

GENERAL

OVERVIEW

2024 STATE GREAT HURAL (PARLIAMENTARY) ELECTION OF MONGOLIA

KEY CHALLENGES AND CONSIDERATIONS FOR ENSURING FREE AND FAIR ELECTIONS

Introduction

The 2024 regular parliamentary election in Mongolia marked an important moment in the country's democratic development, as it resulted in the formation of the first 126-member parliament. The 2023 constitutional amendments, along with revisions to the Law on Parliamentary Elections, introduced a new mixed-member electoral system in which 78 members were elected through a majoritarian system and 48 through a proportional system.

In the election held on June 28, 2024, a total of 19 parties and 2 coalitions participated. With 1,341 candidates—the highest number in Mongolia's democratic history—the competition was unprecedented: 372 candidates appeared on party lists, 969 contested majoritarian seats, and 42 independent candidates ran in constituencies. Of the 2,089,939 registered voters, 1,448,300 cast ballots, resulting in a turnout of 69.4%. This was lower than the 73.64% turnout recorded in the 2020 election, held during the pandemic, and marked only the

second time in Mongolia's democratic history that turnout fell below 70%.

A notable improvement in the conduct of this election was the real-time public reporting of voter turnout data—disaggregated by gender and age group—throughout election day. Although there were concerns that the new electoral system, particularly the manual recount of ballots automatically tallied at each polling station, might cause delays, no significant issues were observed.

It is also noteworthy that women won 32 of the 126 seats, representing 25.4% of parliament. This figure is close to the global average of 27% and higher than the Asian regional average of 22%.

Despite these positive developments, this report identifies several issues that diverged from the principles of free and fair elections and require attention to further strengthen the legitimacy of future electoral processes.

1. Electoral System and Issues Related to Constituencies and Mandates

1.1. Ensuring Equal Weight of Votes

On December 21, 2023, the Parliament of Mongolia adopted Resolution No. 112, which established 13 majoritarian constituencies with two to ten seats each, using a regional clustering approach. Of the 78 majoritarian seats, 54 were allocated to seven rural constituencies and 24 to six constituencies in the capital.

Compared to the 2020 election, the proportion of voters residing in the capital increased

from 44.7% to 47.1% of the total electorate. However, the two additional seats created through the recent legal reforms were allocated to rural constituencies rather than to the capital, where the voter population had actually grown. This allocation contradicts the principle of equal suffrage in democratic elections, as guaranteed by international legal instruments ratified by Mongolia, including the International Covenant on Civil and Political Rights (ICCPR).¹

Table 1: Constituencies, Seats, and Number of voters in the 2024 Parliamentary Election

Constituency	Administrative Unit	Voter Population	Total Population	Number of Seats	Voters per Seat
1	Arkhangai	60,971	94,318	9	20,851
	Bayankhongor	56,393	88,967		
	Uvurkhangai	74,950	116,323		
2	Govi-Altai	37,447	57,555	10	19,209
	Zavkhan	46,839	46,839		
	Uvs	52,503	85,505		
	Khovd	56,652	91,892		
3	Bayan-Ulgii	69,241	116,191	3	20,936
4	Bulgan	40,759	60,700	8	24,111
	Orkhon	71,262	110,052		
	Khuvsgul	88,381	137,829		
5	Darkhan-Uul	70,224	109,312	10	19,339
	Selenge	71,335	107,906		
	Tuv	62,531	95,045		
6	Dornod	52,914	84,350	7	20,488
	Sukhbaatar	41,679	65,760		
	Khentii	51,419	80,010		

¹ Part 21 of General Comment No. 25, adopted at the 57th session of the UN Human Rights Committee in 1996, on the UN International Covenant on Civil and Political Rights.

Constituency	Administrative Unit	Voter Population	Total Population	Number of Seats	Voters per Seat
7	Govisumber	11,058	17,942	7	18,864
	Dornogovi	45,553	71,391		
	Dundgovi	30,466	46,314		
	Umnugovi	47,799	76,581		
Ulaanbaatar					
8	Bayanzurkh	273,215	436,198	5	49,904
9	Bayangol	164,592	260,404	3	48,651
10	Sukhbaatar	103,345	159,227	6	30,519
	Chingeltei	103,491	156,344		
11	Songinokhairkhan	221,174	352,162	5	40,738
12	Khan-Uul	170,830	281,477	3	52,250
13	Baganuur	19,633	30,146	2	22,943
	Bagakhangai	3,002	4,613		
	Nalaikh	26,713	42,165		

Mongolia signed the International Covenant on Civil and Political Rights (ICCPR) in 1968 and ratified it in 1974. Article 25 of the covenant guarantees citizens the right to participate in public affairs, to vote, and to hold public office on general and equal terms. General Comment No. 25, adopted by the UN Human Rights Committee at its 57th session in 1996, emphasizes in paragraph 21 that although the covenant does not prescribe a specific electoral system, any system chosen by a State Party must align with the rights protected under Article 25 and ensure the free expression of the voters' will. This includes the principle of "one voter, one vote," whereby each vote should carry equal weight. Therefore, the process of delineating constituencies and allocating seats must not be biased by the number or geographic distribution of voters, must not discriminate against any group, and must not unduly restrict citizens' ability to freely choose their representatives.

In the 2024 parliamentary election, the average number of voters per seat in the capital was 41,068, while in rural areas it was 20,451. Although perfect equality in voter-to-seat ratios is unattainable in a majoritarian system, significant disparities undermine the principle of electoral equality. International observers of the 2024 election noted that democratic countries generally aim to ensure that variations in voters per seat do not exceed 10–15 percent from the national average. Based on registered voters as of June 2024, the national average was 26,794 voters per seat. However, constituencies in the capital exceeded this average by more than 53 percent, while rural constituencies fell 23.6 percent below it. This disparity means that a vote cast in a rural constituency—where the population is declining—carries substantially more weight than a vote cast in the capital. Overall, the number of voters per seat ranged from 18,864 to 52,250, demonstrating a clear failure to uphold the principle of electoral equality.

Article 12.3 of the Law on Parliamentary Elections states that constituencies should be delimited based on the population of provinces and districts, administrative divisions, territorial size, and location. Article 12.4 requires that administrative units within a constituency be geographically contiguous. In practice, the regional clustering used in the 2024 election placed primary emphasis on administrative boundaries and geographic considerations, while failing to account for population size and the ongoing migration trend toward urban areas.

Although Mongolia's vast territory is often cited as a challenge to achieving balanced seat allocation, international experts argue that this concern can be addressed through alternative mechanisms, including budget allocation, and should not justify deviations from electoral equality.

Constituencies are a fundamental component of the electoral system, and their delimitation directly influences election outcomes. Consequently, re-drawing constituency boundaries for every election produces effects similar to repeatedly changing the electoral system itself.

Thus, it is necessary to amend Article 12.1

1.2. The Ballot-Marking Rule and Its Impact on Voter Preference

Another critical component of the electoral system that directly affects the allocation of parliamentary seats is the regulation of the voting process.

of the Law on Parliamentary Elections, which currently states that "The Parliament shall establish constituencies before February 1 of the year of the regular election." In other democracies in the region, more stable and independent mechanisms are used. For example, in India, an independent commission is established after each decennial census to determine whether constituency boundaries need to be updated, and as a result, India's constituencies have remained largely stable since 1950. In the Philippines, constituency updates are considered within three years of each census, and boundaries have also remained stable. In Australia, if the number of voters per seat in one-third of constituencies deviates from the national average by more than 10 percent, an independent commission—including a statistical expert—is convened to revise the boundaries through a process that incorporates public input.²

To ensure electoral integrity in the future, the process of delimiting constituencies and allocating seats should not be determined solely by the parliamentary majority. Adopting international best practices—such as establishing an independent, professional commission that operates transparently and incorporates public consultation—would enhance fairness and strengthen confidence in the electoral process.³

Article 72.1 of the Law on Parliamentary Elections states that a ballot is considered invalid if a voter marks fewer candidates than the number of seats allocated to

² Asian Network for Free Elections. 2023. <https://anfrel.org/regional-roundtable-concluded-with-the-kuala-lumpur-declaration-on-ap-portionment-and-boundary-delimitation/>

³ Declaration on criteria for free and fair elections Unanimously adopted by the Inter-Parliamentary Council at its 154th session (Paris, 26 March 1994)

the constituency. As noted earlier, the 13 majoritarian constituencies in the 2024 election had between two and ten seats. This rule forces voters who support fewer candidates to mark additional names they do not endorse in order for their ballot to be counted. Such a requirement undermines the principle of free choice and prevents election results from accurately reflecting the voters' genuine preferences.

The Constitution of Mongolia guarantees the fundamental right to a free vote in Article 21.2, which states: "Members of the State Great Khural shall be elected by the citizens of Mongolia who have the right to vote, on the basis of universal, free, and direct suffrage, by

secret ballot for a term of four years."

According to interpretations by the United Nations and other reputable international organizations, a free election is one in which voters can choose whether to support a particular candidate, party, or coalition, and can make that choice in secret and without external influence, coercion, or fear. The principle of a secret ballot is intended to ensure an environment of free choice and to guarantee that election outcomes genuinely reflect the will of the electorate.

In this context, a voter's decision not to support a particular party, coalition, or candidate is itself an exercise of free choice.

2. Right to Be Elected: Candidate Eligibility and Nomination Processes

2.1. Internal Party Democracy and Candidate Selection

The 2019 constitutional amendments introduced an important provision in Article 19, which states: *"The internal organization of a party shall be consistent with democratic principles, and its sources and use of income shall be transparent to the public. The*

procedures for a party's organization and activities, its financing, and the conditions for state financial support shall be determined by law." One of the key indicators of a party's internal democracy is the process by which it nominates candidates.

Scholars studying internal party democracy typically examine three main dimensions: the level of participation of party members and other stakeholders in selecting leaders, nominating candidates, and shaping the party's platform; the degree of centralization in decision-making; and the extent of institutionalization of internal rules and procedures.

- **Openness and Participation:** This dimension assesses the extent to which a party consults and engages its members, supporters, and other stakeholders, as well as the influence of their input on decision-making. In highly restricted party environments, key decisions are made by a single leader or a small group, leaving little or no room for broader participation.
- **Centralization:** This refers to where decision-making authority is concentrated. In a highly centralized party, the executive leadership makes the principal decisions, which the rest of the organization is expected to follow.
- **Institutionalization:** This concerns the degree to which decision-making processes are formalized through internal regulations and supported by mechanisms to enforce compliance.

Within the framework of the 2023 revised Law on Parliamentary Elections, which elaborated the mixed-member system, a new requirement was introduced for the 48 proportional seats: candidate lists must follow a 1:1 gender ratio.

A central concern for many voters in this election was the real, practical impact of the 2023 reforms. Specifically, did the expansion of parliament from 76 to 126 seats create an environment in which high-caliber, credible candidates—free from the undue influence of money in politics—were able to compete?

The direct result of this legal reform was the election of the highest number of women in history, with 32 female members of parliament. However, it is important to note that only 8 of the 78 members elected through the majoritarian system were women.

The political parties, as key institutions for ensuring the right to be elected, failed to show active leadership in implementing the constitutional changes in this election. The nomination process for the parties that now hold a dominant position in parliament was

again based on agreements among a small number of party leaders.⁴

The candidate selection process clearly lacked key elements of internal party democracy, including meaningful participation by party members and transparency. In some cases, parties even submitted two different candidate lists to the General Election Commission (GEC), resulting in disputes. In this context, it can be concluded that the 2019 constitutional amendments did not produce significant improvements in internal party democracy in the 2024 election.

Looking ahead, and in line with the new Law on Political Parties passed in 2023, parties should follow nomination procedures that ensure member participation and transparency. These procedures should also clearly define mechanisms for resolving disputes that arise during the nomination process. In addition, parties should make these rules publicly accessible to both their members and the broader public to uphold the principles of internal party democracy.

2.2. Issues Related to Candidate Registration

In accordance with the timeframe set by law, the GEC received candidature documents from a total of 1,416 individuals by May 25, 2024: 985 nominated by parties or coalitions for constituency races, 385 for party lists, and 46 independent candidates. At its meeting on

May 30, 2024, the GEC registered 1,206 party or coalition candidates and 39 independent candidates—1,245 in total—and issued their certificates. The GEC refused to register 154 individuals who did not meet the eligibility requirements.⁵

⁴ Once from one place, Mongolian People's Party (MPP): With the conference concluded, they are preparing to announce their candidates. 2024. May 21, 2024. <https://itoim.mn/a/2024/05/21/analyze/zuu?48f9a0c701fa754be7564ad500b63261>

⁵ General Election Commission of Mongolia

Table 1: Constituencies, Seats, and Voter Numbers in the 2024 Parliamentary Election

Reason for Refusal	Number of Candidates
Overdue tax liabilities	76
Incomplete legal documents	63
Serving a sentence by a valid court order	5
Member of a different party than the one nominating them	4
Failed to collect the required number of voter signatures (at least 801) in their constituency (for independents)	4
Did not resign from civil service within the legal timeframe	1
Convicted by court of corruption or official misconduct	1

*17 individuals also withdrew their candidacy.

Following the refusals, 102 candidates re-applied for registration within the legal deadline of June 2. The GEC ultimately registered 96 of them. Candidates whose registration is denied may appeal to the Administrative Court, which reviews such cases under a special procedure in which the appellate court functions as the first instance. The Law on Administrative Case Procedure stipulates that electoral disputes must be resolved within 30 days, with a possible extension of up to 10 days.

However, the official campaign period lasted only 16 days—an exceptionally short time for candidates, particularly in large, newly clustered constituencies, to reach and inform voters.

Some candidates who appealed to the Administrative Court received their credentials only toward the very end of the official campaign period.⁶ This effectively deprived these candidates of the opportunity to campaign.

The Law on Parliamentary Elections states: *“It is prohibited to nominate a member of one party by another party, or a member of a party that is not part of a coalition by that coalition.”* On this basis, the GEC refused to register four candidates. The Administrative Appellate Court, however, overturned the GEC’s decision. Article 5.7 of the revised Law on Political Parties provides that *“A party member has the right to leave the party at any time based on their own free will. A member is considered to have left the party upon submitting a written application to do so.”* Therefore, to ensure legal consistency, it is advisable to remove this requirement for candidate eligibility from the Law on Elections.

To ensure the right to be elected, the requirements for candidate registration should be aligned with international principles and clearly communicated to all pertinent parties. The GEC facilitate the process for obtaining official interpretations of the law from the

Supreme Court before the start of the candidate registration period.⁷ Additionally, the timeline for resolving electoral disputes should be revised to better align with the electoral calendar and to protect both the right to vote and the right to be elected.

⁶ The General Election Commission (GEC) was instructed to register N. Khulan as a candidate for the National Alliance. <https://www.unuudur.mn/a/269078>
⁷ LAWYERS: N. Nomtoibayar is/is not eligible to run for election. <https://www.itoim.mn/a/2024/06/03/politic/btm?aae451e8b89948db70b9b5f-713d?da7bb>

2.3. Requirements for Contesting Parties (Platform Audit)

The Law on Parliamentary Elections prohibits parties, coalitions, and candidates from including economically unfounded or infeasible welfare measures or financial promises in their platforms as a means of attracting voters. This safeguard is intended to prevent/limit political clientelism during elections. However, scholars have noted that such restrictions may also create an excessively high barrier for legitimate parties, thereby undermining the conditions necessary for the free competition of ideas.⁸

The 2024 election showed that this risk requires serious attention, especially in light of the fact that the appointment of the Auditor General—who leads the State Audit Office and is responsible for assessing legal compliance—is dominated by the ruling party and conducted with limited transparency.⁹

According to the 2024 election calendar, parties and coalitions were required to submit their platforms to the State Audit Office for review by March 25, while independent candidates were required to do so by April 25. The Audit Office examined the submissions and returned them for revision. In a media interview, the Deputy Auditor General stated:

“We returned the election platforms of 27 parties and two coalitions. Several elements in their calculations required correction and revision to ensure alignment with Mongolia’s long-term development goals and to support stable economic growth. Based on our recommendations, the parties and coalitions

will resubmit their platforms to the Audit Office by April 17. By April 26, we will re-examine the platforms, issue our audit opinion, and submit it to the General Election Commission.”¹⁰

The legal basis for returning the platforms is Article 38.5 of the Law on Parliamentary Elections, which requires parties, coalitions, and independent candidates to have their platforms audited by the State Audit Office to ensure consistency with *Mongolia’s long-term development policy* and to verify that any measures requiring financial resources comply with *the special fiscal requirements specified in the Law on Budgetary Stability*.

The provision to audit platforms as a safeguard against political clientelism could be constructive if its scope were confined to ensuring fiscal discipline. Such a process would also enhance voter information and support more informed decision-making.

However, the current legal requirement that platforms must be consistent with Mongolia’s long-term development policy—which was adopted by a parliament dominated by a ruling-party supermajority—significantly broadens the scope of control. This risks undermining core principles of free elections, including freedom of expression and political pluralism, by restricting the ability of parties with differing policy agendas to compete. Elections are intended to provide a forum for the free contestation of ideas.

⁸ Report on the 2016 Parliamentary Election in Mongolia. Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe, 2016, page 15

⁹ Before the regular election, on December 28, 2023, the Auditor General of Mongolia, D. Zandanbat, resigned from his post voluntarily, announcing his candidacy for the election. D. Zagdjav was appointed as his acting deputy, and in May 2024, the Parliament made a decision to appoint him as the new Auditor General. However, the Parliament failed to adhere to the law when making this appointment. Article 28.4 of the Law on State Audit explicitly states that ‘if the term of the Auditor General of Mongolia has ended, or if he is dismissed or released prematurely, the Parliament shall appoint a replacement Auditor General within 30 days in accordance with the procedures specified in this law, or within 15 days of the start of a regular or extraordinary session if it occurs during a recess.’ Additionally, according to the Law on Parliamentary Oversight, a hearing for the candidate for Auditor General should have been held. These laws, which are aimed at ensuring the independence of the State Audit Organization and the Auditor General, were not followed by the Parliament when making the appointment.

¹⁰ The National Audit Office has returned the election platforms of 27 political parties and two coalitions. 2024-04-10 <https://www.montsame.mn/mn/read/341509>

3. Issues Impacting Level Playing Field

The campaign period for this election began on June 10, when candidates received their credentials, and lasted only until June 26—a notably short timeframe. The use of large, clustered constituencies once again favored well-known parties and candidates with substantial financial resources, highlighting the unequal playing field. As noted earlier, the legal requirement to re-establish constituencies before every election contributes to this instability, making it difficult for opposition parties to plan their campaigns effectively. Amending the law to ensure greater stability in the electoral system would therefore be advisable.

Article 41.9 of the Law on Parliamentary Elections states: *“A member of the State Great Khural may distribute a report of their work before the start of the nomination process as stipulated by this law, and this will not be considered election campaign material.”* Furthermore, Article 44.6 provides: *“Meetings with voters and other activities not prohibited by this law, conducted by a Member of the State Great Khural to present their work report before the start of the nomination process, shall not be considered activities aimed at attracting voters’ votes.”*

While it is normal for MPs to report to their constituents, these legal provisions give incumbents an unfair advantage and undermine the principle of a level playing field. This also opens the door to the use of state resources for political purposes during an election year. A review of election laws in 80 democratic countries by the International Institute for Democracy and Electoral Assistance found that only South Korea has specific regulations governing how members of the National

Assembly may report their work to voters. To ensure a level playing field, South Korean law prohibits the distribution of printed reports or the organization of meetings within 90 days prior to an election. During this period, MPs may report to constituents only via email or their official website.¹¹ India’s law prohibits MPs from using official trips for election campaigning.

In the majoritarian constituencies of the 2024 election, 78 candidates ran, 48 of whom were incumbents or held other political positions. Of these, 33 were re-elected to the new parliament. An analysis of their social media posts during the two weeks preceding the official campaign period showed that 12 of them were on official trips in their constituencies, performing duties such as awarding Mother’s Glory medals or laying cornerstones for new buildings. Images and information shared on social media indicate that public resources—including state buildings, vehicles, and civil servants—were used for these activities. To ensure a fair and level playing field, a core principle of democratic elections, it is advisable to amend the law to clearly separate the use of state resources and official duties from election campaigns.

A similar issue arose in the 2020 election, held under difficult conditions due to the pandemic, when the ruling party was criticized by civil society observers for using its authority to allocate state resources and welfare programs in ways that provided it with an electoral advantage. This pattern was repeated in the 2024 election.

The Law on Parliamentary Elections prohibits the implementation, promise, or announcement

¹¹ South Korea, Public Official Election Act, Art 111

of social welfare or protection programs that are not included in the approved budget for that year, classifying such actions as illegal campaigning. In what could be interpreted as a violation of this provision, the government

fast-tracked the Law on Reducing the Negative Impact of Climate Change on Traditional Animal Husbandry, which was submitted to parliament on April 10, 2024, and passed on April 19.¹²

The bill's introduction asserted that global warming and climate change were harming traditional animal husbandry. However, it failed to explain how this was connected to national economic security or to identify any urgent circumstances that would justify expedited consideration—thereby enabling legislators to bypass the legally required public consultation. Furthermore, Articles 6.1.2–6.1.5 of the law introduced several measures to support herders' livelihoods, including assistance for establishing and joining cooperatives and for their capital investments. Article 6.1.7 granted the government broad authority to reallocate budget funds without increasing total approved expenditures, and to transfer resources between budget chapters, chief budget officers, and between capital and current spending. The law also specified that it would take precedence over the Law on Budget and the Law on Budgetary Stability.

It remains unclear what exceptional circumstances related to national economic security necessitated the passage of this law on an expedited basis during the election period. There is also insufficient information regarding the amount of support and incentives provided under this law, as well as the timeline for their disbursement.

Source: O.Munkhtsetseg, S.Bilguun. **Legislation Passed Without Public Debate: Regulations and Issues to Consider.** OSF Policy Paper No. 48. 2024

Within the framework of this law, the “New Cooperative” initiative was promoted nationwide, with civil servants mobilized to provide information to herders. A government official's media statement in October 2024 indicated that a total of 556 billion MNT in investment loans had been provided to 16,399 herders under this initiative.¹³

To improve conditions for fair competition in elections, it is necessary to incorporate more detailed regulations into the Law on Civil Service and other budgetary laws to clearly separate state resources and civil service activities from election-related activities. These laws should also establish explicit accountability mechanisms for violations.

4. Law Enforcement and Protection of Electoral Rights

In a free election, citizens must be able to exercise their right to vote and to be elected without hindrance. They should also be able to express themselves, associate, and campaign without fear of intimidation. Candidates must have the opportunity to present their platforms and political views, and voters must have access to the information they need to make informed choices. A key principle of fair elections is

that the election administration functions independently and that law enforcement agencies treat all competing parties equally, while respecting and protecting their electoral rights.

To ensure these guarantees, Article 35.2 of the Law on Parliamentary Elections prohibits law enforcement agencies from taking action

¹² See the bill's introduction and concept: <https://lawforum.parliament.mn/project/566/>

¹³ The first meeting of the National Committee for Inter-sectoral Coordination of the “New Cooperative Movement” was held, which was established by Resolution No. 95 of the Government of Mongolia in 2024. The meeting took place on October 24, 2024. <https://www.gov.mn/mn/news/all/1aa84e26-1a0e-438d-a7b0-ed194b3f20ef> Last seen 25 January 2025.

against a candidate without the permission of the GEC, except when the candidate is caught in the act of committing a crime or legal violation or when evidence is found at the scene. Prohibited actions include:

- Initiating a criminal case, arresting, or detaining a candidate (35.2.1)
- Searching the candidate's home, office, vehicle, or person (35.2.2)

During the 2024 campaign, however, there was an incident in which a law enforcement agency undermined these legal protections by closing down and searching the campaign headquarters of a contesting coalition without

GEC authorization.¹⁴

A similar issue arose during the 2020 election, when civil society observers criticized the detention and arrest of six candidates during the campaign period. Looking ahead, law enforcement agencies should refrain from taking any measures that restrict the rights of parties, coalitions, or candidates without a proper decision and authorization from the GEC, the independent body responsible for administering elections. Ensuring accountability for such violations would serve as an important deterrent against state institutions infringing on electoral rights.

5. Campaign Spending, Transparency, and Financial Equity

One of the stated objectives of the 2023 amendments to the Law on Parliamentary Elections was to reduce the overall cost of contesting in elections.¹⁵ A meaningful step toward this goal was the increase in state-provided indirect support for candidate campaigns. Article 42.1 of the law states: *"The Governor of a soum or district shall prepare and place a unified board (hereafter 'unified board') with the posters of candidates in the constituency, in accordance with the following requirements."* This provision allowed candidates to save a substantial amount of money that would otherwise have been spent on billboards.

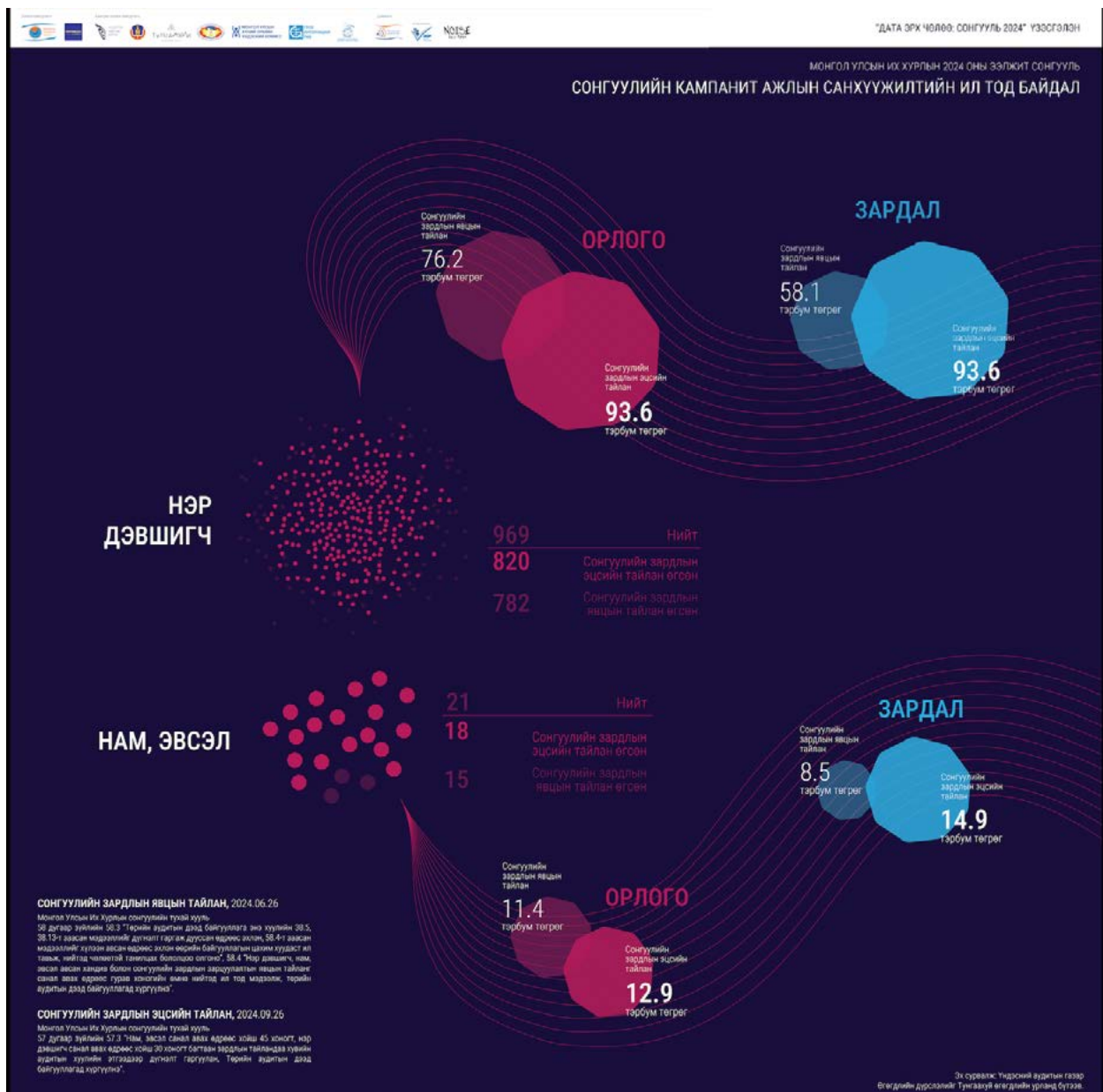
On January 25, 2024, the National Audit Office (NAO) approved a methodology for determining spending caps. Under this methodology, the spending cap for a candidate was set between 890 million and 1.5 billion MNT, while the cap

for a party or coalition ranged from 260 to 659 million MNT.¹⁶ These caps were significantly higher than those applied in the 2020 election. In constituencies where neither territorial boundaries nor voter numbers changed since 2020, the spending cap for a candidate increased by approximately 500 million MNT. For example, in Bayan-Ulgii province, the cap rose from 405 million MNT to over 1 billion MNT, and in Khan-Uul district, from 672 million MNT to 1.1 billion MNT. Measures intended to reduce campaign costs—such as the introduction of unified billboards and a reduction in the number of canvassers—appear to have had limited effect. This indicates that the methodology for calculating election expenses, as well as the legal regulations governing them, should be improved and made more precise.

¹⁴ The police did not conduct a search, but rather an inspection. There was no sign identifying the location as the National Alliance's campaign office. 2024.06.26 <https://ikon.mn/n/36fc>

¹⁵ It was stated that election costs will be reduced by 48%. 2023.4.15. <https://news.mn/r/2640685/>

¹⁶ National Audit Office. 2024.1.24 <https://audit.mn/?p=25479>



After the election, 16 parties, 2 coalitions, and 820 candidates submitted their spending reports to the NAO within the legal deadline. The total reported expenditure amounted to 108,515,500,000 MNT, showing no significant decrease compared to the 2020 election, when total expenditure was 76,839,600,000 MNT (67,260,000 MNT by candidates and 9,579,600 MNT by parties and coalitions). On average, a candidate in 2020 spent approximately 130 million MNT.

For the 2024 election, total income reported in candidates' spending accounts was 93,620.3 million MNT, and total expenditure was 93,574.5 million MNT. Of this amount, 69.7 percent was spent on operating campaign headquarters. The average expenditure per candidate was 114,115,244 MNT.

Although inflation has not been factored in, election costs have clearly not decreased by the 50 percent reduction promised by policymakers when the amendments were introduced. The

continued increase in campaign spending—by several billions of MNT—does not support the realization of the right to be elected.

It has always been difficult for Mongolian political parties—particularly those without seats in Parliament—to raise adequate election funds. Moreover, candidates themselves are not only responsible for financing their own campaigns, but they also serve as key sources of funding for their parties. This situation persists today. It undermines the principle of a level playing field and remains a major factor contributing to the undue influence of money in politics.

To safeguard the right to be elected and uphold the principle of fair competition, it would be advisable to establish a spending cap for candidates that is tied to the legal limit on donations, following the practice of other democratic countries. For instance, Canada's election law stipulates that a candidate may spend a maximum of 5,000 Canadian dollars of their own funds.¹⁷

Currently, Article 49.2.3 of the Law on Parliamentary Elections allows a candidate to use their own funds for the election, but it does not specify a maximum amount. For list candidates, Article 53.4 states: *"A candidate may donate to their party or coalition's campaign, and the amount of a single candidate's donation shall not exceed the average spending amount for a constituency candidate as determined by this law."* This regulation also poses a risk to the right to be elected.

Based on the spending caps set by the NAO for constituency candidates in the 2024 election, a list candidate could "donate" up to 1,135,805,935.53 MNT to their party. According to the spending reports released

by the NAO, one candidate transferred a "donation" of 1,135,000,000 MNT, while three others contributed 975,000,000 MNT; 574,100,000 MNT; and 400,000,000 MNT, respectively.

It is also concerning that the law does not allow list candidates to raise these "donations" from their supporters.

The law stipulates that election spending accounts may be opened only after the registration of parties, coalitions, and constituency candidates. As a result, list candidates cannot open their own spending accounts, and constituency candidates have only about one month to raise and spend funds. This limited time frame makes it challenging for candidates to obtain funding and manage campaign expenses, potentially encouraging alternative or illicit financing methods.

Another long-standing issue with expenditure reports is the disclosure of debts and account balances of the competing parties. The expenditure reports for the 2024 election show that candidates had a total of 471.2 million MNT in outstanding cash debts and 17.4 million MNT in accounts payable. Parties and coalitions reported a total debt of 2,191.8 million MNT.

The law lacks regulations on how account balances and unpaid debts should be reported in a timely manner. It is a recurring issue that parties and candidates are left with significant debts after an election, yet there are no legal provisions requiring public disclosure of how these debts are ultimately settled.

Furthermore, the law does not specify what should happen to leftover donations in a candidate's election expenditure account. In Canada, for example, candidates are legally required to transfer any remaining donations to

¹⁷ <https://laws-lois.justice.gc.ca/eng/acts/e-2.01/page-41.html>

their party's account, or to the central election authority in the case of independent candidates. Introducing a similar regulation in Mongolia would also help deter money laundering during election periods.

Another concern regarding expenditure reports is the extent of income and spending that is not officially reported to the NAO. A report by FactCheck.mn on social media campaign advertising during the 2024 election found that 11 unofficial pages—each spending more than USD 1,000 on politically themed posts—were promoting either the HUN Party (2 pages) or the Mongolian People's Party (9 pages). These 11 pages spent a combined USD 64,337 on Meta platforms, of which 84.3 percent (USD 54,285) went toward posts supporting the Mongolian People's Party.



Source: www.factcheck.mn

The Law on Elections contains no provisions regulating third-party financing of campaign advertising. The growing volume of such spending, observed in both the 2020 and 2024 elections, warrants serious attention. Introducing requirements for transparency and public reporting of third-party expenditures would align with the principles of free and fair elections.

Respondent	Money Spent (\$)	Number of Advertisements
Ард түмний ялалт (People's Victory)	24715	73
Ган үзэгтэн ХХК (Steel Pen LLC)	7781	73
Нада (Nada)	7060	20
Бид ардчиллынхан (We are the Democrats)	6882	29
Мэдээллийн ажилтан (Information Officer)	5742	111
Алдагдсан 12 жил (12 Lost Years)	4199	19
Нийслэл хуудас (Capital Page)	3336	14
48	3198	9
126к	2992	12
АН-ыг үнэнчээр дэмжигчид (Loyal Supporters of the DP)	2291	25
Шударга шуугиан (Fair Noise)	2288	24
Улсаа зарахгүй шударга иргэдийн хөдөлгөөн (Movement of Honest Citizens Who Won't Sell Their Country)	1634	19

Source: <https://factcheck.mn/post/8505>

6. Transparency of the Electoral Process and Civil Society Monitoring

A key principle of democratic elections is transparency, and active civil society monitoring plays a crucial role in strengthening public trust in the electoral process and its outcomes, as well as in preventing disputes and violations.

In the 2024 election, the **Civil Society Coalition for Fair Elections** conducted monitoring across several areas: Globe International monitored the media; MIDAS NGO monitored the automated election system and voter lists; and Youth Policy Watch NGO monitored campaign financing.

On election day, the coalition deployed 240 observers to monitor the polling, counting, and tallying processes, as well as the manual recount, to ensure compliance with election laws. A team of 20 coordinators and team leaders worked continuously for 24 hours to organize the observers, consolidate findings, and respond quickly when necessary. The observation covered 112 polling stations in

total—100 in Ulaanbaatar and 12 across 11 provinces. The results of these observations are available on the website www.sanal.mn.

Before 2008, a major obstacle for civil society organizations monitoring elections was the tendency of state institutions to withhold information. With the passage of the Law on Information Transparency in 2011, this issue became relatively rare, and overall transparency improved significantly. However, in 2024, some state institutions reverted to this earlier practice, refusing to provide information that should be publicly available to civil society organizations monitoring the election (see appendix).

The failure of state institutions to uphold the principle of transparency—and their violation of legal requirements—represents a troubling regression from the progress made in strengthening democratic electoral practices. It is therefore essential to hold officials who violate these obligations accountable.

Conclusion

In 2024—a global “super election” year in which 74 countries held national elections and 1.6 billion voters cast their ballots—Mongolia held its ninth regular parliamentary election on June 28. This election marked a significant milestone in the country’s modern political history, as it resulted in the formation of the first 126-member parliament.

Over the past three decades, Mongolia has made substantial efforts to strengthen its democratic path, and notable reforms have been introduced to improve the legal framework governing elections. However, events during the 2024 parliamentary election demonstrate that challenges remain in fully upholding the principles of free and fair elections. This general overview summarizes those issues and provides an assessment of the relevant legal environment. Although not addressed in detail here, it is also important to note other areas requiring attention to further improve the electoral framework—such as voter registration, increasing the participation of citizens living abroad, and the potential use of digital technologies.

Based on the issues examined in this overview, the following measures are recommended:

- Ensure stability in the electoral system by eliminating the practice of re-establishing constituencies before every election, and reforming the delimitation and mandate allocation process so that decisions are made transparently, with professional involvement, and in accordance with the democratic principle of one voter – one vote – equal value.
- Create conditions for a level playing field among contesting actors, including establishing a reasonable campaign period, strengthening accountability mechanisms for members of parliament and incumbents who misuse state resources, and clearly defining effective legal safeguards to prevent such misuse.
- Protect the voter’s right to freely express their will by amending the provision that invalidates ballots marked for fewer candidates than the number of seats in a constituency.
- Revise the eligibility and participation requirements for parties, coalitions, and candidates to ensure they align with the principle of the right to be elected.
- Clarify in law that law enforcement agencies may undertake investigative actions involving electoral competitors—such as initiating cases, detaining candidates, or conducting searches—only with the authorization of the General Election Commission, except in narrowly defined circumstances.
- Regulate campaign finance comprehensively and realistically, from fundraising through reporting, in a manner that aligns with the 2023 Law on Political Parties. This should include unresolved issues such as limits on candidate contributions, aggregate limits on donations from legal entities, disclosure of loans and debt settlement, and requirements for reporting.
- Strengthen transparency by ensuring that state institutions provide civil society organizations with timely access to information, enabling them to fulfill their role in monitoring the electoral process. Officials who unlawfully refuse to provide information should be held accountable.

Appendix:

Export to Sheets

*Source: General Election Commission of Mongolia

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| <p>[1] General Election Commission of Mongolia</p> <p>[2] "Women in Parliament in 2025," Inter-Parliamentary Union. Statistics as of January 2025. https://data.ipu.org/women-averages/</p> <p>[3] The International Covenant on Civil and Political Rights and Article 21 of General Comment No. 25, adopted by the UN Human Rights Committee at its 57th session in 1996.</p> <p>[4] Ibid.</p> <p>[5] Asian Network for Free Elections (ANFREL), "Regional Roundtable Concluded with the Kuala Lumpur Declaration on Apportionment and Boundary Delimitation," 2023. https://anfrel.org/regional-roundtable-concluded-with-the-kuala-lumpur-declaration-on-apportionment-and-boundary-delimitation/</p> <p>[6] Ibid.</p> <p>[7] "Declaration on Criteria for Free and Fair Elections," Unanimously adopted by the Inter-Parliamentary Council at its 154th session (Paris, 26 March 1994). Also, UN Human Rights Committee, General Comment 25, "The Right to Participate in Public Affairs, Voting Rights and the Right to Equal Access to Public Service," 1510th meeting (fifty-seventh session) (12 July 1996). https://www.osce.org/files/f/documents/4/a/19154.pdf</p> <p>[8] Eguur.mn, "Mongolian People's Party: The Small Assembly has ended, preparing to announce candidates," 2024. https://eguur.mn/500328/ Itoim.mn, "A Humane Democratic Fight," May 21, 2024. https://itoim.mn/a/2024/05/21/analyze/</p> | <p>zuu?48f9a0c701fa754be7564ad500b63261</p> <p>[9] General Election Commission of Mongolia.</p> <p>[10] Unuudur.mn, "Court Orders GEC to Register N. Khulan as a Candidate for the National Coalition," 2024. https://www.unuudur.mn/a/269078</p> <p>[11] Itoim.mn, "Lawyers: N. Nomtoibayar has the right to run for office," June 3, 2024. https://www.itoim.mn/a/2024/06/03/politic/btm?aae451e8b89948db70b9b5f713dda7bb</p> <p>[12] Ibid.</p> <p>[13] European Union and Organization for Security and Cooperation in Europe, "Election Observation Mission Report for the 2016 Mongolian Parliamentary Election," 2016, p. 15.</p> <p>[14] Before the regular election, on December 28, 2023, the Auditor General of Mongolia, D. Zandanbat, resigned to run for office. D. Zagdjav was appointed as acting Deputy Auditor General, and in May 2024, the Parliament appointed him as Auditor General. The Law on State Audit requires the Parliament to appoint a new Auditor General within 30 days of the position becoming vacant, or within 15 days of the start of the next session if it is during a recess. The Law on Parliamentary Oversight also requires a hearing for the nominee. The Parliament failed to adhere to these laws, which are meant to ensure the independence of the State Audit Office and the Auditor General, when making this appointment.</p> |
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[15] Montsame.mn, "National Audit Office Returned Election Platforms of 27 Parties and Two Coalitions," April 10, 2024. <https://www.montsame.mn/mn/read/341509>

[16] South Korea, Public Official Election Act, Art 111.

[17] See draft law and concept note: <https://lawforum.parliament.mn/project/566/>

[18] Gov.mn, "First Meeting of the National Committee on Inter-sectoral Coordination of the 'New Cooperative' Movement," October 24, 2024. <https://www.gov.mn/mn/news/all/1aa84e26-1a0e-438d-a7b0-ed194b3f20ef> (Accessed on January 25, 2025).

[19] Ikon.mn, "Police Did Not Conduct a Search, but an Inspection; There Was No Sign

for the National Coalition's Campaign Office," June 26, 2024. <https://ikon.mn/n/36fc>

[20] News.mn, "Election Costs Will Be Reduced by 48%," April 15, 2023. <https://news.mn/r/2640685/>

[21] National Audit Office, January 24, 2024. <https://audit.mn/?p=25479>

[22] <https://laws-lois.justice.gc.ca/eng/acts/e-2.01/page-41.html>

[23] In comparison, in the 2020 election, candidates reported a total of 1.3 billion MNT in unpaid expenses, and their account balance was about 856 million MNT. Parties and coalitions also reported 1.3 billion MNT in unpaid expenses.