



Inter-Parliamentary Union

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# Mongolia

*Decision adopted unanimously by the IPU Governing Council at its 204<sup>th</sup> session (Doha, 10 April 2019)*



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## MNG01 - Zorig Sanjasuuren

### Alleged human rights violations

- ✓ Murder
- ✓ Impunity

#### A. Summary of the case

Mr. Zorig Sanjasuuren (“Mr. Zorig”) was assassinated on 2 October 1998. Regarded by many as the father of the democratic movement in Mongolia in the 1990s, Mr. Zorig was a member of parliament and acting Minister of Infrastructure. Mr. Zorig was being considered as a candidate for the post of Prime Minister on the day he was killed. The killing is widely believed to have been a political assassination that was covered up.

Since a parliamentary report in July 2000 harshly criticized the severe deficiencies in the initial investigation, little progress has been reported. The investigation was entirely shrouded in secrecy, considered a “state secret” and handled primarily by the intelligence services, with recurring allegations over the years that a number of persons had been pressurized and tortured in order to obtain confessions.

Between late 2015 and 2017, three suspects were identified, arrested, expeditiously tried and sentenced during trials closed to the public.

Following a mission to Mongolia in September 2017, the IPU Committee on the Human Rights of Parliamentarians concluded that justice had not been done and that serious violations of international fair trial standards had taken place. It called for an urgent public and fair retrial.

#### Case MNG01

**Mongolia:** Parliament affiliated to the IPU

**Victim(s):** Male parliamentarian of the majority

**Qualified complainant(s):** Section I.1(a) of the [Committee Procedure](#) (Annex I)

**Submission of complaint(s):** October 2000, March 2001, September 2015

**Recent IPU decision:** [March 2018](#)

**IPU mission(s):** August 2001, [September 2015](#), [September 2017](#)

**Recent Committee hearing(s):** Hearing with the delegation of Mongolia at the 140<sup>th</sup> IPU Assembly (April 2019)

#### Recent follow-up:

- Communications from the authorities: Letter of the Vice Chairman of the State Great Hural (April 2019); letter of the Minister of Justice received (February 2019); letter of the Prosecutor General (January 2019)
- Communications from the complainant: April 2019
- Communications addressed to the authorities: Letters addressed to the Minister of Justice, the Prosecutor General, the Deputy Speaker of the State Great Hural and the Permanent Representative in Geneva (March 2019)
- Communication addressed to the complainant: April 2019

In December 2017, the Mongolian Government ordered the declassification of most of the files relating to the Zorig case. However, the court verdicts and other important case materials have remained classified and inaccessible to the public and to lawyers representing Zorig.

In March 2018, the authorities stated that they would welcome another visit to Mongolia by a delegation of the Committee. It was not confirmed that the delegation would be granted permission to visit the convicted persons in prison.

Although a secret investigation is still officially open to identify the mastermind(s), no information is available on what it entails. In April 2018, Ms. Bulgan (Mr. Zorig's partner at the time of the assassination, and the only eye witness) was formally charged as a suspect (for the third time in 20 years) and put under an official travel ban.

In March 2019, the new Speaker of the State Great Hural and the Minister of Justice publicly acknowledged the deficiencies of the 2016 trials, including the use of torture to extort confessions. The Minister of Justice stated that the persons convicted were innocent and publicly apologized to their families. A special government session was held to discuss the Zorig case and a video showing two of the convicted persons being tortured. The persons convicted of the assassination of Mr. Zorig are still being held in detention but were transferred to the prison hospital. Fast-tracked amendments to laws governing judicial appointments were passed by parliament on 27 March, and the Chief Justice, as well as the Prosecutor General and his deputy, were dismissed on 28 March 2019.

In a letter dated 3 April 2019, the Deputy Speaker of the State Great Hural of Mongolia stated that a criminal case had been opened on 14 December 2018 and an investigation was ongoing into alleged illegal acts committed by officials against the three persons convicted. He also announced that the Speaker of the State Great Hural had established a new working group in an ordinance dated 3 April 2019. The working group is composed of members of parliament, relevant officials of the executive branch and law enforcement agencies, as well as the victim's lawyer. Its mandate is to review, examine and reach conclusions on the Zorig case on the basis of the concerns and recommendations made by the IPU Governing Council in the decision adopted during the 138<sup>th</sup> IPU Assembly (March 2018, Geneva).

## **B. Decision**

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the Mongolian authorities for their cooperation and for the information provided; *thanks* in particular the Deputy Speaker the State Great Hural and the Mongolian delegation to the 140<sup>th</sup> IPU Assembly for meeting with the Committee on the Human Rights of Parliamentarians;
2. *Takes note with interest* of the significant developments that have recently taken place in Mongolia in relation to the case since a video allegedly showing the convicted persons being tortured was disclosed by the Minister of Justice and Internal Affairs; *points out* that these developments confirm the findings of the 2017 IPU mission to Mongolia; and *reaffirms* the recommendations made in that respect in its previous decision;
3. *Expects* therefore that these developments will promptly bring about the release of the three persons convicted and their public retrial in the presence of domestic and international observers, including an IPU observer; *also hopes* that significant progress towards justice will be made promptly and that the real perpetrators, organizers and instigators of the assassination of Mr. Zorig will now be apprehended and tried without further delay pursuant to fair, impartial and transparent judicial proceedings conducted by independent courts; *recalls* that the case has long been used as a political bargaining chip by all political parties; and *expresses the hope* that at last justice will be done and seen to be done in the Zorig case;
4. *Expresses satisfaction* about the recent establishment by the Speaker of the State Great Hural of a new working group on the Zorig case; *wishes* to be kept informed on a regular basis of its work and of any new developments related to the case; *also urges* the working group to assist the Committee in obtaining a copy of the video of the torture and to urgently clarify the current situation of Ms. Bulgan, as it understands that she is still charged as a suspect and prohibited from travelling abroad on these grounds;

5. *Is pleased* that the Mongolian authorities have reiterated their wish for the Committee to conduct a follow-up mission to Mongolia; *recalls* that the Committee is still waiting for a copy of the court verdicts and that this was a prior condition for the mission taking place in order to ensure its effectiveness; *also wishes* to receive written assurances that the delegation will be authorized to meet with the three persons convicted; *requests* the assistance of all relevant authorities, including parliament and the newly established working group, to obtain the required documents and permissions from all relevant authorities to that end; and *reaffirms its wish* for the Committee to conduct a mission to Mongolia once these conditions have been met;
6. *Remains deeply concerned* that the court decisions issued in the Zorig case remain confidential; *recalls* that fair trial guarantees under Mongolian and international law require court decisions to be made available to the public; *also points out with concern* that the declassified files remain largely inaccessible to date, including to the victims' lawyer; and *deplores* the continuing lack of transparency in that respect; *renews* its prior calls for full transparency in the case;
7. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainant and any third party likely to be in a position to supply relevant information and to follow up with them to obtain all necessary information and documentation before organizing a new visit;
8. *Requests* the Committee to continue examining this case and to report back to it in due course.