

PROPOSAL GIVEN ON THE STATE GREAT KHURAL ELECTION LAW

Citizens Will – Republican Party has studied the two draft laws on State Great Khural Election received from the State Great Khural Standing Committee on State Structure, and hereby is expressing the Party's official position.

The Election Law plays a significant role in developing parliamentary structure in Mongolia.

We consider that some important suggestions conducive to strengthening accountability system and making more mature the parliament are put forward in the two alternative law drafts. For instance, our party, as the party standing for the development of accountability system, supports the following important provisions regarding the candidate to the State Great Khural:

- ◇ Candidate shall make open the income statement before his/her nomination
- ◇ Candidate shall not have outstanding overdue debt obligations on bank loans or loan guarantee contracts
- ◇ Candidate shall not have debts due to the taxation authorities
- ◇ Candidate nominated to the member of the State Great Khural shall be released from the public service in accordance with the Law on Public Service if he/she is the full rank public servant
- ◇ Candidate shall not accept donations for the purposes of elections exceeding 5 million MNT from an individual and 10 million MNT from a legal entity
- ◇ Candidate shall make public any donations exceeding 200 million MNT

Citizens Will – Republican Party hereby presents the six item proposal that we considered important for improving the State Great Khural Election Law.

- ◇ **First Proposition** by the Citizens Will – Republican Party

Organizing State Great Khural elections by mixed system

Theoretically, majoritarian system is conducive to the establishment and development of centralized parties with unified organizations and to the prevention of centralization of political power in the hands of a party apparatus, and clearly emphasizes individual freedom and individual accountability.

Proportional electoral system allows for a proportionate representation of differing voters beliefs, i.e. it allows for the parliament better representing the electors.

Our party believes that optimal mix of these two systems will lead to the formation of a parliament that realistically ensures the representation of voters.

- ◇ **Second Proposition** by the Citizens Will – Republican Party

Increase the State Great Khural Number of Nominees (Seats) for Ulaanbaatar from 20 to at least 26

Should our first proposition be deemed unacceptable, we believe it is necessary to further develop the currently used majoritarian system.

According to the 2001 Population Census, compared to 1996 the population of Ulaanbaatar increased by at least 200 thousand to reach 812.5 thousand people, and according to informal sources it has reached over the past two years one million. Therefore, in order to ensure equitable rights and representation of voters, Ulaanbaatar needs to be represented by at least 30-35 seats in the State Great Khural. But, considering administrative and territorial peculiarities, we propose to allocate at least 26 State Great Khural seats to Ulaanbaatar city, thus increasing the previous amount by at least 6 seats.

- ◇ **Third Proposition** by the Citizens Will – Republican Party

Candidate shall receive more than 50 percent votes of electors

The following votes quorum (threshold) shall be reached for a candidate voted by a majoritarian system to get elected the member of State Great Khural:

Election by simple majority votes. The candidate shall have received at least 50 percent of votes to get elected. This is represented by the formula '50 percent plus one vote'. In case of presence of more than two candidates and none of them getting more than 50 percent by initial voting, organizing second voting complies with this principle.

◇ **Fourth Proposition** by the Citizens Will – Republican Party

Voter is given a right to elect any number of candidates within the given number of members (seats)

This is to make amendments to the law allowing voters to support the candidate from the list of candidates on the election ballot paper, not exactly equal to the number of seats in the State Great Khural from the given electoral district, but decide how many people to elect, within the given number of members (seats).

For instance, an elector voting in a 3 mandate district can vote for one or two persons. It might happen that voters like one or two candidates only. Therefore, forcing voters to cast their votes for three people seriously violates the right of people to elect.

◇ **Fifth Proposition** by the Citizens Will – Republican Party

On the ballot paper, allocate the names of parties or coalitions after the names of candidates based on the lottery

To ensure equality among candidates and nominating parties or coalitions, we believe that it is appropriate to decide the sequence of parties and coalitions on the ballot papers not accordingly to their registration sequence at the Supreme Court (Provision 3, Article 32 of the State Great Khural Election Law), but organize a lottery among parties and coalitions.

◇ **Sixth Proposition** by the Citizens Will – Republican Party

Involving Mongolians living abroad in the elections

We propose to add new provision in the law on providing Mongolian citizens living overseas with the opportunity to participate in the elections and cast their votes. According to unofficial statistics, more than 100 thousand Mongolian citizens live abroad.

It is appropriate to provide opportunities for Mongolians living in certain countries and cities to vote in certain districts. For example, Mongolians living in Seoul city of the South Korea shall have the opportunity to cast their votes for candidates in districts of Ulaanbaatar or aimags.

These are our six propositions.

Member of State Great Khural, Chairwoman of the Party

Sanjaasuren Oyun

Notes:

1. Provision 1, Article 21 of the Constitution of Mongolia. The State Great Khural shall be unicameral and consist of seventy six members.
2. Law on State Great Khural Elections, Article 8. Electoral districts and establishing districts.
 - Elections shall be organized by establishing uninominal (single member or seat) districts. (According to the draft laws initiated by the members of the Standing Committee on State

Structure of the State Great Khural, there are two options being discussed allowing both single and multiple member districts)

- The electoral districts shall be established by the State Great Khural 70 days before vote casting day, with consideration of the size of population of aimags and capital city districts. Should aimag population size be smaller than the average size of electoral districts established by the State Great Khural in the country, one district can be established merging neighboring aimag soums.
- State Great Khural shall set electoral district reference number, territory and the center.