



Environmental and social impact

Mongolia

From village to parliament, herdswomen build a movement to stop pollution and illegal mining



Two herdswomen living near the River Tuul complained to local authorities about gravel mining that was creating dust, causing villagers ill health and preventing them from farming. Receiving no satisfactory response, the women began to organise villagers to protest, and with the help of PWYP Mongolia (the TAN Coalition) they formed an NGO, New Settlement Zone Healthy and Safe Environment (NSZHSE), to formally represent villagers and enable them to advocate for their rights.

NSZHSE organised road barricades, generated media attention, identified legal and advocacy routes to challenge mining, and lobbied authorities, from the local council to the national parliament.

As a result, 96 illegal gravel-mining licences have been revoked. But the villagers' struggle to end illegal and polluting mining continues.



Uuriinjin area.

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The problem

The River Tuul supplies fresh water to Mongolia's capital, Ulaanbaatar, but gravel mining along its banks has polluted the local air and water, affecting the water supply and food production, endangering food security and causing health problems. Many gravel-mining companies have been operating without licences.

Two women who had come from rural Mongolia to work on farms in the region persuaded local communities to act against worsening pollution. Jingee Uuriinjin moved from the Gobi Desert to Tuul Village, an agricultural community in the Khan-Uul district of Ulaanbaatar. She quickly saw the impact that mining was having on villagers and how powerless they felt:

“ I realised that the Tuul River is under heavy threat of contamination due to mining activities. Over 100 mining licences were given illegally to mining companies, and the local community could not do anything against them.”¹

Few community members knew how to assert their rights, while the local administration did very little to address the problems. As Jingee continues:

“ People were discouraged and beaten down in their individual fights against wealthy companies and corrupt local officials.”²

The women complained to the local *khoroо* (administrative subdivision), the local government of Tuul village and the district City Governor's office about the effect of dust from the gravel mining on people's health and livelihoods. They requested information about who was responsible for issuing mining licences and asked for a revision of licences to protect villagers' health. In response, they were told to talk to the companies and referred to higher administrative levels, including the Mineral Resources and Petroleum Authority for information about licensing, but the authority refused to disclose any information.

1. TAN Coalition (2019), Contributing to Transparent and Responsible Resource Governance

2. TAN Coalition (2019), Jingee Uuriin Jin – Environmental Activist



Developing capacity

The women lacked knowledge of environmental protection laws and regulations and had no experience of making complaints to authorities, but by chance they met Mrs B. Bayarmaa, head of an NGO on environmental rights issues. She had travelled to the *khoro* to ask local authorities about gravel mining issues in the area, having seen a TV news item. She met Jingee and her friend in the local administrator's waiting room and they immediately agreed to work together.

Mrs Bayarmaa introduced the women to the PWYP Mongolia (the TAN Coalition), of which she went on to become coordinator. The coalition consists of 30 NGOs working to promote transparency and accountability in Mongolia's extractive sector³. Mrs Bayarmaa helped to build the women's capacity in organising and taking a systematic approach to fighting for their rights. Being linked to the PWYP network meant that the women could call on partners for assistance and to help develop an effective advocacy plan. In 2015, the women established an NGO, New Settlement Zone Healthy and Safe Environment (NSZHSE), to represent the villages formally. They began organising protests to force the mining companies to address the dust affecting villagers' health and livelihoods.

Building a movement and taking action

PWYP Mongolia acted as a bridge between the fledgling NGO and funders. It advised the women on fundraising, helping NSZHSE successfully apply for a grant from the Open Society Forum to train local communities in how to make complaints to the authorities. More community members became involved and began to organise further protests and demonstrations. NSZHSE provided a platform through which they could negotiate with companies and the local authorities. Partners in the TAN Coalition worked together to help raise awareness of the issues and create media attention. The citizens' movement began to gain traction.

In 2016, villagers asked for restrictions on road use to stop the thick clouds of dust being created by trucks carrying hundreds of tonnes of gravel day and night. Companies agreed to water a stretch of the road, but this had limited impact, reducing dust only in a small section. Residents viewed road watering as a temporary measure. The road needed paving, but when they asked the mining companies to do so, they refused.

In response, NSZHSE organised community members to blockade the road and watch the barricades day and night for a whole summer. Community members finally reached an agreement with the mining companies to pave a 2.5-kilometre stretch of road.

As well as prompting the paving, the barricades helped draw attention to the issues. NSZHSE recognised this as a turning point in forcing the authorities to listen to community complaints.

3. Mongolia is a member of the Extractive Industries Transparency Initiative (EITI), a multistakeholder initiative designed to bring transparency to natural resource governance. The TAN Coalition had been engaging with the EITI since its introduction to Mongolia (Mongolia is also a member of the Open Government Partnership).



Challenging illegal licences

The mining-affected communities were also concerned that much of the mining was taking place illegally. Villagers had heard informally that not all mining licences were legitimate.

While companies paid for road paving, the villagers sought to restrict further gravel mining and demanded the revocation of any illegal licences. When Jingee and her friend requested information about licences, they were initially ignored. But as NSZHSE, working with supportive PWYP partners – including environmental organisations and the Network of Eco Journalists in Mongolia – they discovered that in some cases, the processes for consulting with communities in establishing mining licences had been ignored or falsified. They also found that some companies were mining beyond the licensed boundaries – sometimes, contrary to regulations, too close to people’s homes. With the help of coalition experts on environmental law, NSZHSE filed a complaint against companies mining illegally in the area.

NSZHSE also approached the District and City Governor’s offices, the Ministry of the Environment and the State Inspection Agency, but they failed to take any action. In response, with advice from other NGO colleagues, NSZHSE petitioned the Standing Petition Committee of Mongolia’s parliament.

The group created a petition signed by over 5,800 residents of Tuul village calling for the parliamentary committee to investigate the complaint. The resultant working committee reported to parliament that the Tuul River was being polluted, pastures were being damaged and dust was contributing to respiratory disease and allergies. The Standing Petition Committee concluded that the villagers’ rights were being violated. It ordered the city government office to cancel illegal mining licences and issued a resolution to draft a special law to designate the Tuul as a state-protected river. As a result, 96 illegal mining licences were revoked. The committee also mandated that until the law protecting mining sites was improved, no more gravel mining permits should be issued in the Tuul basin.

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Monitoring and implementation – a continuing struggle

While pollution problems persist, villagers and the NSZHSE – with the help of partners – have created a means to raise issues, where no such channel existed before. People felt that in the past, companies were able to do whatever they wanted. Now, issues of environmental impact are being raised at national parliamentary level and PWYP Mongolia reports cooperation between NGOs and local administrations who show interest in solving problems. There has been a shift in power.

Following the petition committee ruling, the local administration recognised NSZHSE and gave it permission to check the activities of mining companies in the district. Jingee has been contracted by the local authorities to monitor the status of mines whose licences have been revoked. Citizens are now entitled to conduct daily checks of the sites with cancelled licences, as well as mines in operation.

However, according to PWYP Mongolia, mining companies continue to operate without legitimate licences. Although communities persuaded the Speaker of Parliament to attend

the mining sites in 2019, not enough has been done by the authorities to address the problem of illegal mining. Despite the revocation of licences, companies continue to operate, so the struggle continues for civil society. Some activists fear that gravel companies may have links to high-ranking politicians, preventing further action. NGOs continue to address the issue of how to prevent mining that has a detrimental impact on communities. Where illegal mining continues, villagers are now filing legal claims to cease operations. The PWYP Coalition is planning to highlight the issue and create a national-level debate in Mongolia's 2020 election process.

“ Although we have achieved some success in comparison to the beginning of our protest in 2013, there are still problems and challenges... Illegal mining continues and we have filed litigation at the administrative court. We hope to win our fight for a healthy and safe environment. As a herdswoman, I hope that my livestock will enjoy green pastures and blue water.”

Jingee Uuriinjin⁴

4. TAN Coalition (2019), Jingee Uuriin Jin – Environmental Activist



Key learning

- Community ownership of advocacy relating to local social and environmental impacts is essential. The PWYP national approach of supporting communities to advocate on issues of high concern to them (as opposed to starting with a transparency or data-access agenda at a local level) added value to community advocacy. In other contexts, PWYP has used the “Chain for Change” description of the extractive process as a useful means to work with communities to help identify priority issues related to extraction.
- Long-term advocacy programmes are necessary to ensure that decisions made by the government at different levels translate into action that prevents illegal socially and environmentally destructive mining. Civil society advocacy may be threatened by a lack of ongoing resources or by vested interests within the political system that enable mining to continue. Advocacy strategies should take these into consideration.
- National PWYP coalitions can have a catalytic effect. The Mongolia PWYP coalition was able to help build the capacity of local NGOs, identify advocacy routes, create coalitions of action around issues, and facilitate knowledge exchange and cooperation. This in turn enabled NGOs along the Tuul River to learn from each other.
- The story illustrates links between community grievances, human rights, social and environmental impacts, transparency and corruption issues, and the need for free, prior and informed consent from local people. Communities



future approaches, such as examining beneficial ownership data or anti-corruption investigations into the links between mining companies and political decision makers.

- While citizens initially organised to protest about environmental grievances, they ended up uncovering potential corruption and a lack of transparency in the allocation of mining licences. Access to information on licences, the allocation processes and communities rights within those processes were important in enabling community advocacy.
- The Extractive Industries Transparency Initiative (EITI) was felt to have had little effect on the communities’ situation, seeming to run parallel to local citizens’ advocacy. Civil society at a national level may be struggling to link community advocacy agendas with the EITI, which may not be a relevant or



efficient route to address certain issues. National civil society may benefit from clearer identification of what advocacy opportunities the EITI offers, learning from other PWYP contexts. This could inform the nature and level of civil society investment in the initiative.

- An important role for PWYP was to act as a bridge for local NGOs to access funding, capacity building, a supportive advocacy network and access to decision makers. The sustainability of the work in Tuul is uncertain, given the limits on resources available to local NGOs. Local advocates felt that PWYP regionally could do more to systematically identify the needs of NGOs working on the front line of extractive issues, to work out how they can add value and act as a bridge for further resourcing.

- Many mining companies operate without legitimate licences, yet are backed by banks and other investors. Activists are also concerned that the quality of gravel produced by mining in Tuul may be below safe standards for use in construction. PWYP Mongolia is considering a national conference with mining company investors to push them to consider environmental and other impacts and to instigate responsible investment practices. This is a new area for the coalition, which is keen to know whether other PWYP coalitions have used such fora effectively. ■

This story of change is told from the perspective of the civil society coordinator involved. It serves as a starting point for capturing progress and reflecting on advocacy with the intention of learning. Stories of change can be strengthened and built on through formal post-action reviews conducted with participants, by adding evidence of civil society contributions and other stakeholders' perspectives.

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