

DIANNE FEINSTEIN
CALIFORNIA



SELECT COMMITTEE ON INTELLIGENCE - CHAIRMAN
COMMITTEE ON APPROPRIATIONS
COMMITTEE ON THE JUDICIARY
COMMITTEE ON RULES AND ADMINISTRATION

ACTION
COPY

Mr. Feltman (email)
DSB
Mr. O'Brien
OHCHR NY
AG

United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>



May 7, 2013

His Excellency Ban Ki-moon
Secretary General
United Nations
First Avenue at 46th Street
New York, New York 10017

(Prev. related caslog 12-08356)

Dear Mr. Secretary General:

I am writing to express my concern about the health of former President Nambur Enkhbayar of Mongolia and to urge you to call on the Mongolian government to release him so that he may receive proper medical care abroad. Last August, President Enkhbayar was convicted on charges of corruption and is currently serving a two and a half year sentence.

I have recently been in touch with President Enkhbayar's son, Batshugar, and he told me that his father's health is very poor and his life is in danger. A medical committee at the hospital where he is being treated has reviewed his condition and determined that, according to Mongolian law, he is eligible to be released on medical grounds so that he may receive proper medical treatment abroad.

The committee's findings have now been sent to a Mongolian prosecutor for his review. A recommendation will then be made to the appropriate judge who will make the final decision on whether or not President Enkhbayar may be released. To date, unfortunately, this has not yet happened.

As a friend of Mongolia and the Mongolian people, I have followed this case for almost a year now. I continue to have serious reservations about President Enkhbayar's arrest, trial, and conviction and whether or not he was afforded due process.

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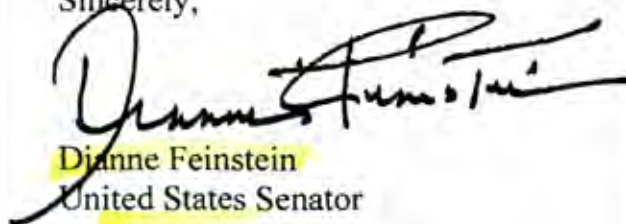
In April 2011, he was forcibly removed from his home and sent to a remote prison where he had inadequate access to family, counsel, and proper medical care. He initiated a dry hunger strike to protest his condition and was ultimately released on bail.

Yet, despite the fact that he was a leading candidate for parliament as head of the Mongolian People's Revolutionary Party, he was not allowed to participate in the June parliamentary elections and was been prevented from taking a seat in the new parliament. His trial was postponed until after the elections and, after three days, he was found guilty of corruption charges. His lawyers contend they were not able to provide a full defense. All appeals of his conviction were denied.

Given the history of this case, I am deeply concerned that the review of the medical committee's findings will drag on and, even if a determination is made that President Enkhbayar may be leave the country for medical treatment, it may be too late to save his life.

Time is of the essence. I respectfully urge you to call on the Mongolian government to ensure that the medical committee's findings are expeditiously reviewed so that President Enkhbayar may be released to receive proper medical care abroad. I appreciate your attention to this request and I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Dianne Feinstein", is written over a yellow rectangular highlight. Below the signature, the text "Dianne Feinstein" and "United States Senator" is printed in black, also within the yellow highlight.

Dianne Feinstein
United States Senator

DF:rwh