



Inter-Parliamentary Union

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# Mongolia

*Decision adopted by the Committee on the Human Rights of Parliamentarians at its 167<sup>th</sup> session (virtual session, 30 January to 11 February 2022)*



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## MNG-01 - 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 at the time and was being considered as a candidate for the position of Prime Minister on the day he was killed.

Between 2015 and 2017, three suspects were identified, arrested, expeditiously tried and sentenced based on classified evidence, during trials held behind closed doors. Several reports indicated that the suspects were allegedly tortured to force them to make false confessions and framed by the intelligence services. The murder of Mr. Zorig is widely believed to have been a political assassination that was covered up. The investigation into the mastermind(s) of his murder is still open and has not yielded any results yet.

Despite the government declassification order of the files relating to the Zorig case in December 2017, the lack of transparency is still prevalent, as the court verdicts have remained inaccessible.

Since the submission of the complaint 20 years ago, the Committee has undertaken three fact-finding missions to Mongolia at crucial phases in the case. In June 2019, the Committee returned to Mongolia following the invitation of the parliamentary authorities and was updated on the important developments in the case, in particular the release of a video in March 2019 showing the torture and

#### Case MNG-01

**Mongolia:** Parliament affiliated to the IPU

**Victim:** Member of the majority

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

**Submission of complaints:** October 2000, March 2001, September 2015

**Recent IPU decision:** March 2021

**Recent IPU Missions:** August 2001, September 2015, September 2017, June 2019

**Recent Committee hearing:** Hearing with the Mongolian delegation to the 141st IPU Assembly (October 2019)

#### Recent follow up:

- Communication from the authorities: Letter from the Vice-Chairman of the State Great Hural (February 2021)
- Communication from the complainants: May 2021
- Communication to the authorities: Letter to the Vice-Chairman of the State Great Hural (June and December 2021)
- Communication to the complainants: May 2021

ill-treatment of two of the convicts, Ms. Chimgee and Mr. Sodnomdarjaa, as well as the establishment of a parliamentary *ad hoc* committee on the case of Mr. Zorig. The two convicts in question were transferred to the prison hospital as a result of the video and a criminal case was opened against intelligence and law enforcement officials allegedly responsible for torturing them. Nevertheless, they remained in detention at that time.

On 22 July 2020, the Ulaanbaatar Court of First Instance concluded that Ms. Chimgee and Mr. Sodnomdarjaa, two of the three persons who had been convicted of Mr. Zorig's murder, had been tortured during the investigation into this crime. It convicted the former Chief of the General Intelligence Agency, Mr. Bat Khurts, as well as other intelligence officers, to prison terms ranging from one to three years for their involvement in the torture. However, on 30 October 2020, the appeals court dismissed the verdict of the Ulaanbaatar Court of First Instance and ordered a retrial of the case, arguing that the first-instance court had made a wrongful interpretation of the Criminal Code and violated two articles of the Code on Criminal Procedure. In their letter of 23 February 2021, the parliamentary authorities stated that Mr. Khurts and the other defendants in the torture case had been released on bail on 23 November 2020 due to the annulment of the case by the appeals court. However, on 31 March 2021, the Supreme Court of Mongolia convicted Mr. Khurts of torture in relation to the Zorig case and sentenced him to one and a half years in prison. Similarly, the former deputy prosecutor, Mr. Erdenebat, was reportedly sentenced to one year in prison by the Supreme Court for his responsibility for the acts of torture.

According to the complainants, on 10 March 2021, the Mongolian Government allegedly issued a decree to declassify the video showing that in 2015 Ms. Chimgee was allegedly drugged, undressed by investigators and had her fingerprints taken. The Minister of Justice reportedly tweeted that the "Government Cabinet meeting of 31 March 2021 decreed that all recordings (without specifying which ones) related to the Zorig case will be declassified".

On 14 May 2021, the Supreme Court of Mongolia ordered the release on bail of Ms. Chimgee and Mr. Sodnomdarjaa and returned the case of Mr. Zorig for further investigation.

## B. Decision

The Committee on the Human Rights of Parliamentarians

1. *Notes with satisfaction* that Ms. Chimgee and Mr. Sodnomdarjaa have been released on bail and that accountability for their torture has finally been established in court;
2. *Recalls*, in this regard, its previous conclusions that Ms. Chimgee and Mr. Sodnomdarjaa had been arrested, detained and sentenced based on fabricated evidence and forced confessions; that their trial had been marred by serious flaws and held behind closed doors; that their right to a fair trial had neither been observed nor protected by the executive, judicial and legislative authorities of Mongolia; *wishes* to receive official confirmation from the relevant authorities that legal proceedings against Ms. Chimgee and Mr. Sodnomdarjaa will soon be abandoned and that their release will become final; and also *calls on* the Mongolian authorities to ensure that they are compensated for the wrongdoings they suffered;
3. *Underlines*, in light of the Supreme Court's decision returning the case of Mr. Zorig for further investigation, that parliamentary oversight remains crucial towards helping to ensure that justice finally prevails in this case; *renews its call* on the State Great Hural to re-establish an *ad hoc* committee on the Zorig case, with a strong and clear mandate to continue monitoring the ongoing investigation into the mastermind(s); and *sincerely hopes* that the parliamentary authorities will likewise renew its engagement with the IPU Committee on the Human Rights of Parliamentarians on this case;
4. *Firmly reiterates* the importance of transparency as an important step in the pursuit of justice in this case, which can only be achieved when the identity of those responsible for murdering Mr. Zorig, including the mastermind(s), is established; *renews its call*, therefore, for the authorities to ensure a robust and effective investigation into establishing the identity of those accountable for this crime and secure unhindered access to all relevant documents, given that the torture case has come to an end; and *reiterates its wish* to be kept regularly apprised of all

significant developments, including with regard to the implementation of the decision reportedly taken by the Government in March 2021 to make public relevant material in the case;

5. *Requests* the Secretary General to convey this decision to the relevant authorities, including the Minister of Justice, the complainants and any third party likely to be in a position to supply relevant information;
6. *Decides* to continue examining this case.