Mongolia

Final Report on the project "Monitoring of the implementation of the Government's National Anti-Corruption Program (NACP) in Mongolia and the Role of the Open Society in Fighting Corruption"

(Project was funded by the Partnership for Transparency Fund)

Description of activities and objectives

1. Background of the problem

Corruption became reality in Mongolia and causes great damage to the development of the country, to democratic values and to reform process. In 1996, Mongolian parliament passed first in the history of the country anti-corruption law, but unfortunately the law is a manifesto - like and it has been never enforced properly and as a result corruption continues to flourish in the country.

Numerous nation-wide surveys conducted in the past undoubtedly showed that corruption exists within Mongolian government and business community. In this light, adoption of the National Anti-Corruption Program in 2002 was viewed as a very positive move in the area of tackling corruption. Though until this project is was not clear what was actually done and what impact it had to the society since it was approved.

That is why it was extremely important to point out the public and policy makers to what has been done and being implemented within the framework of the Program, and to make the process transparent. For that reason within the project nation-wide monitoring was conducted in order to evaluate different activities undertaken from the point when the Program was adopted.

Monitoring of the National Program was aimed to:

1. help to make the implementation process and results of the National Program open to the public.

2. reveal achievements and mistakes of the implementation work of the National Program.

3. to define evolution and tendencies of this phenomenon in the country through comparative analysis of outcomes of the monitoring with results of major studies of public perception about corruption in the past.

4. aid to better participation of citizens and NGOs to the fight against corruption.

Besides the public opinion poll in-depth research tools were used such as analysis of different documents, involvement of NGOs, experts and professionals.

2. Novelty of the project

- Several studies on corruption were undertaken in the past, including nation-wide public attitude survey conducted three times (1997, 1999, 2002). But with this project basically for the first time monitoring of the National Anti-corruption Program was carried out.

- Through fundamental studies of quantities and qualities of research documents our monitoring was aimed to evaluate in details different aspect of the National Program implementation.

3. Purpose of the project

Purpose of the project is was to conduct monitoring of the implementation of the National Anti-Corruption Program, to help to make the process open and to point out policy makers and civil society to the problem.

The main purpose was to create a criteria system and to develop and improve methodology of measuring corruption.

4. Results

- Monitoring of the implementation of the National Anti-Corruption Program was conducted and the final document issued with the report and recommendations for the future improvement of the Program.

- Monitoring project book "Oversight and evaluation of the Government Anti-Corruption program" was printed and distributed to the government, non-government and international organizations, business and research communities.

- In order to attract attention of policy makers to corruption issues a scientific conference "Implementation of the National Anti-corruption Program" was held on results of our study.

- Results of the project were publicized through media in form of series of newspaper articles and radio and TV programs.

5. Project activities

Project implementation started on October 15, 2003 and finished July 15. (Delays with original dates September 1, 2003 - April 30, 2004 were due to technical factors, such as bank transfer, government vacation, translation of project documents etc.)

Following activities were carried out:

1. Analysis of the work plan and activities of the National Ant-corruption Council.

2. Analysis of work plans and activities of Local Anti-Corruption Commissions (LAAC) at 9 government ministries and agencies that were considered as most vulnerable to corruption according to previous surveys.

3. Analysis of anti-corruption activities in 16 aimags and at the Ulaanbaatar City Citizen's Representative Council.

4. Analysis of evaluation of the implementation of the National Program obtained from NGOs and citizens who are currently active or can be potentially active in the fight against corruption.

5. Analysis of information, study papers and evaluation obtained from expert groups representing journalists, public servants, law enforcement agencies, courts and private sector.

6. In-depth analysis of official and unofficial documents and content-analysis of major media outlets.

7. Observation of operations of major flee market and some government agencies such as tax and customs authorities, the police. Interview citizens who are served by those.

8. Information of the public through the media 3-4 times about project activities.

9. Media campaign to advertise results of the project.

6. Project Methodology

1. At the present time, LACCs have been already established in all ministries and aimags, and their action plans developed. Information about activities of these subgroups are open to the public and easily accessible.

2. Every section of the National Anti-Corruption Action Plan (NACAP) was analyzed by using two types of documents. First, reports of LAACs and the second, the evaluation paper of our survey research outcome. We compared both evaluations and examined the

public opinion on implementation and results of NACAP. By conducting a survey we were able to observe respondents' evaluation of the implementation of NACAP in respective areas of their residence and employment, such as education, health care, police, courts and banks.

3. The principal strategy of the project was interviewing and gathering of opinions of those who experienced disadvantages of not offering bribes. As expected, these subjects a were willing to provide their opinion and other information.

4. Content analysis: content of mass media provided us with fairly good analysis material.

5. General public opinion survey was important tool for the evaluation.

Project Sustainability (Perspectiveness)

Current monitoring won't be one time action in anti-corruption, but it will be expanded in the future in every urban and rural area. Periodic surveys will help to evaluate the government's overall anti-corruption program through public opinion. Furthermore, by determining the public perception of corruption in government agencies, we will be able to define current problems of public access to anti-corruption efforts at different levels, including provinces. Related to this, in the future, projects similar to current one will include efforts to introduce to the public the monitoring process, increase participation of civil society and as well encourage public to monitor government activites. Among other things, this project was an initial step for development of effective mechanism to control corruption in Mongolia and advance open society further.

Conducting corruption surveys annually would greatly contribute to the process of building of open and transparent society by informing the public.

Reports to be made to PTF

Following document are submitted to PTF:

- Report on the activities undertaken throughout the project
- Financial report with the copies of all the receipts (if necessary)
- Book "Oversight and evaluation of the National Anti-Corruption Program"

Report on Monitoring activities

Monitoring involved 9 government ministries and 16 aimags (provinces).

Ministries:
1. Justice and Interior
2. Social Protection and Labor
3. Finance and Economics

4. External Affairs
5. Defense
6. Trade and Industry
7. Infrastructure
8. Food and Agriculture
9. Environment

Aimags:
1. Uvs
2. Ovorkhangai
3. Orkhon
4. Bayan-Ulgii
5. Sukhbaatar
6. Central
7. Khentii
8. Dornogobi
9. Gobi-Altai
10. Zavkhan
11. Hovsgol
12. Hovd
13. Arkhangai
14. Omno-Gobi
15. Darkhan-Uul
16. Bulgan

Document analysis

Document analysis was carried out on reports submitted to us per request of the "Zorig Foundation" from 9 ministries, 16 aimags and capital city Citizens Representative Council.

When analyzing documents of the Local Anti-Corruption Commissions (LACC) at the above ministries and aimags, we concentrated on the content and implementation of their activities plans. In addition we looked up composition of the LAACs, their membership, duties and responsibilities. LACCs compose of the chairman, secretary and members. Almost all members of the commission are government officials.

LACCs at the government ministries

Chairmen of the commission at the ministries are usually deputy ministers or state secretaries. Number of commission members 5-10.

Planned activities vary from ministries to ministries, but in general they could be classified as follows:
- Education of employees, development and publication of manuals
- Propose amendments to legislation
- Cooperation with NGOs

- Improve citizens complaint processing mechanisms
- Increase transparency of ministry and agency operations
- Develop and implement ethical codes for employees
- Filing of income declaration
- Surveys and research
- Removal of red tape
- Internal and external control and audit
- Provide access to information for media and citizens
- Stricken employment conditions
- Increase social benefits for employees

At all ministries duties and responsibilities of the chairman, secretary and members of the LACC within the activities plan are not defined. Time frames for particular activities are vague: for many activities only a year is given (i.e. 2003 or 2003-2004). At all ministries, but two, fulfillment of activities is not clear and the column is empty.

LACCs in the aimags

In aimags LACCs compose of chairman, secretary and members. Number of members 5-19. In almost all aimags chairmen of commission are heads of the Aimag Citizens Representative Councils (in one case the head is aimag prosecutor general, and in one aimag – head of the police). Majority of members are local government officials, but comparing to government ministries, there are more citizen and NGO representation.

Planned activities vary from aimags to aimags, but in general they could be classified as follows:
1. Survey of officials most vulnerable to corruption
2. Filing of income declaration
3. Education of employees, development and publication of manuals
4. Informing and educating public about corruption (brochures, posters etc.)
5. Cooperate with citizens and NGOs, receive against payment confidential information about corrupt conduct.
6. Survey and research of causes and forms of corruption, public perception
7. Publications and broadcast programs in the media
8. Removal of red tape
9. Transparency and openness of the government
10. Creation of information network on corruption
11. Analysis of citizens complains
12. Seminar for finance staff
13. Corruption hotline
14. Fight with tax evasion
15. Control over the use of foreign aid

Survey analysis

1. **Opinion poll on people's perception towards corruption** was conducted and compared with the first corruption poll of 1999. Main results are given in tables below (in-between, in framed paragraphs opinion of focus groups are given):

Table 1. In your opinion, what is the status of corruption in Mongolia?

	1999	2004
Wide spread	48.8	35.7
Spread	44.2	53.2
Not much spread, not spread	4.4	4.3
Don't know	2.6	6.8

Overwhelming majority of respondents (88.9%) said that corruption in Mongolia is wide spread. People's perception didn't change since 1999.

> "It is not true that corruption is more spread in cities and less in the country side. It is everywhere, at all levels …" Interview with the mixed group in Dornod. "Corruption net is everywhere. Anywhere you go to do business, you either seek somebody you know or you bribe …" Interview with vendors of the flee market Narantuul.

Table 2. Open ended question about what is corruption was answered as follows:

Thing that helps to speed up business	13.5%
Abuse of official position, bureaucracy	13.2%
Bad for the society, illegal activity	11.8%
Bribery	9.1%
Corruption is widespread in the society	8.8%
It simply exists	7.1%
It should not exist, should be fought against	4.9%
It occurred because of weak rule of law, and decline of the living standard	2.6%
Depends on morality	2.1%
Don't know	27.0%

From the Table 2. we see that some people perceive corruption simply as abuse of power and bureaucracy (13.2%). But there are people who accept corruption as it is (7.1%) and large number even see it as a positive thing (13.5%). The last number is alarming.

Focus groups revealed interesting stand points on corruption. Here is example of two aimags:

Hovd aimag	Dornod aimag
• "I think, it means to give money to somebody. To give things to bosses	• "Under corruption people understand back doors. This word is

	in order to get your business done"		more commonly used that corruption"

- "Illegal revenue, solicitation of benefits from others"

(From interview with mixed group)

- "It occurs when somebody receives a prize from others. When somebody receives payment in addition to the salary for doing an act that he or she is ordinarily required to do – it is corruption"
- "A form of distorting of law in some way"
- "Misuse of law in order to make yourself pricy"
- "It is related to human need that has no limits. Misuse of power"

(From interview with group consisting of teachers, bag (smallest administrative unit) governors, administrative workers)

- "To be considered corruption a large amount should be given, I guess"
- "Can't really tell what is corruption. Our people don't understand it clearly"
- "I understand corruption as back door, giving and taking of money"
- "Unlawful satisfaction of own needs using public power, such as putting somebody into hospital"
- "Government employees are taking side of their acquaintances or of people with money"

(From interview with mixed group)

Examples of not only two aimags shown above but everywhere, in aimags and cities reveal that understanding of corruption is nation-wide vague and non-systematic. Public perception of corruption is that it is something that involves giving and taking of money in exchange for doing business by people vested with discretionary power given by the government.

In the survey of most corrupt organizations (Table. 3), they are ranked as follows: courts (79.0%), customs (78.5-79.6%), prosecutors office (76.9%). Lowest ranked are Office of the President (42.6%), private business, education and health organizations (44.9-48.6%). This indicators are almost no different from 1999 surveys, when ratings were: customs (70.1%), banks (69.2%), courts (46.0%), Parliament (39.3%), tax office (39.0%). In 1999 again, least corrupt was named Office the President.

Table 3. Status of corruption at various organizations.

Organization	Heavy corrupt	Fairly corrupt	Not corrupt	Average index
Courts	79.0	18.9	2.1	1.23
Customs (airport)	78.5	19.0	2.5	1.24
Customs (border)	79.6	16.5	4.0	1.24
Prosecutors office	76.9	21.1	2.0	1.25

Police (traffic)	71.2	26.0	2.8	1.32
Police (regular)	70.6	26.0	3.4	1.33
Tax office	67.6	27.5	5.0	1.37
Land authorities	66.8	28.4	4.9	1.38
Local administration	63.6	33.0	3.4	1.40
Political parties	63.7	32.0	4.3	1.41
State property committee	59.1	35.8	5.1	1.46
Ministries and agencies	56.8	39.1	4.1	1.47
State hospitals	55.5	38.2	6.3	1.51
Parliament	56.4	35.7	7.9	1.51
State educational organizations	55.3	37.8	6.9	1.52
Government cabinet	55.8	34.7	9.5	1.54
Debt return office	53.7	37.7	8.6	1.55
Banks	54.8	31.5	13.7	1.59
Stock exchange	50.9	33.7	15.3	1.64
Private educational organizations	48.0	37.0	15.0	1.67
Business (production)	44.9	41.7	13.5	1.69
Business (service)	45.3	39.6	15.1	1.70
Private hospitals	48.6	33.0	18.5	1.70
Office of the President	42.6	37.5	19.9	1.77

Note: Average index: 1-heavy, 2-fairly, 3-none

Using factor-analysis following 5 groups were identified. First, government, political parties and local administration. Those are political and administrative institutions. Second, private business. Third, police and customs. Fourth, banks, finance, tax and land authorities. Last group consists of court, prosecutors office.

2. **Evaluation of causes of corruption** is an important issue since it helps to explain roots of corruption, but also useful tool for defining policies to combat corruption.

Table 4. Evaluation of causes of corruption

Cause	Strong	Fair	No influence	Average index
People worship money too much	74.5	19.9	5.6	1.31

Judiciary doesn't solve corruption cases fairly	74.2	20.1	5.8	1.32
Officials have power, but not held accountable for	73.8	17.0	9.2	1.35
Existing anti-corruption laws are not enforced	70.4	19.3	10.3	1.40
Existing anti-corruption laws are not efficient	68.0	23.6	8.4	1.40
Weak correlation between power and responsibility	63.7	26.8	9.5	1.46
Misappropriation of foreign aid	62.9	27.2	9.8	1.47
People are used to corruption	61.7	29.2	9.1	1.47
Law income of government employees	63.0	26.1	10.9	1.48
Transition to market economy	57.8	31.8	10.4	1.53
Privatization process in not fair	57.7	31.2	11.1	1.53
Overall decline of morality	53.6	31.6	14.8	1.61
Decline of living standard	51.8	28.5	19.7	1.68
Fell under influence of foreign countries	46.6	25.9	27.5	1.81
Derived from our traditions	29.1	17.4	53.5	2.24

Note: index 1-strong, 2-fair, 3-no influence

Public perception about causes of corruption almost didn't change since 1999. If we look at 1999 surveys main causes for corruption are: low responsibility (53.5%), privatization is not fair (49.9%), judiciary is not fair (40.6%), decline of morality (40.4%).

Factor-analysis revealed four groups of causes. First, decline of living standard. Second, absence of accountability and responsibility of officials. Third, weak enforcement and inefficiency of anti-corruption law. Fourth, introduction of market economy.

3. Evaluation of consequences of corruption

Social consequences of corruption are perceived by the people as negative and positive. Under negative consequences people named social instability (increase of crime, gap between rich and poor) and social injustice. Under positive aspects respondents named speeding up business, no losers and reducing of bureaucracy.

Table 5. Evaluation of consequences of corruption

Consequences	Yes	May be	No	Avearge index*
Soil for crime	76.3	19.2	4.5	1.28
Violation of human rights	77.0	17.8	5.2	1.28
Gap between rich and poor	77.7	16.2	6.2	1.29
Unfair privatization	73.2	23.0	3.8	1.31
Affects social justice	75.8	16.3	7.9	1.32
Speeds up business	71.7	20.7	7.5	1.36
Lost of trust of foreign investors	70.7	21.9	7.4	1.37
Heavy material damage to citizens	69.2	22.2	8.7	1.40
Damage to national security	62.5	34.4	3.1	1.41

Damage to government, justice	64.7	23.3	11.9	1.47
Material damage to organizations	52.1	33.5	14.4	1.62
No losers, everybody wins	35.4	24.6	39.9	2.04
Reduces bureaucracy	34.8	18.1	47.0	2.12

*Index: 1-yes, 2- may be, 3- no

"Corruption aids to poverty. Bank loan is an example. For poor people paying bribes in addition to loan interest is disastrous for business". "Corruption leads to the situation when business is done extra legally. For instance, at our organization two positions were granted to unqualified people who gave bribes, but not to those qualified. Legally there should be fair competition among best candidates for jobs. Now, best people and assigned jobs both suffer (from group interview in Hovd).

Occurrences of corruption: spreading and personal experience

Figures below show that corruption in Mongolia became common thing well organized at all levels of government.

Table 6. Evaluation of spreading of corruption

	Very common /1/	Common/2/	rare /3/	Not common at all /4/	Average index
Invite officials for meals and give small gifts	56.9	37.1	5.6	0.4	1.50
Officials provide jobs for relatives	58.7	33.3	6.7	1.3	1.51
Officials use their position for private gain	53.4	38.3	7.4	1.0	1.56
Give officials things of big value	29.9	45.9	23.1	1.1	1.95
Give officials big amount of money	32.1	37.0	29.2	1.8	2.01
Government officials engage with criminals	25.1	28.7	40.6	5.6	2.27

"Last year one of my brothers needed a surgical operation and we went to the hospital. Doctor there said that there are no beds vacant. Among relatives we collected 40,000 togros (about $40) and gave it to the doctor. Only after that my brother underwent the surgery. After the surgery we gave gifts to every surgeon and nurse since this was a custom.

Spreading of corruption can be measured by the degree of personal experience with corruption. Below is diagram survey:
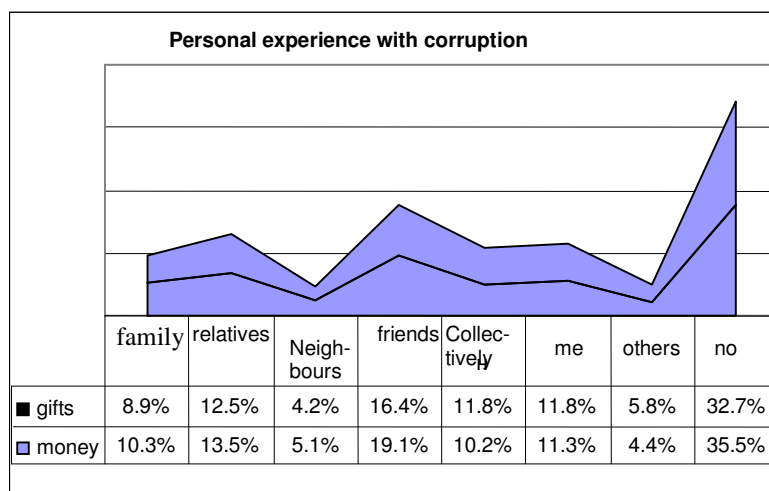
Personal experience with corruption

	family	relatives	Neigh-bours	friends	Collec-tively	me	others	no
■ gifts	8.9%	12.5%	4.2%	16.4%	11.8%	11.8%	5.8%	32.7%
■ money	10.3%	13.5%	5.1%	19.1%	10.2%	11.3%	4.4%	35.5%

Table 7. Personal experience with corruption

Professionals affected by corruption

	Small gifts	Expensive gifts	Large amounts of money	Other favors	*Total occurrences*
Teachers	321	52	60	48	*481*
Medical doctors	220	61	71	77	*429*
Policemen	112	61	118	65	*356*
Judges	78	68	106	66	*318*
Tax officer	93	48	79	66	*286*
Local governors	109	41	38	91	*279*
License officer	85	43	66	80	*274*
Sanitation officer	98	57	37	78	*270*
Military duty officer	81	46	52	82	*261*
Environment officer	77	51	47	73	*248*
Businessmen	79	33	57	78	*247*
Welfare officer	87	51	38	66	*242*
Project officer	81	38	48	74	*241*
Party officials	68	29	33	88	*218*
Journalists	68	19	26	102	*215*
Total occurances	*1657*		*876*	*1134*	*4365*

Does job position affect corruption?

yes
no
No response

8.6
19.1
72.4
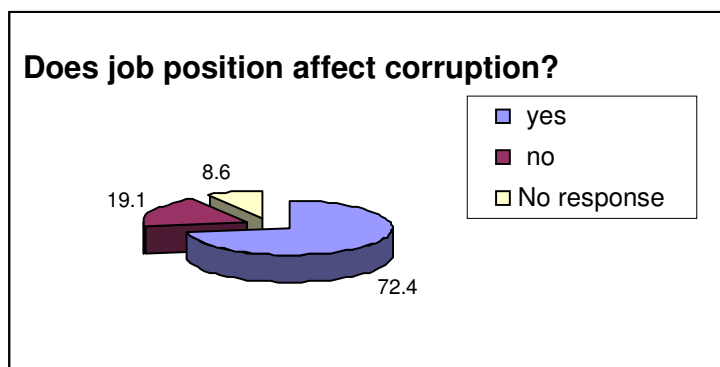
Table 8. Another survey helped us to determine organizations most vulnerable to corruption.

Ranking	Organization	Collated %
1	Courts and judiciary	34.6%
2	Police	23.8%
3	Customs	22.5%
4	Educational organizations	21.5%
5	Medical organizations	16.4%
6	Public administartion	8.2%
7	Tax office	7.6%
8	Parliament, political institutions	4.4%
9	Prosecutors office	3.7%
10	Bank	3.6%
11	Government	2.4%
12	Border police	1.6%
13	Land authority	1.3%

Types and forms of corruption

Using expert method we identified following 5 major types of corruption in Mongolia:

1. Political lobbyism. Most common type of corruption includes forms such as obtaining of special permit, issuing of Government decrees, bids, government contracts.
2. Business related. Includes forms such as obtaining of land permits, getting advantageous conditions in privatization bids, illegal loans, nepotism.
3. Crime. Bringing in and taking out of the country of large amounts of goods or heavy taxed items (cars, tobacco, alcohol) without tax.
4. Social status pursuit corruption. Forms: getting government scholarships, entering of schools without exams, avoiding military duty.
5. Election and political party related corruption. Buying candidate nominations for Parliamentary elections, buying government positions.

Chapter 3.
Evaluation by the public of the current status of fighting corruption

Solving rate of corruption cases and its evaluation by the public is an important indicator of the fight against corruption. Although official statistics show very low number of corruption cases in general, public is concerned about increase of corruption among government officials.

Main reason for low solving rate of corruption cases people see in interference by official authorities into investigation and court decisions.

Table 9. Reasons of insolvency of corruption cases (comparison of year 1999 and 2004)

/ collated % /

Reasons	1999	2004
Interference by authorities	64.7	73.8
Corruption is widespread and common	40.2	63.9
Judiciary doesn't pay attention	31.2	45.6
Corruption cases are committed in a well organized way	33.5	40.4
Legal environment is not complete	-	31.3
Money value is not set for information about corruption cases	12.1	20.0

Evaluation of organizations in fighting corruption

Looking at the evaluation by the public of organizations in fighting corruption we see that responses "insufficient" are more common than "sufficient".

Table 10. Evaluation of organizations in fighting corruption

Organization	Sufficient	Medium	Insufficient	Average index*
President's office	24.9	38.4	36.7	2.12
Media	24.4	37.9	37.7	2.13
Parliament	16.4	38.5	45.0	2.29
Executive	15.2	34.7	50.0	2.35
State Audit	11.7	39.1	49.2	2.38
NGO	12.8	33.7	53.5	2.41
General public	12.9	29.9	57.2	2.44
Police	7.6	30.6	61.8	2.54
Prosecutor's office	6.5	29.6	63.9	2.57
Courts	7.7	25.5	66.8	2.59

Index: 1-sufficient, 2-medium, 3-Insufficient

In the table above President's office received highest scores, but it is not because this office most efficiently fights corruption, it is because of overall high respect of this institution by the people. On the other hand, organizations that have obligation to fight corruption (courts, prosecutor's office, police) are evaluated as most insufficient. Except the media, civil society is also rated low, thus signaling that NGOs should be more active in the fight against corruption.

6. Evaluation of the legal environment for fighting corruption

Adoption of the Anti-corruption law of 1996 and approval of the NACP in 2000 were important documents in creation of the legal environment for fighting corruption. Nevertheless until present enforcement of the law and fulfillment of the program haven't brought positive changes in the area.

7. Public criticism of corruption agents

According to the existing Anti-corruption law "officials, citizens and legal subjects that provided or received illegal gifts, discounts or advantages shall be found guilty". Survey showed that this provision is positively perceived by the population

7. Publics perception about Anti-corruption body

1999 survey revealed that people support the idea of having anti-corruption body. In our 2004 survey we aimed to find out what type of anti-corruption body publics wants to have. Majority of respondents said that the body should be independent agency with special power.

When asked about functions of the anti-corruption body:

Functions of the anti-corruption body (collate answers %)

Mobilize public	59.2
Control over corrupt	54.4
Training and advertising	46.0
Mandatory requirements on organizations	40.0
Assist in fighting corruption	31.2
Inform related organizations	25.6
Cooperate with foreign NGOs	15.2

Other	2.5

8. Prospective view of the public about corruption

Table 9. What will be status of corruption in the next two years?
(By party affiliation %)

	MPRP	Opposition parties
Will increase	46.0	55.0
Stay the same	46.7	42.2
Will decrease	7.4	2.9
Total	100	100

When asked about main reasons why corruption will increase or stay the same in the next two years:

Table 11. Main reasons why corruption will increase or stay the same in the next two years

Common thing	179	25%
Laws are not enforced, no fight against corruption	147	20%
If poverty will remain	110	15%
Because there is tendency of increasing	63	9%
Business stalls	54	7%
Officials don't change	53	7%
Stereotype has rooted	39	5%
Not certain how the society will change	24	3%
Not enough training and advertising on anti-corruption	22	3%
Corruption is a main business tool	22	3%
Elections will remain corrupt	16	2%
	729	100%

Main conclusions and recommendations

1. Conclusions derived from analysis of documents and factual data.

- Although work plans were approved within the framework of the National Program, in the number of aimags and ministries they are not implemented fully or it is not clear what has bee done. For instance, in most ministries although the work plan is formally approved, it is not clear who (what official) is responsible for the implementation nor how the particular task should be achieved. In addition there are activities included with no relation to the National Program goals.

- Among activities carried out or planned in the capital city and aimags within the framework of the NACP there are some important initiatives worthwhile to mention. For example, provisions in the plans provide development of rules for acquiring (in some cases against the payment) of confidential information on corrupt activities. This types of provisions should be encouraged to be included in the next amendments of the NACP.

- Some important aspects of the NACP were monitored and where needed recommendations are given.

Setting up of Local Anti-Corruption Commissions (LACC) and their composition.

- NACP implementation work started steadily. Local Anti-corruption Commissions (LACC) were set up at all monitored government ministries, aimag and capital city administrations, and at the local self-governing bodies - councils (according to the reports received from 9 ministries and 16 aimags).

- Of special interest for the monitoring was the composition of the ACCs. For the 9 ministries there is very little citizen's representation in the ACCs. For instance, out of 71 members of the commissions only 2 are non-government and the remaining 69 are all government officials. In the aimags the situation is better, with 16 (or 7%) representatives from the civil society out of 226 members of the ACCs. It is recommended that citizen representation in the ACCs should be increased substantially.

Management, activities and implementation of the plans of LACCs.

- In all ministries and aimags (except Bayan-Olgii and Zavkhan) monitored, activities plans are in place. But almost all of them are lacking management. Main management failure is that particular activities are ill-defined or have no time frame. Also is not clear who (what official) is responsible for the implementation nor how the particular task should be achieved.

- Number of important issues are included in the activities plan and some of them are becoming regular, i.e. at all government ministries monitored income

declarations are filled regularly, lists of officials most vulnerable to corruption are developed. In addition awareness campaign organized through press conferences, training seminars and newsletters. Ulaanbaatar city Council of Citizen's Representatives conducted a survey on corruption that involved 500 respondents.

- Activities of the LACCs in aimags are broader and vary in form. They include among other distribution of manuals, informing public about corruption related legislation, organizing of anti-corruption contests, adoption of the code of ethics for government officials, setting up of telephone hot-lines to receive information about corrupt activities, creation of information centers. Local surveys on public opinion about corruption are becoming more common. To name, in the Orkhon aimag jointly with faculty of Sociology of the Mongolian National University, survey on corruption was conducted among 5,000 citizens. In Hovsgol 5,123 people of 530 families were visited to inform about NACP and get feed back. In Sukhbaatar aimag 4,480 people were briefed about the National Program.

- Ministries and aimags developed activities plans that reflect their specifics. But in general correlation between the NACP and activities plans of LACCs seems to be a problem. We divided activities into three categories: matching, related and unrelated. Among total of 108 activities of all ministries monitored 38,9% were matching, 59,2% were somewhat related and remaining 1,8% unrelated. Of 135 activities planned in aimags 62,2% were basically matching, 37,0% - related and 0,8% were unrelated.

- Fulfillment of the plan is the measure for its effectiveness. According to reports received from ministries and aimags, in the ministries 22,2% of planned activities are fulfilled, 4,6% not fulfilled at all, and majority - 73,2% are questionable. In aimags ratio of fulfilled activities is higher – 32,6%. Fulfillment is questionable for number of activities twice as much – 65,2%. Remaining 2,2% of activities are not fulfilled at all.

2. Conclusions derived from opinion surveys.

- Opinion surveys show that corruption in Mongolia is widespread and common. Respondents of the opinion poll said that corruption in the country is widespread. Those who participated in the focus group stressed that corruption is becoming everyday routine and standard relation between people. They say that without learning those standards it is very difficult to conduct everyday life and business.
- Public understanding of corruption is not uniform, contradictory. At the level of average thinking understanding of corruption, its forms and ……….. are very weak. General understanding of corruption is that this is a way of fixing things via bribing officials. It should be noted that also some positive attitude towards corruption exists. Responses that bribes help to foster an issue and

reduce red tape were among high percentage ones. This is an alarming tendency.

- During our survey, Government institutions that were named most corrupt in the past surveys (courts, police, prosecutors office, customs, tax office and land office), remained in their previous positions. Even worse, corruption is prospering more than ever in those institutions.

- Among causes of corruption most frequently named are following: low living standard of the population, low income (specially of the government officials), weak legal environment, discrepancy between official power and responsibility. In addition to above causes, during focus group discussions bureaucratic red tape was named as one of major reasons for corrupt conduct. Bureaucracy in the government offices became one of working styles and specifics for government officials.

- People stress many negative consequences of corruption, but also complain that there are no legal and judicial remedies (restoration of dignity, reimbursement for damage) for those who were affected by corruption. According to survey, corruption always violates human rights and threatens liberties. Also it leads to deterioration of social justice, rule of law and morality. At the same time corruption causes material damage to citizen and the country, adds to the increase of social inequality, to the gap between rich and poor, rockets poverty rate.

- Respondents say that rate of solving corruption cases are low in the country due to the fact that authorities and officials themselves are involved, and on the other hand they interfere with investigations. On the top of that giving and taking of bribes became common practice in the society.

- People's evaluation of the fight against corruption by governmental and non-governmental organizations is very low. This is a sign that society accepts corruption and ………. Another issue tested by the survey is the most effective organization to deal with corruption. Respondents see as the most suitable independent body with special powers, not the government, nor the NGO.

- People are critical about legal regulations on anti-corruption. In their view no improvements occurred in this area since 1999. One of reasons of such negative evaluation might be poor legal education of the public on the corruption.

- More that 80% of survey respondents said that corruption will remain at the current state or even worsen in the future.

Recommendations

1. Change the situation with pro forma fight against corruption and make it real endeavor. Raise public awareness towards corruption.
2. Increase transparency of government agencies.
3. Improve oversight of the work of government officials
4. Prevent judiciary and law enforcement agencies from engagement with criminal activities.

5. Improve efficiency of the public education about corruption, make information about corruption cases open to the public, set tariffs, rules and procedures for receiving and investigation information about corrupt activities.
6. Increase civil society representation in the LAACs.
7. Encourage cooperation between civil society organizations, research institutions and social workers on anti-corruption.
8. Amendments to the Anti-corruption law should be made on the basis of thorough research work.

#   #   #