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**Report of the International Delegation
Studying the Development
of the Mongolian Election System
*3-10 December 1991***

Prepared by:

Ron Gould, William Kimberling, and Anne Birte Pade



International Foundation for Election Systems
1101 15th Street N.W., Third Floor
Washington, D.C. 20005
phone: (202) 828-8507 • fax: (202) 452-0804



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Foreword

This document is a report by the international delegation studying the development of the Mongolian election system. The period of our visit was from 3 through 10 December 1991, and members of the delegation included:

Mr. Ron Gould
Assistant Chief Electoral Officer
Elections Canada

Mr. William C. Kimberling
Deputy Director
Office of Election Administration
U.S. Federal Election Commission

Ms. Anne Birte Pade
Director of Elections of Ministry of the Interior
Denmark

As members the delegation, we would like to express our deep gratitude to the Asia Foundation for their funding of this mission, for their time, effort, and thoughtfulness in making all our arrangements, and for their patience in awaiting our final reports. We are also grateful to the International Foundation for Electoral Systems for their valuable advice and preparatory materials. And most especially, we are grateful to the government, the political leaders, and the people of Mongolia who greeted our visit with such extraordinary personal warmth, interest, hospitality, and good humor. It is they who made our visit forever memorable. And it is with best wishes for them and for their future that we submit this report.

Ron Gould

William Kimberling

Anne Birte Pade

March 1992

Introduction

Mongolia comprises 604,103 square miles of magnificent and largely unspoiled land situated between Russia to the north and the People's Republic of China to the south. Over one third of its 2,000,000 or so inhabitants reside in the capital city of Ulaanbaatar (600,000 pop.), in the second city of Darhan (65,000 pop.), or in Erdenet (50,000 pop.). The remainder, some of them nomadic, are distributed throughout the eighteen (18) aimaks (political subdivisions roughly akin to large counties in the United States). The vast majority of the people are of Mongolian descent, and about 75% of them are 35 years of age or younger with 40% being below the age of 16.

Mongolia's history has been shaped primarily by its landlocked isolation between two giant neighbors. Its dominant historical figure is Ghengis Khan whose military conquests from the Pacific to the Mediterranean contributed to a rich and unique culture. Since those imperial days, China and Russia have competed for political and economic dominance over Mongolia. Indeed, the land called Inner Mongolia remains a province of northern China. But since 1924, the current nation of Mongolia (once referred to as Outer Mongolia) has come under the influence of the Soviet Union and has modeled itself on the Soviet political and economic systems.

It is not surprising, then, that Mongolia is today undergoing the same sort of political and economic reforms and upheavals that currently beset the countries of Eastern Europe and the republics of the former Soviet Union. Yet despite some measure of political confusion and despite the temporary economic dislocations that such fundamental reforms inevitably entail, there are reasons to expect that Mongolia will recover more rapidly than most of its sister soviet socialist states.

First, it seems unlikely that Soviet ideology permeated all stratas of Mongolian society quite as thoroughly as it did in the Soviet republics or Eastern Europe. Soviet communism was, after all, primarily an urban industrialized notion rather than a rural agrarian one. And although we did not have an opportunity to explore this hypothesis first hand in the small towns or countryside, it is a fair bet that the daily lives of many of the rural and nomadic populations were largely unaffected by the prevailing ideology. Moreover, the majority of the population, as noted earlier, are relatively young and thus more amenable to radical changes — especially those that give vent to their energies and ambitions. Already there are signs of adjustment. There is, for example, a robust free-trade market based, it seems, on the U.S. dollar. Privately run “dollar shops” abound while a shopping center composed entirely of privately owned and operated stalls seems to do a lively business. And steps are underway toward even further privatization.

A second reason for optimism is that despite fearful rumors of conservative or reactionary Mongolian People's Revolutionary Party (MPRP) elements, there seemed to us a genuine and determined spirit of reform at all official levels and in all political parties. There are, to be sure, differences over the speed and extent of proposed reforms; but if there really are elements that seek to restore the old order, we did not meet them.

Finally, it should be said that it is probably easier to reform a semi-industrialized nation of two million people than it is a fully industrialized, complex nation of (say) twenty five or fifty million people. The more so in the absence of complicating internal ethnic or national rivalries. From the point of view of those who would provide assistance, then, each dollar of it would undoubtedly go further in Mongolia than in any other reforming soviet socialist republic.

The picture, however, is not entirely rosy and bright. The recent cessation of substantial aid from the former USSR is sure to have profound and terrible consequences on an economy that has been virtually dependent on the USSR for everything from paper to nails. Upon the withdrawal of USSR technicians, construction projects have come to a standstill; and in the absence of USSR replacement parts, vital services such as electricity, heat, and public transportation are in jeopardy. Moreover, the transition from a command to a free market economy is certain to result in temporary shortages and inflation. Already, butter and other foodstuffs are being rationed when they are available at all. Meanwhile, exports of valuable Mongolian products such as cashmere, leather, furs, suede, wool, carpets, raw materials, and even tourism are hampered by inadequate transport facilities. For at present, the only routes in or out of this landlocked nation are either through Russia or through China. And they lack cargo aircraft as well as primary aviation support services.

From a political, sociological, and technical perspective, Mongolia is similarly isolated. Most foreign degrees in higher education have, understandably, been obtained in Moscow. Most books are in Russian or at least in Cyrillic script. And direct contacts with the West have been few. Faced with the collapse of the system of which they were an integral part, the Mongolians are, by their own admission, "hungry for Western concepts, ideas, and practices." This appetite has, however, led to two hazardous tendencies.

The first is that in their enthusiasm for examining Western concepts and practices (and they have conducted a very creditable review of Western constitutions), they are sometimes inclined to borrow what seems like a good idea from here and what seems like a good idea from there without apparent regard to the overall consistency or compatibility of the resulting amalgam. Nowhere is this more apparent than in their new Constitution which contains seemingly incompatible or at least complicating elements of both the parliamentary/prime ministerial form of government and the congressional/presidential form of government. (For a further discussion of this matter, see the section below on The Constitutional System). The same problem carries over into selecting a system of representation (majoritarian versus proportional), into several aspects of the election process, and even into other areas of law (such as mineral and oil rights) that are outside the focus of this report.

The second hazardous tendency is their inclination to draft laws that are overly detailed, overly comprehensive, and inflexible. It is as though they are trying to substitute one complete and absolute body of dogma with another. In so doing, they sometimes find themselves prematurely caught up in complexities and nuances that are probably better left to another day or even to another decade (such as absentee voting for military and overseas citizens as well as for those jailed awaiting trial or hospitalized outside their voting district; campaign financing; and the like). By the same token, the law often addresses details (such as the number of voters per polling place, step-by-step voting procedures, etc.) that are better left to administrative rules and procedures that can be altered over time in light of experience and circumstances. (For a fuller discussion of these matters, see the section below on The Election System).

It is within this economic and political context that our delegation was privileged to witness what, despite Mongolia's problems, can only be described as their impressive and substantial strides toward a free and democratic political process. Their continued progress, however, may depend in large measure on continued technical advice and assistance from the industrial democracies.

Our observations below address The Political Environment, the Constitutional System, the Political Party System, and the Election System as we found them. The summary provides our specific recommendations for further assistance in Mongolia's electoral development.

The Mongolian Political Setting

Political developments in Mongolia have, from 1924 to this day, closely paralleled those in the former Soviet Union. Mongolia's previous constitution, for example, included:

- a Great People's Hural which functioned much like the USSR's Congress of People's Deputies (meeting only occasionally during its five-year term to elect the the Baga Hural, the President, confirm major decisions, etc.)
- a Baga (Small) Hural which functioned much like the USSR's Supreme Soviet (serving as the primary legislative body)
- a five member Politburo which functioned much like its USSR counterpart, and
- a President and Prime Minister who functioned much like their USSR counterparts.

These national institutions were, until 1990, dominated exclusively by the Mongolian People's Revolutionary Party (MPRP) in precisely the same manner as the Communist Party of the Soviet Union dominated that government.

Given such parallel development, it is not entirely surprising that the reforms instituted in Mongolia since 1984 have also closely followed those undertaken in the Soviet Union during the same period. There was, for example, a gradual political and economic liberalization from 1984 to 1989 which coincided with that in the Soviet Union. Further, in the spring of 1990 (just shortly after the Communist Party in the USSR did so), the MPRP renounced its monopoly of political power and replaced senior governmental and party officials. Finally, in tandem with the USSR's Congress of People's Deputies, the Mongolian Great People's Hural in March of 1990 amended the constitution by eliminating single party control of the government, by slightly restructuring the national legislative bodies, and by authorizing the eventual direct election of the President. They also called for new elections to be held in July of 1990— one year earlier than originally scheduled.

In July 1990, the first multi-party elections in seventy years were held to fill 430 seats in the Great People's Hural as well as to determine, by proportional vote, the distribution of seats in the 52-member Baga Hural. Several features of those elections deserve mention inasmuch as they highlight themes that continue to weave through current debates and discussions.

The first significant feature of the 1990 elections was the system of representation chosen for each of the Hurals. In the Great People's Hural, each of the 430 seats represented a single geographic district. But the districts were designed such that about 370 seats represented rural areas (containing around two thirds of the population) while only about 60 seats represented the remaining third of the population residing in urban areas. This bias in favor of the rural (traditionally more conservative) population was a recurring issue in our conversations with reformers and conservatives alike.

In contrast to the single-member-district system of representation in the Great People's Hural, seats in the Baga Hural were distributed amongst the political parties in accordance with the nationwide proportion of votes cast for political party preference. This system, too, fell under some criticism inasmuch opposition parties (having only newly formed with little opportunity organize throughout the countryside) felt that it gave the MPRP undue advantage.

In the end, the MPRP won about 85% of the seats in the Great People's Hural and about 60% of the seats in the Baga Hural. And the issue of what might be the most desirable system of representation for Mongolia continues to be a topic of lively debate (see System of Representation below).

A second significant feature of the July 1990 elections was the fairly curious and somewhat cumbersome nominating process. A multi-party system was new to Mongolian politics, and there appear to have been some difficulties in accommodating the traditional nominating procedure to the existence of more than one party.

Rather than permitting each qualified political party to nominate one candidate for each of the 430 seats in the Great People's Hural, the Mongolian government chose instead to continue the traditional USSR style nomination process. Thus, any officially recognized group of 150 persons in cities (or 50 persons in rural areas) could nominate a candidate — regardless of political party affiliation. The consequences were two-fold: a proliferation of candidates for each seat (as many as 70 in one race alone) many of whom were of the same political party; and complaints from the newly formed political parties that this nomination process favored the MPRP by reason of its well established nationwide organization.

The proliferation of candidates for each seat in the Great People's Hural was originally to be resolved in the same manner as provided for in USSR elections — by district “caucuses” which would winnow the many candidates for each seat down to a few. But under intense pressure from the newly formed political parties, the government instead opted for what they called a “If primary” election whose purpose was to reduce the field of candidates for each seat to the top two vote getters in each district — presumably without regard to their political party affiliation. (The only thing similar to this procedure in the United States is the Louisiana State primary system). Such a “primary” was conducted on 22 July 1990.

The general election for the Great People's Hural, conducted one week later on 29 July 1990, was therefore a run-off election between the top two vote getters in each district. It also included a separate ballot on party preference for the purpose of assigning seats in the Baga Hural to the political parties in accordance with their proportion of the vote.

Because this nomination process was expensive, cumbersome, aroused charges of political bias, and seems unsuited to a multiparty setting, alternative nominating procedures are now being actively considered.

A number of other potentially troubling features of the July 1990 elections deserve brief mention:

- Although each of the qualified political parties at the time received limited financial assistance from the government, the fairness of the arrangement stirred complaints from some of the smaller parties (though it must be said that any public financing scheme is likely to draw complaints of one kind or another).
- Similarly, there were some complaints about the ease of access to the media for the purposes of campaigning.
- The electoral commissions at the national, regional, and local levels responsible for conducting the elections (including absentee voting officials) appeared to be dominated by members of the MPRP rather than representing a political party balance.
- The method of casting a vote still followed the USSR style of crossing out unwanted candidates rather than indicating a positive choice. This process was viewed by some as being burdensome on voters when the ballot contained more than five or so names and seems to have resulted in an abnormal number of voided ballots.

- Similar to procedures in the USSR, if *all* names were crossed off the ballot on a number of ballots sufficient to deny any candidate the absolute majority of votes cast, the election for that seat was nullified and a new election in that district was conducted within 30 days. This is an expensive process that could, at least potentially, delay the final seating indefinitely.
- And finally, there appeared to be some gaps in the training of election officials and the education of voters.

It is with this recent experience in mind that the Great People's Hural assembled, selected a president and vice president, members of the Baga Hural, and, along with the Baga Hural, began considering a new constitution and new election laws for the Republic of Mongolia.

Our delegation arrived in December of 1991 during the legislative debate on the new constitution and before debate had begun on the proposed draft election law (a copy of which had been provided to us in advance). This report on the new Mongolian constitutional, political party, and election systems is therefore tentative and incomplete. Our purpose is not to describe these systems (which are, in any event, still being designed), but rather to identify the major issues in the current debates and discussions so that future delegations might enquire into how these matters have been resolved.

The New Mongolian Constitutional System

This section describes, to the best of our understanding, the new Mongolian constitutional system as it relates to the election system. (As previously noted, our delegation arrived in December of 1991 during the debate on the new constitution. We have, however, since received the final draft of the Mongolian constitution as adopted on 13 January 1992). For the purposes of this report, a constitutional system is defined as including the *form of government*, the *structure of government*, and the *system of representation*.

Form of Government

“Form of government” refers to the horizontal distribution of power among institutions at the national level. There are, with some variations on each, two principal forms of democratic government: the parliamentary/prime ministerial form and the congressional/presidential form.

The parliamentary/prime ministerial form of government is characterized by a legislature popularly elected for a term not to exceed a fixed number of years. The Head of State is typically either a royal personage or else a person appointed or elected to fill that largely honorific and ceremonial role. The Head of State also designates his prime minister (usually a person recommended by the head of the majority party or majority coalition). The prime minister, along with members of a cabinet appointed by him typically from within the parliament, constitute the “government” and exercise all important executive powers “on behalf of” the Head of State. It is also characteristic of parliamentary/prime ministerial forms of government that, under certain circumstances, the prime minister’s government may fall — necessitating either the formation of a new government or else new parliamentary elections within six weeks or so.

The congressional/presidential form of government is characterized by a congress popularly elected for fixed and unvarying terms of office. The president is separately elected for a similarly fixed term, serves as the ceremonial Head of State, and (along with a cabinet appointed by him from outside the congress but typically requiring the approval of the congress) exercises all executive powers. In the congressional/presidential form of government, the executive administration does not “fall” under any circumstances, and elections for congress and president therefore occur on a regular and predictable schedule.

As a result of their examination of Western constitutions, and in response to their own experiences and preferences, the Mongolians appear to have adopted a hybrid of these two forms of government which includes some curiosities and inconsistencies that directly affect the election process and that perhaps only time and experience will resolve.

Article 21 of the new constitution calls for a singlechamber State Great Hural containing 76 members to be popularly elected for a term of four years. Articles 30 and 31 also establish a four-year Presidency— candidates for which are to be nominated by political parties represented in the State Great Hural but elected by an absolute majority of a popular vote. It is noteworthy that should no presidential candidate receive an absolute majority of the vote in the first election, a second runoff election between the top two vote getters is to be held at some later, unspecified date. And this process repeats -presumably ad

infinitum — until a candidate receives an absolute majority. It is possible, then, that a presidential election could be two or more events rather than a single one.

Consistent with most congressional/presidential forms of government, Article 25, Section 5 along with Article 35, Section 2 of the constitution grant the State Great Hural the power, under certain defined circumstances, to relieve or remove the President. On the other hand, consistent with most parliamentary/prime ministerial forms of government, Article 22, Section 2 of the constitution grants the president the power, under certain defined circumstances, to dissolve the State Great Hural.

These simultaneous and countervailing powers set the stage for some interesting and potentially paralyzing constitutional crises. Moreover, in the event that the Hural is dissolved by the president, it is not entirely clear what would happen next. (Under Article 25, Section 3 of the constitution, the sitting Hural seems to have the power to fix the date of its next election and, under Article 23, Section 2, to retain its power until newly elected members are sworn in. They could, then, at least in theory, thwart their own dissolution by fixing the next election far into the future.) The question also arises whether, in the event of the dissolution of the Hural or the removal of a President, the subsequently elected Hural or President would enjoy the full four year term granted them in the constitution. If so, then there would be no predictable synchronization between the the Huralic and Presidential elections. Presidential and Huralic elections could conceivably end up happening in the same year or in one of three different years from each other. And there is scientific evidence that suggests a partisan political consequence in the timing of presidential versus legislative elections — depending both on their proximity and on which election happens first. But perhaps these are matters that will be addressed in the election law.

Article 33 of the constitution grants to the President not only the ceremonial and official powers of Head of State but also certain important executive powers including: both partial and complete veto power over legislation passed by: the State Great Hural (balanced by the Hural's power to override such vetoes by a two-thirds vote); the power to "direct the government on questions within the areas of his competence;" "full power in foreign relations;" and the power of Commander-in-Chief over the armed forces. It is not clear whether these executive powers can be exercised independently (as in a congressional/presidential arrangement) or whether they are to be exercised only through the "government" (as is customary in a parliamentary/prime ministerial arrangement).

This is an important consideration since Chapter Three, Part III of the constitution also establishes a "government." As in most parliamentary/prime ministerial arrangements, the Mongolian "government" is to be composed of a Prime Minister and other members (Article 39, Section 1) who then constitute the "highest executive body of the State" with appropriate executive powers as specified in Article 38. Yet unlike most parliamentary/prime ministerial arrangements, the Mongolian Prime Minister is to be appointed by the State Great Hural on the basis of a proposal from the President made after his consultation with the majority party (or all parties) of the State Great Hural (Article 33, Section 2). As an even greater departure from traditional parliamentary/prime ministerial arrangements (and much more akin to congressional/presidential forms) the other members of the Mongolian "government" must also be approved by the State Great Hural upon their nomination by the Prime Minister (Article 39, Sections 2 and 3). It is not entirely clear whether the Prime Minister or other members of the "government" must be members of the Hural (as in most western parliaments) or, conversely, whether any member of the Hural so appointed would have to resign his seat (as in France). Nor is it entirely clear what effect the resignation of the Prime minister or the entire government would have — whether it would necessitate new elections for the Hural or whether a new Prime Minister and government could be appointed without

new elections. These matters, which the Mongolians themselves raised during our seminar, must be clarified in the election law.

Chapter Three, Part IV of the constitution creates a judicial branch composed of a Supreme Court and lower general courts that are to hear all cases except constitutional disputes which are, according to Chapter Five of the constitution, reserved to a special Constitutional Court (although in practice such a distinction is often subtle and may give rise to jurisdictional disputes). Which court would hear cases involving elections would seem to depend, then, on the specific issues involved (whether the case is purely a matter of election irregularities or whether it is one involving fundamental constitutional rights — although one often leads to the other).

Finally, it should be noted that although Article 31 of the constitution spells out the manner of electing the President, Article 21, Section 4 specifically leaves to subsequent law the procedure for electing members of the State Great Hural.

The form of government established in the Mongolian constitution appears, then, to be an amalgam of both parliamentary/prime ministerial and congressional/presidential forms of government. In light of the resulting ambiguities cited above and in light of the complexities inherent in any election law, Mongolia might greatly benefit from qualified legal and technical assistance in drafting their election law. And such assistance should be provided by experts from both forms of government.

Structure of Government

“Structure of government” refers to the vertical distribution of power across national, regional, and local units of government. Although there are several models for such a distribution, Article 2, Sections 1 and 2 of the Mongolian constitution define Mongolia as a “unitary state” to be “divided into administrative units only.” Chapter Four of the constitution amplifies this principle by authorizing the establishment of the following lower administrative units: Aimaks and a capital city (Aimaks to be divided into Somons and Somons into Buks; and the capital city into Districts and Districts into Horoos).

Each of these levels are to be governed, at least to some extent, by an elected Hural (Article 59, Section 3 and Article 63, Section 1) and by a Governor proposed by the respective Hural but appointed, in most cases, by the executive of the next higher level (Article 60, Section 2). All Governors are to serve four-year terms (Article 60, Section 2) unless they resign (Article 61, Section 3). Similarly, the Hurals of 111 aimaks and the capital city are to be elected for four-year terms (Article 59, Section 3), although the terms of office of the lower level Hurals seem to be left to subsequent law.

From the standpoint of the election process, the most significant issue in this structure of government is the timing of the local Huralic elections relative to each other and then relative to the national elections. For although the terms of office (and, hence, the election dates) of the local Hurals appear to be fixed and immutable, national elections for the State Great Hural and for president (though certain to be on separate days) may, as previously noted, end up being in the same year or in any combination of two different years.

Thus even if, for the sake of clarity and thrift, all local Hurals are to be elected on the same day each four years, it is still conceivable (depending on dissolutions of the State Great Hural or the removal of a president) that Mongolia could have national legislative, presidential, and local legislative elections all in

one year or in as many as three separate years. The latter case could be a very expensive and somewhat confusing election calendar.

In any event, the procedures for local Huralic elections are left in the constitution to subsequent law (Article 59, Section 3) — thereby underscoring the potential benefit to Mongolia of qualified legal and technical assistance in drafting their election law.

System of Representation

“System of representation” refers to the method by which popular votes are translated into the selection of individuals to fill public offices. And there is an astonishing variety of such systems from which to choose — each of which has a significant impact not only on partisan political outcomes, but also on the formation of political parties and on the administrative costs and difficulties of conducting elections. [NOTE: The system of representation may be defined either in a written constitution, by statute, or by traditional practice. Yet because of its central significance to how a government is “constituted,” the issue appears here under “The Constitutional System.”]

Although the manner of electing the President of Mongolia is (except for the timing of any runoff election) clearly defined in Article 31 of the constitution, it is clear from Article 21, Section 4 and from Article 59, Section 3 that the manner of electing the State Great Hural and the local Hurals shall be a matter for subsequent legislation. Thus, the election law is to contain not only the procedures to be followed in the election process but also the *system of representation* to be reflected in each of the Hurals.

Based on our delegation’s discussions with various Mongolian political leaders during our visit, the problem of selecting a system of representation is likely to be a highly contentious one. For there are a number of conflicting purposes in play, and the consequences of alternative systems of representation do not seem to be clearly understood (nor are they, for that matter, in Western democracies).

One issue in dispute, for example, is the relative electoral weight to be accorded to rural versus urban populations (an issue that, as previously noted, arose in the 1990 elections and one that is evaded in Article 21, Section 2 of the constitution by its conspicuous omission of “equal” to describe the suffrage). There are two principal ways of achieving an equal voting strength for all citizens regardless of their physical location:

- single member majoritarian districts of exactly equal population, or
- a nationwide proportional system.

In either case, all other things being equal, one individual’s vote carries as much weight as another’s anywhere in the country. But there are variations on these two extremes that can alter the relative balance between urban and rural populations. The three most common are:

- single member majoritarian districts not based on equal population (wherein districts can be drawn according to territory rather than population),
- multi-member majoritarian districts (wherein the number of seats allocated to each district is not proportional to the size of its population), and
- multi-member proportional districts (wherein the number of seats allocated to each district is not proportional to the size of its population although the political party distribution of seats within each district is proportional to the party vote within the district).

In any of these cases, the districts or district size can be manipulated in such a way as to grant one population a relatively greater electoral weight than another.

A second issue in dispute is the desirability of a two-party versus a multi-party system. There is ample empirical evidence which, along with the internal logic of each system, suggests that:

- majoritarian systems of representation (and especially single-member-district majoritarian systems) tend to result in a two-party system, while
- proportional systems of representation (and especially nationwide proportional systems) tend to result in a multi-party system.

Although there are modifications of each of these systems that ameliorate their respective effects, it is clear that a multi-party system is ill suited to any majoritarian system of representation. And by the same token, a two-party system makes no sense in any proportional system of representation.

It follows, then, that those who want to overrepresent the rural areas by way of a multi-member-district proportional system of representation but who also want a two-party system cannot have it both ways. Conversely, those who want equal voting strength through a single-member-district majoritarian system of representation but who also favor a multi-party system must make a choice.

A third issue in dispute is the probable partisan outcome that any system of representation might have. This concern was raised occasionally by the newly formed political parties who fear the advantage that the MPRP might have given its former monopoly and its well established organization throughout all parts of the country. And a tangential issue that the Mongolians raised in our seminar is whether a member of the Hural who changes his party affiliation should retain his seat (as in most western democracies) or lose it (which might seem appropriate under some proportional systems of representation).

Finally, it should be said that the choice of the system of representation has profound consequences on election costs and procedures (especially on ballot preparation, on voting procedures, on ballot tabulation, and on any political party subventions). These consequences, too, must be taken into account.

In sum, because the election law is to include a definition of the systems of representation to be used in the national and local Hurals, Mongolia might benefit from qualified technical advice on the overall consequences of each alternative. Such advice should, of course, come from experts representing or at least familiar with the workings and consequences of each alternative system.

The Mongolian Political Party System

For several reasons, it is premature at this point to discuss the Mongolian political party system at any length or depth. First, political parties are, as previously noted, a fairly recent development dating from 1990. Second, without a decision regarding a system of representation, no speculations can be made as to future developments. And third, there is, apparently, a substantial body of law already on the books regarding the formation, recognition, and allowable behavior of political parties. Unfortunately, this lengthy law has not been translated into English so that our delegation was unable to examine its provisions.

Suffice it to say that during the time of our delegation's visit, there were six legally recognized political parties with at least two more said to be in the process of forming and at least one rumored to be in the process of dividing. As might be expected, the current political parties constitute a broad and sometimes overlapping spectrum of political views. Political colorations in the Mongolian conservative-liberal frame of reference (which, under the circumstances, is opposite that of the Western spectrum) range from:

- the extremely conservative (represented by the old line, traditionalist wing of the Mongolian People's Revolutionary Party [MPRP])
- the slightly conservative (represented by the reformist wing of the MPRP and by the Mongolian Social Democratic Party [MSD])
- the middle of the road (represented by the Mongolian Party for National Progress [MNP] akin to Western Liberal parties)
- the slightly liberal (represented by the Mongolian Democratic Party [MD] akin to Western Conservative parties)
- the extremely liberal (represented by the Free Labor Party [FL] which, in fact, is meant to mean Free Enterprise party), and
- the Greens (who, though somewhat outside any spectrum, are nevertheless represented by the Mongolian Green Party [MG]).

[NOTE: This political picture is complicated somewhat by historical artifacts. Future delegations might want to note that prior to the legalization of political parties, some like-minded Mongolians had formed what amounts to political "clubs" whose names pretty much paralleled the names of the current political parties. When political parties were legalized, some of these "clubs" converted themselves completely into political parties. Others spawned political parties of the same name while maintaining their "club," its name, its membership, and its officers. It is important to ascertain, then, whether one is talking to a representative of a political club or to a representative of a similarly named political party. In time, however, this distinction is likely to disappear along with the political clubs.]

In our brief interviews with representatives of over half the current political parties, our delegation gathered at least three distinct impressions:

- Mongolian political parties are, to date, essentially parliamentary parties rather than mass based political parties. That is to say, the organizational and policy making functions appear to take place from the top down based more on topics being currently debated in the Hurlals than on any set of philosophical or ideological principles. (This is not, by the way, particularly surprising since historically most Western political parties began in the same way). Thus far, however, political party activities in Mongolia seem to have focused primarily on recruitment and on publishing a party

magazine (printing facilities and paper supplies permitting) rather than on issue development, meetings, organization, and the nomination process.

- Mongolian political parties seem as yet unclear about their proper role in a democratic government. That is to say, they are inexperienced and understandably unfamiliar with how to work together, how to behave in power, how to behave in opposition, and, generally, how to act as a political party. (This uncertainty was underscored by one political party representative who said to us bluntly, "Well, now we have formed our political party. What do we do next?").
- The political party picture in Mongolia is likely to undergo substantial changes in the next few years. That is to say, break-ups, coalitions, and new parties are likely to occur frequently over the next few years in response to new issues, electoral experience, and whatever system of representation is adopted.

Based on these impressions, it is our delegation's conclusion that Mongolia would greatly benefit from a week-long, non-partisan seminar on political parties open to all those interested and focusing on:

- the nature of a political party
- the responsibilities and limitations of a political party in power
- the responsibilities and limitations of a political party in opposition
- political party organization and recruitment
- political party fundraising
- political party policy formation
- political party nominating processes, and
- political party campaigning.

Such a seminar would best be provided by a bi-partisan or multi-partisan team of experienced and knowledgeable political party operatives along with appropriate philosophical or academic mediators (Richard Hofstadter and William Crotty leap to mind).

The Mongolian Election System

As with the Mongolian political party system, it is impossible at this point to define in any detail the Mongolian election system. The reason for this is simply that the election law is yet to be written and enacted. And although our delegation was provided a proposed draft of the election law pertaining to the election of members to the State Great Hural, it must be said that substantial changes were made to that draft during the course of our delegation's visit, and further changes are sure to result from legislative deliberation.

We restrict ourselves, therefore, to identifying the primary functions of an election system and to highlighting some of the important issues regarding those functions that emerged during our conversations and seminar on the election law. But before doing that, a few general observations are in order.

First, it is important to note that our delegation was provided a proposed draft election law pertaining *only to the election of members to the State Great Hural*. The reason for this is that the manner of electing the president or any local offices had not yet been constitutionally decided. Still, we had a hard time remembering this narrow application of the proposed draft. We recommended at the time, and reiterate the recommendation here, that there be only one election law. And should there be minor differences in procedures between elections for the State Great Hural, the local Hurals, and the president (such as the possible runoff election for president) these differences should be specified in subsections of the general election law rather than in three separate election laws. Our reasoning is that election procedures for the three types of elections should be as similar as possible so as to (1) minimize confusion for voters and election officials alike, and (2) minimize redundancies and possible discontinuities in the law.

Our second observation is that the Mongolian election law is constitutionally obliged to define the systems of representation in both the State Great Hural and in the local Hurals. Our suggestion here, in line with the recommendation above, is that the same system of representation be adopted for all Hurals in order, once again, to minimize voter and election official confusion as well as to minimize redundancies and possible discontinuities in the law. Such uniformity would also simplify ballot printing ballot counting procedures.

Our third observation is that no election law is perfect. Every election system throughout the world, however sophisticated or rudimentary, is in a process of evolution in response to changes in its political, technical, economic, and administrative environments. It is important to keep in mind, then, that although the election law should not be changed for light, transient, or partisan reasons, neither should it be considered a complete and final document immutable for all time. This is especially true for nations who are, for the first time in recent history, entering into truly competitive, democratic elections. Not all problems can be foreseen. And not all services, however desirable eventually, can be prudently undertaken from the start. The writing of an election law should therefore be seen as an iterative process with changes and improvements to be made over time in accordance with needs and capabilities that only experience can provide.

Our fourth observation is that election laws are often overwritten. That is to say, in the course of thinking through the election process and in an effort to document everything, there is a temptation to burden the law with procedural details that are better left to administrative rules and regulations. The election law must, of course, define all legal deadlines and describe all procedures that, if not followed to the letter,

could have a partisan political consequence. But purely -administrative procedures and details should be reserved to “rules established by the National Election Commission.” Not only does such an approach simplify the law, but it also reduces the need to continually change the law in order to accommodate new and improved administrative procedures.

Our fifth observation is that an election law is something like a spider web in that the slightest change in one part can have profound, unexpected, and unwanted consequences in seemingly unrelated parts. The final proposed draft of an election law should therefore be examined to ensure that all its component parts fit together into a coherent and consistent whole, that it serves the requirements of the constitution, and that it can be made to work in the current environment. Moreover, any proposed changes to the drafts or to the final election law should first be carefully examined to ascertain what effect they might have on any other aspect of the election process. (A good way to begin this, by the way, is to draw up a calendar of all events related to the election. It is then possible to review what activities will be occurring when and whether critical deadlines throughout the process bear a reasonable relationship to each other).

Our final observation is that, for the reasons cited above, it is probably easiest to organize the election law according to the primary functions of an election system as identified below.

➤ ***The Primary Functions of an Election System and Some of the Issues that Mongolians Face Regarding Each Function***

An election is a single event whereas an election *system* is that set of laws and procedures which permit elections to occur again and again in an orderly manner.

An election system may be envisaged as a set of ten logical and inter-related functions (see Figure) which must be performed. Although there are, to be sure, different methods and techniques for performing each function (as well as different organizational structures for administering them), one way or another someone must accomplish the following ten things:

➤ ***Legislating the Election System***

No election system can operate without statutory foundation. Whether provisional under decree or formally enacted by a legislature, there must be some generally agreed upon legal document which sets out the basic election rules and procedures. Some election forms and procedures are, however, essentially administrative in nature and should therefore be left for the election authority to promulgate as regulations. This legislative function should, then, be broadly interpreted to include administrative regulations as well as their legal framework. The legislative function should also be seen to include provisions for enforcing the election laws and provisions for amending the election law.

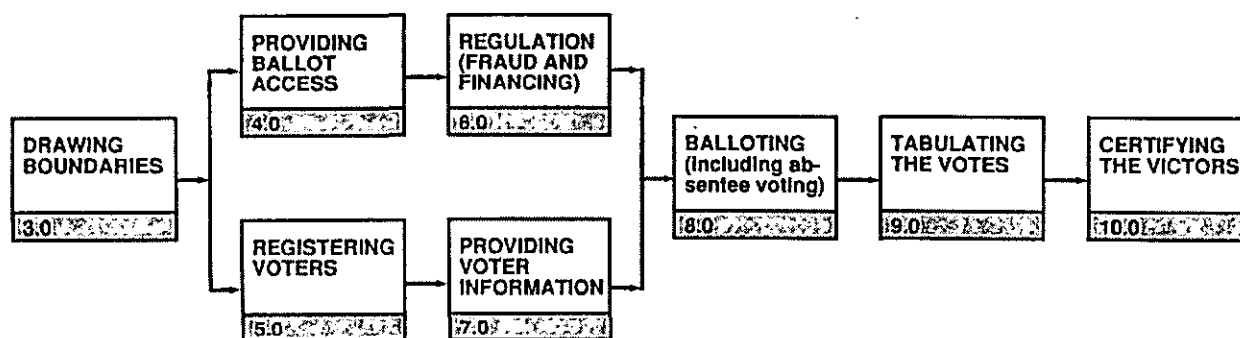
With regard to this legislative function, Mongolia faces a number of issues.

The first of these is making a distinction between legislation and regulation— that is, what should appear in the law and what might better be left to rules and procedures promulgated by the National Election Commission. We indicate in the appropriate sections below those items that our delegation feel are better left to regulation.

PRIMARY FUNCTIONS OF AN ELECTION SYSTEM

LEGISLATING
1.0

PLANNING, MANAGING, BUDGETING, AND RECORD KEEPING
2.0



A second issue is the manner of amending the election law. Given a single legislative body (the Great State Hural) and the tradition of single party dominance, it may be prudent to consider requiring an exaggerated majority (a two-thirds or three-quarters vote) to amend the election law. Such a requirement might prevent a single majority party or coalition from amending the law for light, transient, or partisan reasons.

A third issue is the enforcement of the election law. Mongolian authorities indicated to our delegation that they anticipate two types of election offenses: administrative violations and criminal violations. If this is the case, then the law should specify which violations are of are which type. And further, the law should specify, for each type of offense, how complaints are to be filed (who may file, when, and to whom) as well how complaints are to be processed (investigated, prosecuted, or otherwise disposed of).

Finally, as noted previously, we recommend that Mongolia adopt a single election law that applies to all elections — for the State Great Hural, for the presidency, and for the local Hurals — rather than three separate laws.

➤ *Administering the Election System*

This function refers to the design, creation, and staffing of the agency or organizational structure responsible for the overall administration and management of the election process. It encompasses routine planning, management, and budgeting responsibilities as well as any special enforcement or quasijudicial powers which might be granted to the election authority. A vital aspect of this administrative function is the generation of an election timetable or flow diagram which identifies all major tasks related to conducting a forthcoming election, defines the dates for their accomplishment, and assigns responsibilities for their completion.

In our view, the most important issue Mongolia faces in administering its elections is one of ensuring multi-party representation at each level in the administrative hierarchy -on the National Election Commission, on the local commissions, in the voter registration process, in the polling process on election day, and in the absentee voting process. Indeed, we recommended that the National Election Commission be composed of representatives of each legally recognized political party and that, insofar as possible, this principle be applied at every stage of the election process.

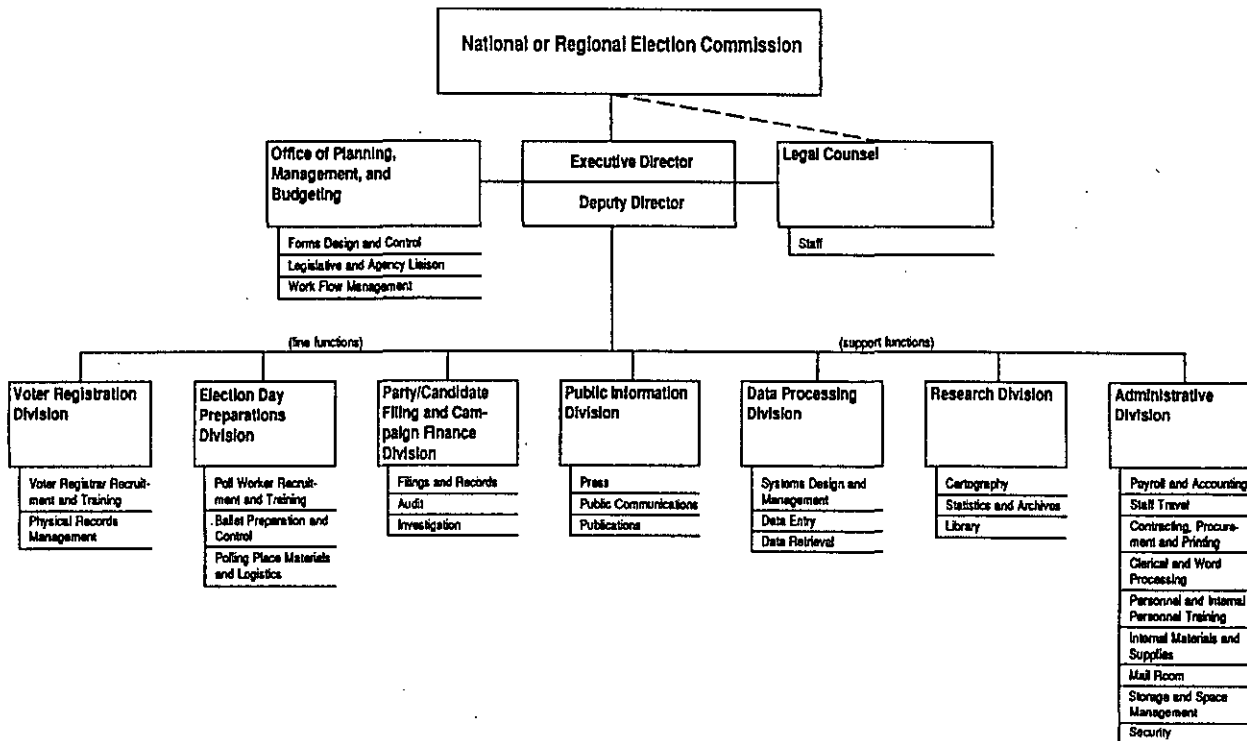
A second and related issue is the need for at least a small permanent full time staff (at least a Director and secretary) appointed by and serving under the National Election Commission. Such a staff would lend continuity to the election process as well as enhance the development of election experience and expertise. This staff would no doubt need to be expanded preparatory to an election along the lines suggested in the organization chart presented in the following figure. In order to accomplish this at minimum public expense, it would prove useful if the election law contained specific language requiring all Mongolian governmental agencies to provide such personnel, materials, supplies, and facilities as might be requested by the National Election Commission.

A third important issue facing Mongolia, and one that is often overlooked in developing election systems, is the need to prepare a detailed election plan specifying all major tasks related to conducting the election (including legal and critical deadlines), who generally is to be responsible for accomplishing these tasks, and what resources will be necessary for their accomplishment. Such a plan should, in our view, identify key dates in terms of the number of days *before the election* rather than after the issuance of any writ of election.

Finally, because of our recommendation that several matters be left to rules and procedures promulgated by the National Election Commission rather than being specified in the law, it follows that Mongolia must devise, as soon as possible (and on the basis of an election plan described above), appropriate procedures manuals regarding, for example, the development and maintenance of the voter lists, election day procedures, absentee ballot procedures for shut-in voters, ballot counting procedures, and the like. These manuals should also include internal operating procedures for the National Election Commission itself.

In view of the enormity of this task and the advantages of experience in developing such manuals, we believe that Mongolia would benefit greatly from a team of experienced international advisors to assist them in preparing detailed election and internal operating procedures manuals. Such a team, however, could only begin work after an election law has been passed. And the undertaking could require as much as a month's time.

SUGGESTED ORGANIZATION OF ELECTION AUTHORITIES



Further, Mongolia may require financial or in-kind assistance in printing an adequate supply of these procedure manuals for use throughout the country. And lastly, the promulgation of such procedures manuals suggests the need for training seminars for those who are to follow the procedures.

➤ *Drawing Boundaries*

Drawing boundaries refers to the detailed mapping or definition of two types of electoral units. The first type of electoral unit is the “constituency” which is a district or sector of political representation (whether single or multimember). Constituencies pertain not only to the national legislature but also to any lower levels of elected government. The second type of electoral unit is the “precinct” which is a geographical voting district wherein all voters cast their ballots at a single conveniently located voting place.

It is not clear at this juncture whether the Mongolian system of representation will require dividing the country up into constituencies or “districts” at either the national or local levels.

If there are to be districts, the issue arises of how the national district lines will relate to local district lines (whether they will overlap or whether they will be coterminous). Because overlapping lines create considerable confusion, we recommend that any national district lines be drawn first and that any local boundaries be drawn only within the national districts.

Similarly, the issue arises of how any national or local district lines will relate to precinct or “voting district” lines. And again, we recommend that precinct lines be drawn only after national and local

districts lines have been determined and that no precinct be divided by any district line. Such an approach would minimize both costs and confusion — especially should national and local elections ever occur on the same day.

➤ ***Providing Ballot Access***

Providing ballot access refers to the rules and procedures whereby political parties and candidates (including independent candidates) come to be officially recognized for the purpose of appearing on an official election ballot and, importantly, how they maintain or lose such recognition. This function also includes the procedures for submitting certain questions (initiatives, referenda, constitutional amendments, etc.) to a public vote.

As previously noted, there appears to be a body of law already on the books regarding the formation and activities of political parties. Because that body of law was not translated, our delegation was unable to review it. We recommend, however, that any such body of law be incorporated into the election law as an integral section.

Moreover, if it does not already do so, we recommend that the political party law directly address the question of whether political parties may form coalitions or whether they may instead nominate, with permission, candidates of another party. (The decision here is likely to hinge on the system of representation that Mongolia adopts). In any event, we recommend that the method of candidate nomination be left entirely to each political party (rather than being a subject of intrusive national law) and that each party be permitted to nominate only one candidate for each seat up for election (or, in proportional systems, a list of candidates equal to the number of seats up for election).

A second important issue is the need to specify candidate qualifications with regard to residence (i.e. whether the candidate must be a resident of the district he offers to represent and, if so, how residence for this purpose is to be defined and measured).

A third important issue is the need to specify in law whether members of the military (or members of religious orders) will be allowed to stand as candidates for public office or whether such candidacies would be considered an unacceptable conflict of interests.

A fourth important issue is whether or not non-party, independent candidates will be permitted and, if so, by what mechanism. This decision, too, is likely to depend on the system of representation adopted inasmuch as independent candidates make little sense in systems of proportional representation but make a lot of sense in majoritarian systems.

Finally, it is not clear whether Mongolia contemplates the possibility of conducting initiative or referendum elections. If so, both the timing and procedures for such events need to be specified in the law.

➤ ***Registering Voters***

Registering voters refers, clearly, to the rules and procedures whereby eligible citizens come to appear on the voter list. It includes the method by which the list is prepared, maintained, changed, added to, and

deleted from. It also, rather importantly, encompasses the method by which the voter establishes his identity not only in registering but also in presenting himself at the voting place on election day. And finally, this function includes the considerable task of recruiting and training registrars.

It need hardly be said that the election law should specify the qualifications for registering to vote—especially with regard to age, mental state, and criminal status. It should also specify *where* a citizen is entitled to be registered—whether in the district of his residence or in some other district—and *when* in advance of an election a citizen must be registered. Anything much beyond these matters (and especially matters involving the preparation, maintenance, public inspection, and distribution of the registration lists) should, in our view, be the subject of detailed rules and procedures promulgated by the National Election Commission.

An important issue does arise, however, with regard to where members of the military should register and vote. This is a truly difficult question. For if members of the military are permitted to register and vote on their bases, they might easily fall prey to intimidation by their commanders (the more so if members of the military are permitted to seek public office). Moreover, registration and voting on military bases would yield an identifiable military vote—something a democracy is better off not having. If, as a second option, members of the military are to vote in the community nearest the base (so as to avoid the previously mentioned problems), then the local civilian population is likely to feel overwhelmed. The third and most desirable option is that members of the military should register and vote in the communities where they resided previous to their joining the military. This option, however, requires a level of administrative experience and sophistication (not to mention a well developed mail system) that seems unrealistic to expect for at least the next decade. On balance, we are inclined to recommend the second option until such time as more elaborate absentee voting procedures can be safely devised. (As a final note, the importance of this issue hinges to some extent on the system of representation since the impact of a military base's vote in its nearest community would no doubt be greater in a majoritarian system than in a proportional system).

► *Regulating Campaigns*

The regulation of campaigns has, in a sense, two aspects. The first is that set of laws which are generally and collectively referred to as “fair campaign and election practices.” These laws prohibit such patently corrupt or unfair practices as ballot box stuffing, falsely registering, intimidating or bribing voters, interfering with opposition rallies, and the like. The second aspect of regulating campaigns is that body of laws and procedures regarding campaign finance reporting requirements, limitations, or public subventions either direct or indirect.

With regard to “fair campaign and election practices,” we have previously noted the importance of specifying in the election law the types of election offenses (whether administrative or criminal) and the sanctions for each (see *Legislating the Election System* above).

Another important issue regarding this function, however, is whether or not the government will provide some form of subvention to the legally recognized political parties or candidates in the national and/or local elections. Two types of subventions are possible: either providing cash subsidies or providing free radio and television time for campaigning. But neither option is as simple as it sounds.

Cash subsidies not only entail an outlay of public funds but also typically impose substantial accounting and reporting burdens both on the election authority and on the recipient political parties or candidates. There is also the troubling problem of whether funds should be distributed to each party equally, proportional to their membership, proportional to their vote, or by some other formula. And no formula has proved universally popular.

As an alternative to direct cash subsidies, most Western democracies simply provide free radio and television time to recognized political parties or their candidates. But this approach, too, involves some controversial decisions. Should all parties or candidates appear together or, as is more customary, should they be accorded separate time slots? If parties are accorded separate time slots, should their "air time" be equal or should it be proportional to their membership, proportional to their vote, or distributed by some other formula? And too, there is the question of which parties get to appear first, middle, and last relative to election day.

Whatever decision is made regarding political party subventions (whether cash subsidies, free media time, or some combination of these), the manner of providing them needs to be specified in the law with sufficient detail as to avoid misinterpretation or manipulation.

➤ *Providing Voter Information and Education*

This function refers to providing official information to voters (as distinct from information provided by parties or candidates) regarding the time, manner, and places of registration; the time, manner, and places of voting; and, perhaps, a sample of the ballot which the voter will encounter at the voting place on election day. It may also include the development of programs in the schools for the purpose of training the young in democratic values, practices, disciplines, and procedures.

The importance of providing official voter information is often overlooked or, at least, readily sacrificed to budget constraints. Yet it is essential to the democratic process that voters know where and when to register and vote, that voters and parties have an opportunity to inspect the voter lists prior to the election, and that voters have an opportunity in advance of the election to see a sample of the ballot they will be given on election day. We therefore recommend that such public information programs be undertaken and that, should it prove necessary, financial or in-kind assistance be provided to Mongolia in order to support such programs.

➤ *Balloting*

Balloting refers to the essentially logistical aspects of election day. It encompasses choosing the date and time for the election as well as selecting the balloting technique. It also includes designating the voting places; recruiting, training, and deploying election day workers; providing the requisite materials and supplies to the voting places; designing, preparing, and controlling the ballots; and devising the detailed procedures to be followed at the voting places on election day. It may further include providing absentee voting services for those citizens unable to go to a voting place on election day.

In performing this function, Mongolia faces a number of significant issues.

The first of these is deciding on the date(s) of the elections. Barring the dissolution of the State Great Hural or the removal of a president, the month of June for many reasons recommends itself as the ideal month for conducting elections. And, indeed, during our visit there was considerable sentiment in favor of conducting the national legislative elections in June of 1992. Yet our delegation is doubtful that there is sufficient time to prepare adequately for a June 92 election. The election law must be completed and adopted, a National Election Commission must be formed, district lines (if there are to be districts) must be drawn, detailed procedures manuals must be prepared and printed, staff at all levels (including poll workers) must be trained, nominations must be made, ballots must be designed and printed, and the like. Because of the significance of this first election under the new constitution, our delegation recommends that ample time be allowed for these tasks before conducting the election. We therefore suggest that careful consideration be given to conducting the first election in November (during a declared "transitional" period) with all subsequent normal legislative elections to be held in June.

A second important issue is the timing of the local legislative elections relative to the national elections (whether they are to occur simultaneously, on different days within the same year, in different years, or whatever). Because of the delicate philosophical, political, and administrative consequences of this decision, we offer no views on this matter except to note that the timing of local legislative elections must be specified in the law.

A third important issue is the format of the ballot(s). There are two aspects to this issue: (1) deciding how the voters are to indicate their choice(s) either by crossing out all the unwanted candidates or else by marking a positive choice — and (2) deciding how the choices will be presented on the ballot(s) — which parties or candidates are to be listed first, whether party emblems will be permitted to appear, and a variety of other significant details. These items need to be clearly specified in the law. Although we favor the idea of voters marking a positive choice on the ballot, our recommendations with regard to the layout of the ballot itself depend entirely on the system of representation to be adopted (since different systems suggest different ballot styles).

The fourth issue is the extremely important one of providing absentee voting services. There are basically four groups of people who might benefit from absentee voting services: voters who, by reason of disability, cannot make it to the polling place on election day; members of the military; persons in transit within the country; and overseas citizens. Mongolia already has in place adequate procedures for carrying ballots and ballot boxes to the disabled (provided that in future these teams represent competing political parties). And we have previously discussed the problem of military voting (see Registering Voters above). The question of voters in transit within the country can only be resolved after the system of representation has been decided (and is not in any event likely to be a sizable problem). The problem of overseas voters, however, could be a major one.

On the one hand, it is a wonderful idea to provide absentee voting services to citizens residing abroad in order to facilitate their constitutional right to vote. Yet the constitutional right to vote does not require such services since an overseas citizen's right to vote can be exercised by his returning to Mongolia for that purpose. The question, then, is not so much legal as it is practical. And consistent with our views on military voting, it is our delegation's recommendation that at this stage Mongolia not provide absentee voting services to its citizens residing abroad. There are many reasons for this including the vulnerability of such an absentee voting process to fraud, abuse, and confusion; the lack of administrative experience in managing such a process (even the country of Belgium abandoned such a service because of administrative difficulties); delays in the mail service which must support such a service; and other

practical considerations. In light of these problems, we suggest that absentee voting services for citizens residing overseas not be provided until it becomes truly practicable — perhaps in a decade or so.

The remaining aspects of the balloting function (designating polling places; printing, preparing, and controlling the ballots; providing the other requisite materials to the polls; and devising election day procedures) should, in our view, be left to rules and procedures promulgated by the National Election Commission rather than being specified in the election law. The only exception is that there should, we believe, be a provision in the law requiring balanced political party representation among the poll workers at each voting place.

Finally, it should be said that the political parties were nearly unanimous in their desire for foreign observers at the next election. And our delegation concurs that foreign observers would not only have a salutary effect but might also prove useful in identifying unanticipated, correctable problems.

➤ *Tabulating the Votes*

Tabulating the vote refers, obviously, to the procedures followed for counting the votes, for resolving ballots in question, for reporting the results, and for accounting for all ballots distributed.

In our view, there are only a few issues in tabulating the votes that the Mongolian election law needs to address. Most significant among these are: (1) who is to count the votes, (2) when are the votes to be counted, (3) how are the results to be transmitted, and (4) what constitutes an invalid ballot. Other details are best left to rules and procedures promulgated by the National Election Commission.

Our delegation is inclined to favor a local count of the votes in each voting place conducted by the poll workers immediately after the close of polls. Results, on official tally sheets (copies of which are immediately given to the local political party representatives), may then be securely transmitted to the National Election Commission in any one of several ways.

The question of what might constitute an invalid ballot depends, for its resolution, not only on the system of representation adopted, but also on the manner in which voters are to indicate their choice(s) on the ballot. Still, it is a matter that should be specified in law.

➤ *Certifying the Results*

Although this function refers ultimately to the legal ceremony of issuing certificates of election to the victors, it also includes the critically important procedures for resolving any legitimate challenge to the election process or its outcome.

The major issue for Mongolia in this regard is to specify in the election law (with careful legal detail) the manner in which a recount of the ballots in any election can be requested (who has standing to make such a request, to whom, by when, how the recount is to be conducted, who pays the costs, etc.).

Challenges to election results for reasons other than alleged miscounting (e.g. accusations of fraud or other irregularities) would, presumably, be resolved in the courts. Yet this procedure too requires some specification in the election law with regard to who has standing to make such challenges, how, to whom, and by when.

Summary of Recommendations for Further Assistance to Mongolia

The ten functions described above constitute a general model of an election system. The task of developing a *particular* election system is one of devising and documenting the requisite laws and procedures for accomplishing these functions in a manner consistent with the environment in which the election system is to operate. In approaching this task, Mongolians are facing a number of important issues. In order to assist them in resolving these issues and in order to facilitate Mongolia's transition to a free and competitive democratic political system, our delegation recommends, for the reasons cited above, that:

1. As soon as possible, an international team of experienced legal and technical experts be offered to Mongolia for a period of at least two weeks to assist them in drafting the election law.
2. Within the next three months or so, an international team of experts experienced and knowledgeable in political party theory and development be offered to Mongolia for the purpose of conducting a one-week seminar on political parties.
3. Immediately upon the completion and adoption of the election law, an experienced international team be offered to Mongolia for a period of one month or so to assist them in developing detailed election procedures manuals for use in all future elections.
4. Adequate financial or in-kind assistance be provided to Mongolia in order to assist them in the acquisition of all requisite election materials and in order to assist them in the printing and production of all ballots and other essential election documents.
5. A team of international observers be offered to Mongolia for the purpose of observing the next election and making suitable recommendations.