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Mongolia

Decision adopted by the Committee on the Human Rights of Parliamentarians at its 173rd session (Geneva, 23 January to 7 February 2024)



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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 yet yielded any results.

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

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: February 2022

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 (December 2023)
- Communication to the complainants: January 2023

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 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. However, the Mongolian authorities have yet to confirm that the court has officially abandoned all legal proceedings against Ms. Chimgee and Mr. Sodnomdarjaa.

In June 2024, Mongolia will hold parliamentary elections that will increase the number of parliamentarians from 76 to 126 members of parliament.

B. Decision

The Committee on the Human Rights of Parliamentarians

1. *Recalls 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; *regrets*, however, the lack of information from the relevant authorities confirming that the legal proceedings against the two individuals have been officially abandoned and that their release is final, given its 2019 mission report's findings; and *calls on* the relevant authorities, once again, to provide the requested information and ensure that they are compensated for the wrongdoings suffered;
2. *Firmly believes* that the resolution of the Zorig case would be a landmark achievement for the Mongolian authorities in upholding human rights and that transparency is an important step in the pursuit of justice in this case, which can only be achieved when the identity of the masterminds responsible for murdering Mr. Zorig 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 to allow unhindered access to all relevant documents; and *reiterates its wish* to be kept regularly apprised of all significant developments, including with regard to any progress made;
3. *Reaffirms* that parliamentary oversight remains crucial towards helping to ensure that justice finally prevails in Mr. Zorig's case; *calls on* the Mongolian State Great Hural, once again, to use its oversight power to ensure that an effective and thorough investigation is being conducted, and to request clear answers from the Government regarding the identity of the masterminds;

invites the parliamentary authorities, in light of the upcoming parliamentary elections due to be held in June 2024, to re-establish an *ad hoc* committee on the Zorig case, with a strong and clear mandate to continue monitoring the ongoing investigation; and *wishes* to be kept informed in this respect;

4. *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;
5. *Decides* to continue examining this case.