

INTERIM REPORT  
21 May – 12 June 2024

14 June 2024

## I. EXECUTIVE SUMMARY

- The 28 June parliamentary elections follow the constitutional amendments that significantly increased the size of parliament (*State Great Khural*) and introduced a mixed electoral system aimed at enhancing parliamentary diversity. While most ODIHR Election Observation Mission (EOM) interlocutors view the new electoral system positively, some were concerned that the largest political parties would disproportionately benefit due to their capacity to cover the new electoral districts during a very short official campaign period. The elections will take place against a backdrop of high-profile corruption cases and economic hardship for the rural herder population.
- The primary legislation regulating the parliamentary elections was extensively amended in 2023, allowing parties formed after the announcement of elections to nominate candidates, increasing gender quotas, and introducing financial incentives for parties to boost the participation of women and persons with disabilities and, addressing a prior ODIHR recommendation. Restrictions on voting and candidacy rights and freedom of speech persist, along with numerous legislative gaps and ambiguities. Following the constitutional amendments, 78 members of parliament (MPs) are elected by majority vote in 13 constituencies, and 48 MPs by proportional representation nationwide.
- Elections are administered by a four-tier election administration, with the General Election Commission (GEC) serving as the permanent body responsible for overseeing the process. For these elections, the GEC established 22 Territorial Election Commissions (TECs), 339 District Election Commissions (DECs), and 2,198 Precinct Election Commissions (PECs). The formation of PECs was delayed due to the implementation of a complex digital platform for the online training, and certification of election officials, but their work was not affected. ODIHR EOM interlocutors generally expressed trust in the work of the election administration. However, doubts about the machine vote count persist.
- All citizens at least 18 years of age on election day with full legal capacity have the right to vote, except persons deemed legally incapable by a court decision and those serving a prison sentence. On 28 May, the General Authority for State Registration announced a total of 2,238,360 eligible voters. Some ODIHR EOM interlocutors expressed concerns that a significant number of voters have been pressured to move their registration between constituencies for electoral purposes.
- The legislation imposes several eligibility restrictions, including financial and legal capacity conditions. Political parties and coalitions must declare their intention to participate in the elections to the GEC no later than 60 days before election day and receive State Audit Office (SAO) approval of their platforms' compliance with government policies and national security concepts. The amended law permits parties established after the announcement of elections to nominate candidates. On 10 June, GEC announced that 19 political parties and 2 coalitions with 1,336 candidates were registered both races in addition to 42 independent majoritarian candidates.
- The election campaign is regulated in a strict and prescriptive manner by the electoral legislation. The official campaign period started on 10 June. However, several instances of pre-campaigning

were reported to the ODIHR EOM. Despite legal restrictions, the government announced several new welfare programmes since the beginning of the year, raising concerns among ODIHR EOM interlocutors. Vote-buying, cash handouts, canvassing by civil servants, and pressure on public employees remain of concern. Campaigning in minority languages is permitted to ensure representation.

- Despite constitutional guarantees for gender equality, women remain underrepresented in political life, and persistent gender stereotypes and limited resources continue to act as barriers. Women candidates face significant resource challenges. Recent legal changes introduced a 30 per cent gender quota for all candidates, gender parity on proportional lists, and financial incentives for increased women participation.
- The SAO, responsible for overseeing campaign finance, sets the maximum campaign spending limits based on constituency size and voter demographics. Several ODIHR EOM interlocutors have deemed these limits high, noting an advantage for the well-established parliamentary parties. Contestants are required to submit reports on donations and expenses to the SAO within specified pre- and post-election periods, although the SAO cannot enforce sanctions for violations.
- Mongolia's media environment is diverse, but many ODIHR EOM interlocutors expressed concerns about political affiliations and economic pressures undermining editorial independence. The Mongolian National Broadcaster (MNB) enjoys relatively high public trust and is mandated to provide free airtime to candidates; paid political advertisement is allowed only on private media. Broadcast and online media oversight is primarily managed by the Communications Regulatory Commission (CRC), which has extensive sanctioning powers, including suspending media outlets. Several ODIHR interlocutors raised concerns that the recent criminalization of false information may lead to self-censorship among journalists and negatively impacts the public political discourse.
- There is no expedited procedure for adjudicating election-related cases. The administrative court has a 30-day decision period, which is extendable by 10 days, and the Supreme Court follows similar deadlines. The Parliamentary Elections Law (PEL) mandates decisions within the election year, seemingly contradicting other laws. These deadlines may undermine effective legal remedies, according to several ODIHR EOM interlocutors. Since the start of the election year up to 29 May, 56 complaints related to administrative and criminal election-related offences have been filed with the police, and as of 7 June, 15 appeals against GEC decisions denying candidate registration were filed with the Administrative Court of Appeals.
- The law provides for citizen and international observation of all stages of the election process. The members of the Civil Society Coalition for Fair Elections observe different aspects of the electoral process and intend to deploy 300 observers in Ulaanbaatar and selected provinces on election day.

## II. INTRODUCTION

Following an invitation by the authorities of Mongolia to observe the parliamentary elections, and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established an Election Observation Mission (EOM) on 21 May.<sup>1</sup> The EOM, headed by Ambassador Jennifer Brush, consists of an 11-member core team based in Ulaanbaatar and 18 long-term observers deployed across the country. Mission members are drawn from 22 OSCE participating States, of which 45 per cent are women. ODIHR requested participating States to second 250 short-term observers to observe election-day proceedings.

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<sup>1</sup> See previous [ODIHR election observation reports on Mongolia](#).

### III. BACKGROUND AND POLITICAL CONTEXT

Mongolia is a semi-presidential republic with a government led by the prime minister, who is confirmed by parliament, and a directly elected president serving as head of state. The ruling Mongolian People's Party (MPP) has dominated the political landscape for the past eight years, securing absolute majorities in the past two parliamentary elections and further consolidating its power in 2021 by winning the presidency.<sup>2</sup>

The upcoming elections were announced on 28 December 2023, following significant constitutional amendments in May 2023. These amendments changed the electoral system, increased the size of the parliament, and introduced a mixed electoral system with the stated aim of making the parliament more powerful and diverse.<sup>3</sup> While most ODIHR EOM interlocutors assessed the change in the electoral system positively, they noted that established political parties would still hold an advantage due to their capacity to better cover the newly established larger electoral districts, especially having a very short official campaign period.

Corruption has remained one of the most prominent topics in public discourse, with several high-level cases emerging over the past year.<sup>4</sup> In April 2022, demonstrations were held protesting corruption and the government's perceived ineffectiveness. Larger protests took place in December 2022 following revelations of a corruption scheme related to coal exports. The authorities responded by establishing a parliamentary investigative committee, arresting several high-level officials and members of parliament (MPs), and amending the criminal code with stricter sanctions for corruption offences.

The harsh winters of 2023 and 2024 exacerbated economic hardship for the rural herder population. In April 2024, parliament adopted new legislation in an expedited manner to alleviate their burden. Several ODIHR EOM interlocutors criticized bypassing the standard legislative process required and the use of the new provisions in the incumbent's campaign. Stakeholders' concerns regarding the independence of the judiciary and pressure on journalists remain.<sup>5</sup>

Women remain underrepresented in political life and decision-making positions despite the legal provisions against discrimination. In the outgoing parliament, there are 13 women (17 per cent), only 3 out of 22 ministers are women (14 per cent), and there is only 1 woman governor out of 22. According to most ODIHR EOM interlocutors, persistent gender stereotypes and limited resources continue to act as a barrier for women entering political life.

### IV. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

The primary legislation regulating the parliamentary elections comprises the 1992 Constitution, the 2019 Parliamentary Elections Law (PEL), the 2006 Law on the Central Election Body, all amended in 2023,

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<sup>2</sup> In the 2020 parliamentary elections, the MPP secured 62 seats, the Democratic Party (DP) won 11 seats, and a single seat was won by Our Coalition, the Right Person Electorate Coalition, and an independent candidate each. All 22 ministers, and 14 out of 21 governors are from MPP.

<sup>3</sup> The constitutional amendment increased the number of MPs from 76 to 126, and the electoral system was changed from a purely majoritarian to a mixed one.

<sup>4</sup> These include a scandal related to the alleged misallocation of student loans revealed in May 2023; the procurement of 1,000 buses for public transportation in the capital city and alleged misappropriation of funds in June 2023; and a [forfeiture complaint](#) filed by the US Department of Justice in March 2024, alleging that former prime minister and current MP Sukhbaatar Batbold had purchased New York apartments from embezzled state funds totalling USD 14 million (approx. EUR 12.9 million).

<sup>5</sup> See the November 2023 [Preliminary Observations from the Special Rapporteur on Independence of Judges and Lawyers](#); [Freedom in the World](#) Report 2023; [23<sup>rd</sup> Report on the Human Rights and Freedoms in Mongolia](#), National Human Rights Commission of Mongolia; [Media Freedom Mongolia Report 2022-2023](#), Globe International Center.

as well as the new Law on Political Parties (enacted in 2023), and the 2011 Law on the Automated System of Elections (last amended in 2023).<sup>6</sup> Mongolia is a party to major international and legal instruments pertaining to the conduct of democratic elections.<sup>7</sup>

The latest amendments to the electoral law largely reflect the constitutional changes that modified the electoral system. Other major changes pertain to the registration, internal organization and public funding of political parties. The recent changes also include the possibility of parties formed after the announcement of elections to nominate candidates, increased gender quotas for candidates, and financial incentives to political parties for increased participation of persons with disabilities and women. However, the legislation still contains a number of restrictions to voting rights and freedom of speech, as well as many gaps and imprecisions. Several recurrent ODIHR recommendations remain unaddressed, including those related to restrictions on voting rights, limitations on freedom of speech, and the deadlines for the adjudication of election-related cases by the judiciary.

Seventy-eight MPs are elected by majority vote in 13 constituencies, and the remaining 48 MPs are elected by proportional representation in a single, nationwide constituency.<sup>8</sup>

Although the parliament's resolution to establish the electoral districts did not detail the selection criteria, the PEL mandates that the creation of districts must consider population size, territorial dimensions, and administrative divisions. Currently, 11 of the 13 electoral districts present deviations exceeding 15 per cent from the average number of voters, with four districts, all in Ulaanbaatar, showing deviations greater than 50 per cent.<sup>9</sup>

## V. ELECTION ADMINISTRATION

Elections are administered by a four-tiered election administration. The General Election Commission (GEC) is a permanent body composed of nine members, one of whom is a woman. All members are nominated for six-year terms by the parliament (five members), the president and the Supreme Court (two members each).<sup>10</sup> The GEC has a wide range of responsibilities in administering the elections, including the appointment of the lower-level temporary election commissions.

For these elections, the GEC established 22 Territorial Election Commissions (TECs) in the *aimags* and 339 District Election Commissions (DECs) in capital city districts (*düüregs*) and rural districts (*sums*).<sup>11</sup> The formation of all 2,198 Precinct Election Commissions (PECs) at the polling station level was delayed beyond the 14 May deadline due to the introduction of the complex GEC's digital platform.<sup>12</sup>

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<sup>6</sup> The applicable legislation also includes the 2015 Criminal Code, the 2017 Code of Criminal Procedure, the 2016 Code of Administrative Procedure, the 2012 Law on Offences, the 1992 Law on the Constitutional Court, the 2021 Law on Courts, the 2016 Law on Human Rights of Persons with Disabilities, and the 2006 Law on Anti-Corruption.

<sup>7</sup> Including the 1966 International Covenant on Civil and Political Rights (ICCPR), 1979 Convention for the Elimination of All Forms of Discrimination against Women (CEDAW), 1965 Convention on the Elimination of All Forms of Racial Discrimination (CERD), 2003 Convention Against Corruption (CAC), and 2006 Convention on the Rights of Persons with Disabilities (CRPD).

<sup>8</sup> The number of constituencies was reduced from 29 to 13. In each of the 13 constituencies, several MPs are elected through the plurality block voting system, in which voters can cast as many votes as there are seats in the multi-member district.

<sup>9</sup> Paragraph I.2.2.iv of the 2002 [Venice Commission Code of Good Practice in Electoral Matters](#) (Code of Good Practice) recommends that the permissible departure from the norm should not exceed 15 per cent except in special circumstances.

<sup>10</sup> The GEC members are civil servants and may not be members of political parties.

<sup>11</sup> A separate commission was established within the MFA for out-of-country voting, with 47 PECs set up at the diplomatic representations in 37 countries. Voters abroad will vote only for the proportional race.

<sup>12</sup> The [platform](#) is used for registration, online training and certification of election administration officials at all levels, as well as registration of candidates and citizen observers.

PEC members had to complete online training and be certified through the platform. However, this did not impact the work of the PECs, and they were able to open for the voter list verification by 3 June.

Most ODIHR EOM interlocutors expressed trust in the work of the election administration at all levels and underlined its efforts to work in an impartial and transparent manner. The GEC posts its decisions and regulations on its website and shares voter education and information materials.<sup>13</sup> However, GEC and lower-level commissions' sessions are not publicly announced, and meeting minutes are not regularly published. Since its establishment, the ODIHR EOM has been invited to only one GEC session on 5 June.

With the new mixed electoral system, voting will involve two ballots: one for the proportional component and one for the majoritarian component. Polling stations are equipped with electronic devices for combined scanning, counting, and storing of ballots. Amendments to the PEL introduce manual counting of ballots at all polling stations to be conducted after the machine count, an approach that was already implemented in the 2021 presidential election. While the law stipulates that the results from the machine count are official, it does not contain provisions on how to manage discrepancies between the machine and manual counts. Some contestants expressed concerns to the ODIHR EOM regarding the use of electronic devices for the vote count, but without being able to present clear mechanisms or evidence as to how the machines would be altered to manipulate the official results. The GEC plans to test the functionality of randomly selected devices by different stakeholders; however, the law does not foresee independent verification and certification of the device's software and hardware.

The GEC has designed a comprehensive voter information campaign to enhance public awareness and engagement for the upcoming elections. At the local level, TECs, DEC and PECs are proactively engaging with voter education activities through public demonstrations of election day procedures, working directly with regional media television (TV) channels and newspapers as well as with online media and social networks. In addition, some TECs collaborate with regional CSOs to disseminate voter information to young voters and women.<sup>14</sup>

To enable independent voting of voters with disabilities, the GEC plans to implement Braille ballot frames, magnified glasses and wheelchair-accessible ramps at each polling station. Additionally, voter information videos with sign language interpretations are being broadcast on public and private media and made available online.

## VI. VOTER REGISTRATION

All citizens at least 18 years of age on election day with full legal capacity have the right to vote, except persons deemed legally incapable by a court decision and those serving a prison sentence, irrespective of the gravity of the crime committed.

Voter registration is passive. Voter lists are extracted from the continuously updated national population database managed by the General Authority for State Registration (GASR), which contains citizens' personal and biometric data. Voters are identified using their biometric data, which includes photos and fingerprints that are matched at the time of voting.

Preliminary voter lists were published on the GASR website on 1 April 2024 for voter's verification, and on 28 May, GASR announced a total of 2,238,360 eligible voters on the voter list. The final voter register will be available and sent to the PECs on 25 June. Voters can verify their data online and, new

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<sup>13</sup> The [GEC website](#) is adapted for persons with visual impairments.

<sup>14</sup> For example, TECs in Khovd and Darkhan-Uul.

to these elections, verify the records of all persons registered at their address. Additionally, registration data can also be verified at the PECs from 3 to 25 June and voters can ask for corrections up to 14 days ahead of the election. Upon a request by registered political parties and coalitions, GASR shared copies of the voter lists in electronic format on 8 June.

In general, changes to voter's address registration are allowed up to 60 days before the election day.<sup>15</sup> Some ODIHR EOM interlocutors expressed concerns that there has been an intentional movement of a significant number of voters from one constituency to another compared to the last two years. Several interlocutors reported persistent pressure on voters by employers running as candidates in different *aimags* to transfer their voter registration to the candidates' *aimags* to secure their votes. The GASR informed the ODIHR EOM that there had been some 70,000 civic migrations (changes of address registration) in recent months, mostly within the capital city.<sup>16</sup>

Concerns were also raised regarding the possibility for certain categories of voters, particularly mine workers and students, to be able to vote on election day. While there is a legal obligation for employers to provide their employees with the opportunity to vote, there is no legal provision ensuring that university students are granted the same opportunity.<sup>17</sup>

## VII. CANDIDATE REGISTRATION

Political parties and coalitions must declare their intention to participate in the elections to the GEC no later than 60 days before election day. Furthermore, parties, coalitions, and independent candidates must submit their election platforms to the State Audit Office (SAO). The SAO examines whether the platforms comply with the government's long-term development policy, whether their budget proposals align with the Law on Fiscal Stability and whether they are compatible with the concept of national security. It then issues a statement on compliance, which contestants must submit to the GEC.

Political parties and coalitions registered to participate in the elections can begin to nominate candidates 45 days before election day and complete the process within 7 days. The legislation allows independent candidatures within the same deadlines, provided they collect at least 801 signatures. Additionally, the legislation mandates that at least 30 per cent of all candidates must be men and women and that every other candidate on the proportional party lists must be of a different gender, ensuring parity.

Eligible voters at least 25 years of age may run as candidates. Candidates are ineligible if they have loan, collateral, or guarantee debts as established by a court decision, if they have overdue taxes, if a company where a candidate owns more than 51 per cent of shares has overdue taxes and if candidates have worked as members of the Council for Budget Sustainability during the past six years. Persons serving a sentence or who have committed a crime of corruption or abuse of power are also ineligible. In addition, certain categories of civil servants, including chairpersons, deputies, directors, or deputy directors of legal entities owned fully or partially by the state or local government authorities, must resign from these positions before 1 January of the election year.

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<sup>15</sup> Election officials, police officers, representatives of the civil registration office and IT personnel who have duties on election day can change their PS until 14 days before election day.

<sup>16</sup> For the period from 1 January to 29 April 2024, 42,750 people changed their address registration within the capital; 9,420 moved from the capital to the *aimags*; 11,389 moved from the *aimags* to the capital; and 6,512 changed their address within between *aimags*. The GASR does not record information about the reasons for changing the registration address.

<sup>17</sup> In case of non-compliance, the fines for individuals and legal entities is respectively MNT 10,000 (approx. EUR 2.7) and MNT 100,000 (approx. EUR 27.4).

Parties and coalitions may nominate up to as many candidates as the number of mandates available in each district: up to 78 for the majoritarian races and up to 48 for the proportional race. A candidate may run only in the proportional race or only in one majoritarian constituency.

On 10 June, GEC announced that 19 political parties, 2 coalitions and 1,336 candidates (817 men and 519 women) registered for the majoritarian and proportional races. Additionally, 42 independent candidates were registered for the majoritarian race. Eleven candidates did not meet the registration criteria and were denied registration on different grounds.<sup>18</sup> Recent amendments to the legal framework encourage political parties to include persons with disabilities in their candidates list by providing financial incentives. For these elections, there are several candidates with disabilities registered in both races.

## VIII. CAMPAIGN ENVIRONMENT

The official campaign period commenced on 10 June and lasts for 17 days, followed by campaign silence a day before and on election day. Most ODIHR EOM interlocutors noted that the relatively short campaign period and enlarged electoral districts hinder smaller parties and new entrants from effective in-person campaigning and distribution of campaign materials. Many interlocutors also noted that unofficial pre-campaigning activities, including online, have been ongoing with incumbent candidates able to promote their achievements before the official campaign. Most political parties focus on broad national topics such as economic development and environmental issues with some emphasizing anti-corruption, youth unemployment, and economic diversification.

Election platforms of contestants are prohibited from promises to give cash, goods, or shares or to provide services free of charge. Starting 1 January in an election year, it is prohibited to implement or announce new welfare programmes not included in the state budget for that year. Since January 2024, the government has announced a number of new social welfare payments which had been included in the budget, and two consecutive dividend pay-outs from extractive industry revenue, as well as a large new loan programme and the establishment of the new Sovereign Wealth Fund not foreseen for the year.<sup>19</sup> There are no requirements for the separation of official duties and candidacy. Many interlocutors expressed serious concerns about the use of state resources in the campaign.

The law imposes restrictions on campaign activities in a prescriptive manner, including limits on the number and type of staff allowed to campaign as well as facilities and vehicles permitted. Calling for boycotts is prohibited, as is conducting or publishing opinion polls in an election year until after election day. Campaign materials can only be posted only on the billboards designated by district governors. Posters can be placed only at the campaign headquarters of a political party, coalition, or candidate. According to the ODIHR EOM interlocutors, long-standing concerns persist regarding vote-buying, cash handouts, canvassing by civil servants, and pressure on public employees.

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<sup>18</sup> Three candidates had overdue tax debts, three candidates had incomplete documentation, four candidates were members of parties other than the ones that nominated them, and one candidate, a civil servant, did not resign from their position within the legal timeframe.

<sup>19</sup> In January, Erdenes Tavan Tolgoi, a state-owned joint-stock company, allocated shares to 893,432 children born after 2012, and paid dividends of MNT 256,000 (approx. EUR 70) to all shareholders from 4 April 2024. On 20 March 2024, the government increased pensions by MNT 100,000 (approx. EUR 27) effective 1 April 2024. On 27 March 2024, the government [increased](#) civil servants' salaries effective 1 April 2024. On 19 April, parliament passed legislation through an expedited manner to create a Sovereign Wealth Fund, which would receive 34 per cent of dividends from certain strategic mining deposits. On 24 April 2024, the government [introduced](#) the 'New Co-operative Movement' loan scheme aimed at supporting herders, and allocating MNT 5 trillion (approx. EUR 1.4 billion) from the state budget, an unforeseen spending for the year.

Campaigning online is regulated, with monitoring and oversight conducted by the Communications Regulatory Commission (CRC) in co-operation with other state institutions. Contestants are required to register a designated website and social network accounts for campaigning with the TECs and are prohibited from using other accounts for this purpose. Some ODIHR EOM interlocutors expressed concerns about potential co-ordinated disinformation campaigns on social networks.<sup>20</sup>

Campaigning can be conducted in the native languages of national minorities.<sup>21</sup> During the recent redrawing of electoral districts, parliament designated Bayan-Ölgii *aimag*, which has the highest rate of Kazakh minority population, as a separate electoral district, with the stated aim of ensuring their parliamentary representation.

Despite the measures to promote women's participation, most ODIHR EOM interlocutors noted that women candidates face significant difficulties in obtaining sufficient resources to campaign and face additional hindrances related to long-standing stereotypes related to gender roles.

## IX. CAMPAIGN FINANCE

The revised Law on Political Parties provides for public funding to parties that received more than one per cent of votes in the most recent parliamentary elections.<sup>22</sup> Election campaigns may be financed through private donations from individuals and legal entities within the set limits, as well as from party and candidate assets.<sup>23</sup> All relevant transactions must be conducted through a designated bank account registered with the SAO.

The SAO, as the main entity for oversight of campaign finance, sets the maximum amount for campaign spending, using a methodology that considers the size of constituencies, as well as the location and number of households and voters. For these elections, each party or coalition may spend up to MNT 6.4 billion (approx. EUR 1.7 million). Depending on the district, candidates may spend between MNT 0.9 billion and MNT 1.5 billion (approx. EUR 244,000 and EUR 407,000, respectively). Several ODIHR EOM interlocutors have deemed this ceiling high, which gives an advantage to the well-established parliamentary parties. Despite legally mandated authority to independently or collaboratively monitor campaign funding and spending, the SAO does not engage in any monitoring activities.

Since the 2020 parliamentary elections, contestants must also prepare an interim expense report on donations and expenses and submit it to the SAO, which should make it public three days before election day. Final reports must be submitted 45 days after elections for political parties and after 30 days for candidates, following audits by private auditors. The SAO has no authority to enforce sanctions on violations; instead, it transfers information to other authorities.<sup>24</sup>

## X. MEDIA

Mongolia has a pluralistic media environment with more than 400 outlets. High Internet penetration contributes to the importance of social networks, particularly Facebook, which, alongside TV, serve as

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<sup>20</sup> The CRC can restrict Internet traffic and request the blocking of access to websites and social network accounts based on police and intelligence agency reports to curb the spread of certain content.

<sup>21</sup> According to the [2020 Population and Housing Census](#), Kazakhs make up the largest ethnic minority (3.8 per cent).

<sup>22</sup> Fifty per cent of this funding must be allocated to specific purposes including the capacity building, education of party members and citizens, and policy development.

<sup>23</sup> The limit for individual donations is set at MNT 10 million (approx. EUR 2,750) and for legal entities at MNT 30 million (approx. EUR 8,250).

<sup>24</sup> The State Inspector of Taxation on donor eligibility; the Ministry of Finance on reporting; and the Central Bank on account keeping.



primary sources of information. The public Mongolian National Broadcaster (MNB), comprising seven channels, enjoys relatively high public trust. Several ODIHR EOM interlocutors expressed concerns regarding the press freedom situation and highlighted various structural problems, most notably economic sustainability.<sup>25</sup>

Most media outlets are privately owned, competing for a limited advertising market. Many are not financially viable and, consequently, are directly politically affiliated or remain dependent on their owners. According to several ODIHR EOM interlocutors, many owners do not consider media their core business; rather, they use media as a political leverage to protect their economic interests. In addition, a contracts-based system is widely used among journalists, essentially offering payment for favourable editorial content.

The Constitution guarantees freedom of expression and further legislation provides for a detailed media framework. Defamation was decriminalized in 2017; however, provisions prosecuting slander and false information, with excessive sanctions, were re-introduced in 2020. Currently, there are several journalists facing investigations, many based on complaints by government agencies, senior politicians, and civil servants<sup>26</sup> Several ODIHR EOM interlocutors noted that the legal framework and its enforcement stifle investigative journalism, lead to self-censorship, and are detrimental to public political discourse.

The PEL, supplemented by the CRC regulations, stipulates the conduct of election campaigns in both broadcast media and on the Internet. The MNB is required to offer candidates free airtime, including through debates. As of 10 June, a series of debates featuring contesting political subjects and independent candidates commenced. The schedule, approved by the CRC, includes three daily debates broadcast simultaneously by MNB television and radio. Paid political content is allowed, up to a total of 60 minutes a day, on private broadcasters. The PEL limits the daily news coverage to five minutes per contestant. Oversight of broadcast and online media is shared among several bodies, including the GEC, and the Authority for Fair Competition and Consumer Protection, with the CRC serving as the primary regulator. The PEL grants extensive sanctioning powers to the CRC, including the authority to suspend online and offline media outlets.

On 1 June, the ODIHR EOM commenced its media monitoring of major Mongolian outlets to assess the coverage of the contestants and other political entities prior to and during the official campaign, employing both quantitative and qualitative methods.<sup>27</sup> The monitoring focuses on prime-time TV programming as well as online political and election-related content.

## **XI. ELECTION DISPUTE RESOLUTION**

Complaints against decisions of lower-level election commissions are submitted to the respective higher-level commission. Complaints against decisions of the GEC are lodged with the Administrative Court of Appeals at the first instance and with the Supreme Court at the second (final) instance. Complaints regarding GEC decisions on election results are filed with the Constitutional Court by any citizen.

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<sup>25</sup> See Reporters Without Borders, [Press Freedom Index 2024: Mongolia](#).

<sup>26</sup> The editor-in-chief of [Zarig.mn](#), one of the most popular online news sites, who was detained in December 2023 on accusations of spreading false information, was released in February 2024, subject to a house arrest. The journalist faces four charges, with a potential sentence of up to five years in prison, with a hearing scheduled after elections, on 1 July 2024.

<sup>27</sup> This includes the public Mongolian National Broadcaster (both TV and radio), private TV channels Eagle TV, Mongol TV, NTV, TV9 and TV25, and several online sources including [eguur.mn](#), [gogo.mn](#), [ikon.mn](#), [news.mn](#) and [zarig.mn](#).

Election-related administrative and criminal offences are investigated by the police and adjudicated by district courts.

There is no expedited procedure for the adjudication of election-related cases by the courts. The Law on Procedure of the Administrative Court stipulates a 30-day period for the court to render a decision, extendable by an additional 10 days. The Supreme Court adheres to similar adjudication deadlines. The PEL includes a provision that seemingly contradicts provisions of other laws, stating that entities authorized to adjudicate election-related complaints must reach a decision within the election year. According to numerous interlocutors, the deadlines of electoral dispute resolution may undermine the effectiveness of legal remedies.

Since the start of the election year up to 29 May, 56 complaints related to election offences have been filed with the police. Of these, 35 concern administrative offences, and 21 pertain to criminal offences. As of 7 June, 15 appeals against GEC decisions denying candidate registration were filed with the Administrative Court of Appeals. By 10 June, three appeals were dismissed on technical grounds, and four were adjudicated, with only one resulting in the GEC's decision being overturned, allowing the candidate to run.

## **XII. CITIZEN AND INTERNATIONAL OBSERVERS**

The law provides for citizen and international election observation, as well as for authorized representatives of electoral contestants to observe elections. The law limits the number of observers to two per organization per polling station and prohibits civil servants from observing elections. Political parties and coalitions can also appoint election observers to polling locations. Citizen observers have to submit their request for accreditation to the PECs at least seven days before election day, while international observers are accredited directly by the GEC.

The Civil Society Coalition for Fair Elections co-ordinates efforts of a group of CSOs to observe voter registration, campaigning, including on social networks, campaign finance and the use of technologies in elections. The coalition will deploy 300 stationary observers on election day in 150 polling stations in Ulaanbaatar and some *aimags*.

## **XIII. ODIHR EOM ACTIVITIES**

The ODIHR EOM formally opened in Ulaanbaatar with a press conference on 21 May 2024. The Head of Mission and team members have met with the GEC, the Ministry of Foreign Affairs, political party representatives, media, civil society, and members of the diplomatic and international community. Long-term observers have been active in their respective areas since deployment after 28 May.

*The English version of this report is the only official document.  
An unofficial translation is available in Mongolian.*