**Judge Munkh Erdene**

**Association of judges of Mongolia**

**QUESTIONNAIRE**

1. Please provide detailed information, including disaggregated data, on the number of judges that have been subject to disciplinary proceedings in the last ten years. How many of them were found guilty of a disciplinary misconduct? How many of them were removed from office?

According to the data issued from the Disciplinary Committee of judge, the committee received 1410 complaints for 2084 judges in last six years. In addition to this, the committee rejected 1046 complaints for 1617 judges. The committee opened cases for 180 complaints for 212 judges out of 1410 complaints for 2084 judges. It looks little numbers but most of the complaints are regarding to the professional conducts or question of law thus, majority of the complaints are rejected. There are 73 complaints for 76 judges found guilty of disciplinary misconduct in last 6 years. There are 7 judges removed the office.

1. Has any judge belonging to your association been subjected to any form of sanctions that were not previously established by law or that were imposed through a procedure that did not meet the procedural requirements established by the law? If yes, please provide information on the case(s).

Not to my knowledge.

1. Apart from disciplinary proceedings, are there any other measures that may be used to interfere with the capacity of a judge to adjudicate cases before him or her in full independence? Are you aware of any case in which a judge has been promoted, transferred to another court, forced to take a training course, a vacation or medical leave, or coerced or pressured in similar ways in order to abandon a case pending before him or her? If yes, please provide information on the case(s).

I could say yes, but we had some of the incidents occurred in last years. In 2013, due to the enforcing Law on Status of Court and courts had structural changes therefore, president issued decree to appoint judges but the president did not appoint 12 judges without reason out of 409 judges. In 2013, 3 judges transferred to First instance court from Appeal court. According to the questioner has done in 2013, 38 judge responded that they transferred to different court without their consent.

1. What measures have been put in place in your country to enable judges to decide matters before them impartially and without any pressure or interference?

The Law on Status of Court, law on General Judicial Council international measures are respected in Mongolia. The most concern is to be independent from politics and executive power.