

# Does Legal Environment mean existence of Law?

Session 2:  
RTI Implementation: Obtaining Results and  
Managing Risks

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# Legal Environment



Good Laws



Persons  
responsible for  
the law  
implementation  
are aware



Public is able to  
use the law

# Good Laws: Concerns



- RTI Law
  - Scope of the Law
  - Complaint mechanism is poor- HRC of Mongolia
  - Regimes of exemptions are broad
  - No whistleblower protection
- Secrecy laws has been not amended
  - Overlaps the main law
  - Restrictions
  - Contradictory with other laws



# Implementation: Problems



- The RTI law has not been greatly promoted
- Poor Implementation: Specially government duties
  - ❑ To keep the record in order to ensure the possibility to monitor the implementation of the law
  - ❑ An organization monitor the implementation within the powers specified in laws.
  - ❑ To ensure the information transparency reflected in the result-based contract between the chief budget manager and the general manager and it shall be considered as an one of the evaluation criteria of performance
- Public officials are not trained
- Court practice is bad



- Low awareness of the law users
- Abilities to use the law
- Legal literacy
- Computer and digital literacy



## Risks:

- Free Expression (Free criticism)
- Discrimination
- Privacy- Right to Anonymity
- Legal Protection- whistleblower protection

## How we can manage the risks?

- Rules and guidelines !!!
- Self-regulation??? ( GIC- Code of Ethics)





Thanks for your attention!

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