



## EX-POST EVALUATION OF THE MONGOLIA PROGRAMME

### SAVE THE CHILDREN NORWAY

1996-2006

Report prepared September 2006

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## Glossary of Terms

### Local Administration Levels in Mongolia

Aymak	Province
Sum	Rural District
Baga	Rural sub-district
Khot	City
Duureg	Urban District
Khoroo	Urban sub-district

### Official Child Policy Mechanisms

NCC	National Children's Centre – the body for implementing government policy for children from 1990-1996, through branches in every Aymak and city.
NCC	National Council for Children – a pre-1990 high level policy making body recently re-introduced under the deputy prime minister.
NAC	National Authority for Children – current implementing agency for Children.

## 1. Executive Summary

The Save the Children Norway (SCN) Programme consists of a single partner, the Mongolian Child Rights Centre (MCRC). SCN served as principal donor and has funded this local NGO for ten years from its birth in 1996. SCN's representative office in Vientiane, Lao PDR coordinated support to the new organisation, consisting of a yearly budget of around US \$250,000, an annual follow up visit, four technical consultancies on children's rights between 1996-99, numerous international exposure visits, the purchase of an office and a positive joint review in 2002. With a change of representative for the Lao programme in 2003 there came a change of policy which led to the decision early in 2005 by SCN to withdraw from Mongolia. The reasons given to the partner were the need to reduce the number of countries covered and the difficulties of follow-up.

In 2005 and 2006 two further visits to Mongolia put in place and monitored a Phase Out plan which consisted of a contribution of \$35,000 towards the costs of programmes which could not be handed over to government or INGOs, the development of a new strategic plan for MCRC and fees for consultants to assist with project proposals for new donors. The Phase Out plan also made provision for an external evaluation intended to assess the impact achieved by the partnership and MCRC's future options and potential sustainability without SCN core funding. This evaluation was to identify lessons deriving from SCN's support from a distance and from its decision-making processes during Phase In and Phase Out.

The evaluation finds that MCRC has had a significant positive impact on children's lives during Mongolia's difficult transition to a market economy. It has developed effective working methods to raise awareness around the Convention of the Rights of the Child, to influence government to bring about policy shifts, to lobby parliament for changes in the law and to address violations directly. During its best years MCRC's results were often better than and generally comparable with those of international child-focused NGOs present in the country, despite having received lower material and capacity inputs than the INGOs.

Weaknesses in MCRC's internal capacities were only partially recognised in the joint review of 2002 and were insufficiently followed up by either MCRC or SCN to prevent a gradual loss of performance. By 2005 MCRC had lost most of its key programme staff and an insensitive Phase Out process further contributed to reducing the organisation's capacities. By 2006 MCRC has lost considerable ground in relation to the international NGOs in Mongolia and has been overtaken by other local NGOs. At present it is a relatively disempowered organisation even if it still enjoys substantial public credibility and the goodwill of donors.

Having consulted extensively, the evaluation concludes that the need for MCRC as a strong local child rights organisation is as real now as it was in 1996. However MCRC is not able to meet this challenge at present. It suggests that MCRC's internal weaknesses lie at the heart of its current condition and that SCN failed to provide effective support to overcome them. It recommends that SCN takes steps to help MCRC make good its capacity gaps before withdrawing. It estimates that 3-5 years will be necessary to re-establish MCRC as a sustainable local civil society organisation. It questions the value of managing the partnership from so distant a country as Lao PDR and recommends that Oslo takes over, and reinforces this function with in-country support from qualified local consultants or, preferably, the only Alliance member present – SC UK.

For its part MCRC needs to acknowledge its internal weaknesses and take immediate steps to address inconsistencies in its governance, identity, structure and systems. The evaluation recommends that it seeks support from local partners with expertise in

organisational development to undertake a guided organisational assessment as a basis for bringing its systems in line with best NGO practice in Mongolia.

### Main Findings

MCRC achieved high rates of efficiency in respect of outputs and activities. It has consistently delivered the results that it has aimed for - especially between 1998-2002.

MCRC programmes were child rights orientated to a significant degree, they were generally relevant and they targeted vulnerability and discrimination to a good extent.

There has been much legislative change focused on child rights principles. MCRC has also had substantial influence on government regarding child development and child protection. Weak implementation by duty bearers has however reduced the potential impacts on children's lives.

MCRC has had an important impact regarding the awareness and understanding of child rights by many segments of Mongolian society, including: children, parents, teachers, police, the judiciary and parliamentarians. Institutions such as schools and the detention centre for children in conflict with the law have been transformed as a result of changed perceptions of the best interest of the child.

Finances apart, SCN support for MCRC has been weak. There was no systematic organisational assessment during phase in and therefore no clear understanding of MCRC's capacity needs as an emerging civil society organisation. Arrangements for follow up of MCRC were also inconsistent over the years. As a result of poor capacity building, the organisation began to lose effectiveness after 2003.

Currently MCRC internal capacities are weak on governance, human resources, HR systems, monitoring and evaluation and strategic renewal. Many of these capacity gaps were only identified by a joint review in 2002. However, they were not significantly addressed by either Save the Children Norway or MCRC.

The timing and manner of the closing of the partnership was unfortunate and contradicted Save the Children Norway's policy on capacity building of local partners. Phase out was too quick and the process was not transparent. It was left to inexperienced staff with little understanding of the context of Mongolia or the background of SCN in the country.

Such a complex programme needed a 5 year phase out with significant, tailored capacity strengthening. The phase out process that was put in place did not meet MCRC's real needs and has effectively disempowered and further de-capacitated the most important local child rights organisation in Mongolia.

### Main Recommendations to Save the Children Norway

Review policy and practice regarding phasing in and phasing out of partnerships, especially where there is no physical presence of Save the Children Norway.

Ensure that specialist support is readily available to partners in countries where there is no physical presence, making use of Alliance or consultancy capacity.

Resources permitting, remain open to developing a new relationship with the Mongolian partner.

## Main Recommendations for MCRC

### Programme

Give priority to lobbying and advocacy for child rights in Mongolia. This is regarded as MCRC's comparative advantage.

Reduce the scope of projects that are designed to meet children's needs. These should be restricted to experimental and innovative pilot projects for demonstration and advocacy purposes.

### Relationships

Revive the NGO Coalition as the primary means of building a constituency for children's rights.

Strengthen cooperation with SC UK.

### Internal Organisation

Address internal capacity weaknesses as a priority in order to re-establish confidence and credibility with donors.

Establish governance and personnel systems in line with good NGO practice in the country.

Review membership of the Board to reflect more fully the non-partisan nature of MCRC's commitment to the implementation of the Convention of the Rights of the Child.

Shift executive function from the Board to a strengthened Executive Director, recruited by the Board in an open and transparent process.

Ulaanbaatar 24.08.06

## 2. Purpose of the Evaluation

The Terms of Reference for the External Evaluation (see Annex i) indicate that the main intention is to contribute to SCN's organisational learning, to provide it with documentation about SCN programme work in Mongolia and to assess decision making processes within SCN related to phasing in and out of Mongolia.

This purpose can be expressed in the following key questions:

- How and why SCN entered Mongolia?
- What its Mongolian partner achieved and how SCN supported it?
- Why and how SCN left Mongolia?
- What impact this had upon the partner and the children it supported?

## 3. Methodology

The evaluators used **semi-structured interviews** to establish the perspectives of a wide range of stakeholders in Mongolia, Oslo and Vientiane. Please refer to Annex ii for the list of Oslo and Vientiane staff and former staff interviewed between June and August, 2006, mostly by telephone.

For the stakeholders consulted in Mongolia over a **country visit** of two weeks in August, see Annex iii. These included partner NGOs, INGO representatives, Board members, staff members, government representatives, police officers, children who had received or were receiving MCRC services and others. Approximately half of these interviews were held without any current MCRC staff person present. At times two translators were available to enable the evaluators to work separately.

A **field visit** of 3 days was arranged to Darkhan city and Selenge Aymak. A further 3 days were spent in visiting project sites in the capital. Education sector staff – a majority of the MCRC local partners – were on vacation but all the same representatives made themselves available for interview.

A **questionnaire** was distributed in advance to the branch offices of MCRC in 7 of the country's 21 Aymaks (provinces). There were no written responses but the leaders of the Darkhan, Huvsgul and Darkhan branches travelled to the capital to discuss their responses in person.

MCRC formed a **reference group** of the President of the Board and two former staff members (one of them a current member of the Board) to guide the evaluation process. The members of the reference group briefed the evaluators on arrival. In turn the evaluators presented their draft conclusions and recommendations in two separate sessions. The first was a full and confidential report to two members of the Board including the President. The second session was in a workshop format for the rest of the reference group joined by the current Executive Director.

Regarding **secondary data**, the evaluators consulted the following materials: strategies and reports made available by MCRC and SCN in Lao PDR and Oslo; strategies and reports of other INGOs and national NGOs; national action plans for the implementation of the CRC; UNICEF publications and others. The evaluators found few SCN materials covering the period from 1996 to 2002.

## 4. Programme Performance

### Introduction

MCRC programming over the last decade has maintained a consistent focus on a limited number of areas. Within a child rights programming perspective, these are, building a constituency of support for the CRC (through awareness raising and training), strengthening structures and mechanisms (through lobbying for law reform and bodies such as the Ombudsman for children) and addressing gaps and violations of children's rights (for example children in detention). To advance these themes MCRC developed a wide range of connected projects, which over the years came to be organised within programme areas on the CRC, Education and Child Protection. In reality, individual projects cut across programme areas as well as the themes they contributed to and this inter-connectedness was a great strength of MCRC programming.

Not all MCRC projects have made an equal contribution to the Child Rights Programming themes. Some, for instance those related to pre-school education, could have been left to other NGOs with greater specialist skills in Early Childhood Care and Development. The same applies to Nonformal Education (NFE), in which MCRC was extensively engaged. The need for NFE was evident, but to achieve lasting impact, more joint programming with the State or other NGOs was necessary. MCRC also struggled to maintain quality in new forms of residential services when these were introduced in the late 1990s in response to the sudden appearance of street children in large numbers. It appears to some extent that in these and similar projects, MCRC was striving to keep up with the activities of international NGOs and show that it was willing and able to contribute its own resources to these pressing needs.

As will be seen below, MCRC's lasting impact is not seen in "borrowed" projects like these but in those where its status as a well-connected local NGO gave it a comparative advantage.

### 4.1 Constituency Building

According to the three-pillar model of child rights programming, a solid constituency of support is necessary for the sustainable embedding of CRC provisions in any society. For purposes of strengthening the children's rights environment, MCRC has been especially successful in mobilising a wide range of social groups. MCRC is more familiar with the informal, activity-focused network that links key individuals in Ministries, Parliament, other NGOs, the media, the police and the social and education services. Informal networks like these have built up support for innovation in many areas relevant to the CRC and lie behind MCRC's best achievements in advocacy and service provision.

Less frequently, MCRC has engaged in formal institution building. In 1999 it launched an **NGO Coalition** with a membership of 23 local organisations. This had grown to over 60 by 2004, the year in which it produced the country's first alternative report to the UN Committee on the Rights of the Child and sent four representatives to Geneva with the support of SC UK. The NGO Coalition's second major achievement was its joint work on justifying the need for the Law Against Domestic Violence. Coalition members prepared all the background documentation and then lobbied vigorously as the law itself was prepared inside Parliament.

Since these important successes the NGO Coalition has become less active and has not yet lived up to expectations for monitoring implementation of the CRC and following up the observations of the UN Committee. Of 4 sub-groups, only the group working on child labour is still active. The evaluators consider that this is a temporary situation brought

about by MCRC's own internal need for renewal (see section 6 below) and made worse by the sudden ending of the partnership with SCN.

The complexities of operating such formal networks in any environment should not prevent MCRC from re-activating the NGO Coalition. The alternative report is a major achievement and the member NGOs have benefited greatly from the project cycle management training that was included – so much so that MCRC complains they have become competitors! As it grows more open to cooperation with NGOs, Government also needs a collective NGO voice for consultation on policy, service delivery and resource sharing. In short, the conditions in Mongolia are still right for a permanent child rights NGO Coalition. Is however MCRC still the right organisation to lead the Coalition?

MCRC was better at starting the Coalition than maintaining its momentum and setting the scene for its development over time. A dispute over leadership of the Coalition has undermined MCRC's authority. MCRC should now take steps to resolve this problem by making sure that the Coalition is run on a democratic basis, with timely rotation of leadership according to the statute. Coalitions more often fail because of poor day to day servicing rather than weak governance and so they are generally best served by a stable Secretariat. Thanks to its prominence and relative stability, MCRC is still the best location for the Coalition's Secretariat.

A second institution that is closely connected with MCRC is the new profession of Social Worker in Mongolia. As will be seen in 4.2 below, MCRC has played a leading role alongside SC UK in developing new institutions for academics and practitioners.

#### Awareness Raising through the CRC Programme

At the outset MCRC recognised the value of the CRC as a means of safeguarding the rights of children during Mongolia's rapid transition to a market economy. MCRC understood that a fundamental change in attitude at every level of society was required if children were ever to be acknowledged as individual holders of rights. It realised that this was a long term challenge that could only be met through persistence and imagination. Hence, delivering training and developing guide books and other materials on CRC has been a major focus, directly reaching more than 26,000 professionals, parents or children over the decade, by means of over 42 handbooks and other publications.

This direct training of approximately 1% of the population of Mongolia was supplemented by other MCRC training programmes, which also included CRC topics. MCRC also succeeded in attracting the interest of the media, especially radio and television. In 1996 only one TV channel covered children's issues – 10 years later all four channels carry different types of youth and children programmes on regular schedules. Media exposure hugely increased the reach of MCRC's CRC message. In 2003-2005 alone, SCN reported to NORAD that 36,400 children had directly benefited from the CRC programme and 190,000 indirectly.

It is not surprising therefore that in 2006 it is hard to find a Mongol adult or child of school age that has not heard of the CRC. This mass exposure constitutes a major impact, attributable directly to the commitment and energy of the MCRC staff and to the vision of its leadership. In 1996 this was not a foregone conclusion by any means. Although Mongolia had signed the Convention soon after its velvet revolution, there was little to indicate that a rights based approach to child development and protection would be received so enthusiastically.

## 4.2 Strengthening Structures and Mechanisms

Increased public awareness of the CRC has made it possible for MCRC to achieve repeated success in amending **legislation** to the benefit of children. The 2002 law of Education, for example, paved the way for state provision of non-formal education for children who are not in school and obliged every school in the country – 921 in all – to appoint a social worker to prevent drop-out. The Criminal Code of 2001 limited pre-trial detention for children and set new reduced sentences, distinguishing for the first time between the length of sentences for children and adults. Together with the 2003 amendments to the Child Protection Law and the Law Against Domestic Violence of 2004, this impressive body of legislation has transformed the situation of children in Mongolia. Appendix 6 gives further details of changes in the law achieved by MCRC and its partners.

Government, international government (UNICEF), NGOs, INGOs and donors all attribute these successes to MCRC. This is beyond dispute, as it was the President of MCRC and other members of the MCRC Board who sponsored these laws while serving as members of parliament themselves. Many NGOs were involved in promoting the need for new legislation, but the drafting and negotiations were all done within the parliamentary committees. A consequence of this body of law is that child focused NGOs are now regarded much more seriously by Government, as potential partners in both policy development and service delivery.

Between 1996-1999 MCRC and SCN jointly invested substantial resources and energy in convincing Parliament to adopt a **Children's Ombudsman** approach to promoting and defending the rights of the child. In the event the Ministry of Justice was swayed in 2001 by the Australian Human Rights Committee model. The issue of a dedicated Ombudsman for Children is however once again on the agenda and is currently being studied by the Deputy PM and the National Council for Children.

Raising awareness on the CRC is a task that is never ending. MCRC and its partners recognise that they will need to continue their training efforts, perhaps focusing more directly on training of trainers and on the constant improvement of handbooks and other training materials. A more informed public, better trained professionals and more active children will also make it possible to continue the work of transforming Mongolia's legislation so that it reflects the principles and provisions of the CRC more closely. Despite the successes achieved to date, there is a massive task ahead in bringing coherence to the country's body of law in respect of children. Separate amendments can appear differently in several new laws, often causing confusion and inaction. This is the priority for the National Council of Children, which regards MCRC as a key player in helping resolve the problem.

The second major constituency that MCRC has co-sponsored over the years (with SC UK) is the new profession of **social work**, which has rapidly become an institution in its own right. Unexpectedly, social work has spread like wild fire across the social landscape from its origins in an experimental department of the State Teacher University in 1997. Now there are social work courses in 17 state and private universities (3 of them in the provinces) producing 100 BA and 20 MA newly qualified professionals per year. So far approximately 2000 new jobs have been created and there are two professional organisations to represent and regulate the new profession: the School Social Worker's Association (2001) and the Professional Social Worker's Association (2002).

Qualified social workers are now found in the health and education sectors, the police, detention centres, prisons, and the administration – from Ministries to the lowest territorial units. There are 800 social workers at the primary Sum (rural) and Khoroo (urban) levels and 796 in schools. The spread of school social work has been so swift that it has

attracted the attention of international academics.<sup>1</sup> A social work qualification is increasingly a condition for recruitment to NGOs. Perhaps a dozen Mongolian professionals have received Masters Degrees in social work in foreign universities – including the current Director of SC UK.

MCRC's contribution to the development of this new constituency has been pivotal. MCRC ensured that the 2002 Education Law made provision for university level social work education and included a terms of reference for school social workers that directly addressed discrimination in schools. At best the school social worker provides a channel for communication between parent and school and a support for the discriminated child, whether it is for poverty, ability or any other reason. He or she also reaches out into the community and liaises with other social workers to identify non-enrolled or drop-out children and fulfil their rights to quality education. School social workers trained by MCRC recognise that their attitude has changed in these respects. They understand that it was wrong to discriminate against children with difficulties while favouring the active and successful child. They also realise that there is more to social work than a clean school, extra curricular activities for the privileged child and good pupil behaviour.

Social work has also transformed the way local government relates to the population. The new profession has converted the old benefits administrator, responsible for dispensing social assistance, into a pro-active agent for local mobilisation and change. This is a major structural change with the potential to improve opportunities and outcomes for children across the country.

However these two new constituencies and their Associations need substantial support before they can realise their potential. The TOR for both the social workers and the school social workers now need renewing. Their rapid spread across the nation also present a major training challenge. MCRC has provided training for 200 new school social workers. In 2001-2002, working with SC UK, MCRC had seconded a member of staff to the Institute of Education and founded a School Social Work Unit. Although the Ministry failed to budget for the costs of the Unit – mainly the salaries – it continued its work because of the demand for training and materials from the school social workers in the capital. The Ministry is now planning to put the Unit on a sounder basis.

This is an excellent and all too rare example of government adopting an NGO initiative within its systems and structures. MCRC has not prioritised training for school social workers in its next strategy, perhaps considering that the scale of support required is simply beyond the scope of an NGO

#### 4.3 Violations of Rights

The extent of the post-1990 social and economic transformation of Mongolia was so severe that violations in all the major categories of children's rights were inevitable. Poverty, which affects a third of the population since the early 1990s, is the underlying cause of these violations. Crime against children and by children, the appearance of street and working children, drop-out from school, non-enrolment and trafficking of children are symptoms of the poverty that has become entrenched in Mongolian society. Since poverty and its consequences are new to Mongolia, government has proved incapable of developing appropriate responses – mainly because unfamiliar approaches and working

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<sup>1</sup> See for example, Huxtable, M. (2007). History, growth, and current status of school social work in the world, Chapter 19, International School Social Work, In L. Bye, M. Alvarez (Eds), School social work: Theory to practice. pp 310-328. Belmont. CA: Brooks/Cole

methods are required. It therefore fell to NGOs to develop alternative responses and often to implement them as well.

Faced with this situation MCRC, like many other NGOs and INGOs, became operational in various education and social welfare programmes. At first the understanding was that NGOs were developing models which government would eventually take over. This optimistic assumption has occasionally taken place where there are no budgetary implications, but even then it is not the norm. The best that NGOs can hope for at present is co-responsibility for implementation, with government contributing the cost of salaries for government personnel.

Government policy since 1990 has been to keep social investments of all kinds at rock bottom, to reduce the scope of government wherever possible and to rely upon market forces to create new wealth. Despite consistent growth in the economy and new income from mineral exploitation, government still sees additional social expenditure as primarily a matter for external aid. Donors continue to oblige and Mongolia has one of the highest per capita aid inflows in the world. In this climate sustainability means that NGOs are more likely to hand over projects to each other than to government<sup>2</sup>.

MCRC has been active over the long term in two areas where violations are particularly apparent. The first is the **detention centre for children** which in 1996 was a gulag style stockade in a bleak settlement 20 kms outside the capital city. Persistent lobbying by MCRC, combined with training of the wardens in the CRC, eventually resulted in relocation to a heated building on the outskirts of Ulaanbaatar. Over the years MCRC covered the costs of social workers and teachers to ensure that the children's rights to education were met. Eventually, classrooms were set aside and equipped and daily school became a regular part of the facility's routine.

The change in conditions for the 60 or so children who are sentenced each year could not be greater. Despite losing their liberty, they still benefit from the education and vocational skills that they could expect in the community. Furthermore MCRC contributed the costs of lawyers to work on their cases. Eventually, on the 800<sup>th</sup> anniversary of Mongolia's nationhood, the State had sufficient faith in the rehabilitation process to declare an amnesty in 2006 for every child in the centre – including three sentenced for murder. In 2005, according to Phase Out planning, MCRC handed over its funding responsibilities to World Vision.

The second long term commitment of MCRC has been a **non-formal education programme for herders' children** in the most isolated and sparsely populated Aymaks, principally in the Gobi desert. Following transition, many Gobi families resisted sending their children to the distant boarding schools, where standards had fallen and food costs had been introduced. The children were also needed at home to help with the new demands and responsibilities of private ownership in the nomadic herding economy. As the number of drop-outs increased and illiteracy rates rose in the community, MCRC stepped in to meet the gap in the right to education.

Over the years MCRC developed a range of ingenious ways of bringing alternative forms of education to these isolated herding communities. There were mobile schools, housed in the traditional round tent of the steppe, which followed the herders as they moved. There were catch-up classes for those who wished to re-enter mainstream (boarding) school and life-skill classes by local practitioners for those who would remain in the herding

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<sup>2</sup> There are however indications that Mongolia is to embark in coming years on a new strategy of cooperation and funding of NGOs, in line with other transition countries and in recognition of NGO comparative advantage in specific areas of service delivery.

community. Specially designed reading and learning materials were on loan from mobile libraries.

In Omnogobi, where the programme ended in 2004, MCRC managed to provide non-formal education for 2,800 of the 3,100 drop-outs identified in 15 Sum of the Aymak in 1998. All of these children received certificates of primary equivalence which allowed 400 to enter or return to school and the remainder to follow formal or non-formal vocational courses provided by MCRC and government. The results were excellent because for the first time since the introduction of public education to rural Mongolia, the needs and preferences of the children were prioritised rather than the needs of the teachers and the education service. One of the more practical outcomes was that boys leaving home for military service were able to keep in touch by letter with their families.

Despite MCRC's formidable lobbying power, government has not taken up the model in any significant way. It was perhaps unrealistic that the education authorities would accept a solution so close to the needs of nomadic children. The official response was a law allocating additional resources in order to improve conditions in the dormitories and cover the food costs. These incentives had the desired effect and increased enrolment in the boarding schools. However what is good for the enrolment rates is not so good for the herders. Parents know that children who attend primary school in the Sum and secondary school in the even more distant Aymak, often fail to return home but go instead to swell the ranks of unemployed migrants in the capital.

In time as the numbers of rural drop-outs increase again it is likely that the State will have to make provision of a similar nature. It is therefore important to document the experience so that government can replicate it in the future.

MCRC's **Non-formal Education in urban areas** was a response to the growing number of working children, many of them migrants fleeing destitution in the countryside. This programme was intended to improve on the minimal provision made by the Non-formal Education Department of the Ministry of Education. The State provides 12 NFE classes for a total of 300 children in the capital, where unofficial estimates place the number of out of school children at 6,500. The implication is that the right to education of these children is neglected and that exclusion from school can lead to other more serious violations such as dangerous forms of child labour, child trafficking and sexual exploitation. For these reasons, the International Labour Office (ILO) has also funded MCRC's work in the past and is likely to continue.

MCRC's innovation in the capital was to integrate NFE in primary and secondary schools and to equip their staff with multi-grade teaching skills. Rather than make, centrally-planned alternative provision at the District level, MCRC aimed to make the schools themselves responsible for identifying drop outs within their catchment area and meeting their rights to appropriate education. As migration to the cities intensifies it is the only sensible option if the State is to meet its statutory duty of education for all children.

In the capital city where there are over 50 **residential shelters** for children without parental care, MCRC maintains one shelter in the suburbs for approximately 30 children and a drop in centre in a heavily built up sector of the city. The shelter is well run (infinitely better yet lower in cost than the equivalent State service) and is part of a network of NGO provision that meets the greater part of the demand from orphans, street children and others. The **drop-in centre**, which enjoys the grand title of a Community-based Child Protection Service, is however in the wrong place and is poorly attended. An equivalent service in the poorer suburbs receives 10 times more visits from the local population.

#### 4.4 Cross-Cutting Principles: Participation

Impact regarding the CRC principle of child **participation** is harder to identify in MCRC programming. It has relied principally on work within schools, which was the traditional arena for state-guided forms of participation in the pre-1990 regime. Descriptions of the self-managed Children's Clubs sponsored by MCRC in higher secondary schools of Selenge Aymak suggest a focus on youth leadership training combined with charitable activities by the Clubs for less fortunate children. There is no doubt that the approach has moved on from the pioneer activities of the pre-transition era, but there is still room for more innovation. The impact of MCRC's school-based participation work is more evident in the slowly changing attitudes within the very conservative and rule-bound school environment. This is explored in the assessment of school social work below.

#### Conclusion

For various reasons the 10 years of MCRC programming defies a complete analysis. The scope and geographical range of the activity was vast – on a similar scale to the major INGOs operating in the country. MCRC had several handicaps, however. Though it operated at INGO levels of activity, it did not have access to the same knowledge, capacity support or funds. In its direct work – which accounted for more and more of its portfolio as time wore on - MCRC favoured action over reflection and its reporting – at least in English – gave little indication of the changes for children that the programmes were bringing about. SCN's own reporting requirements focused to an unreasonable degree on outputs, specifically numbers of beneficiaries. So the secondary data is largely unhelpful in documenting the results of MCRC's work.

Despite these constraints it is possible in part to reconstruct areas where the impact of MCRC programmes is clear. Consistent awareness building for a rights based approach has fundamentally altered the way society and its institutions relate to children. In respect of service delivery, MCRC was always innovative and well ahead of the State in terms of relevance and quality, however it is less certain whether MCRC needs to maintain such a hectic level of activity in order to carry on generating positive change for children. The time is right for MCRC to review its programme work more fully than is possible here. Some of the Nonformal Education work with herders, for example, was clearly ahead of its time and deserves further study.

This is a particular area where MCRC and SC UK, which is also involved in NFE work, could usefully work together. Given the great need for NFE, the feeble nature of the government response and the many NGOs that are attempting to fill the gap, a mapping exercise or some similar study is warranted. This could assess the real achievements of the NGO models and review their potential for improving governmental efforts.

The fundamental question MCRC needs to ask itself is what level of direct work is necessary to generate experience for strengthening partner capacities, policy advocacy and legislative change? To answer this, MCRC will also need to take into account the direction of change in government thinking regarding NGOs. For example, government funding is a likely to become available for those services that NGOs can provide to a higher standard and for less money. It would be a shame if MCRC were to respond to this incentive at the expense of its awareness raising and constituency building work – even if they are much harder to fund.

#### Specific Recommendations

Renew the NGO Coalition, building its capacity to monitor the implementation of the CRC.

Respond to the expressed need of the National Council for Children (NCC) to help Parliament revise the current body of children's law, eliminate duplication and thereby enhance the possibility of implementation. SCN to provide specific legal and technical assistance if appropriate.

Take practical steps to help MCRC define its niche in the future. For example, undertake joint research with SC UK on areas of common interest, as a basis for developing an up-to-date situation analysis as a first step in more substantive cooperation.

Place much less emphasis on mass CRC training by MCRC. Instead develop training of trainers skills, strengthening NGO Coalition members such as the Association of School Social Workers so that they can train their own members.

Provide capacity building in-country for all staff on programmatic issues. This is a better use of resources than sending individuals to distant training courses.

## 5. Programme Relationships

### Introduction

MCRC maintains multiple relationships with institutions within and beyond Mongolia. Thanks to careful management of these relationships, the organisation is regarded in a good light and is well-placed to exert influence in favour of children's rights at national level. A good reputation is hard to achieve in Mongolia and MCRC is one of only a handful of NGOs that has gained public recognition. NGOs like the Red Cross or the Women's Federation are accepted because of their long-standing. MCRC on the other hand is primarily respected because of its leader. This is both a strength and a weakness for MCRC. The dominance of the leader became more of a liability as time wore on, eventually affecting all its relationships to some degree.

### 5.1 MCRC Branches

At its greatest extension MCRC maintained 7 branches and planned in 2003 to open 4 more. There were over 60 staff on the payroll. The intention was to have representation in every Aymak, to give MCRC credibility as a national organisation. Even with full SCN funding this was not realistic. The other two big NGOs, World Vision and SC UK also limited themselves to 7 or less Aymaks each and so there was a rough division of the country between the "big three" – two internationals and one local. But World Vision, with a budget of \$3 million was employing 300 staff and SC UK with around \$1.3 million has 80 staff.

With the end of SCN funding to the branches in 2004 two have closed – in Arkhangai and Dornod. SC UK is especially active in Dornod, which has limited the impact of the closure of the branch. Of the remainder, only the branch in the city of Darkhan is at all viable as an independent NGO, thanks to its connections with private donors from Japan. Local government children services represent MCRC in Selenge and Bayanolgiy. Huvsgul and Omnogobi, which benefit from free office space, have maintained their independence so far, but have not yet managed to attract alternative donor support.

Without branches and their activities in the Aymaks, MCRC loses contact with its rural constituency. Without support from MCRC, the branches themselves lose the possibility of participating in national programmes and updating their skills. Maintaining the urban-rural relationship is therefore essential for the MCRC and at least some of the branches.

Thanks to their connection with MCRC, the staff at the branches have tended to be better trained and more active than their counterparts in local government. According to key informants they are also frequently closer to the people and more innovative. The INGOs generally support government services but it is important that there is also non-governmental capacity in the provinces. MCRC can play an important role in advocating for this and persuading the INGOs that they also have a responsibility to strengthen civil society.

Unfortunately the phase-out process did not have a plan for ensuring the sustainability of the branches. With more intensive training, at least two of them could have had a viable and independent future. This training gap should now be addressed, but MCRC also needs to be much clearer about the purpose of these offices and their relationship with MCRC.

## 5.2 Local NGO Partners

MCRC has good relationships with the established, pre-transition NGOs like the Red Cross and the Women's Federation as well as with newer, single issue organisations like the National Centre against Violence (NCAV). Both of these offer successful models which MCRC can study for its own future development. They are national in scope, maintain branch structures, rely substantially on volunteers and cooperate with government at different levels. The difference between these local NGOs and MCRC is that they (the local NGOs) have benefited from substantial external support for their own organisational development.

NCAV and other local NGOs respect MCRC's capacity to bring different stakeholders together and set the scene for policy reform. They see MCRC as a "bridge between NGOs and government", with a leader who actively promotes and lobbies for child-focused NGOs amongst politicians. In the revision of its statute in 2002, MCRC acknowledged this strength and made the strengthening of cooperation between government and NGOs for the best interest of the child one of its main aims (see 6.1 below).

NCAV is a good potential model for MCRC in that its funding is very broad-based – it is not dependent upon a single donor. Although largely financed by international donors, NCAV also receives funding from the Ministry of Social Welfare. This government funding is not on the scale of the annual allocations from the state budget to established pre-transition NGOs like the Red Cross, but it sets an important precedent for new NGOs. NCAV also has presentational and organisational skills that MCRC lacks. It is democratically run – the present Director started as a volunteer 9 years ago.

Mongolia's child-focused NGOs face common organisational difficulties which they do not yet discuss jointly. The NGO Coalition, for example, addresses programme and advocacy issues but leaves out important operational considerations such as the weakness of the NGO Law, unclear relations with government agencies, staff retention difficulties and collective accountability for enhancing the image of NGOs. Too often these needs are ignored and donors exploit the local NGOs for their capacity to influence the institutions of State and the population.

There is an opportunity here for the NGO Coalition to remind government and donors that its members have organisational needs and cannot be effective for long in either service delivery or advocacy if these internal needs are not met.

### 5.3 Government

MCRC's relationship with government is complex. Like several prominent NGOs in Mongolia it was created and is still led by a figure active on the national political stage. There is no evidence that MCRC is used as a vehicle for promoting party politics, although the leader is readily identifiable as a long term member of the Mongolian People's Revolutionary Party (MPRP). The public acknowledges that child-focused NGOs are not partisan in political terms which makes it easier for them to promote new laws. Several women's organisations, on the other hand, become active campaigners for their party at election time and youth NGOs are also split along party lines.

MCRC's relationship with government make donors uneasy however and there has been some effort at distancing the leader from the direct management of MCRC. This is a process that needs to continue for the good of the organisation and also for its long term relationship with government as well as donors. The possibility of a change in government strategy towards NGOs makes this more urgent, if MCRC is not to lose the chance of funding on grounds of conflict of interest.

Especially at provincial level there is some overlap between MCRC and the National Authority for Children (NAC), which implements government children's policy through the administration. At national level the NAC also drafts the regular report to the UN Committee on the Rights of the Child. In some ways MCRC adopts the position of a parallel, non-government structure, carrying out programmes through its provincial branches and mobilising NGOs to draft the alternative report. However it is not always clear how these government and non-government organisations differ and both would benefit from more clarity of roles.

MCRC's relationship with international governmental organisations is limited to UNICEF, which pays little attention to NGOs unless they buy into and help lobby for processes such as the National Action Plans for Children.

### 5.4 International NGOs

Thanks to SCN core funding, MCRC has not needed a funding relationship with the main INGOs. Instead there is a history of collaboration on specific programmes but the INGO interest in MCRC is focused mainly on advocacy and lobbying, as in the alternative report.

One objective of SCN's phase out plan was to attract INGOs into taking up the funding of MCRC programmes. It will however take time for MCRC to develop new relationships with the INGOs, whose resources are tied up in long-term operational programmes – mainly through government. For example, World Vision works extensively through the National Authority for Children (NAC) to create and support community based organisations and SC UK has recently helped the NAC develop a new strategic plan in order to enhance its effectiveness.

With the departure of SCN there is no donor with a specific mission to strengthen local children's NGOs like MCRC. Funding of local NGOs in general is left to INGOs or donors which are present in the country and which have a remit to strengthen civil society, such as Open Society, Mercy Corps and the Canada Fund. There is potential here, but not until MCRC has caught up with the levels of governance and internal organisation that are currently expected by all serious donors in Mongolia.

MCRC has cultivated its relationship with Japanese NGOs, which have a strong focus on welfare work directly with children and a preference for one-off funding of infrastructure, such as cultural centres or orphanages. Although this relationship has proved useful to

MCRC for the running costs of shelters, it contributes little in the way of good development practice.

## 5.5 Save the Children Norway

The relationship between MCRC and SCN has been very hands-off. It originated in a personal contact between the MCRC leader and the SCN regional representative at a UNICEF event in Bangkok in 1995. After the 1996 elections, when Mrs Bolormaa lost her post as chairperson of the National Centre for Children, her counterpart at SCN made it possible to set up the MCRC. SCN had no direct experience of Mongolia and no contacts beyond MCRC, which it relied upon entirely to assess the situation in the country and develop strategy.

The agreement to start a funding relationship was made in Beijing during a meeting between the two colleagues. SCN's only programmatic requirement was to lobby for Mongolia's adoption of an ombudsperson for children, which Ms Bolormaa was very happy to support. Between 1996 and 2003 a routine developed around an annual visit to discuss the main policies for the partnership. For the first three years these annual visits were reinforced by yearly technical assistance visits from the Child Rights Adviser in Oslo, who was impressed by the energy and influence of MCRC.

After 1999 the annual grant was converted to a 3 year agreement. Analytical and financial reports were regularly sent by MCRC for processing to the SCN office in Vientiane. Although exchange visit of programme and support staff took place between Lao PDR and Mongolia, it was clear that the contexts were too dissimilar for sustained exchange or learning and the main link remained between the SCN representative based in Lao PDR and Mrs Bolormaa in Ulaanbaatar.

The election of Mrs Bolormaa to the parliament of 2000-2004 only slightly interrupted the routine. The new MP was not only able to manage MCRC but also to steer a raft of new legislation through parliament. With such good results, SCN seemed happy to leave MCRC undisturbed. Staff from Oslo, Vientiane and Nepal undertook a very positive joint review of MCRC in 2002. This was SCN's first systematic assessment of MCRC's internal organisation. It confirmed how much MCRC was identified with and dependent upon its leader and how important it was to create space for second generation leadership.

Although the review identified one of the issues affecting MCRC's long term organisational health, it did not lead to a solution. A further complication was that 2000 had seen the appointment of an Executive Director more suited for administrative functions than leadership. In an effort to build up the new Director's capacity quickly, much of the training and travel budget was assigned to her over coming years without obvious improvements. This had the effect of discouraging other staff members. The new Executive Director was also a half sister of Mrs Bolormaa and was not the only other relative on the staff. The review was silent on this issue – the team members were never aware – and SCN only discovered the fact during the Ex Post evaluation.

The SCN/MCRC relationship was constrained by a culture of silence. SCN's hands-off approach did not equip it well to raise the alarm and ward off the inevitable organisational decline. Experienced staff that had been overlooked for promotion began to leave the organisation - some to take up senior positions in NGOs or government. MCRC was also unlucky that the time it most needed support coincided with a period of personnel instability at every level of SCN. Those responsible for the follow up had none of the history and so were in a weak position to advise either MCRC or SCN management. The final decision fell to an acting senior manager in Oslo.

True to the culture of silence, SCN did not share the real reasons for withdrawal with its partner. In their place were given financial and administrative reasons that were beyond either partner's control. The decision itself was communicated in a curt letter from the Secretary General of SCN. As the cursory phase out unfolded, SCN seemed much more concerned with the tidy closure of projects than with the future of MCRC.

The relationship had become one of mutual incomprehension. The local organisation was left with the humiliation of winding down – all the more painful because of the public profile of the leader. MCRC was not remotely equipped to re-invent itself as quickly as the phase out plan indicated – the opportunity for seriously addressing its capacity gaps had come and gone with the review in 2002. Had MCRC and SCN been less complacent at that stage, the organisation could have been in a very different situation today.

The key lessons for SCN are:

- Good personal relationships are necessary in managing partnerships but not at the expense of professionalism
- Ensure that you have a good, contextual understanding of the country and culture, preferably from several sources
- Give equal importance to the partner organisation's internal health as to its results
- Cultivate a culture of transparency in which sensitive issues can be addressed openly as they arise
- Avoid becoming the sole donor to a partner, especially if you are not in a position to provide adequate capacity building support
- When things go wrong acknowledge your share of responsibility and set things right before leaving
- Review internal procedures for phasing out of long term partnerships

The key lessons for MCRC are

- MCRC must find a way of building an organisational life that is not dependent so exclusively on the person of the leader
- While there is no law in Mongolia against working for the government and acting as an unpaid NGO leader at the same time, in practice it can undermine the NGO's relationship with donors and eventually weakens the organisation
- There are good reasons why professional NGOs, governments and private companies avoid appointing family members onto the staff
- Keep organisational structure and human resource policies in constant review.

## 5.6 Save the Children UK

The relationship between MCRC and SC UK is a long one. It began in 1993 when the NCC Chairperson, formally requested the Patron of SC UK to establish an office in Mongolia. This was done early in 1994 and the two organisations worked closely together until the 1996 elections removed Mrs Bolormaa from office.

The relationship resumed once the MCRC was established and there was much shared programming over the years. Both organisations were strongly committed to the CRC and open to new ways of working. MCRC's focus on legislation and policy complemented SC UK's early efforts in poverty reduction and social inclusion through education. Indeed to this day the strategies of MCRC and SC UK are remarkably similar, with their strong focus on child protection, social welfare and education.

The major difference lies in their organisational form. Although currently managed entirely by national staff, SC-Mongolia is still a representative office of SC UK. It benefits from external technical and budgetary support, specialist research capacity, professional staff at INGO rates of pay, and it can employ international staff when particular inputs not available in country are required. Its disadvantage is that continued presence depends on decisions made in London.

MCRC on the other hand is a locally registered NGO with all the strengths and constraints associated with this status. The main strength has to do with firm roots in local civil society. The constraints are an unfavourable NGO law, unpredictable income, low salary scales, poor access to technical support and weak organisational capacity.

The relationship between SCN and SC UK has never been strong, despite both Alliance members' engagement with MCRC. There was an informal exchange of information during the Lao Representative's annual visits but no communication or sharing of reports in between. Partly because of the absence of a shared history of cooperation there was little response to Oslo's attempts to engage London in discussions regarding the future of MCRC when phase out became likely.

Although there is currently no SC UK Mongolia project officer responsible for relations with MCRC, there was a very open and constructive relationship until recently over the NGO Coalition and the preparation of the alternative report to the UN Committee. Given the complementarities between SC UK and MCRC it makes sense for MCRC and SC UK to re-build and extend the relationship.

This should not be based only on project funding, with SC UK simply taking over SCN's former donor role, or acting merely as a channel for SCN resources. It should give priority to a comprehensive capacity strengthening process for MCRC – one which will bring the organisation in line with the best of Mongolia's local NGOs and equip it to survive in the long term.

In Mongolia, both parties seem to be favourable to some form of closer cooperation with SC UK. This has not always been the case in the past and the opportunity is well worth seizing.

Oslo is strongly recommended to start direct negotiations with both MCRC and SC UK Mongolia at least regarding the strengthening of MCRC. The Alliance framework for unified presence may be appropriate for SCN's future relationship with SC UK.

## Conclusion

The most important MCRC relationship lies with SC UK which has, or can access, the skills required to help MCRC set its internal organisation in order and carry out a thorough process of strategic renewal.

## Recommendation

SCN to agree terms with SC UK Mongolia for a 3-5 year programme of organisational support to MCRC.

## 6. Internal Organisation

### Introduction

As we have seen, MCRC is accepted in Mongolia because of public trust and respect for its leader. The challenge for MCRC is to institutionalise this good will, so that it is the organisation that is respected and not just its leader.

### 6.1 Vision, Mission, Goals

MCRC does not have an explicit vision but if it were to write it down it would be along the lines of “a country in which the rights of the child are implemented to the full extent of its possibilities”. As for goals, the founding statute of April 1997 specifies three aims: the improvement of public knowledge on child rights issues; the establishment of an Ombudsman model specialised in child rights issues; and public monitoring on the implementation of the CRC. The original mission therefore was to assess the extent to which duty bearers in Mongolia understood and applied the CRC and to advocate for its full implementation.

Of the 10 activities listed in the statute half concerned the legal aspects of the CRC, including the training of judges and lawyers in Mongolia’s treaty obligations. Only one of the activities related directly to children – a Hotline to “study children’s needs wishes and interests; and consult children and adults on child rights issues”. The remaining activities consisted of information gathering, monitoring indicators and training.

By 2002 the organisation had undergone a radical change in favour of direct programmatic work. The 2002 Review pointed out that MCRC’s activities no longer related to the original mission. The Board then re-defined MCRC mission to “Implement the UN CRC, strengthen cooperation of government and non-governmental organisations for the best interests of the child, protect the rights of the child with violated rights and living in difficult circumstances”.

The main goals were specifically service orientated and included “support for non-formal education for school drop outs, and improve the quality of life for the family and community through social welfare services for children”. The diagram of MCRC’s organisational life cycle in appendix X shows how “mission creep” translated into action. Programme development underwent a major increase in 1998-99, leading to what staff considered the organisation’s most active period, or prime of life, between 2001 and 2003.

There are several reasons why MCRC should have made the shift from a children’s human rights advocacy centre to a fully operational NGO. Since the government was unable to meet the many violations of children’s rights, NGOs with resources were expected to fill the gaps. There was also a belief in model creation – once NGOs started the services, government would step in. As seen above, this was a miscalculation – even left-leaning governments had no real intention of providing anything but basic services.

Another reason was the adoption in 2001 by Parliament of the Australian HR Commission model over the Children’s Ombudsman approach favoured by SCN and MCRC. It had lost a central plank of its original purpose. But in reality MCRC had become a multi-mandated NGO – it was doing everything in both versions of its mission: CRC advocating, training, monitoring, coalition building, addressing violations – its own version of child rights programming.

Eventually its own internal weaknesses caught up with it and it failed to sustain the intensity of activity that it had set itself. The organisation needs to reflect upon its core purpose and mandate and decide whether to return to its origins or continue the programming route. In order to make sensible choices it will need professional OD support. This will take time and effort.

## 6.2 Values, Identity, Culture

MCRC is fully identified with the values of the CRC. It has a proven commitment to the principles of best interest, non-discrimination and participation. It is regarded as the most experienced Mongolian NGO in promoting the Convention. This is MCRC's main asset and it can provide a solid foundation on which to rebuild the organisation.

Despite the name, MCRC is not clearly identified with a contemporary human rights organisation. In the public mind it is associated entirely with the person of its President and founder in her national image as "children's Bolormaa". A Mongolian child-focused NGO describes Mrs Bolormaa as a "government person with a heart for NGOs". Therefore not fully seen as an NGO in identity or culture, MCRC has some characteristics of a PONGO, but a politician's NGO rather than a political NGO. It has also become increasingly a FAMGO - Family NGO – in which 2 of the remaining 5 staff are closely related to the Founder. PONGO status in Mongolia does not necessarily exclude an organisation from consideration as a serious actor in civil society, but FAMGO status is not acceptable.

The culture of the organisation is therefore focused strongly upon the personality and position of the founder. Experience, institutional memory and decision-making authority are all vested in the founder. The high degree of respect owed to politicians in Mongolia makes it difficult to foster a democratic organisational culture in MCRC. This causes governance problems; MCRC has in effect been managed by the founder since it was set up in 1996. Rotation of posts would not make a great deal of actual difference. Wherever the founder is placed, authority will flow from there unless a determined effort is made to empower the staff, especially the position of Executive Director.

To create a professional and independent organisational culture independent of the founder, the Board needs to identify an experienced Executive Director with strong strategic and managerial skills with a clear mandate to rebuild the organisation. The President and the other members Board will need to keep strictly to their governance roles of policy guidance and oversight, leaving management to the professional staff, where it belongs. The professional staff, of course, will also need to learn how to make best use of the skills available to them in the Board.

## 6.3 Strategy and Working Methods

Over the years, MCRC strategy has been consistent in following three key directions: CR training and advocacy, education and social welfare. These are also the main areas prioritised by the major INGOs, as well as the National Authority for Children. There is also coincidence with the UNICEF-sponsored National Programme of Action for Children. MCRC's analysis is therefore broadly in line with the analysis of its peer organisations.

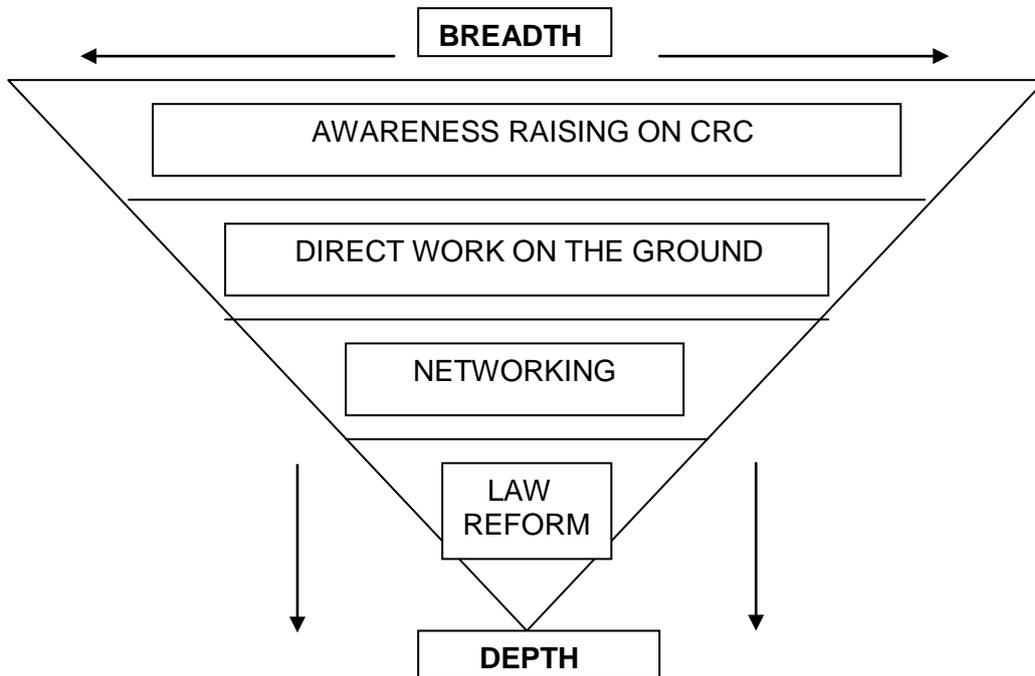
However, as the 2002 review pointed out, MCRC has not always identified the most effective way of working to achieve its objectives. This requires balancing its chosen working methods which include broad awareness raising on the CRC, direct work on the ground (supposedly to create models for government or others to follow), networking for purposes of achieving a stronger voice in lobbying and finally law reform. The 2002

Review warned against too much attention to the direct work and too broad a geographic scope.

MCRC’s uniqueness lies in its ability to bring about law reform. Of all the INGOs and local NGOs it is in the best position to achieve this. Networking is also a great strength of MCRC, which originated the NGO Coalition and held it together long enough to produce Mongolia’s first alternative report. It has also been effective through direct work on the ground but it needs to ask itself whether there are not other NGOs which are better equipped for this – at least on a large scale. Finally, although it has done a great deal of awareness raising through direct training, there has to be a better way of doing this now; MCRC should be ready by now to provide training for other organisations to carry out the training work.

Developing strategy is no easy task at present and MCRC also has to take into account the changing environment in Mongolia. It is now apparent that whatever their politics, all post-1990 Mongolian governments have had clear neo-liberal tendencies. This is unlikely to change. Future government services will reduce while private and non-profit providers will grow to meet specific demands. As a national NGO, MCRC also needs to be sure that it is well-placed to benefit from government funding, without merely becoming a contractor to government. Like prominent NGOs in other societies undergoing the same processes, MCRC will have to contend with the single issue NGOs that are so effective in such environments.

Table 1 MCRC Working Methods



The Phase Out offered MCRC the support of consultants to develop a new strategic plan for 2006-2009. The hope was that this would enable MCRC to raise alternative resources. However MCRC needs more than a re-vamped plan. It needs to go back to first principles, assess the external context in all its complexity, identify its own comparative advantage, reinvent itself and define its own future through a unique and exciting strategy.

## 6.4 Structure and Systems

The organisational life cycle prepared by the evaluation reference group suggests that MCRC has reached the stage of “early bureaucracy”. Although it is true that MCRC is past its prime, there is little indication that the organisation ever developed a functional set of policies and systems. Setting up formal rules is often an indicator of an organisation emerging from adolescence. MCRC was however fully engaged in expanding its programme at that time. Had functioning systems been set in place then, MCRC may have avoided some of its internal problems around governance, staff recruitment and retention.

The suggestion is that these systems are now essential if the organisation is to embark on a new cycle of development and growth. For MCRC they would include human resource management systems and precise rules governing the relationship between Board and staff. MCRC is also in need of an internal structure that promotes creativity by, for example, giving greater authority to programme managers.

An important challenge is to find a role for the President which allows MCRC to benefit from her experience and contacts without dominating the organisation and stifling its development. As a membership organisation, MCRC will also need to pay attention to improving its communication with its members and increasing the number of volunteers. MCRC also needs to clarify its relationship to its branches.

If MCRC is to be recognised as politically non-partisan, the composition of the Board needs to reflect all major political views in the country. At present all members are from the founder’s party – MPRP, which puts MCRC’s political neutrality into question and limits its lobbying capacity.

## 6.5 Human Resources, Physical Resources

Compared with the other leading NGOs in Mongolia, MCRC is rich in physical resources (owning its own property) but currently poor in human resources (having very few actual staff). Retaining staff is a major problem for all local NGOs in Mongolia, but MCRC has lost virtually all its experienced personnel since 2004. This is largely because it has no systems or structures for attracting new entrants and retaining the best staff. In organisational development terms MCRC is not an attractive employer at present. There is no evidence that OD principles guide management at MCRC. This contrasts with the Red Cross, where there is a post of OD Manager with the responsibility of maintaining the health of the organisation.

An internal organisational assessment is the logical next step for MCRC. This will set a baseline against which management and Board can measure future progress. The priority is to reach the standards set by other successful NGOs in Mongolia. This will immediately improve MCRC’s recruitment prospects.

## Conclusion

In order to regain its position as a leading Mongolian child rights NGO, MCRC needs to undertake substantial internal reorganisation. This is MCRC’s current most urgent priority. If it is not addressed seriously there is no guarantee that it will survive at the level that is expected of it.

## Recommendations

Identify an experienced Executive Director with strong strategic and managerial skills with a clear mandate to rebuild the organization.

Make a clear distinction between the governing and managing roles in MCRC.

See appropriate medium to long term OD support in-country for a strategic renewal process. Undertake a guided organisational assessment as part of the process.

Broaden the composition of the Board and open it to a range of contemporary Mongolian views.

Develop MCRC's internal rules on the management of human resources.

## 7. Lessons Learned

The experience of SCN in Mongolia has give rise to a number of important lessons that affect both Save the Children and MCRC and deserve both their consideration.

### 7.1 Issues for SCN

#### Entry and Exit Strategies

SCN was too quick in to Mongolia and then repeated the mistake when it left.

At the outset there is a need for clarity regarding the duration of the partnership and its structuring, along the lines of entry, consolidation and exit phases, for example, each with clear objectives and indicators.

The responsibilities associated with creating a new organisation in a remote country unfamiliar to SCN need to be taken into account at all stages of the partnership.

The views of all present and former SCN staff with experience of the partnership should be taken into account during the exit phase.

#### Capacity Support

Especially where there is no SCN presence, capacity development of the partner organisation needs to be given greater attention.

Baseline organisational assessments (or self-assessments) are a useful tool at the initial stages of forming partnerships and their regular update helps both parties to track progress.

The relevant benchmark is the standard achieved by other local NGOs in the country. Capacity strengthening should at least permit the partner to match good in-country practice.

Where it lacks the relevant country experience to attain this, SCN should consider contracting in-country support and supervision, either through Alliance members or through appropriate local consultants.

## 7.2 issues for MCRC

### Identity

MCRC faces the challenge of developing an organisational identity that is independent of the personality of its founder-leader. This is difficult, but not impossible. The key here is genuine delegation.

### Organisational Change

Only a thorough process of organisational renewal will equip MCRC to build on its successes. Identifying what needs to change and putting it into practice is a shared responsibility of SCN and MCRC.

## 8. Follow up Options

Amongst the extensive comments to the first draft of this report was a concern from SCN that the evaluation only considered two options: completion as planned, or extension of the Phase Out. The evaluators rejected the first as inappropriate in the circumstances, effectively leaving a single recommendation that could be seen as exposing SC N to an open-ended re-commitment to MCRC.

It is not possible at this stage to envisage completely different options because the future of Save the Children in the country is not yet clear and the Alliance has not yet initiated any discussions on the subject, to the knowledge of the evaluators. In these circumstances it would be wrong for an external evaluation to pre-empt such discussions. What can be said is that there is a definite need in Mongolia for organisations with the profile of MCRC, and a process of strategic revision and organisational strengthening could help ensure that MCRC is a part of those discussions. With this in mind the evaluators can at least recommend different extension options: for example 1 year, 3 year or a full 5 year, as follows:

### **Short, Medium and Full Term Phase Out Options**

#### Short Phase Out.

Pre-condition: Common ground negotiated by MCRC, SCN and SC-UK by , say, the first quarter of 2007. Thereafter a 12 month process of research, guided Organisational Assessment (OA) that includes strategic revision. The results expected from the short phase out would be, for example:

- Further evidence-based learning for all stakeholders on CR-based programming options
- Greater understanding by MCRC on its strategic direction in future, including ways and means of overcoming internal challenges
- A clearer view by all stakeholders of the need (or otherwise) of a continued MCRC for the progressive fulfilment of CR in Mongolia

Phase ends with a clear decision by all parties to continue or discontinue.

### Medium Phase Out

Year 1 followed by a two year consolidation, consisting of OD support plus a proportion of MCRC's running and programme costs, with a strong emphasis on sustainability. 3 years in all

### Full Term Phase Out

A final 2 years of reduced support. (By which time the long term future of SC in Mongolia will be clearer).

## 9. Conclusion

For SCN, MCRC was a strong and reliable partner which achieved much in Mongolia and allowed SCN to report consistent outputs to its back-donor on low overheads costs. A high public profile combined with relatively few demands on administrative and technical support led SCN to believe the partner was stronger than it was. Once SCN realised its mistake, it failed to mobilise the necessary capacity support, fielding instead poorly informed and inexperienced staff.

When the partner floundered, SCN took the path of expediency and withdrew support as quickly as possible. Needless to say this sorry record stands in stark contrast to the lofty values and principles espoused by SCN in its partnership and capacity building policies. In the case of Mongolia, living up to policy will not be cheap and it will not be easy. But it needs to be done.

## **Appendix i. Terms of Reference for the Ex-Post Evaluation of the Programme in Mongolia**

### Background and needs for the study

Save the Children Norway has been supporting the Mongolian Child Rights Centre (MCRC) since 1996, and are now in the process of phasing out. SCN's support to MCRC will end mid-2006. MCRC has been SCN's only partner in Mongolia. The partner cooperation has been followed up by SCN's office in Lao. The main reason for phasing out from Mongolia is that SCN expects lower funding base for SCN during the strategy period 2006 – 2009 and a decision to focus on work in fewer countries. In the period 1996-2006 MCRC has received approximately 2 million USD. MCRC plan to continue their work with support from other donors.

### Overall purpose and expected impact of the ex-post evaluation

The purpose of the evaluation is to contribute to organisational learning for SCN and MCRC, to provide documentation about the programme work and guide further development of MCRC in Mongolia. The evaluation will include learning about the decision making processes within SCN related to phasing in and out of Mongolia.

### Main objectives and key questions

The evaluation is two-folded. It will assess the work that MCRC has implemented in Mongolia (see 1. and 2.) and assess SCN's management of the work and the ability to tackle the phasing in and phasing out processes (see 3., 4. and 5)

1. Through a Child Right Programming perspective evaluate the changing strategic focus and the role of MCRC since 1996 by assessing MCRC's strategy and practice related to

- Programme development including working approaches
- Advocacy and networking
- Resource and funding
- Governance
- Organisational development

The aspect of sustainability should be covered in the assessment.

2. Prepare and assess an overview of MCRC's major achievements directly related to children and indirectly related to the building the competence and capacity in the country to fight for children's right in Mongolia. The assessment should relate to the objectives of MCRC and

- assess impact of raising public awareness on children's rights
- assess MCRC's ability to build systems and institutions to influence the legal system, establish a system for monitoring of the implementation of CRC (through alternative reports) and the establishment of an Ombudsman model specialised in child rights issues
- assess impact on assisting children with violated rights, those living in difficult circumstances and, developing them and supporting non-formal education programmes for school drop-outs.

3. Assess SCN's management and support to the programme in Mongolia given that SCN never had a presence in Mongolia.

4. Assess the decision making process within SCN related to the engagement in and phasing out of work in Mongolia. Include how the SCN run processes were

understood and acted upon by MCRC as well as the consequences for the future development of MCRC and its programme.

5. Receive MCRC's advice on SCN's management and phasing in and phasing out processes.

#### Methodological requirements

The evaluation will include a desk-study, two weeks field-work in Mongolia and presentation of the results in Oslo. The field work in Mongolia will include meetings with MCRC staff, visits to a selection of their projects and meetings with some of MCRC's stakeholders (relevant ministries and Human Right Commission).

Qualitative methods will be emphasised in this part of the work.

Interviews with present and previous SCN staff key staff will be done by phone or through e-mail communication.

Interviews with children and/or other forms of child participation should be considered (*check methodological restrictions and possibilities with SCN's adviser on child participation*)

#### How the study shall be organised

The evaluation will be carried out by a team with an external consultant as the team leader. Team participants:, SCN will include a SCN national staff member to work with the external consultant.

Criteria for selection of external consultant:

- knowledge of Mongolia,
- knowledge of the UN Convention of the Rights of the Child
- Knowledge of Child Rights Programming
- knowledge of capacity building of local organisations
- experience in conducting evaluations with participative and qualitative methods

The external consult will report to SCN's programme department in the head office, represented by the evaluation steering group: Strategy and evaluation adviser , Sigurd Johns & Regional Coordinator Rikke Iversen.

The SCN national staff member should have knowledge of SCN's policy and work, the UN Convention of the Rights of the Child, Child Rights Programming and capacity building of local organisations. The SCN national staff member could be seconded from one of the country programmes in Asia and will report directly to the team leader.

The terms of reference for the ex-post evaluation will be finalised in cooperation with the external consultant.

Shaun Hext/Julian Kramer as the country representative for Lao PDR should support the evaluation work on request by the team leader.

#### Reference group

MCRC is invited to appoint a reference group with members from MCRC and possibly key partners/stakeholders. It shall be up to MCRC to select and appoint

person(s). The reference group shall be consulted at the following stages of the evaluation:

- Planning: Comment upon the ToR and candidates for the consultancy.
- Implementation: Support and facilitate the field work. At the end of the field work, the evaluation team shall conduct a meeting with the reference group to present and discuss preliminary findings.
- Reporting: Comment on a draft version of the report. Comments from the reference group shall be incorporated in the final report. In the case of disagreement between the evaluation team and the reference group, the reference group's comments should be included as an appendix

The external consultant should present a draft report for feedback to SCN head office and MCRC/ the reference group before the report is finalised.

Specification of programmes, partners and projects to be included

The evaluation should cover the overall programme of MCRC and all the projects supported by SCN since 1996. It should also include SCN's management and support to the programme in Mongolia.

Time frame

The timeframe set aside for the evaluation is five weeks. The evaluation of the programme should be carried out in 2006 and include a visit to Mongolia in August 2006. The final report should be presented at the latest in October 2006.

Specification on presentation and follow-up of findings

The main users of the evaluation report will be the programme department in the head office and the management of other country programmes that might find the review relevant to their work.

The report could be between 30 and 50 pages. Overview of results etc. might be included as appendixes. The report shall include an executive summary.

The external evaluator should present the report to the programme department in the head office to initiate a discussion of the findings and recommendations. The management team of the programme department will be responsible for the follow up of the agreed recommendations.

Budget and funding

**Appendix ii. Present and previous SCN staff members consulted as part of the evaluation.**

Orrvar Dalby – Programme Director in the Head Office from April 2005 – to date

Søren Pedersen – Deputy Programme Director in the Head Office for many years. He has been Acting Programme Director in the Head Office about October 2004 – May 2005 -

Jon-Kristian Johnsen - Programme Director in the Head Office from about April 2002 -2004

Bengt Ageros - Representative for Laos including Mongolia from 1997-2003. He developed the programme in Mongolia during 1996 when he worked at regional level (from Bangkok).

Shaun Hext Country Representative for SCN in Laos from May 2003 to July 2006. Left 1<sup>st</sup> July. He initiated the closing of the Mongolia programme.

Mr. Somsavath, Communication Manager for SCN in Laos for many years. He visited Mongolia together with Shaun in 2004. He will leave SCN in May for further studies.

Mr. Phongsy Finance Manager for SCN in Laos for many years. He visited Mongolia together with Shaun and Somsavath in 2004.

Julian Kramer - Country Representative for SCN in Laos from 1 July 2006.

Anne Ma Grøslund, CRC Advisor. Visited Mongolia 4 times between 1996-1998

Sigurd Johns – Evaluation and strategy advisor. Participated in the mission to discuss phase out with MCRC in August 2005.

Kari Vestbø, Regional Coordinator for Laos including Mongolia from about January 2004 to July 2005

Rikke Iversen - Regional Coordinator for Laos including Mongolia from May 2000 to February 2003 and from August 2005 up to date

### Appendix iii. Visit Schedule and interview list of stakeholders in Mongolia

DATE	TIME	APPOINTMENT	CONTACT PERSON
12.08.06	12.15 pm	Awe arrives by CA 901 Rest	To Edelweiss hotel check in hotel
13.08.06	07.15 am	John arrives by SU 563 Rest J and A discuss programme	To Edelweiss hotel Check out Edelweiss and check in UB hotel
14.08.06	09.30	Meeting with Reference Group Ms. Bolormaa Ms. Shirchmaa and Ms. Khaltar	At the MCRC office
	11.30	Meeting with MCRC staff Ms. Otgontsetseg	
	12.30	Lunch	At the MCRC office
	13.30	Meeting with individual staff Ms. Batchimeg, Ms. Enkhtsetseg Mr. Geser and Ms. Oyunchimeg	
	15.30	Tea break	
	16.00	Meeting with Aimag centre leaders Ms. Erdenechuluun (Darkhan) Ms. Bayarsaikhan (Khuvsgul)	At the MCRC office
	17.00	Meeting with Mr. Dagvadorj, police colonel, Chairman of the Public community division of Metropolitan police department	At Metropolitan police department
15.08.06	09.30	Meeting with Ms. Dulmaa, SCUK Administration and Human resource manager	At the SCUK office
	11.00	Meeting with Mr. Richard Prado, UNICEF Representative in Mongolia	At the UNICEF office
	14.30	Visit to Child Care Centre in Tolgoit	Western part of UB
	17.00	Meeting with Mr. Nyamdorj, Head of the Professional Social worker's Association	At the MCRC
16.08.06	9.30	Meeting with Ms. Ariunaa, National project coordinator of Canada Fund	At the Canada Fund office
	10.30	Meeting with Ms. Baigal, Leader of MCRC branch in Southgobi	At the MCRC
	12.00	Meeting at the City Education and Science Department	At the CESD
	14.30	Meeting with Ms. Unurtsetseg, Senior officer of the Ministry of Social welfare and labour	At the MSWL
	16.30	Meeting with Ms. Javzankhuu, National Council for Children	At the Government building
	17.30	Meeting with Mr. Tuvshintugs, Senior officer of National Authority for children	At the MCRC
	19.30	Dinner hosted by Ms. Bolormaa	
17.08.06	9.00	Visit to Darkhan-Uul province (3 hours by car)	240 km from UB
	12.30	Arrive in Darkhan	
	13.00	Lunch	
	14.30	Meeting with MCRC branch office <ul style="list-style-type: none"> <li>• Meeting with Aimag leader of MCRC</li> <li>• Meeting with staff</li> </ul>	At the branch office
	17.00	Visit to Child care centres	
18.08.06	9.30	Meeting with Children's Groups	At the branch office
	12.00	Meeting with Local Governor	At the Governor's office
	13.00	Lunch	
	14.30	Visit to Selenge province (an hour by car)	100 km from Darkhan
	15.30	Arrive in Sukhbaatar aimag centre	
	16.00	Meeting with MCRC project staff	
	18.00	Meeting with local leaders	

<b>19.08.06</b>	10.00	Departure from Selenge to UB	
	14.00	Arrive in UB	
		Rest	
<b>20.08.06</b>	12.00	Visit to Social service centres	Songinokhairkhan district
	Afternoon	Free time	
21.08.06	10.00	Visit to Gachuurt village <ul style="list-style-type: none"> <li>• Meeting with Ms. Puntsagnorov, Non formal education teacher</li> <li>• Meeting with children</li> </ul>	Bayanzurh district
	14.00	Visit school №80 “Future” complex <ul style="list-style-type: none"> <li>• Meeting with school social workers</li> <li>• Meeting with non formal education teachers</li> </ul>	Songinokhairkhan district
	17.00	Meeting with Ms. Oyunchimeg, Director of the Family consulting centre (NGO)	At the Wedding palace
22.08.06	10.00	Meeting with Ms. Narantuya, National coordinator of NGO Coalition for the CRC	№99183992
	12.00	Meeting with Mr. Samdandovj, Secretary General of the National Red Cross	At the RC office №99119030
	Afternoon	Free time	
23.08.06	10.00	Meeting with National centre against violence (NGO)	
	12.00	Meeting with National Human Rights commission	
	14.30	Meeting with ILO, IPEC	At the IPEC office
	16.30	Meeting with World Vision, Mongolia	
24.08.06	10.00	Meeting with Mr. Baatarzorig, Vice Governor of the Ulaanbaatar city (Former MP)	At the Governor’s office
	12.00	Meeting with Mr. Tumur, Legal advisor (Former MP)	
	Afternoon	Free time	
25.08.06	10.00	Meeting with Reference Group	At the MCRC office
	18.30	Farewell dinner	
26.08.06	07.00 am 11.30	Check out Mr. John Check out Ms. Awe	Chinggis Khaan airport

**Appendix iv. Quantifiable Results 1997-2001<sup>3</sup>**

**Achieved results by save the Children Norway's support in Mongolia, 1997 - 2001:**

Total numbers of Children to benefit:

Basic Education 22,182

The UN Convention on Children's Rights 11,142

For further details see information given below:

Description	Total	Projects
<b>The UN Convention on Children's Rights</b>		
Number of children and adults benefiting CRC training:		
• Number of children and adults were trained on CRC	7,406	7930
• Number of children were trained on topic Child rights	2,910	7938
• Number of local trainers were trained on CR C	210	7930
• Number of school social workers to work in all secondary school have been trained through three training sessions	46	7937
• Number of social workers of secondary school were received certificate of qualification after being trained	123	7937
• Number of unemployed people were trained vocational skills	57	7938
• Number of social workers were trained through an orientation program and social work practice	145	7937
• Number of children drop outs involved in secondary school, vocational training	826	7936
• Number of judges, advocates, police officers and workers were trained on children's rights issues	496	7930
• Number of volunteers and, mobile teachers were trained on "Pre-school education program	130	7938
• Number of parents from vulnerable groups were trained early child development	362	7938
• Number of parents were trained different topics	922	7936
Number of children and adults provided:		
• Number of children provided with social services	347	7936
• Number of cases of children rights violation studied	556	7936
• Number of children who received free defense and legal service	362	7936
• Number of children from 130 poor families provided with school supplies, uniforms and opportunities to attend school	268	7938
• Number of Children and Youth dropouts received literacy education through a Non-formal education	127	7938
• Number of pre-school aged children from vulnerable group enrolled in pre-school education program	245	7938
• Number of children and adults who received free professional consultation from physicians, psychologist	5,364	7936
• Number of homeless children provided with medical check-up, health insurance and access to one medical center	386	7936
• Number of orphans provided with social services	118	7936
• Number of children reviewed legal assistance	416	7930
• Number of children enrolled in relevant educational program	109	7936
Number of provinces and schools social work on CRC:		
• Number of provinces were established on CRC affiliates	7	7930
• Number of schools social work has been implementing	47	7937
CRC publications:		
• Kinds of manuals and handbooks on CRC were published	11	7930
• Number of versions on CRC were translated for children and adults	2	7930

<sup>3</sup> Originally appearing as Appendix VI of the 2002 Joint Review by MCRC and SCN and updated for the ex-post evaluation.

<b>Basic education:</b>		
Number of children benefit:		
• Number of children who benefit from non-formal education program	1,364	7935
• Number of children who benefit	16,000	7933
• Number of children who received literacy education	4,380	7933
• Number of herdsman children who enrolled in the life skill training	438	7933
Number of teachers attending training		
• Number of teachers trained in Multi-grade teaching	46	7935
• Number of teachers trained for temporary, mobile and community based schools of the non-formal education program	152	7933
Number of volunteer teachers involved:		
• Volunteer teachers involved in project activities	152	7933
Number of provinces have been worked on education:		
• Provinces have been introduced to the Non-formal education project	21	7935
• Provinces have been extended to children education project	4	7933
Publications:		
• Textbooks, manuals and guidebooks printed	9	7933

### Achieved results by Save the Children Norway's support in Mongolia for 2002-6

Total numbers of Children to benefit:

Basic Education 23,148

The UN Convention on Children's Rights 12,827

Description	Total	Projects
The UN Convention on Children's rights		
Number of children and adults benefiting CRC training:		
• Number of children and adults were trained on CRC	7,237	7930
• Number of children were trained on topic child rights	2,875	7930
• Number of local trainers were trained on CRC	176	7930
• Number of school social workers to work in all secondary schools have been trained on CRC	114	7930
• Number of school social workers of secondary schools were received certificate of qualification after being trained	97	7937
• Number of unemployed people were trained vocational skills	221	7936
• Number of social workers were trained through an orientation program and social work practice	168	7937
• Number of children drop outs involved in secondary school, vocational training	701	7936
• Number of judges, advocates, police officers and workers were trained on children's rights issues	520	7930
• Number of teachers were trained on CRC	920	7934
• Number of teachers were received CRC reading materials	2,000	7934
• Number of teachers were trained on the child-to-child approach	31	7934
• Number of teachers were trained on child friendly schooling		
• Number of parents were trained different topics	304	7934
	871	7936
Number of children and adults provided:		
• Number of children provided with social services	427	7936
• Number of cases of children rights violation studied	690	7936

<ul style="list-style-type: none"> <li>• Number of children who received free defense and legal service</li> <li>• Number of Children and Youth drop outs received literacy education through a Non-formal education</li> </ul>	244 2,213	7936 7933
<ul style="list-style-type: none"> <li>• Number of children and adults who received free professional consultation from physicians and psychologists</li> <li>• Number of homeless children provided with medical check-up, health insurance and access to one medical center</li> </ul>	4,275	7936
<ul style="list-style-type: none"> <li>• Number of orphans provided with social services</li> <li>• Number of children reviewed legal assistance</li> </ul>	307	7936
<ul style="list-style-type: none"> <li>• Number of children enrolled in relevant educational program</li> </ul>	96 375 624	7936 7930 7933
Number of provinces and schools social work on CRC:		
<ul style="list-style-type: none"> <li>• Number of provinces were established on CRC affiliates</li> <li>• Number of school social work has been implementing</li> </ul>	7 114	7930 7937
CRC publications:		
<ul style="list-style-type: none"> <li>• Kinds of manuals and handbooks on CRC were published</li> <li>• Number of versions on CRC were translated for children and adults</li> </ul>	5 4	7930 7930
Basic education:		
<ul style="list-style-type: none"> <li>• Number of children who directly benefit from non-formal education program</li> <li>• Number of children who indirectly benefit</li> <li>• Number of children who received literacy education</li> <li>• Number of herdsman children who enrolled in the life skill training</li> </ul>	2,213 18,000 1,675 1,260	7933 7933 7933 7933
Number of teachers attending training		
<ul style="list-style-type: none"> <li>• Number of teachers trained in Multi-grade teaching</li> <li>• Number of teachers trained for temporary, mobile and community based schools of the non-formal education</li> </ul>	69 165	7933 7933
Number of volunteer teachers involved:		
<ul style="list-style-type: none"> <li>• Volunteer teachers involved in project activities</li> </ul>	214	7933
Number of provinces have been worked on education:		
<ul style="list-style-type: none"> <li>• Provinces have been introduced to the Non-formal education project</li> <li>• Provinces have been extended to children education project</li> </ul>	21 6	7933 7933
Publication:		
<ul style="list-style-type: none"> <li>• Textbooks, manuals and guidebooks printed</li> </ul>	3	7933

## **Appendix v. Amendments To The National Legislature Made On The Basis Of The Mongolian Child Rights Centre And Save The Children Norway Cooperation**

### **1. Law on Social Welfare (October, 2000)**

The previous provision concerning childcare stated that only mothers from low-income and poor families and students could receive state social benefits till a child is two years old. Now, it has been changed, and all mothers are eligible to receive benefits till a child is one year old (if twins till 3).

This amendment fits the UN Convention's principle on the non-discrimination of children. If only mothers could have social benefits for child care before, now according to the new legal regulations as well as fathers or legal care givers can receive them.

### **2. Law on Education (May, 2002)**

The Education system of Mongolia consists of formal and non-formal, pre-school, primary, secondary and higher education sectors. The Law confirmed this.

The Non-formal Education sector is described in the separate article and includes the following (17 items):

17.1. The Non-formal Education research and methodology organisation should work under the supervision of the central administrative body on education.

17.2. Independent non-formal education centres or branches at schools should be established at provincial, city and district levels.

17.3. The terms of the Non-formal Education research and methodology organisation's operations should be approved by the central administrative body on education.

In addition, the provision 39 of this Law says that local authorities should allocate funds for evening, correspondence, formal and non-formal education courses and programmes. This means that financial side of non-formal education programmes for dropouts and illiterate adults is legally guaranteed.

Taking into account of social workers' job descriptions and features, they are given legal rights to get additional 15 days of holiday.

### **3. Law on Primary and Secondary Education (May, 2002).**

The main goal of this Law is to provide conditions for children to get general secondary education and develop personal qualities and abilities to prepare for life.

There is a new provision that says every secondary school has a social worker.

A new provision 18 concerns the organisations other than school. It says that organisations such as economic entities, individuals, non-governmental organisations providing special training programmes out of school on economy, social issues, science, technology, legislature, environment, arts, sports, health, family and life matters should support children, youth and adults in receiving education, developing themselves and their professional qualifications.

The Law on Education identified duties and rights of a teacher. The following duties are included:

- A teacher should assess students' achievements objectively based on the cooperative assessment taking into account students' self-assessment, their mental abilities, independent work and learning strategies, as well as assist parents for overcoming their children's difficulties in learning.
- A teacher should discover students' talents and interests in order to develop them and protect their rights, and work closely with parents or care givers in order to provide a professional assistance for them.

### 1. **Law on Public Health Care** (April, 2002)

Every child under 16 of age (if a child is still in school under 18) should have Public Health Insurance.

Health Insurance for children under 16 (if a child is still in school under 18) should be paid from the National Insurance Fund. The proposal of the Government concerning the health insurance only for vulnerable children has been changed.

### 2. **Criminal Code** (December, 2001)

Legal responsibility is taken at the age of 16. In cases of severe crime such as a purposeful murder, physical offence of others, rape, theft, damage of the property, etc. legal responsibility is taken at the age of 14.

If an offender under 16 committed crime for the first time, the verdict of the court can be waived based on the offender's personality and other conditions, and the offender can serve the sentence without deprivation. The Criminal Code also waives cases of pregnant women, women or single fathers with children under 3. These amendments fit the implementation of child survival rights.

The provision 69 of this Law corresponds with the international trends on sentencing juveniles within the community and family. This means lightening the sentences for juveniles.

According to the renewed Criminal Code, legal responsibility should be taken for committing moral offences against children, families and communities, and this is stated as a special provision of the law.

Using children for trafficking, involving them in alcohol and drug abuse, prostitution, child labour exploitation, and leaving children should be legally penalised according to articles 115, 117 and 121 of the law.

### 3. **Law on Administration of Criminal Procedure** (December, 2001)

Special regulations are developed concerning the administration of criminal procedure for juvenile justice.

The law states that juveniles are kept in Detention House for a monthly trial, put in prison for no longer than 18 months, and parents or caregivers should be formally informed within 12 hours. Juvenile cases should be investigated only with the presence of an advocate.

#### **4. Law on Legal Defense (May, 2002)**

Expenses on legal defense of poor and vulnerable people unable to pay for legal services should be a responsibility of the state, and funds are allocated through the Mongolian Association of Advocates.

The status of the Mongolian Association of Advocates is being under consideration whether it would be a non-government and nonprofit professional organisation serving to protect advocates' rights.

#### **5. Amendments to the Child Protection Law of 1996 (2003)**

The original law was based on proposals emerging from the National Forum of Children (1994) and put forward to Parliament by the National Children's Centre under Mrs Bolormaa. The first proposal, for a child protection law, was accepted in 1996. By 2003, MCRC realized that many of the provisions were not adequate for the current context and understanding of child rights, which had progressed over the intervening 7 years. This comprehensive revision of the Law made 47 amendments but failed at its first attempt through Parliament, only achieving success after vigorous lobbying.

The intention was to improve the quality of social care for children and regulate the living conditions and health and education services for children in family type residential care homes.

The second proposal, for a National Council for Children, was finally achieved in 2001. This body, chaired by the Deputy Prime Minister, gives the right level of political support the government children's agencies responsible for implementing the National Programme of Action in the Aymaks and the capital city.

#### **6. Law Against Domestic Violence (May 2004)**

This ground-breaking law was finally achieved after a decade of activism by the National Centre Against Violence – a key partner of MCRC. The law obliges the state to intervene against abuses affecting women and children within the family and protect their rights.

## Appendix vi.

## List of MCRC Publications

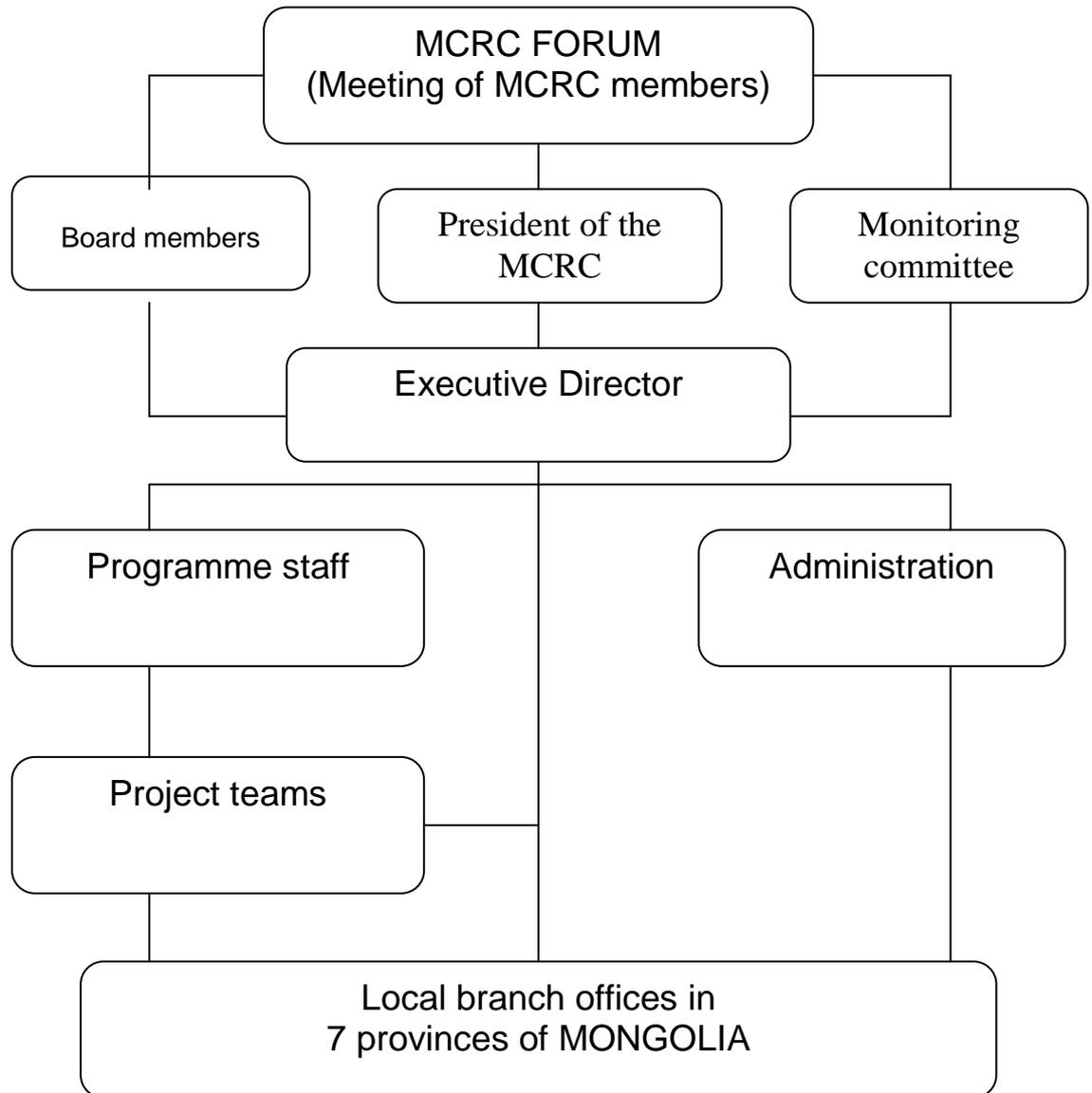
<b>№</b>	<b>Name of book</b>	<b>Year</b>
1.	Guideline for Child Rights activities	1997
2.	How to teach CRC in the secondary school curriculum	1997
3.	International standards on Child Protection	1997
4.	Programme on development child participation and self management	1997
5.	Children have right to consolidate	1998
6.	To protect Juveniles' right during the pre-trial investigations	1998
7.	Child centered development	1998
8.	Country presentation	1998
9.	UN rules on Child protection	1998
10.	Child development	1999
11.	Booklet for Math /Herdsman Children's Education/	1999
12.	Way of Nomads	1999
13.	The CRC in Kazakh language	1999
14.	The CRC in Mongolia	1999
15.	Counselling for police investigators	1999
16.	Handbook for school social workers	1999
17.	Traditional customs of Mongolian family	1999
18.	Textbook for NFE Math	1999
19.	Work book, Math	1999
20.	Alphabet book "Narnii tsatsrag"	1999
21.	Reading book for elementary	1999
22.	People, society and nature	1999
23.	Livestock	1999
24.	Let's grant /receive/ land fertility	1999
25.	Individuals' behaviour shaped in their childhood	1999
26.	Reading book	1999
27.	I am a Child	2000
28.	Nowadays condition of working children in free market economy system	2000
29.	Work book of Mongolian language	2000
30.	Child to child on life skill training handbook	2001
31.	For the best of the child /The report/	2001
32.	How to teach Child Rights education through the subject history and social science	2002
33.	The CRC book in Kazakh language	2002
34.	Guidebook for multi-grade teaching methods	2003
35.	Leaflet on difference Child work and Labour	2003
36.	Handbook for police officers	2004
37.	Handbook on CRC for teachers	2004
38.	Handbook for children	2004
39.	Family and child discipline	2004
40.	International school social work	2004
41.	Child rights and participation	2005
42.	Handbook for community social workers	2006
43.	3 kinds of leaflets on juvenile crime prevention issues	2006

Appendix vii. Table 1. SCN Strengths and Weaknesses

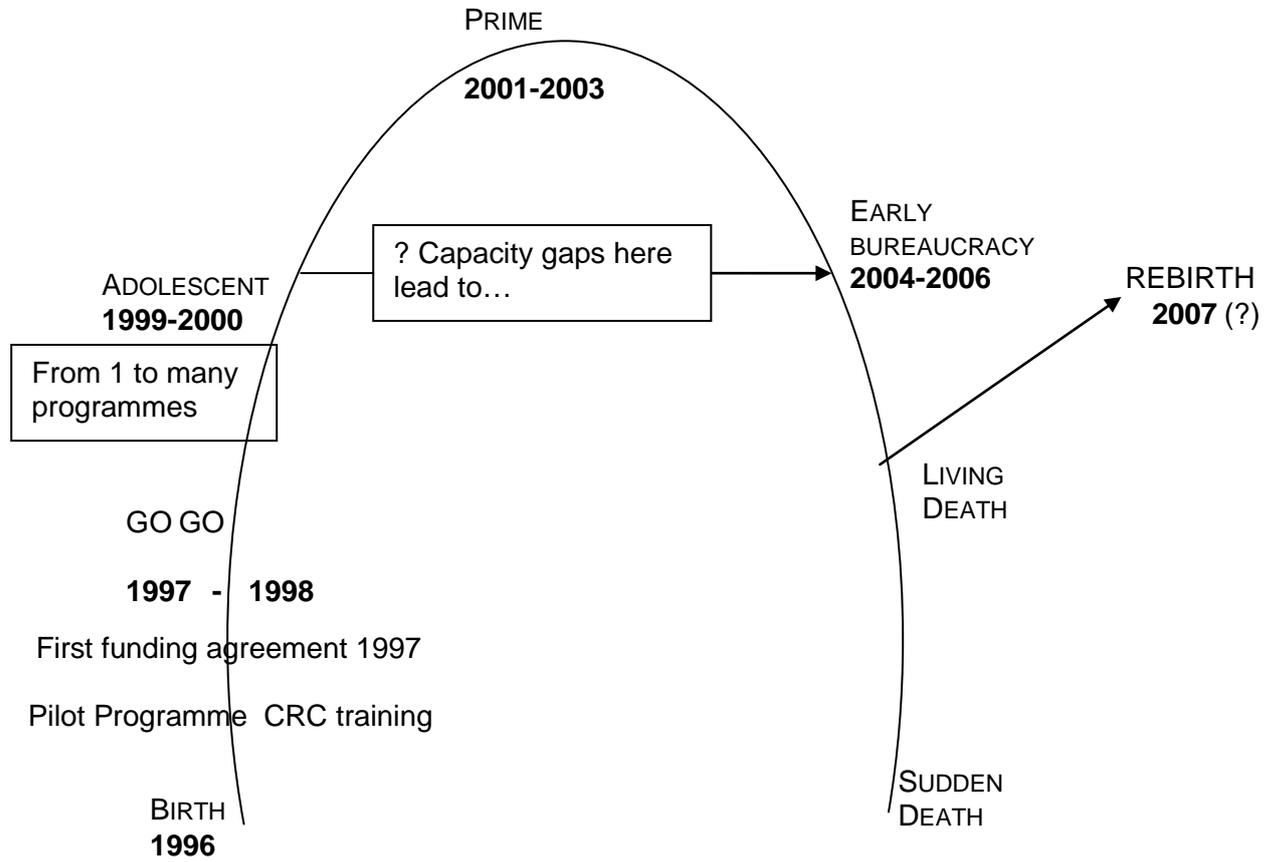
<p><b>Strengths</b></p> <ul style="list-style-type: none"> <li>- Real commitment to establishing a local Child Rights NGO</li> <li>- Strong technical inputs 1996-1998 leading to substantial legal reform in line with CRC</li> <li>- Relationship with MCRC built on mutual trust and respect</li> <li>- Constant financial support (over many years)</li> <li>- Able to offer exposure visit and access to international network for partner</li> </ul>	<p><b>Weaknesses</b></p> <ul style="list-style-type: none"> <li>- Weak commitment to systematic capacity building of partner</li> <li>- Long term failure to address internal weakness of MCRC</li> <li>- Over complex reporting requirement (never fully understood by partner)</li> <li>- Too strong emphasis on number of beneficiaries</li> <li>- Weak follow up and support</li> <li>- Not transparent with partner regarding reasons for phase out</li> </ul>
<p><b>Opportunity</b></p> <ul style="list-style-type: none"> <li>- Establish new relationship on more open basis</li> <li>- Take advantage of capacity available in the country for closer follow up and support</li> <li>- Establish safeguards to prevent over-hasty withdrawal</li> </ul>	<p><b>Threat</b></p> <ul style="list-style-type: none"> <li>- Credentials of SCN as a reliable partner in question</li> <li>- Sustainability and long term impact of SCN investment under threat</li> </ul>

<p><b>Strengths</b></p> <ul style="list-style-type: none"> <li>- Strong understanding of Right Based Programming</li> <li>- Accumulated experience and expertise in the field</li> <li>- Abilities to identify new issues for children rights</li> <li>- Effective combination of working methods (direct work, networking, advocacy for change of laws)</li> <li>- Pioneer of bottom up approach to policy making</li> <li>- Credibility in the community (well recognised leadership)</li> <li>- Capacity to build and/or strengthen institutions (Branches, Coalition, NGOs, Associations)</li> <li>- Acknowledged as a bridge between government and NGOs</li> <li>- Listens, and learns from experience</li> <li>- Well equipped office (compared to other new NGOs)</li> <li>- Good network domestically and internationally</li> </ul>	<p><b>Weaknesses</b></p> <ul style="list-style-type: none"> <li>- Poor governance (weak Executive Director, managed from the Board, little delegation)</li> <li>- Weak internal systems (HRM and HRD)</li> <li>- Unclear organizational identity (Political NGO? Family NGO?)</li> <li>- Over-dependence on one donor</li> <li>- Poor communication with main donor</li> <li>- Slow to adjust to new circumstances</li> <li>- Living on past successes (low level of current activity)</li> <li>- Absence of promotional material for the organization (bi-lingual published annual report, brochures)</li> </ul>
<p><b>Opportunities</b></p> <ul style="list-style-type: none"> <li>- MCRC still seen as the most prominent advocate for children's rights</li> <li>- Plentiful resources for healthy, active, well-constituted NGOs available in Mongolia.</li> </ul>	<p><b>Threats</b></p> <ul style="list-style-type: none"> <li>- Credibility with donors and public under threat (family composition of MCRC is common knowledge)</li> <li>- Without organizational restructuring and renewal organizational survival is in doubt</li> </ul>

Appendix ix. Organogram of Mongolian Child Rights Centre



Prepared by Evaluation Reference Group 25.08 2006



**Performance**

Renew the NGO Coalition, building its capacity to monitor the implementation of the CRC.

Respond to the expressed need of the National Council for Children (NCC) to help Parliament revise the current body of children's law, eliminate duplication and thereby enhance the possibility of implementation. SCN to provide specific legal and technical assistance if appropriate.

Take practical steps to help MCRC define its niche in the future. For example, undertake joint research with SC UK on areas of common interest, as a basis for developing an up-to-date situation analysis as a first step in more substantive cooperation.

Place much less emphasis on mass CRC training by MCRC. Instead develop training of trainers skills, strengthening NGO Coalition members such as the Association of School Social Workers so that they can train their own members.

**Relationships**

SCN to agree terms with SC UK Mongolia for a 3-5 year programme of organisational support to MCRC.

**Internal Organisation**

Identify an experienced Executive Director with strong strategic and managerial skills with a clear mandate to rebuild the organization.

Make a clear distinction between the governing and managing roles in MCRC.

See appropriate medium to long term OD support in-country for a strategic renewal process. Undertake a guided organisational assessment as part of the process.

Broaden the composition of the Board and open it to a range of contemporary Mongolian views.

Develop MCRC's internal rules on the management of human resources.