

BETTER ENVIRONMENTAL REGULATION IN THE MINING SECTOR THROUGH PARTICIPATION

Ulaanbaatar City, Mongolia

The mining sector in Mongolia has expanded dramatically over the past 30 years, bringing along environmental and social consequences and negatively impacting the livelihoods of local communities and herders. While examining cases where land rehabilitation was needed, the Mongolian Centre for Human Rights and Development (CHRD) found that there were no guidelines to assess environmental damage. In 2005, CHRD started to use public interest strategic litigation in the context of mining. To date, CHRD has worked on 22 cases in total, focusing on the following: a) the process of mineral licenses; b) environmental impact assessment; c) rehabilitation of land.

CHRD engaged local governments, communities, including herders, affected by mining, and lawyers in conducting fact-finding missions, organizing trainings and publishing manuals. The awareness raising and capacity development activities shed light on international and national standards, as well as gaps in existing regulations. Overall, it empowered affected communities and provided them with a tool, public interest strategic litigation, to advocate for justice and accountability. The Asian Forum for Human Rights and Development (FORUM-ASIA) has supported these initiatives by connecting its member organization CHRD with a broad network of Asian environmental and human rights organizations as well through capacity building and joint advocacy activities at the national and international levels.

CHRD advocated for the adoption of a regulation providing public participation in the conduct of Environment Impact Assessment (EIA) processes. The regulation was finally adopted by the Ministry of Environment and Nature on 6 January 2014. However, the EIA processes are still not always properly conducted, with mining operations still taking place in proximity of water sources and pasture land. Public interest litigation has also been instrumental in supporting advocacy activities, empowering local governments and communities and increasing their knowledge of existing regulations. From 2015, CHRD has supported the Dornod local government for the establishment of protected areas where ecosystems and natural resources are preserved. CHRD conducted several advocacy and lobby activities with Government and parliament, including collecting signatures from 3,032 local residents calling for the recognition of the protected areas. As a result, in May 2019 the parliament passed a resolution declaring protected areas in 9 locations within 6 different local districts in Dornod, where natural resources, unique animals and plants will be preserved.



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<https://www.forum-asia.org/uploads/wp/2018/03/FORUM-ASIA-Working-Paper-Series-No.-3-Online.pdf>

<http://mongolia.panda.org/en/?uNewsID=346744#>

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