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MONGOLIA PARLIAMENTARY ELECTIONS

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ELECTION OBSERVATION MISSION FINAL REPORT

Mongolia Parliamentary Elections June 29, 2008

Election Observation Mission Final Report



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Executive Summary

At the invitation of the Government of Mongolia and the Mongolian General Election Commission (GEC), a 16-member international delegation conducted a short-term international election observation of the country's June 29, 2008, parliamentary elections to the State Great Hural (SGH). The delegation was convened under the auspices of the Asia Pacific Democracy Partnership (APDP) and was comprised of election and government officials, civil society representatives and one parliamentarian from Australia, Canada, Indonesia, Japan, the Philippines, Republic of Korea, Thailand, Timor-Leste (East Timor) and the United States (Appendices A and B).

The International Republican Institute (IRI), a Washington, DC-based nongovernmental organization (NGO) facilitated the mission. This report was prepared by IRI and is based on the observations of the APDP delegation; it does not necessarily represent the views of the individual APDP delegates or the governments and organizations they represent.

APDP observers participated in numerous briefings and meetings with Mongolian political party representatives, election administrators and NGOs in the days immediately preceding the elections. On Election Day, the delegation's nine observer teams focused their work in five electoral districts of the national capital Ulaanbaatar and four of the nation's north-central aymags: Darhan Uul, Hentiy, Orhon and Selenge.

APDP observers, accompanied by accredited IRI staff, were present during various stages of the voting process at more than 100 of the 1,704 voting stations that were open on Election Day. They encountered more than 1,500 election workers and thousands of Mongolian voters. They were present for the opening of polling stations in each of their assigned electoral

districts, worked throughout the Election Day and attended the closing of the polling stations and portions of the ballot counting processes.

I. Introduction

The findings contained in this report and the recommendations that follow reflect what the delegation heard and witnessed during the three days preceding the elections, Election Day and that portion of the ballot counting and reporting process for which they were present. This report is issued in the aftermath of an isolated but significant episode of post-election violence on July 1, ongoing disputes over the accuracy of the reported results in at least three of Mongolia's 26 electoral districts and the failure of a new government to form when the previous parliament adjourned on July 29. Nonetheless, the delegation believes that it would be mistaken to delay the report's findings based on events and still unsubstantiated allegations that followed the election.

The elections process was basically sound, and its reported results most likely reflect the general will of Mongolia's citizens. A relatively short but vigorous and peaceful campaign offered Mongolian citizens clear and varied political choices. The elections were, in general, competently administered. Voters appeared to be confident, and disciplined throughout Election Day. The process was transparent, and adequate procedural controls appeared to be in place to safeguard against substantial or systematic fraud. All political factions appeared to have meaningful representation at different levels of the election administration system and in voting centers. Moreover, APDP observers encountered several political party poll watchers in all of the voting stations and counting centers they visited, although the absence of nonpartisan domestic observers was noted.

Observers concluded that the voter's list and the extremely lengthy ballot counting and recording process were both potential weak links in the elections process, making it potentially vulnerable to the kinds of fraud that were later alleged. At issue, however, is whether these vulnerabilities could have been or

were in fact exploited to a significant extent.

Based on the observations of APDP, in all probability these vulnerabilities were not exploited, though a small number of observers remained at voting stations through the conclusion of the vote counting and reporting process in their locations.

Fraud on the scale that has been alleged by the leadership of the opposition Democratic Party (DP) and other parties is inconsistent with what APDP observers witnessed during the voting process and the part of the counting process for which they were present. However, the observations and conclusions of the APDP delegates should be considered one piece of the larger, overall picture, and not a basis for dismissing or minimizing the seriousness of the allegations that have been made. These allegations must be taken seriously and investigated rigorously.

In the final analysis, it is essential that the Mongolian public feel confident that its new government, whatever its political stripe, was legitimately elected. Absent this, the election will produce no real winners.

II. Pre-Election Environment

Based upon the APDP observers' numerous briefings and meetings with Mongolian stakeholders in the days leading up to the election, the picture that emerged was that the elections process was proceeding in a fair and orderly manner.

A. Political Environment

The politically-instigated violence in Ulaanbaatar that claimed five lives and caused substantial property damage on July 1 was an unexpected end to what had been a peaceful and relatively uneventful period of administrative preparation and pre-election campaigning. The mood of both the general public and the political contestants appeared to be positive.

Both major parties, the Mongolian Peoples' Revolutionary Party (MPRP) and the DP, expressed confidence in a successful outcome, and there appeared to be little concern regarding the capacity or intention of election administrators to properly implement the voting process and accurately record and report the result. Based on public opinion polls and the competing claims of candidates, public expectations were for a close election, and turnout was expected to be high.

Observers did not receive reports or find evidence of any significant election-related violence in the period since the elections were called on May 8, 2008. Campaigning, to all appearances, was open and peaceful. Both state-owned and private media appeared to be available and utilized on an equitable basis. Political rallies in public places appeared to be common and uninterrupted. In Ulaanbaatar, large numbers of young people could be seen in many parts of the city distributing campaign literature. Posters and billboards were ubiquitous. Complaints logged by the competing parties and candidates

against each other for various alleged violations of the election law seemed well within the normal bounds of a political campaign.

Observers did not receive reports or obtain information through interviews suggesting that there had been politically-motivated legal or administrative impediments to any of the parties, coalitions or independent candidates that wished to participate in the election. The major political parties did not report problems related to the registration of their candidates. In total, 356 candidates successfully registered to compete for the parliament's 76 seats. Observers did not hear reports or receive information of any substantial diversion of state resources to parties or candidates, though there would later be allegations that some local officials and state institutions had been complicit in providing false identification documents to MPRP partisans.

When observers visited district and division voting station election committees in the days immediately preceding the elections, they were able to confirm that all political groups were represented on the committees. In almost all cases the committees' leadership positions, chairman and secretary, were divided between a DP and an MPRP representative. Observers did not detect signs of tension or acrimony. The spirit, in fact, was notably collegial, as observers would continue to find throughout Election Day and deep into the early morning hours of June 30 during the ballot counting phase of the election.

B. Legal and Administrative Framework

Election Law

This was the first election to take place under a new election law enacted in 2005. The law is basically sound and workable with regard to the framework it creates for the political campaign and electoral process.

However, provisions for establishing the voter's list, the duration

of the voting day and the number of voters assigned to individual voting stations, among others, should all be carefully and critically reviewed prior to the next election.

At the same time, there were many positive provisions. These included provisions to ensure transparency, nonpartisan election administration, financial controls and accountability, equal and adequate access to mass media, and a high level of voter participation. The delegation was not able to fully ascertain whether adequate resources and energy were applied to monitoring and enforcing compliance with all of these provisions, especially those pertaining to campaign finance and media access.

Multi-Mandate Electoral System

Of greatest practical significance was the new law that establishes a multi-mandate electoral system. Under the new system, the maximum number of candidates elected from any single electoral district ranged from two to four based upon the district's population. Therefore, each of the 26 districts had a distinct ballot. The number of parties and candidates listed on that ballot depended on the number of district mandates and the number of parties and candidates that successfully registered to compete in the district. A candidate's name could appear on only one ballot nationwide.

To be elected, a candidate had to finish among the top two, three or four vote-getters on his ballot, depending on the number of mandates in the electoral district in which he ran. In addition, a candidate had to receive a vote on at least 25 percent of the ballots cast in that district. Ballots included a clear instruction that informed voters in each district of how many names to mark when voting. Candidates who finished in the top four but did not receive the required 25 percent had to compete in re-elections.

None of the 76 winning candidates, based on the announced results as of July 14, 2008, failed to clear the 25 percent threshold (Appendix D).

Registration of Parties and Candidates

The election law includes detailed provisions for the registration of parties, coalitions and candidates, including independent candidates. None of these requirements appeared to create unreasonable obstacles to participation of multiple parties and/or coalitions in the elections process. Eleven parties and one coalition of three parties competed.

To get on the ballot as an independent candidate required 801 verifiable signatures from diverse localities within a district in addition to meeting other requirements pertaining to age (25 years), financial solvency and criminal background. Of the 356 candidates that competed in the election, 45 were independents, only one of whom won a seat in the new parliament.

The provisions requiring that at least 30 percent of party and coalition candidates be women were deleted from the election law shortly before their final adoption. It is impossible to state with certainty the extent to which this contributed to the disappointingly small number of women candidates, and the equally disappointing number of women – only three – elected to the new parliament.

Transparency and Political Neutrality

The election law contains strong provisions to ensure procedural transparency and politically neutral administration of the election process. Among them are provisions requiring that all competing political parties and coalitions have representation through all levels of the election administration system.

Provisions of the election law allowing international election observers and political party poll watchers to be present through all stages of the voting, vote counting and reporting phases also contributed to procedural transparency and nonpartisan administration of the elections. Party poll watchers and international observers are also accorded the right to make both audio and video recordings of what they consider procedural breaches. In addition, the law allows accredited representatives of the mass media to be present through all stages of the polling process and to make recordings. APDP observers were impressed by the number of poll watchers encountered in virtually all the voting stations visited. Observers also encountered media at some voting stations.

One weakness that some members of the APDP delegation pointed out was the law's failure to include provisions allowing nonpartisan domestic civic organizations to observe the elections. Most observers agreed that the presence of nonpartisan domestic observers would contribute to public confidence in the integrity of the elections process. This opinion was reinforced by the events and allegations that followed the elections.

Voter Participation

APDP observers were impressed with the extent to which the law seeks to facilitate a high level of participation in the elections process. The law enfranchises all Mongolian citizens who have reached the age of 18. Theoretically, there is no requirement beyond that of acquiring and maintaining a valid citizen identification card to be eligible to vote. Provided citizens keep their identification cards current by informing local authorities of address changes, their names should automatically be transferred to the voter's list and they should receive a "voters certificate" in advance of any election. (Issues related to the voters list will be discussed in greater detail under the sub-section Administrative Framework.)

The law also facilitates participation through provisions that establish an unusually long voting day – 7:00 am to 10:00 pm. In addition, it contains unusual provisions requiring voting stations to be open five days ahead of Election Day to accommodate “advance voting.”

To qualify for a ballot during this period of advance voting, a citizen must go to his/her voting station and produce, in addition to a valid national identification card and voter’s certificate, a signed document stating a valid reason why he will not be able to cast a ballot on Election Day. This process substitutes for what in other cases would be a mail-in ballot, which the Mongolian election law does not allow. For citizens who are unable to access a polling station for health reasons, the law provides for a mobile ballot box.

The law also provides for citizens who relocate after publication of the voter’s list for documented reasons of health or job change. They may have their names crossed off the list at their assigned voting station and get a transfer card that will enable them to vote at another station. To vote, these citizens must present their ID card and their transfer note. Their names are supposed to be recorded on a special section of the list at the voting station where they cast their ballot, and their ballot is supposed to go into a separate ballot box and be counted separately.

Access to State and Private Media

The election law provides all parties, coalitions and independent candidates with a guarantee of free airtime for campaign advertising on state-owned television and radio outlets. The law leaves it to the GEC to allocate the time on an equitable basis. Paid advertising is permitted on privately owned media outlets, but the law prohibits any private television or radio outlet from allocating more than 10 percent of its total broadcast time to political ads. An interesting and somewhat unusual provision of

the law prohibits parties, coalitions and candidates from deviating in their political message from what is included in their officially registered party or coalition platform.

The election law also requires the GEC to establish an independent media council to monitor compliance with these provisions by public and private media outlets. Observers did not have the opportunity to gather substantial verifiable information regarding the formation of the media council or the resources allocated to it. The council has not, to the delegation's knowledge, released any report or summary of its work and findings. However, the results of a monitoring project by the domestic NGO Globe International suggest that media access was, in general, provided in accordance with the requirements of the law.

Financial Controls and Accountability

The election law stipulates that the GEC will establish overall spending limits for political parties, coalitions and candidates in each of the 26 electoral districts based on the district's population and number of mandates. GEC regulations permitted candidates from the largest districts to spend up to approximately \$435,000 US. Candidates from the smallest districts could spend approximately \$115,000 US. Expenditure limits for political parties and coalitions ranged from approximately \$226,000 to \$870,000 US across the 26 electoral districts.

The election law also establishes limits on individual and corporate donations to parties, coalitions and candidates. For individuals the limit is the equivalent of approximately \$875 US. For corporate entities, the limit is the equivalent of approximately \$2,600 US. The law also requires that within three days of officially registering with the GEC, a candidate must open a special electoral bank account and provide the GEC with notification and account information. Campaign expenditures must be

routed through this separate electoral account. The GEC, in collaboration with the Bank of Mongolia, is required to establish expenditure reporting procedures and monitor these accounts. Parties, coalitions and candidates were required to submit a final election expenditure report to the GEC by July 29, 2008.

As with the media council, APDP observers did not have the opportunity to examine the resources allocated to these monitoring functions or the extent to which the GEC and Bank of Mongolia exercised these oversight responsibilities.

Election Administration

The basic administrative framework and procedures that the election law establishes for voting and ballot tabulation is sound and generally consistent with what is found in other countries where paper balloting systems are in place.

Though public opinion polls and media commentary in the period prior to the election indicated that public confidence in the GEC was low, it did not appear as if the GEC failed in any significant way in carrying out its responsibilities. Deadlines for establishing the administrative bodies under the GEC, and insuring that critical election materials were in place appear to have been met.

When APDP observers visited District and Division Election Committees in the days prior to the election, the committees appeared to have been fully and properly formed. Division committee members in most, but not all, cases reported having received training, and their respective voting stations were established and receiving advance voters several days before the election day as required by the law.

General Election Commission

The GEC is given overall responsibility for administration of the elections by the SGH. The GEC is composed of nine members,

appointed by the SGH for terms of six years. Five appointees are recommended by the SGH's Standing Committee on State Structure, two by the president of Mongolia and two by the Supreme Court. The chairman and secretary of the GEC are appointed from among the nine members based on the recommendation of the Chairman of the SGH.

The GEC's principal responsibilities include: establishing and approving the composition of District Election Committees in each of the country's 26 electoral districts; allocating critical election materials and funds to district committees in advance of the election; registering parties and candidates; disseminating the voter's list; overseeing the printing and allocation of ballot papers; adjudicating complaints that have not been resolved at lower administrative levels; compiling and reporting official election results; presenting the list of members elected to the SGH to the president of Mongolia and the general public through mass media; monitoring compliance with the election law's rules on campaign finance; and monitoring compliance with the law's rules on political advertising on public and private broadcast media.

District, Sub-District and Division/Voting Station Electoral Committees

Below the GEC are 26 District Election Committees, established by the GEC no less than 40 days prior to an election. District committees are composed of a chair, secretary and nine additional members. According to the GEC, of the 286 District Election Committee members nationwide, 100 represented the DP and 92 represented the MPRP. These figures are consistent with what APDP observers found when they visited district committees prior to and on Election Day.

District committees are responsible for planning, organizing and allocating materials and funds for elections within their respective

districts. District committees also are responsible for cumulating and reporting election results passed along to them from the entire number of voting stations in the district. The District Committee has three days to complete this task and then an additional two days in which it must report these results to the GEC.

Within each of the 26 electoral districts, there are varying numbers of Sub-District Election Committees composed of a chairperson, a secretary and between five and seven members. They serve as the interface between the district committees and the numerous division/voting station committees. In total, 333 Sub-District Election Committees were established.

Division/Voting Station Election Committees are the foundation of the administrative infrastructure. Each committee is responsible for a single voting station. Division committees each have a chairperson, secretary and a total membership of between nine and 15. The law requires that division committees be assembled no less than 30 days prior to the election. Members for these committees are proposed through District Election Committees by political parties. The GEC reported that there were 1,704 Division Election Committees and voting stations throughout Mongolia on Election Day.

Out of the total number of 14,162 division committee members nationwide, the GEC reported that 5,673 were DP affiliates and 5,753 were MPRP affiliates, the remainder representing smaller parties and independent candidates. These figures were consistent with the findings of APDP observers in the days preceding the elections and on Election Day.

Division committees are responsible for establishing the voting station, ensuring the accuracy of its voter's list, administering the voting, ballot counting and recording processes, and

transmitting those results to the sub-district or District Election Committees. The law states that Division Election Committees will complete their ballot count on Election Day.

Given that the voting stations do not close until 10:00 pm and the large number of voters registered at each voting station, the division committee members with whom APDP observers met in the days preceding the election uniformly expressed expectations that the counting process would be long and arduous. Some expressed doubt that they would be able to meet the legal requirement to complete the task without an adjournment period.

The Voter's List

A key responsibility of the GEC and electoral committees at all levels involved preparation and dissemination of the voters' list as well as insuring the accuracy of the list on Election Day. The accuracy and integrity of the list, as is common in electoral systems worldwide, was a concern of all the stakeholders with whom APDP observers met.

The voters' list is based on data obtained by local governing units when citizens register for their national ID cards, which they may do upon their 18th birthday. Local officials in charge of civil registration are required to compile and submit these names and addresses to the Civil Registration and Information Service under their aymag governor's office. This data is then forwarded to the State Civil Registration and Information Service, which compiles and then submits a complete national citizens' database to the GEC no less than 90 days prior to the elections. This deadline seems to have been met. The national citizens' registry at this point, in effect, becomes the first draft of the voters' list.

The GEC distributes the voters' list, in parts, to the 26 District Election Committees no less than 25 days before Election Day.

The GEC also is required to make these lists available to political parties, coalitions and the public via its website. Individuals are only permitted to confirm the presence or absence of their own name on the list.

The district committees must then distribute the voters' list, in parts, to the Division Election Committees in their jurisdiction no less than 20 days prior to Election Day. The law stipulates how many voters may be assigned to the list for any single division committee/voting station. Voting stations in soums (cities) are permitted up to 2,000 voters. In aymag capitals the limit is 3,500. In Ulaanbaatar, individual voting stations within the city's six electoral districts could have as many as 6,000 voters on their list. Many observers noted that these were unusually high limits, and they would later conclude that extremely large voter's lists were a key factor in the long and difficult vote counting and reporting process.

After receiving voters' lists from district committees, responsibility falls on the division committees to confirm their accuracy. This process appeared to involve division committee members going door to door in their respective precincts. Persons not living at the addresses indicated were stricken from the list. Those not on the list but with a valid national ID card with that address were added. Division committees were then responsible for making their corrected lists available for public scrutiny no less than 15 days before the elections. These requirements and deadlines also appeared to APDP observers to have been substantially met. Voters who believe that their names have not been correctly included have the right to seek redress from their District Election Committee.

After completing corrections to the voters' list, the division committee is required to provide voters whose names are on the corrected list with voter certificates. Based on the information that

observers received, this process seemed to involve a combination of mailings, direct delivery by division committee members to residents in their precincts and voters picking up their certificates at the voting station. Voters are technically required to present both their national ID card and certificate and sign the voter's list next to their name before they can receive a ballot. Observers received significant though mostly anecdotal evidence suggesting that far fewer than 100 percent of citizens included on the final voter's lists actually did receive certificates in advance of Election Day. This was later confirmed when observers noted that many voters were receiving their certificates at their voting station on Election Day.

Based on observations and interviews with stakeholders, APDP observers did not receive evidence of major or substantial systemic failures in the process of assembling the list or evidence of malfeasance on a scale that would lead them to question the basic integrity of the lists that were used on Election Day. They did, however, take note of problems that indicated potentially important weaknesses in the process and the final product.

Observers in Ulaanbaatar and Orhon aymag, for example, reported that substantial corrections had been made to voters' lists provided to District and Division Election Committees. In Ulaanbaatar District 23, the APDP observer team learned that the size of the district-wide voters' list had fluctuated between 54,000 and 70,000 during the corrections process before finally settling at 64,000. This suggests that as many as 20 percent of the names included on the original list provided by the State Civil Registration and Information Service and then the GEC were incorrect. Population movements within the country and the failure of citizens to properly remove and add their names from and to the appropriate registration lists are likely to have accounted for most of the errors.

At the same time, the extensive corrections made in these instances suggest the degree to which the final list is a product of the work done only days before the elections by division committee members. This is problematic. In one instance in Ulaanbaatar District 26, APDP observers came across situations in which there appeared to have been a deliberate effort by a local official to inflate the list in his precinct by adding the names of 30 individuals to the list, all of whom claimed to reside at his home address. Though the malfeasance was relatively minor and rectified, it suggested the list's vulnerability to deliberate manipulation in this last stage of the process.

Given the high rate of internal migration from Mongolia's rural to more urban areas, the challenges of ensuring the accuracy of the voter's list are substantial. Accordingly, Mongolian administrators should place priority on examining alternative methods for generating and maintaining an accurate list.

III. Election Day and Vote Counting

In its preliminary statement, the members of the APDP delegation expressed their admiration for the nearly one million Mongolian citizens who participated in the June 29, 2008, elections process. At voting stations in all locations where APDP observers were present, turnout was high. This was a clear signal that the Mongolian people were determined to be part of the political decision-making process in their country. It presented a strong sign of the vibrancy and strength of Mongolia's young democracy and augurs well for its future.

The GEC, the District Election Committees and the Sub-District Election Committees in the various districts to which observers were assigned appear to have met all critical deadlines established in the election law for the preparation and delivery of voter registration lists, ballots and other materials. APDP observers were particularly impressed in almost all cases by the dedication and preparedness of the Division Election Committees in the voting stations they visited. Several APDP observers expressed special appreciation for the substantial number of women members of the voting station teams.

Voting stations opened and closed on time, and though turnout was consistently high throughout an extremely long voting day, the stations were generally organized and efficiently managed. Voters were disciplined and respectful and seemed to have little difficulty understanding the ballot or the requirements of the new, multi-mandate voting system. The GEC's decision to place instructions on the ballot, informing voters of how many candidates to vote for in their respective districts, seems to have been well considered and highly effective.

Though the APDP observers detected no pattern of serious violations or irregularities that would have called into question

the basic integrity of the process, they did identify weaknesses and potential vulnerabilities. In particular, observers concluded that the sheer size of the voters' lists at individual voting stations and the associated problem of an excessively long ballot counting and reporting process were highly problematic. These and other areas of concern are discussed below.

A. Voting Stations/Environment and Preparation

In all instances, APDP observers reported that the voting stations they visited opened at or very close to 7:00 am and were prepared to begin the voting process. This appears to have been the case nationwide.

Observers noted police presence at virtually all the voting locations that they visited. Though police were frequently observed to have entered the voting station, no observers reported this in response to disorderly conditions, nor did observers report that police or any other security personnel interfered or attempted to interfere in the voting process.

Conditions inside and outside voting stations were generally orderly and relaxed. In cases where they were not, crowding, rather than agitation, was the cause. Though substantial numbers of people did appear to linger near many voting stations either prior to or after voting, observers did not see evidence of efforts to intimidate or improperly persuade voters either inside or outside the stations.

Observers did not report the presence of campaign materials or political campaigning anywhere near voting stations on Election Day.

It should be noted, however, that observers did hear allegations from political party poll watchers at several voting stations that

their political rivals were offering voters money in exchange for their vote. Observers were not able to confirm these reports through observation.

Observers reported that voting stations were clearly and properly designated and their locations were apparently well known by local residents.

In most instances, the voting stations visited by observers were set up in public school buildings. These facilities were generally more than adequate. However, it was not uncommon for other types of buildings to be used. The quality of these facilities varied, and in many locations, the process was burdened by a lack of adequate physical infrastructure. Some voting stations were clearly confining for the relatively large numbers of polling station workers and party poll watchers who were typically present, along with a heavy turnout of voters.

There appeared to be no uniform pattern for organizing the interiors of voting stations. Division committee members, in most cases, seem to have simply adapted their design to the physical characteristics of their facility.

In several locations, voting stations also proved vulnerable to flooding associated with heavy rains. In Ondorkhaan, the capital of Hentiy aymag, flooding necessitated the last minute relocation of many stations. In Ulaanbaatar, voting was interrupted because of rains that temporarily hindered road access to stations in some less developed areas of the city.

With very few exceptions, observers reported that Division Election Committees were complete and on duty when voting stations opened at 7:00 am and remained on duty throughout the day and into the count. In the overwhelming majority of stations that the delegation visited, observers described the extent of the committee members' procedural knowledge and

understanding as either excellent or good. The remainder described it as fair.

Committee chairpersons and secretaries – many if not most of whom appeared to be women – impressed APDP observers in almost all cases with their professionalism, though there were isolated reports of cases where observers were clearly not made to feel welcome. Committee members did a generally good job of controlling the heavy flow of voters through their stations, though crowding was a problem in numerous locations during peak voting periods.

There were no reports of instances in which a shortage of materials either delayed or interrupted the voting or ballot counting processes. Several APDP observers however did report that some voting stations received fewer ballots than the number of voters on their voter's list. GEC regulations called for stations to receive 10 percent more ballots than the number of listed voters. In any case, there were no known instances of stations having 100 percent turnout or stations running out of ballots. Several APDP observers, in fact, were of the opinion that a 10 percent ballot cushion, especially given how large the voters' lists were at most urban voting stations, was excessive and potentially dangerous with respect to overall ballot security.

B. Voting Process

Though APDP observers noted a lack of strict procedural uniformity among the nearly 100 voting stations they visited, there were only two instances in which they reported irregularities they thought might materially affect the outcome at those voting stations. In no cases, however, did APDP observers report either a systematic pattern of irregularities or deliberate deviations from procedure that reasonably could be interpreted to indicate an intention to benefit specific candidates or parties.

The voters' lists did not appear to be a source of significant or widespread problems on Election Day. APDP observers reported a very small number of instances in which voters with proper ID were turned away because their names were not on the list. Many of them, it seemed, were simply being directed to other voting stations. Neither voting station workers nor poll watchers reported problems that contradicted these general impressions.

At the same time, however, observers concluded that problems such as long lines, crowding inside voting stations and disorderly conditions could all be linked to the very large numbers of voters assigned to individual stations. The greatest negative impact of the very large lists would be apparent, however, during the counting process.

While the size of the lists in urban areas varied widely, they were generally very large, although still well below the legal limits of 6,000 per list in Ulaanbaatar and 3,500 per list in the aymag capitals. In Ulaanbaatar, the average number of names per list in voting stations visited by APDP observers was 3,650. The largest station had more than 5,400 names on its list. In the aymags outside of Ulaanbaatar, the average list had 1,960 names, with the largest containing 3,265 names.

APDP observers visited only five voting stations in soums lying outside aymag capitals where the limit was set at 2,000 names per list. At these stations, the lists had an average of 400 names, but because of the small sample, it is impossible to say whether this was representative of the voter lists in soums outside the aymag capitals.

Generally, APDP observers concluded that division committee members were taking adequate if not always legally precise measures to ensure the identity of voters and confirm their right

to cast a ballot. Observers did not find a basis to suspect that any significant number of ineligible voters was being permitted to cast ballots at individual polling stations or that procedural laxities were creating a significant risk of multiple voting.

The overwhelming majority of voters who appeared at voting stations presented both their national identification cards and voter certificates, as prescribed by law. Their names were located on the voters' list, the list was signed and they were issued ballots. So-called "transfer voters" presented their transfer note and national ID card. Their names were added to a designated section of the list. Observers typically reported that a separate, usually much smaller, sealed ballot box had been setup to receive ballots cast by these transfer voters, as required by law. Their numbers, though not recorded by observers, did not appear in any instances to be unusually high.

The principal and frequent procedural deviation occurred when voters did not arrive with their voter certificates. This pattern was consistent with information that some observers had gathered earlier which indicated that far fewer than 100 percent of the certificates had been delivered to or picked-up by voters in advance of the elections as required by law. Instead, a substantial number of voters were picking up their certificates at the voting station on Election Day. Though procedurally irregular, observers did not see this as especially problematic given that these were individuals whose names were on the list and that they were required to present a valid national ID card with a matching address.

Potentially far more serious were allegations by poll watchers in some locations, and by DP and other party leaders, that MPRP sympathizers whose names were not on the voters' list were being issued voter certificates based on presentation of fraudulent national ID cards. It was alleged that their names were then

added to the list and they were permitted to vote. These fraudulent ID cards were said to have been provided by local government officials and/or civil registration and information service offices. If true, these would be serious allegations with a possibly significant impact on election results in the targeted voting stations and electoral districts. APDP observers, however, did not find evidence or receive substantiation to support these claims at voting stations where they were present. Moreover, given the controls and generally high degree of procedural transparency that they observed, it did not seem plausible that such a scheme could have been carried out on a significant or widespread scale.

There were two basic measures to prevent voters from receiving a ballot at more than one voting station. First, the individual's voter certificate was stamped making it unusable once the voter left the station. Second, the voter's finger was marked with ink. In most stations visited by APDP observers, both these steps took place just prior to the voter leaving the station after having cast the ballot. Observers were not impressed with the inking procedure. In some cases, observers reported that division committee members did not appear to be inking the fingers of all voters. It was also demonstrated to observers that the ink being used could easily be removed.

Observers did not believe that voters in several of the stations they visited were afforded sufficient privacy when marking their ballots. Ballots were marked at tables, behind three-sided cardboard barriers, rather than in individual voting booths or stations. Where there was sufficient space between the barriers, privacy was adequate. In some cases, however, the fixtures were situated so close to each other that a voter could peer over the barrier of the person next to him and see the ballot.

At all voting stations where APDP observers were present during the opening, they reported that ballot boxes were properly examined in the presence of the division committee members and party poll watchers before being sealed. In most locations, there were two ballot boxes plus a smaller third box for the ballots of transfer voters.

Ballots cast in advance were placed into the ballot box before general voting began.

Throughout the day, observers reported that the boxes at stations they visited were sealed and located in plain view of voters, committee members and poll watchers. Some observers noted that in a few locations the approved red plastic ballot box seal was not being used and that possibly less secure materials had been substituted. Observers did not see any evidence suggesting that the ballot boxes had been tampered with during Election Day, nor did they hear reports of such from poll watchers or division committee members at the polling stations they visited.

Most problematic with regard to ballot security, in the opinion of some observers, was the practice of signing and stamping all the ballots – and thus activating them – in advance of the voting process. Though this is what the election law instructs division committee chairpersons to do, it considerably increased the risk that lost or stolen ballots could be used for fraudulent purposes.

C. Advance Voting and Mobile Ballot Box

APDP observers did not find evidence of abuse in advance voting or mobile ballot boxes with voters that could not physically be present at their assigned voting station on Election Day. In the days immediately preceding the elections, APDP observers visited numerous voting stations and were able to confirm that proper procedures had been generally followed for qualifying

advance voters and for receiving, recording and placing their ballots in secure envelopes.

During observation of the opening of voting stations on Election Day, observers reported that these ballots had been put into the sealed ballot boxes before general voting began. In most cases, ballots were placed into the boxes in their sealed envelopes as the law requires. In some cases observers reported that the ballots had been removed from the envelopes before being put into the ballot box.

Observers did not report either evident or suspected violations or abuses pertaining to the mobile ballot box. The number of ballots sent out with the boxes appeared consistent with the number of requests that were received and recorded. Mobile boxes were accompanied by at least two division committee members and, in most cases, a poll watcher as well.

At the voting stations visited by observers on Election Day, advance voting accounted for an estimated 1.25 percent of the vote cast in Ulaanbaatar and 1.7 percent of votes cast at stations in the four aymag capitals. The mobile ballot box accounted for less than 0.5 percent of votes cast in Ulaanbaatar and less than 1 percent of votes cast in the aymag capitals. These figures seem within the bounds of what could be considered normal.

D. Political Party Poll Watchers

The GEC reported that approximately 13,500 domestic poll watchers representing political parties and independent candidates observed the election. Some 2,362 poll watchers worked in Ulaanbaatar and more than 11,000 poll watchers observed polling in the rural areas. APDP observers expressed great admiration for the work of the nearly 900 poll watchers they personally encountered on Election Day. They were

uniformly present at voting stations in all areas, most appeared to have been well trained and knowledgeable, and they comported themselves professionally. Many were reported to be in possession of a detailed poll watcher manual produced by IRI in cooperation with the GEC.

Both of the major political parties, the MPRP and DP, are reported to have had party poll watchers in all of the voting stations visited by APDP observers. The party poll watchers played an important role in promoting the integrity of the process, though the extreme length of the combined voting and vote counting procedures may have unfairly challenged their endurance and capacity to remain fully attentive.

Conspicuous by their absence, however, were nonpartisan domestic poll watchers. APDP observers suggested that public confidence in the electoral process might benefit if credible, nonpartisan civic organizations were identified, provided with training and allowed to have poll watchers present in future elections.

E. Ballot Counting and Reporting

It is important to note at the outset that APDP observers were present for only a portion of the ballot counting and reporting phase of the elections. In almost all cases, APDP observers reported that the counting process remained far from complete when they left polling stations in the mid-morning hours of June 30, by which time polling station workers had been on the job for more than 20 hours.

In some cases, observers reported that actual vote counting had not even begun more than three hours after the closure of the voting station at 10:00 pm. It seems that the majority of voting stations did not complete their counts until late in the afternoon on June 30, more than 30 hours after they opened.

The extremely high voter turnout, the relatively large number of voters assigned to each voting station, and the large number of candidates on the individual ballots all contributed to the extremely lengthy vote counting and reporting process. This was a serious flaw in the process, and observers believe it should have been anticipated and rectified in advance. Extremely lengthy counting processes can open the door to ballot tampering or breed suspicion of wrongdoing. The duration of the vote counting and reporting procedure at least contributed to the unfortunate circumstances that followed the June 29 elections.

Nonetheless, observers were in general impressed by the orderliness of the closing and counting processes during the time they were present at voting stations. Procedures for closing the voting stations were, in general, properly carried out (Appendix F). There were few reports of voters being turned away when voting stations closed their doors. In most cases, observers reported that division committee chairpersons locked the doors to the voting stations at closing and police maintained a presence at the locations. There were no reports of unauthorized persons being present in any of the closed voting stations where APDP observers were present.

The rules of procedure for the counting of ballots require that unused and spoiled ballots be counted, cut to prevent future use, recorded and securely sealed. APDP observers were present through this portion of the closing/counting process and reported no significant irregularities or problems. Observers reported that there were very small numbers of spoiled ballots, which was consistent with their impression that few voters had difficulty understanding or marking their ballots.

The actual vote count began with the inspection and opening of ballot boxes, the counting of total ballots and the separation of valid and invalid ballots. In general, this portion of the process

went smoothly. Observers did not report any instances, in which, there were a significant number of unaccounted for ballots. In some cases, however, APDP observers did report that division committee members seemed to be applying overly strict interpretations of the election law in declaring ballots invalid. One observer reported that ballots were being declared invalid if a voter marked his or her ballot choice with an “x” rather than circling it, as the law prescribed. There were no indications, however, that these standards were being applied with partisan intent.

APDP observers saw no signs of cheating in the reading out and recording of votes cast for individual candidates. Necessary controls appeared to be in place. One person typically examined and read out the votes on the ballot. Another person recorded the vote. Both the ballot paper and the recording sheet were in view or accessible to other members of the division committee, poll watchers and international observers present.

During that portion of the counting process when they were present, the observers did not report observing signs of acrimony or tension among voting station committee members. In fact, the spirit of collegiality was notable. With very few exceptions, they did not hear complaints from party poll watchers or individual voting station committee members that would cause them to question the overall appearance of transparency and propriety.

Subsequent allegations that the vote was being improperly recorded at certain voting stations and that ballot boxes were either being stuffed or substituted at voting stations or en route from voting stations to district counting centers must be taken seriously and investigated thoroughly. In the admittedly limited number of locations where APDP observers were present, however, there were no indications suggesting the possibility of such a breakdown of internal order, controls and transparency.

In the opinion of most APDP observers, improprieties of this nature would have required a substantial degree of acquiescence if not outright cooperation by non-MPRP representatives – committee members as well as poll watchers – at voting stations and in district centers.

IV. Recommendations

Based upon the observation of the APDP delegation, the International Republican Institute offers the following recommendations to the members of the GEC and the SGH for their consideration in future elections.

Recommendation #1

Establish new, substantially lower limits on the size of voters' lists at individual voting stations. This will allow for a shorter voting day and, most importantly, a substantially faster ballot counting process.

The SGH and GEC should reconsider amending the provisions of the election law establishing the maximum size of voters' lists in Ulaanbaatar (6,000), aymag capitals (3,500) and non-urban areas (2,000). Even though actual lists rarely approached these limits, they were still, in the opinion of observers, too large. Limits of 1,200, 1,000 and 800, respectively, should be considered and would be far more consistent with current international norms.

This would require a significant – though far from proportional – increase in the required number of Division Election Committee members. Smaller stations could be efficiently run by committees less than half the size of many current committees. Moreover, because a substantial portion of the Division Committee members appears to be relatively passive and non-productive in the vote counting process, smaller, more numerous committees would increase both the speed and the efficiency of counting ballots.

Thought should be given to increasing the number of voting stations by placing two or even three stations within a single facility. This seemed quite possible, for example, in many of the public school buildings where voting took place.

Recommendation #2

The SGH should call on the GEC to establish a multi-partisan panel of experts to examine more efficient and reliable methods of generating and maintaining an accurate and complete voters' list. The current process is unwieldy, prone to error and vulnerable to abuse. Far too much of the responsibility for ensuring the integrity of the lists falls to division committee members in the two weeks preceding an election. The objective should be to have a new and improved process in time for the next parliamentary elections in 2012.

Among other things, the panel should consider building the voters' list based on the final version of the list used in the previous election, rather than a list generated by the Civil Registration and Information Service. Voters who did not vote in the previous two national elections would automatically have their names removed from the list and would have to take the initiative themselves to have their names reinstated.

New arrivals would likewise be required to go to their local District Administration headquarters and provide appropriate documentation to have their names added to the list. The panel might also consider, in conjunction with such changes, the benefits of issuing a permanent voter certificate with a photo, as opposed to the single-use certificate now provided.

Recommendation #3

Election Day voting hours should be shortened to allow division committees to complete and report their vote count no later than 2:00 am on the morning following the Election Day. Consideration should be given to opening voting stations at 7:00 am and closing at 8:00 pm – two hours earlier than at present. This would be very consistent with international norms and, combined with shorter voter lists and a greater number of more productive division committees, would expedite vote counting and reporting.

Recommendation #4

Prior to the next general election, the GEC should issue clear and reasonable guidance on the criteria to be used for declaring a ballot invalid. The new guidance should place priority on determining voter intent as opposed to categorical marking instructions. The guidance document should include numerous examples of what kind of markings would or would not in general invalidate a ballot. These instructions should be displayed at voting stations.

Recommendation #5

Ballots should not be stamped and signed, and thus validated, in advance of voting. They should be signed and stamped as soon as possible before being given to voters. This function, in order to avoid delays, should be assigned to division secretaries as well as chairpersons. At no time should hundreds, much less thousands, of un-cast yet validated ballots be present anywhere in a voting station.

Recommendation #6

The requirement that each voting station receive 10 percent more ballots than the number of names on its voter list should be reconsidered. Considering that the average voting station in Ulaanbaatar had 3,650 names on its list, this amounts to a dangerously and unnecessarily large number of excess ballots in circulation. The problem is compounded by the fact that the ballots are virtually all pre-signed and stamped and thus activated. For every thousand names on a list, there should be no more than 30 excess ballots provided. Under the current system, far too many unused (and validated) ballots are afloat in the system.

Recommendation #7

Only a limited number of ballots should be delivered to division committees in advance of Election Day to accommodate advance

voters. From a security and procedural standpoint, it is imprudent to have thousands of ballots – which are being signed and stamped – in more than 1,700 relatively insecure locations for five days prior to Election Day. Also, by not delivering the bulk of ballots to the voting stations until the day before the election, it would also ensure that ballots were signed and stamped during the progression of the voting day and not in advance.

Recommendation #8

Consideration should be given to an alternative to the inking system, or at least the type of ink, that is currently in use. If a permanent voter certificate with a photo is considered, it can be designed in such a way that it could be hole-punched after an election as insurance against duplicate voting.

Recommendation #9

Serious efforts should be made to encourage and enable civil society to develop a nonpartisan monitoring organization, and the election law should be amended to provide for nonpartisan domestic election observers to serve as election observers in future elections.

Recommendation #10

The newly constituted SGH should revisit the issue of establishing a minimum number of women candidates on the lists of political parties and party coalitions. The relatively insignificant number of women candidates and women elected to the new parliament stands in contrast to the trend in most emerging democracies and in stark contrast to the role that Mongolian women played in administering the election.

V. Appendix

A. *Delegate List*

Delegates

1. **Mr. Michael Johnson, Australia**
Member of Parliament
2. **Mr. Christopher Green, Australia**
Department of Foreign Affairs and Trade
Executive Officer, North Asia
3. **Mr. Alan Hamson, Canada**
Canadian Embassy in Beijing
Second Secretary (Political) and Vice-Consul
4. **Mr. Chalil Lukmansjah, Indonesia**
Indonesian Election Commission (KPU)
Chief, Bureau of Public Relations and Participation
5. **Mr. Samino Partono, Indonesia**
Centre for Electoral Reform, Senior Researcher
6. **Mr. Takahiro Ishizaki, Japan**
Embassy of Japan in Mongolia
7. **Ms. Sayuri Muraki, Japan**
Embassy of Japan in Mongolia
8. **Mr. Ferdinand T. Rafanan, Philippines**
Commission on Elections (COMELEC)
Director, Law Department
9. **Mr. Eun-Keun Lee, Republic of Korea**
Busan Election Commission
Director, Management Division
10. **Mr. Joo-sung Jo, Republic of Korea**
Ministry of Foreign Affairs and Trade
Second Secretary, Human Rights and Social Affairs
Division
11. **Ms. Buskorn Prugsapongse, Thailand**
Royal Thai Embassy in Beijing
12. **Mr. Chanatip Bunyaket, Thailand**
Election Commission
Director, Electoral Research and Evaluation Division

13. **Mr. Agostinho Simao Barreto, Timor-Leste**
Ministry of Foreign Affairs
Senior Administrative Assistant, Office of the
Minister for Foreign Affairs
14. **Mr. Faustino Cardoso Gomes, Timor-Leste**
President, National Election Commission
15. **Mr. Chris Camponovo, United States**
U.S. Department of State
Senior Advisor, Bureau of Democracy, Human
Rights and Labor
16. **Mr. Robert Benjamin, United States**
National Democratic Institute for International
Affairs
Director, Central and Eastern Europe

IRI Staff

1. **Ms. Kimber Shearer**
Deputy Director, Asia Division
2. **Mr. Chris Wyrod**
Resident Country Director, Timor-Leste
3. **Mr. Brian Mefford**
Resident Program Officer, Ukraine
4. **Ms. Sara Taylor**
Program Officer, Bangladesh and Malaysia
5. **Mr. John Miller**
Assistant Program Officer, Mongolia and Cambodia
6. **Mr. Adam King**
Assistant Program Officer, China
7. **Mr. Urnukh Khuujii**
Senior Program Officer, Mongolia
8. **Ms. Itrat Amin**
Senior Program Officer, Bangladesh
9. **Mr. Rian Jensen**
Former Assistant Program Officer, Mongolia and
North Korea

B. APDP Preliminary Statement Issued June 30, 2008

Background

At the invitation of the Government of Mongolia and the Mongolian General Election Commission (GEC), a 16-member delegation, comprised of election and government officials, civil society representatives, and one parliamentarian from Australia, Canada, Timor-Leste (East Timor), Indonesia, Japan, the Philippines, Republic of Korea, Thailand and the United States carried out a short term observation of the June 29, 2008 parliamentary elections in Mongolia under the auspices of the Asia Pacific Democracy Partnership (APDP).

In preparation for their observation work, the APDP Delegates participated in numerous briefings and meetings with Mongolian political party representatives, election officials, and civil society representatives in the days immediately preceding the election. On Election Day, June 29, the delegation's nine teams observed various stages of the voting process at more than 110 individual voting centers. They encountered more than 1,500 election workers and thousands of Mongolian voters.

Preliminary Statement of Findings

Because ballot counting and reporting remains incomplete at the time of this statement, *findings to this point are partial and preliminary.*

Based upon their observations in locations where they observed voting and ballot counting, the delegation wishes to congratulate the Mongolian people, the Mongolian Government and the General Election Commission for their hard work and energetic participation in this election process. APDP observers expressed reasonable confidence that the election would provide a result consistent with the will of the Mongolian people. They also noted, however, that ballot counting and reporting has not been

completed in all areas of the country or even in all of the locations where they were present on Election Day. Important work remains to be done before the election can be declared an accurate reflection of the will of the Mongolian people.

The delegates regret the significant incidents of violence on July 1 in downtown Ulaanbaatar, and in response call on all political party leaders to publicly renounce the violence and urge their supporters to restore calm.

Preliminary Findings

Political campaigning appears to have been vigorous and peaceful in all parts of the country where APDP observers were present. Reports indicated that access to print and electronic media appeared to have been generally available on an equitable basis. Mongolian citizens were offered clear and varied political choices.

APDP observers were positively impressed by the dedication and preparedness of election officials at all levels in the locations where they observed. Several APDP observers also expressed appreciation for the substantial number of women participants in the process. The General Election Commission, the District Election Committees and the Sub-District Election Committees in the various Districts to which observers were assigned appear to have substantially met all critical deadlines established in the election law for the preparation and delivery of voter registration lists, ballots and other materials to individual polling stations. In all parts of Ulaanbaatar, as well as in the four outlying aymags where APDP observers were present, voting stations opened and closed on time, and though turnout was consistently high throughout the day, the voting stations were generally well organized, orderly and efficiently managed. Voters appeared to be confident and disciplined throughout the Election Day, and seemed to have little difficulty understanding the ballot or the

requirements of the new, multi-mandate voting system. Observers were sensitive to concerns expressed regarding the accuracy of the voter registration lists, and believe that the voter registration and identification process should be reviewed and improved prior to the next election. However, they did not find evidence to suggest that problems associated with the lists had either been exploited in a systematic manner, or that they had resulted in the disenfranchisement of a significant number of voters.

The high voter turnout, the relatively large number of voters assigned to each voting station, and the large number of candidates on the individual ballots all contributed to an extremely lengthy vote counting and reporting process. Though several observers did suggest that the election process would benefit if fewer voters were assigned to individual voting stations, all observers were nonetheless impressed with the orderliness with which the process unfolded. They did not report evidence of disagreement among polling station workers, or objections by party poll watchers, pertaining to the counting process. It should be noted, however, that only a small number of observers actually remained at voting stations through the conclusion of the vote counting and reporting process in their locations.

APDP observers also expressed admiration for the work of the nearly 1,000 Mongolian poll watchers that they encountered on Election Day. They were uniformly present at voting stations in all areas, appeared to be well trained and knowledgeable and comported themselves professionally. Observers believe that they played an important role in promoting the integrity of the process, but suggested that public confidence in the electoral process might benefit if non-partisan civic organizations were also allowed to have poll watchers present in voting stations.

In conclusion, the 16-members of the APDP delegation wish to express thanks and gratitude to their Mongolian hosts for the warm welcome that they have extended, and to congratulate the Mongolian people for this exercise in democratic self-government. It is the delegations' sincerest hope that the process will conclude peacefully and with a result that accurately reflects the will of the Mongolian people.

C. Background: Asia Pacific Democracy Partnership

At the 15th Asia-Pacific Economic Cooperation Leaders' Meeting in Sydney, Australia in September 2007, President Bush proposed the creation of a new Asia-Pacific Democracy Partnership (APDP). This partnership will provide a venue in which free nations will work together to support democratic values, strengthen democratic institutions, and assist those who are working to build and sustain free societies across the Asia-Pacific region.

- Unlike other regions, the Asia-Pacific region has no cooperative, multilateral regional mechanism dedicated to supporting countries' efforts to advance accountable, representative government and human rights. The APDP could address that need as a partnership in which Asia-Pacific democracies offer resources and practical expertise in support of democratic development.
- The APDP will complement existing and emerging multilateral institutions and efforts in the region. The partnership will be informal, action-oriented, flexible and efficient. Concrete activities will focus on what countries can do to support each other in their democratic development, emphasizing practical and voluntary cooperation and assistance.
- The APDP will work in a complementary way with other democracy-building institutions whose global outlook or different membership requirements may limit the potential for specialization and cooperation.
- Countries at different stages of democratic development in the Asia-Pacific region will be encouraged to seek assistance according to their needs. The APDP network will stand ready to assist members and any other country that should choose to reach out to the group.

- APDP initiatives can include: an election observation and assistance network; sharing best practices and lessons learned about efforts to promote the rule of law; building good governance capacity to enhance accountability and transparency and strengthening democratic norms and institutions, such as political parties and government branches; and human rights promotion, especially developing free and independent media, tolerance and non-discrimination, and civil society.

One of the first initiatives of the APDP is to participate in an international election observation mission of the June 29, 2008 parliamentary elections in Mongolia. The Government of Mongolia has approved of this project, and welcomes the delegation.

D. Official Election Results Released by the GEC on July 14, 2008

Voting District	Total Eligible Voters	Turnout	% Turnout	Names	Party	Votes	% of votes
Arkhangai	54,140	43,271	79.92%	N.Batbayar	DP	23,622	55.47%
				R.Gonchigdorj	DP	21,020	49.36%
				S.Lambaa	DP	20,526	48.20%
Bayan Olgi	52,543	42,417	80.73%	Kh.Jekei	MPRP	23,257	56.47%
				A.Teleikhan	MPRP	22,967	55.76%
				Kh.Badelkhan	MPRP	20,583	49.97%
Bayankhongor	48,500	39,226	80.88%	G.Zandanshatar	MPRP	19,895	51.53%
				B.Batbayar	DP	17,717	45.89%
				Kh.Battulga	DP	21,122	54.71%
Bulgan	34,223	27,666	80.84%	E.Monkh Ochir	MPRP	17,121	62.91%
				Ts.Tsengel	MPRP	11,514	42.31%
Gobi Altai	34,313	28,264	82.37%	Ts.Dashdorj	MPRP	17,699	63.35%
				J.Enkhbayar	MPRP	19,015	68.06%
Gobisumber & Dornogobi	43,152	32,609	75.57%	J.Batsuuri	MPRP	15,013	46.60%
				Ya.Batsuuri	DP	17,768	55.16%
				D.Odbayar	MPRP	13,039	38.54%
Dornod	45,653	34,493	75.55%	Ts.Shinebayar	MPRP	13,782	40.74%
				P.Altangerel	DP	13,356	39.48%
Dundgobi	27,506	22,391	81.40%	Kh.Narankhuu	MPRP	11,971	54.23%
				R.Rash	MPRP	10,558	47.83%
Zavkhan	46,623	37,326	80.06%	D.Baldan Ochir	MPRP	21,309	57.71%
				D.Oyunkhorol	MPRP	17,589	47.64%
				Sh.Saikhansambu	MPRP	17,989	48.72%
Ovorkhangai	70,204	54,007	76.93%	D.Lundeejantsan	MPRP	25,685	48.59%
				G.Batkhuu	DP	29,309	55.44%
				D.Zorigt	DP	27,776	52.54%
				Z.Enkhbold	DP	26,003	49.19%
Omnogobi	31,036	25,142	81.01%	Kh.Badamsuren	MPRP	13,617	54.71%
				Ts.Bayarsaikhan	DP	10,103	40.59%
Sukhbaatar	34,042	28,496	83.71%	Ch.Ulaan	MPRP	18,246	65.15%
				R.Bud	MPRP	14,117	50.40%
Selenge	60,945	45,192	74.15%	O.Chuluunbat	MPRP	23,944	53.81%
				E.Bat Uul	DP	22,016	49.48%
				S.Bayartsogt	DP	25,941	58.30%
Tov	53,593	39,892	74.44%	S.Batbold	MPRP	22,599	57.58%
				D.Dondog	MPRP	17,693	45.08%
				M.Enkhbold	MPRP	23,051	58.73%
				N.Enkhbold	MPRP	22,857	58.20%
Uvs	46,974	39,255	83.57%	B.Choijilsuren	MPRP	22,044	57.34%
				Ts.Nyamdorj	MPRP	21,198	55.14%
				Ch.Khurelbaatar	MPRP	23,985	62.39%

				D.Demberel	MPRP	15,708	42.29%
Khovd	47,700	37,917	79.49%	G.Byambatsogt	MPRP	19,344	52.08%
				R.Amarjargal	DP	14,998	40.38%
				Ts.Davaasuren	MPRP	26,177	45.67%
Khovsgol	74,668	58,253	78.02%	O.Enkhtuvshin	MPRP	26,232	45.77%
				L.Gundalai	DP	30,224	52.73%
				Ts.Sedvaanchig	DP	29,756	51.92%
Khentii	42,150	32,544	77.21%	D.Arvin	MPRP	14,161	44.29%
				B.Bat Erdene	MPRP	15,710	49.14%
				N.Ganbyamba	MPRP	16,153	50.52%
Darkhan Uul	49,361	39,759	80.55%	J.Sukhbaatar	MPRP	14,823	37.80%
				D.Khayankhyarvaa	MPRP	17,259	44.01%
				L.Gansukh	DP	19,679	50.18%
Orkhon	54,987	40,366	73.41%	D.Damba Ochir	MPRP	19,511	48.78%
				D.Odkhuu	DP	19,195	47.99%
Khan Uul, Baganuur & Bagakhangai	72,781	54,716	75.18%	D.Zagdjav	MPRP	18,132	33.71%
				L.Bold	DP	20,135	37.43%
Bayanzurkh & Nalaikh Districts	158,467	107,621	67.91%	Ch.Saikhanbileg	DP	55,790	52.66%
				Z.Altai	IND	60,320	56.94%
				Ts.Batbayar	MPRP	41,542	39.21%
Sukhbaatar District	67,999	49,188	72.34%	D.Ganhuyag	DP	37,321	35.23%
				S.Bayar	MPRP	29,941	61.94%
				S.Batbold	MPRP	23,091	47.77%
Chingeltei District	74,583	57,702	77.37%	L.Gantomor	DP	22,058	45.64%
				D.Ochirbat	MPRP	20,296	36.01%
				G.Bayarsaikhan	DP	20,031	35.54%
Bayangol District*	87,390	67,227	76.90%	Ts.Elbegdorj	DP	30,893	54.82%
				Ts.Monkh Orgil	MPRP		
				Kh.Temuujin	DP		
Songinokhairkhan District	129,084	94,508	73.21%	D.Enkhbat	Civil Coalition		
				S.Erdene	DP		
				D.Terbishdagva	MPRP	38,525	41.34%
Ulaanbaatar	560,304	430,962	73.01%	N.Altankhuyag	DP	36,664	39.34%
				D. Kyokushuzan			
				Batbayar	DP	54,926	58.94%
				S.Oyun	CWP	34,319	36.83%
TOTAL		1,542,617	1,179,448	76.46%			

* At the time of print, the results from the Bayangol District were not finalized by the General Election Commission, and none of the four elected representatives had been sworn into office.

E. Official Rules of Procedure for Foreign Observers

*Appendix 2 to General Election Committee Decree
No. 7 of 30, January 2008*

One. General Provision

- 1.1 This rule of procedures is aimed to coordinate activities of foreign observers to observe procedure of SGH election.
- 1.2 A “foreign observer” refers to a person who is appointed by an international organization, government or non-governmental organization of a foreign country and has sent an official request on SGH election observation to the General Election Committee and has also registered and given a name card.
- 1.3 The foreign observer shall have observation on SGH election procedure freely within the scope of Mongolian legislation.
- 1.4 The foreign observer’s travel right in Mongolia and other related cost shall be charged by appointed organization or the observer - him/herself.
- 1.5 The foreign observer shall wear the name card of foreign observer given by General Election Committee when having election observation.
- 1.6 Full power of foreign observer shall start when the foreign observer has been given a name card from the General Election Committee and shall be finished by the end of day the official election results come out.

Two. Required Documents of Poll Watcher

- 2.1 Following documents should be brought for registration:
 - 2.1.1 Brief bio of foreign observer as approved attachment of this rule
 - 2.1.2 Personnel identification /passport, ID

2.1.3 One copy of passport photo /4x6/

2.1.4 The request to do an election observation should be sent to General Election Committee before election day.

Three. Rights of Foreign Observer

3.1 The foreign observer shall have the following rights:

1.3.1 To have information on work coordination of election divisions

1.3.2 To be introduced to election constituency, procedure of its branch and election division, organization of polling station, voters' name list

1.3.3 To observe at the polling station on election day

1.3.4 To observe on checking and sealing of polling box, polling, opening of polling box, computing ballots and outlining procedure without interfering

1.3.5 To observe pre-polling procedure

1.3.6 To send observation recommendations and conclusion to General Election Committee after the election and present it through media

1.3.7 To take photos and video during the election observation

Four. Foreign Observer and Invited Organization's Responsibilities

4.1 The foreign observer shall have the following responsibilities:

4.1.1 To pursue Constitution of Mongolia and related election legislation

4.1.2 To not interfere and disturb election divisions' procedure and voters' right to vote secretly

4.1.3 To not use or bring advertising items to support or oppose party, coalition, or independent candidate

4.2 Invited organization shall have the following responsibilities:

4.2.1 To register the foreign observer in the General Election Committee

4.2.2 To be in charge of all service for foreign observer

4.2.3 To assist foreign observers to implement his or her rights mentioned in 3.1 of this rule

4.2.4 A translator of the foreign observer shall have responsibilities stated in 4.1 of this rule

4.3 It is prohibited that the foreign observer participate in advertising activities of party, coalition and independent candidate and use his or her poll watcher rights in other activities other than election observation stated in 3.1 of this rule.

4.4 If the foreign observer violates 4.1 and 4.3 of this rule, the General Election Committee shall cancel his or her rights to observe, note it, and take away his or her name card.

F. Official Instruction on Vote Counting and Summing Up the Results of the Polling Process

*Appendix to the General Election Commission
Decree no. 21 of 09 May 2008*

One. General Provision

1.1 This instruction is aimed to coordinate vote counting and sum up the results of the polling process.

1.2 The vote counting process shall be started at exactly 10 PM and should be a continuous, open and transparent process. It must continue until the polling results are finished summing up.

1.3 Election observers and media representatives may be present during the vote counting and release of the results of the polling process.

Two. Organizational Structure of the Election Division

2.1 Members of the Election Division shall be given the responsibility of vote counting and summarizing the results of the polling process. A schedule shall be approved by the Election Division meeting on the day before polling.

2.2 The Chair of the Election Division shall be in charge of leading the vote counting and the poll results process and he/she should explain all processes that everybody at the polling station be able to hear and provide possibilities to note it down in the Election Division records on vote counting process (hereinafter “the records”) and the polling result tabulation of the vote counting and vote casting (hereinafter “the result tabulation”).

2.3 The Secretary of the polling station shall take notes on the vote counting and poll results process. All information, numbers and documents regarding the vote counting and poll results process should be noted on the record. This record shall be sealed and signed by the members of the Election Division.

2.4 When the member of the Election Division enters data into the result tabulation, it must be clear and readable.

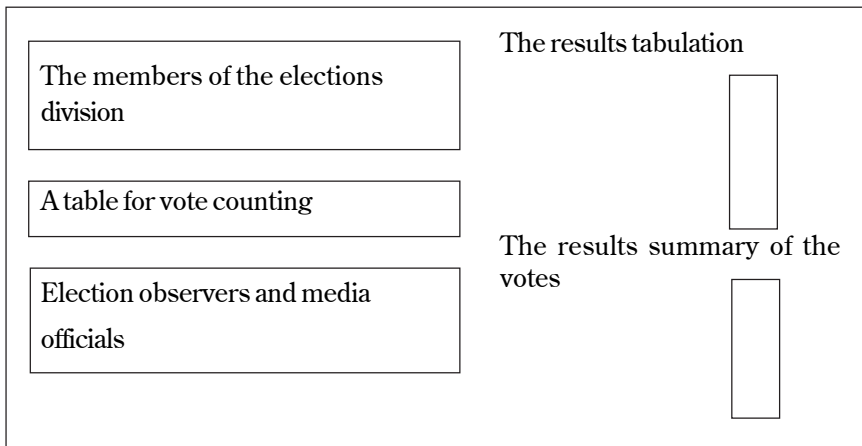
2.5 The vote counting and poll results should proceed in the position and distance that the election observers and media representatives are able to observe.

Three. Vote Counting

3.1 The Chair of the Election Division shall declare the closure of polling and the preparation work before vote counting shall be started. Each vote counting and poll results process shall be announced and conducted by the Chair of the Election Division.

3.2 The polling station should be arranged as shown below before starting the vote counting.

Exhibit 1



3.3 The required documents and stationery should be prepared beforehand. They are:

3.3.1 A vote counting form (Attachment 1)

3.3.2 A result summary of the counted votes (Attachment 2)

3.3.3 The results tabulation of the vote counting and vote casting (Attachment 3)

3.3.4 A special box for classifying the ballot papers

3.3.5 The required stationery such as pens, markers, glues, scissors, tapes and other items for making notice of vote casting results

3.3.6 The records form of the Election Division to write down the vote counting process

3.3.7 The resolution form of the Election Division on the results of the vote counting process.

3.4 The results tabulation forms (3.3.2, 3.3.3) should be placed on the wall where the members of the Election Division, election observers and media officials are able to see.

3.5 Based on the voter's list, the total number of registered voters on the voter's list, the total number of moved-in and moved-out voters in the Election Division, and the total number of voters who cast their votes through sealed mobile ballot box should be announced at that particular time and noted down on the results tabulation.

3.6 Below each page of the voter's list, the total number of the voters registered on that page and the total number of voters who cast votes shall be written down and sealed by the Election Division.

3.7 The Election Division shall count the total number of received voter ID cards including the total number of issued voter ID cards

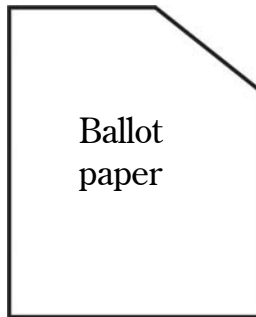
to voters, invalid due to erroneously marked, lost and unused voter ID cards respectively, and note on the records and the results tabulation. Unused and invalid voter ID cards shall be packed and sealed. The total number of the voter ID cards shall be written down on the packet. A report on used voter ID cards shall be done according to the approved form.

3.8 The total number of used ballot papers through vote casting in advance polling and mobile polling box and the total number of used ballot papers on the polling day at the polling station shall be counted. Then, the total number of used ballot papers shall be compiled and noted on the record and the results tabulation.

3.9 The total number of the used ballot papers shall be calculated by the sum of the ballot papers coming from the ballot box and taken back due to erroneous markings.

3.10 The non-issued, erroneously marked and returned ballot papers shall be counted separately. The upper-right corner shall be cut for the records and the results tabulation and such ballot papers shall be sealed and kept in the special box. The name and number of the documents which were sealed should be written on the top of the special box.

Exhibit 2



3.11 The sum of the number of the used, returned and unused ballot papers in the polling should be equal to the total number of the ballot papers received by the Election Division. If it is not equal, then the reason for such difference shall be inspected by the division. If necessary, the ballot papers which were returned and unused should be recounted and noted on the records and signed by all participants in the vote counting process.

3.12 After examining the calculation, the total number of ballot papers taken out of the ballot box should be counted in advance and the number of the voters who cast their votes whether matching with the number of the total used ballot papers shall be examined and noted on the records.

3.13 After finishing the calculation, the ballot boxes shall be opened and the ballot papers shall be counted next to each ballot box. The numbers of the ballot boxes and single used ballot seals should be recorded.

3.14 The ballot papers with envelopes of the voters cast their ballots in advance polling should be taken out from the envelopes and mixed with other ballot papers without jeopardizing the secrecy of the voting.

3.15 The ballot papers in the mobile polling box and polling box that casts ballots according to the additional name lists should be counted separately after counting ballot papers in the stationary polling box.

3.16 The valid and invalid ballot papers coming from each ballot box shall be classified and counted separately and recorded. Then the invalid ballot papers are placed in the special box and sealed. The name and number of the documents that were sealed should be written on the top of the special box.

3.17 Ballot papers in which no vote is marked or the names of all candidates are crossed out shall be considered a valid ballot paper. These ballot papers shall be packed separately from the valid ballot papers in which the vote is made in favor of the candidates and sealed. The name and number of the documents which were sealed should be written on the top of the special box. All members should participate in the ballot paper sorting.

3.18 The valid ballot papers in which votes are cast in favor of the candidates shall be bundled by 30 pieces. Then the members of the Election Division who participate in the vote counting process shall be divided into two groups and start working. When dividing the members into groups, the representatives of the parties and coalitions should be balanced.

3.19 The first group shall be composed of no fewer than three members. One of them shall read out the candidate's names that have got votes on each valid ballot papers to the other members and count them and place the ballot paper on the middle of the table where other members are able to see it. During this process other members of the Election Division and election observers shall observe from outside and control the process of announcing and counting the votes of the candidates.

3.20 The ballot paper which casts votes for less mandates than the constituencies official mandates shall be considered a valid ballot paper and the votes for each candidate shall be counted.

3.21 Every member of the second group shall record the votes of the each candidate on the vote counting form shown in Attachment 1.

3.22 The result of every bundle shall be calculated according to Attachment 1 and inspected. The result of the votes of the candidate shall be recorded on the hindmost cell of the horizontal

part of the form and the number of votes marked on that ballot paper shall be written on the lowermost cell of the vertical part of the form and calculated results of the vertical and horizontal parts should be met. The results of every bundle should be recorded on the enlarged form of the result summary of the counted votes.

3.23 After checking and compiling the results of the bundle the ballot papers. That bundle shall be packed together with the vote the counting form and placed separately.

3.24 The results of the votes for each candidate shall be compiled according to the result summary of the counted votes and vote percentages. The summary of each candidate shall then be announced based on comparison between the total valid ballot papers of the division and then noted on the vote counting records and the results tabulation.

3.25 When calculation of the number of votes for the each candidate is finished and compiled, the valid ballot papers shall be bundled, placed in the special box and sealed. The name and number of the documents that are sealed should be written on the top of the special box.

Four. Summing Up polling results

4.1 The Election Division shall sum up and read aloud the results of the polling at its meeting, then report it to the Election Committee. The number of ballot papers taken out from the ballot box is different or more than the number of the ballot papers calculated in advance, and if it may cause serious impact on the polling results the Election Committee shall be informed immediately. The Election Committee shall arrive and make an appropriate decision and implement it.

4.2 When the polling results of the division are summed up, the Chair and the Secretary of the Election Division should deliver a resolution on the results of the polling, the meeting records, the result summary of counted votes, the results tabulation, and all ballot papers should be sorted. They should then be placed in special boxes and taken to the Sub-district Committee, if not to the Election Committee.

4.3 The election observers may join with the Chair and the Secretary of the Election Division when they deliver the electoral documents to the upper-level committees by his/her own vehicle.

4.4 The Election Committee shall receive all documents delivered by the Sub-district Committees and Election Divisions and sum up the polling results by its meeting within three days and report it to the General Election Commission by phone.

4.5 The polling results at Committee level shall be compiled on the approved form and delivered to the Chair and the Secretary of the Election Committee and the General Election Commission along with other documents within two days.

4.6 The Election Committee is prohibited to open the ballot paper bundles which are packed and sealed in the special boxes and delivered by Election Divisions. Based on the authorized organization's approval, the sealed bundles can be opened and recounted and recorded. This shall be signed and approved by all participants in the vote recounting process.

*Five. Prohibitions During the Vote Counting and
Poll Results Process*

5.1 The following are prohibited during the vote counting process:

5.1.1 No officials can be present except for the members of the Election Division, election observers, media

representatives and security staff to be present at the polling station;

5.1.2 Officials who are present at the polling station during the vote counting process cannot use mobile phones and other mobile communication means;

5.1.3 No officials except for the members of the Election Division involved in the vote counting and poll results, no use of force and threats;

5.1.4 No officials who are present at the polling station will go out of the station without permission. Other officials cannot come into the polling station before the poll results and are released.

