

Monitoring Free Expression Violations and Supporting the Rights of Independent Media



FINAL REPORT

I have overcome the difficulty I faced by demanding my information source due to Globe International legal consultancy. The officer of the Intelligence Service has changed his attitude towards me, when I explained that journalist has a duty to protect the information source and my case was stopped.

Ongonjargal, Unen, daily newspaper

Now I am able to protect me, if I am called by the police again. They could not argue with me, when I said to the police investigation officer and criminal police officer that journalists have the right to protect the confidential source and it is our aprt of our code of contact.

Erdenetsetseg, Mongolchuudyn Amidral, weekly

We, journalists are encouraged by Globe International, which protects us and which the authorities know of.

H.Baasanjav, a Khovd TV reporter

November 2006
Ulaanbaatar, Mongolia

Monitoring Free Expression Violations and Supporting the Rights of Independent Media

Final Report

IMPLEMENTATION AGENCY: GLOBE INTERNATIONAL

PROJECT LEADER H.Naranjargal

REPORTING PERIOD October 2006- October 2006

BUDGET AMOUNT 80,000 USD
RECEIVED 80,000 USD
EXPENDITURES 80,048.36 USD
OVER 48.36 USD

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FINAL REPORT

TITLE

- I. INTRODUCTION
- II. PROJECT PERFORMANCE/RESULTS
- III. PROJECT INPUT/OUTPUT
- IV. CONSTRAINTS/PROBLEMS
- V. PROJECT EVALUATION/IMPACT
- VI. CONCLUSION/RECOMMENDATION

APPENDIXES

A. FINANCIAL REPORT

B. MEDIA FREEDOM. Mongolia Report, October 2005- October 2006

C. PHOTO DOCUMENTATION

D. PUBLICATIONS

Handbook for monitors: How to Protect Your Rights?	Attachment # D1
Handbook for monitors: How to write Efficient Alerts	Attachment # D2
Practical guidebook for monitors: How to Write Alerts	Attachment # D3
Handbook for journalists: Your Legal Protection	Attachment # D4
Handbook for journalists: Protection of Sources (Translation of the IFJ handbook)	Attachment # D5
Handbook for journalists: If You Are Facing a Problem	Attachment # D6
Educational fliers (stickers)	Attachment # D7.1-D7.4
Bi-monthly printed newsletter: Issues # 1,2,3,4,5,6	Attachment # D8.1-D8.6
Bi-monthly webzine "Globe News" Issues # 1,2,3,4,5,6	Attachments # D9.1-D9.6

E. OTHER

Survey report on Use of Defamation Legislation (English Summary)	Attachment # E1
Public Service Broadcasting in the Transition: Monitoring Report (See the Media Freedom. Mongolia report)	
Media releases	Attachment # E2.1-
E2.8	
IFJ issued Media releases	Attachment # E3.1-E3.4
Notification letters sent to the authorities	Attachment # E4.1-E4.7
Monitoring Training Workshops programme, list of participants	Attachment # E5.1, E5.2
Introductory Round Table, programme, list of participants	Attachment # E6.1, E6.2
Press conferences, programme, list of participants	Attachment # E7, E8, E9
Seminars for Journalists, programme, list of participants, presentations and etc	Attachment # E10, E11
Round Table: "Against Censorship!!!", programme, list of participants and etc	Attachment # E12.1, E12.2
Globe Call: Against Censorship!!!	Attachment # E13.1, E13.2
Public discussion of draft monitoring report, programme, list of participants and etc	Attachment # E14.1-E14.4
The Final Evaluative Report, programme and list of participants	Attachment # E15.1-E15.4

Monitoring Free Expression Violations and
Supporting the Rights of Independent Media

Final Report

1.INTRODUCTION

Globe International started the project Monitoring Free Expression Violations and Supporting the Rights of Independent Media on October 21, 2005 with the funding of Open Society Forum (Mongolia) and OSI, Media Network Program, London.

This 12-month project involved 2 inter-related activities designed to build the capacity of free-expression monitoring in Mongolia, cooperate with IFEX and the Moscow-based Center for Journalists for Extreme Situation, and to help us work effectively with other international freedom-of-information communities in the world:

i) Training and Expertise: Monitoring, Legal Support, Networking including Freedom of Expression Monitoring: establishment of a monitoring network and training workshops and Legal Aid and Education for journalists

ii) Strengthening National and International Advocacy on Freedom of Expression including increasing the distribution of Mongolian Free Expression News nationally and internationally, supporting the preparation of Globe International for IFEX membership and preparing Globe International to be a National Action Alert Provider.

Globe International has been awarded and received 80,000 USD and spent 80,048.36 USD for the activities carried out by the project staff.

The project team consisted of 7 persons and 8 monitors, who carried out the activities. In October 2005, IFEX and CJES experts trained our local monitors and staff, and the actual free expression violation monitoring started in January 2006. In total, 35 free expression violations were fixed by our monitors and 13 of them distributed through the IFEX Network.

The project has been monitored by Open Society Forum through 3 quarterly progress reports, mid-term progress report and this final report including the detailed financial reports.

The final report shows the results and outcomes/impacts we achieved from the project, based on the results included in the mid-term progress reports. For the project results in part II of this report we used the indicators for the evaluation that were outlined in the project proposal: such as the number of newsletters and flyers/stickers published, the number of alerts distributed, the use of the website, the number of events held, as well as an assessment of the quality of work carried out by our team of staff members. The report also includes the information on the project input and output.

The final report gives the main constraints and problems we faced during the project implementation and it also contains the information on evaluation and impact of the project.

Last chapter of the report includes the main conclusion and recommendations.

By delivering our final report, we are seeking the support of our donors and partners for continuing the project to monitor free expression violations into the next year, as the results of the one year project are still not sufficient to show the full and accurate picture of the situation of media freedom of Mongolia.

II. PROJECT PREFORMANCE/RESULTS

Globe International was expecting the following specific outputs and results during the 12-months of project implementation, and achieved the following results by October 31, 2006.

Planned	Indicators	Results	Measurement
Activity 1			
Comprehensive monitoring curriculum and training materials in Mongolian	# of training materials # of experts # of trainees	IFEX and CJES have provided monitoring curriculum. 2 training handbooks available: Writing efficient alerts and How to Conduct Monitoring? 3 trainers conducted 7-days training workshops 12 project staff and monitors trained	Programme Handbooks List of trained staff and monitors
National monitoring network through which Globe International receives a greater quantity and quality of information on free-expression violations throughout the country	# of regions # of monitors # of alerts	National network of monitoring was established and consists of 8 correspondents in the capital Ulaanbaatar, and in 7 regions. The monitors have sent 35 reports from the regions. They also distribute information on the project activities and materials produced by the project to the provincial journalists and media. In order to improve the quality of reporting the Globe Alert Coordinator has produced practical guidelines for the regional monitors	Web site: www.monitoring.mn Media releases Notification letters
Improved quality in reporting for national and international circulation	The IFEX provided consultancy	The IFEX provided consultancy for writing quality reports and the quality has been significantly improved since the first alert, which was distributed through CJES. At that time Globe had not yet become an IFEX member.	Alerts available
Legal aid for journalists having problems	Lawyer hired and trained # of journalists received assistance	The project hired a lawyer, who provides regular legal consultancy for journalists. 17 journalists having problems approached the lawyer through the web site, telephone calls and individual meetings	The progress, mid-term and final reports
Legal knowledge on journalists'	# of		

rights through educational materials	publications	4 types of educational stickers were printed (in total 8000 copies) and reached journalists and media outlets.	Stickers available
Educational fliers/stickers	# of copies reached journalists		
2 handbooks	# of journalists attended the seminars and events	1500 copies of handbook “Your legal protection” 1500 copies of handbook “If you are facing a problem” were produced and distributed to journalists.	Handbook available Handbook available
2 seminars		2 seminars educated 78 journalists on the rights 36 educated on the nature and types of censorship through the round table “Against Censorship!!!”	Programmes Programmes Lists of participants The Call: Journalists against Censorship
Increased news circulation about the successful court challenges of violations against journalists in Mongolia	Reports available	Survey on the criminal and civil defamation cases between 2001 and 2005 completed. There are 14 civil cases and one criminal case that media or journalist succeeded to win. The project conducted 4 case studies 2 cases studies on assaults 2 case studies on the court decisions of criminal defamation	Media Freedom. Mongolia Report available Media Freedom. Mongolia Report Media Freedom. Mongolia Report
Globe International strengthened ties with free expression networks and human rights organizations abroad by participating in an IFEX Conference.	Attendance	Two Globe delegates, the President and Executive director, participated in the IFEX annual conference in February 2006 in Brussels and set up contacts with other members of the IFEX free expression networks and human rights organizations	Globe International web site www.globeinter.org.mn The IFEX web site: www.ifex.org
Activity 2			
Established national news and information distribution system on free-expression violations	Information distribution system available New web site established	Globe International has established a national news and information distribution system on free expression violations through the web sites: 11395 visitors since the start of the project 3893 visitors from the launch on 1 April till 31 October 2006	www.globeinter.org.mn www.monitoring.mn

		<p>In dual number of about 2800 journalists who received 6 issues of the bi-monthly printed newsletters</p> <p>611 local and international organizations and individuals received 6 issues of webzine Globe News</p> <p>In total, 99 journalists representing 66 media outlets were informed of free expression violations through 3 press conferences and reported to the public.</p>	<p>Printed newsletters List of distribution</p> <p>Webzine: Globe News E-mailing list</p> <p>Programmes List of participants</p>
Established the information and news system of Mongolia to the IFEX Action Alert Network	Availability of system	Globe International has distributed 13 free expression violation alerts to the IFEX Action Alert Network	Progress, mid-term and final reports
Globe International membership to IFEX network	Membership	Globe International became a member of the IFEX at the Annual conference held in Brussels in February 2006	Web sites
Mongolian news and information is more widely seen, leading to greater international awareness and support of free expression issues	Alerts distributed through the IFEX Network	<p>Information on the Mongolian media and free expression situation is seen by the international community more than ever before.</p> <p>13 alerts have been distributed through the IFEX and the IFJ networks. The IFJ has produced 4 media releases, which were translated and reached the public through 14 newspapers and television channels.</p> <p>Alerts, the webzine and Media Freedom report delivered to all of the foreign embassies in Ulaanbaatar and international organizations such as UNDP, World Bank, ADB, AUSAID, USAID and others.</p>	<p>Web sites</p> <p>The IFEX and the IFJ web sites</p> <p>Copies of newspaper reports</p> <p>Official letters</p> <p>List of distribution</p>

III. INPUT/OUTPUT

3.1 Input

Human:

The staff consisted from 7 persons worked on the project and 8 monitors

- The project leader H.Naranjargal managed the project staff and was responsible for providing the entire project management and ongoing project development and liaison

with the donor, and worked with the project partners, and monitored the project process and activities. She in cooperation with the project coordinator took key responsibilities in employing other staff and hiring the monitors. She also was responsible for the policy and content of the publications and web sites. She has produced mid-term and final reports.

- The project coordinator D.Munkhburen was responsible for coordination and administration of the entire project activities; preparing the detailed work plan, signing contracts with the monitors, drafting the events' programs for approval, organising the events, arranging the meetings and was responsible for the publications.
- The project assistants J.Enkhjargal and G.Uuganbayar were responsible for the practical organization of the events and the financial administration of the project.
- The alert coordinator Ch.Yeruulsuren (Later replaced by G.Narangerav) was responsible for operating Action Alert system in close cooperation with the monitors and translating the alerts and distributing them through the IFEX network. She worked in cooperation with the lawyer on drafting and delivering the action letters and media releases.
- 8 monitors worked in Ulaanbaatar and the regions investigating the case, reporting it, verifying it through the use of multiple sources, and circulate it to the Globe Action Alert Coordinator. They also worked in distributing the information on the project activities and the publications. The project planned to involve 5 monitors/correspondents, but due to the large area of the territories and lack of communication, it was decided to hire 8 correspondents.
- The web editor G.Narangerav was responsible for operating 2 web sites. She also worked on production of the printed newsletters and webzines: Globe News through gathering the news, writing news and reports on the events and translations of the materials for web and publications.
- The lawyer G.Davaakhuu was responsible for the legal classifications of the violations, the survey on the court defamation cases. He conducted the free legal consultancy for the journalists through on-line, individual meetings and telephone and legal analysis. He cooperated with the project coordinator on the content development of the legal education materials such as handbooks for journalists and stickers.
- 9 local experts, journalists and lawyers contributed to the round table and seminars for journalists
- 372 journalists contributed to discussion of issues raised by the project events

3 international trainers contributed:

- David Cozak from the IFEX conducted the training on the action alerts writing
- Oleg Panfilov from CJES conducted the training on the monitoring of the journalists' and media rights
- G. Arapova, CJES conducted training on the legal classification of the violation cases
- The experts contributed to the introductory round table

Materials

- The IFEX has provided training curriculum on effective alert writing, which were translated into Mongolian and consultancy on alerts writing for the first 3 months
- The CJES provided a handbook on monitoring, which was translated into Mongolian

Equipment:

2 computers have been purchased by the project and Globe International contributed 5 computers, printer and copier.

3.2 Output

Establishment of National Monitoring Network

The project established the national monitoring network has been established in the following 8 regions:

Khovd:	Western region covering Uvs and Khovd provinces
Uliastai	North West: Zavkhan, Khovsgol, Gobi-Altai provinces
Olgii:	Bayan-Olgii – the Kazakh province
Dalanzadgad:	South region: Middle Gobi, South Gobi and Tov provinces
Ondorkhaan:	Eastern region: Dornod, Khentii and Sukhbaatar provinces
Darhan:	North region: Darkhan-Uul, Orkhon, Bulgan and Selenge provinces
Arvaikheer:	Central region: Arkhangai, Ovorkhangai and Bayankhongor provinces
Ulaanbaatar:	Ulaanbaatar, East Gobi, and Gobi-Sumber provinces

Alerts and Actions

Since the beginning of the project Globe International has fixed 35 cases of free expression violations and 13 of them have been distributed through the IFEX Network.

TYPES OF VIOLATIONS (by 31.10.2006)

Types of the violations	Total	distributed through the IFEX	Archived
Assaults/attacks /detention	20	8	11
Censorship/ refusal in providing information and intervening information dissemination	10	3	7
Demands to reveal information sources			
Libel and Defamation	2	2	0
Harassment/ pressure	3	0	3
Total	35	13	22

Comments:

Due to the following reasons the information is kept in the archive

- The journalists have refused to report on the cases
- The information is not proved by different sources
- Documentation is not sufficient

- Too much time had passed before the incident was reported
- Journalist violated the law

Globe International actions taken

- 6 letters of protest and notification sent to the authorities
- 8 media releases produced and distributed through 11 media outlets
- 4 media releases received from the IFJ and published in 6 newspapers

For nationwide circulation of alerts, news and capsule reports visit our website:

<http://www.globeinter.org.mn/en/enews.php>
<http://www.globeinter.org.mn/news.php>
<http://www.monitoring.mn/?module=zurchil&menuid=5>
<http://www.monitoring.mn/?module=zurchil&menuid=37>

For international distribution through the CJES, IFJ and IFEX networks visit <http://www.ifex.org>, <http://www.ifj.org> and <http://www.cjes.ru>

Globe International carefully monitored the process of law implementation on PSB and produced the short and detailed capsule report <http://www.globeinter.org.mn/en/enews.php>, <http://www.globeinter.org.mn/news.php>

Alerts distributed internationally through the IFEX Alert Networking

Cases	Alerts	Actions taken by Globe
1. Eagle TV journalist G.Batjav attacked.	http://www.ifex.org/en/content/view/full/71762/ http://www.globeinter.org.mn/newsdetail.php?nid=130 /Mongolian/ http://www.monitoring.mn/?module=zurchil&action=detail&id=27&menuid=37	<p>After the publication of an Odriin Sonin interview with Mr. Erdene, who was affected by the reporter's story, Globe worked in a team to investigate the truth. Mr. Erdene, director of the State Department of Social Insurance denied the reporter's facts and said he acted under the orders of the former director Sukhbaatar.</p> <p>Later on 25 March 2006, the State Auditing Office proved the facts exposed by the reporter and Erdene left his job.</p>
2. Capsule report Female journalist G.Ganchimeg, Khovdyn Medee has been threatened with legal action. Editor-in-Chief B.Ider of "Zavkhan" weekly newspaper was censored for publishing information	http://www.ifex.org/en/content/view/full/72789/ http://www.monitoring.mn/?module=zurchil&action=detail&id=26&menuid=37 /English/ http://www.monitoring.mn/?module=zurchil&action=detail&id=10&menuid=5 /Mongolian/ http://www.globeinter.org.mn/en/enewsdetail.php?nid=196 /English/	<p>Media release issued by GI published in the local newspaper "Khovdyn medee", # 05 and aired through the local "Khovd" TV. Attachment #E2.3 http://www.globeinter.org.mn/newsdetail.php?nid=146</p> <p>Press release produced http://www.globeinter.org.mn/newsdetail.php?nid=145 Attachment # E2.2</p> <p>Media release was published in the local newspaper "Zavkhany Medee"</p>

<p>Female journalist Sh.Otgonjargal of the daily national newspaper "Unen", has been threatened with arrest</p>	<p>http://www.globeinter.org.mn/newsdetail.php?nid=133 /Mongolian/ http://www.monitoring.mn/?module=zurchi&action=detail&id=25&menuid=37/English/ http://www.globeinter.org.mn/en/enewsdetail.php?nid=199 /English/ http://www.globeinter.org.mn/newsdetail.php?nid=133 /Mongolian/</p>	<p>All the alerts were published in “Udriin sonin” (2006.03.17)</p> <p>Legal consultancy provided by Globe’s lawyer</p> <p>IFJ media release translated and the national newspapers reported: http://www.globeinter.org.mn/newsdetail.php?nid=197 <u>Attachment # 3.1.1-3.1.2</u></p>
<p>3. G.Dashrentsen, political commentator for the national newspaper "Udriin Sonin" ("Daily News") has been investigated of criminal defamation and libel</p>	<p>http://www.ifex.org/en/content/view/full/72885/ http://www.globeinter.org.mn/newsdetail.php?nid=203 /Mongolian/ http://www.monitoring.mn/?module=zurchi&action=detail&id=28&menuid=37 /English/</p>	<p>Alerts published in daily newspaper “Udriin sonin” /2006.03.17/</p> <p>Legal consultancy provided to re-sue the case.</p>
<p>4. Capsule report G. Dashrentsen, Mrs. Uyanga, D.Ganhuyag journalists and researchers investigated over article critical of politicians</p>	<p>http://www.ifex.org/en/content/view/full/73370/ http://www.globeinter.org.mn/newsdetail.php?nid=238/ /Mongolian/ http://www.globeinter.org.mn/en/enewsdetail.php?nid=199 /English/</p>	<p>Reported by national dailies.</p>
<p>5. Television crew M.Batdorj, T.Orgil, B.Uuganbayar, L.Bayanbat were mistreated, denied access, and their camera was damaged by police when covering the dismantling of a protest camp</p>	<p>http://www.ifex.org/en/content/view/full/74264/ http://www.globeinter.org.mn/newsdetail.php?nid=256 /Mongolian/ http://www.globeinter.org.mn/en/enewsdetail.php?nid=258 /English/</p>	<p>Media release produced and aired through the TV5, TV9, MNPR TV, TV25 and Eagle TV. <u>Attachment # E2.5</u></p> <p>Globe sent a letter to Mr. Sandag-Ochir, head of the State Police Office <u>Attachment # E4.1</u></p>
<p>6. Radio station's journalist T.Bayartsogt’s right to access to information was restricted by the company following a critical report on its environmental impact</p>	<p>http://www.ifex.org/en/content/view/full/74932/ http://www.globeinter.org.mn/newsdetail.php?nid=272 /Mongolian/ http://www.monitoring.mn/?module=zurchi&action=detail&id=30&menuid=37 /English/</p>	<p>Globe sent a media release to the Tsavchirt liming company. <u>Attachment # E2.7</u></p> <p>The letter was broadcasted through the Darkhan-Uul aimag’s local radios such as “Lkha” FM radio, “Burkhantyn tsurai” shortwaive radio, “Darkhany dolgion” FM radio.</p>
<p>7. Journalists S.Munkhdalai and G.Puntsagsuren were</p>	<p>http://www.ifex.org/en/content/view/full/75169/ http://www.globeinter.org.mn/newsdetail.p</p>	<p>Globe sent a notification letter to Mr. Dashtudev, the chief secretary of the Crime Prevention Council of the</p>

denied access to information at a crime prevention council meeting	hp?nid=278 /Mongolian/ http://www.globeinter.org.mn/en/enewsdetail.php?nid=277 /English/	Mongolian Justice and Domestic Ministry. <u>Attachment # E4.2</u> http://www.globeinter.org.mn/newsdetail.php?nid=285 /Mongolian/ IFJ media release translated http://www.ifj.org/default.asp?index=4004&Language=EN /English/ http://www.globeinter.org.mn/newsdetail.php?nid=279 /Mongolian/ <u>Attachment # E3.2.1-E3.2.2</u>
8. Journalist S.Enkhtuul has been threatened following the publication of articles on financial sector bankruptcies	http://www.ifex.org/en/content/view/full/75468/ http://www.globeinter.org.mn/newsdetail.php?nid=290 /Mongolian/ http://www.monitoring.mn/?module=zurchil&action=detail&id=37&menuid=37 /English/	The State Police Department provided security guards to the journalist
9. Television editor B.Tsevegmid was beaten after airing a controversial programme	http://www.ifex.org/en/content/view/full/75661/ http://www.globeinter.org.mn/newsdetail.php?nid=292 /Mongolian/ http://www.monitoring.mn/?module=zurchil&action=detail&id=33&menuid=37 /English/	A media release was produced and published in daily newspapers such as “Udriin sonin” and ”Unuudur”(8 July 2006) <u>Attachment # E2.8</u> On 7 July 2006 it was aired by MNPRTV and Eagle TV On 18 July 2006, Globe sent a notification letter to Mr. Amarsanaa, chairman of the Police Department of Orkhon aimag and to Mr. Enkh-Amgalan, head of the State Investigative Department. <u>Attachment # E4.3</u> On 6 July 2006, Orkhon aimag’s journalists organized a press conference Globe’s media release was published in the local weekly newspaper “Shine medee sonin”, aired by local “Nomin”TV, and broadcasted by local “Erdenetiin dolgion” FM radio <u>Attachment # E2.8</u> IFJ issued a media release and it was published by the dailies: Unen, Onoodor and Mongolyn Medee http://www.globeinter.org.mn/en/enewsdetail.php?nid=295 /English/ http://www.globeinter.org.mn/newsdetail.php?nid=297 /Mongolian/ <u>Attachment # E3.3.1-E.3.3.2</u>
10. Former and current provincial	http://www.ifex.org/en/content/view/full/76251/	On 11 July, 2006 Globe sent notification letters to Mr. M.Yadmaa,

governors harassed television journalists and denied them access to information	http://www.globeinter.org.mn/newsdetail.php?nid=309 /Mongolian/ http://www.monitoring.mn/?module=zurchil&action=detail&id=40&menuid=37 /English/	governor of Umnugovi aimag and Mr. N.Naranbaatar, the chairman of the Governor's Office, indicating the pertinent laws that these violations transgress. Attachment # 4.4 http://www.monitoring.mn/?module=record2&id=51&menuid=21 /Mongolian/
11. U.Gereltuya, editor of the Huvsgul-based newspaper, was threatened by local businessmen	http://www.ifex.org/20fr/layout/set/print/layout/set/print/content/view/full/77160/ http://www.globeinter.org.mn/en/enewsdetail.php?nid=335 http://www.monitoring.mn/?module=record2&id=155&menuid=3	The journalist refused to issue a media release.
12. T.Bayasgalan, a reporter for the newspaper "7-Day Darkhan", was assaulted by a market vendor	http://www.ifex.org/20fr/layout/set/print/layout/set/print/content/view/full/77961/ http://www.globeinter.org.mn/en/enewsdetail.php?nid=348 http://www.monitoring.mn/?module=record2&id=139&menuid=3	Globe sent a notification letter to Mr. Sandagdorj, the market vendor, indicating the pertinent laws that these violations transgress. Attachment # 4.5 http://www.monitoring.mn/?module=record2&id=138&menuid=3 The notification letter aired through the ‘Tsuurai’ tso FM radio; Lkha, local television; and Orkhon, FM radio
13. Journalists G. Erdenebat and B. Khajidmaa, photographer Ya. Aranjinbaatar of the daily "Udriin sonin", and photojournalist Sh. Gerelsaikhan of "Ardiin erkh", were assaulted by police officers and detained for approximately two hours while covering a civil society demonstration.	http://www.ifex.org/20fr/layout/set/print/layout/set/print/content/view/full/78645/ http://www.globeinter.org.mn/en/enewsdetail.php?nid=371 http://www.monitoring.mn/?module=record2&id=149&menuid=3	On November 30, Globe sent a notification letter to Mr. M. Ganbold, General Police Attachment # E4.6 http://www.monitoring.mn/?module=record2&id=150&menuid=3 The notification letter and alerts through the IFEX was published in the “Udriin sonin” daily newspaper Concerning the issue IFJ issued media release: http://www.monitoring.mn/?module=record1&id=113&menuid=30 http://www.monitoring.mn/?module=record2&id=154&menuid=3 Attachment # E3.4.1-E3.4.2

Publications

16 publications and productions have been produced by the project

- 800 copies of Handbook for monitors: How to protect your rights.
See Attachment # D1

<http://www.monitoring.mn/?module=record2&id=28&menuid=35>

- 800 copies of Handbook for monitors: How to write effective alerts.
See Attachment # D2

<http://www.monitoring.mn/?module=record2&id=28&menuid=36>

- Practical guidebook for monitors “How to write alerts”.

The guidebook was prepared by Ch.Yeruulsuren, the Globe Alert Coordinator, and it included practical tips for all monitors for personal use. See Attachment # D3

<http://www.monitoring.mn/?module=record2&id=157&menuid=35>

- 1,500 copies of Handbook for journalists: Your Legal Protection

The handbook was produced and published in 1500 copies and it contains the information on the Mongolian legal system, labor and professional rights of journalists including freedom of expression, freedom of information, and the protection of resources. It also informs journalists on media responsibility and the right to publish and operate. See Attachment # D4

<http://www.globeinter.org.mn/programs/02/tanii.pdf>

- 1,500 copies of Handbook for Journalists: Protection of Sources

The handbook produced by the IFJ and EFJ was translated from English.
See Attachment # D5

http://www.globeinter.org.mn/programs/index2_1_8.htm

- 1,500 copies of Handbook for journalists: If You Are Facing a Problems

1500 copies of the handbook were produced and published, and contained information on the criminal and civil procedure, how to avoid rights violations, what to do when you have a problem, and how to use international journalism standards. The handbook is available in Attachment #D6

<http://www.globeinter.org.mn/programs/02/Setguulch.pdf>

- 76 Members of the Parliament and the public received Globe Call: Journalists against Censorship!!!
The Call is available in Mongolian & English at Attachment # E13.1-E13.2

<http://www.globeinter.org.mn/newsdetail.php?nid=245> Mongolian

<http://www.globeinter.org.mn/en/enewsdetail.php?nid=396> English

- In total, 8000 copies of 4 types of educational stickers. The stickers are available in Attachments # D7.1-D7.4
- In total, 6,000 copies of 6 issues of the printed newsletter.

See Attachments # D8.1-D8.6

Issue 1	http://www.globeinter.org.mn/programs/index2_1.htm#
Issue 2	http://www.globeinter.org.mn/programs/02/sb2.htm
Issue 3	http://www.globeinter.org.mn/programs/03/sb3.htm
Issue 4	http://www.globeinter.org.mn/programs/02/Sobi2.pdf
Issue 5	http://www.globeinter.org.mn/programs/02/sonin_bichig_5.pdf
Issue 6	http://www.globeinter.org.mn/programs/04/sb4.htm

- 611 organisations and individuals in the e-mailing list of 6 issues of Webzine: Globe News in English. Printed versions are available in Attachments # D9.1-D9.6

Issue 1	http://www.globeinter.org.mn/programs/glbnews/globenewsblank%201.htm
Issue 2	http://www.globeinter.org.mn/programs/glbnews/globeblank%202.htm
Issue 3	http://www.globeinter.org.mn/programs/glbnews/globenews%203.htm
Issue 4	http://www.globeinter.org.mn/programs/glbnews/globenews%204.htm
Issue 5	http://www.globeinter.org.mn/programs/glbnews/globenews5.htm
Issue 6	http://www.globeinter.org.mn/programs/glbnews/globenews5.htm

- Web site www.monitoring.mn newly launched
- Survey Report on Use of Defamation legislation (2001-2005). Summary is English.

The survey covered the period between 2001 and 2005. In total 178 civil and 9 criminal defamation cases were decided by the Court. 146 civil and 5 criminal cases were against journalists and media. 9.6% of the cases were won by the media. In 59.6% of the cases, the media lost and for 31.5 % of the cases the claimants and media reconciled.

See Attachment # E1

<http://www.globeinter.org.mn/en/enewsdetail.php?nid=346>

- Case studies on assaults against journalists (2 cases)

The case studies analysed the process of investigation of 2 assaults of journalists Batjav, Eagle TV and Tsegmid, Nomin TV.

<http://www.globeinter.org.mn/en/enewsdetail.php?nid=391>

- Case studies on the court decisions on criminal defamation (2 cases) in English and Mongolian

Case studies reviewed the courts decisions on criminal defamation of Dashrentsen and freelancer Ganhuyag

<http://www.globeinter.org.mn/en/enewsdetail.php?nid=390>

- Public Service Broadcasting in the Transition. Monitoring report (English and Mongolian)

The report aims at providing a more objective and fair picture on what is going on in public broadcasting and follows the whole process of the implementation of the Law on Public Radio and TV, which came into force on July 1, 2005.

<http://www.globeinter.org.mn/en/enewsdetail.php?nid=392>

- Media Freedom. Mongolia Report (English and Mongolian)

The Report was produced by the GI staff and local monitors and 1000 copies were published in both Mongolian and English.

The report aims to give the present picture of media freedom and show the abilities of Mongolian journalists to exercise their professional rights and fulfill their duties to the public.

The report and its appendixes are available in Mongolian & English. Appendixes # B.1, B.2.

<http://www.globeinter.org.mn/en/enewsdetail.php?nid=393>

372 individuals directly contributed and educated through 12 events such as training workshops/seminars/round tables

10 leading journalists contributed to the discussion of media rights issues through Journalists' Meeting held on 16.11.2005

More details in Evaluation/Impact

9 lawyers contributed to the discussion of use of positive provision of use of the Criminal Law through Lawyers' Meeting held on 23.11.2005

More details in Evaluation/Impact

16 from the project staff and monitors learnt monitoring skills through Training Workshops

The project signed contracts with Mr. David Cozac, an IFEX trainer, and two trainers from the Russian Center for Journalists in Extreme Situations Galina Arapova and Oleg Panfilov, who conducted the training workshops on 17-24 December 2005 for 7 days instead of the planned 5 days due to the travel schedules of the trainers.

The training workshops, including the project staff and monitors/correspondents, involved a total of 16 people. Trainees gained knowledge and skills on how to produce Action Alerts to the IFEX standard, how to verify it through the use of multiple sources, how to classify it and how to investigate a case. There also was an intensive and extensive one-on-one alerts training of Globe's Alerts coordinator by the Canadian expert. The Russian experts focused more on how to transfer monitoring skills to the local staff; such as how to find monitoring sources, how to collect information, how to conduct initial monitoring, how to process and archive monitoring results, technical requirements, legal aspects and categories.

The Mongolian lawyers Mr. Tsognyam and Mr. Bolorchuluun were also invited to the workshops and they introduced the participants to the system of jurisprudence of Mongolia,

judicial practices, and mass media and journalists' rights violations which commonly appear in Mongolia.

During the training workshops Globe International organized a meeting on 22 December 2005 with Mongolian lawyers and Ms. Galina Arapova, the experienced Russian Media Lawyer. They exchanged their views on the Mongolian legislation. Most of the discussion was devoted to civil and criminal defamations cases against journalists and the media.

7 lawyers included Mr. Galdaa, a lawyer from the General Procurator Office, Mr. E.Bolorchuluun, an advocate with "Suvd" law firm, Mr. R.Mendsaikhan, a lawyer of the Supreme court, Mr. B.Purevnyam, a lawyer of the National Advocate Union, Mr. Dashdemberel, a lawyer of the Liberty Centre, Ms. D.Munkhburen, a lawyer from Globe International, and Mr. G.Davaakhuu, a lawyer of the NGO Globe International.

Ms.Galina Arapova made a brief introduction about the current situation of free expression violations in Russia and about the Mass Media Defense Centre which she represents. The MMDC is a non-profit organization committed to the values of democracy and human rights which conducts a wide range of activities in the field of freedom of expression.

See Attachments # E5.1, E5.2

41 representatives of media, civil society and public informed on free expression violations' issues through Introductory Round table

The introductory round table was held on 19 December 2005 and journalists, media professionals and representatives of local and international NGOs were invited. The IFEX and CJES trainers attended the round table and introduced the participants to the importance and methods of monitoring.

See Attachments # E6.1, E6.2

In total, 118 journalists in a dual number attended 3 Press Conferences on the FE violations and informed the public

The first press conference held on 15th March 2006 and more than 43 participants attended. Globe informed the public on at Conference room of the Mongolian Press Institute Since the network was established, the alerts coordinator has received a total of action alerts from regional monitors. One case where a TV journalist was attacked and three cases where government officials demanded that journalists reveal the source of information were circulated through the IFEX network.

See Attachments # E7.1, E7.2

The second press conference "Monitoring free expression violation" organized on 22 June 2006 at Conference room of the Mongolian Press Institute and participated around 40 people including Globe's regional monitors. The press conference was introduced the examples of the free expression violations and was reviewed the action alerts produced by Globe which received from the Globe's region monitors through the established monitoring network across Mongolia. North region outline of the monitoring network was introduced by U.Ragchaasuren, Globe's North region monitor based in Darkhan-Uul aimag. G.Davaakhuu, Globe's lawyer was familiarized participants with the survey's result of the libel and

defamation cases decided in the court between 2001 and 2005. Moreover he focused on various types of the defamation and libel cases which mostly occurs during the last years. There was an open discussion on libel and defamations. Furthermore G.Narangarav, Globe's web-editor was presented the new portal website www.monitoring.mn using the internet network also provided the knowledge on the usage of it such as what kind of information posted in it, how to get a free on-line advice from the Globe's lawyers, how to sent information about local media operations and journalist's community and so on.

See Attachments # E8.1, E8.2

The 3d press conference was held on 22 September 2006 at the Press Institute Press Conference room. 35 journalists attended the press conference. The Globe Alert Coordinator informed the journalists on free expression violations. The leading daily newspapers and television channels reported on the issues.

See Attachments # E9.1, E9.2

29 journalists educated on their professional rights through the seminar for journalists and presentation of Your Legal Protection handbook

The handbook was presented to the journalists at a seminar for journalists "Can You Exercise Your Rights?" organized on 23 June 2005 at the Conference room of the Mongolian Press Institute. The seminar aimed to introduce the labor and social rights of the journalists. D.Munkhburen, Globe International's executive director introduced the journalists to the handbook's content and advised them on how to protect their rights. The lawyer G.Davaakhuu spoke about social protection.

Ms. M.Altantsetseg from the Mongolian Trade Union explained the difference between labor and part-time contracts, explained collective bargaining, and taught the journalists how to negotiate.

See Attachments # E10.1-E10.3

27 journalists educated on their labour rights through the seminar for journalists and presentation of handbook: If You Have Legal Problems

The handbook was presented to journalists at the seminar for journalists "If You Are Facing A Problem..." which was organized on 30 October 2006 at the Conference room of the Mongolian Press Institute. The seminar aimed to introduce criminal and civil procedures, and how to use international mechanisms for journalists. G.Davaakhuu, the lawyer of Globe International, introduced the handbook to the journalists and advised them on how to protect their rights when they face problems.

Mr. N.Baatarjav, PhD and lawyer, made a presentation on "Reform of the Criminal Legislation". His main idea was that our new criminal code is too harsh. Some articles are not clear and not possible to exercise. Therefore, interpretation by the Supreme Court is needed.

Mr. E.Bolorchuluun, advocate and head of "Suvd" law firm, explained the differences of the criminal and civil procedures and the importance of legal consultancy. He focused on getting proof and evidence of the journalist's sources, and advice on when, from whom, and how one can get legal consultancy and advocacy.

Please see the invitation, programmes, list of the participants, short summary of the lecture in Attachment # E11.1-E11.4

36 journalists and representatives of human rights NGOs educated on nature and types of censorship through the Round Table: Against Censorship!!!

Globe International in cooperation with ZORIG Foundation organized the round table ‘Against Censorship!!!’ on May 2nd, 2006, due to World Press Freedom Day, at the meeting hall of the National Legal Center. During the round table participants were informed of the origin and essence of censorship, its types, its legal environment in Mongolia, and difficulties facing journalists in exercising their professional duties. Round table participants discussed and adopted ‘A Call to address to the President, Parliament and Government, media owners and Confederation of Mongolian Journalists’ to take urgent actions on creating a more favorable environment for media freedom, abolish editorial censorship and developing efficient media self-regulation. The organisers of the round table believe that the Call will urge the Mongolian Government to respect journalist’s rights to gather and disseminate news without censorship, to efficiently implement the provisions of the National Human Rights Programme, which obliges the Mongolian Government to pass legislation on Freedom of Information and Protection of Confidential Sources, and make amendments to the strict secrecy and defamatory legislation.

See Attachments # E12.1-E12.3

26 from staff and the Board of the MNB contributed to the Public Discussion of draft monitoring report “Public service broadcasting in the transition”

The public discussion was held on October 25th, 2006 and journalists, media professionals, representatives of Mongolian National Broadcasting and all of the members of the Executive Council were invited. We focused on how to develop the report and make recommendations with the help of all the participants. Kh.Naranjargal, head of Globe International, introduced the draft of the “On the road to public service broadcasting” monitoring report. The full report is available in the Media Freedom in Mongolia report.

See Attachments # E14.1-E14.4

44 representatives of media and civil society contributed to the Media Freedom Report through the Final Evaluative Round Table

The round table was held on October 31st, 2006, and journalists, media professionals, human rights defenders, and representatives of some Embassies and NGOs were invited. Kh.Naranjargal, head of Globe International, opened the round table and introduced a draft of the Media Freedom report. The participants were happy to have the first full report on this field and they said it will be useful in the future. Also D.Munkhburen, the executive director of GI, introduced and discussed a court case connected to the freelance journalist D.Gankhuyag. G.Davaakhuu, a lawyer of GI, introduced one of the case studies involving assaults against journalists. Most participants were interested in D.Gankhuyag’s case and suggested changing the conclusion to “A published article shall be protected even it is false if it is related to public matters”, because journalists do ethical mistakes. The annual report is available in Mongolian and English.

See Attachment # E15.1-E15.4

Legal Consultancy

17 journalists received legal assistance through legal consultancy by G.Davaakhuu, lawyer,

- Dashtseren, Deedsein Hureelen, weekly tabloid, civil defamation

He has published a corruption story titled “Millionaire born in the Customs Office” about Mr. Adshia, a customs official. Mr. Adshai brought the journalists to the Court of Bayan Zurkh district of Ulaanbaatar and demanded 10 mln. MNT. The Courts decided to fine the journalist 300, 000 MNT. A week later Mr. Adshia was arrested by the police and he is under inspection.

- Tsolmon, Onoodor, daily, civil defamation

She wrote critical material about Notary unlawful activities. The Chamber of Notary brought the case to the Court and demanded 1 mln. MNT. The Court’s decision was to publish 6 articles about activities of Notary Chamber free of charge.

- Altantuul, Odrrin Sonin, daily, civil defamation

She published news about Mr. Baatar’s mother, who supposedly was transferred 7 billion MNT by her son. Mr. Baatar is the former general director of the State Customs Office and he is currently under arrest. The mother sued and demanded 5 mln. MNT.

- Byambatsetseg, Mongolchuudyn Amidral, weekly tabloid, censorship

Mongolchuudyn Amidral, a weekly tabloid, published news about the personal life of Mrs. Arvin, MP. She went to the post offices together with the police and confiscated all the issues of the newspaper. The newspaper is suing and the case is under investigation.

- Batkhuu, Zuuny Medee, daily, disclosure of information source

He approached the Globe lawyer and requested information on how to protect his information source.

- Erdenetsetseg, Mongolyn Medee, daily, disclosure of information source

She wrote material about a murder and a police officer accused her of disclosing a state secret. She approached Globe International and requested their suggestion of how to act. She revealed her information source because she was promised that her information source would not be harmed.

- Otgonjargal, Unen, daily, disclosure of information source

She has published a story and informed the public with financial violations on on-going construction works of Chingis Khaan complex. The facts have been exposed by the State Auditing Department and the article was published before the auditing has not been finalized. He was demanded by officer of the Intelligence Service to reveal her information source.

- B.Bold, Odriin Sonin, daily, detention

He was detained for 2 hours by the police while he was collecting information about the public demonstration against Boroo Gold, a 100% Canadian invested gold mining company. He introduced himself as a journalist, demanded someone to explain who produced an order to block and detain the rebels, and showed his reporter's identification to the policeman. However his ID was confiscated and he was detained for 2 hours along with others.

- Erdenetsetseg, Mongolchuudyn Amidral, weekly tabloid, disclosure of information source

She wrote material on the investigation process of a criminal case. A criminal police officer demanded her to reveal her information source and threatened to detain her for a period of 6 months.

- Enkhtuul, Odriin Sonin, daily, threats

She published a story titled "Is a Bankrupted Cooperative leading to Mafia Network?" and Mr. Tamir, who was affected by the story, threatened her to reveal her information source, otherwise he would sue her. When the reporter refused to do it, he invited her to his car for a serious talk. She refused again. She had been receiving threatening telephone calls regularly and she noticed that strangers had been following her. The newspaper leader in consultation with Globe approached the State Police department and they provided 2 security guards for her.

- "Niigmiin toli", newspaper, disclosure of information source

The "Niigmiin toli" newspaper published an article titled "Oiroduud (name of the Public minority) discussed short term strategy". The newspaper approached Globe International and requested suggestions on how to protect its information source.

- Ms. Uran, general editor of MNB, was illegally demoted
- The position of staff who works by a labor agreement should be lessened by the Labor law articles 32.33.34. The person whose position is changed must be consulted. The staff shouldn't be transferred to another position on the arbitrary powers of officials on another basis.
- On-line enquiry

A journalist asked a question: Which Mongolian law regulates the activities of the press and information officers working in the Ministries?

Answer:

Law on Legal Status of the Ministries

- A journalist asked a question: When should journalists disclose an information source?

Provision 4 (*The journalist shall protect the source of information obtained in confidence in any case*) of Code of Conducts of Journalists has been adopted by the International Federation of Journalists and the Confederation of Mongolian Journalists.

- Under what circumstances should the head of the National Council of MNPRTV be Removed?

Article 26 of the law on MNPRTV details the removal of the chairman and members of the National Board for MNPRTV.

Health condition and other excusable reasons

Crime that has been proved

Violation of article 21.3 of this law cleared up after the appointment

Appointed or elected in job and official position provided in article 21.3 of this law

Not attended personally the National Council meetings and activities for a period exceeding 6 months.

- What is the importance of Social Insurance?

The possibilities for benefits and a pension from the Social Insurance Fund and Social Care Fund should exist in the case of the Social Insurance, which is regulated by the Law on Labor & Law on Public Insurance

Media productions

The main daily newspapers and television channels have been reporting on the events organised by the project. In total, newspapers published 39 reports and media releases.

See copies of newspapers. Attachment # E16.1-E16.39

Globe International is the IFEX member

Globe International President and Executive Director attended the IFEX Annual meeting and set up contacts with other IFEX members and contributed to the discussions in the events organised around the Annual meeting. Globe International accepted as full member.

IV. CONSTRAINTS/ PROBLEMS

i) Journalists are not aware of when their rights are violated because they still lack knowledge on their professional rights. For example, the reporter Bold from Odriin Sonin, who was detained for 2 hours by the police, thought that it was not a serious violation and did not want to alert others of it.

Journalist N mentioned below also thought that it was not a serious violation.

ii) Journalists are highly self-censored, so they are afraid of possible attacks and assaults in the future should they raise attention to their cases.

Mr. N, journalist from Sine Medee, Erdenet provincial newspaper was beaten by unknown people and his photo camera was taken away. His kidney was seriously damaged, but he has refused to alert this incident.

Mrs. A, a TV producer of a children's program of the Mongolian National Broadcasting has refused to alert her incident. While she was producing a documentary on child sexual exploitation and was shooting in the Korean-invested Seoul restaurant, she was threatened by the Korean businessmen. Later she was forced to clean up her edited tapes by the TV managers.

A female reporter from TV channel C1 has produced a news story on an automobile incident committed by some rich Koreans, who were returning from the golf course. She was threatened and forced to remove her story.

iii) The journalists and media outlets refuse to take legal actions against these violations. For example, both journalists did not want their cases to be investigated.

There are 2 cases fixed that television reporters of MNB (newly established public service broadcaster) and Eagle TV (EBC) were blocked by the police while they were covering public demonstrations, and their cameras were seriously damaged. Unfortunately, the reporters and media leaders have refused to use the relevant law provisions and approach the Courts.

iv) It is not part of the culture for state bodies to respond and react to official requests and demands.

Globe International has produced 8 letters addressed to the authorities and the police leaders, but none of them responded. We are planning to send the letters again to follow our previous actions.

iv) There is no solidarity among journalists and media organizations

Globe's first alert was on case of Mr. Batjav from EBC, who produced a series of programs about corruption in the State General Department of Social Insurance. Mr. Erdene, the former head of the Department affected by the television stories, was interviewed by Odriin Sonin. Batjav was beaten and his car was vandalized while he was doing research. In his interview Erdene denied all the facts exposed by Batjav and accused the journalist in defaming his honor. We have found out that it was a paid interview. Later the results of the State Auditing Department proved Mr. Erdene's wrong-doings and he was fired from his job. Batjav has left for Canada and he has yet to return.

v) The existing Mongolian laws restrict the defense of journalists' rights because some of the law provisions do not meet recognized international law and standards. Mongolian Courts have not had much practice of using these in hearings.

According to the Civil Code of Mongolia, the journalist or person who supposedly distributed information affecting or defaming somebody's honor, dignity and reputation must prove the information.

In accordance with the Law on the Criminal Procedure., an advocate is not allowed to attend the questioning of the journalist or person before his or her case is formally opened, so the journalists are mostly threatened at this stage by officers of the police, intelligence service and other law enforcement institutions. The officers commonly demand them to reveal their information sources or threaten to bring the cases to the Court or arrest or detain them. Our lawyer unsuccessfully attempted twice to attend the questioning of a female journalist, who approached us for legal consultancy.

When the Intelligence Service called the leader of the famous web site Olloo!, he had to reveal the name of their customer, who expressed his opinion about the President and wrote “he will kill him”. Globe International is not supporting hatred and extremism; however, we worry that such a method of threats may be used in other circumstances. Olloo!!! has not wanted Globe International to be involved.

vi) Journalists are not able to hire a good advocate because of their low income. Instead, media leaders prefer publishing corrections, even if the information they distribute is true. According to them it saves time and money. Coming to a compromise is the best outcome for the media leaders and reconciling is the best decision for the Mongolian judges.

vii) The provinces of Mongolia are small and less populated, so almost everybody knows each other, so the dominating mentality is that the monitors are considered bad people because they raise attention to bad things and distribute this information outside the provinces. However, there are some positive changes in the provinces towards the journalists’ work and media activities.

V. PROJECT EVALUATION/ IMPACT

In general, Globe International expects this project will further result in improved conditions for journalists in Mongolia and we anticipate more journalists will be protected from police, authorities, and arrest.

A Globe monitor based in Zavkhan aimag, one of the remote areas of Mongolia, reported on the censorship case and Globe produced a media release. It was handed it over to the aimag Governor. The Governor permitted publishing the media release in the local newspaper and airing it on local FM radio. The highly censored and self-censored local journalists accepted it skeptically, and were anticipating more and new pressures, but nothing happened. The Governor later said to the editor-in-chief that ‘the newspaper should write only the truth and the journalists should not suspect the people’. The Globe action encouraged the journalists. The other officials, who previously had been ‘impolite’ to the journalists, also have changed their attitude and are aware of the laws guaranteeing freedom of expression in Mongolia.

Our monitor in Khovd province reported that the habit of aimag leaders to call journalists and threaten them is changing and the authorities are becoming more aware of the journalists’ professional work. For example, Mr. N.Damba, Secretary of the Citizen’s Representatives Hural, who had ‘bad behavior’ towards journalists said that “now we should be careful communicating with you, because the media is getting more powerful.”

H.Baasanjav, a Khovd TV reporter, said that Khovd journalists are encouraged by the organization which protects them and which the authorities know of.

A Globe monitor based in Darkhan reported that Tsavchirt Company in Darkhan discussed the actions of their manager Munkhtsetseg by the Administrative Committee meeting after they received Globe’s media release. Munkhtsetseg said later that it was shameful, so she is aware of respecting journalists’ rights.

B.Tsegmed, the assaulted female journalist of Erdenet TV, expressed thanks to Globe for its urgent actions and involvement. Mr. Tsegmed who was threatening the journalist in her program is under police investigation. Erdenet journalists Tsend Ayush and Baatarsuren and Darkhan journalists Uyanga and Javkhlangogs said to our monitor that because of Globe actions journalists are encouraged now that they have an organization to protect them.

The main impacts of the project are:

- The provincial authorities are aware of the Law on Media Freedom, the Constitutional provinces and international standards on free expression because of our media releases and letters
- The journalists are getting more aware of their rights and feel that if their rights are violated, there is an organization that will take actions to help them.

In order for Globe International's project to have a greater impact:

- i) Two meetings were organized to discuss the main issues concerning freedom of expression violations, which were outlined in the project proposal. Meetings involved journalists and lawyers
- ii) Evaluation questionnaires were distributed to the target groups to assess the quality of the publications
- iii) Final Evaluative Round Table

i) Outcomes of the meetings

Meeting 1. Journalists' participation

The objectives of the first meeting were to hear the journalists' opinions on the project activities, expose the existing common violations of the journalists' rights and compare it later with the monitoring results when discussing the possible impacts of the project. The meeting involved 6 representatives of the target group: Mr.G.Erdenebat, Daily news, daily, Mr.G.Dashrentsen, Elite's institute, weekly, Ms.D.Bayarmaa, Mongolian news, daily, Ms.A.Altantuya, People's right, daily, Mr.G.Munkhnasan, Mongolian National Radio, Mr.M.Banzragch, teacher, Radio & Television Institute, Mr.B.Tsogzayabaatar, Mongolian news,daily, and Mr.Batjav, Eagle TV.

During the journalists' meeting, held on 16 November 2005, Ms. D.Munkhburen, project coordinator, and Ms. Ch.Yeruulsuren, alerts coordinator, introduced the project. The journalists discussed the crucial issues of the Mongolian media and journalists, and advised on the design and content of a newsletter and webzine through which they want to learn more.

While Ms. D.Munkhburen was speaking on the free expression situation in the country, she noted that two issues were important in improving the conditions of free expression. These are to strengthen national and international advocacy on freedom of expression and legal support and education for journalists.

Issues raised by journalists

Achievements/Impacts

No complete and accurate data concerning Rights violations against journalists

The journalists were informed on free expression violations of the rights of media through 3 press conferences, which were covered by the main daily newspapers and television channels nationally and through Globe's IC tools internationally.

Journalists and media are suffering from restrictive legislation such as criminal defamatory legislation and absence of FOI

Globe International conducted a survey on libel and defamation cases decided by the Courts between 2001-2005.

Journalists, lawyers and civil society organizations gave information on journalists' protection of confidential information and how to resist legal attacks through the handbook: Protecting Confidential Information prepared by European Federation of Journalists. http://www.globeinter.org.mn/programs/index2_1_8.htm

High censorship, particularly editorial and Self-censorship exists

Journalists gained knowledge on the nature and types of censorship, ways of fighting it, domestic legal provisions and international standards through the round table "Against Censorship!!!" on May 2, 2006, which was devoted to World Press Freedom Day.

Participants adopted A Call to the Parliament, Government and President, Media Owners and Editors, the Confederation of Mongolian Journalists, and all Mongolian Journalists.

The Globe Call was published in daily newspapers and delivered to all the MPs and foreign embassies in Ulaanbaatar.

Journalists need legal education to use the provisions of the existing laws to defend them

Journalists and the public learnt about the positive constitutional provisions guaranteeing freedom of expression, provisions of the Media Freedom Law banning censorship, and the provision of the Criminal Law which says that the interruption of a journalist's lawful professional activities by officials is a crime from 4 educational stickers

Journalists obtained knowledge on their labor and professional rights from the handbook 'Your Legal Protection' and the seminar 'Can You Exercise Your Rights?'

The journalists are inaccurate in reporting

Journalists and the public were informed of the following ethical issues through IC vehicles:

Contributed to the development of Ethical Principles of PSB journalists and featured a survey among the journalists. <http://www.globeinter.org.mn/en/enewsdetail.php?nid=301>

Conduct of Code of the Swedish Radio,

Television and Print Journalists were printed in the Newsletter.

<http://www.globeinter.org.mn/programs/04/sb4.htm>

Swedish Media Ombudsmen.

Globe Newsletter #3:

<http://www.globeinter.org.mn/programs/03/sb3.htm>

Report on content analysis on journalism ethics produced by the Press Institute.

<http://www.globeinter.org.mn/en/enewsdetail.php?nid=300>

Mongolian journalists are lacking solidarity and they often disclaim each other.

The Confederation of Mongolian Journalists And Association of Local Newspapers reacted to the Media Release of GI on an assaulted female journalist of NOMIN television station based in Erdenet and published media releases.

The main broadcast and print media regularly attend the press conferences organized by GI and accurately report on the results of monitoring. They publish media releases produced by GI, which are examples of them supporting their colleagues in trouble.

During the meeting journalists identified the following types of violations, which commonly occur among them:

- Editorial censorship is very high and it is reflected in the fact that they are afraid of media owners, managers and editor in chiefs. They are worried to lose their jobs, so they are unable to express ideas and opinions freely
- Journalists are strongly demanded to deny their writings and publish apologies and corrections by the Courts, and even to prove their information sources, so they feel devalued of their professional level
- Demands to publish false corrections or to publish promotional materials free. Most media leaders and journalists have to agree in order not to waste time because of lawsuits.
- Constant tax investigations of media outlets and imposed financial sanctions
- Threats to bring journalists to court and other types of threats come from phone calls using pre-paid cards, and journalists are called and questioned by law enforcement institutions such as the police, intelligence service and others
- Freelance journalist's rights to publish are often violated
- Demands to reveal confidential information sources

Journalists also mentioned insufficient social protection and poor working conditions that violate their labor rights.

The main concerns of the journalists, which affect their professional duties and activities, are that journalists are becoming victims of unfair legal actions, there is no social justice and high

officials have complete impunity. Journalists do not trust the Courts. The also said that they are suffering unfair punishment just because they are telling the truth.

The participants of the meeting think that in order to solve these problems and defend our rights:

- Be accurate in reporting
- Be brave and deny forceful demands to publish false corrections, even if brings income to media outlet
- Raise awareness of lawyers and officials of law enforcement institutions on the professional rights of journalists and media
- Educate lawyers, particularly judges, on using international law and standards while hearing and making decisions on cases on libel and defamation
- Legislate and guarantee rights to access information and protect confidential sources
- Make media owners aware of editorial independence
- The Courts should recognize that public figures should not use their power to censor journalists and media
- There is a need for wider awareness for future advocacy campaigns concerning media freedom and journalists' rights

Meeting 2, Lawyers' Participation

The objectives of the meeting were to discuss how to classify free expression violations in accordance with the existing Mongolian laws and how to use the positive law provisions in order to defend the journalists and media. Of particular interest was the article 139 of the Criminal law of Mongolia. The meeting was held on 23 November 2005 and involved 10 participants. Guests were Mr. D.Zumberellkham, lawyer, National Legal Center, Mr. E.Bolorchuluun, advocate, "Suvd" law firm, Mr. R.Mendsaikhan, lawyer, Supreme court, Mr. D.Orosoo, lawyer, National Legal Center, and Mr.Baatarjav, lawyer, "Orkhon" University.

Article 139.1, The Criminal Code of Mongolia

The person who interrupted the lawful professional activities of a journalist in order to disseminate or not to disseminate information, which affects his or her own and other's interest, shall be fined 31 - 50 times increased amount of the lowest level of salary, or shall be arrested for a period of 1- 3 months.

Outcomes of the meeting:

1. The article 139 is not clear, so it is difficult to use it efficiently

Most of the newly adopted Mongolian laws, which should have been issued by the Supreme Court, haven't been interpreted, so there are a lot of uncertainties, and even lawyers do not understand what exactly the law says. So there are no opportunities to use the Article 139.

D.Orosoo, a lawyer from the National Legal Center, and E.Bolorchuluun, an advocate, tried to use this Article in 2002 for a journalist's case, which was arrested and detained for 24 hours along with demonstrators during a public demonstration organized by the Fair Land Privatization Movement. The demonstration was blocked by 1,000 policemen. Unfortunately, the General Prosecutor's Office denied and ignored their complaints stating that it was not of criminal character. The policemen insisted it was late night, they were unable to recognize who was a journalist and they did not intend to arrest only journalists. If the officials purposefully obstructed the journalists, they should have been sentenced by Article 139 of

Criminal Law. Since policemen arrested the journalists without any purpose, there is no reason to criminally charge them. The other thing is that there is a tendency of the court to follow the decree of a superior court. That is an explanation.

Later, during the round table 'Judicial protection of media freedom', the Globe International leader raised this issue and asked the prosecutor about this case. The prosecutor said that he denied it because the public demonstration was unlawful.

Suggested Further Action

Globe International should seek funding for developing an interpretation by the Supreme Court of Mongolia on the Article 139 of the Criminal Law

2. Freedom of Information law is needed in order for journalists to have access to public documents, otherwise they rely on rumors or naively trust just one information source

Suggested Further Action

Globe International should continue their activities on advocating and lobbying for a FOI law.

3. Journalists panic when being called to Court. Due to poor legal knowledge they are not aware that the court is able also to defend them.

Suggested Further Action

Globe should continue legal education for journalists.

4. The journalists cannot efficiently use legal assistance and they lack elementary legal knowledge

Suggested Further Action

Globe International should continue activities on the legal education of journalists

5. If a journalist published material which relied on false information or an unproved information source, it's very difficult to help him or her.

Suggested Further Action

Globe International should seek funding for the legal defense of journalists

6. Journalist's right to protect their information source should be legislated

Suggested Further Action

Globe International should raise funds for drafting and advocating a Law on Protection of Confidential Sources

The lawyers also stressed the need for a legal definition of who a journalist is and there must be a difference between professionals and volunteers. Globe International lawyers have different opinions on this issue.

The lawyers suggested to:

- Shape an actual concept on journalists and their rights
- Provide systematic legal knowledge for journalists
- Study what kind of journalist's rights are protected by Mongolian laws
- Provide information on types of free expression violations to the journalists and lawyers
- To educate journalists on how to get legal assistance on serious publication cases
- To reinforce discussions among journalists and lawyers to deal with misunderstandings

ii) Results of evaluation questionnaires

The Newsletter

After 4 issues of the newsletter the evaluation questionnaires were distributed to 109 journalists from Ulaanbaatar and provinces. It involved journalists working in 8 newspapers, MNB (Mongolian National Broadcasting) and 4 other private television channels and provincial media outlets. 93% of respondents said that the newsletter materials were useful for their work and the remaining 4.6% thought it was not useful.

12 % of them read 1 issue, 31% - 2 issues, 28.5% - 3 issues and 17.4% read 4 issues of the newsletter. 37.3 % of the journalists liked the Nature of Newspaper feature written by Kh.Tsevee, a veteran journalist, 30.5% enjoyed the Lawyer's Tips and 32.2% loved reading the information on the experiences of their foreign colleagues.

The journalists suggested improving the quality through:

- Including tips to enhance their professional skills (45.1%)
- Providing information on experiences of international journalists (30.3%)
- Providing knowledge on journalism theory (19.3%)
- Tips for improving writing skills (5.3%)

What the journalists want to read about:

- More information on violations of journalists rights
- More about media freedom issues and the protection of journalists rights
- More about Court cases related to the media
- Certain cases of violations
- Methods of investigative reporting including examples
- Access to information and public documents
- The role of photojournalism in developed countries
- Journalism genres
- Cases of problems and difficulties that journalists face in their work
- More about the experiences of Mongolia's leading journalists
- English language lessons
- Best examples of journalism works
- Experiences in countries with advanced media freedom
- Information on how our colleagues abroad work and live, particularly in Western Europe and Eastern European former social countries
- Learn more about GI activities
- Editorial independence

- Promote journalistic solidarity
- Encourage journalism ethics
- The management of local media
- Journalism critics and analysis of separate newspaper , radio and television channels
- Activities of the Mongolian Newspaper Association
- Researches or analysis on Odriin Sonin (daily News)
- Information on up-coming training and seminars

Journalists also suggested that we increase the volume of the newsletter, publish the Law on Public Radio and TV, run an entertainment page and include aphorisms.

From the results of questionnaires, we have learnt that journalists want to be informed:

- on social issues such as poverty, gender, violence, and the environment as well economic and political issues
- on science
- on current affairs
- on recently adopted laws and amendments

The Handbook: Your Legal Protection

66 journalists working in broadcast and print media responded to the evaluation survey. 78.5% of the journalists think the handbook was very useful for them, 15.1% considered it useful and the remaining 6.3% thought it was not useful for them.

According to journalists the most interesting and helpful parts of the handbook were:

- Freedom of expression (77.4%)
- Professional rights (73%)
- Labor rights (72.8%)
- The legal system of Mongolia (72.7%)
- Freedom of information (72.7%)
- Protection of confidential sources (72.6%)
- Media responsibility (71.3%)
- The right to publish and operate (65.8)

The journalists said the following handbooks, materials and training are needed for them:

- More in-depth and detailed information on the protection of confidential sources
- Investigative journalism
- More training for provincial journalists
- More information on how journalists of foreign countries defend themselves
- Training for radio and television presenters and anchors
- Computer based editing (montage)
- More information on journalism ethics
- More information on how to enhance their professional skills
- Information on journalistic research; finding information sources and accessing information

iii) Final Evaluative Round Table

The participants thanked Globe International for the first media freedom report draft. They extremely interested in the cases studies, which were conducted for the first time. The journalists also expressed their thanks to Globe International that protects their rights.

The participants agreed with the draft conclusions of the report and stressed on the following issues:

- The Mongolia media is getting powerful, unfortunately they serve the political and business interests
- No solidarity among media leaders and journalists
- Media NGOs such as Globe International, Confederation of Mongolian Journalists and Press Institute should closely cooperate
- Local media is controlled by the authorities and journalists are facing harsh pressure
- Local journalists are not strong to fight against censorship
- It is very hard for journalists to work with the sources
- Journalists are very self-censored. Many of them do not want to alert the violations against them, so they are afraid from possible attacks in the future

Recommendations and suggestions:

Continue the legal education for journalists through:

- a handbook for journalists on the fair trial
- a handbook for journalists on access to information
- a handbook on the court reporting

Journalists should have National Press Card

Journalists must fight for favorable legal environment, particularly:

- Supreme court interpretation on Article 139 of the Criminal Law
- Freedom of information legislation
- Protection of Sources

Quality of journalism education is bad

Journalists should be more ethical and avoid the professional mistakes

Globe International should make their efforts to continue free expression violation monitoring

VI. CONCLUSION/RECOMMENDATIONS

6.1 Conclusion

Mongolia still needs to continue efforts to consolidate democracy and freedom of media is one of the key indications.

According to government laws that appear on the books, Mongolia has reached significant achievements towards guaranteeing citizen's freedom of expression during the country's period of democratic transition. However, strict defamatory legislation and secrecy laws and absence of freedom of information legislation make it dangerous for journalists to make even simple references to anything concerning areas such as state corruption.

Mongolian media and journalists are experiencing many difficulties in exercising their professional duties and it is proved by the results of the project. In order to address the challenges of media and journalists, we should address the following most important issues:

Issue 1

It is difficult for the regional monitors to reach the neighboring provinces due to bad infrastructure; bad communication, post and transport, so eight monitors are not able to efficiently monitor the cases which occur in the other provinces. It is much easier to communicate with the journalists in the provinces directly from Ulaanbaatar.

Issue 2

Journalists are not aware of that their rights are violated because they still lack knowledge of their professional rights. For example, reporter Bold from Odriin Sonin, who was detained for two hours by the police thinks that it is not a serious violation and did not want to make an alert on it. Other journalists simply do not react or report the violations. So legal education is still important.

Issue 3

The journalists are highly self-censored, so they are afraid of possible attacks and assaults in the future in case of distribution of alerts on their cases. They do not believe they would succeed in winning the cases at the Courts. Commonly, journalists are not able to hire a good advocate because of their low income. On the other hand, the media leaders prefer publishing a correction, even if the information is truthful. According to them it saves them time and the money. Coming to compromise is the best for the media leaders and reconciling is the best decision for the Mongolian judges. The journalists and media outlets refuse to take legal actions against their violations. Several examples are given in our mid-term progress report. Therefore, efficient legal consultancy and legal defense is needed and it would encourage the journalists to use legal mechanisms.

Issue 4

There is no culture that the state bodies should respond and react to official requests and demands. Globe International has produced six letters addressed to the authorities and the police leaders, but none of those responded. We are planning to send the letters again to follow our previous actions. So advocacy campaigning is needed to make the authorities aware and we should encourage the international actions.

Issue 5

There is no solidarity among journalists and media organizations. Globe's first alert was on the case of Mr. Batjav from EBC, who produced the series of programs about corruption in the State General Department of Social Insurance. Mr. Erdene, the former head of the Department affected by the television stories, was interviewed by Odriin Sonin. Batjav was beaten and his car was vandalized while he was doing research. In his interview Erdene denied all the facts exposed by Batjav and accused the journalist of defaming his honor. We have found out that it was a paid interview. Later the results of the State Auditing Department proved Mr. Erdene's wrong-doings and he was fired from his job. Batjav has left for Canada and he has not returned until now. One of the outreaching goals of our campaign should be focused on solidarity.

Issue 6

The existing Mongolian laws is restrictive and does not defend the journalists' rights because some of the law provisions do not meet the recognized international law and standards, and the Mongolian Courts do not have good practices of using those in hearings. According to the Civil Code of Mongolia, the person (journalist), who supposedly distributed the information affecting or defaming somebody's honor, dignity and reputation, or insulting somebody, must prove the information.

6.2 Recommendations

Basing on the results of the project Globe International proposes:

6.2.1 To continue free expression violation monitoring and make it the network functioning more efficient by:

- expanding the monitoring network and hiring the monitors in 21 provinces without big increase of the budget
- training of the new monitors

6.2.2. To continue legal education for journalists in order to make them aware of their rights are violated, particularly through:

- publication of 2 handbooks: Access to information and Protection of Sources
- legal safety training of trainers
- regional workshops on the legal safety

6.2.3. To provide legal defense for the journalists, whose cases are brought for the courts

6.2.4. To continue the legal consultancy to journalists and make the on-line consultancy more efficient

6.2.5. To increase national and international distribution of information on FE violations and freedom of medic issues, and media events.

Final report by

H.Naranjargal, project leader