



**MEDIA
COUNCIL OF
MONGOLIA**



JEEF
2018
Journalism Ethics Forum

2018

ANNUAL REPORT

www.mediacouncil.mn

FOREWORD



The Media Council of Mongolia focused on improving the legal environment for journalism and series discussions about building understanding between journalists, media organizations and courts in 2018. The article of “Libel” in the Law of Mongolia on Administrative Offence, which has been in force since July 1, 2017, might impact the normal working process of media organizations and journalists. We organized a series of discussions regarding this issue, including all parties because it may lead to

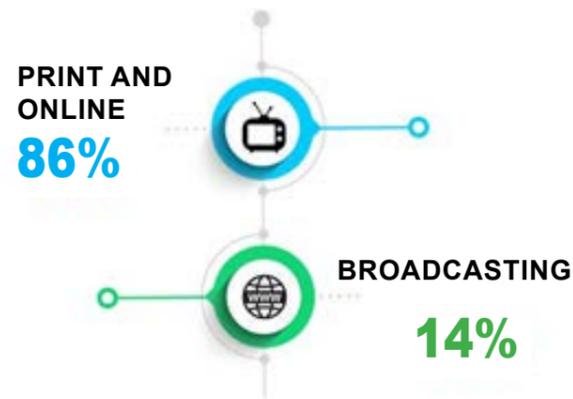
a condition which impacts the right to freedom of opinion and expression.

We organized 23 training, round table discussions and forums for journalists and public. The MCM participated as a primary or panel presenter in 12 of them. Our training and information about the legal environment of journalism, media self-regulatory body and journalism ethics were reached to more than 1,000 people.

COMPLAINTS, DECISIONS

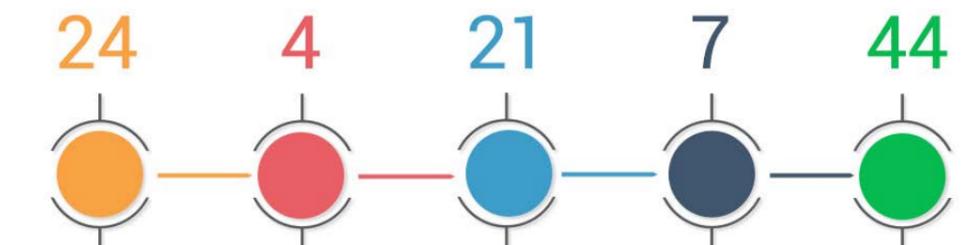
The MCM has Print and Online Ethics Commission and Radio and TV Ethics Commission. Ethics Commissions receive and discuss complaints from public and organizations according to the Complaint Procedure and Media Ethics Code of Mongolia. In 2018, Print and Online Ethics Commission held meetings four times, and Radio and TV Ethics Commission held meetings three times.

In 2018, the MCM received 100 complaints. 86% of the complaints were addressed to newspapers, journals and news websites. Rest of the 14% were addressed to TVs.



The MCM's Secretariat rejected 44 complaints due to the reasons such as complaints referring period was expired, not related to the Complaints Procedure or lack of supporting documents. Seven complainants withdrew their complaints during the process. Before discussing the four complaints at the Ethics Commissions, addressed media organizations corrected the content mentioned in the complaints.

COMPLAINTS AND DECISIONS



According to the article 6.3.1 of the Complaints Procedure, it's informed that no ethics violation occurred.

According to the article 6.3.3 of the Complaints Procedure, ethics violations were reported with names of the media organizations

- According to the article 6.3.2 of the Complaints Procedure, media organizations corrected their errors themselves

The MCM Secretariat rejected

the Complaint Procedure

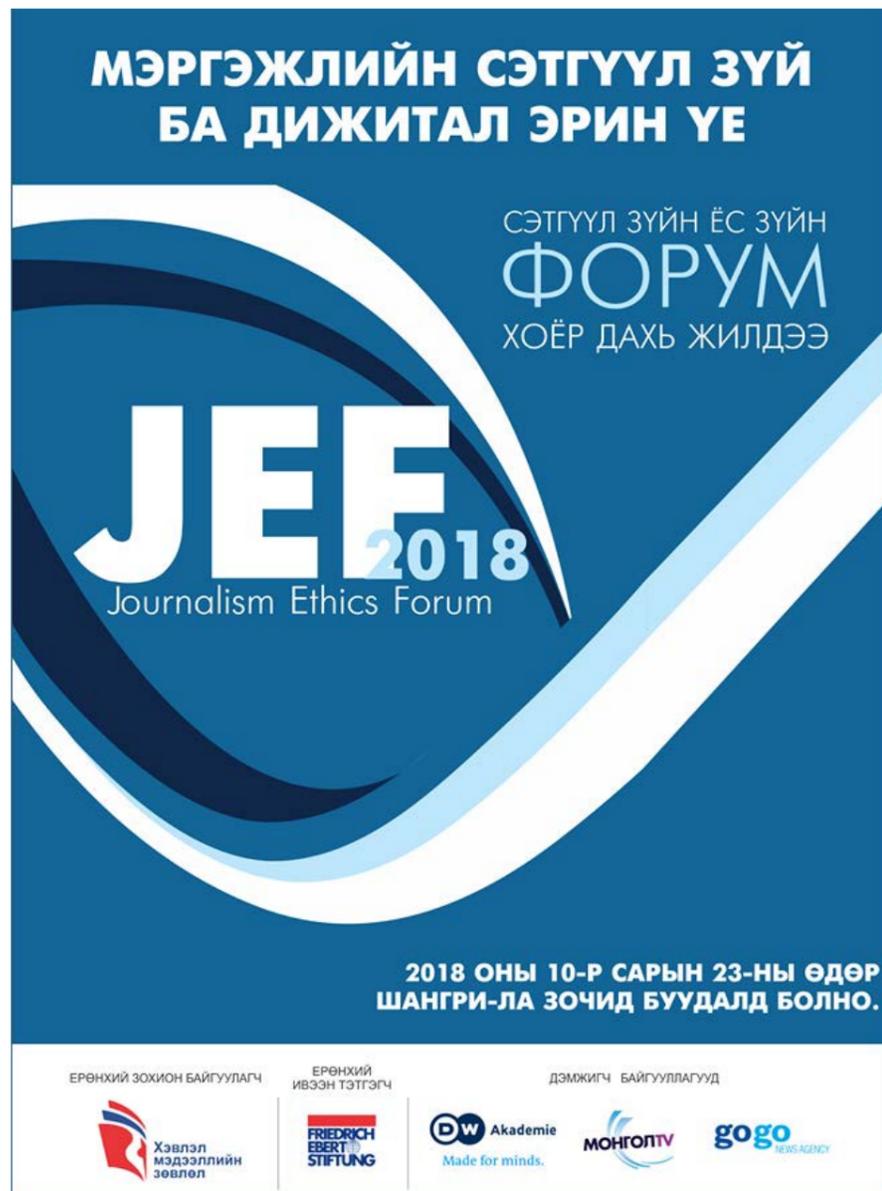
BOARD MEMBERS' POLICY DECISION

In 2018, the MCM's Board of Members had three meetings for approving activity plan, budget and monitoring performances, gave activity directions to the MCM Secretariat and made following policy decisions.

- The Board of Members defined main activities in 2018. Particularly, the MCM Secretariat was requested to focus on improving the legal environment of media and actively work on libel or defamation issues.
- Some members who cannot fulfil its duties for their elected period were discharged, and other members were appointed according to the article of 7.3 and 9.4 of the MCM's Charter.
- Based on the MCM's experience, the article 6.2 was amended to the Complaint Procedure. The article 6.2 defines that "If a defendant – media outlet – publishes a correction before a hearing, a complaint will be discussed at the hearing and a decision about the complaint will not be announced publicly. But the defendant's mistake and recommendations shall be delivered to the defendant."

JOURNALISM ETHICS FORUM

2018



Second Journalism Ethics Forum was organized under the theme of “Professional journalism and digital era” was held on October 23, 2018, under the MCM’s initiative with sponsoring organization of Friedrich Ebert Stiftung and supporting partners of Deutsche Welle Akademie, Mongol TV and Gogo Agency.

During the Forum, following presentations were discussed.



- Self-regulating experiences of media organizations in the online environment
- How to separate professional journalism than social media, and what is journalism in the digital era?
- Can journalists who work at newsrooms express their stances through their social accounts?
- How countries regulate the relation between journalism and social media?



Results:

The Journalism Ethics Forum received attention from the media sector, and this Forum tried to define the separation between professional journalism and social media.

The Journalism Ethics Forum appealed media organizations to be active and initiator in the sector and to produce quality journalism products which are followed professional journalism ethics.

News websites of news.mn; gogo.mn; ikon.mn; zindaa.mn; peak.mn joined the appeal.



Media Policy

Series discussions

Purpose:

We started to organize series roundtable discussions of “Media policy” with the cooperation of “Friedrich-Ebert-Stiftung. Through the roundtable discussions, we aim to discuss legal environment challenges in the media sector and journalism ethics issues and find solutions.

Results:

Based on the results of the roundtable discussions, we organized the second Journalism Ethics Forum under the theme of “Professional journalism and digital era” successfully and fruitfully. During the Forum, news websites appealed to work at a professional level and follow professional ethics at the digital era, and some news websites joined the appeal. Media organizations reminded/ requested to have an internal editorial rule on how to use social media and not to use hate speech in their publications.

Following two discussions, which was organized in 2018, paved the start of other following events. Followings are:

- A discussion on the Law of Mongolia on Administrative Offence and media self-regulation was organized on March 28, 2018. Kh.Nyambaatar, Parliament Member, National Police Agency, General Prosecutor's Office of Mongolia, Mongolian Bar Association, Confederation of Mongolian Journalists, Globe International Center and other media organizations participated in the discussion. Since then, we initiated organizing events seeking for solutions or alternatives on how to regulate libel or defamation.
- On September 21, 2018, self-regulation in online news websites was discussed based on the research of hate speech in the online environment. Most of the complaints filed to the MCM were related to libel or defamation using insulting words or hate speech. Through the content analysis, we analyzed that situation of hate speech in journalism pieces in the online environment and comments sections



Regulating defamation in compliance with freedom of expression

We need to exchange views, experiences and cooperate with legal organizations, including courts, in order to improve media sector's legal environment, ensuring journalists' working environment as legally safe and confirming the existence of media self-regulatory. Following activities or events had organized in 2018:

- The MCM held a "Media Self-Regulation" training for judges and prosecutors of Nalaikh and Bagakhangai Districts on January 9, 2018.
- The Media Council of Mongolia, Mongolian Bar Association and Globe International Center signed the Memorandum of Cooperation on May 22, 2018.
- On June 19, 2018, the MCM participated in the Lawyers Forum 2018 by invitation and introduced effectiveness of media self-regulation.
- The MCM organized "Can media regulated by self-regulation?" training on June 20, 2018. In this training, members of Mongolian Bar Association and lawyers who have been prepared for trainers.
- The MCM's representatives of BoM exchanged views on the legal environment of the media sector and libel/defamation with some parliament members and head of National Police Agency in June 2018.
- The roundtable discussion under the topic of regulating defamation in compliance with freedom of expression was organized for judges from the City's first instance courts of criminal and civil cases on December 12, 2018. O.Munkhsaikhan, Doctor of Law, Associate Professor at School of Law, National University of Mongolia, and Manfred Protze, a Vice-Chairman of German Press Council made presentations and exchanged their experiences.



- "Freedom of expression: International Court practice" training was organized for judges and prosecutors on December 20 and 21, 2018. "Freedom of expression: International norms" training was organized for trainers who specialize in media law. Galina Arapova, a Director and Senior Media Lawyer of Mass Media Defence Centre in Russia, worked as a trainer.
- The MCM have co-worked and supported the media organizations and coalitions to deliver a demand against the article 6.21 about "Libel" in the Law of Mongolia on Administrative Offence to the Ministry of Justice between December 21-24, 2018.



Results:

It's concluded that Mongolia lacks fundamental researches on how defamation or libel issues shall be legally regulated while journalists perform their duties based on the above activities. Moreover, there is an understanding gap between media sector and court level. The media sector lacks policy researches which based on reasonable legal arguments. Therefore, independent lawyers and researchers are not allowed to analyze cases of journalists who received penalties according to the Law of Mongolia on Administrative Offence any more.

Monitoring on journalists' safety

The MCM conducted a joint survey on the safety of journalists with Globe International Center to determine the safety level of Mongolian journalists' working conditions. The survey conducted from August 2018 to May 2019. The survey results were introduced in November 2018 and May 2019. We planned to extend the research range and do survey regularly in the future.

Safety issues journalists face



According to the UNESCO, a journalist is someone who create journalistic materials for the public interest, a staff of media organization or content producer at social networks.

Denied to provide the public information to the journalists

Seven out of 10 journalists were denied information requested by the government officials at least once according to the law of Mongolia on the information transparency and right to information.



State Authority defines the list of secret information within its internal structure, and the scope of confidential information is defined very broadly. It allows that authority to mark information secret by their censorship and creating obstacles to obtain information or disseminate information.

Threats are increasing

Sixty-seven per cent of total journalists experienced some form of threats/pressure/insults regarding the publications, disseminated information at least once.



The most common threats journalists face because of their reportings are phone threats, the pressure at all levels- to journalists, editorial and colleagues, public insult, pressure from high-level officials. On average, these violations occurred from three to four times per journalist.

Damage of equipment

Fifty-eight per cent of all journalists responded they experienced damage/confiscation of equipment or attempts to damage/confiscate their equipment at least once.



Taking and destroying journalists' cameras and delete the information inside the memory cards occurs for not to disclose information prepared by journalists furthermore.

Still strong editorial censorship exists

All types of censorship on publications/bans or attempts to ban program broadcasts, editorial censorship occurs to 52 per cent of journalists or in other words to one out of two journalists.



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Demands to reveal confidential sources

The pressure to reveal sources of information occurred to 51 per cent or one out of two journalists.



State officials or state authorities which mentioned in an article ask from journalist where he/she get the information. Also, they submit claims against a journalist and requires to disclose information source to prove that documents.

Journalists receive pressure from courts or police authorities

To the survey question "Regarding your publication, program have you been called to court or police?" Thirty-six per cent or one out of three journalists answered YES.



State authorities, state officials or politicians mostly submit claims against journalists. Since the enforcement of the Law of Mongolian on Administrative Offence, the number of court claims against journalists is increasing.

SERIES EVENTS, MEETINGS AND DISCUSSION ON JOURNALISM-2018

FEBRUARY

- The MCM introduced the MCM's activities and complaint process during the local media association' meeting on February 6, 2018.
- On February 9, 2018, the MCM introduced its activities and media self-regulatory body to officials of Communications Regulatory Commission of Mongolia.

APRIL

- The MCM presented about "Media self-regulation or audience's interest" to the "Televisions Forum 2018" organized by "Mongolian Televisions Association" NGO on April 17, 2018

MAY

- The MCM participated in "Online journalism second forum" organized by the Confederation of Mongolian Journalists on May 1, 2018, and presented about media self-regulatory.
- The MCM attended the "Press Freedom Forum" organized by the Confederation of Mongolian Journalists in May 2018 and U.Tamir, Vice-Chairwomen of BoM, the MCM, presented about "Progress and development of media self-regulation".
- The MCM presented about "Media self-regulation and child protection" during the "Children friendly journalism" training co-organized by World Vision Mongolia International organization and other organizations for children protection on May 26, 2018.

JUNE

- In June 2018, the MCM participated regional journalists' seminar in Dornogovi province and Khuvsgul province. The MCM introduced about media self-regulation, ethics and cases of complaints.
- On June 18, 2018, the MCM attended "Operations to check and resolve administrative offence" training organized by National Police Agency with the support of Friedrich-Ebert-Stiftung. The MCM introduced media self-regulation and resolving the process of complaints on ethical issues.

JULY

- G.Gunjidmaa, Executive Director of the MCM, presented about "Self-regulation in the online environment" to the training of "How to report human rights" organized by Globe International Center on July 3 and 4, 2018.

SEPTEMBER

- "Positive, safe and responsible online environment" discussion was co-organized by the MCM and Department of Legal reform and civic participation, Meeting of Civil Representatives under the initiative of Youth Development Agency of Capital City Ulaanbaatar. In this discussion, the MCM presented about "Hate speech in the online environment and media self-regulation".
- On September 26, 2018, Ch.Nomin, Head of BoM, MCM, participated in the meetings of broadcasters. 15 TVs joined the meeting, and the MCM shared its ideas and experiences about its activities and future events.

OCTOBER

- G.Gunjidmaa, Executive Director of the MCM, participated in the panel discussion of “Journalists safety in investigative journalism” of “International Investigative Journalism Conference” co-organized with Deutsche Welle Akademie and Press Institute of Mongolia on October 3 and 4, 2018.
- “Quality journalism and media self-regulation” training was organized for journalism professors and journalists from the city and local provinces on October 24, 2018.

NOVEMBER

- “Journalism for Development” NGO and Mongolian Mining Journal organized the closing training for the project of “Local Journalists’ Network” on November 14-16, 2018. The MCM presented about “Law of Mongolia on Administrative Offence and media self-regulation” for journalists from 21 provinces who attended this training.
- U.Tamir, Vice-Chair of BoM, MCM, introduced about the MCM’s activities and media self-regulation to public relations officers and members of Mongolian People’s Party on November 21, 2018.
- The MCM organized “Online journalism and new trends – professional ethics” two-day interactive training within the framework of National Action for Combatting Corruption in November 2018. Online media journalists attended the training and trainers from the MCM, National University of Mongolia, University of Humanities and Mongolian Center for Investigative Reporters.

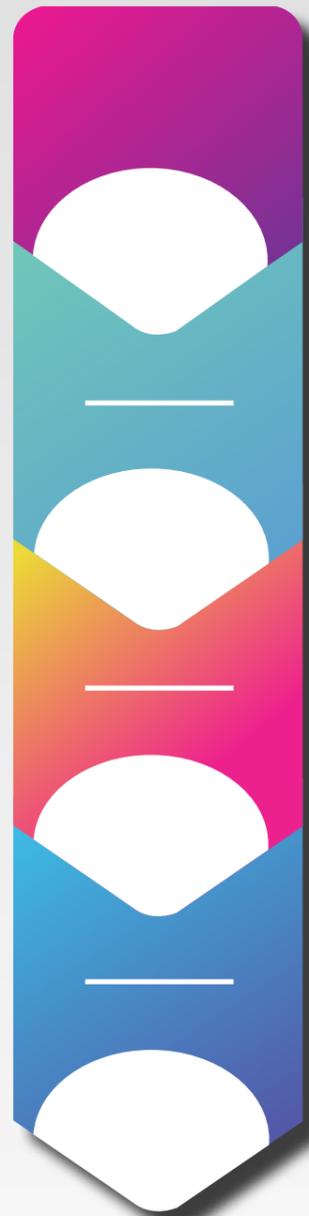
DECEMBER

- “Freedom of expression: International Court practice” was co-organized the MCM, Globe International Center and Mongolian Bar Association on December 20, 2018. Sh.Sukhbaatar, a Head of the Ethics Committee of Radio and Television, introduced about media self-regulation practice and solved cases.

The MCM’s Secretariat continued to visit newsrooms and meet journalists to introduce its activities: NTV, SBN, control.mn, pikas.mn, peak.mn, social.mn, and students and professors from the National University of Mongolia, University of Humanities, Radio and Television University, Mongolian University of Arts and Culture, Otgontenger University.

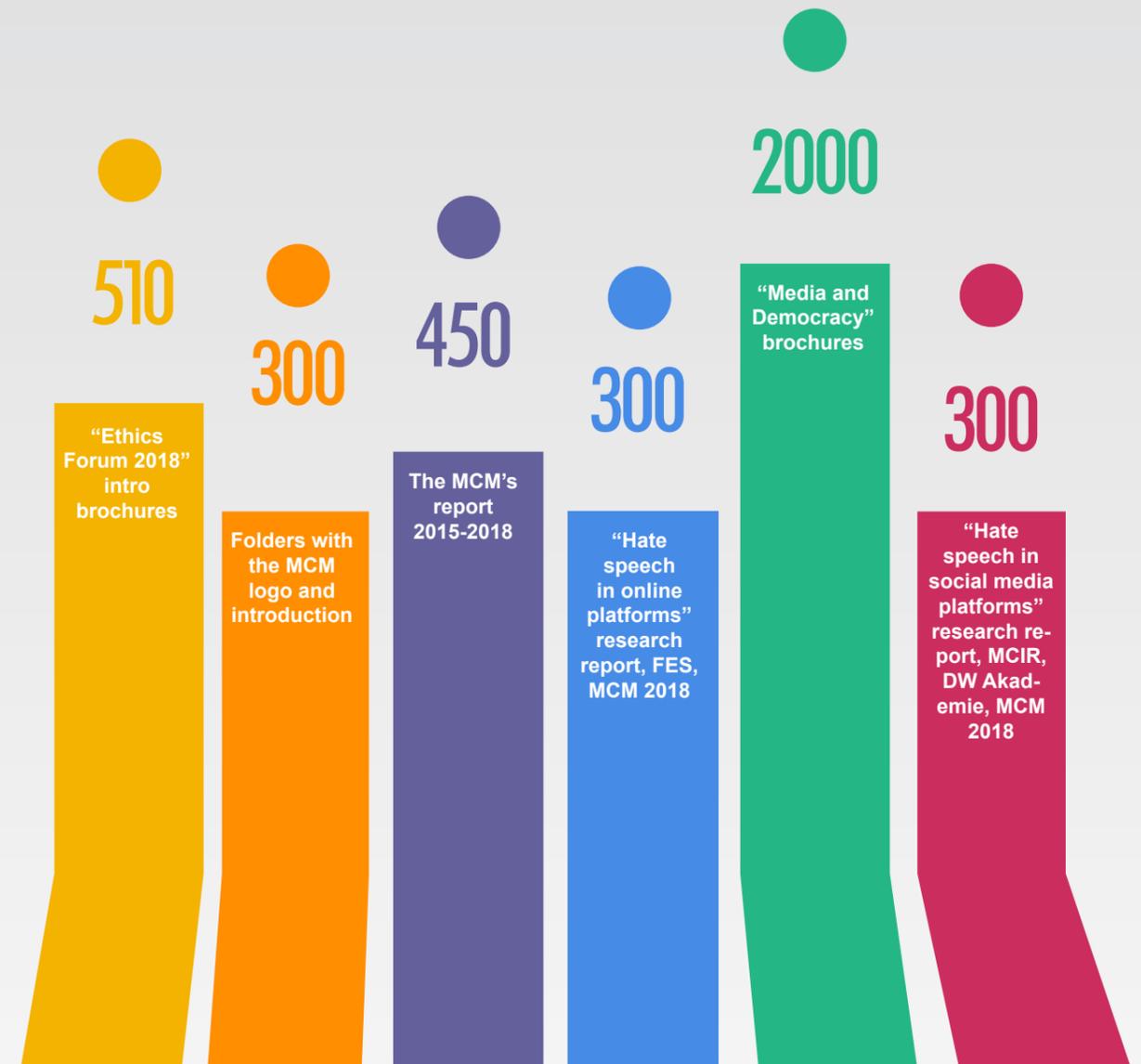


Activities for Public



- On the occasion of the MCM's third anniversary, we organized the MCM members meeting and introduced its implemented activities and financial report.
- In October 2018, the MCM called to have its first press conference and informed its implemented activities, results and success in the last three years to the public.
- The MCM published press release seven times about how complaints resolved according to the Complaint Procedure to the public.
- The MCM publishes an online quarterly newsletter according to the policy of being transparent to the public about its activities. Last year, the MCM delivered four newsletters via online networks.

Printed promotional materials



The Media Council of Mongolia on media

In 2018, 59 news websites reported the MCM activities, decisions of Ethics Commissions, training, events and forum in 138 news and reported eight times on daily newspapers.

Following five online websites reported the most about the MCM's activities and decisions: ikon.mn, news.mn, zindaa.mn, gogo.mn, dnn.mn. Among the daily newspapers, Udriin sonin and Undesnii shuudan newspapers reported the most about the MCM.

Local Cooperation, Partnership

Following organizations agreed on an initiative to monthly donations for supporting the sustainability of media self-regulatory body and signed on Memorandum of Agreement. Organizations are:

News Agency LLC, Local Media Association, Otgontenger University, Interactive Media LLC, Mongol TV LLC, Gogo.mn of Mongol Content LLC, Zindaa magazine and zindaa.mn of Jamukh International LLC

The MCM signed MoU with Communications Regulatory Commission of Mongolia within the framework of media ethics principles in broadcasting and online media and public right to know on January 24, 2108.

The MCM signed MoU with Globe International and Mongolian Bar Association within the framework of organizing training and research works for improving media sector's legal environment and prepare trainers specialized in media laws under cooperation on May 2, 2018. The MCM and National Police Agency agreed to develop cooperation and understanding regarding ensuring Mongolian people's right to know which allows them to get accurate, balanced and not biased information between media self-regulatory body and state authority on May 23, 2018.

The MCM signed Memorandum of cooperation with the Confederation of Mongolian Journalists within the framework of organizing training on protecting press freedom, media organizations' responsibilities and improving reputation of journalism in the city and local areas on June 2, 2018



Experience sharing visits

Representatives of the MCM participated in following events in 2018:



G.Gunjidmaa, Executive Director of the MCM, participated in the program of Role of Media in the society and international experiences in Berlin in May 2018.

The MCM's representative attended in "Media Forum between Mongolia and China" organized by the Confederation of Mongolian Journalists in Umngovi aimag in September 2018.



U.Tamir, Vice Chair of the BoM, the MCM participated 20th international conference for Central Asian journalists - "Future Journalists" - in Astana, Kazakhstan on November 7-8, 2018.

The MCM's representatives participated in "Media Tour" in China on November 8-12, 2018.



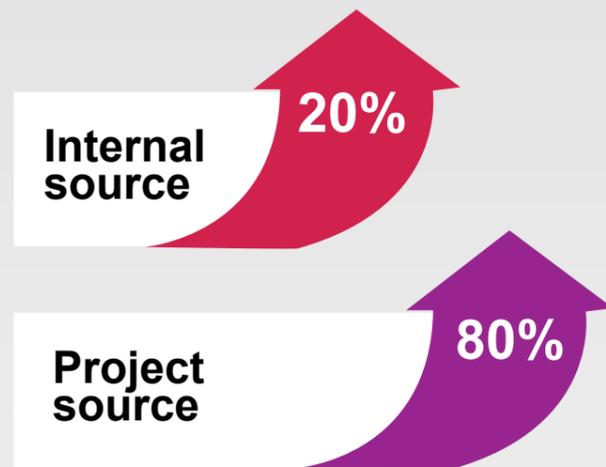
FINANCING

2018

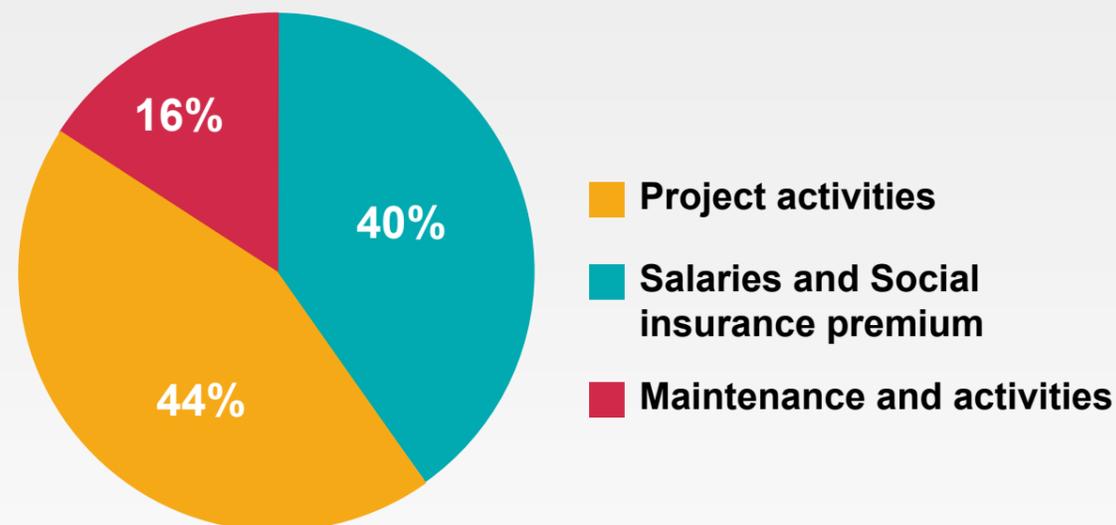
INCOME: 146,734,149

EXPENSE: 137,086,426

I. THE MCM'S INCOME SOURCES



II. SPENDING



Organizations supported media self-regulation in 2018



Contact

- +976 7000 0160
- www.mediacouncil.mn
- info@mediacouncil.mn
- Хэвлэл мэдээллийн зөвлөл

