

Mongolia Focus

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Guest Post: An Election with Handpicked Candidates?

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By *Max Duckstein*

On May 6, the election commission confirmed the receipt of the third and last candidate for the upcoming presidential elections: S Erdene. In the hours before, the deputies of his own party urged the commission not to accept his documents, resorting even to starting a [hunger strike](#) on Ulaanbaatar's central Sukhbataar Square. The now culminating conflict is already swelling for months and not only threatens Mongolia's biggest opposition party but also the credibility of its election system.

Reforms in the Democratic Party

After losing the parliamentary elections in June, the then-chairman of the Democratic Party Erdene had to resign according to the party's statutes. His deputy and former General Secretary Ts Tuvaan agreed to lead the party until a new chairman would be elected. Together with a group of upcoming young politicians like P Nurzed, they managed to lead the party to relative success in the local elections shortly afterward. As a next step, the provisional leadership planned to fundamentally revise the party statutes. The new statutes were to be adopted at a party congress and new leadership elected at the same time. However, plans for a party congress were halted as a result of the first-time local outbreak of the COVID-19 virus in mid-November 2020 and the subsequent lockdown.

Since the old party constitution requires internal elections after the resignation of the chairman, the new leadership around Tuvaan came under increasing pressure to pass its planned party reform. On December 7, they [finally managed to pass the reforms digitally](#). Around that time Erdene started to appear more often in public again, criticizing the new leadership and the sitting president for his supposed influence on the party. It is believed that Erdene holds a longstanding grudge against Pres Kh Battulga, blaming him for the lost parliamentary elections and his subsequent downfall. His sudden resurgence after months of silence surprised many inside the DP nonetheless, after he had initially vowed to not interfere with the rebuilding of the party after the election defeat. Soon thereafter Erdene made public statements that a DP under his leadership would not nominate president Battulga again, raising suspicions that this was the reason behind his comeback. Mongolian election law states that each party represented in parliament is allowed to nominate only one candidate for the presidential elections. A candidate not nominated by a party with at least one seat in parliament is barred from registering.

A conveniently daring exploit

On December 25, 2020, the former party chairman pulled off a coup that has not been fully illuminated to this day: [He convinced the Mongolian registration authority to issue a new stamp for the DP to him](#). With the stamp comes the ability to sign documents for the party and represent it legally. Why the central registration authority provided him with a new stamp and subsequently revoked the one that was held by Tuvaan remains to be explained till today. While more cautious observers guessed that he pretended the old stamp was lost, some saw this as a starting point for a plot to split the country's largest opposition party before the upcoming presidential elections. Although it is hard to explain how Erdene could have pretended to lose a stamp he officially handed

over to Tuvaan months ago.

Besides carrying the official stamp, the registration of new leadership and new statutes at the Supreme Court are required under the Mongolian party law. To the surprise of the new leadership, the court rejected the registration on January 14. They argued that the COVID-induced digital format of the party congress was not explicitly envisaged under the old party statutes. Now possessing the newly registered party stamp, Erdene petitioned the court to be registered as chairman again. However, [the Supreme Court denied this as well](#), since the old party statutes required the chairman to step down after losing national elections. The court's decisions left the party in limbo unable to move forward in any direction. In the meantime, both stamps are regarded as not legitimate by the courts. Solving this dispute with judicial means will take months. To overcome at least some of the uncertainty, both camps announced internal elections on March 28, [calling more than 200,000 members to vote](#). While the DP around Tuvaan called on members to fill out ballots by hand in their home provinces, Erdene now tried his hand at conducting a digital membership vote resulting in the election of the only locally known 42-old M Tulgat. To prevent another legal setback, the DP led by Tuvaan held an additional in-person party congress on April 3: In eastern Ulaanbaatar, 1,200 delegates gathered in an open-air parking lot to confirm the election of their new party head Ts Tsogtgerel, a newly elected member of parliament from Uvs.

Reaching a dead-end

Following the old party statutes, both Erdene and the DP had to elect a candidate for the presidential elections on June 9. The sitting president Battulga did not appear on the election ballots since the [Supreme Court controversially ruled him out for a second term on April 16](#). Finally, on May 1 Tuvan announced that N Altankhuyag won the internal competition. A former DP prime minister and the only current member of parliament that was elected as an independent, campaigning for an equal and fair distribution of Mongolia's natural resources. Simultaneously, Erdene was announced as the surprise winner of his own elections, resulting in the other candidates, all members of parliament, and nearly all local DP chapters distancing themselves from him.

While the ongoing legal disputes over legitimacy did not lead to any substantial problems until this point, the closing deadline for the parties to submit their candidates to the central election commission lead to a change. The head of the commission, a close friend of the MPP's presidential candidate U Khurelsukh, was appointed by the MPP government. Following Mongolian law, the election commission required the DP to submit only one candidate until 6 pm on May 5. Although they extended their deadline until midnight, neither Altankhuyag nor Erdene withdrew their documents. Ultimately, [the commission decided to only accept Erdene's documents](#). They claimed that the last legally undisputed change in leadership in the DP was the 2017 election of Erdene, leaving parliamentarians in disbelief. Five of them started a hunger strike on the central Sukhbaatar Square the same night that still lasts on May 6 protesting the decision. The police stopped their supporters from handing them blankets to protect them during the night and some journalists were barred from entering the square.

Энэ улс орон одоо юу болоод байгаа юм бэ? Хүнлэг энэрэнгүй, хүний эрхийг дээдлэх, чөлөөт хэвлэл гэж зүйл алга болсон юм уу? <pic.twitter.com/PKpeTeXXXi>

— Учир мэдэх хүн (@Uuganaad) [May 6, 2021](#)

An election campaign with convenient opponents

While it is easy to dismiss all of this as internal problems of the notoriously quarrelling DP, it poses more serious questions regarding the vulnerability of the Mongolian electoral process. Keeping in mind that the initial re-issuance of a stamp to Erdene by the central registration authority seems to have been illegitimate, there was no way for the DP to avoid this situation. Submitting the country's largest opposition party to endless court battles

following a seemingly faulty decision by the central registration authority that ends in not registering their elected candidate for the formally highest position in the state has uncomfortable connotations.

After the Mongolian Revolutionary People's Party recently merged with the governing Mongolian People's Party, [allegedly in exchange for three ministries](#), there are only two opposition parties left in Mongolia's parliament that could nominate a presidential candidate. The Democratic Party's ability to do so was now crippled twice after the recent events and barring the popular sitting president Battulga from standing as a candidate. If the Khun party's candidate D Enkhbat will succeed to gather the anti-MPP vote remains at least questionable after the recent conflicts between the DP and the Khun party.

Mistakes can happen in any bureaucracy. In Mongolia, Khurelsukh seems always to profit politically from them though. This seems especially convenient now as his own image is damaged in public opinion. Following his [resignation as prime minister using a minor protest as an excuse](#), [many distrust his ability to lead the country through difficult times](#). Restricting the major opposition party of the country twice in the attempt to choose a presidential candidate and forcing a weakened and ostracized candidate on them seems more than timely. Khurelsukh will certainly enjoy an unusually easy campaign start this month.

About Max Duckstein

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