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PARLIAMENT – GUARDIANS OF HUMAN RIGHTS

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Let me extend my warm greetings to all of you.

Philosophical principles of individual freedom and human rights would make a lively and long discussion. History confirms that many thinkers and politicians made ingenious ideas regarding the matter. Today I address you with not the general principles, nor the ideologies but with the practical lessons and implications of individual freedom and human rights based on the Mongolian political framework. I hope that others will opt to compare, learn, or disregard the lessons pertaining to Mongolia.

1. Functioning of Mongolia's democratic institutions

The Mongolian democracy – celebrating the 25th anniversary of its multiple events this year – has many proud moments of accomplishment to indulge the world. I talked about them in detail during my speech at the Mongolia-EU Inter-Parliamentary Group's 10th Assembly in February 2015.

The Mongolian democracy affords its citizens the same universally accepted human rights, freedom, private property, freedom of movement. Despite such achievements of national and international pride, some flaws and negative images in economic reforms and in formation of political institutions and legal systems have inflicted damages to our democracy. Individual freedoms have been curtailed. Human rights have been infringed. We acknowledge that this requires a special parliamentary attention. We note that the slow pace of development and immaturity of democratic governance have turned into a major counterproductive factor.

Though we have generally created positive ideals and legal environment for democracy, we should not forget that the agents for their upholding and implementation are individuals and sectoral structures. It is the tragedy of today's Mongolia that law enforcement structures have increasingly been turned into instruments of lawlessness by and for authorities or some political groupings. There are many examples that prove this: many have been unjustly prosecuted, imprisoned by fabrication and force, illegally interrogated, publicly and systematically labeled with allegation in fabricated criminal offenses. Such cases are also an indirect proof that there continue to operate such organized trans-party, economic-interest grouping and mechanism that wages a war on their opponents.

Only politicians' unwavering determination together with the parliament's conscious effort to stand for its citizens can put an end to this powerful and interwoven system of repression. Our history of politics and government testifies that repression always entails serious violations of human rights. At the early years of the People's Revolution, such repressive campaigns against so-called counter-revolutionaries, the western-oriented, nationalists targeted the best minds and citizens.

Now even in our democratic government, no one can guarantee against repression under the pretext of fighting corruption. Unfortunately, the fight against corruption is turning into wide-spread witch-hunt and arbitrary arrests that jeopardize our Constitutional guarantees and achievements in human rights.

Repression is always committed under the name of nice goals and label. However, its violations of human rights are most severe. Repression applies very inhumane methods. One of the important goals of today's Mongolian Parliament is, thus, to create a mechanism that prevents all grounds for repression in the name of corruption struggle.

Sustainability of democracy is contingent upon diversification of the economy and ability to absorb the windfall wealth. Sudden revenues stemming from commodities export to meet growing Chinese demand have sent shockwaves throughout Mongolian democratic values and principles causing sclerotic, brittle, and vulnerable social order. This is a lesson we must not forget. It's once again proved that sustainability, responsibility and accountability of the politicians have not been well established as institutions. Many now recognize that maturity of the political parties is the key factor in protecting democracy. Poverty and unemployment are limiting factors of individual freedom and human rights; hence economic reforms must take place in conjunction with protecting individual freedom and human rights.

It is redundant to list all accomplishments the Mongolian democracy can be proud of at its 25th anniversary. The most important one is that our Parliament has stood at the helm of our democratic system and as the symbol of democratic values.

2. Indicators of individual freedom and human rights in Mongolia

25 years ago I was one of the pioneers of the Democratic Revolution and organized the Students' Union to join the struggle. It was not only a matter of honor for me. It was my own belief and values that led me to take such a life-changing decision. Since then, fighting for human rights and individual freedom have become my inner driving force.

Today, to certain extent, Mongolia has provided its citizens with freedom of speech, freedom of opinion, freedom of movement, freedom of private ownership, religious freedom, right to protect the environment, right not to be discriminated, right to fight against family violence, and other fundamental principles of human rights. But a closer look may reveal that challenges, problems and backward developments still persist.

It is unfortunate that a new research by the Mongolian Human Rights NGOs in their 2015 Universal Periodic Review shares and confirms my concerns. For example:

- The national system of ensuring and protecting human rights and individual freedom is not fully functional;
- The implementation of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is not satisfactory;
- Even though Mongolia ratified over 40 years ago the International Covenant on Civil and Political Rights, the freedom of opinion and expression, the right to independent media are being violated.
- Right against discrimination remains a challenge. Mongolia has enacted laws on gender equality and on protection of witnesses, and amended law against family violence, and criminalized discrimination. All these have been great achievements. Still, discrimination on the basis of age, gender, sexual harassment, disability, belief,

- appearance, and social origin remain the main types of discrimination against citizens.
- As environmental offenses increase in frequency, the right to fair trial is frequently violated. The absence of legal environment to protect public interests before the court and the limited access by the local communities to court remain unresolved.

Such and other findings and conclusions by various NGOs in the field of human rights can no longer be ignored. The fact that human rights violations persist in every sphere and segment of the society irrespective of time and space means that the effective functioning of our democratic institutions requires constant nurturing, enforcement and initiative.

3. Why parliamentarism is the core mechanism that advocates human rights

Globalism, while promoting unity of interests, the big picture and united vision for the future, also has a side effect that limits individual freedom and creates vulnerability in human rights. Major economic decisions, market crises and fierce competition for profits have wider effect on individuals. This is a key issue pertaining to globalism.

Crises due to poverty, struggle for resource domination, and clashes of ideologies exist not only regionally but also within the nation state and produce various excuses to violate human rights. There are numerous examples.

In other words, we live in an age when joint efforts of the politicians and cooperation of parliamentary democracies are required in order to ensure that soft solutions that reflect humane, accommodative of individual freedom, and protective of human rights are embedded in economic reforms. These can be accomplished through democratically elected representatives – such as us – that understand and prioritize human rights and individual rights. Who else would do it? How politicians decide on the matter shall determine the present and the future. Politicians and the parliament alike must be the guardians of human rights.

Thank you for your attention.