



RESOLUTION OF GENERAL ELECTION COMMITTEE OF MONGOLIA

April 06, 2012

Ref No. 25

Ulaanbaatar city

Sub: Adoption of Regulation of Observation and Reporting of Election of Mongolian State Great Hural

Based on the provisions of the Section 8, Article 44 of the Law on Election of Mongolian State Great Hural and the Paragraph 7.1.7 of the Article 7 and the Section 12.3 of the Article 12 of the Law on Central Election Organization, General Election Committee RESOLVES:

1. To adopt the “Regulation of Observation and Reporting of Election of Mongolian State Great Hural” as per attachment hereto;
2. To annual the “General Election Committee’s Resolution No. 07 of January 30, 2008 concerning adoption of regulation” and the “Resolution No. 19 of May 09, 2008 concerning adoption of regulation on reporting election activities by media reporters” respectively in connection with adoption of this Regulation.

SIGNATURE

**REGULATION OF OBSERVATION AND REPORTING
OF ELECTION OF MONGOLIAN STATE GREAT HURAL**

Article one. General Provisions

- 1.1 The purpose of this Regulation is to regulate the relations pertaining to observation and reporting of election of Mongolian State Great Hural.
- 1.2 The following terms used in this Regulation shall have the following meanings:
 - 1.2.1 “Observer” means the observer specified in the provision 44.1, Article 44 of the Law on Election of Mongolian State Great Hural;
 - 1.2.2 “Foreign observer” means a person who is appointed by an international organization or a foreign governmental or non-governmental organization, which made official request to General Election Committee for making observation of the process of election of Mongolian State Great Hural, and who is registered and issued ID badge;
 - 1.2.3 “Local organization” means a NGO that meets the requirements specified in 5.3 of this Regulation and conducts activities aimed at protecting and supporting voting rights of citizens;
 - 1.2.4 “Reporter” means a person appointed by national and foreign media to report election process.
- 1.3 The observers, reporters and local organizations shall follow the Mongolian Constitution, the Law on Election of Mongolian State Great Hural and other relevant legislation while observing and reporting Mongolian State Great Hural election process.
- 1.4 General Election Committee shall register and issue ID badges to foreign observers and local organizations. Electoral district election committees shall register and issue ID badges to observers of local organizations and “Kheseg” (Electoral sub-district) election committees shall register and issue ID badges to observers appointed by parties, coalitions and independent candidates respectively.
- 1.5 Election process observers and reporters shall wear their ID badges while observing and reporting election process. An ID badge is valid only if it is presented together with the person’s valid citizen ID card, passport or company ID card with his or her photo on it.
- 1.6 Local organizations and foreign observers may exercise their rights beginning from completion of their registration at General Election Committee until the date of announcement of official results of the election. Observers appointed by political parties, coalitions and independent candidates may exercise their right beginning from completion of their registration at Electoral sub-district election committees until the date of announcement of official results of the election by the respective Electoral sub-district election committees.
- 1.7 Persons that made a request for making observation of election process shall be fully responsible for their own expenses and costs related to observation of election process.

Article two. Rights and Obligations of Election Committees

- 2.1 Having received the documents specified in the provision 5.2 of this Regulation, General Election Committee shall make decisions to register local organizations. Having received the documents specified in provisions 3.2, 4.4 and 5.5 of his Regulation, Election committees shall register and issue badges to observers and local organization staff.
- 2.2 Electoral sub-district election committees shall determine by their meetings the number of observers to work at polling places or during the polling through sealed portable ballot boxes.
- 2.3 In case if an observer intervenes in the works of an election committee by using illegal methods such as demanding rights not entitled by laws, forcing or threatening voters or committee members or disseminating false information to the public etc., the Electoral sub-district election committee shall disentitle the observer and seize the issued badge. The election committee shall make a record of such cases.
- 2.4 Election committees shall provide the observers appointed by political parties, coalitions and independent candidates with opportunity to exercise their rights specified in the provisions 3.4.1 through 3.4.10.
- 2.5 The right of observers, who violated election legislation, shall be annulled by the Electoral sub-district election committees. The right of observers of local organizations shall be annulled by Electoral district election committees and that of foreign observers by General Election Committee respectively.
- 2.6 In case if an observer is disentitled according to the provision 2.5 of this Regulation, the local organization, political party or independent candidate that appointed him or her shall not be entitled to replace him or her by another person.

Article three. Observers appointed by political parties, coalitions or independent candidates

- 3.1 The Electoral sub-district election committee shall register and issue badge to the observers at least 3 days before polling date based on the documents specified in the provision 3.3 of this Regulation.
- 3.2 Observers shall deliver the following documents when getting registered at the Electoral sub-district election committees:
 - 3.2.1 Observer Registration Form approved in the Attachment 1 hereto;
 - 3.2.2 request of the political party or coalition or independent candidate that appointed the observer;
 - 3.2.3 copy of citizen ID card of the observer.
- 3.3 Observers shall exercise the following rights according to the legislation while observing election process:
 - 3.3.1 make acquaintance list of candidates;
 - 3.3.2 make acquaintance with status of sealing of ballot;
 - 3.3.3 make acquaintance with the form that collected signatures voters-supporters of independent candidates;

- 3.3.4 make acquaintance with list of names of voters to be participated in polling through sealed ballot boxes and with routes and schedule of taking their votes;
 - 3.3.5 check whether polling booths, polling places and ballot boxes are prepared according to the legislation;
 - 3.3.6 have a seat in polling places that allows observing the entire polling process;
 - 3.3.7 observe polling and vote counting process;
 - 3.3.8 accompany polling through sealed portable ballot boxes and observe the process;
 - 3.3.9 report head of election committee immediately in case if a breach occurs during polling process, ask the committee to rectify the breach, make record of breaches observed and use audio or video device to document such breaches and have witnesses sign such records;
 - 3.3.10 get relevant information from members of Electoral sub-district election committee;
 - 3.3.11 Make observation report publicly or publish such report.
- 3.4 Observers shall have the following obligations while observing election process:
- 3.4.1 respect and observe Mongolian Constitution and election legislation;
 - 3.4.2 observe activities of election committees externally without interfering;
 - 3.4.3 respect the rights of voters casting their votes in secret and refrain from interfering;
 - 3.4.4 not to interfere in the activities of counting votes and summing up results;
 - 3.4.5 observe the procedures of polling places and communicate with election committee members and voters properly with respect;
- 3.5 After completion of polling process, poll report in a given Electoral sub-district shall be made by vote counting machines and a copy of such report shall be given to one observer per each political party, coalition and independent candidate.
- 3.6 After completion of polling process one observer per each political party, coalition and independent candidate may obtain visual and quantitative indicators of marked ballots in a given Electoral sub-district in electronic version.
- 3.7 An observer appointed by a political party, coalition or independent candidate may make his or her written request to the IT Center under the General Election Committee for obtaining information specified in 3.6 of this Regulation.

Article four. Observation of election process by foreign organization

- 4.1 A foreign organization shall make an official written request to General Election Committee for registering its appointed observer to observe the State Great Hural election process before polling date.
- 4.2 A foreign observer may observe election process and conduct his or her activity freely to the extent allowed by the Mongolian legislation.

- 4.3 A foreign observer's travel visa to Mongolia, permit to stay in Mongolia and related costs shall be born by the invited or dispatched organization or by the observer himself or herself.
- 4.4 The following documents shall be delivered for getting registered as a foreign observer:
 - 4.4.1 Observer Registration form approved in the Attachment 2 hereto;
 - 4.4.2 copy of ID card or passport of the observer;
 - 4.4.3 photo 1 pc (4×6 cm);
 - 4.4.4 request for observing election process.
- 4.5 Foreign observers shall be entitled to deliver to General Election Committee or mass media or to publish their report of and comments on election process observation.
- 4.6 An organization that invited foreign observers shall have the following obligations:
 - 4.6.1 have the foreign observers registered;
 - 4.6.2 be responsible for services to the foreign observers;
 - 4.6.3 provide them with assistance in exercising their rights.
- 4.7 Interpreters of foreign observers shall be registered and given badge as well.
- 4.8 In case if a foreign observer breaches election legislation while observing election process, the relevant Electoral sub-district election committee shall make a well grounded decision to seize badge of the foreign observer and give a copy of the decision to the foreign observer. It shall seize the badge and notify the General Election Committee immediately.

Article five. Observation of Election Process by Local Organizations

- 5.1 A local organization shall make its official request to General Election Committee for observing State Great Hural election at least 30 days prior to polling date and get the organization registered.
- 5.2 A local organization shall make its request for observing election process in written by attaching the following documents:
 - 5.2.1 number of its observers to work at each Electoral district;
 - 5.2.2 a copy of the organization's state registration certificate;
 - 5.2.3 a copy of charter of the organization;
 - 5.2.4 financial resources information;
 - 5.2.5 names and titles of management people of the organization; and
 - 5.2.6 brief introduction of activities of the organization by mentioning in detail about its experience in the field of election observation.
- 5.3 General Election Committee shall make decision whether to register a local organization or not within 5 working days after receiving request from the local organization. In making decision GEC shall be based on the following on criteria:
 - 5.3.1 the local organization shall not operate under any political party or be dependent on financing from any political party;

- 5.3.2 any management official of the given local organization shall not be nominated as candidate. In case if a management staff of the local organization is nominated as candidate, then he or she shall have been resigned from his or her duties in the organization.
- 5.3.3 the local organization shall have ethical codes based on the principle of working freely and independent from political parties and candidates by respecting laws and being neutral;
- 5.3.4 the local organization shall have certain experience in election observation or be covered in training organized by an organization with such experiences.
- 5.4 A local organization may appoint up to 5 observers in a single Electoral district and have them registered at Electoral district election committees within the deadline specified in the provisions 44.2 and 44.3 of the Law on State Great Hural Election.
- 5.5 Observers of local organizations shall deliver the following documents for getting registered:
 - 5.5.1 a copy of GEC decision on registration of the local organization;
 - 5.5.2 a copy of ID document (citizen ID or organization staff ID card);
 - 5.5.3 Observer Registration Form approved by Attachment 3 of this Regulation.
- 5.6 Electoral district election committees shall consider the following criteria when registering observers appointed by local organizations:
 - 5.6.1 an appointed observer shall not be a member of any political party;
 - 5.6.2 an appointed observer shall not be a family member or relative of a candidate or a member of the given election committee where the observer will be working as observer.
- 5.7 Electoral district election committee shall be forbidden to refuse to register observers of local organization on the basis other than those criteria specified in 5.7 of this Regulation.
- 5.8 In case if Electoral district election committee refuses to register observers of a local organization, it shall notify its decision to the local organization. In case if the local organization does not accept the decision, it shall be entitled to make complaint to a higher level committee to have the issue resolved.
- 5.9 A local organization shall be obliged to organize training on methodology of observing election process with the framework of election legislation to its appointed observers.
- 5.10 Observers of local organizations shall have exactly the same obligations as those obligations of the observers appointed by political parties, coalitions and independent candidates specified in 3.5 of this Regulation.
- 5.11 Observers of local organizations shall have the following rights:
 - 5.11.1 visit Electoral sub-districts according to schedule and observe election process;
 - 5.11.2 make acquaintance with election preparation work and polling process;
 - 5.11.3 make acquaintance with organizational structure of polling places;
 - 5.11.4 make acquaintance with list of voters placed openly at Electoral sub-district election committees;

- 5.11.5 get information about polling through sealed portable ballot boxes and observe such polling process;
- 5.11.6 make acquaintance with activities such as poll, vote counting, summing up votes, reporting and communication of information etc.;
- 5.11.7 deliver their report, comment and conclusion about election process to GEC after completion of polling process and have them published.

Article six: Reporting of election process by media reporters

- 6.1 Media reporters shall be report election process correctly based on evidence documents, and correct reliable information as well as the principle of independence, fairness and respect of laws.
- 6.2 Election committees shall provide reporters with the following opportunities:
 - 6.2.1 get information about progress of election preparation works;
 - 6.2.2 make acquaintance with organization structure and activities of election committees
 - 6.2.3 get information related to organization of polling works;
 - 6.2.4 get information about polling through sealed portable ballot boxes and make interviews;
 - 6.2.5 get information and take interview about polling process and result of vote counting.
- 6.3 Reporters shall have the following obligations:
 - 6.3.1 respect and observe Mongolian Constitution and election legislation;
 - 6.3.2 not interfere in activities of election committees;
 - 6.3.3 respect rights of voters casting their votes in secret and refrain from interfering;
 - 6.3.4 not interfere in vote counting and summing up activities;
 - 6.3.5 not wear any clothes that support or oppose any political party or candidate and not carry any advertisement materials;
 - 6.3.6 observe procedures of polling places and communicate with election committee members and voters in proper way;
 - 6.3.7 disseminate true and correct information about activities of election committee and election process promptly.
- 6.4 Reporters shall have valid company ID card with photo and have clothes and equipment with logo of the respective media organization they are representing.
- 6.5 Reporters of foreign media organizations shall submit their request for reporting Mongolian State Great Hural election process to GEC through Ministry of Foreign Affairs.

Article seven. Prohibited things in the activities of observers and reporters

- 7.1 Observers and reporters shall be forbidden to do the following things:

- 7.1.1 sign on the list of voters on behalf of a voter;
- 7.1.2 vote on behalf of a voter at the request of the voter or at his or her own initiative;
- 7.1.3 ask about and discuss with voters whom they are supporting;
- 7.1.5 wear or use clothes or things that show support for or opposition to any political party or candidate. Carry advertisement things of such nature;
- 7.1.6 use illegal methods such as forcing or threatening voters and committee members or disseminating false information to the public etc.
- 7.1.7 demand rights that are not provided to them by Mongolian Constitution and election legislation;

Attachment 1 of Regulation of Observation
and Reporting of Mongolian State Great
Hural Election

**REGISTRATION FORM OF OBSERVER APPOINTED BY POLITICAL PARTY,
COALITION OR INDEPENDENT CANDIDATE TO OBSERVE STATE GREAT
HURAL ELECTION**

Date: .../.../2012

1	Full Name	
2	Age and Sex	
3	Citizen ID No and Personal Registration No.	
4	Education and Profession	
5	Current Occupation and Title	
6	Political Party Membership, if any	
7	Name of Political Party, Coalition or Independent Candidate that Appointed You as Observer	
8	Contact Address & Phone No.	
9	Date of Registration At Electoral Sub-District Election Committee	
10	Observer Badge No.	

Completed by:

Signature:

/...../

Attachment 2 of Regulation of Observation
and Reporting of Mongolian State Great
Hural Election

(PHOTO)

**REGISTRATION FORM OF FOREIGN OBSERVER TO OBSERVE STATE GREAT
HURAL ELECTION**

Date: .../.../2012

1	Family Name	
2	Given Name	
3	Age and Sex	
4	Nationality	
5	Current Occupation and Title	
6	Profession	
7	Representing Country and Organization	
8	Name of Local Organization That Invited You	
9	Contact Address & Phone No.	
10	Name, Address and Phone Number of Interpreter or Assistant	

Completed by:

Signature:

/...../

Attachment 3 of Regulation of Observation
and Reporting of Mongolian State Great
Hural Election

**REGISTRATION FORM OF OBSERVER APPOINTED BY LOCAL
ORGANIZATION TO OBSERVE STATE GREAT HURAL ELECTION**

Date: .../.../2012

1	Full Name	
2	Age and Sex	
3	Citizen ID No and Personal Registration No. (Social Security No.)	
4	Education and Profession	
5	Current Occupation and Title	
6	Name of Local Organization That Appointed You As Observer	
7	Number of Electoral District To Be Observed	
8	Contact Address & Phone No.	
9	Date of Registration At Electoral District Election Committee	
10	Observer Badge No.	

Completed by:

Signature:

/...../