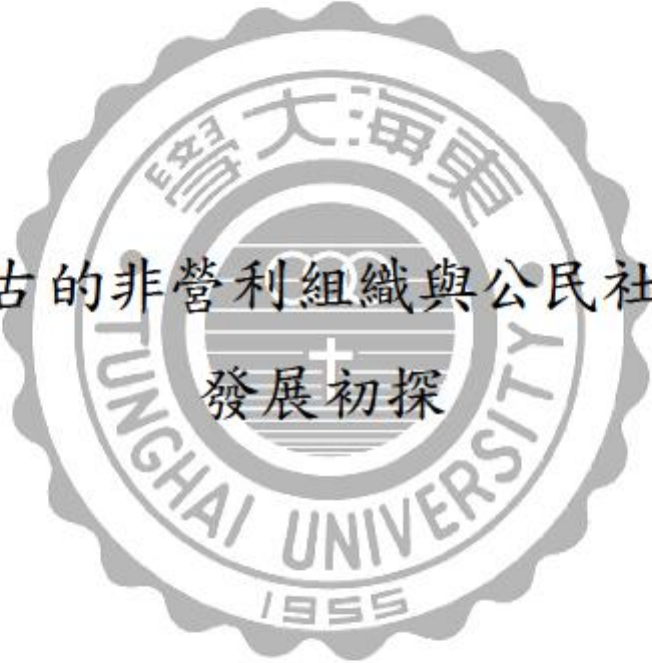


東海大學政治學系碩士論文

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The seal of Tunghai University is a circular emblem with a scalloped outer edge. It features the university's name in Chinese characters '東海大學' at the top and 'TUNGHAI UNIVERSITY' in English around the bottom. The year '1955' is inscribed at the very bottom. In the center of the seal, there is a cross-like symbol above the Chinese characters '發展初探'.

蒙古的非營利組織與公民社會
發展初探

碩士班研究生：巴特涂心

中華民國一百零八年一月十一日

Non-Governmental Organization and Civil Society in Mongolia

By

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Abstract

NGOs in Mongolia play a crucial role. In the meantime, as Mongolia underwent fundamental changes in its social and political systems at the end of the 1980s. In the beginning of the 1990s, civil society and its legal framework began to develop. Since the collapse of Communism in 1989, Mongolia has advanced its democracy and human rights. Mongolia abandoned the socialist way of the development in politics, economy and lifestyle. In this research, I will focus on identifying the concept of the NGOs. What are NGOs? What are their functions in the development of democracy? More specifically, I also analyze the funding resource of the NGOs in Mongolia. The second task in this thesis is to investigate the extent to which the NGOs are able to serve as an agent for creating a civil society in Mongolia. In particular, I identify two dimensions - supervising the government and freedom of speech – as important elements of civil society. I was curious about if the NGOs can help to preserve their values when dealing with the mining issue in Mongolia. There is always a debate between environmental protection and economic development in the means of mining business. What I found was that the NGOs are limited in their ability to supervise the government because they need to count on the government for financial subsistence, and what makes it even worse is that the NGOs sometimes receive money from the mining companies, however indirectly. In addition, I look into a case where protesters speak out against the government and the mining business, but unfortunately they are somehow killed in the protest. Although this serves as the most extreme case, it indicates the possibility that environmental protesters are in danger and the NGOs are not able to provide proper shelter in Mongolia. All in all, NGOs start to become a hope for creating and participating in a civil society. However, because of the financial limitation, NGOs have the difficulty in serving as an oversight agent and let the government take responsibility for mining pollution.

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Chapter I Introduction

Background

The background of the thesis is such that NGOs is a very important in reducing poverty and increasing socio-economic development. In the meantime, as Mongolia underwent fundamental changes in its social and political systems at the end of the 1980s and the beginning of the 1990s, civil society and its legal framework began to develop.

After adopting democracy in 1990, Mongolia walks in the direction of civil society, albeit at a slow pace. There were clear trends toward further development in this country. One example of this trend is the development of the NGO sector. In this research, I will focus on identifying the concept of NGO, what are NGOs? What are their functions in the development of Mongolia? I also analyze NGOs in Mongolia and their funding resource. In highly developed countries, the policy is to support NGOs in contributing to human development. Today, in many countries of the world, efforts are spent in place that provides financial and economic support for NGOs. These efforts are also related to government cooperation with NGOs and presenting resolutions to humanitarian issues.

Since the early 1990s, international NGOs donor countries have also actively implemented in Mongolia their programs aimed at assisting the country's democratic transition. Thus, both foreign and domestic NGOs actively worked in the form of special programs and aimed to help the country to walk through the transition to democracy.

An important characteristic of Mongolian NGO sector is its uneven geographic distribution. Mongolian NGOs are highly concentrated in main cities and urban areas while a few NGOs exist in remote rural areas. In particular, in 2004, there were 2 NGOs that were active in rural area. As of today, the extent to which NGOs develop also measures the country's level of civic and democratic development. All in all, the purpose of the thesis is to explore the role of the initiatives and activities of NGOs. On the one hand, NGOs serve as voluntary civic organizations, which was rarely seen in Mongolia in the past. On the other

hand, NGOs have to do with the distribution and redistribution policies and the implementation of various laws in Mongolia.

Political System in Mongolia

As of today, free speech, human rights, and religious freedom are protected, however prior to the democratic transition, Mongolia was a loyal member of the communist bloc. From 1921 to 1989, one communistic totalitarian party, called the Mongolian People's Revolutionary Party (MPRP) led by the ideology of Marx-Leninism, ruled Mongolia. The MRPD coordinated all of the external and internal affairs of the country.

The first democratic election was held in 1990 in the aftermath of the Mongolian Democratic Union(MDU)'s hunger strikes in front of the government palace to demand political freedom. During the elections in 2008, the MPRP still won 44 of the 75 seats, while the Democratic Party of Mongolia won 29 seats and an independent party won one seat. During the elections held every 4 years, the Mongolian people have so far displayed a persistent but 'muted nostalgia' for communism. The problem of unemployment and poverty made nomads even poor. In this situation, they needed to adjust to permanent community lifestyle. Even in this context, Mongolia is considered a country evolving into democracy.

The latest elections held on June 28, 2012, showed for the first time a distinctive swing toward the Democratic Party (31 seats), which outnumbered the Mongolian People's Party (25 seats) and the Justice Coalition (11 seats). The remaining seats are split among other candidates. Some seats are still open and will be filled after holding reelelections during the summer of 2012, in some areas of the country. This was for having a majority government (39 seats) possible. According to the website infomongolia.com on July 9th, 2012, a coalition of the Democratic Party and the Justice Coalition is likely to happen.

Since the transition, there have been three kinds of elections held regularly in Mongolia: 1) the parliamentary election 2) the presidential election and 3) the election of representatives or local elections. The “State Great Khural/Parliament of Mongolia” represents the highest institution level in terms of state power and legislation. The Constitution of Mongolia declares that the President is the Head of State, symbolizing and representing the unity of the Mongolian people. A nationwide, equal, direct and secret ballot elect the President of Mongolia. The national representatives or the Citizen’s Representative from local elections met up on the regular basis democratically. The first two elections are held once every four years within the same year, while the second elections are held one year after the parliament election.

The territory of the country is divided into 22 administrative units that consist of 21 Aimags and the capital city, Ulaanbaatar. Each Aimag and the city are governed by the so-called “Citizens’ Representative Meeting”. The next lower level of administration within an Aimag unit is a sum and sums are divided into baghs. Both sum and baghs are governed by the “Citizens’ Representative Meeting” at their respective levels. The capital city, Ulaanbaatar, is divided into districts and subdivision of districts, which are called Khoroos. A “Citizens’ Representative Meeting” at all administration units represents self-government of local population or communities.

The Constitution of Mongolia prescribes that the governance of administrative and territorial units of Mongolia shall be organized on the basis of a combination of principles of both self-government and central government. Local governance is a combination of central governance and self-governance, which are two types of social governance systems. Self-government means that Mongolian citizens can decide directly and indirectly all matters concerning their life through the representative institution that takes into account the State’s interest, local specificities, and financial resources. In spite of this, they must decide the

matters themselves independently in conformity with the Constitution, the Law on Governance of Administrative and Territorial Units and other related legislation of Mongolia.

State power shall be exercised on the local territories of Aimags, the capital city, sums, districts, baghs and Khoroos by the governor of these territories. The Citizens' Representative Meeting of the respective Aimags, the capital city, sums, Duuregs, baghs, and Khoroos nominates candidates for governor. The governor of the respective Aimags and the capital city are appointed by the Prime Minister, sum's and district's governor by the governor of Aimag and the capital city; governor of baghs and Khoroos by the governors of sums and respectively for a term of four years.

Research questions.

There is little discussion about NGOs in Mongolia in English, not to mention International NGOs. My thesis is dedicated to this matter. My research questions are twofold. First, what are international NGOs in the context of Mongolia? How do these NGOs work in Mongolia? Where do the NGOs find their funding sources? Second, how do they help to enhance the democracy in Mongolia? Asking this question has to do with assessing the extent to which the NGOs are capable of helping creating a civil society in Mongolia where supervising the government and freedom of speech are possible. I select the mining case as a topic and see if the NGOs are able to supervise the government regarding striking a balance between the mining business and the environmental protecting. In addition, I investigate the extent to which environmental protesters have freedom of speech. In other words, this study focuses on the environmental impact assessment as an environmental management tool, which aims to mitigate the negative environmental and social impacts of mining.

When it comes to freedom of speech and the supervision of the government by NGOs, I argue that Mongolian civil society actually is not vibrant and strong, and I will find the evidence for this argument. While the space for civil society does exist, it is poorly institutionalized and not fully respected by the state, politicians, businesses or other actors. Overall, I assume that NGOs are as a basic component of civil society. Therefore, I assess the extent to which NGO participate in the decision making process in Mongolia government. If this extent is only limited, then we can say NGOs are limited in creating a sound civil society in Mongolia.

Chapter II

International organization

This thesis deals with the International organization (IO, for brevity) in Mongolia. To start with, International organizations are important actors in the critical episodes of international politics, with power in mediation, dispute resolution, peacekeeping, applying sanctions and others. They also help in managing various key areas of international concern, from global health policy to the monetary policies around the world (Abbott and Snidal, 1998). International organizations can be defined as ‘an institutional agreement between members of an international system in order to achieve objectives according to systemic conditions, reflecting attributes, aspirations, and concerns of its members’ (Hanrieder, 1966). And what gives the basic rule of them is the sovereignty of the nation-state (Barkin and Cronin, 2009). In terms of the concept of global governance promoted by the international organizations, this was originally about raw power but has evolved to legitimacy and customs (Keohane and Nye, 2001).

It is common in the literature to define international organizations in at least some ways. One delimitation often made depends on the nature of the body of law governing the activities of the organization. If those activities are governed by international law, we are then talking about an international organization, or at least of an intergovernmental organization. If those activities are, however, governed by domestic laws, we usually say that the organization in question is a non-governmental organization. Examples include Greenpeace or Amnesty International. While the activities of such entities may be international in character, and they may even have been given some tasks under international law. But they do not meet the usual understanding of what constitutes an international organization.

An international organization has been defined “as a forum of co-operation of sovereign states based on multilateral international organizations and comprising of a relatively stable range of participants, the fundamental feature of which is the existence of permanent organs with definite competences and powers acting for the carrying out of common aims. (Eric C. Okechukwu 2012, page, 1)

In the broadest sense, an international organization can be defined as “a process of organizing the growing complexity of international relations; international organizations are the institutions which represent the phase of that process. They are the expressions of and contributors to the process of international organization, as well as, the significant factors in contemporary world affairs. Moreover, international organizations, as any other institutions, may come and go because of the dynamic international relations. But it is undeniable that international organizations continue to grow. It was the stimulus of the existing process ready at hand that was automatically led, after the collapse of the League of Nations, to the creation of new organizations like the U.N. Thus, international organization is the process by which states establish and develop formal institutional structures for the conduct of certain aspects of their relationships with each other. It represents a reaction to the extreme decentralization of the traditional system of international relations and the constantly increasing complexities of the interdependence of states.

The following are the characteristics of international organization:

- Its origin is based on the multilateral international agreement: an instrument by which states and other subjects of international law, such as certain international organizations, regulate matters of concern to them. The agreements assume a variety of form and style, but the law of treaties governs them all, which is part of the customary international law.

- The institution has a personality of its own, which is distinct from that of its individual members: The International organization work in various sectors such as education, health, poverty, illiteracy, hunger and humanitarian sectors as their ultimate objective is to counter all these problems and provide them a better solution.
- It has permanent organs, which carry out common aims. International organizations are known as fictional entities in the eye of international law as no international convention provide them with legal status, but humanity is above all. So international organizations work under the state law in which they operate.

As compared to the will of all members, its organs exhibit autonomy of will.

For an international lawyer, it goes without saying that the activities of those organizations that are subject to international law will be of most interest. Usually, those organizations will have a number of characteristics in common although, in conformity with the fact that their founders are relatively free to establish whatever they wish. Those characteristics are not merely characteristics. They relentlessly pursue their values.

One of those characteristics is that international organizations are usually created between states, or rather, as states; themselves are abstractions, by duly authorized representatives of states. This, however, does not tell the whole story. For one thing, there are international organizations which are themselves members of another international organization and sometimes even founding members. For example, The EC, or European community, is a member of the FAO (food and agricultural organization) and at the same time is a founding member of the WTO. In this case, we still count WTO and the FAO as official IOs. In general, then, there is no a hard and fast rule that international organizations can only be created by states.

Non-governmental organizations (NGO)

Another way of discussing IO is the concept of Non-governmental organization (NGO). NGO plays an important role in modern society. For instance, as mentioned by Lewis and Kanji (2009:1) there are two kinds of NGO activities, which are delivering public service to the people and promoting social change. NGO can replace the government functions if the government failed to provide service or public goods for the citizen.

According to Crowther (2001), NGOs are defined as such bodies that have in direct relationship and contrast to Governments. From this definition, we can say that NGO is an institution that is recognized as opposed to the presence of the government. Their activities are proof that sometimes the government cannot fulfill the needs of their people.

On the other hand, NGO is often understood as an independent organization. This kind of institution works to achieve social purpose such as providing clean water for the people in the remote area or preventing the prevalence of HIV/AIDS among the young people in the urban area. It means NGO orientation as an organization is not for profit gaining.

In their work on NGOs and development, Lewis & Kanji put forward that, the different terms used sometimes reflect the different types of NGO. An example is an important distinction usually made between grassroots or membership NGOs, composed of people organizing to advance their own interests; and intermediary NGOs made up of people working on behalf or in support of a marginalized group (Lewis & Kanji, 2009)

Definitions of what constitutes NGOs vary, as there is no widely shared definition. They are an extremely diverse group of organizations that take different shapes and forms within and across different country contexts (Lewis & Kanji, 2009; Lang, 2013). Sohel (2007) defines an NGO as a legally constituted organization created by natural or legal persons that operate independently from any government. NGOs are usually a term indicting entities that have no government status (Sohel, 2007, p. 3).

NGOs sprung up and increased since World War II, despite the previous long formation of voluntary groups for survival, commercial, spiritual, cultural and other purposes (Oxford Encyclopedia of the Modern World, 2008). The United Nations in 1945 was the first to use the term “NGO” when it made a distinction in its charter between the participation of intergovernmental agencies and non-government associated groups (Lewis & Kanji, 2009; Lang, 2013, p. 10). In recent times, when we hear or think about voluntary actions, the first concept that comes to mind is NGOs. From media broadcasts about disaster assistance to billboard advertisement of a hungry looking and deprived child (most likely Africa), screams NGO! This is because all charity related actions are associated with the works of NGOs. Although the popular term is NGO, the terminological database of describing charitable and aid-related actions is immensely diverse.

One of the controversial issues related to NGOs is their definition and classification. Because it is difficult to define and classify given the multifaceted nature of NGOs and their diverse activities in various sectors, their relations to the state/market/public/international organizations, and their wide range of objectives. As defined by Korten (1990), NGOs are ‘movement-oriented entities, led by certain ideals, and have tended to focus attention on questions involving their missions and the proper means to achieve these missions’ (Shigetomi, 2002, p. 1), while Vakil (1997) described NGOs as “self-governing, private, not-for-profit organizations that are geared toward improving the quality of life of disadvantaged people” (p. 2060).

Consistent with changing development paradigms, NGOs’ roles in society and relationships with both the state and market have enormously changed over the last three decades. Some of the key roles performed by NGOs are social service providers, aid deliverers, partners of tri-sector partnerships, public watchdogs for government and business, public representatives, educators and mediators, and activists (Howell & Pearce, 2001; Jordan

& Tuijl, 2006; Teegan, et al., 2004). Depending on their roles, NGOs chose various strategies to put their objectives into actions. One of the main areas of NGOs' involvement is the accountability of both the public and private sectors.

According to the United Nations, an NGO is a not-for-profit, voluntary citizens group, which is organized on a local, national or international level to address issues in support of the public good. NGOs are task-oriented and consist of people with common interests. NGOs perform a variety of services and humanitarian functions, bring citizens concerns to governments, monitor policy, and programme implementation, and encourage participation of civil society stakeholders at the community level. They provide analysis and expertise, serve as early warning mechanisms and help monitor and implement international agreements. Some are organized around specific issues, such as human rights or the environment or health. Their relationship with offices and agencies of the United Nations (UN) system differs depending on their location and their mandate.

Types of NGO

In this section I want to describe organizational component of types of NGOs based on their activities, the way in which they are controlled, managed, and legally incorporated: their location between government and civil society, the level of at which they operate, and their links with other organizations.

Different classifications of the NGOs are mentioned in the literature. The classification of NGOs retrieved from different sources is as followed:

a) NGO types can be understood by orientation and level of cooperation.

NGO type by orientation:

- **Charitable orientation:** a NGO often involves a top-down paternalistic effort with little participation by the "beneficiaries". It includes NGOs with activities directed

toward meeting the needs of the poor -distribution of food, clothing or medicine; provision of housing, transport, schools etc. Such NGOs may also undertake relief activities during a natural or man-made disaster.

- **Service orientation includes:** a NGO with activities such as the provision of health, family planning or education services are expected to service people, especially the minority.
- **Participatory orientation:** an NGO is understood as a self-help project where local people are involved so as to donate cash, tools, materials and labor. In the classical community development project, participation begins with the need and want of the ordinary people. Most importantly, cooperation is often a main element in the regard.
- **Empowering orientation:** is where the aim is to help poor people develop a clearer understanding of the social, political and economic factors affecting their lives, and to strengthen their awareness of their own potential power to control their lives.

Sometimes, these groups develop spontaneously around a problem or an issue. At other times, outside workers from NGOs play a facilitating role in their development. In any case, there is maximum involvement of the people with NGOs acting as facilitators.

NGO types by level of Operation

NGOs also work at different levels and on different scales. Some are international in that their work extends beyond one country. Others are national or regional serving region within a country in their scope. Then there are local NGOs which work within defined small geographical areas.

1. **Community-based organizations (CBOs)** arise out of people's own initiatives. These can include sports clubs, women's organizations, and neighborhood organizations,

religious or educational organizations. There is a large variety of these; some are supported by NGOs, national or international NGOs, or bilateral or international agencies, and others independent of outside help. Some are devoted to raising the consciousness of the urban poor or helping them to understand their rights in gaining access to needed services while others are involved in providing such services.

2. **Citywide organizations** include organizations such as the Rotary or Lions Club, chambers of commerce and industry, coalitions of business, ethnic or educational groups and associations of community organizations. Some exist for other purposes and become involved in helping the poor as one of many activities, while others are created for the specific purpose of helping the poor.
 3. **National NGOs** include organizations such as the Red Cross, YMCAs/YWCAs, professional organizations etc. Some of these have state and city branches and assist local NGOs.
 4. **International NGOs** range from secular agencies such as Redda Barna and Save the Children organizations, OXFAM, CARE, Ford and Rockefeller Foundations to religiously motivated groups. Their activities vary from mainly funding local NGOs, institutions, and projects, to implementing the projects themselves.
- b) The World Bank differentiates two main categories of NGOs with which it interacts:
1. Operational NGOs, the primary purpose of which is to design and implement development-related projects.
 2. Advocacy NGOs, the primary purpose of which is to defend or promote a specific cause, and influence the policies and practices of international organizations.

The operational NGOs are further classified as national organizations, which operate in individual developing countries, international organizations, which are typically headquartered in developed countries and carry out operations in developing countries, and

community-based organizations (CBOs), which serve a specific population in a narrow geographical area. CBOs, also referred to as grassroots organizations or peoples organizations (PO), differ from other NGOs in both nature and purpose: while national and international organizations are seen as “intermediary” NGOs that are formed to serve others, CBOs are usually “membership” organizations whose purpose is to advance the interests of their members. Examples include women’s groups, credit circles, youth clubs, cooperatives, and farmers’ associations.

c) NGOs are categorized based on their theme, nature of operations, or level of operation. Specific NGOs deal with specific issues such as the environment, rural development, health, or women’s empowerment. NGOs can also be classified on the basis of their operations such as advocacy, research, or training. The third possible classification might be based on their level of operation, i.e. they can be international, national, or local.

d) Korten (1990) classifies NGOs as per strategies of development. He states four types on NGOs i.e. Relief & Welfare Organization, Community Development Organization, Sustainable Systems Development Organization, and People’s Organization.

e) According to D. Rajashekhar (2000), NGOs are of four categories, such as Operational or Grassroots NGOs, Support NGOs, Network NGOs, and Funding NGOs. Grassroots NGOs directly work with the oppressed sections of the society. It is, again, of four types: ‘Charity and Welfare NGO’s which focus on providing Charity and Welfare to the poor, ‘Social Action Groups’ focus on mobilizing marginalized sections around specific issues, Development NGOs focus on the implementation of concrete development activities with issue-based struggle. Support NGOs provide services that would strengthen the capacities of grassroots NGOs, Panchayati Raj Institutions, cooperatives, and others to function more effectively. Network NGOs are formal associations or informal groups of grassroots and/or Support NGOs, which meet periodically on particular concerns. Funding

NGOs are those who extend financial assistance to the grassroots NGOs, Support NGOs or people's organizations.

f) Besides "NGO", the alternative term in Mongolia "NGO and civil society" is used to mean independent sector, volunteer sector, civil society, grassroots organizations, transnational social movement organizations, private voluntary organizations, self-help organizations and non-state actors (NSA's).

Strength and weakness of NGOs

In attempts to have a fair evaluation of NGOs, then I explicate the strength and weakness of NGOs. Every NGO has its own set of strengths and weaknesses. No thumb-rule could be applied to list the strengths and weaknesses of NGOs as no two NGOs are identical.

In general, the following are the most common strengths and weaknesses of the NGOs:

The strength of the NGOs

- Proximity to grass root levels: NGOs are close to the community and can understand people's needs and expectations. This is the major strength of NGOs. There is clarity about the nature and extent of the problem or need prevailing in the community.
- Enthusiasm and inner drive of the members: NGO people have an inner drive towards the social cause and they are enthusiastic about their work which results in the timely achievement of their goals.
- Creativity and innovation: NGOs are generally known for their creative and innovative nature. Due to their freedom in working, NGOs are not under any kind of pressure of doing a job in a particular way, which in turn makes them think creatively and brings innovation

- Quality of work: NGOs utilize the funds economically as already most of the NGOs face a shortage of funds. NGOs projects or activities are met in time and have a long-term effect.
- The speed of work: The communication is faster in case of NGOs since they do not contain a long chain of commands in the organization. Fast communication, flexibility, field experience and field presence of NGOs increase the working speed.

The Weakness of the NGOs:

- Dependence on donors: This is the biggest weakness of NGO which makes them unsustainable. Most of the NGOs are dependent on external funds for running their projects. In absence/ shortage of funds, the work of NGOs is slowed down or even stopped till the funds are available.
- Lack of skilled labor: Technical ability is required for running the projects successfully, which is not available easily for NGOs. Also in NGOs working in rural areas or remote places, there is a problem of inadequacy of trained people, which is really a challenging situation.
- Limitations with long-term and large-scale projects: NGOs are efficient in short range projects, but they might find big projects difficult to manage because of insufficiency of funds and inadequacy of suitable manpower. The NGOs are close to grassroots but may be unaware of global socio-economic scenario, which may make them unsuitable for large-scale projects.

International NGOs in Mongolia

In the 1990s, Mongolia became a democratic country and faced new challenges, including a poor economy, dependency on its two big neighbors, an unconsolidated new

political system and unknown international environment. In the meantime, Mongolia needed support and assistance from the developed world so as to deal with these challenges. Main donor countries like Japan, the United States, and Germany, as well as international organizations such as the UN, World Bank, and IMF, began to provide economic and political aid to Mongolia. This assistance included programs aimed at creating economic development, political democracy, and a prosperous partner for the future. At the same time, international non-governmental organizations (INGOs) have played a significant role in the efforts to assist Mongolia in addressing the difficulties of this transition and the establishment of a democratic polity.

Unfortunately, the role and the impact of NGOs on the host society have not yet been properly studied and mostly omitted from structural theoretical and empirical accounts explaining the state of transnational civil society and international assistance. However, much research has been done on their role in world politics (Anheier 2001, Boli and Thomas 2002, Keck and Sikkink 1998, Lindenberg 2001, Clark 1995). Not the international relations scholars or political scientists, but development analysts, sociologists, and economists have performed key research into the topic, mainly since the 1980s when the number of NGOs with international perspectives was dramatically increased and the participation of NGOs in international assistance was intensified (Carothers 1999, Ottaway 2000, Mendelson and Glenn 2001). The past decade has witnessed an explosion in the number of NGOs in the Organization for Economic Cooperation and Development (OECD) member countries, from sixteen hundred in 1980 to well over five thousand by 1995. (Hoy, 96) As registered in the Union of International Associations, today there are more than twenty thousand active international NGOs in the world. (UIA, 1999).

A number of NGOs including The Asia Foundation, Konrad Adenauer Stiftung, Soros Foundation, and International Support Service began their assistance to Mongolia in 1990-1991. Since then, the number of international NGOs in Mongolia has greatly increased. Between 1991 and 1996, there were thirty-six international NGOs at work, while in 1997-2002 this number rose to ninety-five. Today there are over a hundred international NGOs registered at the Ministry of Justice and Home Affairs as well as national committees of international networks such as Rotary club and Amnesty International.

There was a significant increase in NGOs after 1997 and 1998, most likely due to factors such as the Law on NGOs passed by the State Great Hural (Parliament) in 1997 that helped to create a favorable legal environment and guarantee for not only domestic NGOs but also for international NGOs. Another factor was the Foreign Policy Concept passed by the State Great Hural in 1994. With this Mongolia sought to integrate itself into the world community and to pursue a more open and multi-pillar foreign policy. Mongolia also shows its willingness to cooperate intensively with international organizations and foundations, in culture and humanitarian spheres as a priority. Another priority is managing the devastating consequences of natural disasters, and the conditions of underdevelopment and poverty that exist throughout the country. In a global perspective, public fiscal crises and the collapse of the Soviet Union created a vacuum into which international NGOs have entered. (Lindenberg and Bryant, 2001).

A 77 percent, or the majority of the international NGOs registered in Mongolia in 1992-1994, organized their activities around the provision of basic human needs and the relief goals to help social groups in deepest needs. In particular, assistance with material goods prevailed. In addition, there was a rapid growth of international NGOs worldwide after the 1990s and the number of internationally oriented national NGOs grew faster. These

organizations that promote peace, human rights, democracy, and humanitarian deeds, opened their resident representative offices, or local offices in different countries. The fact that these organizations grew three times between 1981 and 2001, was one of the reasons for the international NGOs' increase in Mongolia. According to the 2004 statistics, 31.9% of international NGOs in Mongolia have their headquarters in the USA and 13.8% in the Republic of Korea.

It is common that the goals and aims of these international NGOs are consistent with the logical continuation of their general goals of the headquarter organization, as well as simultaneously trying to reflect the local needs and peculiarities of Mongolian society. For instance, these organizations generally have strived to help the citizenry to overcome the hardships of transition. However, the ways and approaches for helping the citizens have differed depending on strategies, financial capacity, international connection, and previous experiences of these organizations. For example, organizations with a long history and much experience including Save the Children, World Vision, Konrad Adenauer Stiftung, and Amnesty International, enjoy numerous advantages such as a large number of experienced volunteers and staffs, financial sustainability, international network, and consultative status for the UN organization. There are twenty-one representative offices of international NGOs, which have obtained the consultative status from the UN Economic and Social Council. Eighteen of these organizations have general and special consultative status and can cooperate and assist the Council and other UN programs and activities. UN Economic and Social Council render this consultative status on general, special and roster levels to the experienced and sustainable NGOs that have the goals and objectives consistent to the UN goal, principles and values, at their request.

According to the State Great Khural (Mongolian parliament) under Article 4 of the Law on NGOs sets out two types of NGOs: Public Benefit NGO and a Member Benefit NGO. The charitable activities for the promotion of arts, culture, and education, protection of nature and environment, support of human rights and community development are defined as the public benefit. A public benefit organization is defined as the one that makes the main purpose of its charter its engagement in public benefit or charitable activities. A mutual benefit organization shall mean an NGO that operates primarily to serve the legitimate interests of its members. NGOs obtain one of this status themselves when they register at the MOJHA and the status should be indicated in their organizational by-law.

The Non-governmental organizations form a heterogeneous group. There is a long list of organizations working in different areas with the varied scope of work. The alternative terms used in addition to “NGO” include private voluntary organizations, civil society, independent sector, self-help organizations, grassroots organizations, volunteer sector, transnational social movement organizations, and non-state actors (NSA’s).

According to World Bank, NGOs are private organizations that pursue activities to relieve suffering promote the interest of the poor, protect the environment, provide basic social services, or undertake community development. According to department public information, an NGO is a not for profit, voluntary citizens group which is organized on a local, national or international level so as to address issues in support of the public good.

However, the emergence of NGOs in Mongolia is closely related to growing public demand for strengthening democracy, respecting human rights, combating corruption, and improving inadequate state management of social and environmental issues. NGOs and other civil society organizations have increasingly contested mining problems and unfair income distribution. The involvement of NGOs in such issues has been lately compared to that in other countries. Since the 1990s, following the end of communism, Mongolian civil society

has grown dramatically. The notion of civil society, or citizens' society in Mongolian, appears in the 1992 Constitution. Its preamble states that the supreme objective of Mongolia is to build —a humane, civil, and democratic society in the country (The State Great Khural of Mongolia 1992, Article 1).

Currently, Mongolian civil society covers a wide range of organizations, including NGOs, trade unions, chambers of commerce, saving and credit cooperatives, political parties, religious organizations, apartment owners' unions, non-profit media, informal self-help and leisure groups, and community groups (UNDP, 2006, p. 1). Among these, NGOs are the most influential and active.

The democratic Constitution and the law on NGOs opened up legitimate grounds for NGOs. The law defines a NGO as an organization, which is independent from the state, self-governing, not-for-profit and established voluntarily by citizens or by legal persons other than State bodies (that exercise legislative, executive and judicial powers) on the basis of their individual or social interests and opinions (The State Great Khural of Mongolia, 1997, Article, 4.1).

Thus, it guarantees the right of Mongolian citizens free to establish an NGO to further their interests and opinions without being intervened by the state or other parties. The law defines two types of NGOs: public benefit, and mutual benefit. Public benefit NGOs are non-member NGOs that operate for the public benefit in the fields of culture, art, education, science, health, sport, nature and environment, community development, human rights, protection of the interests of specific subsets of the population, charity and other such fields (The State Great Khural of Mongolia, 1997, Article 4.2). Mutual benefit NGOs are member-based and operate primarily to serve the legitimate interests of its members (The State Great Khural of Mongolia, 1997, Article 4.3). The law indicates that NGOs may be involved in

drafting and implementing decisions by state organizations and have a right to access information about activities of state organizations unless they are classified as state secrets (The State Great Khural of Mongolia, 1997, Article, 9.4 - 9.5).

Since the Law on NGOs (1997), the number of NGOs registered with the Ministry of Justice and Home Affairs has boomed, reaching more than 5000 by 2005 (Open Society Forum, 2005). However, the Mongolian NGO sector is still in its infancy. It faces numerous challenges ranging from the internal problems of NGOs to their broader impact on society in their endeavors to pursue democratization. In spite of their relatively large number, only about one-fifth of NGOs operate on a regular basis (UNDP, 2006). The Civil Society Index 2005, developed by the International Civil Society Forum for Democracy, indicates that major obstacles for the development of NGOs emanate from the weak political, economic and social environments of Mongolia, the underdeveloped internal capacities of NGOs and their poor external cooperation (UNDP, 2006, p. 3). There is a need for powerful umbrella organizations, more active intra- and cross-sector cooperation and effective engagement with grass-roots organizations and communities (Open Society Forum, 2005; UNDP, 2006).

Almost eighty percent of the registered NGOs are located in the capital city (Open Society Forum, 2005) where Mongolian economic, political and social resources are located. The urbanization of NGOs jeopardizes their ability both to represent and to be accountable to the public, given that NGOs claim to serve the interests of ordinary citizens and local communities. Most NGOs are not well structured and staffed, which weakens their strength and reputation in society (UNDP, 2006). Financial resources of NGOs mainly come from abroad rather than donations from the public and other organizations. 90% of NGO activities are financed by international donor organizations (Asian Development Bank, 2005).

Consequently, NGOs are at risk of becoming opportunistic and of losing their initial social objectives, as well as their independence and internal democracy.

Environmental NGOs organize ecological training and education programs. They even came up with concrete proposals and methodologies for environmental protection (The State Great Khural of Mongolia 1995, Article 32.1).

The law also defines the scope of the cooperation between the state and environmental NGOs. The ministry who is responsible for the natural environment may cooperate with NGOs on a contractual basis so as to perform special functions (Article 32.2). Consequently, the Ministry of Nature environment 'MNET' has increasingly cooperated with environmental NGOs on environmental protection and on raising public awareness (Gansukh, 2010). Since 2009, it has organized an annual environmental conference for NGOs. The first conference in 2009 was the Citizens Representative Committee where representatives of environmental NGOs join to facilitate cooperation between environmental NGOs and the ministry (Bakei, 2010).

NGOs often complain about poor mining practices in local regions and request that the mining companies responsible should consider their social and environmental impacts (Munkhbayar, 2005). Local NGOs have pressured the local and central government to address issues such as environmental degradation, contributions to local development, license trading, and rehabilitation (Snow, 2010). The most significant contributions of environmental NGOs have been to raise societal awareness, mobilize the public, protest against poor mining practices, and to act as public representatives in negotiations and mediation (Snow, 2010).

In sum, the development of the Mongolian NGOs is still its infancy. Nevertheless, NGOs, particularly environmental NGOs, have played important roles in recent years to

address social and environmental issues that have arisen from Mongolia's booming mining sector.

The Funding of the NGOs

Most of the NGOs have limited finances, except in some cases of having assistance from the government. Their main resources are from the contribution of individuals, membership, and short term programs or project. NGO projects vary in size, ranging from a small amount of money to millions. This is an advantage of NGO since they have various resources of donations. Thus, the NGOs are quick to respond to the various needs and interests. In addition, the NGOs are not as controlled by their own leaders, as opposed to private companies. Therefore, the government in developed countries are providing assistance to NGOs and using them as the secondary channel in Official Development Aid (ODA).

Even though NGOs are non-government related organizations, funding from governments and inter-governments still accounts for a large proportion of their financial resources. As early as 1950, the United States recognized the role of NGOs when it issued several policies to give financial support to these organizations. "In 1940, there were only 12,500 secular charitable tax-exempted organizations; today there are over 700,000. The effort to treat non-profits as an institutional sector in the National Income Accounts date only from 1980, (Ott, 2001, p. 112) The previous US regulations required that bilateral aid (excluding food assistance programs), must at least channel 13.5% of their total funds through governmental sectors; this increased to 15% in 1987. Based on a survey of the 205 largest NGOs in the North Atlantic, there are over 79.7% American NGOs that depend on a governmental budget (of which, 36.3% is largely dependent) and only 21.3% are completely

independent. The US government allocates 32% of its funding, both bilateral and multilateral aids, through NGOs in international operations.

This situation also occurs in other developed countries. In the Netherlands, since 1946, the government and NGOs have co-funded developmental programs in developing countries. The contribution from the government occupies approximately 6-7% of ODA. Accordingly, governments in Germany and Sweden (1962), Australia and Norway (1965), Canada (1968), Belgium (1976), and France (1977) have the same policies. The Canadian International Development Agency (CIDA) also established a functional agency to facilitate other INGOs in developed countries, which are conducting development programs in developing countries. This is in contrast to the developed countries' opinion that each country should only assist to its own NGOs. (Sovereignty International, Inc., 1995)

Some NGOs do not want to receive financial funding from their own government because they are afraid of losing their independent features. However, these organizations are only a minority. Those who receive funding from the government realize that "they are less flexible, slower to respond to the needs than ten years ago to continue their development programs". Also, when some NGOs have only one funding source (from its government) then "it becomes a standing agency in governmental structures, established with the purpose of operating in the private voluntary sector". Having in mind that their mandates and objectives will be subjected to change due to some guidelines from funding governmental agencies, NGOs are trying to diversify their funding resources (Clark, 1991).

As long as NGOs are continuously receiving funding from international donors, foreign NGOs, governmental agencies, their goals and objectives, to some extents, depends on the willingness of their donors. And because of that, they are still on their long ways to become a truly independent and effective actor in the development of the country

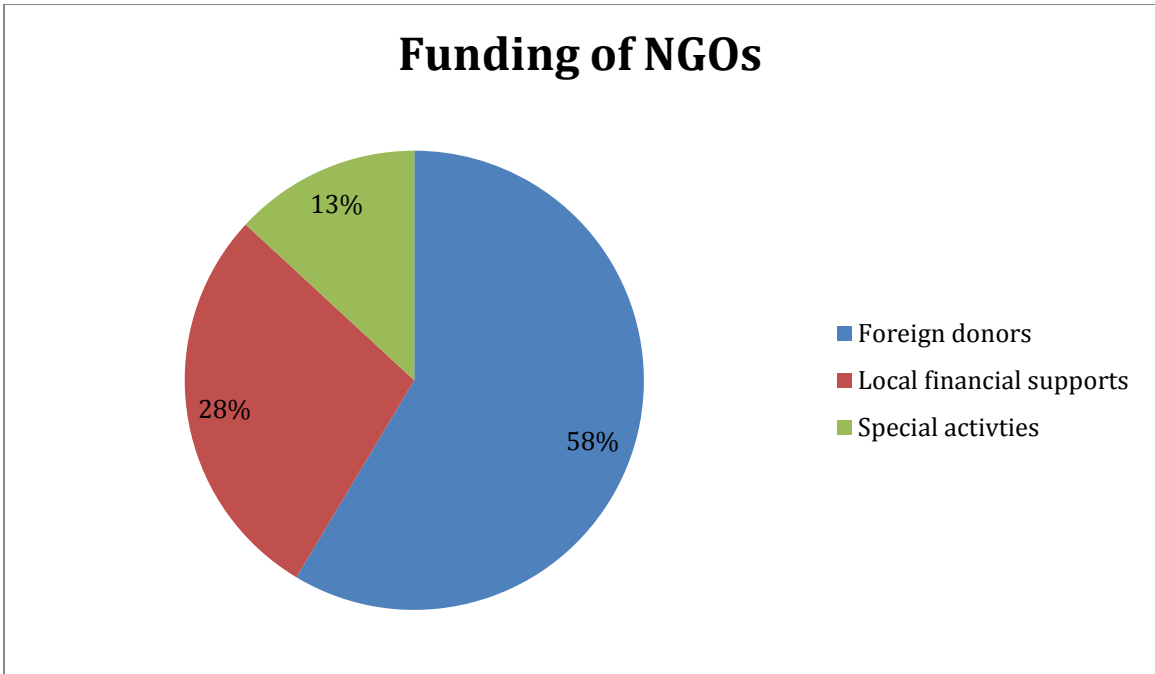
The Funding of the NGOs in Mongolia

The following are a list of possible sources of funding for NGOs, not only in Mongolia, but also in general. Some of the sources are harder than others to receive for NGOs.

1. Membership dues and contributions.
2. Contributions made by individuals, business entities and other organizations;
3. Profits earned by commercial activities conducted for the implementation of charter purposes;
4. Borrowed or inherited funds, and allocated from the state budget for project implementation

As of 2004, the greatest part of NGO funding comes from foreign donors. This party constitutes 58% of all funding resources. Donations from individuals, companies make up 28% and it has the name of local financial in figure 1. Last, the donation of “Funding from special activities” makes up 13% of the all sources.

Figure 1



Data Source: remade from OSF(Open Society Forum)

It is obvious from the above that the funding from foreign donors dominated. The problem is that the NGOs need money. And the mining companies are willing to provide the NGOs with money. In the meantime, the mining companies pretended they care about the environment by organizing activities and give the NGOs money for organizing the activities.

Historical view of international organizations

In this section, an attempt made to identify and trace the history of NGO. The history of NGO dates back in early times. Since then it underwent a process of historical evolution and emerged as a concept in the twentieth century .NGOs presented them as Civil Society Organizations and began to subscribe to the notion of Civil Society associated with its new-liberal incarnation. It could have been clearly that the NGOs are inevitable in the globalized era since they undertake development activities mainly on voluntary basis.

Non-governmental organizations are a charity organization working with humanitarian purposes for assisting marginalized people caused by natural disaster, war, and poverty. In order to make the best use of effectiveness from social activities, the humanitarian and charity work should always feature cooperation between the state and its people. One of the principal functions of the state is to ensure the prospects of society, that its people can access education and have health care and employment opportunities.

Therefore, any state must take good care of social welfare for its people both physically and spiritually by issuing social policies, establishing institutional and organizational structures, and framing the legal system in order to meet the requirements. However, in reality, it is very difficult for the state to effectively covers and address all social issues for every single citizen, and there is a need for humanitarian and charity work to fill up the gap. These activities occur everywhere, from one community to another community. Within a community and between people without the involvement of the state.

Humanitarian and charity started very early in the history of humankind: it is not an exclusive model of any country, any society or any ideology. It exists within human beings initiated by the willingness of people from the social progress in history. Early 11th and 12th century under the influence from of the church, many charities, and relief organization was founded especially among the working class. And due to the social injustice occurred since the 14th century, the movement of the mutual aids became well-organized with the establishment of various vocational associations. This situation also happened in ancient China and India, in Asian, African, Latin American countries, but obviously, the progress differs depending on the level of social and economic development.

This situation continues during the early 19th century, with the prevailing of capitalism, the gap between the rich and the poor, the bourgeois and working class, was

getting under wider. The astonishing French revolution and 1848 Constitution created a shocking wave throughout Europe, and it promised 'helping street children, handicap, and homeless elder people.' It is also recognized the rights of people to establish associations. However, with the coup d'état led by Louis-Napoleon Bonaparte on December 2, 1851, these rights were stripped except for the mutual aid and humanitarian work. In the late 19th century, NGOs such as Red Cross, branches of the Christian church, Bahai's International Alliance, and Rotary clubs appeared and provided its services, are all continuing their work as of today.

In the United States, non-profit organizations in health, education, humanitarian and charity also began to render their assistance to victims of social inequality. There is an argument that non-profit organizations (NPO) are strongly affected by their country's culture and this feature is the unique characteristic of practical American but nonprofit activities have been practiced by many different cultures during the history of mankind (Lohmann, 1992, Gidron, Kramer, Salamon, 1992, Robert D. Herman, 1994).

At the very beginning, these charity associations only focused on the activities within their own communities and had a scatter operation. Later on, they reached our colonial areas in Asia, Africa, and Latin America under missionary delegation. The history of charity organization (the precursor of current NGOs) varies but these organizations have on common motivation -relieve the suffering of humankind. In 1859, Jean Henri Dunant - a young Swiss bank owner witnessed the aftermath of the Battle of Solferino, Italy in which there were thousands dead and injured being left on the battlefield. His memories and experiences in the book 'a Memory of Solferino' which became an inspiration for the creation of the International Committee of the Red Cross (ICRC) in 1864 (Nobel Prizes.org,2009)

Further on, from the same perspective, Save the Children UK (SCF,UK), and Save the Children Federation were created to raise money to send emergent aid to children who suffer as a consequence of the wartime shortages of food and supplies, which continued partly as a result of the blockade by Allied Power during the 1st world war (Save the children UK 2009). In addition, OXFAM comes from the UK in 1942 and was first established with its first initial concern that provides food to relieve the famine of the Greek communities under the occupation of Nazi Germany during World War II. They are NGOs with the initial purpose of carrying out humanitarian relief during the wars,

In spite of having a long history of implementing humanitarian task, only after World War I (specifically in World War II), NGOs then became a strong instrument for social change around the world, both in industrialized and developing countries. There were numerous tragic situations for humankind; such as death, disease, poverty, and migration, which inspired people's conscience to organize and act. In addition, there are also other catastrophes threatening the well-being and life, such as environmental degradation, exploitation of natural resources, greenhouse effects, the depletion of the ozone layer, and most currently, the global economic crisis. Adding to that gloomy picture, many merging issues such as debts, hyperinflation, unemployment, overpopulation, immigration, illiteracy and chronicle epidemics (HIV/AIDs) are challenging the world and our future generations.

After the 1960s, the northern NGOs extended their operation to developing countries in Latin America, Africa, Asia, and Oceania. Also, in these developing countries, people founded NGOs to assist their governments in dealing with social issues. The non-governmental activities shifted from humanitarian relief into development, became a worldwide movement, connecting INGOs with NNGOs, considerably impacting international relations and social development. The development of humanitarian activities based on the

needs of society, with the improvement of people's awareness. During the 1980s, 1990s and early 21st century period came into social life and became an active movement.

Civil Society Concept

In this thesis, civil society grows in the context of NGOs, and so I then talk about the concept of civil society. According to John Locke, Civil society's role is protecting property rights and Antonio Gramsci described it in terms of autonomous institutions that may either support or challenge state power. Also, help and mediate between the citizen and the state.

A conceptualization of CS varies amongst different scholars in social sciences. The originating roots of the concept can be traced to the early philosopher such as Cicero, Rousseau, and Kant (Skjoldborg, 2010, Jensen, 2016). They described CS as a type of State regulated by a social contract approved by individuals in society. Thus, civil society was just like a State or political society (Jensen, 2016). Subsequent definitions of the concept developed which presented a shift in the conceptualization of civil society, where civil society was regarded as the protector of peoples' rights and freedoms and separate from the State.

To begin with, Hegel portrays civil society as a contrast to the political realm and not necessarily separating citizens from political society. Civil society, therefore, became 'an intermediary realm between the family and the State'. They represent the interactions between the State and the market in a different way (Jensen, 2016,). Tocqueville also conceptualizes CS as 'free associations that exist as intermediate institutions between citizens and the State, and in which citizens can realize their social freedom and equality' (Woldring, 1998,). He asserts the importance of equal rights for active civic participation in government and other associations, whether political or social greatly influenced by observations of the American society (Woldring, 1998). Third, Antonio Gramsci, an Italian Marxist, in the 20th

century conceptualized CS as having different functions and dimensions although part of the superstructure, together with the State. Civil society acted as the opposing force of the State specifically against the domination of capitalism (Jensen, 14). Gramsci identifies two opposing forces, being the hegemonic dominant force and the counter-hegemonic force. Thus, representing the State and civil society respectively.

According to Tocqueville, civil society was considered as a positive concept and separate from the State in contradiction to Hegel who postulates the need for State laws in regulating fragmented and immoral individuals in society. Also, unlike Tocqueville and Hegel, Gramsci does not classify civil society as a realm between the State and the family, but as an outside realm, separate from the State and market. All these men had different CS experiences, which is evident in their postulations. Hegel and Tocqueville both saw CS as an intermediary realm (Woldring, 1998; Jensen, 2016), with Tocqueville focusing more on CS as the answer to the problems of citizens than the State (Woldring, 1998). Gramsci's critical postulations of CS being a counterbalance is not merely related to the associational view of CS as common today, but as a public sphere where ideas and beliefs were shaped (Gramsci, 1971). The core pattern of civil society is a 'rule-governed society. It can be traced to the early modern conceptualizations, despite their differences (Kaldor, 2003,).

Civil Society in Mongolia

Mongolian civil society is mentioned at the margins of the democratization literature. There is a general acknowledgment of "vibrant" and "strong" civil society in Mongolia (Fish, 1998; Fritz, 2002; 2008; Doorenspleet & Mudde, 2008; Severinghaus, 1995). Scholars have mentioned the names of a few Mongolian civil society organizations, emphasized the role of the limited external supports (Fish, 1998; Fritz, 2002), and observed a short period of strong pro democracy civil society activity during the transition (Doorenspleet & Mudde,

2008, p. 818). Fritz's 2002 and 2008 articles provide a little more analysis on Mongolian civil society. For one, she observes the growing role of civil society organizations in governance, particularly to fight corruption and bureaucratic malpractice (Fritz, 2007, p. 201). Second, she draws an interesting lesson from the Mongolian case "that if parties are important for democratization, then assistance to parties alongside assistance to civil society should be a key avenue for external promotion of democracy" (Fritz, 2002, p. 96). Finally, Fritz highlights need for substantial development in "civic engagements and links between civil society and policy makers" (Fritz, 2002, p. 81). The United Nations Development Program (UNDP), the World Bank (WB), the United States Agency for International Development (USAID), The Asia Foundation (TAF), and the Mongolian branch of the Open Society Institute (OSI) commissioned papers on Mongolian democratization. So far, the World Bank has commissioned the most comprehensive report, *Civil Society in Mongolia's Development and Governance* (2005). The report examines civil society capacities and the enabling environment for civic engagement. With regard to capacities, it concludes that "civil society organizations tend to be small, dispersed, highly dependent on short-term grant funding from donors and international organizations, and heavily concentrated in the capital city of Ulaanbaatar" (Finch, 2005, p. 4). Despite a favorable policy and legal environment for civil society organizations, "physical constraints, including Mongolia's harsh climate, large territory, and limited infrastructure, as well as poverty and vulnerability affect the ability of significant proportions of the population to participate in governance and development activities" (Finch, 2005, p. 4). Besides the World Bank's 2005 report, no substantial study has been devoted to civil society. Therefore, the sustenance of democracy and civil society in Mongolia deserves in-depth analyses, and the following section makes a modest contribution to such analyses.

Openness of Civil Society Space

Civil society space does exist in contemporary Mongolia, and it is as the consequence of the peaceful democratic revolution in 1990. The term civil society translates easily into its Mongolian Language equivalent (Irgenii Niigem). The existence of civil society space and dynamics in the overlapping areas, especially with the state, political society and economic society, are observable. In the absence of armed conflicts, elements of uncivil society appear to be under control. The Mongolian case affirms that only democratic government provides more space for civic activities than the totalitarian regimes do.

Some degree of public contestation for autonomous civil society space exists in any nation-state; however, repressive regimes in Mongolia never permitted independent civic activities. The totalitarian regime under the dictator, Choibalsan, launched massive purges against his political competitors, nationalists, critical intellectuals, and monks. Although the numbers are significantly disputed, in 1921-1941, nearly 100 thousand people were executed by the Soviet and Mongolian secret police. Families, relatives, and friends of these people were also marginalized from the society and remained under the government surveillance (Sandag & Kendall, 2000, pp. 173, 175; Batbayar, 1999). When the “fatherly leader” died in 1952, as Rupen puts it, “Mongolia went from a cult of personality to control by bureaucracy” (Rupen, 1979, p. 73). A Soviet-educated economist Tsedenbal became the Prime Minister. He implemented massive economic reform and strengthened the communist party-run political system (Sanders, 1987; Rupen, 1979). Although the brutality of the communist regime softened, the communist party maintained its surveillance, indoctrination, and purges. For instance, in 1956, the Mongolian communist party, like other communist governments, encouraged the public to openly criticize the party policies. Intellectuals and regular citizens expressed their views on the lack of political liberty (election, open debates), promotion of

Mongolian national identities, development of national industries, and broadening relations with the Western states. After several months, the communist party leaders punished a number of critical intellectuals under the “Intellectual Deviance” case through the internal party disciplinary procedures. Many of them were demoted and discharged from the party.

The communist government reluctantly loosened its control over the public space starting in the mid-1980s. The public, especially intellectuals and journalists, criticized the party’s policies and aspects of Soviet-Mongolian relations (Jarrett, 1988, pp. 78-85; Sanders, 1989, pp. 48, 51; Sanders, 1990, pp. 65-66). In the fall of 1989, a reform-minded group of people used the annual “Young Artists” “Convention” as the first public forum to discuss political and economic reform. High-ranking party officials in charge of culture attended the event. Soon after, the first street demonstration was organized on 10 December 1989 and many demonstrations followed afterwards (Kaplonski, 2004). After the hunger strike by the democratic opposition in March 1990, the Political Bureau of the communist party agreed to dismiss all its members, relinquish the communist party’s leading role, organize the multiparty election, and dismantle the communist party organizations in the security forces (Heaton, 1991; Fritz, 2008, pp. 771-772). J. Batmunkh, General Secretary of the communist party at that time, ruled out the use of force against the opposition, and instead forced all members of the Political Bureau to resign (Heaton, 1991; Kaplonski, 2004, p. 67).

As a result, secret police surveillance over democratic opposition and citizens ceased (Batsuuri, 2002, pp. 110-112; Kaplonski, 2004, pp. 78-79). Communist party organizations in the military, para-military, intelligence agencies, and police were abolished; and members of security forces were restricted from joining any political activities (IDS, 1996, p. 526; IDS, 2001, p. 339; Batsuuri, 2002). The political sphere was opened for political parties, movements, and actors with diverse views. At the same time, the communist party leaders

attempted to separate the state and party positions that were closely intermingled (Heaton, 1991, pp. 50-54). The party propaganda apparatus stopped its indoctrination and censorship duties, and the media and education were gradually freed from one-sided propaganda.

Unlike previous repressive regimes, the democratic regime provides more space for civil society. First, the state has no systemic control, manipulation, and intimidation over civil society space and people's lives. Any attempts to impose regulations over civil society space encounter serious scrutiny from the media, CSOs, and the public. Second, civil liberties (e.g., freedom of expression, assembly, association, movement, and religion) and human rights are recognized by the Constitution and adhered to by the state institutions (Constitution of Mongolia, 1992; Ginsburg & Ganbold, 1996). Finally, international organizations, Western governments, and human rights watch groups have acknowledged Mongolia as a "free" democratic country since its establishment of the democratic governance. In spite of occasional incidents, elements of uncivil society remain under the control of law enforcement. Civil society space does exist in contemporary Mongolia.

Actors in Civil Society

There are diverse actors in civil society space and overlapping areas. The most agreed upon features of civil society agency, which consists of these diverse actors, are that it is voluntary, self-generating, self-supporting (non-profit) and autonomous from the state (Diamond, 1994, p. 5; Salamon, Sokolowski, & List, 2004, p. 10). Also, some recent studies discuss the effects of social and national movements, businesses or even criminal entities on civil society (Evans, Henry, & Sundstrom, 2006; Alagappa, 2004). However, there are two important criteria: "absence of violence and the absence of the will to dominate the entire public realm" (Alagappa, 2004, p. 35). Three aspects appear to be significant in studying actors operating in civil society space. The first is the actors' goal: What type of end results

are they aim for. Is their goals delivery of public and collective goods, private profits, political power, or spreading violence? The second aspect is the actors' behavior: are they pursuing their goals through violent or non-violent ways? The last aspect is the movement of actors within the civil society space, as well as in other spaces. Actors move freely within the civil society space and between the overlapping areas, depending on the degree of institutionalization of civil society, the type of issues, and other prevailing circumstances. At the same time, actors in other spheres operate in the civil society space as well as in overlapping areas. For instance, the media is obviously one of the most influential civil society actors . But the media operates in all spheres. There is the state-owned media, which usually has difficulty to run completely independently, except through a form of independent committee permitted by the State. Political parties sometimes run their own media. The business corporations also use media. Some media compete for profits and they serve whoever pays their bills, whether it is a private business or a political entity. The same applies to other actors. A business entrepreneur can use civil society space to mobilize citizens either to protect his/her interests for profit or to attain political power. The business communities also entice other actors in civil society by co-opting them; as a result, these actors serve the interests of the business communities but not of civil society. An actor who emerges from the civil society space leads the civil movements in the overlapping area between civil and political societies, and then moves into pure competition for political power. The public officials and politicians can move into the civil society space after their careers end or they have lost their positions in the government or legislature. By initiatives of either the state or civil society actors, they may collaborate or co-opt in the overlapping area of the state and civil society. Leaders of civic movements in Eastern and Central Europe, like Vaclav Havel and Lech Walesa, are examples of shifts from civil society to political society and then operate in overlapping areas between the state, political and civil societies.

Therefore, no one is able to single out collective actors or civil society organizations that are populating the public space if he or she is seriously talking about civil society. Rather, it is helpful to focus on their goals (i.e., public, profit, power, violence), behaviors (violent or non-violent), and interactions/movements not only in the civil society space but also in overlapping areas.

Actors in Mongolian Civil Society

Diverse actors populate the Mongolian civil society space. They operate freely in the civil society space and its overlapping areas. Political parties, business groups, and politicians provide resources and even protection for civil society organizations. Also, media, which plays an important role in civil society, is vulnerable to pressures from political and business factions. Even though foreign donors are much needed for civil society development, their assistance, presence, and outreach are limited. There are two major political parties: the “inheritor” of the communist party (Mongolian People’s Party (MPP)) and the Democratic Party (DP). In the past five parliamentary elections, both parties remained powerful political forces, except in 2000 when the MPP had a landslide victory, taking 70 out of 76 seats (Batbayar T. , 1993, pp. 61-63; Ginsburg, 1997, p. 61; Severinghaus, 2001, pp. 60-63; Tuya N. , 2005, pp. 67-69). Both parties attempt to assert their influence in state institutions by posting higher-ranking party officials in the state institutions. This politicization of state institutions (especially the judiciary and law enforcement agencies) weakens the state’s capacity to uphold ‘the rule of law.’ At the same time, political parties also post their members at the state-owned enterprises, such as Erdenet copper mine, UB Railway, Mongolian Airlines or those ministries and agencies that handle tenders, privatization (land, real estate), foreign assistance and customs. All are identified as being the main sources of corruption (Fritz, 2007, p. 196; USAID, 2005). Also, parties have enlisted

business entrepreneurs since the late 1990s. As a result, the two political parties have become the most powerful and resourceful institutions, while state institutions have become politicized. Parties sponsor their own affiliated civil society organizations (e.g., associations of students, youths, women and veterans, as well as movements). Since 2000, civil society organizations that are critical of government policies and bureaucratic malpractices have explicitly sought protections from political parties in order to avoid politically motivated prosecution.

Business enterprises and entrepreneurs also operate in the civil society space. Business enterprises, particularly mining and construction companies, attempt to assuage public opposition to their projects by providing assistance to local communities, allying with the local authorities or buying off opposing civil society organizations. This may also encourage rent-seeking behaviors of the civil society organizations and, at the same time, endangering the autonomy of civil society. Business entrepreneurs become influential civil society actors. For example, the incumbent MP Kh. Battulga, a well-known business entrepreneur, leads the Mongolian Democratic Union, the largest civil society organization. On 24 March 2012, Kh. Battulga presented materials concerning corruption allegations against the incumbent government officials to the Independent Authority against Corruption and Chief Prosecutor's Office. In doing so, he brought representatives of the Mongolian Democratic Union and pledged the union would support the fight against corruption. Like political parties, business entrepreneurs cooperate with the civil society organizations for their own interests by offering protections and resources for civil society actors and organizations.

The media is an important actor. Even though law guarantees freedoms of speech and of the press, Mongolian media freedom has been regarded as “partly free” by the Freedom

House ratings (Fritz, 2007, p. 192). As noted in the Freedom House report, “although no direct government censorship exists, journalists complain of harassment and intimidation as well as pressure from the authorities to reveal confidential sources” and “The gentlemen’s agreement between the recently elected ruling (former communist) Mongolian People’s Revolutionary Party (MAKN) and publishers of the private newspapers resulted in an ungentlemanly, unpublished accommodation: the newspapers avoid criticizing the government in return for tax-free favors to the news media.”

Like the civil society organizations, media seeks funds and protection from political parties and business groups (Nielsen, 2009). Politicians and government officials often file libel suits and tax audits against investigative journalists and media (Nielsen, 2009, p. 27; Fritz, 2007, p. 192).

Besides politicians and business actors, civil society actors change their roles and goals. They run for political offices in the parliamentary and local elections. For example, leaders of trade union and associations compete in the elections to advance the interests of these organizations, but they have mostly ended up joining political parties. Even if they do not win, they remain affiliated with the political parties while maintaining strong ties with the civil society organizations. Most leaders of civil society organizations of the early 1990s are good examples. Depending on the election results, they either become politicians or active players in the civil society space – by serving as board members, leaders or sponsors. Political parties use the civil society space to train their new generation of politicians, enlist well-known civil society actors, and increase their legitimacy. In this regard, Fish rightly notes that “groups in [Mongolian] civil society prepare leaders for high politics” (Fish, 1998, p. 137). Also, on the positive side, all actors refrain from violence. So, Mongolian civil society development appears to be following a more the Tocquevillian path, in which civil

society facilitates civic interactions and skills to demand the responsiveness of the state and political institutions.

Within this complicated scenario, the support of foreign donors is critical. Unlike in the former Soviet republics, foreign assistance to civil society is highly appreciated by all political parties; therefore, foreign donors do not face any restrictions from the state. However, donors' presence and assistance are limited. The TAF, the KAF, the Soros Foundation, the Danish Agency for International Development (DANIDA), the National Endowment for Democracy (NED), and the International Republican Institute (IRI) assist political parties and civil society organizations. Scholars usually note a handful of Mongolian civil society organizations like the Liberal Women's Brain Pool, the Women Lawyers Association, Women for Social Progress, and the Press Institute as examples (Fish, 1998, pp. 136-137; Fritz, 2002, p. 95; Severinghaus, 2001, p. 134). Foreign donors tend to work more with political parties and government institutions than with civil society. The KAF works with the DP and provides support to the party-affiliated educational institution, the Academy of Political Education. The TAF collaborates with government institutions and civil society organizations. Only the Soros Foundation and the DANIDA contribute solely to civil society development and a free press. Their Mongolian counterparts – the Open Society Forum and the Press Institute – have become influential players in the promotion of civil society. So far no systematic study on the impacts of foreign donors on civil society development has been conducted. Overall, foreign donors play important roles (e.g., providing expertise and resources and serving as a `watchdog` against violence and exploitation in civil society space), but their presence, assistance, and outreach in Mongolia are modest in comparison with their role in other post communist societies.

All in all, civil society is populated with diverse actors with different goals. Because it is not fully institutionalized and protected, civil society organizations seek protection and resources from political parties, businesses, and foreign donors. At the same time, some of these actors exploit the civil society space for their specific political and business interests.

NGOs and the Civil society in Mongolia

The Constitution of 1992 declares that the Mongolian people “shall have the mission to build and developing human and democratic civil society in the country”. Although the government is highlighted in the Constitution as a leading role in building such a society, all non-governmental entities shall play also an important role. The NGOs, newly born since the early 1990s and truly based on the citizens’ initiatives, have been carrying out activities in political, social, economic, cultural and other areas. Their active participation and actions in the society has been fruitful. In 2005, Center of Democracy Education conducted a study of the NGOs in Mongolia regarding the environment, values, and impacts where NGOs evolve. Today, many NGOs are conducting similar studies. Since Mongolia democratized, the civil society organizations in Mongolia as well as non-governmental organizations have become prosperous. Broadly, what’s active in civil society in Mongolia would include all types of NGOs, permanent and ad-hoc organizations such as trade unions, the Mongolian political parties, religious organizations, unions of apartment owners, movements for health and other issues, etc. Also included in NGO studies are private sector donations for the benefits of the society and philanthropic and other similar activities. Plus, the law that regulates the activities of NGOs has been in service for decades. Also, there are legislative acts regulating activities of trade unions, political parties, churches and monasteries, the Red Cross and a few others.

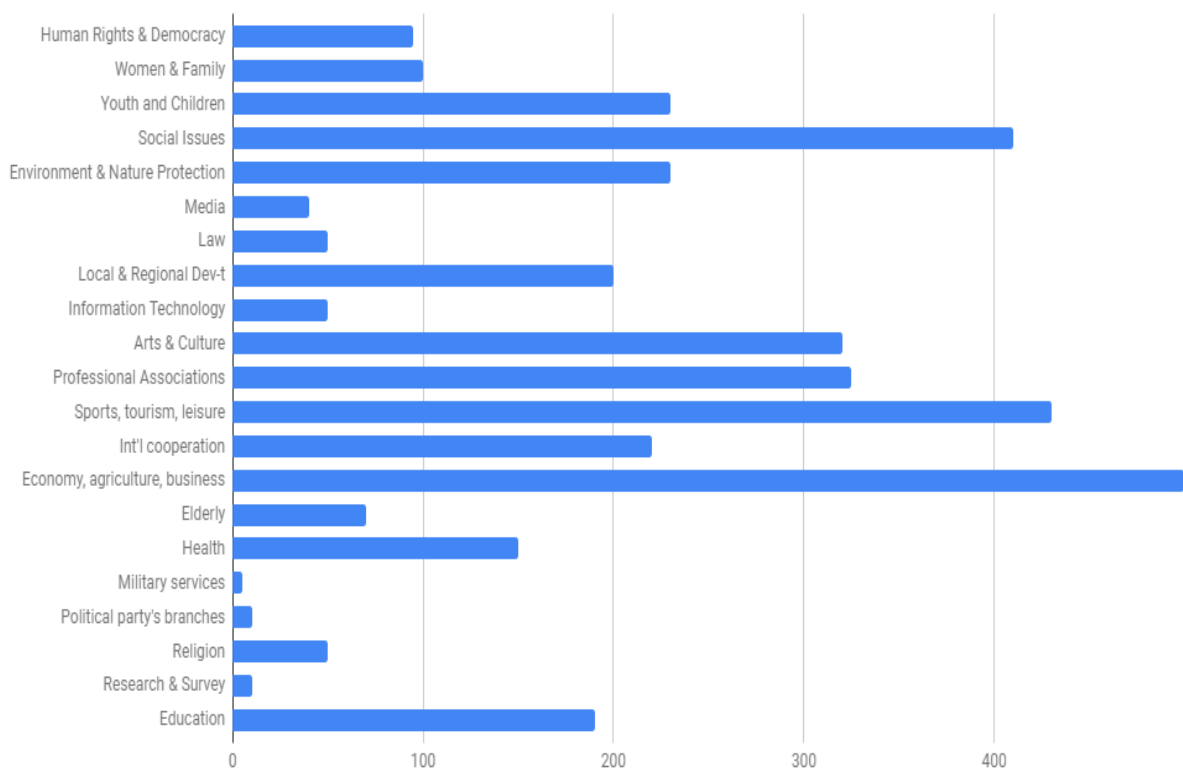
However, there is no legislation yet for the overall regulation of the civil society. As stipulated in Article 6 of the Law on NGOs, these organizations shall become legal entities

upon registration with the State Registry. By the end of 2006, some 6,000 NGOs have been registered with the Ministry of Justice and Interior. But no comprehensive study and registration have been conducted with regard to the total number of organizations of civil society and the number of employed in this sector throughout Mongolia.

Areas of NGOs Activities.

As indicated in figure 2, areas of NGOs activity can be classified into 21 fields, which are stated in their bylaws of 3720 surveyed NGOs. Figure 2 has the information:

Figure 2



Data resource: Open Society Forum (2005)

The table below shows the areas of NGO activities in numbers and percentage. NGOs are mainly engaged in the activities of economy, including agriculture, and business (13,4%), sport, tourism, leisure (11,8%); social issues (11,0%); professional associations (8,8%); and arts, culture, traditions, science (8,7%).

Table 1. Classification of NGOs /in numbers and percentage/

No.	Areas of activity	Number of NGOs	%
1	Economy, agriculture and business	500	13.4
2	Sports, tourism,leisure	441	11.8
3	Social issues	410	11
4	Professional Associations	329	8.8
5	Arts, culture, traditions, science	325	8.7
6	Youth and children	245	6.6
7	Environment & Nature protection	243	6.5
8	International cooperation	230	6.2
9	Local & Regional Development	196	5.3
10	Education	183	4.9
11	Health	154	4.1
12	Women & Family	104	2.8
13	Human rights & Democracy	97	2.6
14	Elderly	60	1.6
15	Information technology	45	1.2
16	Law	44	1.2
17	Mass media, information	43	1.15
18	Religion	43	1.15
19	Research & Survey	11	0.3
20	Political party branches	9	0.24
21	Defense	8	0.22

Data source made from OSF(Open society forum)

In this table, one finds that the main key areas are in economy, agriculture and business, sports, tourism, leisure, social issues, professional associations, art, culture, traditions and science.

The Mining Problem and the Civil Value in Mongolia

Mining is a practice of digging and removing soil; it then separates out ores and non-metal minerals (World Bank & International Finance Corporation, 2002, p. 1). Mining has negative impacts on the natural environment. Compared with other extractive resources such

as oil and gas, hard-rock and coal mining have greater environmental impacts (Diamond, 2005), causing water and air pollution, land disturbance, wastes and acid drainage. In addition, mining activities include digging the land's surface and is related to using water sources. It could cause water, soil, and air pollution that lasts for substantial periods (CSP2 and WRI, 2005; Diamond, 2005). If a mining operation occurs in a fragile and relatively closed ecosystem, such environmental disturbance is harmful to the biodiversity and ecological systems of a region (Warner & Sullivan, 2004, p. 9).

Mining generates various types of waste, including burning waste rock, and cause acid drainage problems (MMSD, 2002; Otto, 2009). Disposal of mining waste into a river or ocean also causes water pollution. In theory, mining companies should use chemicals to neutralize waste tailings, but they usually receive permission to use poisonous chemical concentrations in different countries (MMSD, 2002, p. 235). For instance, hard-rock mining is blamed for half of the reported industrial pollution in the USA, and nearly half of Western USA river headwaters are polluted by mining (Diamond, 2005, p. 452). Water pollution threatens the life of local communities as it causes the loss of fish the main food and source of living for locals. Without proper regulation of accurate measurements, mining companies (Diamond, 2005, p. 455) often avoid the clean-up costs of water, air and land pollution. Therefore, the main victims of negative impacts of mining are ordinary people and governments, but government tends not to invest in rehabilitation project because of its high cost at expense of taxpayer's money.

Mongolia has a relatively short mining history that can be traced back to the communist era. State owned companies had principally mined copper, molybdenum, and coal. Since the mid 1990s, mining has increased dramatically as a result of supportive policies, such as a government programme called Gold Programme. With growing economic interests and mining activities, people have expected much from the development of mining

in their areas. However, mining business has failed to meet public expectations that it should have positive return to local communities. Mining legislation requires that mining companies hire 90 percent of their total employees from the Mongolian population (The State Great Khural of Mongolia, 1997, Article 43). Nonetheless, mining companies often breach this requirement and employ foreign mining engineers and workers. Part of the reason is that local people often lack relevant training and skill (World Bank, 2006). In the end, local people often do not benefit from mining.

As mining companies often do not hire local people, foreign and domestic migrants bring social problems to the local areas. On the one hand, migrants compete with local people regarding resources of education, health, and water. On the other hand, migrants have also brought increased alcoholism, crime, prostitution and diseases in local areas, as miners are often male workers, away from their families (World Bank, 2006, 2007).

Mining-related conflicts between the local communities and mining companies are increasing as mining often occurs on state owned pastoral land. According to the Constitution (1992), land is state property and can be used by local people for pasture. As in other LDCs, mineral rights belonging to the state, local communities can use only the land's surface (Szablowski, 2007, p. 34). Mongolian land has not been privatized because of the tradition of nomadic culture. Therefore, herders live on relatively large areas all year round. Although local authorities register, some pastoral areas for local use are under no protection mechanisms to save their pastoral land from mining. The migration of herders who have lost their pasture makes it the case that further conflict occurs between them and herders in other local areas when they try to share pasture. Moreover, conflict is due to lands not being rehabilitated after mining. These lands become infertile and is therefore unavailable for pasture and grazing. Local people are often unhappy with mining in their regions because of its poor contribution to local development.

Most tax money from mining go to the central government budget, and only a small amount of it is allocated to local communities. Moreover, mining companies usually provide little donations to the local government administration, even if the governors request it. And mining companies often do not widely inform the public about such donations (Crane White & Accosiates, 2007). Most donations are either in cash for financing local anniversary ceremony and festivals. Alternatively, they are in the form of in-kind donations, such as vehicles, computers and renovating local buildings and hospitals. However, there is no sustained comprehensive development program for local areas which compounds the dissatisfaction of locals with mining. Moreover, the non-transparent contributions of mining companies promote corruption in the local public sector. Thus, in addressing all of the mining issues I have just mentioned, NGOs plays a critical role here. NGOs are bound to raise public awareness of mining issues and educate the public about it. Most NGOs in Mongolia have the function to teach locals and the mining business about the importance of the environmental sustainability. The major way that the NGOs can do so is to bring in more of people's participation. That way the government is going to be under pressure by not getting involved with it. NGOs promote the transparency of the government's decision making about where mining companies are able to start their operation. Finally, NGOs hire many educated and informed mining experts to supervise the mining business, which sometimes the government is not able to perform as well as them. All of these NGOs' function when it comes to the mining case are beneficial to ordinary people. But, all of the NGOs function in this context is only a distant dream, if not completely ineffective. NGOs in Mongolia face many challenges, especially when they have the duty to create a prosperous civil society where mining business and the pollution it caused can be more transparent. Together with other discussion about the incapability of the NGOs in Mongolia, I now present multiple hypotheses indicative of how the NGOs are incapable in dealing with the mining problem.

Environmental criteria

Civil society groups, mining companies, trade unions, and governments have identified a wide range of potential social risks faced by indigenous peoples and local communities and have developed norms and criteria for socially responsible mining. Potential negative social impacts from mining include the following:

- Increased poverty among local community through a degraded environment or loss of agricultural land on which, in many cases, community subsistence depends
- Displacement, forcible eviction, or forced relocation leading to impoverishment and loss of cultural and social cohesion and means of livelihood
- Internal conflict, disruption of traditional social structures, and increased gender inequality as a result of unequal access to jobs in the mine by men
- Militarization because of the need to protect the mine's assets from local opposition or from existing local conflicts may lead security forces in the area leading to increased stress and non-fulfillment of basic human rights among communities living there
- Loss of land, loss of sustainable livelihoods, and loss of livelihood as a result of displacement of communities by mining

Chapter III

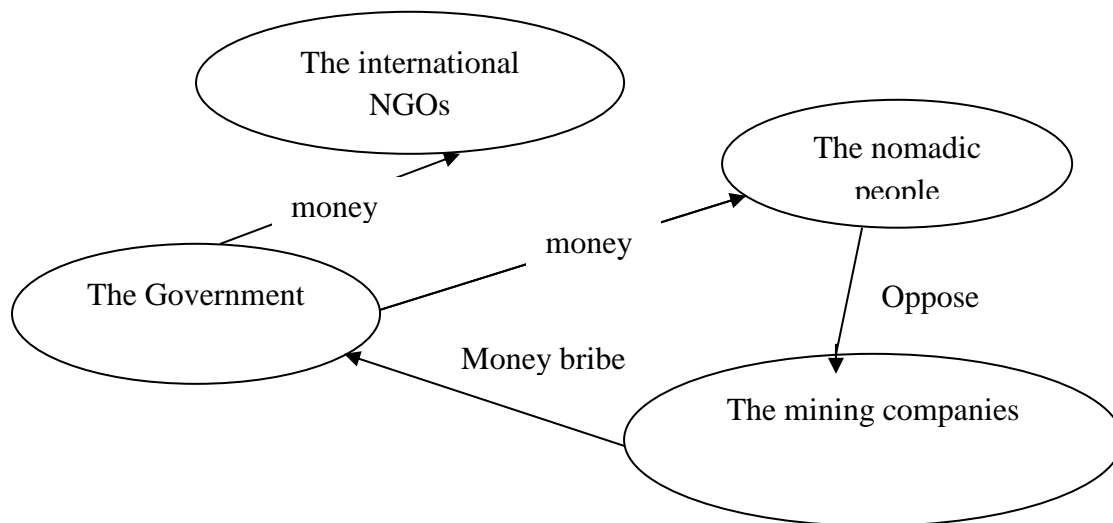
The literature review is focused on the relationship between NGOs and civil society, and this relationship is explained in several hypotheses. I then rely on two case studies to examine these hypotheses.

Hypotheses

Hypothesis 1: The Mongolian government provides benefit for international NGOs and nomadic people in Mongolia so as to appease the former and the latter and prevent them from opposing that the government grants permission for mining companies in Mongolia. The

reason why the government is biased towards mining companies is because these companies bribe the government with even more money. In theory, international NGOs are supposed to play an autonomous role and prevent the government from abusing its power in granting permission for inappropriate mining tasks.

Figure 3

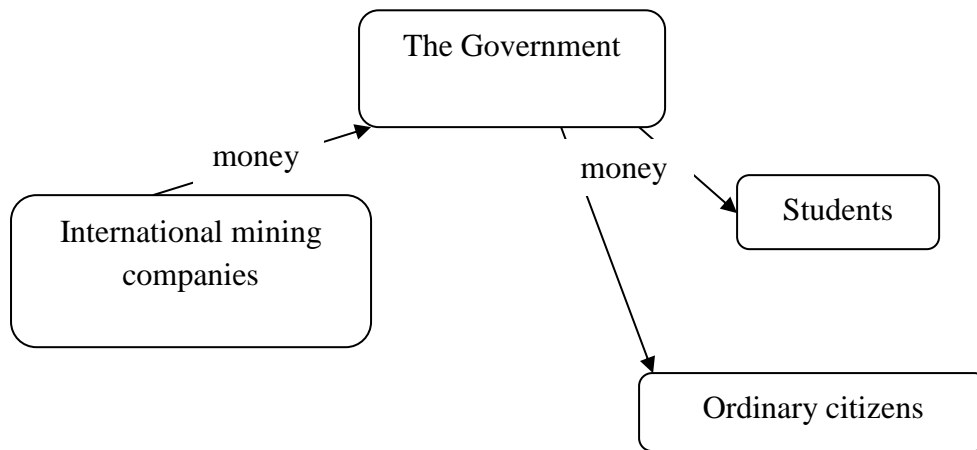


Cost = environmental degradation

Overall, hypothesis is about how the civil society is disorganized and therefore dysfunctional.

The government in Mongolia receives money from the international mining companies and uses the resources to appease the environmental activists by, say, subsidizing their tuition in college. These environmental activists are not necessarily student and some of them are ordinary citizens. But at any rate, these people should have uncovered the environmental degradation problem caused by international mining companies and the government. These people should have played an important role in the civil society in Mongolia, but they did not. And the more complete dynamic is represented in figure 4.

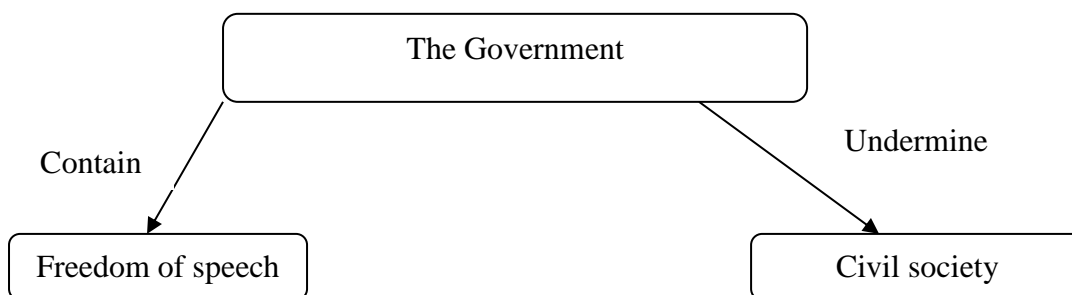
Figure 4



Cost= environmental degradation, and a sound civil society

Hypothesis 2: Mongolia's history of freedom of speech is very limited, as it did not exist until the democratic revolution of 1990 and is still struggling to become completely free to this day. There was only one radio station and one TV station that were both government-controlled and many citizens were afraid to speak their minds and the truth. Mongolians are unified in the idea that freedom is the product of democracy and an essential part of that democratic freedom is free speech. Many citizens feel much freer to express their opinions and concerns with the government than they have in the past; however, there is still an issue of complete freedom of expression. As can be seen in the recent protests. Many citizens have been imprisoned, fined for criticizing the government.

Figure 5



Cost= violence and protest

NGOs, religious groups, mass media and political parties are contained in civil society concept in broad sense, and these actors should support democratic values and principles and be independent from state. It can provide with an opportunity and help the civil society formation once governmental and non-governmental activities are been linked causally.

Research design

In the thesis, I attempt to examine, and analyze NGOs as basic component of civil society. I rely on content analysis and in-depth interview to test my hypotheses. The whole thesis is divided into two parts: NGOs and civil society. In the end, I talk about how the former influence the latter. I argue that Mongolian civil society is not strong. Indeed, it has noticeable weaknesses. While civil society does exist, it is poorly institutionalized and not fully respected by the state, politicians, businesses or other actors. NGOs serves as bedrock for the growth of civil society, NGOs development and international standards.

In the interview, I relied on the qualitative approach for my study, mainly in the form of interviews. Through the interviews, I was able to gather respondent's perspective and views on the mining business, and the corruption, which cannot be normally captured in reports and web materials. Table 2 below shows the activists that are interviewed

Table: 2

Source: the author

Participators	Position	Numbers
Expert	Expert	1
Activists	Voluntary activist of NGOs	4
NGOs	Ongi river movement	1

Although all interviewees were supportive, I was careful about their suspicion because mining and environmental issues are controversial in Mongolia. NGOs have different views and interests. Some interviewees were cautious when they were interviewed. Therefore, I was concerned that they may have seen me as a criticizer. However, this was understandable and expected, given the lack of trust among mining constituents. The

constituents are likely to be over reactive to the mining-related environmental issues. It should be noted that there were some issues in the middle of the interview. For example, sometimes interviewees provided a bit of irrelevant information or very brief answers.

However, NGOs play an important role in Mongolia. They increase the social awareness of mining-related issues and initiate to acknowledge the rights of people to live in a safe and healthy environment. Environmental degradation becomes one of the hottest topics in public debates. Therefore, NGOs take various activities to influence the decision-making process of the government.

Research method

As far as research methods, the case studies focus on practices for mining projects and NGOs involvement in promoting responsible mining initiatives. Therefore, I used interviews, document analysis to gather data, which is to analyze and explore the potential contribution of NGOs in this regards. As I am Mongolian, there was no language difficulty for interviewing people or analyzing documents. Furthermore, it was important to be familiar with the Mongolian social, political, economic, and cultural contexts, to understand the local traditions.

The advantages of the case study, a qualitative research, are that it allows researchers to collect detailed data. It is holistic and helps to understand issues in specific social contexts (Willis, 2007, p. 240). These features are important, given the exploratory nature of this study. Therefore, I collected some data personally by interviewing different activists.

I interviewed NGO activists on the phone. The interviews helped to understand mining practices and NGOs' participation in this regard. In the beginning of the phone interview, I explained to them about the purpose of my study. Because they are interested in my study, they were willing to accept my interview. During the interview, they provided me with crucial information about the corruption and the political pressures on NGOs. In the end,

I gain a comprehensive understanding of the interviewee's perspectives, views, and interpretations of the difficulty the NGOs industry encounter.

Chapter IV

Findings

In this thesis, I investigate two cases, one is relevant to environmental NGOs, and the other is related to mining NGOs. In addition, I discuss about the roles of NGOs and participations. I also look into how NGOs workers influence the public awareness, through interviewing specialists. I am also interested in how government put pressure on NGOs and how the corruption affects officials through bribing them with money.

Case study of Environmental NGO in Mongolia

Case one: Ongi River movement(ORM)

Negative impact has occurred on the society and the natural environment because of mining in Mongolia. So local communities and citizens who are concerned about human rights have set up NGOs that create the criteria for environmental protection in the mining business (Gansukh, 2010)

Environmental NGOs activist in the interview said: A1

Because of the vertical decision-making system, local environmental NGOs realized it was useless. NGOs with a similar goal have chosen a peaceful strategy to influence government decision-making process. As NGOs began to realize the power of numbers, they sought cooperation with similar NGOs to influence government policies and improve the legislative environment in terms of environmental protection.

Onggi River Movement (ORM, for brevity) is an example of what a local environmental NGO looks like. It is one of the most well-known environmental NGO whose activities have

been widely publicized. The main reason for the formation of this NGO was the drying up of the Onggi River and Lake Ulaan, which sustained the lives of many people in the central and southern regions of Mongolia. Since the government Gold Programme in 1993, mining companies set up their gold deposit in the beginning of the river, which pollutes the river. The Onggi River flows for 430 kilometers through mountains, steppes into the Gobi region, and discharges its water into Lake Ulaan, which covers an area of 175 kilometers. Historically, the river has sustained the lives of more than 100,000 people and more than one million livestock. Currently, it flows only 100 kilometers, and Lake Ulaan, one of the ten largest lakes in Mongolia, has been dry since the late 1990s

The NGO has undertaken various activities to accomplish its objectives, which are to raise the public awareness of the mining pollution in local areas, to educate local people with the importance of environmental protection, to prevent the desertification that narrows down the riverbed, and to supervise the irresponsible government.

The NGO ORM organized meetings with local authorities, local communities, and mining companies to raise public awareness of the river pollution and to seek possible solutions. It also provided training for local communities to inform them of their legal rights and environmental issues, and to gather their opinions. With the cooperation of local school teachers, the ORM has also prepared and published textbooks on environmental protection for primary and secondary schools. Some local schools have introduced new subjects into their curriculum in order to increase student awareness of the region's natural environment (UMMRL, 2009).

In 2002 and 2003, the ORM and NGOs appealed to all 76 members of parliament, the Prime Minister, and the President to take immediate action to avert an ecological disaster in the region. In spite of the repeated requests to the state, no radical measures are introduced.

Another movement used by the ORM for raising the awareness and support of public officials and citizens was a 478-kilometer Ecology protest march, organized between May and June 2004. The march went through the entire span of the river with over 2000 participants, including representatives from eight sums, NGOs, and journalists (Munkhbayar, 2005).

Since then the NGO has organized and taken part in a number of demonstrations opposing poor mining. It has used media coverage and other options to publicize the content of the activities and to raise public awareness of the misconduct of mining companies and government organizations. The NGO has worked closely with newspapers and television channels, set up its own website, and produced documentaries in collaboration with other environmental NGOs on TV.

Financial and technical support was crucial for the development of projects and training by the NGO, even though social activism was new for rural Mongolians for socio-political and cultural reasons. The NGO has received a variety of funding and support from international donor organizations, given its limited local resources and the impoverishment of rural regions

ORM activist interviewee said: A1

In Mongolia, rather than giving out many small grants, NGOs got a lot of money from donors, who can use part of them for core funding. NGOs receive money from donors but they want the NGOs to be silent or not to organize any activities to criticize mining companies or to influence government decision making in one way or the other.

However, the NGOs are now silent, and they have lost their independence, which should have been the nature of NGOs in the very first place. A common goal is to protect rivers and lakes from environmentally and socially harmful legal and illegal mining. Through various activities, NGOs realized their weakness as solo players. This is because only individual NGOs hardly affect government decision making regarding mining. Therefore, local NGOs

recognized the need for cooperation. All in all, hypothesis I is that the NGOs are not able to properly supervise the government regarding mining is supported in the case study.

Case Study Two

The first of July protest in 2008

Mongolia is home to one of the world's few remaining nomadic cultures, with some 40 percent of the population raising animals on the steppes. But economic and social changes are forcing many Mongolians to leave their traditional ways behind

Frustration with the situation has simmered for years; in July 2008, it boiled over, when fraud allegations in the country's parliamentary vote prompted violent riots outside the headquarters of the MPRP, which was claiming a two-to-one victory. Five people were killed in clashes between protesters and police; state television broadcast footage of bloodstained stairs inside the MPRP headquarters; the building was eventually set ablaze. Nearly 800 protesters, mainly young men, were arrested by police. Monk-Orgil, the justice minister, told a news conference that about 220 civilians and 108 servicemen were injured in the clashes. Around 700 protesters have been detained.

Tumursukh Undarya, a political scientist and NGO activist, says the incident ultimately had the effect of dampening many Mongolians' enthusiasm for democracy and civil rights. Many parents are held by fears that were cultivated during the socialist period that you would get in trouble if you were outspoken," she says. People tell their children to stay away from anything to do with human rights and democracy. So last year, when many young people were arrested, beaten up by police, and then very severely sentenced by the courts, that fear was deepened.

The sudden outbreak of violence in the capital, Ulan Bator, is the worst for decades, say experts. Thousands of rock throwing protestors besieged the Mongolian People's

Revolutionary party (MPRP) headquarters, torching the building and overturning vehicles around the center of the capital. Police used tear gas, rubber bullets and water cannon to drive them away, as clashes continued into the night.

The state of emergency is the first in Mongolia's history. The four-day order bans protests halts alcohol sales, allows security forces to use teargas and rubber bullets to break up demonstrations, and outlaws broadcasts by any channel other than state television.

Protestors initially complained about two seats awarded to the MPRP, which were contested by two popular members of the small Civic Movement party. But the main opposition Democratic party later claimed that it, not the MPRP, had won the entire election. President Nambaryn Enkhbayar, a ruling-party member, acknowledged complaints about the results but appealed for calm, promising an investigation into any irregularities. "Let's sit down and solve the election fraud," he said on national TV.

Civic Movement party, which has a history of activism and working through non-governmental organizations, had played a leading role in the protests, as they did in peaceful protests two years ago. Because of the political disagreements in the last parliament prevented the exploitation of recently discovered mineral deposits including copper, gold, and coal in the Gobi desert. Much of the election campaign focused on rival plans for mining projects: the MPRP wants the government to hold the majority stake. Hypothesis II is clearly explained in the case; for example, when it comes to criticizing, the government takes very strict measures in the form of outrageous fines and jail sentences. Mongolia's freedom of speech improved since 1992 when the democracy was first established it still has a long way to go if it wants to catch up to America's standards on free speech and free press rights held by citizens. Billion-dollar foreign investment deals, including the Oyu Tolgoi or Turquoise Hill copper project, backed by Ivanhoe Mines of Canada and Rio Tinto, which developers say

could increase Mongolian GDP by as much as a third -are still on hold. Much of the election campaign focused on rival plans for mining projects. At any rate, hypothesis II is supported.

Challenges for the NGOs

Now I explicate more broadly the challenges for the NGOs in Mongolia, and this part is summarized from the two case studies. With the increase of mining activities, the negative impacts on society and the natural environment have become more evident. Traditionally, Mongolia’s unique nomadic culture has been found throughout the vast steppes and has emphasized living in harmony with nature. Not surprisingly, poor mining practice and environmental degradation have antagonized local communities. In response, these communities have formed environmental and social NGOs to challenge the irresponsible behavior of mining companies, and to seek better management of mining and greater accountability from government.

However, the achievements, environmental NGOs face various challenges that prevent them from achieving their common goals, namely, environmental protection and the well-being of Mongolians. Based on the interviews and document analysis, one can argue that the NGOs are still in its infancy, at a fragile stage of development. In the interview, it was noteworthy that NGOs developmental stage is in a wrong formation because the NGOs have been set up to improve the personal reputation and careers of their leaders. Table 2 is about the challenges for NGO, which is represented in two ways, internal and external issues.

Table 2: challenges for NGO

	Internal issues	External issues
1	Financial capacities	Cooperation
2	Human resource	Political pressure
3	Conflict and interest	Corruption

Source: the author

Internal issues

Financial capacity: NGOs, particularly local NGOs, struggle with their financial and basic operating capacities (UNDP, 2006). Most NGOs are financially dependent on foreign projects, which create a difficult dilemma for NGOs. On the one hand, NGOs need resources, including money. On the other hand, NGOs still need to be independent and have their ethics. In addition, donors are likely to be mining companies, foreign organizations, and the public. The donation serves as only short-term financial assistance for the NGOs, which is not enough.

Human resources

Working in NGOs is often a voluntary job. NGO staff face difficulties of striking a balance between personal life and their work at NGOs. Even for paid positions, it is a challenge to find people who are willing to work hard and passionately for only a modest salary. The lack of human resources restricts the ability of NGOs to engage continuously in activities. The NGOs were criticized for lack of knowledge and specialization. Some argued that the public and NGOs still do not fully understand what an NGO should be.

Mining company's specialist in the interviewee said: A2

NGOs can make an influence on the government's decisions making process through their activities. Therefore, sometimes local people and NGOs find an opportunity to make money by threatening mining companies and use NGOs for their own interest. Because of this NGOs reputation and credibility goes down in the society.

The Mining companies argue that: NGOs criticize mining in a poorly informed manner and NGOs are being critical of environmental destruction and pollution after the event. NGOs attempt to create public discontent and make needless demonstrations.

Conflicts of interest

Many people raised the issue of conflict of interest among NGOs, which can be identified as an individual or organizational level, such as personal ambition and the moneymaking sector. Therefore, they use NGOs for their own interests and gain a personal career improvement. However, some NGOs favored particular individuals or groups and focused on foreign mining companies to enhance their political careers. Environmental and mining issues are becoming a political issue therefore NGOs are becoming political.

NGOs specialist Dulamsurem in the interview said: A3

On an organizational level, some NGOs view civil society as the moneymaking area. I have met people from different NGOs, but the same person operates them all. The increase donor funding for environmental protection has led and corruption. There are approximately 50-60 billion mnt (approximately 20 million US dollars) of funding for environmental projects annually. As the Ministry distributes the money but government officials set up their own NGOs under the names of relatives and friends and receives project money.

External issues:

Cooperation: Cooperation of environmental NGOs has developed. The main advantage of cooperation is the power of numbers. Through cooperation, NGOs can collectively affect government's decision and policy-making in the ways that could not be achieved by any individual NGO. However, the unity of NGOs is weak for a number of reasons.

One voluntary worker of NGO in the interview said: A4

In my perspective, the NGOs hardly succeeded because there are conflicts of interest and excessive ambition of their leaders. Even members want to set up their own NGOs to have independent leadership to compete to receive money from funders. Therefore, it is hard for NGOs to cooperate because of the selfishness of their leaders.

Political pressure

Although NGOs are supposed to be non-governmental but empirical evidence shows, they are often political. However, there are differences: some NGOs use NGOs for political purposes, while others became silent because of political pressures.

One of the political NGO activist interviewee said: A5

The public criticizes that NGOs are naïve. They argued that political leaders and government officials set up their own NGOs. Therefore, they received funding for themselves. But the funding is supposedly for environmental purpose. NGOs are mixed in their motivations. Some of them are influenced by political interests or under pressure from political groups. Politicization of NGOs becomes more evident when elections are around the corner. Some NGOs even serve their political networks.

Political NGOs not only threaten the credibility of the NGO sector in society.

The A5 interviewee continued to say:

Additionally, many NGOs become silent because of political pressures. As the salient mining issues usually involve someone who stands against the mining companies. Therefore, NGO members organize activities in the capital city rather than working in local regions. In the meantime, local people are frightened by the power of the mining companies, and some become careful and prefer not to complain as often.

Corruption

Corruption affects NGOs in a number of ways. On the one hand, corruption limits and can result in failures of NGOs. NGO members complained they were powerless to stop mining operations, even if mining licenses are revoked they can corrupt senior officials and could easily renew them.

An interviewee Dulamsuren said that she and other cooperating NGOs sent requests to government organizations, collected hundreds of protest letters from local people, organized demonstrations, and finally had government authorities to stop the irresponsible mining operations in their region. But within one day, mining companies had obtained approvals from senior officials, even from the Prime Minister. Therefore, even relatively active NGOs can become silent so corruption among NGOs is truly a serious issue. In the interview, they argued that corruption to NGOs threatens the reputation of all NGOs.

NGOs specialist Dulamsurem in the interview said: A3

There is a lot of corruption among NGOs, which is unfortunate. Without funding, they cannot do what they aim to do. Therefore, companies are paying them to be silent. It is very difficult for those NGOs to be transparent. Corruption not only limits and keeps the mouth of NGOs shut but also attracts people to use NGOs for pursuing their individual interests. Thus, it is very difficult for NGOs to operate in a society with the problem of corruption.

Pressure on NGOs

There are various pressures on environmental NGOs, and these can be classified as expectations of NGOs and the pressures the government has on NGOs.

NGOs specialist Dulamsurem in the interview said: A3

In spite of the potential utility of the NGOs, the public does not necessarily actively support NGOs. Although people may personally support the goals and activities of NGOs, they do not know how to influence, organize or to support them. There is lack of awareness and knowledge about the roles and characteristics of NGOs. Because of corruption among NGOs, there is decreasing amount of financial support from donor organizations in recent years. NGOs in Mongolia are not as developed as in Western countries. The problem with these donor organizations is that they only focus on the short-term project rather than long-term effect on the development of NGOs.

Pressure on NGOs through government affects the formation and development of NGO. Pressure does not only restrict the activities of NGOs, but also influence what type of NGOs to set up. This is arguably dangerous as this situation could damage the diversity of NGOs and their democratic voices.

Even though the internal and external problems NGOs have, the current NGO sector struggles to gain credibility and legitimacy in the existing Mongolian society. Although various issues make it difficult for NGOs to have influence and engagement in the mining and environmental issues, they still arguably have the potential to fulfill their obligation, namely, to connect to the civil society and supervise the government.

Chapter V

Conclusion

In this research, I attempt to discover the effectiveness of non-governmental organizations and their relations to civil society. This thesis serves as diagnosis of the arguably bribed Mongolian politics where NGOs are sometimes excessively materially driven and therefore are morally limited. I try to investigate how corruption works, specifically, between mining companies, NGOs, and government. Also, we should not give up the hope that NGOs plays a crucial role in the civil society. Finally, I gained different perspectives of the actors in the whole picture, and that helps us to have a more real grasp of the difficulty and development of the environmental NGOs in Mongolia.

In fact, non-governmental organization (NGO) plays an important role in modern society. For instance, as mentioned by Lewis and Kanji (2009:1) there are two kinds of NGO activities: delivering public service to the people and making social change. The NGOs can replace the government functions if the government fails to provide service or public goods for the citizen.

Crowther (2001) defines NGOs as an actor that supervises the government. From this definition, we can say that NGO is an institution that is recognized as opposed to the weakness of the government. Their activities are proof that sometimes the government cannot fulfill the needs of the people. On the other hand, NGOs can act as an independent organization. This kind of institution works help people such as providing clean water for the people in the urban area. It also means the nature of the NGOs as for charity rather than for profit.

Definitions of what constitutes NGOs vary, as there is no widely shared definition. There are diverse organizations that take different shapes and forms within and across different country contexts (Lewis & Kanji, 2009; Lang, 2013). Consistent with changing development paradigms, NGOs roles in society and their relationships with both the state and market has changed over the last three decades. Some of the key roles performed by NGOs

are social service providers, aid deliverers, and public representatives. (Howell & Pearce, 2001; Jordan & Tuijl, 2006; Teegan, et al., 2004). Depending on their roles, NGOs chose various strategies to put their objectives into actions. One of the main areas of NGOs involvement is the accountability of the public and private sectors.

After adopting democracy in the 1990s, Mongolia embarked on the path of democracy after seventy years of the communist rule. Mongolia faced new challenges, including a poor economy, dependency on its two big neighbors, an unconsolidated new political system, new international environment, and tremendous changes in people's lives. Support and assistance coming from the developed world were essential in dealing with these challenges.

Therefore, International organizations such as the UN, World Bank, and IMF, began to provide economic and political aid to Mongolia. This assistance included programs aimed at creating economic development, political democracy, and a prosperous partner for the future. At the same time, international non-governmental organizations (INGOs) have played a significant role so as to assist Mongolia in addressing the difficulties and establishing a democratic polity. Unfortunately, the role and the impact of NGOs on the host society have not yet been properly studied. In addition, it is mostly omitted from structural theoretical and empirical accounts in the literature explaining the state of transnational civil society and international assistance.

According to the State Great Khural (Mongolian parliament) under Article 4 of the Law, there are two types of NGOs. One is Public Benefit NGO and the other one is Member Benefit NGO. A Member benefit organization means that NGOs operate primarily to serve the interests of its members. The alternative terms used in addition to "NGO" include private voluntary organizations, civil society, independent sector, self-help organizations, grassroots

organizations, volunteer sector, transnational social movement organizations, or non-state actors (NSA's).

Finally, the emergence of NGOs are related to the growing public demand for strengthening democracy, respecting human rights, combating corruption, and improving inadequate state management of social and environmental issues in Mongolia. NGOs and other civil society organizations have increasingly been doubted in their value in mining problems. In addition, the uneven distribution of the wealth owned by NGOs and that owned by the ordinary people constitutes the problem of wealth gap in Mongolia.

The democratic Constitution and the law on NGOs opened up hopeful grounds for NGOs. The law defines a NGO as an organization as independent, self-governing, not-for-profit and grassroots voluntary entity that are different from the nation state. It is largely because the operation of NGOs comes from individual citizens or social interests (The State Great Khural of Mongolia, 1997, Article, 4.1).

International Civil Society Forum for Democracy indicates that major obstacles for the development of NGOs emanate from the weak political, economic and social environments of Mongolia, the underdeveloped internal capacities of NGOs and their poor external cooperation (UNDP, 2006, p. 3). Consequently, the Ministry of Nature environment 'MNET' has increasingly cooperated with environmental NGOs on environmental protection and on raising public awareness.

In Mongolia because of mining NGOs, often complain about poor mining practices in local regions and request that the mining companies be responsible (Munkhbayar, 2005). Local NGOs have put pressured the local and central government to address issues such as environmental degradation, contributions to local development, license trading, and rehabilitation. The most significant contributions of environmental NGOs is to raise social

awareness, mobilize the public, protest against poor mining practices, and to act as public representatives in negotiations and mediation (Snow, 2010).

However, in a sum (village of the rural area), the development of the Mongolian NGO is still under developed. But environmental NGOs, played an important role in recent years to address social and environmental issues related to the mining business. Most NGOs have limited finances, except in some cases the NGOs receive constant assistance from the government. Their main resources are from the contribution of individuals, membership, and their fundraising activities.

Even though NGOs are non-government related organizations, funding from governments and inter-governments still accounts for a large proportion of their financial resources. Some NGOs do not want to receive financial funding from their own government because they are afraid of losing their independence. However, these organizations are only a minority. Those who receive funding from the government realize that they become not as flexible. Also, the NGOs lose the function of supervising the government so NGOs are weak at conveying the needs and wants of the public to the government.

As long as NGOs are continuously receiving funding from international donors, foreign NGOs, governmental agencies, then their goals and objectives are still dependable on the will of their donors. Moreover, because of that, they are still on their long ways to become a truly independent and effective actor in the development of the country.

Freedom of speech

Another important component of the civil society is freedom of speech. Mongolia has come a long way since 1989 when they were still under the control of Soviet Russia. Many say that this is the first successful attempt of a previously communist country becoming

democratic. Unfortunately, compared to America, Mongolia is still far behind in free speech and free press rights. During the democratic revolution of 1990, the Mongolian government was surprisingly lenient and positive towards the protesters. They realized that it is time for a change in the government and were willing to listen to the demands of the Mongolian Democratic Union. However, since then, the government has not been so open. In the case study of mining issue, I find that environment protesters are still under the danger of threat from the government. In the case, we even witness five people somehow died in the demonstration. I argue that NGOs should play an important role in this type of conflict. No freedom of speech, no civil society. NGOs do not only exist in name, and they need to serve as soil for the growth of freedom of speech in Mongolia.

Civil society in Mongolia

So more broadly, are there any likelihood to see a civil society in Mongolia. Since the autonomy in the 1990s, civil society has grown, but it is still vulnerable to exploitation by various actors. Mongolian citizens have not realized democratic values and norms. At the same time, corruption appears to undermine democratization efforts and the strength of civil society. Mongolian civil society may look strong from the outside, but it is vulnerable from the inside.

In the Mongolian case, if political parties are important for democratization, then their impact on the civil society should be a key avenue for external promotion of democracy (Fritz, 2002). Fritz highlights the function of the party in developing the “civic engagements and links between civil society and policy makers” (Fritz, 2002). In addition, there are diverse actors in civil society space areas. The most agreed upon features of these actors is voluntary, self-generating, self-supporting (non-profit) nature and their autonomy from the state (Diamond, 1994, p. 5; Salamon, Sokolowski, & List, 2004, p. 10). NGOs are one of

them, but evidently, they do not do a good job so far. Another problem is that the politicization of state institutions (especially the judiciary and law enforcement agencies) weakens the civil society. For example, political parties also post their members at the state-owned enterprises, such as Erdenet copper mine, UB Railway, Mongolian Airlines or those ministries and agencies that handle tenders, privatization of land, foreign assistance and customs. All these factors are the possible sources of corruption (Fritz, 2007, p. 196; USAID, 2005). What is even worse is that parties have enlisted business entrepreneurs since the late 1990s. Parties sponsored their own affiliated civil organizations (e.g., associations of students, youths, women and veterans). Since 2000, civil organizations have been critical of the government's policies that these organizations should not be permitted to connect to the political parties. That way these organizations will be better off for avoiding political pressures from the parties. However, the reality is that this connection continues.

Business enterprises and entrepreneurs also have a role in the civil society space. Business enterprises, particularly mining and construction companies, attempt to appease the public opposition to their projects by providing assistance to local communities, cooperating with the local authorities or buying off opposing civil society organizations. This may also encourage rent-seeking behaviors of the civil society organizations and, at the same time, endangering the autonomy of civil society. Business entrepreneurs greatly influence civil society actors. Like political parties, business entrepreneurs cooperate with the civil society organizations for their own interests. Concretely, they offer protections and funding resources for civil society actors and organizations. As much as politicians and business actors, some activists changed their roles and goals. They run for political offices in the parliamentary and local elections. For example, leaders of trade union decide to join the elections to advance the interests of these organizations, and they have mostly ended up joining political parties. Even

if they do not win, they remain affiliated with the political parties while, in the meantime, maintaining strong ties with the civil society organizations.

Most leaders of civil society organizations of the early 1990s are good examples. Depending on the election results, they become either politicians or active players in the civil society space by serving as board members, leaders or sponsors. Political parties use the civil society space to train the new generations of politicians. Parties also enlisted widely known activists to increase the legitimacy of the parties. In the end, however, this situation decreases the extent to which the civil society can be independent from party influence.

Thus, foreign donors and other organizations tend to work with political parties and government institutions than with unaided activists. And these activists are normally the most critical and intransigent ones. In fact, even those activists sometimes become submissive to the parties for their own benefits. Overall, civil society has diverse actors with different goals. Some of these actors use the civil society space for their specific political and business interests. All in all, the public nature of the civil society decreases as all of the actors become rent seekers.

Corruption

All around world, corruption is a serious issue and a very dangerous phenomenon that harms the society in a hidden way and the corruption is specially a daunting task in developing countries. There is no particular victim of corruption, but the society. Nowadays, the main obstacle to socio-economic growth in developing countries is corruption. Therefore, it is essential to know the nature, causes, characteristics, and structures of corruption in order to develop an effective social mechanism that can prevent corruption from the very beginning.

We need to fight against political and high-level corruption in Mongolia, as a country that relies on the mining business for economic growth. Also it is essential to increase transparency in political activities, and the willingness of politicians to resist corruption.

Many experts believe that politicians and state officials earn money through the corruption. Specifically, they set up NGOs and civil organizations for their own benefits. Therefore, we need to increase a public awareness through NGOs and Civil society. Experts believe that there is a need for various measures to reduce corruption in the political sphere, especially to establish a system of political appointments based on skills and increased transparency in political activities. Finally, corruption could easily destroy the country's economic and social development. Therefore, for the sustainable development and deepened democracy in Mongolia, we need to fight against any possible corruption coming from the link between the business and the government. This thesis serves as a pioneer research to investigate these links and provide effective solutions to eradicate corruption.

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