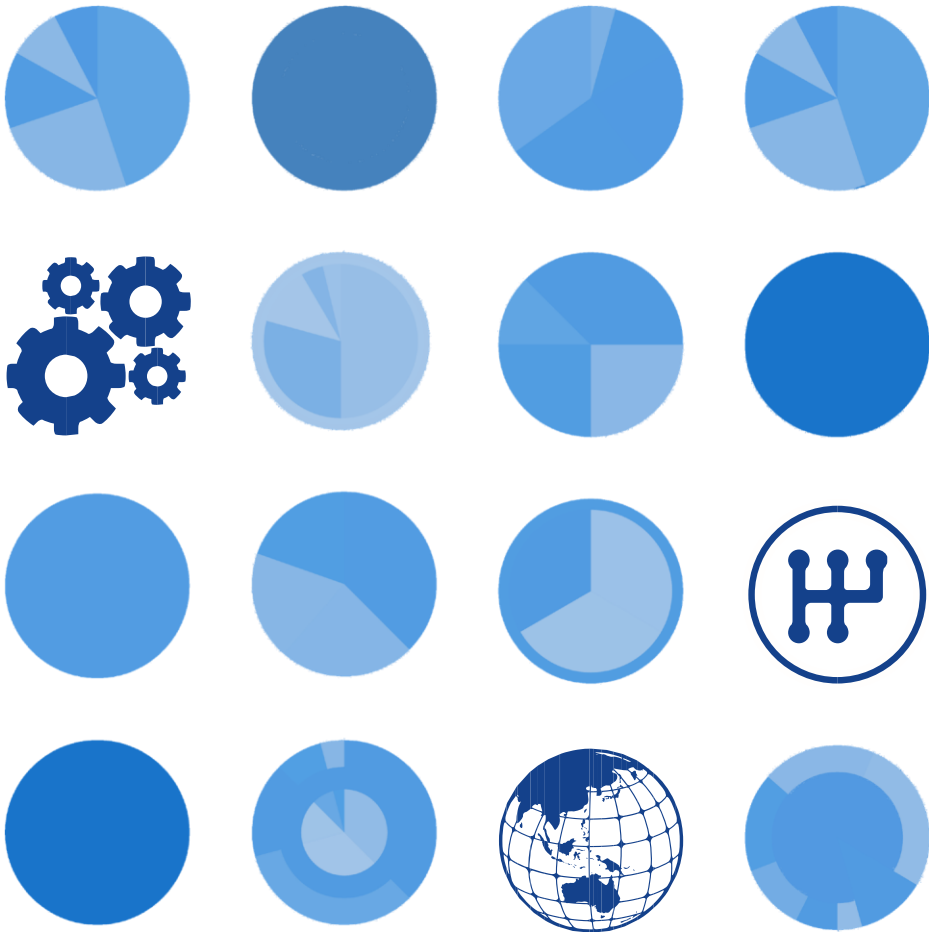


CIVIL SOCIETY ENGAGEMENT IN POLICY DIALOGUE

Research brief



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EXECUTIVE SUMMARY

Civil society organisations (CSOs) in Mongolia operate at diverse levels, from local to international, with varied organisational structures and approaches. Advocacy-focused CSOs act as representatives for specific issues, aiming to influence policies and perspectives in the development arena, including government, media, and the public. This research focused on CSO engagement in policy development, monitoring of policy implementation, and dialogue in Mongolia, and their interactions with public authorities in the country.

Despite increased diversity within CSOs in Mongolia over the past two decades, the legal framework hasn't adapted to their evolving development needs. With 35,312 officially registered CSOs in 2022, only approximately 6,380 operate on a regular basis (National Statistics Office, 2023), with over 80% concentrated in the capital city, where financial opportunities are significantly more accessible than for local CSOs.

CSOs often face limitations in terms of funding, human resources, and management capacity, which negatively impacts the cooperation between the government and CSOs, leading to certain difficulties in working together. The majority of Mongolian CSOs have limited opportunities to directly participate in policy-making processes. However, this depends on how the CSO defines its goals and the services it provides to society.

CSOs typically act as a watchdog for the implementation of policies and regulations rather than actively engage in policymaking dialogue. Only a few organisations are able to take the lead in policy development. The main reason for this identified during interviews with civil society actors and stakeholders from government institutions was the limited opportunities and resources to participate actively in policy development. Nevertheless, CSOs continue to demonstrate their commitment to actively participating in such discussions by monitoring the policy-making process. They stay informed about specific areas, provide feedback on proposed legislative amendments, and support the public in submitting petitions. Through collaborating with the government and local authorities, CSOs strive to study the policy environment, its underlying conditions, and any potential implications, while maintaining consistent communications with government authorities on specific policies and regulations.

In 2023, Civicus classified Mongolia as a country with a 'narrowed civic space,' noting that within the past year alone, there have been numerous violations of citizens' fundamental rights to freedom of expression and access to information (FEI). For example, the establishment of a legal framework imposing criminal liability for spreading false information poses obstacles to the work of civil society. While the rights of Mongolian CSOs and media organisations are legally protected, certain legal provisions, as mentioned above, suppress criticism against the government, the private sector, and various influential public figures, thereby negatively affecting the collaboration between CSOs and the government. Long-term commitments and funding provided by major donor organisations such as the European Union, U.S. government agencies (US embassy and USAID), and specialised UN agencies (UNDP, UNICEF, and FAO) have significantly boosted support for CSOs. For instance, the European Union's partnership framework with Mongolian civil society organisations for 2021–2025 serves as a good example. PIN Mongolia is actively working to design a systematic approach that enhances CSO participation in local development through innovative tools and mechanisms for collaboration with the government and other stakeholders.

In this study, we conducted qualitative and quantitative surveys to improve the coordination between government agencies, CSOs, and local administrative bodies. Additionally, we examined current cooperation and CSO participation mechanisms. We included literature reviews of relevant documents, online surveys from CSOs (40 CSOs), key informant interviews (with 9 government officials and representatives from 9 CSOs), and focus group discussions (covering 11 CSOs). Finally, special attention was paid to improving digital participation tools and mechanisms with the aim of making collaboration between CSOs and the government more open, innovative, and inclusive.

The findings of the study have been broadly categorised into three main sections:

- Current practices on cooperation between CSOs and governmental institutions
- Challenges faced by the CSOs
- Initiatives that facilitate further support for CSO participation in influencing the policymaking process

This study brief summarises recommendations for CSOs, government agencies, and donor organisations to promote CSO engagement at all levels, along with the findings of the study.

Key Findings

Policy dialogue and CSO engagement:

It is widely reported that CSOs and government stakeholders have limited capacity, resources, and a lack of opportunities for civil society to participate directly in policy dialogue. The capacity and resources for providing written feedback and participating at the policy level vary across organisations. The limited opportunity for involvement in the policymaking process reduces the ability of CSOs to contribute their valuable experience and research data to policy discussions. Furthermore, it hinders CSOs from conducting research and analysis while also restricting decision-makers' access to quality information. Only a small percentage of CSOs have clear purpose, a stable human resources base, and the capacity to monitor policy implementation and participate in the policymaking process. According to the results of an online survey conducted by PIN in January 2023 among 40 CSOs, 40% of respondents stated that CSOs have limited influence over government decisions. Additionally, during discussion with CSO stakeholders, it was highlighted that majority of the high-level government institutions, such as ministries and administrative agencies, show little willingness to collaborate with CSOs at the policy level. While some mid-level initiatives for cooperation do exist, government agencies often lack the methodology to effectively engage CSOs and incorporate their input. Only 35% of survey respondents rated their communication and collaboration with government institutions as moderate. When asked how they influence policymaking, 83% of CSOs reported participating by providing feedback on policy documents, while only 10% stated that they take part in advocacy lobbying groups and maintain stable relationships with policymakers. However, there are notable exceptions where CSOs have played a significant role in shaping important legislation, such as the CSO consortium's involvement in drafting Vision 2050, which included establishing a governance mechanism to ensure the provision of feedback and implementation update of the CSOs' policy recommendations. Similarly, Globe International played a key role in advocating for the adoption of the 2011 Law on Transparency and Access to Information. The National Center Against Violence (NCAV) was instrumental in drafting and advocating for the Family Law and the Law on Combating Domestic Violence, a process that took several years. Additionally, organisations representing persons with disabilities played a significant role in drafting the Law on the Rights of Persons with Disabilities and advocating for the ratification of related conventions.

Due to the limited chances for CSOs to directly engage in policymaking and policy dialogues, many Mongolian CSOs feel compelled to independently monitor local and national budget allocations, as well as track policy implementation on their own accord.

Participation in policy analysis and oversight:

Out of the nine CSOs interviewed, seven are actively engaged in monitoring legal regulations, directly communicating with members of authorised government bodies, and regularly analysing legislative documents issued from certain state institutions. To do so, they maintain constant communication with government agencies to stay informed about the current state of legal regulations. For instance, some CSOs have worked with government authorities to understand why the ban on raw coal has not been effectively enforced in certain areas and to determine who is responsible for its implementation. Their

efforts include meeting with relevant government agencies and submitting official documents to obtain clarification.

Additionally, some CSOs are involved in developing and implementing small-scale pilot projects related to green energy initiatives, youth education, and the protection of freedom of expression. They also contribute to policy discussions on youth participation and development.

Beyond this, CSOs play a role in legislative amendments by drafting policy recommendations, submitting legislative proposals, supporting public petitions, and encouraging citizens to take action. The government has also introduced online platforms to facilitate public participation in policy advocacy, decision-making, and access to information. These platforms aim to engage CSOs and citizens by enabling them to provide feedback on projects funded by local development funds, access budget expenditure details, and participate in governance. The Ministry of Digital Development and Communications (MDDC), for instance, in collaboration with the Information and Communications Operators Association, is working to unite mobile network representatives, promote cooperation in the technology sector, develop dedicated platforms for CSOs, and amplify their voices at the policy level.

Outsourcing or contracting certain government functions to CSOs

During interviews with CSOs and government stakeholders, it was highlighted that certain government functions are being outsourced to CSOs. In addition to policy development and oversight, public service-oriented CSOs also provide social welfare services and support employment initiatives. CSOs that meet the specific requirements set by the General Agency for Labor and Social Welfare Services can participate in tenders and enter contracts to provide community-based welfare services for the elderly and persons with disabilities, as well as technical and vocational training. However, such contractual arrangements are mostly limited to this sector. Although collaboration between the government and CSOs is increasing, the scope and level of cooperation vary at national and local levels. This discrepancy is largely due to differing perspectives among government officials on the role of CSOs in engaging citizens in local development.

Some CSOs continuously assess community needs and respond promptly to emerging issues. As a result, local governments often contract CSOs to deliver public services, recognising that CSOs are more closely connected to citizens, have a better understanding of local needs, and operate more efficiently and flexibly. This enables professional CSOs to take on certain government functions through contractual agreements. In some cases, working groups composed of CSOs, research institutions, and experts are formed to participate in policymaking and legislative amendments initiated by the government.

Decentralisation efforts

The involvement of CSOs and citizens in policy discussions and monitoring processes is crucial for promoting good governance, transparency, and accountability. Decentralising CSO activities helps empower local communities and allows for greater oversight of decision-making processes. This, in turn, enables citizens to more actively engage with the issues affecting their lives and fosters a sense of responsibility. Additionally, discussions have emphasised the role of mid-level and local administrative bodies in regional development and public service delivery. Mongolia is actively implementing measures to enhance decentralisation. However, government training programmes for civil servants are not well aligned with similar initiatives for citizens and CSOs. As a result, civil servants have limited opportunities to engage key stakeholders in policy discussions and oversight.

Information dissemination

To improve the link between citizen participation and policy implementation, CSOs and government agencies participating in the study highlighted the need for better information dissemination at the local level. However, citizens and CSOs often struggle to access reliable information. This underscores the need for improved mechanisms to facilitate information exchange within specific policy areas.

E-Democracy Landscape

Mongolia's transition to a "Digital Nation" presents significant opportunities, supported by widespread internet connectivity (80% mobile data usage, 2.6 million users) and high mobile phone accessibility (96%). E-democracy initiatives aim to enhance public participation, transparency, and accountability by facilitating the submission of petitions, complaints, and recommendations through digital platforms. Efforts are also being made to ensure that these platforms are accessible to citizens in remote and rural areas, helping to bridge the digital divide and expand access to government services and democratic processes. Mongolia's digital platforms support a range of public services and civic engagement activities. The "Smart Ulaanbaatar" application provides diverse city-related information, from enabling citizen participation in legislative processes through D-Parliament to allowing people to submit complaints via the 11-11 e-portal. Additionally, open data platforms like XACXOM expose corruption-related information. Specialized government websites also provide transparency on public procurement, budget allocation, election processes, and resource licensing. The Digital Mongolia initiative seeks to integrate these services into a unified platform to improve government efficiency, transparency, and effectiveness. While Mongolia's Law on the State Great Khural (Article 9, Section 391) legally mandates citizen participation through digital platforms, CSOs have pointed out a gap between online engagement and real decision-making. Moreover, despite the significant influence of social media—particularly Facebook—on policy discussions, the government has been criticised for underutilising digital tools in decision-making processes.

Challenges Facing CSO Participation in Policy-making

Technical Barriers:

40% of CSOs rated the trust between government institutions and CSOs as very poor. This is linked to issues of transparency, inadequate information dissemination, and the government's occasional reluctance to involve CSOs in decision-making, which fosters suspicion and hinders collaboration. Government agencies often perceive CSOs as challenging their authority, while CSOs remain cautious of political influence. This wariness is further compounded by the government's tendency to engage selectively with certain CSOs, which can create the perception of favouritism or co-optation. As a result, other CSOs may feel excluded or distrustful of both the government and the organizations it collaborates with, deepening the overall sense of mutual distrust. The repeated duplication of CSO efforts and the government's tendency to implement policies without consulting them further strains their relationship. Moreover, CSOs struggle with limited opportunities for information exchange and effective communication, leading to duplicated efforts. Their participation in policy discussions is also hindered by a lack of policy analysis skills, advocacy expertise, financial constraints, limited human resources, and a shortage of permanent office spaces. For example, the Ministry of Labor and Social Protection (MLSP) contracts organisations representing persons with disabilities but does not provide professional guidance. Very few organisations meet the set criteria. Even when selected, these organisations must initially use their own resources to provide services, creating financial strain and limiting their capacity. This situation prevents organisations for persons with disabilities from strengthening their capabilities.

Structural Barriers:

The challenges facing CSOs in government participation are due to inadequate funding and a lack of clear success metrics. According to online survey results from CSOs, only 55% of organisations have successfully applied for funding from donor agencies – UN agencies (48%), the World Bank (28%), US government agencies (18%), Canadian global affairs (13%), and EU commissions and related agencies (10%). Additionally, frequent turnover of civil servants, often due to elections, hinders collaboration. Finally, the lack of consideration for the institutional memory of government employees in staffing reductions leads to inefficiencies and unclear accountability. For example, when air quality was solely the responsibility of the Ministry of Environment and Tourism, some ministries remained silent on the issue. This lack of accountability at the policy level results in the mis-prioritization of key issues and impedes progress.

Political Barriers:

Political obstacles are impacting the participation of CSOs. One major issue currently being faced is the shrinking space for collaboration between the state and civil society. There is a real risk of reducing or suppressing the activities of CSOs by categorising them as "associations" or "foundations." Civicus has rated the civil society space in Mongolia as "narrowed (or shrinking)," with a score of 61 out of 100, which reflects violations of the freedoms of expression and access to information. Additionally, although the government reports that it receives feedback, it is common for no follow-up action to be taken, which leads to a breakdown in feedback loops and ineffective communication. An example of this is that although CSOs are consulted during legislative working group sessions, many of their suggestions are often not read, introduced, or incorporated into the discussions

Digital Barriers:

Mongolia faces several challenges in its digital transformation journey. While approximately 2.2 million people (two-thirds of the total population) actively use Facebook and are connected to mobile services, the cost of internet access poses a barrier for low-income households. This lack of internet accessibility is hindering the overall digital transition process. Moreover, the public is not well-informed about digital participation tools, leading to a misuse of platforms like 11-11 for personal requests rather than creative engagement, resulting in low effectiveness. Issues like inadequate ICT skills, incomplete digital security capabilities in CSOs, and limited understanding of digital transformation are all obstacles to progress. Furthermore, elderly people and individuals with disabilities have limited access to existing digital programmes. The increasing number of similar online platforms is exacerbating the problem, making it harder to find reliable information. Despite the variety of digital platforms, many Mongolians still rely heavily on social media like Facebook and X (formerly Twitter), contributing to the spread of false information. During the COVID-19 pandemic, misinformation became a significant issue, with 93% of CSOs rating access to credible information as poor.

Initiatives to promote CSO engagement at different levels to influence policy dialogue

The study's findings yield recommendations for Civil Society Actors, Government and Institutional Donors.

Civil Society Actors

To effectively engage with the government, CSOs need to have a solid strategy that fosters active collaboration with stakeholders at the policy-making level. This cooperation should be evidence-based, and use reliable data in order to facilitate informed and effective discussions with policy makers. Building trust is crucial for policy dialogues, as it not only supports transparency and cooperation but also provides CSOs with the opportunity to influence decision-making processes.

In terms of collaborative approaches, CSOs working in similar fields often form networks or alliances to enhance their collective influence on policy and bring about positive changes. While networks and alliances of NGOs in environmental and governance sectors are actively functioning, those working in child protection and healthcare sectors tend to be weaker in this regard, and attention should be paid to this issue.

CSOs need to learn from each other and leverage current active digital platforms to increase their participation in policy development. It's important for them to identify and share areas of improvement and work together to enhance these areas. Therefore, strengthening the capacity of CSOs is critical, and it is necessary to identify gaps in training, advocacy, research, communication, and cooperation that need to be addressed. On the other hand, to improve digital participation, it is important for government institutions to consider the voices of CSOs entering digital platforms. To achieve this, CSOs and citizens should be educated and awareness should be raised about the use of digital participation tools. To reduce digital barriers, investments should be made in internet infrastructure, particularly for target groups, and programmes to enhance digital security skills should be implemented. Finally, efforts should be made to

improve the user-friendliness and accessibility of current digital platforms through continuous attention to simplifying them.

The government and state institutions

International recommendations emphasize the importance of improving governance and citizen participation through enhanced collaboration between the government and CSOs, as well as promoting government transparency and inclusiveness. Sustainable communication fosters trust between parties and supports the involvement of CSOs in the development of legal frameworks and policy documents that promote public representation. This approach is particularly critical for strengthening the capacity of regions outside the capital, demonstrating the need for broader participation. To ensure transparency, it is essential to create effective mechanisms for citizen and CSO involvement, facilitating legal and financial reforms to empower local CSOs through decentralised methods. In addition to ensuring inclusive and equitable governance transitions, it is vital to focus on merit-based work allocation, documentation, and cooperation to maintain stability and diversity within government institutions. For instance, it is necessary to clearly define the roles and responsibilities of CSOs in policy environments, including specifying where they should participate, monitor, and advocate for changes. This will establish mechanisms that ensure the participation of NGOs within the legal framework.

Donors and financing organisations

Donors play a crucial role in supporting the influence of CSOs by financing their policy advocacy campaigns and awareness-raising initiatives. To increase impact, donors need to implement monitoring and evaluation mechanisms to assess the results of decentralization initiatives. Prioritizing projects that enhance the capacity of local government bodies, training staff, and CSOs is key to improving financial management and service accessibility at the grassroots level.

In practice, while CSOs follow the funding provided, it is essential that both the donor organisations and the CSOs maintain equitable collaboration. Service-providing organisations often have more opportunities and are growing, but CSOs involved in policy influence and advocacy work face limited opportunities. Moreover, international organisations should ensure active participation of CSOs in project design and consider their involvement in the project requirements. While international projects often establish advisory boards, requiring the participation of CSOs in these bodies will lay the foundation for effective implementation.

Conclusion:

An overview of Mongolia's current practices reveals that both the government and civil society have made efforts to improve cooperation based on the principles of open and transparent governance. However, in reality, technical, structural, political, and digital barriers continue to prevent effective collaboration between the government and CSOs. Although government bodies consult CSOs for input during policy development processes and hold discussions on various issues, it is common for these proposals not to be included or reflected in the final decisions. This highlights the need for a more detailed study to assess what percentage of the submitted recommendations are incorporated into decision-making. On the other hand, it appears crucial for CSOs to collaborate more effectively with each other to strengthen their discussions and unify their voices. Several good practices in this regard were mentioned in the study. Improving cooperation among stakeholders will allow them to pool resources and experiences, which will enhance the effectiveness of decisions and help avoid duplication of efforts. In conclusion, fostering a successful relationship between the government and civil society will create opportunities for effective collaboration, ultimately driving significant progress in the well-being and further development of Mongolian society.

