

GENERAL ELECTION COMMISSION OF MONGOLIA

RESOLUTION

11 March 2021

Number 29

Ulaanbaatar

Approval of the revised procedure on the election observation

Based on the Article 63.6 of the Law on Election of the President of Mongolia, Article 67.6 of the Law on Parliamentary Election of Mongolia, Article 66.6 of the Law on Election of the Citizens' Representative Hural of the *aimag*, capital city, *soum*, and district, and Articles 7.1.7 and 12.3 of the Law on the Central Election Body is RESOLVING:

1. To approve the "Procedure on the Election Observation" in Appendix 1, "Code of Conduct of the election observer" in Appendix 2, "Observer Registration" form in Appendix 3, "Registration of International Observers /interpreter/" form in Appendix 4, design of the "Observer's Identification Card" by Appendix 5, design of the "International Observer's Identification Card" by Appendix 6, respectively.

2. To assign all level election committees to implement this procedure, and for the Secretary /Davaa-Ochir.D/ of the Commission to oversight on the implementation of this procedure.

3. With this resolution, the General Election Commission's Decree No.14 dated April 7, 2020 on "Approval of the Election Observation Procedure" is declared invalid.

CHAIRMAN

DELGERNARAN.P

SECRETARY

DAVAA-OCHIR.D

## **PROCEDURE FOR ELECTION OBSERVATION**

### ***One. General Provisions***

- 1.1. The purpose of this procedure lies to regulate relations associated with conducting independent observation to assess whether the election is conducted in compliance to the legislation.
- 1.2. Activities associated with election observation shall abide by this procedure and election legislation.
- 1.3. Observer shall mean a citizen of Mongolian or foreign nationality, who has registered with the respective election committee, presented with an observer's identification card, attained the age of 18 and with full legal capacity.
- 1.4. The following bodies may appoint observers:
  - 1.4.1. a political party, coalition or a candidate running for election;
  - 1.4.2. a non-governmental organization registered with the General Election Commission;
  - 1.4.3. foreign and international organizations, and foreign diplomatic missions residing in Mongolia.
- 1.5. A political party, coalition and a candidate is entitled to appoint up to 4 observers per polling station for the Parliamentary elections, up to 3 observers per polling station for the local elections, and up to 3 observers in each polling station for the Presidential elections.
- 1.6. A non-governmental organization registered with the General Election Commission is entitled to appoint up to 2 observers per polling station.
- 1.7. Observers shall comply with the legislation of Mongolia upon election observation, and sign upon introduction with the Observer's Code of Conduct, approved in the annex of the present procedure.
- 1.8. All bodies who submitted a request to register an observer shall bear the responsibility to familiarize its assigned observers with the Observer's Code of Conduct and the election legislation.
- 1.9. Observers shall send their observation report along with their recommendation to the General Election Committee's email [gecm@gec.gov.mn](mailto:gecm@gec.gov.mn).

### ***Two. Submission of a request on observer registration***

- 2.1. A body specified in Article 1.3.1, 1.3.2 of this procedure shall submit a paper or electronic copy of its request on registration of an observer prepared in accordance to the registration form, along with the following documents to the precinct election committee not less than 5 days prior to the polling day:
  - 2.1.1. a copy of a decision on appointment of the observer;

- 2.1.2. observer's request for registration, prepared in accordance to the form;
  - 2.1.3. a photo sized 3cm by 4cm;
  - 2.1.4. a copy of citizen's identification card;
  - 2.1.5. a signed copy of the Code of Conduct, which declares to abide by the Code.
- 2.2. Foreign and international organizations, foreign diplomatic missions residing in Mongolia, foreign nationals /hereinafter referred to as "international observer"/ shall submit paper or electronic copy of their request on observation of the election and appointment of an observer to the General Election Commission, along with the following documents:
- 2.2.1. observer's request for registration prepared in accordance to the form;
  - 2.2.2. a photo sized 3cm by 4cm;
  - 2.2.3. a copy of a passport;
  - 2.2.4. a signed copy of the Code of Conduct, which declares to abide by the Code.
- 2.3. Online registration of observers shall be made on the website of the General Election Commission.

### ***Three. Registration of observers and issuance of identification cards***

- 3.1. The General Election Commission shall verify requests and related documents submitted pursuant to Article 2.2 of this procedure within 5 days after the receipt, proceed with the registration and issuance of observer's identification cards for international observers, who meet the requirements set forth in the law.
- 3.2. A precinct election committee shall receive requests and related documents submitted pursuant to Article 2.1 of this procedure, proceed with the registration and issuance of observer's identification cards for observers, who meet the requirements set forth in the law, not less than 2 days prior to the polling day.
- 3.3. A precinct election committee is entitled to request for valid documentation and resubmission the documentation within the time frame set forth in the law, in the event documentation specified in Article 2.1 of this law is incomplete and/or do not fulfill the requirements.
- 3.4. An interpreter to international observer shall be registered in a similar way as the international observer and issued with an identification card.
- 3.5. Aimag and capital election committees shall consolidate observers' data, produced by each election precinct, provided by soum and district election committees under its jurisdiction and submit it to the General Election Commission prior to the polling day.

### ***Four. Election observation***

- 4.1. Pursuant to Article 68.1 of the Law on Parliamentary Election of Mongolia, Article 67.1 of the Law on Election of the Citizens' Representative Hural of the *aimag*, capital, *soum* and district and Article 65.1 of the Law on Election of the President of Mongolia, an observer shall observe only, without interfering, whether polling, vote counting and tabulation of results are conducted in compliance with the legislation, and shall exercise the rights set forth in electoral legislation.

- 4.2. In the event observers cannot carry out observation at the polling station at the same time due to capacity of the polling station as specified in Article 67.12 of the Law on Parliamentary Election, Article 66.12 of the Law on Election of the Citizens' Representative Hural of the aimag, capital city, soum and district, Article 63.12 of the Law on Election of the Presidential of Mongolia, the precinct election committee shall provide the opportunity for observers to observe on rotation, having one observer from each body entitled to appoint observers, per rotation.
- 4.3. An observer does not have rights to interfere in precinct election committee's activities, obstruct voter's right to vote, and demand for rights unspecified in laws.
- 4.4. Observers shall be provided the opportunity to observe the polling process at the polling station through surveillance camera specified in Article 56.11 of the Law on Election of the Presidential of Mongolia, and online.

#### ***Five. Observation of the operation of election automated system***

- 5.1. Representatives from political parties and coalitions running in the election and non-governmental organizations authorized to carry out independent monitoring on election are entitled to observe the examination, testing and verification of an automated election system's hardware and software.
- 5.2. Requests to carry out observation on election automated system shall be submitted to the Information Technology Center of the General Election Commission for registration along with the following documents prior to beginning of the activities specified in Article 5.1 of this procedure:
  - 5.2.1. a copy of a decision on appointment of the observer;
  - 5.2.2. observer's request prepared in accordance to the form;
  - 5.2.3. a photo sized 3cm by 4cm;
  - 5.2.4. a copy of a citizen's identification card;
  - 5.2.5. a signed copy of the Code of Conduct, which declares to abide by the Code.

#### ***Six. Other***

- 6.1. A body requesting to observe the election shall be fully responsible for the expenses associated with election observation. The inviting and deploying party or the observer himself/herself shall be responsible in obtaining a visa to travel to Mongolia, a permit to stay in Mongolia and other expenses associated with election observation.
- 6.2. In the event observer's actions evidently violate election legislation, the chairman of the precinct election committee shall report the case to police.
- 6.3. In the event observer violates this procedure and/or electoral legislation, the chairman of the precinct election committee shall invalidate the observer's registration and withdraw him/her from the polling station.
- 6.4. In the event international observer violates electoral legislation and/or observer's Code of Conduct, the chairman of the precinct election committee shall give a reminder to the respective observer and notify the case to the organization that initially registered the observer (central election authority) immediately. In the

event observer disregards the reminder, the case shall be notified to the organization that initially registered the observer and a measure up to withdrawal of the observer from the polling station shall be taken.

- 6.5. In the event observer violates electoral legislation and this procedure, he/she shall be subject to legal liability pursuant to respective law.

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### Observer's Code of Conduct

I, election observer, in respect to Mongolia's independence, people's tradition, heritage, and the principal rights will abide by this Code of Conduct upon observing, without interference, whether the election is carried out on equal and fair principles, and pursuant to legislation.

1. I will comply with the legislation upon observation of the election of Mongolia and will liaise with election body, its staff, and other participants of the election activities with respect.
2. I will respect Mongolian people's rights to elect and be elected, and treat everyone fairly.
3. I will treat matters pertaining the activities of the Mongolian state authorities, political parties, candidates and elections equally.
4. The observer shall respect integrity in all stages of the election, shall not organize or partake in any actions or activities with the approach of supporting or protesting a political party or a candidate, and not use any clothes or items with the slogan, name, flag, symbol, or consisting from its colors of a political party, coalition or a candidate.
5. The observer has rights to ask questions, make clarifications, and lodge a request, however he/she shall be prohibited from interfering in election activities directly or indirectly, and to influence from outside.
6. The observer shall wear his/her observer's identification card visibly during election observation and present his/her identification document upon the request of the staff of an election body and other authorities, on each occasion.
7. The observer sending organization and the authorized body of the election observation team may give interviews and information on election process. Announcements and clarifications with the content of personal views on election activities shall be avoided to be published on media outlets and social media platforms before the issuance of the official report on election observation.
8. In the event of violation of this Code, the election body which provided accreditation to the observer is entitled to take an action up to the invalidating observer's rights to observe the election.
9. The observer shall abide by the safety instructions and recommendations issued by the Government of Mongolia and other authorized bodies.

The Code of Conduct is introduced and agreed by:

\_\_\_\_\_ of \_\_\_\_\_  
/Name of representing body/ /Observer's name/

\_\_\_\_\_  
/Observer's signature/

Date \_\_\_\_\_

**OBSERVER REGISTRATION FORM**

No.	Full name	Registration number	Age	Gender	Name of representing political party, coalition, non-governmental organization, or a candidate	Telephone number
1						
2						
3						
4						

**INTERNATIONAL OBSERVER /INTERPRETER/**

/please underline which ever applies to you/

**REGISTRATION FORM**

3 cm x 4 cm  
Photo

Date: 20..... (year) ..... (month) ..... (day)

1	Surname name	
2	Given name	
3	Date of birth	
4	Gender	
5	Nationality	
6	Passport type, number and validity	
7	Name of representing country or organization	
8	Current position, employer	
9	Profession	
10	Name of inviting organization	
11	Observer's interpreter/assistant's name, e-mail address, telephone number	
12	Location of observation /capital, rural area/	
13	Date of arrival to Mongolia and duration of stay	
14	Election observation experience in other countries /country and date/	

(signature)

/...../  
(Name of the signature holder)



### Design of the Observer's Identification Card

..... ELECTION – .....

OBS

.....  
/Name/

.....  
/representing organization/


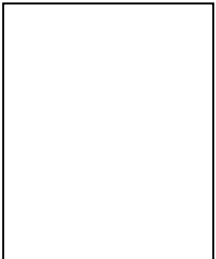
Front side

Number .....

.....(name)f  
rom ..... political party/coalition  
has been appointed and registered to work as an observer at the polling  
station of the constituency.... of the ..... district  
/..... soum/ of the Capital city  
/.....aimag/ and hence was issued with this ID card.  
Chairman of the election precinct No.....  
Seal ...../  
Observer's rights are terminated after the announcement of the election results.

Backside

### Design of the International Observer's Identification Card

.....ELECTION - .....	
	
<b>INTERNATIONAL OBSERVER</b>	
Accreditation card No.....	
A national of ..... (country) ..... (full name) from..... ..... /representing organization/  has been registered to work as an observer for the ..... Election of 20.....and hence was issued with this identification card.	
Chairman of the General Election Commission of Mongolia	
Seal	/...../
Observer's rights are terminated after the announcement of the election results.	

**Notes:** The above ID card shall be in Mongolian and English languages, and is provided along with the safety instructions and recommendations.