

The Defacto Gazette

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Friday, 2020.02.07 №5 (130)

A WEEKLY GLOBAL, NATIONAL, INDEPENDENT, ANALYTICAL NEWSPAPER COVERING THE POLITICS AND ECONOMICS OF MONGOLIA

(IN ENGLISH, JAPANESE, RUSSIAN AND MONGOLIAN)

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WEEKLY



DeFacto **ARTICLE**

№513

Jargalsaikhan Dambadarjaa,
Mongolian political and
economic observer, columnist

"I AM THE STATE"



DeFacto **INTERVIEW**

FERNANDO CASAL BERTOIA
ASSOCIATE PROFESSOR AT
UNIVERSITY OF NOTTINGHAM

“
IF PARTIES ARE ILL,
DEMOCRACY WILL
ALSO BE ILL
”

IV PAGE

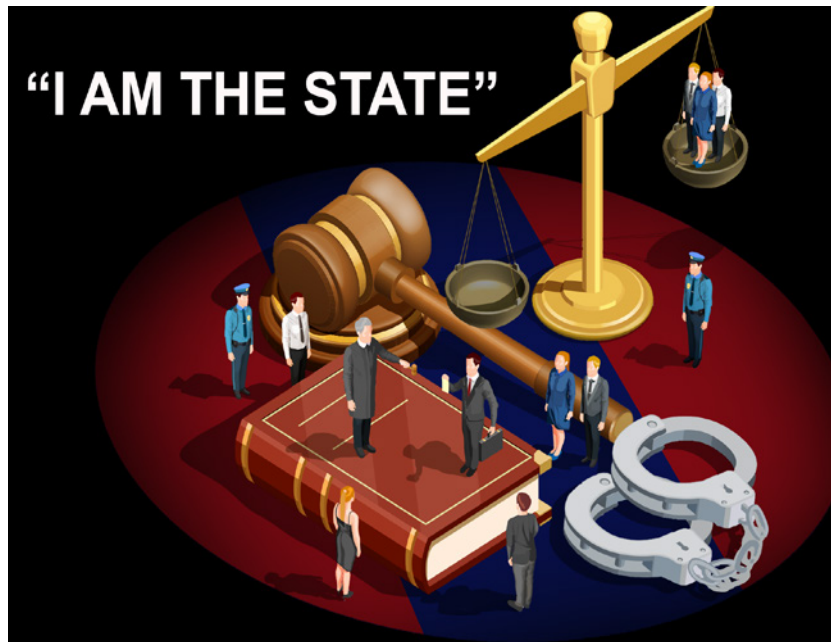
DeFacto **REVIEW**

➤ IS A STATE OF
EMERGENCY NECESSARY
IN MONGOLIA?

➤ CAN WE REDUCE
TRAFFIC JAMS BY 90%?

➤ ARE THE ELECTORAL
CONSTITUENCIES FAIR?

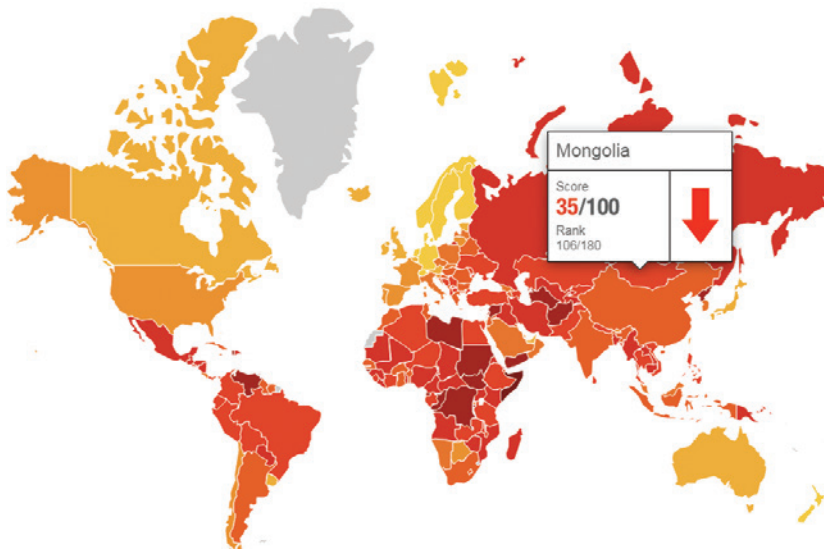
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Louis XIV, king of France, is told to have said this 350 years ago. However, now the state is made up not of one person, but of three main institutions. It includes the impersonal state itself, the rule of law and the mechanisms of democratic accountability (F.Fukuyama “The origins of political order”). While the state builds and operates using power, the rule of law and mechanisms of accountability control and balance that power. Modern democracy is able to function only under the condition that these three institutions work together.

However, the state of Mongolia is facing corruption which has been the biggest obstacle for development. Our country gained 35 points and ranked 106th out of 180 countries in the 2019 Corruption Perceptions Index. Corruption is not decreasing worldwide. According to Transparency International, the main reason is the money's powerful exertion of influence on politics. The financing of political parties poses the corruption, therefore the faith of the citizens in the state is fading away and justice is critically demanded worldwide. In countries with more than 70 points, the law on election financing is clear and systematic, while in countries with less than 35 points (corrupted), such regulations are weak or absent.





- Typically, a corrupt country is governed by a non-party, small or sole interest. The Mongolian People's Party and Democratic Party, which have been exercising state power in Mongolia, claimed over the years that the "state is their party".

The source: <https://www.transparency.org/>

THE RULE OF LAW

Magna Carta, a document limiting the power of one person, was adopted in England in 1215 and was signed by King John. History has shown the rapid growth of mankind as man follows the law accepted by everyone.

In the simplest sense, the rule of law is defined as all individuals are subject to the law, no matter how high-powered they are. The rule of social life is the law that is set out on paper. Above all, the law is the Constitution, not the Constitutional Court. In Mongolia, the rule of law is not established and drowning in corruption since it is related to the formulation, adoption, and implementation of the law.

In Mongolia, consultation with the political, social and business representatives in the process of lawmaking takes place insufficiently. Furthermore, the law is not based on research. As a result, the ones at the top are used to changing laws. By the example of the US, the law may be named after the member who initiated the law.

It is doubtful that each member of parliament is voting in the passage of the law. If a parliament member is not in the standing committee, he/she has less impact on the lawmaking process. However, this also may be linked to the qualifications and education level. Citizens must be

allowed to access the information about who participated, supported and opposed the bill.

The most problematic part is the implementation. Even N. Altankhuyag, the former Prime Minister, said: "does the law really matter". You can read about this in the article *"We're going through democratic backsliding"*. Countries often primarily take down the rule of law when they are moving backwards on democracy.

Authorities are continuing to degrade the rule of law in Mongolia. The legislature and judiciary have been attacked through the National Security Council (NSC). The recently passed law of writing off loans of all pensioners was basically governed by the NSC. It is no secret that the Parliament was pushed then to make direct decisions. And that is how our parliament has lost its legislative power. United Nations Special Rapporteur Michel Forst and Diego Garcia-Sayan stated that the independent court disappears when the executive branch enters the judicial process; and that the release of judges and prosecutors on the recommendation of the NSC is an indicator. The NSC of Mongolia consists of the President and the Prime Minister, two entities in the executive branch, and one in the legislative body, the Speaker of the Parliament.

MEASURING THE RULE OF LAW

World Justice Project is one of the ten organizations that are involved in the Corruption Perception Index. It is a non-profit, independent organization that ranks countries the annual Rule of Law Index. According to the 2019 report, Mongolia was ranked 53rd from 126 countries with 55 point, a decrease 2 point from 2016.









► The rule of law is measured by the degree to which the country's laws and institutions implement the following principles. These include:

1. Accountability; the government as well as private actors are accountable under the law
2. Just laws; the laws are clear, publicized, stable, and just; are applied evenly; and protect fundamental rights, including the security of persons, contract and property rights, and certain core human rights.
3. Open government; the processes by which the laws are enacted, administered, and enforced are accessible, fair, and efficient.
4. Accessible and Impartial dispute resolution; justice is delivered timely by competent, ethical, and independent representatives and neutrals who are accessible, have adequate resources, and reflect the makeup of the communities they serve.

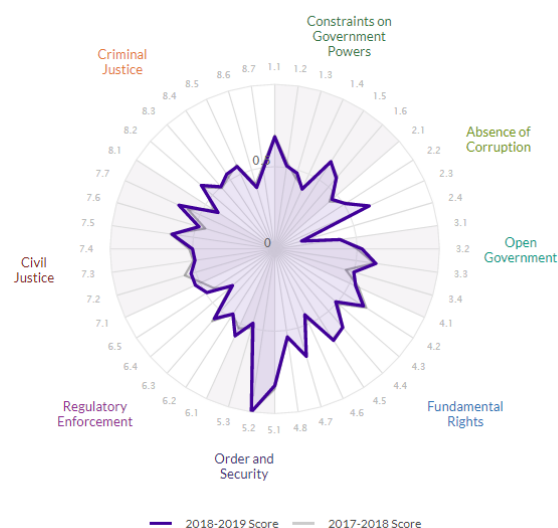
Mongolia

Region: East Asia & Pacific
Income Group: Lower Middle

Overall Score	Regional Rank	Income Rank	Global Rank
0.55	8/15	3/30	53/126
Score Change	Rank Change		
0.00	1▲		

	Factor Trend	Factor Score	Regional Rank	Income Rank	Global Rank
 Constraints on Government Powers	—	0.54	8/15	7/30	62/126
 Absence of Corruption	—	0.44	12/15	7/30	75/126
 Open Government	—	0.51	9/15	10/30	58/126
 Fundamental Rights	—	0.58	7/15	4/30	57/126
 Order and Security	—	0.77	10/15	5/30	46/126
 Regulatory Enforcement	—	0.49	9/15	9/30	75/126
 Civil Justice	—	0.54	8/15	2/30	59/126
 Criminal Justice	—	0.50	8/15	2/30	52/126

▲ Trending up ▼ Trending down Low Medium High



Source: *Rule of Law Index*

As can be seen from the graph above, while Mongolia has the highest social order and security factor, the two factors for the absence of corruption and regulatory enforcement are weaker than others.

ESTABLISHING THE RULE OF LAW

The rule of law does not come by itself, it is a long, subtle and very difficult process. In England, the longtime struggle between kings and noblemen has played a key role in the transition from customary law and universal law. The influence of religion was great as well. There was a principle that no high priesthood was superior to the Bible. This created the cultural ground for the writing down of the law on paper, and authorities had to submit to it as well.

In a developing country such as Mongolia, to establish a rule of law it is necessary to “develop and strengthen the civil service” (F.Fukuyama. “Deep state”). With the

development of civil service, civil society and the media require better performance. Finally, the rule of law is a matter for everyone, not just the lawyer. In countries where the rule of law is implemented effectively, corruption is low, poverty and unemployment are relatively small, and justice is in effect. Without the rule of law, the government would be corrupt, the freedom of the citizens would be curtailed, well educated people are weakened, and it would slip into a dark society.

2020.01.29



FERNANDO CASAL BERTOIA

ASSOCIATE PROFESSOR AT
UNIVERSITY OF NOTTINGHAM

“ **IF PARTIES ARE ILL,
DEMOCRACY WILL ALSO BE ILL** ”

Fernando Casal Bertoa is an associate professor at the University of Nottingham. He holds a PhD in Political Science from the European University Institute (Italy), a Master of Public Administration degree from the University of Salamanca (Spain) and a Master of Laws degree from the University of Navarra. He is an Associate Professor and a researcher at the International Relations and Political Science Department at the University of Nottingham (UK) and also worked as a researcher at the University of Leiden (Netherlands)

Jargal DeFacto: Good Afternoon! How many times have you visited Mongolia?

Fernando Casal Bertoa: Good Afternoon! This is my third time. The issue of party regulation and trying to improve the way political parties operate, especially the way they are funded keeps making me come back to Mongolia. I am an academic expert on political party financing.

JD: As you have been studying in formerly communist countries, let's look at the broader picture to begin with. You published a few articles and books on the institutionalization of political parties which is essential in this country. How did you find the quality of political parties as institutions in post-communist countries following a shift to a multi-party system?

FCB: This is a very current question as I am finishing a book for the Oxford University press on this issue with a colleague from the Central European University in Budapest. We found that the level of institutionalization of parties and party systems in post-communist countries is much lower than in Western Countries. We do however need to reflect on the fact that the institutionalization of parties and party systems in Western Europe is also regressing. We found a convergence between the two regions. This convergence is taking place contrary to the expectations of most researchers who expected post-communist countries to catch up to Western European countries in the level of political party institutionalization but the actual trend is seeing the convergence take place as a result of a decline in the institutionalization of political parties in Western Europe.

**IF WE ARE TALKING ABOUT A
REPRESENTATIVE DEMOCRACY,
THERE IS NO OTHER WAY THAN
HAVING POLITICAL PARTIES**

JD: Let's talk about why political parties are essential to democracy. Can we avoid political parties in a democratic system?

FCB: As far back as 1942, Schattschneider was thinking about the essentiality of political parties for democracy. In my view, if we are talking about a representative democracy, there is no other way than having political parties. I found out in an article published a couple of years ago that the institutionalization of party systems is essential to the survival of democracy. This was a study on 167 years of democracy in the Second French Republic. It clearly shows the essentiality of the institutionalization of party systems.

JD: So we can understand that representative democracy does not work without political parties?

FCB: Of course not.

JD: So the quality of political parties as institutions is the most important point for any country.

FCB: Certainly, but if parties are ill, democracy will also be ill.

JD: Let's take this point and extrapolate it to Mongolia. Like many post-communist countries, this country became democratic in the 1990s. The first party to be created by the people was the Democratic Party but we did

not dissolve the former Communist Party. How many such post-soviet countries are there? Was keeping the Communist Party a mistake or an advantage?

FCB: There are some post-communist countries where the Communist Party was not dissolved, for example, the Czech Republic. There are others where the communist party was dissolved but was later recreated such as in Moldova. In most countries, we saw the communist party convert into a social-democratic party but they were more successful at the beginning of the transition.

JD: This is true in the Mongolian case where the party no longer promotes a state run economy but state-owned enterprises. Throughout the seven elections since the 1990s, the Democratic Party and the Communist Party have either governed as a coalition or independently. Some are now questioning the difference between the two parties as they both put forward a broadly social-democratic platform. Are there similar situations in other former socialist countries?

FCB: In fact, what you are telling me is very interesting because on the one hand, Mongolia has taken the path of many post-communist countries in the sense that the communist party reformed and became a social-democratic party but on the other hand, you have a process that took place in many Western European parties. In what my former mentor Peter Mair calls the cartelization of the party system, the governing party and the opposition come together to divide the spoils of power. He wrote about this in an important article in 1995 with Richard Katz. This creates an emptiness within certain parts of the political spectrum and also tends to reduce the level of trust of citizens in political parties, and in the political system.

JD: This is exactly what is happening and you can see it every time the election law is changed 6 months before the election.

FCB: This is a phenomenon of cartelization as Mair and Katz were talking about. It does not only concern election law but party finance and other legislation as parties try to protect themselves from challengers from outside. Perhaps the most important aspect of cartelization is the entrenchment of political parties into the state. They in essence become government representatives rather than voter representatives to the point that they become public utilities. They don't perform their function which is to serve as the chain that represents the interest of the voters in government. Because of this entrenchment, leaving the political arena creates a re-

action from the public. They can either lead to vote for alternative parties which is difficult as the main parties have already taken care that they will not be this alternative party or to react to the political system.

JD: In his book, Michael Klima refers to defective democracy. In a clientelism system, political parties are no longer the bridge between power and people but the bridge between their financiers and power. It is evident in our country so what is the best way to address this issue which breeds corruption and in turn, poverty.

FCB: It is a very complicated question. First of all, it is important to note that this is not a phenomenon unique to Mongolia. We have countries such as Italy, Czech Republic where there is loss of trust in political parties and parties that represent corporate interests increasing. The illness of democracy is the illness of traditional political parties. Therefore, we need a reform of established political parties but whether they want such a reform is another issue. Creating a level playing field that not only protects established parties but allows for challengers to compete in equal terms is important. For example, allowing for the funding of smaller parties as well as bigger parties and avoiding continuous changes in institutions are just some measures. You talked about changes in the electoral system which is very worrying as it happened in Italy and many other countries. Politicians cannot learn how institutions work if the institutions are constantly changed. It is essential to understand that for parties to survive, they need to be entrenched in society. They need to go to the public because, maybe in the short term, for example a Twitter party or a business party can be created. It can work in the short-term but it has been proven by academics that it will not manage to survive. Moreover, when political parties don't function properly, the quality of democracy will also be low. They should understand that transparency, helping to combat corruption is what will allow them to recover of the voters and therefore to control the democracy.

I THINK THAT 2020 WILL BE A VERY INTERESTING ELECTION FOR THIS COUNTRY BECAUSE THE NEED FOR TRANSPARENCY IS FINALLY BEING UNDERSTOOD AFTER 30 YEARS

JD: Our recent developments with political parties suggest that they are understanding that they will not

be able to keep the trust of voters if they are not transparent. I think that 2020 will be a very interesting election for this country because the need for transparency is finally being understood after 30 years. There have been some instances such as Parliament Members misusing the Small and Medium Enterprise Fund by taking out immense amounts of money at 3% interest rate. Some politicians were reselling those loans for 20-30% interest rates through the non-banking financial sector. I think this happens to many other post-communist countries. Can you recall any instance?

FCB: Not only in post-communist countries but even in my own country, Spain, we have two important corruption scandals, one affecting the People's party but another affecting the Socialist party. This resulted in an important change in the party system because people did not trust many established parties anymore, we have increased fermentation and polarization where radical left and right parties are emerging and are the third and fourth parties in parliament. Also, the Catalan issue also has its roots in an important corruption scandal where the government was taking a 3% commission for licensing construction and other operations. The party system has collapsed in Catalonia and we have problems in terms of Rule of Law as well as democratic consolidation in the regions. We should not forget that in post-communist Europe, a lot of the new populist or liberal parties in Poland and Czech Republic came with the idea that they need to combat corruption and that they were going to be the champions of people. This did not happen. As you know, the European Union had to enact Article 7 to suspend the certain rights of the Polish government within the EU because of the way they behaved in terms of the Rule of Law and judicial independence.

JD: So what you are saying is that political parties may promise to fight corruption but they are not corruption proof. The current system allows political parties to take full power in the country through elections.

FCB: This is because institutions are not strong. In those countries where institutions are strong, this does not happen. We shouldn't forget however that the first thing populist parties go after is judicial independence because an independent judiciary is the proper control

for this type of behavior. That is why they are not interested in judicial independence. If the institutions are strong, this would not happen. The problem is that in many post-communist countries as well as in some other countries, institutions are not strong enough.

IF THE MAJORITY OF THE CONSTITUTIONAL COURT IS APPOINTED BY PARLIAMENT, IN THE LONG-TERM, MOST JUDGES WILL RESPOND TO POLITICAL PRESSURE

JD: So we have come to the conclusion that institutions are most important and that judicial independence is most important. How do we ensure this judicial independence? Is it a matter of the Constitution, Rule of Law or the maturity of the democracy?

FCB: It is a matter of principle. First of all, it is important that the separation of powers is clearly established in the Constitution. Proper development in the legislative framework is also important for judicial independence. Capacity-building of judges is also an issue we have to look at. One thing we can see in post-communist countries as well as others is that Constitutional courts are very politicized. If the majority of the Constitutional Court is appointed by Parliament, in the long-term, most judges will respond to political pressure.

JD: What is the best way to ensure that the judicial system is independent. We recently took away the structure of nomination by Prime Minister and approval by the President. Instead, the Supreme Court Council consisting of 10 members, 5 appointed by the council and 5 elected by lawyers was established. Are we headed in the right direction?

FCB: I certainly think you are headed in the right direction. I am very much in favor of judges nominating members of the Supreme Court or Constitutional Court. They are better aware of who is prepared. There could also be a mixed system with judges appointing some members and the government appointing others.

JD: What is the best model of this in Western Democracies?

FCB: I think the German model is quite a good one.

Also, in Poland, before the reforms, the Constitutional Court was also rather independent and was one of the most prestigious institutions in the country. Weakening the Constitutional Court also weakened the Electoral Commission which was also a very prestigious institution. It is very important to have institutions like this in the country.

COUNTRIES LIKE LATVIA HAVE VERY IMPORTANT ANTI-CORRUPTION AGENCIES THAT CONTROL POLITICAL FINANCING

JD: I would like to ask you about Electoral Commissions which exist in various iterations across the world. An Electorate Commission such as in the UK consisting of non-politicians as well as politicians may help the strengthening of institutions.

FCB: Even when Parliament nominates the members of the Electoral Commission as in Spain, they tend to also nominate independent experts. The UK is a great example, but we are talking about a country which has a long tradition and where the political culture is totally different than the one we have in post-communist systems. I would also like to stress that it is important to have good legislation.

JD: The Electorate Commission in the UK performs a crucial function missing in Mongolian elections. They compile and inspect all financial contributions to political parties above a certain threshold. They ensure that all parties report relevant contributions to them within a certain time period and in turn inform the public of all contributions. Is this one of the most effective measures for having transparency in political party financing?

FCB: Certainly, regulatory oversight in the United Kingdom is one of the best. But countries like Latvia have very important anti-corruption agencies that control political financing. It is essential that oversight is done by an independent entity with sufficient powers to undertake their functions such as investigation powers. It is also essential that they have the necessary human and financial resources. One of the problems you see with many oversight authorities is that they may

be independent or they may have a lot of power but if you don't allow them to have enough personnel or financial resources, they will not be able to carry out their operations. As I mentioned, having good legislation is important but having the will to implement the legislation is essential. In this sense, it is important to try to change the mentality of society and I am one of those that believe that political parties also have this function to educate society. They have to reform themselves first of course.

JD: This is one of the most important functions. Educating future leaders and bureaucrats is also essential. In Mongolia, two political parties come to power in turn and they have come to a consensus over a closed party financing environment where financing is not checked. There is however a law over reporting funding but which no one enforces. Are there similarities in other countries?

FCB: You have this in a lot of post-communist countries like Armenia, Ukraine and Moldova. However, these countries have either recently changed or discussing changes to their party laws. Mongolia is also discussing changes and I think the new law is much stronger than the previous one which was very deficient.

JD: As we don't have the time to discuss all relevant issues, where can Mongolians find your work on Mongolia?

FCB: I have a website where all my works are published – www.whogoverns.eu where you can also find information on institutionalization, party finance, democracy promotion and so on.

JD: That's wonderful. I would like to thank you for the wonderful presentation and talk about political parties in Mongolia and I wish you good success. Thank you.

HAVING GOOD LEGISLATION IS IMPORTANT BUT HAVING THE WILL TO IMPLEMENT THE LEGISLATION IS ESSENTIAL

This interview originally aired in December 2019.

You can watch the full 30-minute interview at www.jargaldefacto.com

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DeFacto **REVIEW**

Every Sunday live at 7pm on MNB World television: 2nd February, 2020
For weekly reviews, visit <http://jargaldefacto.com/category/12?lang=en>

Host:
Namsrai Tsend

Commentator:
Jargal Dambadarjaa

IS A STATE OF EMERGENCY NECESSARY IN MONGOLIA?

In order to prevent the coronavirus from spreading into Mongolia, it closed its border with China with Chinese citizens being restricted from entering the country and Mongolians banned from travelling to China until the 2nd of March. These are important measures but are reactionary in nature. Our preparedness for dealing with an outbreak are however questionable. There are international health regulations established by the World Health Organization and as far as I can tell, Mongolia is following those regulations.

From a personal protection perspective, such as the stock of masks and disinfectants as well as food supply, it seems Mongolia is not ready for such an outbreak. In the days following the announcement, there was a severe shortage of masks and disinfectants. There is only one factory in Mongolia capable of meeting 10% of the demand and the government failed to heed their advice when they attempted to make the government aware of the situation. This raises the question of our preparedness to handle an outbreak at the country, aimag, soum and district levels.

The emergency preparedness plan at the national and aimag level needs to be updated to account for home many months we can supply a given item, hospital capacities and contingencies. We brought 32 Mongolians, mostly students from Wuhan and they are to be quarantined for 2 weeks at an infectious disease hospital. However, our emergency preparedness efforts need to be revamped. For example, we have been building a hospital near the airport for the past 12 years when China constructed a 1000 bed hospital within 10 days.

The World Health Organization announced a state of international emergency, an upgrade from a medium threat they had declared previously. This mainly concerns countries with weaker healthcare systems as an outbreak in those countries would result in a disaster

and mass casualties.

Mongolia has cancelled all flights to China and Russia closed its border with Mongolia to Chinese citizens. The disease mostly affects senior people with weaker immune systems and many countries are working on vaccines for the disease. Currently the most effective vaccines are HIV vaccines. The Ministry of Health of Mongolia is the focal point for information and we should get information exclusively from them as there are unsubstantiated rumors circulating from numerous news outlets. Mongolia is dependent on supply from China and we will soon feel the impact of the disease on our economy. Economic relations have not been suspended and hopefully they will not be. Ceasing imports from China will result in an increase in the demand of basic necessities, especially food.

Reduce your risk of **coronavirus** infection:



Clean hands with soap and water
or alcohol-based hand rub

Cover nose and mouth when coughing and
sneezing with tissue or flexed elbow



Avoid close contact with anyone with
cold or flu-like symptoms

Thoroughly cook meat and eggs



Avoid unprotected contact with live
wild or farm animals



World Health
Organization

CAN WE REDUCE TRAFFIC JAMS BY 90%?

Head of the Cabinet Secretariat of Government L.Oyun-Erdene claims that with the comprehensive renovation project of public transport, the traffic jam of Ulaanbaatar will be reduced by 90%. The renovation of bus parks, mantle train system, airbuses and a new taxi service are all encompassed within the project. The Mayor of Ulaanbaatar, S.Amarsaikhan stated that the construction of a airbus system will begin in April. It is clear that certain measures need to be taken to tackle the traffic in Ulaanbaatar.

The 5-6 measures that have been proposed are coming just a few prior to the election, forcing some to question whether this is a publicity stunt rather than a genuine policy issue. However, they are the result of long-term feasibility studies, the results of which has not been made public as of yet. As far as we know, the airbus is akin to those utilized in ski resorts. It is a relatively new form of transportation that is rapidly expanding and a good example of it being utilized would be Medellin, Colombia which managed to drop travel times from over an hour to 15 minutes.

The Mayor is suggesting that it runs from Bayankhoshuu in the North-West to the end of the 3rd District. Given that the route would go through Ger Districts, it would be difficult to free up the land to pave a direct road. It was also announced that the project would be funded by low-interest French Credit Assistance loans and it will be implemented by a French company with significant experience. While the project will begin in April, there are relatively optimistic projections that it will be completed within 2020.

As this is an election year, the next government and Mayor of Ulaanbaatar will continue to implement the project. June 24th will not only see the election of Members of Parliament, but also members of the local Khurals, including the 45-member Ulaanbaatar city Khural who will elect the next Mayor of Ulaanbaatar. It is hoped that the next administration shall continue this project to full implementation.

Transparency over issues such as project expenditure, expertise of domestic companies and their relationships



with policymakers is essential. Usually, domestic companies implementing projects have relations with decision makers and such projects are immediately halted following a change in government. Unfortunately, the financial burden of those incomplete projects ultimately fall at the feet of the taxpayer.

It is becoming clear that road taxes are ineffective and there are 200,000 or so cars in Ulaanbaatar, the majority of which are old Japanese cars. This creates an issue of the majority of cars being right handed in a left handed system. Increased taxes on old cars and tolls for cars entering the city center were discussed at length but the populist nature of our politicians has led to non-implementation of those taxes. The solution to the traffic issue lies in financial incentives combined with projects such as the railbus one. It is worth mentioning again that transparency in decision-making and the implementation of the project is essential to its implementation.

As a precaution against the coronavirus, all kindergartens, schools and universities are closed and TV classes for secondary school students began on February 3rd. Prior to the closure of schools the Ulaanbaatar Mayor's Office initiated a bussing system for schools. This had significantly relieved the traffic which had been worsened by parents taking their children from the outskirts of the city to the center due to the better quality of schools. Therefore, good quality of education across the city and the country is essential. There are many things that can be done to make traffic better.

ARE THE ELECTORAL CONSTITUENCIES FAIR?

According to a resolution approved by Parliament last Friday, there will be 29 constituencies across the country with a constituency in each of the 20 aimags and 9 constituencies in Ulaanbaatar. As for members, Ulaanbaatar will have 24 and the aimags will have 52. Some have claimed that the system would unfairly advantage larger parties and that the Mongolian People's Party allocated a disproportionate amount of seats to the aimags where they are significantly more popular.

It is an unfair system and Mongolian elections in general are unfair as the ruling party keeps amending the election law in the immediate proximity of the election to advantage them. The election law was amended just before each of the seven elections in Mongolia and this is a great cancer of Mongolian democracy. There has been little public outcry against this in the past and it was the same this time around.

Under this iteration of the election system, Ulaanbaatar has less seats than even in the previous election. Democracy needs to be proportional and fair. If Ulaanbaatar has half of the population, half of the seats need to be from Ulaanbaatar. They claim that allocating more seats to rural areas will lead to its development but this is nonsense. The development of rural areas does not depend on the quantity of Members of Parliament but on the economic competitiveness of the aimags.

This can only be achieved through their financial independence and having prerogative over at least a portion of their taxes rather than sending all of it to Ulaanbaatar as is currently the case would be a good start. They can then use those proceeds to issue bonds and perhaps relieve individuals who buy the bonds from certain taxes. In addition to this, Mongolia needs to completely change

its rural area management structure.

Regulations against buying votes have been enacted but this occurs in various forms at every election. Given the size of the constituencies in the upcoming election, it will be harder to buy enough votes and this in turn provides an opportunity for smaller political parties. Therefore, new faces and new political parties will hopefully emerge in the Mongolian political arena following the upcoming elections. The Organization for Security and Cooperation in Europe monitored the 2016 elections and generated recommendations for the Mongolian electoral system.

One of those recommendation called for more dialogue with all stakeholders, providing smaller parties with better opportunities for representations and generally having a consensus-based approach to elections. Decision-makers have unfortunately not listened to this advice with gerrymandering taking place without input from smaller parties and other stakeholders. Mongolia has 31 political parties and 7 of them are quite new.

Should an instance of electoral fraud occur, those parties will raise the most questions as in 2008. Hopefully things will go peacefully this year and if anything goes wrong, smaller parties are in a better position to sound the alarm. We have learned a lot from our previous elections but we are failing to make the required adjustments. We have not guaranteed the participation of all political parties in the consultations for developing the rules and regulations for elections.

*This review has been edited here for space and clarity.
You can watch the full 30-minute review on the Defacto website [HERE](#).*

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