

**United Nations Development Programme
Country: MONGOLIA
Project Document**

Project Title Strengthening national human rights oversight capacity in Mongolia

UNDAF Outcome(s): Strengthened national systems for promotion and protection of human rights

Expected CP Outcome(s): Strengthened national systems for promotion and protection of human rights
(Those linked to the project and extracted from the CP)

Expected Output(s): 1) Mandate of NHRCM is enhanced to focus on issues-based monitoring;
(Those that will result from the project) 2) Improved complaints handling and case management.
3) Improved public education and outreach;

Implementing Agency: National Human Rights Commission of Mongolia


Brief Description

The project is a part of the Government of Mongolia and UNDP agreement to improve the national human rights protection and promotion systems. The objective is to strengthen the national human rights oversight mechanisms through supporting capacity of the NHRCM to study and report on emerging human rights issues in the current development context of Mongolia and issues affecting specific groups and seek response from duty-bearers and engage with relevant institutions for policy dialogue and public education. The project will provide the NHRCM with the necessary technical assistance, specialised training, expertise support and advice on best international practices to deliver these outputs and be supplemented by the Strategic Plan of the NHRCM for 2012-2016.

The project is a response to the capacity needs assessment of the NHRCM and evaluation of the National Human Rights Action Plan, both conducted in 2011, and aims to assist in the implementation of the recommendations from these assessments.

Programme Period:	2012-2016
Key Result Area (Strategic Plan)	_____
Atlas Award ID:	_____
Start date: 1 Jan 2012	
End Date: 31 Dec 2014	
PAC Meeting Date	22 Dec 2011
Management Arrangements	<u>NIM</u>

Total resources required	\$500,000
Total allocated resources:	<u>\$500,000</u>
• Regular	\$500,000
○ Other:	_____
○ Donor	_____
○ Government	_____
Unfunded budget:	_____

Agreed by (Implementing Partner): 
Byambadorj Jamsran, Chief Commissioner, National Human Rights Commission of Mongolia

Agreed by (UNDP):  28 / 12 / 2011
Sezin Sinanoglu, Resident Representative

28 Dec 2011



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Approver	UNDP Mongolia Deputy Resident Representative/Programme Director (Mr.) Thomas Eriksson thomas.eriksson@undp.org
Creator (individual)	(Ms.) Davaadulam Tsegmed davaadulam.tsegmed@undp.org
Subject (Taxonomy)	<i>Find from Atlas or User Guide</i>
Date approved	December 2011
Replaces	This is the initial version of a project document that defines the purpose and scope of UNDP assistance to the National Human Rights Commission of Mongolia.
Is part of	UNDP Mongolia CP and CPAP 2012-2016, UNDAF 2012-2016
Conforms to	Mongolia's Millennium Development Goals, the National Human Rights Action Programme of Mongolia (Resolution of SGH, Oct.2003)
Related documents	UNDG AWP guidelines, UNDP User Guide, UNDP National Implementation manual, UNDG Harmonized Approach to Cash Transfer guidelines
Document Location	UNDP Mongolia Country Office, Programme Section, Governance Unit, Project Documents Repository

APF	Asia-Pacific Forum of National Human Rights Institutions
APR	Annual project review
APRC	Asia Pacific Regional Centre
CAT	Convention against Torture
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CP	Country Programme (UNDP)
CRPD	Convention on the Rights of Persons with Disabilities
CSO	Civil Society Organization
ECOSOC	Economic and Social Council
GEL	Gender Equality Law
HRBA	Human rights based approach
ICCPR	International Covenant on Civil and Political Rights
IP	Implementing partner
LGBT	Lesbian, gay, bisexual, and transgendered persons
MNET	Ministry of Nature, Environment and Tourism
NHRAP	National Human Rights Action Programme of Mongolia
NHRCM	National Human Rights Commission of Mongolia
NHRI	National Human Rights Institution
NIM	National implementation
OHCHR	Office of the High Commissioner for Human Rights
PD	Project director
PM	Project manager
POPP	Programmes and Operations Policies and Procedures
RP	Responsible party
SGH	State Great Hural
SSIA	State Specialized Inspection Agency
TOR	Terms of Reference
UNDP	United Nations Development Programme
UPR	Universal Periodic Review

poverty, thus serving as a hampering factor to the realization of economic and social rights. The situation of children attending religious schools at the Buddhist monasteries and potential violation of their rights to education requires a close review.

The above situation calls for efforts to increase the effectiveness of the national human rights protection systems. In order to be able to pro-actively respond to the challenges in the country's changing development context, the NHRCM undertook a capacity assessment in 2011¹.

Along with recommendations to improve the internal management, the capacity assessment team identified the following capacity gaps in the functional areas of the NHRCM:

- Need to expand activities to address economic, social and cultural rights, including new emerging human rights issues;
- Lack of a standardised procedure for emergency cases such as social unrest, food crises and natural disasters, earthquakes;
- Need for clear guidelines for report writing and improved research capacity;
- Need for clear guidelines and procedures to address the complexity and uncertainties in complaints handling and case management both in laws and internal practices;
- No specialised division or expertise available to monitor policies and legislation for compliance with international human rights standards;
- Limited public outreach, especially in rural areas, due to constraints in financial and human resources;
- Limited use of media for public awareness raising due to high costs of media coverage;

Overall, the effectiveness of the NHRCM is dependent on the context and circumstances surrounding it – the rule of law that prevails in the country, the effectiveness of other institutions and the level of enforcement of the existing guarantees to human rights and freedoms provided in the Constitution and other laws, the freedom of the press, the role of NGOs and the extent of civil society participation in public affairs. There is a need for a substantive review of its interactions and relationship between the parliament, the executive branch of the government, the judiciary and the civil society which constitute the national human rights protection system. National reporting and review by the international human rights mechanisms often neglect to see this relationship as a whole.

In 2011, the Government of Mongolia undertook a comprehensive evaluation of the National Human Rights Action Programme (NHRAP) which was approved by parliament in 2003. Among other areas for improvement, the evaluation report highlighted irregularities of parliamentary reviews of reports on the human rights situation including the implementation of international human rights treaties, lack of a system for screening of laws for compliance with human rights standards and relevant expertise, lack of mechanisms to enforce human rights standards in job places and private organizations, the need to improve human rights education and advocacy, no enforceable actions taken by the NHRCM to represent citizens in the constitutional court and other courts on violations of human rights beyond criminal justice matters.

¹ Capacity assessment of the National Human Rights Commission of Mongolia was conducted jointly by the NHRCM, Asia-Pacific Forum of National Human Rights Institutions (APF), the Office of the High Commissioner for Human Rights (OHCHR) and UNDP Asia Pacific Regional Centre in 2011.

empower ordinary citizens to demand transparency and accountability from elected representatives and public officials. An in-depth country study on a cause-effect relationship between corruption and human rights will be conducted.

In delivering this output, the NHRCM will cooperate with government organizations such as the State Specialized Inspection Agency through joint monitoring and reporting and assist in mainstreaming of human rights in their activities.

Output Two: Improved complaints handling and case management

The objective is to strengthen investigation mechanisms and to support the ability to provide recommendations to address human rights cases, focusing on the following:

- Establishment of effective case management system in support of an investigation system;
- Train staff in case management, advanced investigation techniques, techniques for collecting evidence, report writing, dealing with specific cases, mediation and conciliation;
- Review of internal procedures for complaints handling;

Output Three: Improved Public Education and Outreach

Educating and informing in the field of human rights is an essential function of the NHRCM, but limited in scope because of insufficient funding and personnel. The project will support the development and implementation of a communications strategy focusing on the following:

- Public education and awareness raising sessions, seminars and workshops to promote human rights targeted specific groups and thematic areas highlighted the above;
- Professional training for key groups such as newly elected members of parliament and local councils, police, the judiciary and journalists;
- 'Human Rights Open Days' and 'human rights road shows' as a means to reach out local communities to receive complaints, hold public meetings and engage with local public officials and business enterprises;
- Produce and disseminate publications on human rights, including annual reports;
- Use the media to provide human rights information and spread campaign messages;
- Human rights training for journalists;
- Invest in an alternative national and community driven media to give visibility to community struggles;
- Creative use of emerging communication technologies for its messaging and networking with partners and stakeholders.

In order to empower and support capacity building of local NGOs working on human rights issues and increase outreach of the NHRCM, the project will implement a small grant programme at the local level. The procedures for grants allocation and purpose will be developed.

While focusing on the above objectives and activities, the project will deploy the following strategies that reinforce the actions of both duty bearers and rights holders:

- Monitoring and advising on compliance with international standards;
- Cooperation with regional and international bodies, engaging with the Human Rights Council, including its UPR and special procedures;

III. RESULTS AND RESOURCES FRAMEWORK

<p>Intended Outcome as stated in the Country Programme Results and Resource Framework: Strengthened national systems for promotion and protection of human rights</p> <p>Outcome indicators as stated in the Country Programme Results and Resource Framework, including baseline and targets:</p> <p>Indicator: Positive change in the enjoyment of human rights</p> <p>Baseline: UPR/2010, CEDAW/2008, CAT/2010, ECOSOC/2010, CCPR (2011)</p> <p>Target: Improved status of implementation of human rights obligations</p> <p>Applicable Key Result Area (from 2008-11 Strategic Plan): Support national partners to implement democratic governance practices grounded in human rights, gender equality and anti-corruption. Outcome: Human Rights</p> <p>Partnership Strategy: SGH Human Rights Sub-Committee, MOJHA, MOFAT, MNET, SSIA, IAC, Secretariat of the NHRAP, CSOs, UNAIDS, UNICEF, National Authority for Children</p> <p>Project title and ID (ATLAS Award ID):</p>				
INTENDED OUTPUTS	OUTPUT TARGETS FOR (YEARS)	INDICATIVE ACTIVITIES	RESPONSIBLE PARTIES	INDICATIVE BUDGET \$
<p>Output One: Mandate of NHRCM is enhanced to focus on issues-based monitoring</p> <p>Indicator: Number of revised laws and procedures for compliance with human rights norms.</p> <p>Baseline: Legal review is done only partially.</p> <p>Target: Procedures for review of existing and draft laws for compliance with human rights norms are in place.</p> <p>Indicator: Number of advice and recommendations to the government to improve human rights situation of specific groups</p> <p>Baseline: 10 reports submitted to the Parliament</p> <p>Targets: Parliament and the government acted on the advice and</p>	<p>2012</p> <ul style="list-style-type: none"> - Thematic reports produced on the human rights situation - Organize a forum on Mining and Human Rights - Human rights screening of selected laws 	<ul style="list-style-type: none"> - Conduct a baseline study on Human Rights and Extractive Industry; - Produce reports describing the human rights situation of LGBT and people with HIV/AIDS and propose legislative amendments as necessary; - Produce a report describing the situation of children attending religious schools; - Monitoring visits to public organizations to identify administrative bottlenecks and red tape affecting access to services by citizens; - Organize forums to discuss the findings and recommendations, including an international forum on Mining and Human Rights; - Targeted advocacy activities/Engage with parliament, government and other stakeholders on the advice and recommendations. - Develop procedures for review of laws for conformity with international human rights law and norms; - Thematic review of existing and proposed laws for conformity with human rights norms - Train staff in legislative review - Train staff in research methodology and report writing 	NHRCM	150 000

<p>Baselines: Unclear complaints handling procedures, most cases fall outside the jurisdiction of NHRCM Target: At least 50% and 25% increase from the efficiency, and effectiveness baselines, respectively</p> <p>Gender Marker Rating - 2</p> <p>Output Three: Public Education and Outreach</p> <p>Indicator: Number of media products on human rights Baseline: Limited outreach Target: Increased visibility of NHRCM on TV and other media.</p>	<p>2012-2014 A communication strategy developed and implemented</p> <p>Media products developed to advocate the findings of issues based monitoring</p> <p>Human rights training conducted for key groups</p>	<p>complaint jurisdiction, legal protection for victims and witnesses who provide information to the NHRCM, the responsibility of government agencies to cooperate with NHRCM and its processes.</p> <p>SUBTOTAL</p>	
<p>- Public education and awareness raising sessions, seminars and workshops to promote human rights targeted specific groups and thematic areas;</p> <p>- Professional training for key groups such as newly elected members of parliament and local councils, police, the judiciary and journalists;</p> <p>- Organize 'Human Rights Open Days' and 'human rights road shows' to reach out local communities;</p> <p>- Produce and disseminate publications on human rights, including annual reports;</p> <p>- Media-based human rights promotion;</p> <p>- Strengthening the capacity of local civil society organizations</p> <p>- Technical assistance for local outreach programs</p> <p>SUBTOTAL</p>	<p>- Administrative cost</p> <p>- Miscellaneous</p> <p>SUBTOTAL</p>	<p>183 000</p> <p>70 000</p>	
<p>TOTAL BUDGET 500 000 USD</p>			

<p>government to improve human rights situation of specific groups Baseline: 10 reports submitted to the Parliament Targets: Parliament and the government acted on the advice and recommendations of NHRCM Gender Marker Rating³ - 2</p>	<p>1.1.4. Report on human rights situation of children attending religious schools produced</p> <ul style="list-style-type: none"> - agree on ToR -sub-contract -discuss and disseminate findings and recommendations -print and place on websites 				✓		UNICEF, National Authority for Children	Service procurement	5,000
	<p>1.2. Administrative bottlenecks identified and red tape affecting access to services by citizens removed, following monitoring visits to 1-2 public organizations</p>	✓			✓		IAAC	Advocacy	5,000
	<p>1.3. Procedures for review of laws for conformity with international human rights law and norms developed;</p> <ul style="list-style-type: none"> - Thematic review of existing and proposed laws for conformity with human rights norms; - Train staff in legislative review; 	✓			✓		MOJHA Legal Standing Committee, Parliament	Service procurement / Advocacy	5,000
	<p>1.4. Support cooperation of NHRCM with regional and international human rights organizations</p>				✓	✓	UNDP	Travel	5,000
	<p>1.5. Staff trained in research methodology and report writing</p>	✓			✓	✓		Workshop	2,000
	<p>Sub-total:</p>								

³ **Gender Rating:** 3- Gender equality is a principal objective of the output; 2- Gender equality is a significant objective of the output; 1- Outputs that will contribute in some way to gender equality but not significantly; 0- Outputs that are not expected to contribute noticeably to gender equality. Include a one sentence motivation as to the reason for the chosen rating. For more details, please see Guidance Note: Tracking Gender-Related Investments and Expenditures in ATLAS

<p>media products on human rights Baseline: Limited outreach Target: Increased visibility of NHRCM on TV and other media.</p>	<p>3.1.2. Human rights training for key groups such as newly elected members of parliament and local councils, police, the judiciary and journalists conducted; -Develop/adapt customized training material; (for MPs, local councils, policy, judiciary, journalists) -Print and/or put on relevant websites; -Institutionalize and conduct training in cooperation with relevant organizations.</p>	✓	✓	✓	✓	✓	Workshop	15,000
<p>3.2. Support provided to strengthening the capacity of civil society organizations (3,000*5 organizations)</p>		✓					Grant	15,000
<p>3.3. Support to public outreach activities - Procure a vehicle;</p>		✓	✓	✓			Procurement	45,000
<p>Sub-total:</p>						UNDP (responsible party)		88,000
<p>Project management costs</p>								33,000
<p>TOTAL</p>								\$200,000

approving reports; (v) overseeing the financial management and production of financial reports; and (vi) monitor the effectiveness of project implementation.

4. The project administration and coordination within NHRCM and with other relevant organizations will be carried out by Project Manager under the overall guidance of the Project Board. The **Project Manager** will be appointed from within NHRCM, and an Administrative and Finance Officer (AFO), who will also be from within the NHRCM or in case, such person is not available, recruited by NHRCM.

5. More specifically, the role of the Project Manager and AFO will be to: (i) ensure the overall project management and monitoring according to NiM guidelines; (ii) facilitate communication and networking among key stakeholders; (iii) organize the meetings of the PB; and (iv) support the local stakeholders. The **Project Manager** has the authority to run the project on a day-to-day basis on behalf of the Project Board within the constraints laid down by the Project Board and is responsible for day-to-day management and decision making for the project. The **Project Manager's** prime responsibility is to ensure that the project produces the results specified in the project document, to the required standard of quality and within the specified constraints of time and cost. Responsibilities include the preparation of progress reports which are to be submitted to the members of the Project Board. The **Project Manager** will also coordinate directly with UNDP. A monthly meeting between UNDP and the project management team will be held to regularly monitor the planned activities and their corresponding budgets in the project's Annual Work Plan (AWP). Where necessary, a Project Coordinator/Officer may be recruited by NHRCM to assist the Project Manager in running day-to-day activities.

6. The Project Assurance. The Project Assurance function will be performed by UNDP through the Governance team. The function supports the Project Board by carrying out objective and independent project oversight and monitoring functions. The role ensures appropriate project management milestones are managed and completed. Project Assurance has to be independent of the Project Manager; therefore the Project Board cannot delegate any of its assurance responsibilities to the Project Manager.

7. In line with the United Nations reform principles, especially simplification and harmonization, the Annual Work Plan (AWP) will be operated with the harmonized common country programming instruments and tools, i.e. the UNDAF results matrix and monitoring and evaluation tools. At the day-to-day operational level, ATLAS will be used for keeping track of timely and efficient delivery of the activities and for effective financial monitoring under the AWP.

8. Within the framework of the *National Implementation by the Government of UNDP Supported Projects: Guidelines and Procedures*, specific project implementation procedures may be agreed by UNDP and the Implementing Agency and annexed to the Project Document.

Quality Management for Project Activity Results

OUTPUT 1: Mandate of NHRCM is enhanced to focus on issues-based monitoring		
Activity Result 1.1 (Atlas Activity ID)	Thematic studies conducted (mining, LGBT, religious schools)	Start Date: Jan 2012 End Date: Dec 2012
Purpose	<i>To enhance capacity and methodology to respond to emerging human rights issues</i>	
Description	Develop methodology for issue based monitoring in consultation with relevant stakeholders Conduct study through subcontracting Discuss and disseminate findings and recommendations Follow up actions Organize an international forum on human rights and mining	
Quality Criteria <i>how/with what indicators the quality of the activity result will be measured?</i>	Quality Method <i>Means of verification. what method will be used to determine if quality criteria has been met?</i>	Date of Assessment <i>When will the assessment of quality be performed?</i>
Reliability of research studies	Consultation workshop to review research methodology	After research methodology is developed and before the data collection starts
Effectiveness of follow up actions: degree of implementation of key recommendations	Monitoring report	Annually
Feedback from policy makers on usefulness of the international conference # of Mongolian government representatives who attended the conference	Participants' questionnaire	At the end of the conference
Activity Result 1.2	Administrative bottlenecks identified and red tape affecting access to services by citizens removed, following monitoring visits to 1-2 public organizations	Start date: Feb 2011 End date: Nov 2011
Purpose	<i>To sensitise administrative organizations on human rights violations relating to red tape</i>	
Description	Develop methodology for human rights monitoring visits to administrative organizations in consultation with relevant stakeholders Undertake monitoring visits Discuss and disseminate findings and recommendations Follow up actions	
Quality Criteria	Quality Method	Date of Assessment
Scale and importance of administrative bottlenecks removed	Monitoring report	Annually
Adoption of internal human rights monitoring checklist by administrative organizations	Monitoring report	Annually

Quality Criteria	Quality Method	Date of Assessment
Degree to which legislative and policy recommendations tackle key bottlenecks to effectiveness of complaints handling	Monitoring report	End of 2012
OUTPUT 3 : Public Education and Outreach		
Activity Result 3.1	Targeted public education and awareness raising conducted in line with the Strategic Plan	Start Date: Jan 2012 End Date: Dec 2012
Purpose	<i>To increase human rights awareness and education of specific groups of population on specific issues</i>	
Description	Public education and awareness raising sessions, seminars specific groups and thematic areas; Human rights training for key groups such as newly elected members of parliament and local councils, police, the judiciary and journalists;	
Quality Criteria	Quality Method	Date of Assessment
Effectiveness in delivering key messages	Feedback from participants	End of 2012
User friendliness of training materials (design, availability of online version, self-assessment checklist, interactive feature etc)	Feedback from participants Expert assessment	End of 2012
Activity Result 3.2	Support provided to strengthening the capacity of civil society organizations to provide human rights oversight (3,000*5 organizations)	Start Date: Jan 2012 End Date: Dec 2012
Purpose	<i>To empower and contribute to capacity building of local human rights NGOs</i>	
Description	Grant	
Quality Criteria	Quality Method	Date of Assessment
Grant provision guidelines for NGOs are developed in such a way to foster local oversight capacity	Consultation with local NGOs and relevant human rights organizations	Before the grants are announced
Fairness and transparency of the selection process	Review of relevant documentations	Should be subject to review any time

Annex I RISK LOG

Project Title:				Award ID:					
#	Description	Date Identified	Type	Impact & Probability	Countermeasures / Mngt response	Owner	Date: Submitted, updated by	Last Update	Status
1	Delays in project implementation due to procedural uncertainty related to NHRM being the first NIM partner of UNDP	Dec 2011	Organizational	Some planned activities may not be implemented P = 3 I = 2	Undertake regular bilateral meetings to clarify any procedural uncertainty	Project Coordinator	UNDP		