

MEDIA FREEDOM REPORT 2019





MEDIA FREEDOM REPORT

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ABBREVIATIONS

GIC	Globe International Center
CRC	Communications Regulatory Commission
IAAC	Independent Authority against Corruption
LITRI	Law on Information Transparency and the Right to Information
MCM	Media Council of Mongolia
MNT	Mongolian tugrik
MOJHA	Ministry of Justice and Home Affairs
SGH	State Great Hural (the Parliament of Mongolia)
UNHRC	United Nations Human Rights Council
UPR	Universal Periodic Review

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FOREWORD

We are pleased to present to you our recurrent report on the state of media freedom in Mongolia to be prepared on the occasion of the World Press Freedom Day (WPFDD), which is celebrated annually on May 3. UNESCO is launching a global campaign for the 27th annual WPFDD under the theme "Journalism without Fear or Favour." This year's WPFDD coincides with the 75th anniversary of the United Nations.

Within the framework of the UNESCO Concept, the following three sub-themes will be discussed at global and national levels: a) Safety of Women and Men Journalists and Media Workers, b) Independent and Professional Journalism Free from Political and Commercial Influence, c) Gender Equality in All Aspect of the Media. Importantly, this year's focus on taking action to protect independent journalism is hinged upon the 2019 WPFDD theme that aimed to reinforce the media's contribution to elections and the battle against disinformation.

The World Press Freedom Conference dedicated to the WPFDD, which plays a key role to promote free, independent and pluralistic media, had been planned to hold in April 2020 in the Hague of the Netherlands. However, in light of the coronavirus outbreak, the conference has been rescheduled for 18 to 20 October, a few days before the International Day to End Impunity for Crimes against Journalists.

The 2020 WPFDD has two features. Firstly, the global efforts to fight against the novel coronavirus (COVID-19), a disease that shakes the world, have introduced new conditions, new challenges and new criteria. Mongolia's rapid response measures to address the COVID-19 set a good example to the world. Secondly, the WPFDD theme is timely for Mongolia as the elections for the State Great Hural (the Parliament) are scheduled to be held on 24 June 2020. The United Nations and international organisations have issued a number of policy documents and guidelines concerning the pandemic situation. Our organisation has issued a compilation on COVID-19 and media freedom based on the recommendations and responses of these organisations. You can refer to <https://www.gic.mn/post/r/1518> to read the full version in Mongolian. These documents have recommended that during a state of emergency, there should be no unnecessary restrictions on media freedom, and all information related to the crisis should be accessible and available to media and journalists. Moreover, government representatives and health experts should respect the media's right to criticism.

The State Great Hural has enacted the Law to prevent and combat the Coronavirus (COVID-19) pandemic on 29 April 2020, and under section 5.13.1 of the Law on Administrative Offences, in times of crisis, disaster, the outbreak of contagious diseases, catastrophe and other risks posed to society, an individual shall be fined an amount of 500,000 Mongolian tugriks (approx. US\$185) and a legal entity - 5 million MNT (approx. US\$1850) for misleading others and spreading disinformation.

Similar to the provision of defamation (Section 6.21) of the Law on Administrative Offences, the police have been provided with the power to determine whether an editorial content is «misleading» or «false», thereby violating freedom of expression and media freedom and posing a risk of creating censorship.

The 1984 Siracusa Principles, adopted by the United Nations Economic and Social Council, and UN Human Rights Committee general comments on derogations during a state of emergency and freedom of movement provide that any measures taken to safeguard the public that restricts human rights and freedoms must be lawful, necessary and proportionate. Legal changes concerning the coronavirus pandemic appear to be inconsistent with these principles. Therefore, concern about possible misuse or excessive use of these measures against the public has been increasing.

Since May 2019, major changes have taken place around media legal environment. The Law on Broadcasting has been introduced by SGH, and the Law on Telecommunications has been revised. Unfortunately, the independence of the Communication Regulatory Commission (CRC) is not yet guaranteed. The revised Criminal Code came into effect on 10 January 2020, and defamation provision of the Law on Administrative Offences became ineffective. Nonetheless, there have been no improvements in regulations related to defamation. Defamation is disinformation. Replacing a word with another word did not affect the meaning and nature, thus it can be considered as a political trick. The Criminal Code still contains a provision about the spread of obviously false information during elections in section 14.8.1 that criminalizes the distribution of obviously false information, causing damage to the honour and reputation of political parties, coalitions and candidates is punishable by a fine equal to 450 to 400 unities (one unity equals MNT1000) or 240 to 720 hours of forced labour or restrictions upon travel for one month to one year. It is possible to use this provision as strong legal censorship.

This report introduces the outcomes of the online survey on the professional rights of journalists carried out by our organisation involving 86 journalists. According to the questionnaire, a total of 274 violations of the professional rights of journalists have been registered.

As of the end of 2019, 485 media outlets were registered in Mongolia, and 501 media organisations employ 4749 people, out of which half are journalists and creative staff with 50% professional journalists, according to the Mongolian Press Institute survey.

On 3 November 2020, the UN Human Rights Council during its 36th Session will conduct a review of Mongolia's human rights situation under the Universal Periodic Review. In October 2019, we sent the NGO submission on freedom of expression developed jointly with journalists, journalism academics and media NGOs as a part of Mongolian Human Rights Forum's joint submission for the UN UPR. It is disappointing that eight recommendations on freedom of expression from the

previous submission have not been implemented. (The recent submission is attached to this report).

Mongolia presented its voluntary national review report at the High-Level Political Forum for Sustainable Development held in July 2019. SDGs target 16.10 calls to ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements. The report indicated that this target has not been properly achieved.

A working group to release a draft of the new Media Freedom Law has been established under the Justice and Home Affairs Minister order A/203 of 19 December 2018. The draft has not yet been finalized.

We hope that by November 2020, when the UN Human Rights Council reviews Mongolia's human rights status at the UPR, Mongolian Government will achieve remarkable results in implementing the UNHRC's recommendations

In recent years, politicians have often stated their views in favour of strict limitation on freedom of expression and media freedom, and restriction or blockage of social networking sites.

In 2019, Mongolia was ranked at the 73rd place out of 180 countries in the Reporters without Borders' World Press Freedom Index and remains a country having notable issues around press freedom.

NARANJARGAL KHASHKHUU,
HEAD OF GLOBE INTERNATIONAL CENTER

ONE. MEDIA LEGAL FRAMEWORK

1.1 GUARANTEES OF FREEDOM OF EXPRESSION

Mongolian Constitution and International law and standards

The Constitution of Mongolia, article 16 of the Chapter on Human Rights and Freedoms, stated that “The citizens of Mongolia shall be guaranteed the privilege to enjoy the following rights and freedoms:

16.16 Freedom of thought, opinion, expression, speech, press and peaceful assembly.

16.17 The right to seek and receive information except that which the state and its bodies are legally bound to protect as secret.

Even though, the article does not contain a certain right to “impart information”, it is considered that the right to “seek, receive and impart information of all kinds, regardless of frontiers”¹ in consistent with international standards is constitutionally secured.

Mongolia became a UN member state in 1961 and acknowledged the Universal Declaration of Human Rights (UDHR). In 1974, the country ratified the International Covenant on Civil and Political Rights (ICCPR) and in 2012 joined the Organisation for Security and Co-operation in Europe (OSCE). As such, Mongolia is legally bound to protect freedom of expression under international standards. In conformity with article 10 of the Constitution, international instruments are effective as domestic legislation. This is formally secured in section 10.3 of article 10 of the Constitution which declared that: “The international treaties to which Mongolia is a party become effective as domestic legislation upon the entry into force of the laws on their ratification or accession”. These international agreements were published in Turiin Medeelel (State Gazette) in 2004.

Articles 19 of both the UDHR and the ICCPR secure the right to freedom of opinion and expression. This right includes the freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

The Constitution of Mongolia article 16.7 declares that, “To protect human rights, dignity and reputation of individuals and to ensure national defence, security and public order, the information which is not subject to disclosure shall be classified and protected by the law”, thereby indicating legitimate aim to justify restrictions of the right to freedom of opinion and expression. Section 1.4.4 of article 1.4 of

¹ ICCPR, Article 19.2

the Criminal Code of Mongolia stated that, “No one may be subjected to a criminal penalty for his/her opinion and beliefs.” Opinions and beliefs without means to express them make freedom of expression impossible to be fully realized.

Limitations to the right to freedom of opinion and expression can only be justified on the grounds of the constitutional concepts and international standards, and if they pass the “three-part test” of legality, legitimacy and proportionality. Although limitations beyond these grounds are not permitted, there are still some undue restrictions applied in practice that lead to violations of human rights and fundamental freedoms.

The UN Human Rights Committee adopted general comment 34 on the right to freedom of opinion and expression (Article 19) at its 102nd session, on 11-29 July 2011 in Geneva. There is a need to officially translate this document into Mongolian language and to promote and apply it in practice.

1.2 MEDIA FREEDOM AND PROFESSIONAL JOURNALISTIC ACTIVITIES

The 1998 Media Freedom Law articles 2, 3 and 4 prohibited the Government to pass any laws restricting media freedom, to own its mass media and to censor the content of public information. This Law is the fundamental regulation guaranteeing media freedom. While article 2 of the Law prohibited the Parliament to pass any laws restricting media freedom, article 3 provided that, “The Government shall not censor the content of public information. Media organisations shall take responsibility for their publications and programs.” Article 4 of the Law prohibited the Government to own mass media. The Law is considered as the fundamental regulation that secures media freedom in Mongolia.

The Supreme Court of Mongolia interpreted the definition of “media outlets” as “information dissemination tools are referred to television, radio and telecommunications networks, computer networks, specific soft wares, print media and other tools” in the Law on Advertisement, section 3.1.5 of article 3.

On 27 January 2005, SGH introduced the Law on Public Radio and Television, establishing legal grounds for public broadcasting, which operates under the public oversight and funding at the national level. Since then no legal regulation has been introduced in the media sector to address issues, including the protection of whistleblowers and confidential sources of journalism, fair competition and transparency in ownership. However, the Law on Broadcasting was enacted by SGH on 12 December 2019. A ruling Mongolian People’s Party in its 2020 election

platform, section 4.4.2 promises to ensure legal protection of media freedom and to avoid policy restrictions on media. Although several drafts of new Media Freedom Law have been developed, SGH is yet to discuss the final version or adopt it. Lately, a working group to release a draft of the renewed Media Freedom Law has been established by the Justice and Home Affairs Minister order A/203 of 19 December 2018. Nevertheless, the draft has not yet been formally uploaded on MOJHA website to receive public opinions.

The National Security Concept stated that “the State, citizens and mass media shall jointly implement a policy to shape social psychology by which citizens will be proud of their country, nationality, national accomplishments and progress and respect national interests, ethics, law and statehood” (3.3.3.2). Furthermore, the concept stated to enhance the autonomous and independent status of the media, to improve responsibility, professional competence and ethical conduct norms of media personnel, and to maintain social stability (3.3.4.3).

Confidential sources of journalists

Mongolia has no legislation protecting the confidentiality of sources for non-public media personnel. The 2005 Law on Public Radio and Television secures the protection for non-disclosure of sources and information only for journalists from the Mongolian National Broadcaster (section 34.2).

Journalists have the ethical duty to protect the confidentiality of their sources in line with standards set out in the Mongolian Media Ethics Principles endorsed by the Ethics Committees of the Media Council of Mongolia on 14 April 2015.

Besides, it is noteworthy to highlight that the Action Plan for the implementation of the National Anti-Corruption Strategy of 2016 has been approved by the Government Decree no 114 of 2017. Section 4.1.8 of the Action Plan includes certain actions to ensure media independence and the safety of journalists. In particular:

- to guarantee the rights of media organisations to access and disseminate information (section 4.1.8.1);
- to establish a legal framework for protecting journalists specialized in investigative journalism on corruption cases from being pressured in any way, to change the mechanism in which journalists are charged with crimes due to their professional performances, and to create a mechanism to protect journalists in general (section 4.1.8.2);
- to establish a legal framework to protect the independence and freedom of the media (section 4.1.8.3).

With regard to the approval of detailed plan of action for the implementation of above-mentioned actions, a working group to release a draft on the Law on Protection of Public Interest Whistleblowers has been established under the Independent Authority against Corruption in 2019, to establish a legal framework for protecting confidential sources of journalists and whistleblowers.

1.3 FREEDOM OF INFORMATION AND RESTRICTIONS

The Public Radio and Television Law of 2005 protects the rights of media professionals of the Mongolian National Public Radio and Television (MNB) by section 34.1, providing that, "Personnel of the Public Radio and Television shall have the right to obtain information except other information related to secrecy of state, organisation and privacy, and make it generally available." With the adoption of the Law on Information Transparency and the Right to Information (LITRI) in 2011 by the Parliament, not only citizens but also media and journalists are entitled with the right to information.

According to LITRI article 6, public bodies are obliged to disclose information regarding their activities, budget, finance, procurement and services, carried out by state and local funding. Any citizen and/or legal entity retains the right to request information in any means desired, and officials are legally obliged to respond to access to information requests within seven business days at maximum, and if required, this period can be extended by another seven business days. If the requested information is available, citizens and legal entities shall be given immediate access. Moreover, there exist regulations on the implementation and monitoring of the law by taking notes to monitor law implementation (article 23) and to make these notes as assessment indicators of outcome agreement (article 24).

The types of exemptions specified under article 18 of LITRI are very broad and include: (1) if there are well-grounded reasons that public release of the concerned information might be detrimental to the national security and the public interest of Mongolia (18.1.1), (2) if the concerned information is related to matters under review by the Mongol Bank, the Financial Regulatory Commission, or by the state administrative organisations in charge of the competition or specialized inspection (18.1.2), (3) if it is necessary to protect state secrets, organisations and/or individuals during the process of inquiry, investigation and prosecution (18.1.3). The Law also protects intellectual property (article 19), personal secrets (article 20) and secrets of any organisation or business entity (article 21). It is prohibited to disclose intellectual property-related information without the owner's permission (19.1). Article 17 of the Law sets forth a complaint mechanism for citizens and legal entities whose rights are violated. They can lodge a complaint to higher-level officials or higher-level organisations as well as to the National Human Rights Commission and the Administrative Court.

The Government, in conformity with LITRI, approved the following two procedures: "Regulation on charges, exemption and reduced charges for information services" in January 2013 and "General regulation to ensure information transparency" in December 2013.

With the introduction of the Law on Glass Account in 2015, LITRI article 9

titled “Transparency of budget and finance” and article 10 titled “Transparency on procurement, purchase of goods and service by state and local budget” were repealed. Other regulations regarding budget, finance and procurement not regulated by the Law on Glass Account remain effective.

The Law on the Regulation of Public and Private Interests and the Prevention of Conflict of Interests in Public Service obliges public officials to provide the declaration of interests. Under the Law on Combating Corruption, they have also obligation to declare both personal and family assets, income and loans. As such, these types of information are accessible to all. The principles of transparency and openness in accordance with LITRI have been reflected in the laws, such as the Law on Combating Money Laundering and Terrorism Financing of 2018, the Law on State Registration, the Law on State Registration of Property Rights, and the Law on the Prevention of Criminal Offences of 2019. Furthermore, in the framework of transparency and openness obligations, provisions on the mandatory presence of the media and information distribution through the media have been introduced.

State Secrecy and Information Transparency

In 2019, Globe International Center has implemented a project titled “Promoting the right to information through the standards of international law” with support of the Asia Foundation. Within the project, an analysis of the legislation restricting the right to information has been undertaken.

On 1 December 2016, State Great Hural passed the Law on the State and Official Secrets. In this regard, the Law on the List of State Secrets has been abolished from 1 September 2017, and official secrets of public bodies are being regulated by the new law. The new law reduces the protection of crucial classified information for a period of 60 years to 30 years.

However, some provisions in the new law draw attention. Article 5, for instance, specifies a precise definition of official secrets. Section 5.1.2 provides that, “Official secrets mean information that is harmful to the interests of the sector, public organisations and other entities in the case of disclosure and loss and that shall be under the state protection.” The law goes beyond the public interest and contradicts the concept and principles of LITRI.

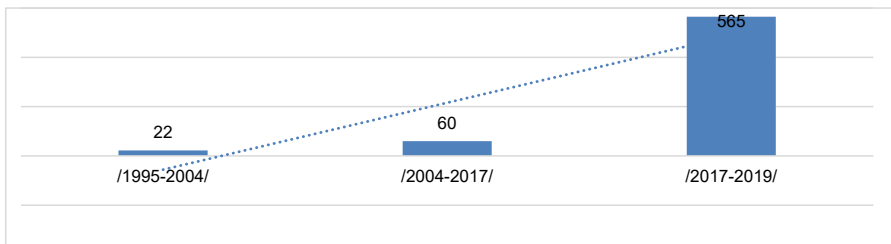
The scope of classified information in the new law is still broad, including the state policy, economy, science and technology, defence, intelligence, counter-intelligence, law enforcement and information security. Moreover, section 10.1.5 of the law granted the Government with the power to determine the information secrecy, to transfer, disclose and categorize classified information, and change and prolong the protection periods of classified information. This contravenes constitutional provisions on the legal protection of state secrets and organisational privacy.

According to the Law on the State and Official Secrets, classified information shall be approved by the Government. Consequently, the number of classified information has been sharply increased from 60 to 565. In addition, the approval of the list of official secrets by heads of public organisations suggests that the above-mentioned number of classified information is not limited.

The renewed Criminal Code in section 19.11 criminalizes illegal obtainment of classified information, thereby threatening to the public's right to information. Undeveloped procedures on the amendment and renewal of the list of state and official secrets create an additional risk of launching criminal prosecution against citizens and journalists and disclosing the confidentiality of sources of journalists under the new Criminal Code. In 2019, our organisation has registered a criminal case launched against a journalist for the illegal obtainment of classified information.

The approval of the Procedure to Create and Use of State Electronic Database by the Government, following LITRI in June 2017, is projected to advance the delivery of state information without any delay and burden. More specifically, under the procedure, the General Intelligence Agency shall issue the list of classified information for the public electronic information exchange system. Furthermore, the National Data Center shall develop a public service portal to provide information on the types and descriptions of electronic services delivered for citizens and organisations.

Figure 1. An increase in the amount of classified information from 1995 to 2019



Full report can be found at:

https://www.gic.mn/public/docs/publications/public_Restrictions_right_to_information_acts_pdf_2019.pdf

1.4 MEDIA AND ELECTIONS

The Election Law enacted on 25 December 2015 is still valid. Nevertheless, the State Great Hural enacted Parliamentary Elections Law on 20 December 2019 and the Law on the Elections of Aimag, Capital City, Soum and District Citizens' Representatives (Local Elections Law) on 30 January 2020. The Law on Presidential Elections has been submitted for review at 2020 Parliamentary sessions.

The Parliamentary Elections Law contains new regulations, such as the prohibition of any person who found guilty of the criminal offence of corruption or official misconduct by the court to be nominated for elections (section 29.8), and the invalidation of a ballot paper in the event if a voter marked more or fewer candidates than the number of mandates allocated for the constituency (section 72.1). Sections concerning election platform and election campaign of the Parliamentary Elections and the Local Elections Laws regulate election platforms of political parties, coalitions and independent candidates, an analysis of election platforms, publication and promotion using a press, radio, television and digital media. The section concerning election campaign covers new provision on publishing on daily or other newspapers or journals. The section provides that users' comments shall be closed for a digital media campaign (article 47.3).

While Media Freedom Law section 3.1 provided that, "Media organisations should bear the responsibility for the information published and broadcasted by them, the Parliamentary Elections Law placed such responsibility on both media organisations and media workers (section 46.19), which contradicts the above provision. Moreover, despite the prohibition of state censorship on the media by Media Freedom Law, a special license of those media outlets that violate the Elections Law shall be suspended by the Communications Regulatory Commission. There still exists government censorship through involvement and control of the Authority for the Fair Competition and Customers Protection and the CRC both of which are governmental agencies.

The Elections Law section 46.12 ensured the equal allocation time for each party, coalition and candidate over the public radio and television. However, the 2020 Parliamentary Election will suspect the significant rise in the number of independent candidates than the previous election, with 208 persons nominated their candidacy, thereby making it difficult to properly implement this provision.

With regard to the enactment of the election laws, the Central Election Commission have introduced several procedures. More specifically, the procedure on the broadcasting of election campaign program on radio and television and oversight mechanism, and the procedure on using the internet for election campaigning and oversight mechanism have been adopted, undergone an impact assessment by MOJHA and registered in the state registration.

1.5 LAWS REGULATING DEFAMATION

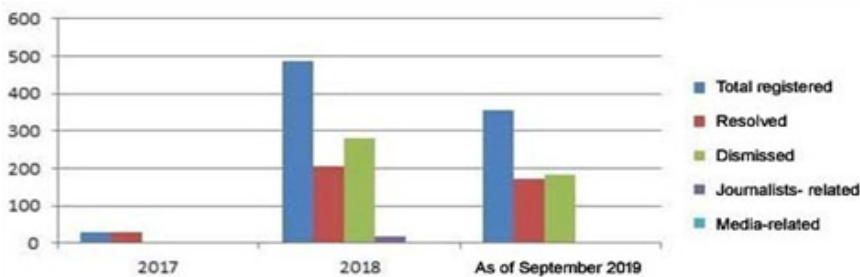
In Mongolia, both the Civil and Criminal Codes protect individual honour.

A. Regulations under Administrative Offences Law

With the inclusion of defamation provision in the Criminal Code by SGH, the renewed Administrative Offences Law of 11 May 2017, which came into effect on 1 July 2017 repealed defamation provision (section 6.21). The provision on imparting or disclosing false information has been invalidated from 10 January 2020.

The Ministry of Justice and Home Affairs held a discussion on the independent journalism and legal reform on 18 October 2019 during which it reported that since the Law on Administrative Offences came into effect, 28 cases in 2017, 486 in 2018 and 355 as of September 2019 were registered under the law.

Figure 2. Fines imposed under section 6.21 of the Law on Administrative Offences



Among these cases, four journalists in 2017, 17 journalists and one media outlet in 2018, and four journalists and one media outlet as of September 2019 were imposed fines under the law.

However, the below statistics provided by the Division of Information, Analysis and Prompt Administration of the National Police Agency to our organisation on 22 April 2020 are incompatible with MOJHA data.

No	Year	Total cases	Cases related to journalists
1	By January 10, 2020	4	-
2	2019	122	15
3	2018	111	16
4	July 1 – December 31, 2017	27	1

B. Regulations under the Criminal Code

The revised Criminal Code, which came into effect from 1 July 2017, repealed provisions on defamation and insult, making progress towards the promotion and protection of freedom of expression and press freedom. Nonetheless, as per amendments made to the Criminal Code on 10 January 2020, spreading false information has been considered as a criminal offence.

The Criminal Code article 13, section 13.14 provided that, "The spread of obviously false information, causing damage to others' honour, dignity or business reputation of legal entities, shall be punishable by a fine equal to 450 to 1300 unities (a unity equals MNT1000), 240 to 720 hours of forced labour or restrictions upon travel for a period of one to three months.

Journalists and media outlets are advised to pay attention to the provision to be implemented during the 2020 parliamentary election, which is reflected in the Criminal Code. Specifically, section 14.8 provided that spreading of obviously false information during election campaign shall be punishable by a fine equal to 450 to 5400 unities, 240 to 720 hours of forced labour or restrictions upon travel for a period of up to one year. As the law came into force on 1 July 2017, which is the date after the 2016 parliamentary and 2017 presidential elections, there were no fines imposed under this provision.

C. Regulations under the Civil Code

The Civil Code article 497 provided that, "A legal person who caused damage to others' rights, life, health, dignity, business reputation or property deliberately or due to negligent action/inaction shall compensate for that damage". Moreover, article 511 of the Civil Code stated that, "If a party responsible for distributing information damaging others' honour, dignity and business reputation fails to prove that it is true shall be liable to compensate the non-material damage in monetary or other forms separately from the material damage".

Concern rises over these civil defamation provisions as they allow public bodies to bring defamation legal action. Another concern is that the Civil Code places the onus on a person who disseminated an allegedly defamatory statement to prove that the information is "accurate" or "truthful."

1.6 CONTENT RESTRICTIONS

Several existing laws in Mongolia contain content restrictions, including the Law on Child Rights; the Law on the Prevention from Crime; the Law to Control Circulation of Narcotic Drugs and Psychotropic Substances; the Law on Combating Pornography and Prostitution Act; the Law on Anti-Alcoholism; the Law on Combating Trafficking in Persons; and the Law on Copyright and Related Rights. It should be recognized that these restrictions are imposed to safeguard the public interest. However, concern rises over the possibility of these provisions to create a condition in which such restrictions may be overused, since the terminology and scope are not clearly defined. This may also cause harm to journalists.

Enacted on 5 February 2016, the Law on Child Protection article 8 on child protection in the media and online space protects children from online games, news, information, advertisements, and online networks that could negatively affect child development, health and upbringing. Instructions on child protection shall be open to the public and permanent control shall be taken over. The regulation passes the principles of legality and necessity to maintain public order as outlined in article 19 of ICCPR.

Some law provisions place statutory obligations to distribute the state information. They can be classified into obligations and restrictions upon distribution and content.

Content restrictions

Several laws in Mongolia restrict the content of publications and broadcasting. In most cases, the purpose of such laws is to safeguard a legitimate aim. Article 20 of ICCPR declared, "Any propaganda for war and any advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law. Nonetheless, due to the overly broad or insufficiently clear definition of law provisions, there is a risk of misusing them. Provisions on combating pornography have been reflected in numerous laws. For example:

- "Advertising pornography" means making explicitly to depict, broadcast or display the act of sexual intercourse or human genitals with the intention to incite sexual desire by publication, books, films, audio and video prints and/ or by any other forms (the Law on Combating Pornography and Prostitution Act, section 3.1.1);
- It shall be prohibited to intentionally display, offer, and promote publications, books, images, films, videos or other items advertising pornography to children, to force pornography on children or offer prostitution act or sexual intercourse to children (Criminal Code, section 16.8).
- It shall be prohibited to produce, sell, transmit or possess publications,

books, images, films, videos or other items that involve children to advertise pornography (Criminal Code, section 16.9).

- It shall be prohibited to promote war, violent conflict, violence and pornography and to undertake cultural activities that are harmful to Mongolia's independence, national security and culture (the Law on Culture, section 19.3).
- It shall be prohibited to advertise pornography through press and broadcast media (the Law on Combating Pornography and Prostitution Act, section 5.1);
- It shall be prohibited to promote incitement to violence, assassination and pornography, to display detailed methods of a criminal act, to showcase detailed methods of committing criminal offences, concealing imprints of crimes, to promote criminal offences as a way to increase profits, and to publish or broadcast any information inciting to criminal offences (the Law on the Prevention of Criminal Offences, section 32.6).

Obligations upon distribution

- Radio, television and other news outlets shall give a warning forecast freely to the public with the use of special sounds and visual signals within 15 minutes of receiving it (the Law on Hydrology, Meteorology, and Environmental Monitoring, section 15.2).
- Media outlets shall inform on the start and the end of the war (the Law on Disaster Protection, section 10.5).
- During a state of emergency, communications and media organisations shall disseminate news and information about disaster without any delay (the Law on Disaster Prevention, section 10.5).
- In case of the need to disseminate breaking news to the public, media and communication tools shall be used regardless of their ownership (the Law on Police Service, section 59.1.2).
- Programs promoting youth development shall be reflected on the content of publications and programs of media organisations (the Law on the Promotion of Youth Development, section 8.1.5).
- Media outlets shall promote national traditions, culture, best practices, and legislation regarding waste disposal (the Law on Waste, section 42.2.3).

It is unnecessary to impose obligations on media organisations to disseminate certain type of news and information, and in some instances, such acts could be misused. Although such obligations are imposed rarely in other countries, the media adequately report public interest news. Professional media organisations are aware that they should report such kind of public interest news; therefore, such kind of obligations shall not be imposed on media. Instead, media independence and pluralism shall be promoted and supported. As mentioned above, such positive duties could be abused by authorities. Specifically, the independent media might be pressured or shut off on the basis of not implementing such uncertain provisions. On the other hand, public bodies may abuse their right to disseminate information.

The Committee of Ministers of the Council of Europe is cautious about imposing state-related news on the news schedule of public service broadcasting organisations. The Committee recommended that the cases in which such organisations might be “compelled to broadcast official messages, declarations or communications, or to report on the acts or decisions of public authorities, or to grant airtime to such authorities, should be confined to exceptional circumstances expressly laid down in laws or regulations.”²

Media organisations’ editors-in-chief should schedule the type of news for public dissemination, and it is therefore not necessary to impose such legal obligations on media.³

The state does not impose unjustified legal restrictions on media operation. In Mongolia, there are no major obstacles to exercising the journalism profession. Parliamentary reporters and reporters covering court trials are required to hold permits in the form of official cards. According to the revised procedure for media workers to cover elections, approved by the General Election Commission decree no 22 of 2013, the Commission shall issue cards to reporters covering the election. These cards are valid with their work ID cards.

The Law on State of Emergency of 1995 entitled the Government with the power to take control over public broadcaster or suspend its operation until a state of emergency is terminated. This is one example of generating possible risks of media censorship by the state.

Amendments to the Law on Culture article 19 regarding restrictions on operation run by public and other organisations and citizens in the frame of culture were passed on 12 February 2015. Even though the main context of this regulation is associated with the state policy to promote national content, it could facilitate censorship of media and exert pressure. There is an increased risk of misuse or overuse of above-mentioned provisions by the state, which could be implemented based on decisions taken by state inspectors, without any public participation or oversight.

² Recommendation No. R (96) 10 of the Committee of Ministers to member states on the guarantee of the independence of public service broadcasting

³ Article 19. Mongolia in Transition. An Analysis of Mongolian Laws Affecting Freedom of Expression and Information, 2002.

1.7 OTHER REGULATIONS

Media Ownership and Concentration

National Security Concept of Mongolia of 2010 newly incorporated a provision on the transparency of ownership and affiliation of media outlets. Enacted on 12 December 2019, section 19.1 of the Law on Broadcasting provided that, “The ownership shall be transparent to ensure the independent, open and ethical broadcasting.” Furthermore, article 30, section 30.1.2 obligated CRC to disclose information on ownership of broadcast service providers to the public and take preventive measures against over concentration.

All media outlets are required to get registered mandatorily in Mongolia. They must submit their formal requests for registration within ten days after their establishment. Such registration is compatible with the Law on State Registration, the Law on Registration of Legal Entities, Civil Code and other relevant laws and rules. Although media ownership has two basic forms, profit-making and non-profit-making, ownership diversity is not clearly indicated by the laws. There are currently no legal or regulatory frameworks to support community media. The prohibition by the Law on Broadcasting of religious institutions to possess broadcasting service license may restrict community media operation. Broadcasting stations can only be registered after their license is granted, in accordance with the Law on Licenses of Business Activities (section 15.16.1). With the enactment of the Law on Broadcasting, the previous licensing requirement on getting permission from local governors before obtaining a license is invalidated.

The legalization of ownership and concentration of broadcast service providers under the Law on Broadcasting is significant progress as these issues were previously regulated by procedures. According to the law, CRC is obligated to disclose information on ownership of broadcast service providers to the public and take measures to prevent from over-concentration of ownership. Moreover, section 5.4.3 prohibits to overlap licenses of terrestrial radio and television transmission service, and multi-channel distribution service license with radio and television service license, thereby ensuring separate ownership.

The Action Plan of the Government of Mongolia for 2012-2016 approved by SGH resolution no 45 of 2016 ensured policy to improve “the legal environment for securing media freedom and guarantee the citizen’s rights to free expression of opinion, speech, publication, seek and receive information” (Section 5.3.8). Most media ownership and affiliation licenses have been registered under different from owners’ names. It becomes difficult to identify ownership concentration realistically, as actual owners are not transparent, and information on sales and customers’ rate in the market remains closed.

The Law on Investment enacted in 2013 regulates investment by a foreign government-owned legal entity that deals with business in the media, information and communication sector, stating that such legal entities hold 33 per cent or more percentage of total shares issued by legal entities of Mongolia shall get permission (section 21.1.3). Although state ownership is prohibited under the Media Freedom Law, in recent years numerous media outlets, including TV stations and newspapers are established under local governments to promote their activities and policies in violation of the law. All state-owned media outlets operate mainly to promote the policy of such state agencies. Non-transparent media ownership and media concentration encourage editorial censorship, which in turn can lead to violation of media freedom, suppression of pluralism and the decline in the quality of journalism.

The media market is not well established in the country. Instead of running a fair competition for advertising revenue, it is claimed that media organisations often serve business and political interests.

License

An independent law on broadcasting has been enacted in 2019. The Law will come into effect from 1 July 2020.

To conform to international standards, a competent regulatory system for the media sector shall be independent on the government and shall regulate a frequency spectrum. However, CRC still remains dependent on the government.

Under Article 8 of the Law on Telecommunications, the Communications Regulatory Committee was established in 1995. The Law on Radio Waves article 4 provided that the radio waves created by wave generator in the territory of Mongolia and those included in the national radio wave distribution table are state property and that the government reserves the sole right to allocate radio frequencies. CRC is a government implementing agency and its chairperson and six members, all of whom are nominated by the Prime Minister. This puts in doubt CRC's complete independence.

The above legal statement restricts the opportunities of allocation and regulation of frequencies of waves in an independent manner and under the public oversight.

The Internet

There is no state regulation to restrict internet users in Mongolia to access any domestic and foreign websites and to join social media.

The Law on Broadcasting defined content as electronic forms of all kinds of information containing a word, sound, sign, signal, text, image, graphic and animation that transmit via the communications network. However, electronic mail, bulk and spam mails, individual communications, such as telephone conversation, fax, IP telephone conversation shall not be considered as content.

The resolution no 1 on “The Unified System of Comments for Websites” approved by the Government of Mongolia 2013 obligates CRC to develop a regulatory procedure on requirements for news websites and issue domain names. The National Data Center shall ensure the technical reliability of the Unified System and the General Authority for State Registration shall register information of users posting comments for websites, based on their civil data and the database of mobile phone users. This resolution, which restricts the right to online anonymity, is still in effect. However, according to a public official, it is not implemented in practice.

The Joint Declaration adopted by the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media and the Organisation of American States Special Rapporteur on Freedom of Expression on 21 December 2005 provided that, “No one should be required to register with or obtain permission from any public body to operate an Internet service provider, website, blog or other online information dissemination system, including Internet broadcasting. This does not apply to registration with a domain name authority for purely technical reasons or rules of general application which apply without distinction to any kind of commercial operation.” However, CRC has been imposing restrictions through rules and procedures. Section 3.4 of the General Condition and Requirement for Regulation on Digital Content Service provides that “News and information website service providers operating in Mongolia are required to get registered with CRC.”

According to the procedure, website service providers that allow user-generated content and comments shall comply with the following requirements:

- To mandatory use word-filtering software operated by CRC;
- To place users’ IP addresses publicly visible on top of the user-generated content;
- To provide that customers login with a username and email address to post comments;
- To store login data related with comments for a period of at least 6 months.

For failure to abide by the above requirements, website service providers shall be restricted their access from Mongolia.

Based on official notice of relevant legal authorities regarding breach of law by website service providers, CRC shall notify those concerned to redress the violation within 24 hours after the receipt of the notice and respond back. Based upon official notice of legal authorities to restrict access to certain websites, CRC has the power to do so immediately without prior notice.

Depending on the type of violation, CRC shall impose economic liabilities specified in the special license agreement or take necessary measures, such as issuing a notice of assignment or demanding with a deadline about redress measures; informing relevant control authorities for an administrative penalty; sending a reminder of suspension or cancellation of special license; and suspending a special license or invalidating it.

Amendments made by SGH to the Law on Telecommunications on 30 May 2019 obligated mobile operators to register users' personal ID numbers.

In light with the World Press Freedom Day 2016, UNESCO urged states to protect from online media censorship and surveillance overreach.⁴

International organisations and special mandate holders have also noted an increased need to safeguard the right to seek, receive, and impart information online by protecting internet censorship and surveillance overreach. Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression of 2015 underlined that, "Journalists, researchers, lawyers and civil society rely on encryption and anonymity to shield themselves (and their sources, clients and partners) from surveillance and harassment."⁵

⁴ Concept Note: Access to Information and Fundamental Freedoms This Is Your Right! World Press Freedom Day, 3 May 2016, http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/WPFD/WPFD2016_Concept-Note.pdf

Agenda, World Press Freedom Day in Helsinki on May 3rd 2016, Plenary 1: Protecting your rights: Surveillance Overreach, Data Protection, and Online Censorship. p.9 http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/WPFD/Agenda_WPFD2016_Full_Online.pdf Protecting Press Freedom from censorship and Surveillance Overreach.

World Press Freedom Day-3 May. 2016.04.22 <https://www.facebook.com/notes/world-press-freedom-day-3-may/protecting-press-freedom-from-censorship-and-surveillance-overreach/1005552352813635>

⁵ 2015 Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression A/HRC/29/32, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/095/85/PDF/G1509585.pdf?OpenElement>.

In 2013, the UN General Assembly adopted a resolution on the right to privacy in the digital age, in which urged the Member States “to respect and protect the right to privacy in digital communication; to review their procedures, practices and legislation related to communications surveillance, interception and collection of personal data; and to ensure the full and effective implementation of their obligations under international human rights law.”⁶

The increasing number of measures taken by the government and intermediaries to regulate internet content through blocking of websites and communication tools is non-compliant with international human rights standards prescribed in articles 17 and 19 of ICCPR.

Specifically, this is connected with the problem that intermediaries are legally responsible for the content before any distribution in the network can take place. A criminal penalty against individuals for the exercise of freedom of expression on the internet inflicts human rights abuses. International human rights organisations have consistently urged governments not to limit free expression by criminal defamation charges, abolish criminal defamation law, and handle defamation cases as civil rather than criminal matters.

Another threat to freedom of the media and expression on the Internet is surveillance overreach through the purchase of hacking software and cyber-attacks. Governments dispute whether digital communication and encryption of electronic mails are connected with terrorism activities, thereby attempting to justify their acts against free expression on the Internet. “There are serious implications of the increasing number of measures, which regulate Internet content through blocking of websites and of communication tools in ways that exceed international standards requiring legality, necessity, proportionality, and legitimate purpose.”⁷

According to section 26.2 of the Criminal Procedure Code, which regulates procedures with respect to communication networks, police inspectors are entitled with the power to demand information about users, equipment, and access related to communication networks from relevant organisations; to assign relevant organisations to restrict access to communication networks; to access and take control over such networks, and to acquire a content of transmitted data from relevant organisations.

It is inappropriate to interpret the meaning behind restrictions of freedom of expression, including the right to seek, receive and impart information protected under article 19 of ICCPR as the idea of legislation that is insufficiently “adequate”

⁶ UN General Assembly, Resolution adopted by the General Assembly on 18 December 2013, 68/167. The right to privacy in the digital age, <https://undocs.org/A/RES/68/167>

⁷ Concept Note: Access to Information and Fundamental Freedoms This Is Your Right! World Press Freedom Day, 3 May 2016, http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/WPFD/WPFD2016_Concept-Note.pdf

or “proportionate”⁸. In these times, freedom of expression and the right to privacy on the Internet are inherently connected with anonymity online and encryption. The latter are also pre-condition to the exercise of the right to freedom of opinion and expression, and the protection of confidential sources of journalists.

Experts define risk factors, such as “political instability”, “corruption”, “undeveloped legal environment”, “failure to assess potential risks”, “resistance and bureaucracy” to pose a threat to Mongolia’s communication networks and social media.

In 2018, the Mongolian Center for Investigative Reporting with support of the Media Council of Mongolia and Deutsche Welle Akademie undertook a survey on hate speech in the online environment. The results of thematic analysis, which was carried out in the framework of the survey on events occurred in 2017-2018 that caught the public’s attention, and on user-generated content on Facebook, revealed that there is a widespread online hate speech that can have grave consequences, such as incitement to violence and hate crimes. Cases demonstrate that users perceive verbal attack against an individual or a group of people, using harsh, insulting language, and stigma as a normal phenomenon.⁹ Under such circumstances, some members of parliament have suggested “legal regulation of social media.”

In 2019, GIC has translated Facebook’s community standards guidelines into Mongolian, which can be found at https://www.gic.mn/public/docs/publications/FB_community_standards_final_190803.pdf

⁸ Necessary and Proportionate: International Principles on the Application of Human Rights to Communications Surveillance with Background and Supporting International Legal Analysis. Published by the Electronic Frontier Foundation. 2015

⁹ #HateSpeech ба монголчууд. 2019.03.13 <http://eagle.mn/r/56970> Хэвлэл мэдээллийн бодлого #2: Цахим мэдээллийн сайтууд дахь үзэн ядалтын үг хэллэг, 2018.09.25 <http://gogo.mn/r/230755>

Media self-regulation

As a result of lengthy debates, an inaugural self-regulatory body named the Media Council of Mongolia (MCM) was created on 28 January 2015. MCM's board has 15 members. The MCM also has two complaints committees: radio and television media ethics committee, and print and online media ethics committee. Each committee has also 15 members. On a daily basis, MCM is administered by an executive director and secretariat.

Over the last five years, MCM's activities have been expanding, including an increase in the number of complaints received from individuals and legal entities. While in 2015, a total of 19 complaints on ethical issues addressed to media and journalists were resolved, in 2019 this number has reached 106. Since its establishment, MCM has resolved 333 complaints in total. MCM is a public benefit, non-profit NGO. Based on operational and complaints procedure, and the Code of Media Ethics, MCM reviews complaints concerning the Code of Media Ethics and make a conclusion whether the Code has been breached. Among 106 complaints received in 2019, 22 of them (21%) were submitted to the radio and television media ethics committee, and 84 complaints (79%) to the print and online media ethics committee.

As of the results of resolving complaints, MCM's Secretariat rejected 22 complaints for several reasons, including the expiration of referral period, lack of supporting documents, not related to MCM's function or not grounded. Nine complaints were withdrawn by complainants themselves as associated media outlets made corrections concerning their content prior to committees hearings. Two committees have discussed complaints addressed to 74 media outlets during eight hearings, and have made the following conclusion based on section 6.3 of the Complaints Procedure.

- 1) According to section 6.3.1 of the Complaints Procedure, it is publicly announced that 24 media outlets did not breach the Code.
- 2) According to section 6.3.2 of the Complaints Procedure, it is publicly announced that 14 media outlets made corrections and apologized concerning their content, without referring to their names.
- 3) According to section 6.3.3 of the Complaints Procedure, it is publicly announced that 36 media outlets violated the Code of Media Ethics with referring to their names.

TWO. NOVEL CORONAVIRUS (COVID-19) AND MEDIA FREEDOM

The Law to prevent and combat the Coronavirus (COVID-19) pandemic was adopted by SGH on 29 April 2020. Regulations in terms of blocking or temporary restriction on the access to online and social media networking sites have been removed from the draft. However, according to amended provision of the Law on Administrative Offences “In times of crisis, disaster, the outbreak of contagious diseases, catastrophe and other risks posed to society, an individual shall be fined an amount of MNT 500.000 (approx.US\$185) and a legal entity - MNT 5 million (approx.US\$1850) for misleading others and spreading disinformation” (section 5.13.1).

Article 19 of ICCPR reads that restrictions taken to respond to the emergencies can be justified by legitimate national security, public health or morals goals. Amendments made to the Law on Administrative Offences that broadened the goals prescribed above, exceed permissible restrictions under international human rights law. There is a concern that excessive use of emergency powers may put media freedom at risk.

In the event such provision would remain in force after the states of emergency was over, likewise, defamation provision 6.21 of the Law which was abolished, the police shall determine whether media content was “misleading” or “false”. In most cases, the falsity of any information can be verified by evidence. However, there is a need to clarify and provide a proper interpretation of how law enforcement officials could identify information as being <false> or <misleading>.

As reflected in the law, they are entitled with the power to censor media during the crisis and states of emergency. This could lead to abuse of media freedom and censorship in times of crisis without a clear definition of “catastrophe, threats or other risks posed to society.”

Proper guidance on security measures that restrict human rights on public health or national security grounds is described in international standards, such as the Siracusa Principles of 1984, adopted by the UN Economic and Social Council in 1984, and UN Human Rights Committee general comments on freedom of movement and states of emergency. These documents provide that any measures implemented to safeguard the population that restrict human rights must lawful, necessary, and proportionate. The Siracusa Principles specified that restrictions should, at a minimum, be:

- provided by law;
- directed toward a legitimate goal;

- are strictly necessary for a democracy to reach the objective;
- the least obtrusive and restrictive as possible to achieve the goal;
- based on scientific evidence, neither arbitrary nor discriminatory in application;
- strictly time-limited, respectful of human dignity, and subject to review.

Thus, it is essential for governments to adhere to these principles in implementing exceptional measures against coronavirus protecting public health in order to avoid excessive restrictions on other rights and freedoms.

While acknowledging that the use of emergency measures to respond to the health crisis is essential, international human rights experts, in their call for states, have reminded that any emergency measures should be necessary, proportionate, strictly time-limited and subject to systematic scrutiny. They emphasize the critical role of media in times of crisis and urge states to ensure that accurate and timely information about the virus is readily available and accessible to all, to maintain access to the internet, to limit the use of surveillance technologies and to protect the work of journalists. Moreover, to combat disinformation, governments should provide reliable information.

In line with the Guidelines of the Council of Europe on protecting freedom of expression and information in times of crisis¹⁰, governments should not use the crisis as a justification for limiting the public's right to information. International human rights organisations also call governments to significantly increase access to reliable information and official statistics and to refrain from blocking internet access and other communication tools. This is vital to fight against disinformation. IFEX, a global network to advocate for free expression, says, "it is much easier to spread misinformation than to counter it. The lie goes viral; the correction generally does not."¹¹ President of the Human Rights Council stressed that, "Fake news was as frequent as ever, putting lives in danger, while hate speech specific to this pandemic had the potential of increasing discrimination and scapegoating."¹² At a time, when access to truthful and up-to-date information has never been so crucial, the spread of coronavirus is accompanied by a surge in disinformation. Some governments misuse the crisis to further restrict media freedom and label these measures as ways to combat disinformation. Freedom House recommends, "Criminal penalties for distributing false information are disproportionate and prone to arbitrary application

¹⁰ Guidelines of the Committee of Ministers of the Council of Europe on protecting freedom of expression and information in times of crisis,

https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805ae60e

¹¹ Keeping our eyes on the ball: Human rights in the time of COVID-19, <https://ifex.org/keeping-our-eyes-on-the-ball-human-rights-in-the-time-of-covid-19/>

¹² Human Rights Council holds a virtual informal conversation with the United Nations High Commissioner for Human Rights on the human rights implications of the COVID-19 pandemic, [https://www.unog.ch/unog/website/news_media.nsf/\(httpNewsByYear_en\)/D088FFB8125945E9C1258545004E2489?OpenDocument&utm_source=UNESCO&utm_campaign=4cdf39c3e7-39th_special_action_safety_journalists&utm_medium=email&utm_term=0_898ed31396-4cdf39c3e7-442534697](https://www.unog.ch/unog/website/news_media.nsf/(httpNewsByYear_en)/D088FFB8125945E9C1258545004E2489?OpenDocument&utm_source=UNESCO&utm_campaign=4cdf39c3e7-39th_special_action_safety_journalists&utm_medium=email&utm_term=0_898ed31396-4cdf39c3e7-442534697)

and abuse”.¹³ The organisation highlights the importance of free media in times of emergency and asked governments to refrain from state censorship or other undue restrictions on the free flow of information. Instead, they should counter false information by providing clear, accurate, and up-to-date information, Freedom House urges.

Since the outbreak of the COVID-19, the United Nations, as well as international human rights organisations, have been expressing their concern on governments’ responses to the coronavirus that breach fundamental human rights and freedoms. They urge governments to maintain human rights-based approach in implementing exceptional measures against the coronavirus outbreak. Moreover, human rights advocates have been expressing their profound concern on the violation of media freedom and the right to information worldwide and calling states to take restrictive measures in line with international standards. Undoubtedly, COVID-10 pandemic was generating suffering and damage in every corner of the world. This has prompted governments to take emergency measures to safeguard the health and safety of their citizens. However, human rights advocates persistently urge governments to ensure that these measures are not used to restrict media freedom and fundamental rights and freedoms. Human Rights Watch, for example, recalls governments that “careful attention to human rights, such as non-discrimination and human rights principles, including transparency and respect for human dignity can foster an effective response amidst the turmoil and disruption that inevitably results in times of crisis and limit the harms that can come from the imposition of overly broad measures.”¹⁴ It is vital for governments to address disinformation and misleading information by providing accurate and up-to-date information about the disease in a human rights-based manner. UNESCO emphasizes that, “Free and professional media, the right to access information, and digital technologies are playing a critical role in the global fight against the COVID-19 pandemic”¹⁵

Recently, there has been a case in Mongolia, where an individual has been imposed a criminal fine for the coronavirus-related offence. On 29 February 2020, this person wrote on a Facebook group for Khuvsgul province community a post condemning actions of law enforcement officers who served in the province’s territory during the state of emergency. He accused that these officers misuse their power in times of crisis. The Inter-soum Criminal Court of First Instance of Khuvsgul province found the person guilty for disseminating disinformation and imposed a fine of 550.000MNT (around US\$200) under section 13.14 of the Criminal Code. It is regretful that the court did not consider the corrupted acts of officials who saw the pandemic as an opportunity to accept bribes.

¹³ Principles for Protecting Civil and Political Rights in the Fight against Covid-19

<https://freedomhouse.org/article/principles-protecting-civil-and-political-rights-fight-against-covid-19>

¹⁴ Human Rights Dimensions of COVID-19 Response,

<https://www.hrw.org/news/2020/03/19/human-rights-dimensions-covid-19-response>

¹⁵ Actions to Support Media, Enhance Access to Information, and Leverage Digital Technologies in the Fight Against the Pandemic, <https://en.unesco.org/covid19/communicationinformationresponse/mediasupport>

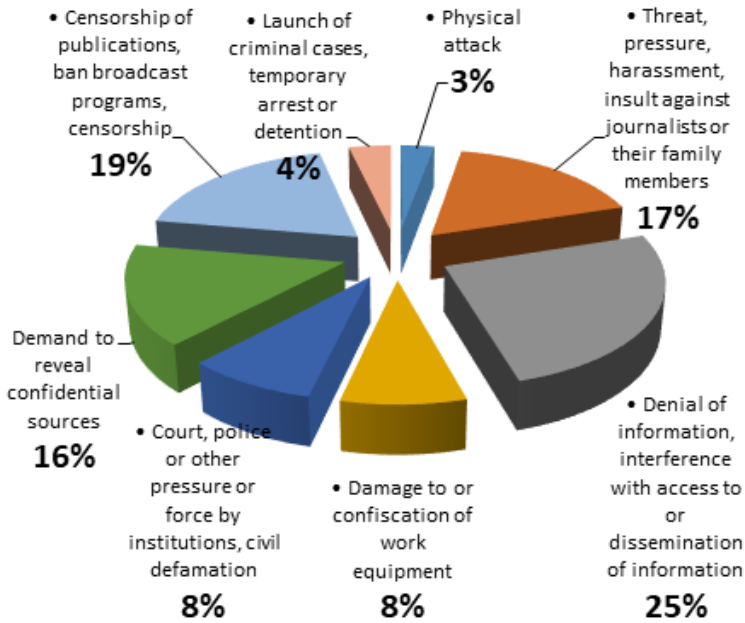
THREE. VIOLATIONS OF FREEDOM OF EXPRESSION

GIC has undertaken an online survey on violations of media freedom and professional rights of journalists over a one-year period, between May 2019 and May 2020. The survey involved 86 journalists in total. As a result of the survey indicates, a total of 274 types of violations have been registered. It should be noted that they are not all cases of attacks against Mongolian media and journalists as the majority of affected media and journalists are often reluctant to report incidents. All registered 274 cases can be classified into the following types:

- *Physical attack – 8;*
- *Threat, pressure, harassment, insult against journalists or their family members – 47;*
- *Denial of information, interference with access to or dissemination of information – 70;*
- *Damage to or confiscation of work equipment – 22;*
- *Court, police or other pressure or force by institutions, civil defamation cases – 23;*
- *Demand to reveal the confidentiality of sources – 44;*
- *Censorship of publications, bans or attempts to ban broadcast programs, editorial or all types of censorship – 51;*
- *Launch of criminal cases, temporary arrest or detention – 10.*

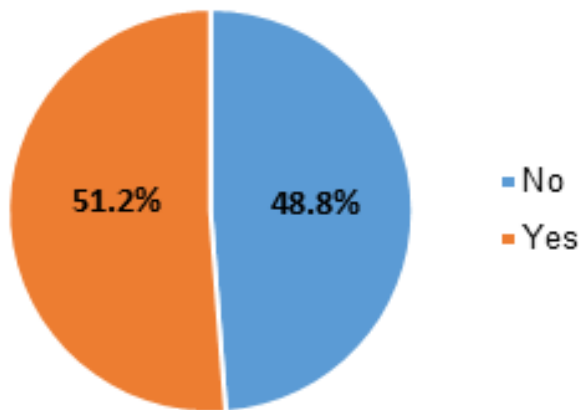
The survey results demonstrate that the most common violation is a breach of the right to information, which constitutes one-fourth of total cases. The next most common cases were threats, pressure, harassment and insult against journalists or their family members with 17%, and demands to disclose the confidentiality of sources with 16% of all cases.

Figure 3. Violations to professional rights of journalists (in percent)



Confidential sources of journalists

Figure 4. Results of the questionnaire on violations to professional rights of journalists (May 2019 – April 2020)

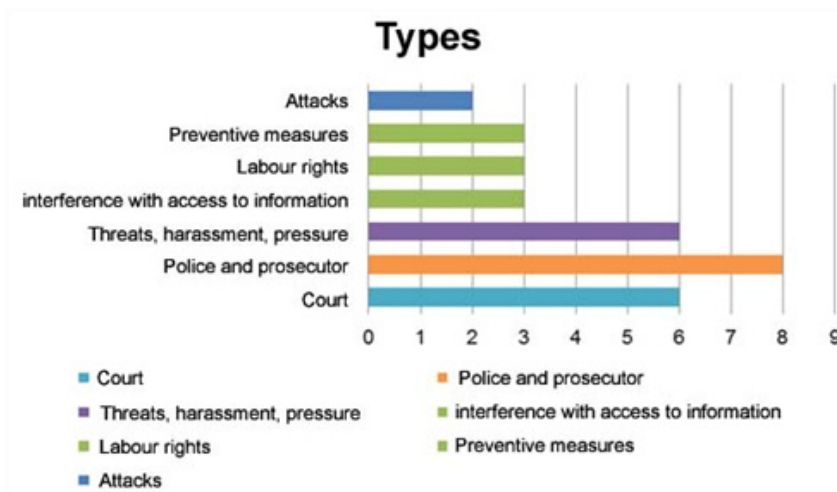


Out of 86 surveyed journalists, 44 of them or 51.2 per cent have faced pressure to disclose their sources.

GIC UNDERLINES THE FOLLOWING CASES OF VIOLATIONS OF PROFESSIONAL RIGHTS OF JOURNALISTS

In 2019-2020, Globe International Center has provided legal advice to 30 journalists and media outlets. Among them, 23 were from Ulaanbaatar and remaining seven were from provinces. Legal advice provided by GIC indicates that the most occurring were the following types of violations.

Figure 5. Legal advice provided by GIC from 2019 to May 2020



Case 1

A journalist faced life-threats

Journalist S.Budragchaa produces an investigative news story titled "Fact check" through Live TV. On February 2020 at around 9 pm, a user named Citizen posted a comment on www.livetv.mn website that reads, "You will see, Budragchaa will be killed or be disabled one day." Following such threats to his life, the journalist has filed a complaint to the police and prosecutor under section 13.5 of the Criminal Code that prohibits threats to people's life and section 14.3 prohibiting any acts that abridge the free expression and the right to publish. However, relevant law enforcement officials launched a case on an administrative violation, instead of a criminal one. GIC concerns that such cases could lead to the breach of the right to life guaranteed by the Constitution.

Case 2

Journalist's labour rights breached

Ts.Bayarbaatar, a journalist from zindaa.mn news website claimed that his employer failed to pay him a base salary on a regular basis. Moreover, his social insurance payments were interrupted by the employer, and as a photojournalist, his equipment could not meet the required standards. These kinds of violations to the labour rights have been occurring frequently due to the absence of journalists' trade unions. GIC has approached relevant stakeholders to investigate and resolve the issue. For example, a complaint has been lodged against the employer regarding social insurance repayment for interrupted months with the Sukhbaatar District Social Insurance Department and the imposition of fines following the Law on Administrative Offence. It is legally possible to file a claim with state inspectors of the General Agency for Specialized Inspection related to labour rights issues, the rights to just and favourable conditions of work, to be paid on time and to have annual leave.

Case 3

An attempt to impose economic censorship on media

U.Bolortuya, a journalist with urug.mn news website produced an investigative news story titled "Money of Erdenet (state-owned mining corporation) joint venture does not complain or wrongdoers" on 30 January 2020. Sod Mongol LLC claimed that their business reputation was offended by the program and demanded that the website pay one milliard MNT (approx. US\$360.000) in damages. Legal proceedings have been launched against urug.mn website. A trial date has not yet been scheduled.

Case 4

Physical harassment against female journalist

N.Unurtsetseg, a journalist for zarig.mn website was physically harassed by a police officer on 17 April 2020. She produced a news story titled "It does not matter whether livestock dies of starvation as long as colonel's son gets rich" on 27 November 2019. Two days later the journalist was called to police office where she was questioned and collected documentary evidence related to the case. However, no

inquiry or investigation has been undertaken by the police and no case has been launched against wrongdoers. Thus, the journalist went to the police intending to return her materials, where the incident took place. An administrative case has been launched against the police officer for physical abuse under section 5.3 of the Law on Administrative Offences. Between 2019 and 2020, N.Unurtsetseg has been questioned 12 times by the police concerning her professional work. Since 2020, she has been called to the police department eight times.

* * *

Journalist E.Bayarmaa from dorgio.mn news website was beaten and injured, while she was on duty covering a press conference on 15 April 2020. The forensic analysis results indicated that she had minor injuries. A criminal case for the offence of intentionally causing bodily injury has been launched under section 11.6 of the Criminal Code. However, the police have not identified someone for the offence committed against the journalist.

Case 5

A journalist pressured to disclose the confidentiality of her source

J.Enkhtsetseg, a journalist from western province Khuvsgul produced a news story and aired it on TV9 station on 13 March 2020. This follows an attempt by the provincial police to pressure the journalist to reveal her source for the news story.

Section 34.2 of the Law on Public Radio and Television states that, "Workers for the Public Radio and Television are entitled with the right of confidentiality for sources unless the court has ruled to disclose them for the prevention of crimes and protection of public interests. It is unreasonable to discriminate against other journalists based on media type and ownership and to consider that the above provision relates only to journalists from the public broadcaster. This is the right entitled to all journalists in line with the case law. In an official letter to the police office of Khuvsguil province, GIC urged them not to pressure the journalist to disclose her confidential source by referring that Mongolian journalists have an ethical obligation under the principle no 8 of the Code of Media Ethics.

Survey on the right of journalists to information

In Mongolia, the Law on Information Transparency and the Right to Information was enacted on 16 June 2011. The objective of the law is to regulate the relations pertaining to the transparency in the working of state agencies and the right of citizens and legal entities to seek and receive information.

GIC's survey aimed at analyzing whether the process to seek information from public bodies is accessible and competent for media and journalists and complied with the law; identifying obstacles in such process; gaining the attention of decision-makers to ensure the public access to information; and developing recommendations to improve the situation.¹⁶

The survey indicators are based on the below provisions of the Right to Information Law:

- Response is given within the time specified by the law (sections 14.8 and 14.9);
- An information requesting party shall not have an obligation to explain the need and ground of the requested information (section 12.1.3);
- Information is provided through the means chosen by a requesting party (section 12.1.2);
- An official who received a request shall check whether the requested information is in possession of a certain organisation, if not, to transfer the request to a relevant organisation within two business days and to inform a requesting party about it (section 13.1.3);
- Whether the denial of information complies with the principles of restrictions.

Based on the above indicators, participating journalists have requested information from public bodies in respect to important events and issues that concern everyone and that of public interest. These are:

- a) Disposal of state properties;
- b) Expenditure of budget assets;
- c) Public service;
- d) Human rights.

¹⁶ Мэдээлэлтэй байх эрхийг хязгаарлаж буй хууль тогтоомжийн дүн шинжилгээний тайлан, https://www.gic.mn/public/docs/publications/public_Restrictions_right_to_information_acts_pdf_2019.pdf

Information requesting organisations include:

1. Investigative reporting newsroom of the Mongolian National Broadcaster
2. Eagle News TV station of Eagle Broadcasting LLC
3. ikon.mn news website of Benecraft LLC
4. The Center for Investigative reporters.



Table 3. Status of responses to 16 written requests

Information requests and responses	Number
1/ Total number of requests	16
2/ Responses provided	11
2.1/ Proper responses	1
2.2/ Incomplete responses	9
2.3/ Denial of information	1
3/ No response provided	5

The following issues have been raised from the analysis of 11 responses to a total of 16 information requests.

1. There were no cases of prompt responses that could be resolved and responded immediately. In total ten public organisations have responded within the timeframe specified by the law or within 14 business days. Among them, two organisations have provided requested information within seven business days and eight within 14 business days.
2. There were no organisations that notified on the extension of the period specified in section 14.8 of the law.
3. There was a case on the violation of the right to not to explain the need and ground of requesting information specified in section 12.1.3 of the law.
4. A total of three requests have specified the means of response in the form of an official letter. Two responses were submitted in the form of official letters as per request. A remaining request has been left without any response.
5. Section 13.1.3 on checking whether required information is in possession of a certain organisation, and if not, to transfer the request to a relevant

organisation within two business days and inform a requesting party about it, is not being properly implemented.

6. There was a case where the information has been denied because of secrecy issues, even though the requested information is not classified either state or official secret. This is a breach of the law.
7. The majority of the responded organisations did not provide complete information.
8. In the majority of cases, it was unclear when the requested information would be released and where or by which official the request was signed.
9. There were cases in which some requesting parties made repeated requests in response to which they finally received the requested information.

An analysis of the release of information within the timeframe specified by the law

Section 14.7 of LITRI provides that an information request, whose response can be immediately issued, shall be resolved and responded promptly. According to section 14.8, the specified timeframe is seven business days and, if required, the timeframe can be once extended by another seven business days (section 14.9).

Timeframe (in business days)	Number of responses provided	Description
14	10 (2 of them were provided within 7 business days)	The specified timeframe is not exceeded
More than 14	1	The specified timeframe is exceeded

Within the framework of the survey, a total of 11 recommendations have been developed. Among them, we are highlighting three recommendations.

- To raise awareness amongst public and local administrative officials of the Law on Information Transparency and the Right to Information and the Law on the State and Official Secrets.
- To disclose classified information of public and local administrative bodies.
- To reflect in the law the external mechanism or independent organisation/unit designed to monitor the implementation of the Law on Information Transparency and the Right to Information.

FOUR. CIVIL AND CRIMINAL DEFAMATION CASES AGAINST JOURNALISTS AND MEDIA ORGANISATIONS

Table 2. Comparative data on 1999-2019 cases

Year	Civil cases		Criminal cases	
	Total cases	Media related	Total cases	Media related
1999	30	-	3	-
2000	39	-	-	-
2001	31	11	4	-
2002	44	37	2	2
2003	28	18	1	1
2004	40	40	1	1
2005	29	25	1	1
2006	36	31	3	3
2007	33	33	-	-
2008	39	25	5	5
2009	44	17	1	-
2010	67	37	2	-
2011	43	23	7	3
2012	43	20	8	4
2013	37	17	9	3
2014	45	20	12	9
2015	37	10	14	5
2016	47	12	9	1
2017	49	12	5	0
2018	69	19	0	0
2019	36	11	1	0
Нийт	866	418	88	39

Note: In 2017 and 2018, there were no criminal cases related to the media. This is because the renewed Criminal Code, which repealed defamation, came into force from 1 July 2017. However, amendments made to the Criminal Code on 10 January 2020 criminalized the spread of disinformation in section 13.14. On 3 April 2020, the Inter-soum Criminal Court of First Instance of Khuvsgul province for the first time has applied this provision in practice.



Human Rights NGO Forum of Mongolia

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Submission on Freedom of Expression

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FREEDOMS OF OPINION AND EXPRESSION

“Глоб Интернэшнл төв” төрийн бус байгууллага нь 1999 оны 3 дугаар сард Улаанбаатар хотноо байгуулагдсанаас хойш үзэл бодлоо илэрхийлэх эрх чөлөөг хөхиүлэн дэмжин ажиллаж буй бөгөөд IFEX, Forum Asia, GFMD олон улсын байгууллагын гишүүн юм.

Цахим хуудас: <https://www.gic.mn/en>, цахим хуудас: globenews@globeinter.org.mn

1. This report was developed after three consultations with representatives from media NGO’s, academia, and journalists from both urban and rural Mongolia. The Mongolian Government accepted 8 recommendations on freedom of expression (108.131-108.138) from the previous cycle. As of publishing no governmental action has been taken towards implementing these recommendations.

Harmonise national legislation regarding freedom of expression with the International Covenant on Civil and Political Rights, and ensure the independence of the Regulations Commission of Communications.

2. The Parliament of Mongolia has passed the Amendment to the Law on Telecommunications on 30 May 2019, but it does not guarantee the independence of the regulatory body. Parliament is considering to abate the current Law on Election passed in 2015 and three drafts on parliamentary, presidential and local elections are available. The current restrictions on election campaigning imposed by Article 70, titled Prohibition of Illegal Campaign remain the same in all three drafts. It is prohibited to distribute information that is libelous, insulting, or false, and carry out any activities with the purpose of determining political ranking by media outlets via online space and messages /70.1.6/, to call people not to vote /70.5.7/, to libel and insult others and to disseminate false information and news of any type/70.5.13/ and to sign an agreement and pledge to release all types of information and news about any parties participating in the election, or not to release such information during election campaign /70.7/

3. Harsh sanctions against media are included in various parts of the current Election Law. If a Court decision finds the bodies guilty of the dissemination, publishing or broadcast of disinformation or false information on parties, coalitions and candidates, they shall reimburse the expenses spent for the campaign /70.8/, radio and television stations breaching this Law shall be warned once and in repeated cases, operations will be stopped until the voting day by the organization which issued the license /82.19/ and in the case of breaches specified in this chapter, broadcast licenses shall be terminated until six months from the day breach occurred /82.21/. In the case, it is not possible to identify the bodies or media individuals who breached this provision, the offending website shall be blocked in Mongolian territory until the end of voting by the regulatory body /83.7/. 11 news and information web

sites were blocked during the 2018 Parliamentary Election.

4. The Communications Regulatory Commission, a government controlled regulatory body is responsible for the termination and withdrawal of broadcast licenses based on the statement of the Authority for the Fair Competition and Customers, a government agency. It encourages government censorship and is contradictory to Media Freedom law which bans any type of censorship.

Decriminalize defamation

5. Provisions on libel and insult were repealed from Criminal Law, but 2017 amendments to Criminal law has reintroduced defamation in Para 14.8. The section claims to target the distribution of obviously false information during the election and outlines it as a criminal offense with the penalty of fine, restriction of travel and impose community service works in the case of distributing obviously false information defaming the reputation of political parties, coalitions or candidates.

6. Defamation is covered by Article 6.21 titled Libel of the Law on Regulatory Offences adopted in 2017. Article 16.21 reads "In case, if false information defaming honor, dignity and business reputation is disclosed to the public, or disseminated through media and social media, a person shall be fined with two thousands unity (MNT 2,000,000) and legal entity shall be fined with twenty thousands unity (MNT 20,000,000).

7. According to the Law on Regulatory Offense Procedure, police are authorized to investigate these cases. 'The Division of Public Order and Safety Protection' is assigned to deal with cases involving high officials, by the Order of the General Prosecutor. Fines for claimed libelous activities are incredibly high. The police may impose a double fine to an individual journalist and media organization which contradicts Media Freedom Law. According to this law, media outlet shall be responsible for its publications and programs.

8. Between July 1, 2017 and March 2019, libel cases were launched against 46 journalists, 12 were found guilty and fined. According to the results of a GIC survey from May 2018 to April 2019, among 300 journalists surveyed, one in three journalists had been called for questioning by the police for breaches of Article 6.21.

9. In December 2018, 15 media NGOs including Confederation of Mongolian Journalists, Press Institute, TV Federation, Association of Daily Newspapers and Globe International Center sent the Statement to the Ministry of Justice and Home Affairs to abolish Article 6.21 of the Law on Regulatory Offences.

10. Parliament is planning to discuss the amendment to the Criminal Law and draft re-introduces defamation by Article 13.14 entitled Libel.ii: "1. In case, if obviously false information defaming person's honor, dignity and business reputation of the

legal entity distributed through social media, a fine amounting equal from 450 to one thousand 350 unity shall be imposed, or shall be sentenced to the public benefit works from 240 to 720 hours, or right to travel shall be restricted from one to three months.”; “2. In case, if obviously false information defaming person’s honor, dignity and business reputation of the legal entity distributed, a fine equaling from 450 to two thousands 700 unity shall be imposed, or shall be sentenced to the public benefit works from 240 to 720 hours shall be imposed, or rights to travel shall be restricted from one to six months.”

11. Comment in the Law states: “Public bodies shall not be considered as victims of this crime. In case, if while opinions expressed, the persons influential to the politics are suspected or surmised in crime, it shall not be counted as a crime”.

12. Politicians and high authorities have used defamation laws to target media and journalists. Next instance of appeals of libel cases is the Criminal Court. In 32 libel appeals filed in 2019, journalist’s appeals were denied in 19 cases. Between January 2017 and April 2019, a total of 19 civil defamation lawsuits were launched against journalists. The Judiciary database made 12 civil defamation cases public and in a third of those cases, the plaintiffs were politicians and authorities.

13. The main problem in defamation law is that it fails to provide for a defense in cases of reasonable public interest information. Another problem is defamation laws allow legal entities which presumably includes both private and public bodies may bring legal action. Civil Law allows the plaintiffs to launch the monetary demand as they want and amount is dramatically increasing.

B. Undarmaa, MP sued “Unuudur” newspaper on 6 June 2018. The claim was in amount of MNT 90 mln (app EUR 30,000) for articles which supposedly defamed her reputation. The monetary claim was based on the following calculations: MNT 42 mln (app. EUR 14,000) for two articles: “MP B.Undarmaa has not declared her company in her Income Statement” and “MP B.Undarmaa received a license under false documents”; MNT 15 mln. (app. EUR 5,000) for website publications; MNT 25 mln. (app. EUR 8,300) for the dissemination of the articles via other websites; and MNT 8 mln. for her legal defense fee (app. EUR 2,700). The newspaper is confident that they have sufficient facts and proofs to support the statements, but they appealed to the Supreme Court where they decided that to recover her honor and dignity, a monetary award of MNT five million was justified. The newspaper is going to appeal to the General Judge which is the last local appeal mechanism. The case illustrates the sort of economic threat that newspapers have to face. Even where the final awards are relatively modest, the threat of a huge award means that newspapers tend to self-censor just in case a court might actually make them pay the full amount¹⁷

¹⁷ Глоб Интернэшнл төв, Хэвлэлийн эрх чөлөөний тайлан, 2018 он. https://www.gic.mn/public/docs/freedom_report/media_freedom_report_2018_mn.pdf

Ensure that journalists, media workers as well as civil society activists are able to practice their activities freely without any fear for punishment

1. Safety of journalists remains our deepest concern. GIC reportsiv that 67 percent of 300 journalists surveyed reported that they, or family members, faced pressure, intimidation and harassment at least once in their career . For 58 percent, their professional equipment was damaged. 36 percent experienced legal pressure from the courts and law enforcement officials. 18 percent were physically attacked. These violations are experienced most commonly by journalists under the age of 35 employed by TV, news websites, and newspapers.

2. *In July 2018, an officer from the General Police Department hit B.Battsetseg, a female journalist from Eagle TV news channel, in the jaw and pulled her hair while she was reporting on the abduction of Turkish national Veysel Akzay, the former Deputy Director of the Turkish School in Ulaanbaatar. Eagle News filed a complaint with the police. Unfortunately, at the time of writing, there has been no responsev.*

To protect journalists' sources and whistle-blowers

16. No actions have been taken towards implementing the relevant provisions of the National Anti-corruption Program that pledged to provide legal protection of confidential sources and whistleblowers. 51 percent of out of 300 journalists surveyed said they were still forced to reveal their confidential sources.

Guarantee freedom of expression, including on the Internet

1. Practically, word filtering is not used, even so the CRC's procedure "General Conditions and Requirements of Digital Content Services" is still in place. Procedure remains unregistered with the Ministry of Justice and Home Affairs.

2. Para 26.2 of the new Law on the Procedure on the Criminal Law provides conditions for taking control over a telecommunication network. Police investigations can begin based on a Prosecutor's permission, with no judicial decision. For example, a detective is authorized to demand the organizations to provide information on owners and users, their locations, date of connection, reach, techniques and equipment and any other information and assign to restrict to access telecommunication channels, and take control by accessing telecommunication channels and demand information from the relevant organizations on content disseminated via telecommunication channels.

Adherence of any restrictions of those rights to the principles of legality, necessity and proportionality

. The new Law on State and Official Secrecy was enacted in 1 December 2016 and became effective in 1 September 2017 replacing the Law on State Secrecy and Law on the List of State Secret Information. The new law obligates the Government to

approve the Rule and List of Secret Information by its resolution and according to this Government Rule, public bodies are allowed to internally approve their organization's rules on secret information and list of secret information. This contradicts the Constitutional declaration that secret information shall be protected by law. The Law and Rules do not include a harm test. Process of disclosing secret information takes a three-months bureaucratic process. The Government makes the final decision on disclosing the state secret information. Before this the request of the public bodies to disclosing the secret information is submitted to the General Intelligence Authority. It allows Heads of public bodies to make virtually all operations information secret. Number of state secret information has radically increased from 60 in 2017 to 565 in 2019.

20. It is a concern that secrecy does not provide actually harm to a legitimate national security interest and public interest in knowing the information outweighs the harm from disclosure. During an interview with a Head of the Capital's Land Office, a reporter from the MNB, public broadcaster asked if it is possible to make the cadaster of Ulaanbaatar open to the public. The head of the Land Office replied that this was a state secret. To reporter's question "Who owns, rents and uses the land in Zone A of the capital?", he said it is privacy.

21. In our view, such unnecessary restrictions seriously inhibit investigative reporting. The new Criminal Law provides for up to three years of imprisonment for disclosing state secrets and for those who helped to store, collect, or steal classified information.

22. Mongolia Parliament enacted the Law on Information Transparency and Right to Information on 16 June 2011, but law implementation is poor. GIC conducted an assessment of this Law in February 2019 as a part of advocacy for inclusion of the SDGs 16.10.2 (access to information) to the National Volunteer Report . After sending 16 information requests to public bodies, GIC received only five responses that provided full information. Example: A citizen living in the Capital sent a letter to the Mayor's Office of Darkhan Uul province requesting information on the bidding process, selection and contract information for the procurement of measuring equipment of air and soil contaminants, no response was received within 14 days working days. When a citizen called to remind them of the request, they said the requester should personally come to Darkhan Uul province in order to find the information.

23. It is concluded that regime of exceptions is too broad, there is no nodal agency responsible for the monitoring of law implementation, and public bodies have no information officers and no incentive to provide sufficient response to information requests.

Ensure full respect of human rights, including the right to privacy and the right to freedom of expression, in all aspects of internet regulation

IP addresses of the Internet users still remain open. Mongolia is missing any data protection legislation. The Law on Privacy has not been amended since its passage in 1995. The private companies and banks have started using the fingerprints in their services. One of the biggest nation-wide supermarkets 'Nomin' requires their discount card holders to use fingerprints. It is unclear how the government can control the possible loss or misuse of their citizens' private information, and how the data permission process is handled. The general public is not greatly aware about protection of their privacy or lack thereof.

Recommendations

10. The Government of Mongolia should take immediate actions implementing the accepted recommendations on safeguarding freedom of information as stated in Article 10 of the Constitution and in fulfilling the nation's pledges before the international community. In addition, new recommendations are suggested as follows: 1) Abolish Article 6.21 entitled Libel of the Law on Regulatory Offenses.
11. 2) Initiate legislation recognizing public figures, so that they are tolerant to open criticism and are under the public control by their own choice. 3) RTI Law should be amended to narrow the regimes of exceptions and as appoint a nodal agency to monitor implementation of the law
12. 4) The Law on State and Office Secrecy should be revised and provide the restrictions only by law, not by Government resolution and internal rules of the public bodies. It should to be based on three-part test of legitimacy, necessity and proportionality. All secrecy laws should incorporate a substantial harm test as well as requirement that this harm is greater than public interest in override.
13. 5) Revise Para 19.11 titled "Illegal Access to the State Secret Information" of the Criminal Law 6) Consider adopting legislation on data protection 7) The provisions on election campaign included in the current drafts of three election laws should
14. be revised in consistence with international standards, and sanctions on the termination and withdrawal of broadcast media should be abolished.

i Provision 70.18, The Election law ii Draft is available at www.parliament.mn iii 2018 Media Freedom Report, GIC,

https://www.gic.mn/public/docs/freedom_report/media_freedom_report_2018_mn.pdf

iv Media freedom monitoring report. Monitoring was conducted by CIC in

cooperation with the Media Council of Mongolia and the Mongolian Bar Association as a part of the EU-funded global project implemented by Democracy Reporting International Promoting Human and Labor Rights through GSP+ implemented by Democracy Reporting International. v 2018 Media Freedom Report, GIC

https://www.gic.mn/public/docs/freedom_report/media_freedom_report_2018_mn.pdf

vi Analysis on access to information and secrecy legislation conducted by GIC
vii GIC Analysis on access to information and secrecy legislation
viii Assessment used the FOIANet Methodology

https://www.law-democracy.org/live/wp-content/uploads/2018/11/SDG-Parallel-CS-Report.18.09.20.final_.pdf

