

Mongolian Immigration Agency

Regulations, articles and clauses of some laws concerning foreign nationals

Cultural Taboos of the Mongolian People

Ulaanbaatar

2019

In 2016, the Government of Mongolia approved “Action plan for implementing the recommendations of the Human Rights Council of the United Nations” by its 204<sup>th</sup> decree. In relation to these plans, the government assigned the Mongolian Immigration Agency to take significant actions to promote and introduce foreign nationals to Mongolian legal regulations, culture, customs, and traditions. Thus the agency developed this brochure.

Developed by D. Tuvshintur

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## Foreword

All people in a given State, whether they are the citizens of the State or foreign nationals or stateless persons, must abide by the legal regulations of the State.

For example, only Mongolian nationals have the right to elect and be elected, establish political parties, serve the State and own land, but foreign nationals are exempt from some fundamental responsibilities of citizens such as service in the army, protection of the country, and taxes.

By law, however, what rights and opportunities do you as foreign nationals have in the territory of Mongolia? By Mongolian law, what responsibilities and restrictions do you as foreign nationals have? We prepared this brochure to briefly introduce these to you.

Note that we did not seek to explain each regulation of every single law, but only selected and compiled articles and clauses which directly relate to foreign nationals, and also articles and clauses that relate only to Mongolian citizens, and sought to provide clarifications on them.

Although the Law of the Legal Status of Foreign Nationals ... defines the legal status of foreigners in Mongolia, there are over 70 laws from different legislations that determine legal relations of rights and responsibilities of foreign nationals.

We included important chapters and articles of these 70 laws pertaining to foreign nationals and divided them into 10 chapters in this brochure.

There is a Mongolian proverb that says "If you drink the water of the land, then follow the custom of the land". Mongolians are a people who are concerned with good fortunes, signs and symbols, and who keep customs of welcoming and being respectful, as well as keeping cultural taboos. As they themselves follow these customs, they are pleased when others also follow them.

There are hundreds of customs about greetings and being respectful, particularly respecting parents and relatives, and traditions of wedding ceremonies, customs to becoming in-laws, etc. Among these customs, Mongolians strictly observe the cultural taboos, and view them as musts to teach their children. Mongolians obey the folk proverb that says "Although there are many bad things in the world, nothing is more dangerous than a bad person", and thus train their children with good morals.

Nowadays, it is no secret that traditional customs are being forgotten, morals have devalued and are deteriorated, violations of customs have increased, and the cultural taboos have been lost to some degree. Although we will not force you to keep all the restrictive rules without fail, it is good to read them at least once and it will be useful in future events; thus we included them here.

In 2016, the Government of Mongolia approved “Action plan for implementing the recommendations of the Human Rights Council of the United Nations” by its 204<sup>th</sup> decree. In relation to these plans, the government assigned the Mongolian Immigration Agency to take significant actions to promote and introduce foreign nationals to Mongolian legal regulations, culture, customs, and traditions. Thus, the agency developed this brochure.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

*Universal Declaration of Human Rights Article 1*

(1) All persons lawfully residing within Mongolia are equal before the law and the courts.

(2) No person may be discriminated on the basis of ethnic origin, language, race, age, sex, social origin or status, property, occupation or position, religion, opinion, or education. Everyone is a person before the law.

*Article 14 of the Mongolian Constitution*

Rights and responsibilities of foreign nationals residing in the territory of Mongolia are defined by Mongolian laws and by agreements made between Mongolia and the country of their citizenship.

When Mongolia defines the rights and responsibilities of foreign nationals according to international agreements, a principle of mutual equality with the country of their citizenship will be followed.

Mongolia defines the rights and responsibilities of stateless persons residing in its territory by Mongolian laws.

In allowing the foreign nationals and stateless persons under the jurisdiction of Mongolia to exercise the basic rights and freedoms provided for in Article 16, the State of Mongolia may establish necessary restrictions upon the rights other than the inalienable rights spelt out in international instruments to which Mongolia is a Party, out of consideration of ensuring the security of the country and population, and public order.

*The 18<sup>th</sup> Article of the Constitution of Mongolia*

A foreign national is an individual who does not have a citizenship of Mongolia but has a citizenship of another country.

Rights and freedoms of foreign nationals, except for the inalienable human rights, may be restricted by law.

A foreign national may have the same rights, freedoms, and responsibilities as Mongolian citizens, except for the restrictions imposed by law.

*From the Law on the Legal Status of Foreign Nationals*

## ONE. ARTICLES OF LAWS ON LAND RELATIONS

According to clauses of 2, 3, and 5 of the 6<sup>th</sup> Article of the Constitution of Mongolia:

- Only Mongolian citizens are allowed to own land. Mongolian citizens are restricted from transferring their own land by selling, trading, gifting, or mortgaging to foreign nationals' ownership who are not Mongolian citizens.
- Foreign nationals and stateless persons are permitted to use the land for a limited time period under fee-paying conditions and by the rules prescribed by law

According to Articles 6.3 and 6.44 of the Law on Land:

- On the basis of a specific purpose, period, terms, conditions and contracts, foreign countries, international organizations, foreign legal entities, or business entities with foreign investments, foreign nationals and stateless persons may become land users.
- Only by the principles of auctioning the governor of the relevant level government shall decide the issues to let foreign nationals and stateless persons with permanent residence (living in Mongolia for more than 183 days) use the land for common family use.
- Foreign-invested business entities may use land under the conditions of specified use, duration and circumstances. The government shall determine the duration of time.
- Land can be used by business entities with foreign investment for a special purpose, term and condition and the term shall be determined by the Government.
- The size of the land that is used by a permanent resident (living in Mongolia for more than 183 days) for housing shall not be larger than 0.05 hectares. For gardening of fruits and vegetables, it shall not be bigger than 0.1 hectares. By contract, the land can be used for up to 5 years. Any single extension of the contract shall not be longer than 5 years.
- Before submitting an application for land use the foreign nationals and the stateless persons must obtain a certifying letter from an authoritative organization that is responsible for immigration matters of foreign nationals.
- If Mongolian nationals or business entities allow foreign nationals, stateless persons or legal entities to use their land without the permission of the

relevant authority, the government shall cancel both their land ownership and right to land possession contract, and have them pay the loss that occurred during the illegal use.

#### According to Articles 5.2, 28.1 and 29.9 of the Law of Land Ownership for Mongolian Citizens:

- A spouse of a Mongolian national who is a foreign national or a stateless person may not own land.
- Mongolian nationals who own land are forbidden to transfer their land to the ownership or possession of legal foreign entities, foreign nationals, or stateless persons by selling, trading, demising, gifting, or mortgaging.
- Foreign nationals or stateless persons who lease land owned by Mongolian citizens by contracts are prohibited to lend or sublease the land to others.
- If Mongolian citizens transfer their land ownership to legal foreign entities, foreign nationals, or stateless person, the governor of a province, soum or district has the right to file a claim to make a decision to seize the land to the court.

#### According to Articles 1 and 2 of the Law of Underground Land:

- Mongolian business entities, organizations, and nationals can use underground land. If in accordance with Mongolian law, foreign legal entities, nationals, and stateless persons of Mongolia may use underground land.

#### According to Article 30 of the Law of Mongolian Borders:

- For the purposes of security and the prevention of border travel violations, foreign nationals or stateless persons are prohibited from permanently residing on special territory near the border defined as a state border area unless specified otherwise in the law.
- Foreign nationals who enter the country through a valid entry document to travel near the border area are prohibited to travel to territories other than that specific soum area.

#### According to Article 33 of the Law of Specially Protected Land and Area:

- Mongolian nationals or entities may use restricted areas such as specially protected areas, national parks, natural resources, and historical memorial areas on the basis of a legal agreement if it does not negatively affect the environment.
- It is forbidden to let foreign legal international organizations, foreign citizens, stateless persons and business entities with foreign investment to use land in specially protected areas.

- Foreign organizations or international organizations may conduct project activities in certain areas of specially protected areas should this law permit it.

According to Articles 53 and 58 of the Fixed Asset Mortgage Law:

- The land and the land ownership of Mongolian nationals may be mortgaged. Only Mongolian nationals are allowed to participate in the forced auctioning of land and land ownership.

Article 70.3 of the Law of Court Execution states that:

- If the fixed asset to be sold at an auction is land that is owned by a Mongolian national, only Mongolian nationals are allowed to participate in the auction.

## TWO. ARTICLES OF LAWS ON TAX, INSURANCE AND FINANCE

According to Articles 5, 6, 7, 22.1, and 24.5 of the Personal Income Tax Law:

- Mongolian nationals, foreign nationals, and stateless persons who are residing in Mongolia subject to pay taxes are taxpayers by law whether they receive taxable incomes or not in a given fiscal year.
- Taxpayers are categorized into permanent resident taxpayers and non-resident taxpayers.
- A person who owns a residence and is physically present in Mongolia for more than 183 days is called a permanent resident taxpayer.
- The 183 days are calculated by calendar days from when the person enters through the border of the country. If a person enters the country multiple times, the calculation of days is determined by the total number of days the person is physically present in the country.
- Foreign employees of diplomatic representatives, diplomatic consulates, or the United Nations and its various branch organizations, and their family members will not be considered residents of Mongolia.
- A person who does not own residence in Mongolia and is not physically present in Mongolia for 183 or more days is a non-resident taxpayer.
- In a given fiscal year, the permanent resident's income that is earned in both Mongolia and in foreign territories are subject to tax payment.
- The income that a non-resident earns in the territory of Mongolia in a given fiscal year is subject to tax payment.
- The taxable income of a non-resident taxpayer is determined by the total income that is earned in the territory of Mongolia.
- The income provider of the non-resident taxpayer is responsible to become a tax deductor. The income provider shall calculate and deduct the taxable income.

- 50 percent of the tax shall be deducted from the taxable income of an individual resident in Mongolia who earns income from the planting and manufacturing of grains, potatoes, fodder, vegetables, berries, and fruits.

**According to Article 14.2 of the Law on Income tax of Business Entities:**

- Interest payments shall not be deductible expenses when the loan is provided by an individual permanently residing in Mongolia that controls the taxpayer company. The expenses shall be accounted as dividend to the individual and shall be subject to tax.

**According to Articles 7, 8, 9, 12 and 13 of the Law on Currency regulations:**

- Permanent residents of Mongolia, permanent residents who travel abroad for more than 183 days, and legal entities present in Mongolia established according to Mongolian law and its foreign branches and representatives are classified as permanent residents involved in foreign currency exchange.
- The Mongol bank has the full right to monitor the international bank transactions and the transactions of international cash currency of permanent residents.
- Foreign nationals and stateless people are permitted to enter international currency into the country as per the amount stated in the written declaration in the customs office.
- Permanent and non-permanent residents, foreign nationals, and stateless persons are permitted to exit international currency through the border of Mongolia under the following conditions:
  1. The person produces a proof of purchase of hard currency from a commercial bank with the right to carry out international payments.
  2. The person presents the proof of the customs declaration if the currency was entered from abroad.
  3. The notaria of the country produce an approval document if the currency was received as inheritance or as a gift;
  4. The laws of Mongolia permit it.
- Permanent and non-permanent residents may sell, purchase, loan and transfer international currency only through the Mongol bank or the commercial banks that are authorized by the Mongol bank.
- When a permanent resident of Mongolia or a permanent resident who travels to foreign countries for no more than 183 days receives their income in foreign currency in cash or via non-physical means, they must sell or save it in a commercial bank that is authorized by the Mongol bank within 60 days of receiving said income.
- Legal entities, their foreign branches, and their representatives office that operate in Mongolia, which receive payments in foreign currency, are required to sell or save all international currency that is not required to finance their daily operations in a bank in accordance with the specified rules

and within the duration set by the Mongol bank. They must register with the Ministry of Finance when capital in, or loaning capital to, a foreign country.

**According to Article 20 of the Law on Financial Leasing:**

- If the lessor or lessee is a legal foreign entity, a foreign national who is not a permanent resident of the country, or a Mongolian national who has permanent residence in a foreign country, the financial leasing agreement is defined as an international financial leasing agreement.

**According to Articles 5 and 19.2 of the Law on Credit and Savings Cooperation:**

- A Mongolian national is allowed to establish a Credit and Savings Cooperation.
- A Mongolian national or a legal entity who has fulfilled the legal requirements of this law and the defined requirements of the regulations and policy of the Credit and savings cooperation, and is fully legally capable, is eligible to become a member of the cooperation.

**According to Articles 5.1 and 17 of the Law on Insurance:**

- Foreign nationals, legal entities, and stateless persons have the right to insure their property and non-property capital that are present in Mongolian territories under the same conditions as those of Mongolian citizens and legal entities.
- Mongolian residents and legal entities may only insure their properties that are in Mongolian territories to an insurer that holds special permission in accordance with this law.

**Articles 10 and 19 of the Law on Audits:**

- Legal entities and organizations that have foreign investments must have their financial reports audited.
- If the founder of the legal audit entity and shareholder is a foreign organization, then no less than two-thirds of the total certified public accountants must be Mongolian nationals, and no less than one-third of the shares must be owned by Mongolian nationals or certified public accountants.

### **THREE. ARTICLES OF LAWS ON LABOR RELATIONS**

**According to Articles 7, 8, and 9 on the Law on the Exportation of Workforce to a Foreign Country and Importation of Workforce and Professionals into Mongolia:**

- Should foreign nationals be affected by disasters or emergency situations and lose their lives, the Government of Mongolia shall provide the same relief and aid as it does for Mongolian nationals.
- Should a foreign national lose their life, be disabled by industrial accidents, suffer acute food poisoning, or become ill due to their occupation, the organization that employs the foreign national must fulfil the duties stated in their contract.
- Should a foreign national who has a work permit be terminated or quit employment with the organization that he works for, the Immigration Agency and other relevant authorities shall make a determination of the foreign national's status and ability to seek employment based on the reasons for termination of employment as explained by the former employer in a letter, and the relevant policy.
- Should a foreign national who has a work permit not fulfil the requirements of their work contract, violate it by moving to different areas, or working with another organization without permission, the relevant authority will cancel their work permit and will inform the state administrative body that is in charge of immigration matters about this incident on the basis of the organization's reference letter.
- Should a mineral usage special permit holder employ foreign nationals at a higher proportion of their overall workforce than is permitted in the law on mineral usage 43.1, the permit holder must pay the fee that is stated in section 43.2 of the same law on a monthly basis.

**According to Articles 43.1 and 43.2 of the Law on Mineral Usage:**

- Mineral usage special permit holders and their support executives have the responsibility to provide employment for Mongolian nationals, and thus no more than 10 percent of the entity's employees may be foreign nationals.
- If the entity employs more foreign nationals than that is stated above, the entity shall pay a monthly fee equal to 10 times the Mongolian minimum wage.

**According to Articles 4, 113 and 114 of the Labor Laws:**

- This law regulates the following types of contracts and other relations that are derived from the contracts:
  - contracts between Mongolian nationals with Mongolian entities and foreign entities that are operating in Mongolian territories.
  - contracts between Mongolian nationals with foreign nationals, stateless persons, and Mongolian nationals.
  - contracts between foreign entities that operate in the territory of Mongolia with foreign nationals and stateless persons unless stated differently in the Mongolian international agreement.

- [Mongolian] employers are allowed to employ foreign nationals based on labor contracts.
- Relations with the employment of foreign nationals and stateless persons in Mongolia shall be governed by this law and the law on the legal status of foreign nationals, the law on sending labor force abroad and receiving labor force and specialists from abroad and the law on promoting employment (per se).
- Foreign entities and organizations that are operating in the territories of Mongolia are permitted to employ Mongolian nationals and they shall make employment contracts with employees.
- Foreign entities or organizations that employ Mongolian nationals shall inform the government of their employees' accurate and true salary or income that is equivalent to salary according to the relevant regulations.

**According to Article 4 of the Law on Labor, Health and Safety:**

- This law regulates the employment relations between foreign entities that operate in the territory of Mongolia with Mongolian nationals, foreign nationals and stateless persons who work under a collective work contract and the work service contract. This also applies to the other types of employment status of Mongolian nationals, foreign nationals, and stateless persons.

**According to Article 45 of the Law on Construction:**

- A foreign national who applies for construction work must have professional experience in the field and shall obtain the necessary work permits in accordance with the law.
- A foreign entity that conducts construction work must receive a special permit. Additionally, the entity must attach the special certification of permission that they received from the entity's country of origin.
- Foreign entities and foreign nationals that conduct construction work must be registered.
- Foreign legal entities must establish an agreement with the authoritative Mongolian legal entities that are stated in this law in order to conduct construction work financed by the state or local government budgets, or foreign loans or aid.

**FOUR. ARTICLES OF LAWS ON THE OPERATIONS OF ENTITIES**

**According to Article 6.7 of the Law on the Mongolian language:**

- Foreign entities and NGOs that operate in Mongolian territories must communicate with Mongolian government organizations and nationals in the Mongolian language, and issue materials, documents, and information relating to finance, taxation, employment, and workplace health and safety issues in the Mongolian language.

**According to Articles 9 and 10 of the Law on Hiring Work and Services and Purchasing Goods with State and Local Government Property and Capital:**

- Foreign nationals, international organizations, foreign entities, stateless peoples (foreign entities) are permitted to participate in bidding and tendering under the conditions of this law.
- Foreign nationals are allowed to bid on public tenders only in partnership with other businesses if the tender's budget is more than 10,000,000.001 MNT and the tender's service budget is worth 100,000,001 MNT.
- The following groups and entities will receive priority in the bidding:
  - Mongolian nationals and entities.
  - Foreign entities who are registered in Mongolia, whose shares and capital are no fewer than 50 percent owned by Mongolian nationals or entities and have foreign investments.
  - Foreign entities whose workforce is no fewer than 90 percent comprised of Mongolian nationals.

**According to section 6 of article 5 of the Law on Non-Governmental Organizations:**

- Foreign permanent residents and stateless persons that reside in the territory of Mongolia in accordance with the law are permitted to establish or join non-governmental organizations.

**According to Articles 11.5 and 15.1 through 15.4 of the Law on Explosive Substances and the Control of their Circulation:**

- Mongolian nationals and entities shall own no fewer than 51 percent of the shares of legal entities which produce explosives and explosive substances.
- Mongolian nationals and legal entities shall conduct the work pertaining to explosives.

**Articles 5.5, 10.1, and 26.1 of the Law on Water:**

- Foreign nationals, entities and organizations are prohibited from conducting research on water reservoirs, ground water, or the environment surrounding

- water without the permission of a central administrative body that is responsible for nature and the environment.
- The central administrative body that is responsible for nature and environment makes decisions on permitting foreign nationals, entities, and organizations to conduct research on water reservoirs, ground water, or the environment surrounding water.
  - Foreign legal entities have the right to use water for a specific purpose and duration and under certain conditions in accordance with the law specified in the permit and the agreement.

**According to article 10 of the Law on Agricultural Products and the Exchange of Raw Materials:**

- The exchange broker must be a legal entity predominantly with national investment and must be a permanent participating member of the exchange.
- Foreign nationals, entities and stateless persons may participate in the exchange through a permanent participating member of the exchange.

**According to Articles 1.1 and 3.1 of the Law on the Valuation/Pricing of Properties:**

- This law regulates the valuation of assets, the foundation of the roots of organization [of the valuation of assets], and the relations regarding the activities of rights, responsibilities, and operations between Mongolian nationals, state organizations, and legal entities. Asset “valuators” may be Mongolian nationals, foreign nationals, or stateless persons.

**According to Articles 9 and 36.11 of the Law on the Legislation Status of Lawyers:**

- Mongolian nationals, foreign nationals, and stateless persons who graduate from a law school that is accredited by a bar association and work for more than two years in the field may take bar exam.
- The Bar Association approves the exam participation rules for Mongolian nationals, and foreign nationals and stateless persons who graduate from foreign law schools.
- These regulations are confirmed by the Mongolian judiciary which also establishes the regulations pertaining to nationals who were granted a law license by a foreign country.

**According to Articles 9, 11, 15, and 23 of the Law on Free Zones:**

- The free zone rules manage the movement, visas, and customs operations of Mongolian nationals, foreign nationals and stateless persons, the registration of legal entities, the regulations of currencies, professional inspections, employment, and taxation, among other special statuses.
- Nationals of a neighboring country adjacent to a free zone and located near a border point may visit the free zone without a visa for a period of 30 days.

Nationals of a non-bordering country may travel under the terms and conditions of Mongolia's international travel agreement, created to establish the conditions of mutual visits. Foreign nationals and stateless persons' visas and travel durations without a visa can be extended only once for a period of up to 30 days .

- Foreign nationals who have a resident's permit and multiple entry-exit visas may travel in the free zone without a visa during their residency and visa validity periods.
- The following documents need to be submitted to related local authorities if foreign citizen wish to run business activity in Free zone area: request letter, copy of picture ID, affidavit, payment receipt paid to local governor office depending on location.
- The articles of the law on Sending and Receiving Workforces Abroad do not apply when employing foreign workforces and specialists in the free zone.
- Entities and organizations within the free zone who provide income-generating employment to Mongolian and foreign nationals in the free zone are completely exempted from paying the employment fee.
- Mongolian and foreign nationals and legal entities that make contracts to own and use land in the free zone may be exempted from paying the land usage fee for a specific period of time on the basis of their fulfilment of their responsibilities for good stewardship of the land. The government shall decide the amount and the duration of the fee reduction.

#### According to article 5 of the Law on Personal Bodyguarding:

- Should special permits be obtained, foreign nationals are permitted to work as bodyguards within the territory of Mongolia.
- The police issues special bodyguard work permits. Bodyguards must not be under the age of 20, must have met the physical, health, and ethics requirements, must have participated in bodyguard training, must have acquired the proper knowledge and skills, must not have intentionally committed or been convicted of a crime.

#### FIVE. ARTICLES OF LAWS ON NATURE AND ENVIRONMENTAL RELATIONS:

##### According to Article 6 of the Law on Environmental Protection:

- Natural resources are properties of the State, and thus can only be used with special permits and certificates from the central state administrative body. They shall not be touched under any other circumstances.
- Foreign nationals and legal entities may use natural resources after paying the adequate fees, and payments, and receiving special permits and certificates.

##### Article 28 of the Law on Animals:

- The soum governor issues one-time hunting and catching permits to Mongolian nationals who pay the adequate fees for domestic uses, but foreign nationals who are permanent or temporary residents who pay the same fee as the Mongolian nationals and receive the special permits are only permitted to catch fish for personal consumption.

#### According to article 12 of the Law on Tourism:

- Mongolian national tourist guides who have acquired one or more foreign languages, have been trained at a school for interpreters and guides, have met the health requirements, and have received certification may conduct guide services.

#### Article 17 of the Law on Natural Plants:

- Foreign nationals, entities, and organizations are not permitted to collect and process natural plants for any purposes.
- Perennial plant roots, root stems, or bulbs are not permitted to be exported abroad without the permission of the central administrative body.
- Rare and extremely rare plants, their extracts, and their parts are not permitted to be exported abroad unless they are used for studies, research, or as final products.
- The government of Mongolia determines the size/measures of the plants to export abroad for the purposes of research and study.

#### Articles 15 and 20 of the Law on Firearms:

- [Foreign nationals] must request the entry of firearms, ammunition, and weapons similar to firearms through the border of the country for use in sports tournaments, training, and hunting to the General Police Office. The requestors must identify the names, types, total number and serial numbers of their firearms and related equipment and inform the police of their time of entry and exit through the border and the name of the border port of entry in their request.
- Foreign nationals and stateless persons are not permitted to own, possess or use firearms in the territory of Mongolia unless stated otherwise in the law.

#### According to article 16 of the Law on Fire Safety:

- Foreign nationals and stateless persons must fulfil their responsibilities to prevent fires, protect and rescue, and extinguish fires to the best of their ability. In addition, they must also participate in the extinguishing of forest and steppe fires.

## SIX. ARTICLES OF LAWS ON PENSIONS, SOCIAL WELFARE, INSURANCE AND BENEFITS

According to Article 3 of the Law on Elderly and Senior Citizens:

- Legal, permanent male residents above 60 and legal, permanent female residents above 55, and foreign residents and stateless persons who meet the same sex and age requirements are permitted inclusion in the services defined by this law.

According to Article 4 of The of Peoples Republic of Mongolia Law on Benefits:

- Foreign nationals and stateless persons who are permanent residents of Mongolia who work for any organization have the right to receive benefits.
- Unemployed persons who are able, want to work, and seek employment have the right to be granted unemployment benefits under conditions below:
  - 1/the person's industry or organization was closed, was overmanned, or there was a reduction in workforce, or they were dismissed from the position due to a failure to qualify for the profession, or ability or health standards, or other reasons beyond their control;
  - 2/the person registered with the labor market within 10 days of losing their job, and actively takes part in work events organized by the relevant authority.
  - 3/the person worked for more than two years insured by social insurance.

According to Article 3.1 of the Law on the Pension Accounts, and Pension Insurance Premiums:

- Relations pertaining to the opening of a personal account for those insured for pension insurance, the calculation of the first balance of the account, the calculation of the premiums and interest paid by the insurer, and the establishment of a retirement benefit from the payroll account are regulated by this law. The pension account is included in the pension insurance in accordance with the terms and procedures determined by social insurance legislation for Mongolian nationals, foreigners and stateless persons permanently residing in the country born on or after January 1, 1960.

According to Articles 1.1 and 4.1 of the Law on Granting Benefits to Mothers and Single Parents Who have Multiple Children:

- This law regulates the relations to grant benefits to pregnant mothers, mothers who take care of their children under the age of 3, parents of twins under the age of 4, single parents who have 3 or more children, and foreign nationals and stateless persons who meet the above requirements permanently residing in Mongolia in accordance with the law. Such persons are included in the benefits defined by this law.

- Social welfare services are divided into welfare pensions, social welfare benefits, social welfare services, and social welfare development services.

According to Articles 4, 5, and 6 of the Law on Social Insurance:

- Social insurance is divided into compulsory insurance and voluntary insurance.
- Foreign nationals and stateless persons residing in Mongolia employed by organizations, non-governmental organizations, religious organizations, and business entities operating in the territory of Mongolia with labor, job service, and paid service contracts shall be compulsorily insured by social insurance.
- Foreign nationals and stateless persons who work for foreign organizations, business entities, project units and programs which implement foreign aid, grants and loans, and diplomatic representatives of foreign countries and international organizations that operate in Mongolia shall be compulsorily insured by social insurance.
- Unemployed foreign nationals and stateless persons can be insured voluntarily by social insurance services.

According to Article 31 of the Law on Pensions and Benefits Granted from the Social Insurance Fund:

- Regulations on determining and granting pensions to foreign nationals who come to Mongolia for permanent residence but have not found employment since arriving shall be determined according to the social welfare agreement that Mongolia made with the person's country of origin and other international agreements.

According to Article 21.5 of the Law on Child Protection:

- Foreign organizations and legal entities are not allowed to conduct reconnaissance work and studies on Mongolian children's rights and the protection of children without the permission of the central administrative body that is responsible for the development of families and children.

## SEVEN. ARTICLES RELATING TO EDUCATION, CULTURE, HEALTH, SCIENCE, AND SPORTS

According to Article 23 of the Law on Physical Activities and Sports:

- After obtaining Mongolian citizenship, foreign nationals and stateless persons have the right to participate in national, continental and world championship tournaments, and in the Olympics on behalf of Mongolia.

- In accordance with the adequate regulations, foreign nationals and stateless persons can participate in the sports tournaments that are happening in Mongolia.
- Professional and high-level sportsmen, and coaches are permitted to sign contracts and work for physical exercise and sports organizations.

According to Articles 5.1.5, 9.5 and 20.2 of the Law on Education:

- Organizing religious training and conducting religious customs and other activities with the support of foreign funding and arrangements that have negative effects on the rights and benefits of society and its citizens are forbidden.
- The state central administrative body in charge of education affairs evaluates foreign education certification documents and determines their equivalents in Mongolian education certification documents, and transfers education credits.
- The state central administrative body in charge of education affairs issues special permits to establish preschools, primary schools, and secondary schools that are funded with foreign investments.

According to Articles 23.3, 27.3, 33.2.7, 35.4 and 35.5 of the Law on the Protection of Cultural Heritage:

- If foreign organizations, nationals or stateless persons transfer Mongolian cultural heritage objects to the ownership of the state on their own initiative, the cultural objects shall be registered in the Central State Registry of Cultural Heritage and Information Database, and be transferred to an authoritative office that is responsible for its storage.
- A member of the Government in charge of cultural affairs shall grant permission to foreign nationals to conduct paleontological and archaeological research excavation, and shall grant permission to foreign nationals, research teams, and organizations to conduct ethnicity research in the territory of Mongolia.
- Individual and legal entity owners of physical cultural heritage objects are obliged to be responsible for not transferring valuable cultural objects to the ownership of foreign nationals, legal entities or stateless persons as gifts or through inheritance.
- It is forbidden to sell cultural invaluable heritage objects to foreign nationals, legal entities, or stateless persons. It is forbidden to sell paleontological and archaeological findings.

#### According to Article 4.2 of the Law on Immunization:

- Foreign nationals and stateless persons permanently and temporarily residing in the territory of Mongolia must receive preventative vaccinations in accordance with the recommendations and requirements of health organizations. If they refuse to receive preventative vaccinations, they must confirm it with a written notice. They must come to receive the vaccinations at a time appointed by the health organization. Should these nationals travel to countries that require visitors to be vaccinated with particular vaccinations, they have the right and the responsibility to receive the required vaccinations in accordance with International Health Rules and Mongolian international agreements.

#### According to Articles 25.7 through 25.12 of the Law on Health:

- The permits to conduct health operations in Mongolia shall be issued to foreign medical professionals who meet the following requirements:
  - Graduation from medical university and acquisition of qualifications equivalent to the Mongolian health education qualifications.
  - Ownership of valid licenses to conduct professional health operations in their country of origin or documents that are equivalent to the required qualifications.
  - Ownership of valid proof of study in a specialized medical field and proof of work for 5 or more years in said medical field.
  - Creation of a contract or agreement to work for a Mongolian medical organization.
- Foreign nationals shall be issued a work permit in Mongolia for up to one year under the following conditions:
  - Permits for up to six months, which do not require taking an exam, may be issued once only to receive permission to conduct professional activities.
  - Permits for more than six months shall be issued if they have passed the exam for permission to conduct medical operations.
- Foreign medical specialists will conduct professional operations in the territory of Mongolia in the Mongolian language and, when required, through translations.
- The two types of postgraduate medical training are ongoing training and specialized training. The specialized training includes standard and in-depth training.
- The state central administrative body in charge of health matters shall manage the activities related to granting medical professionals' permission to conduct professional operations and postgraduate training.

- Medical doctors or medical institutions provide confirmation letters when Mongolian nationals, foreign nationals temporarily or permanently residing in Mongolia or stateless persons become ill, injured, lose their lives, give birth, receive prosthetics, receive nursing services, get quarantined, or take care of the ill.

According to Articles 4 and 6 of the Law on Medical Insurance:

The two types of health insurance are compulsory and voluntary additional insurance.

- Mongolians, foreign nationals, and stateless persons who work for foreign entities and organizations operating in the territory of Mongolia, units of projects and programs implemented with foreign aid and loans, diplomatic representatives of foreign countries, and foreign nationals working in international organizations, unless otherwise provided with insurance through the international treaties of Mongolia, must be insured by compulsory health insurance.
- If other foreign nationals and stateless persons wish to be insured, they may be insured by compulsory insurance.

## EIGHT. SOME LAWS ON PROPERTIES AND CITIZENSHIP LEGISLATIONS

According to Article 4.2 of the Law on Property Privatization of the People's Republic of Mongolia:

- Foreign nationals and stateless persons may participate in the privatization of state properties only after payment has been paid, and ownership has been transferred to an individual.

According to Article 3.1 of the Law on Small and Medium Enterprises:

- Mongolian entities that operate in the territory of Mongolia permanently, self-employed Mongolian nationals, and foreign nationals and stateless persons residing permanently in Mongolia (hereafter "citizens") are included in the services defined by this law.

According to Article 543 of the Law on Citizenship:

- Foreign nationals and stateless persons have the same legal rights as Mongolian nationals. However, these rights can be limited by Mongolian laws.
- The legal capacities of foreign nationals are determined by the laws of their country of origin.
- The legal capacities of stateless persons are determined by the law of the country in which they permanently reside.
- The legal status of refugees is determined by the law of the country in which they are resettled.
- Mongolian law shall determine the legal duties of foreign nationals and stateless persons who make agreements or cause damage in the territory of Mongolia.
- Mongolia accepts the legal capacities of foreign legal entities that are recognized by the laws of their country of origin.
- Foreign legal entities may not use restrictions that are not imposed by Mongolian law when creating agreements.

**According to Articles 189, 192, and 193 of the Law on Court Inspections and Decisions:**

- When Mongolian court adjudicates the civil cases concerning foreign nationals, legal entities, and stateless persons, unless stated otherwise in the law, they have the same rights as Mongolian nationals and legal entities.
- The Mongolian court shall adjudicate and bring under its jurisdiction international civil cases under the following conditions:
  - the claimant is a permanent resident or business entity that operates in Mongolia.
  - The claim has been filed by several persons, one of whom is permanently residing in Mongolia.
  - The claim was filed due to the incomplete or insufficient fulfilment of one party's contractual obligations, and the obligations were to be performed in Mongolia.
  - The claimant was harmed within the territory of Mongolia as a result of harm caused to others.
  - The dispute arose due to the operation of a legal entity's branch or representative office in the territory of Mongolia
  - The claim was filed regarding the confirmation of paternity or alimony payments by a citizen of Mongolia or a foreign citizen or stateless person permanently residing in the territory of Mongolia.

-The claim is related to the right of inheritance, the division of assets by the grantor, the performance of obligations, and the grantor lived or resided in Mongolia before their death, or the inheritance is in the territory of Mongolia.

- The Mongolian court shall bring under its jurisdiction and resolve cases of civil marriage under the following conditions:

-either of the spouses are Mongolian nationals or were Mongolian nationals at the time of marriage.

-The party is a foreigner or stateless person, but permanently resides in Mongolia.

-There is a dispute between parents and children about the exclusion of parental rights, and either of the claimants or claimant is a Mongolian citizen or a person permanently resident in Mongolia.

-A dispute arose during the determination of the relationships between parents and children and the exclusion of parental rights, and either of the claimants or claimant is a Mongolian citizen or a person permanently resident in Mongolia

- The adoptive parents, birth parents, or adoptee are citizens of Mongolia or permanently resident in Mongolia.

- Unless voluntarily consented to, foreign diplomats with diplomatic privileges and immunity and their family members are not subject to the judicial proceedings of the Mongolian court.
- Representatives of foreign nationals visiting Mongolia and others accompanying them at the invitation of the state and administrative self-governing bodies of Mongolia shall not be bound by the court of Mongolia.

#### According to Articles 7.5, 7.6 and 12 of the Law on Business Entities:

- The founders of business entities can be Mongolian nationals and legal entities, and if permitted by the law foreign nationals, legal entities, and stateless persons may also found business entities.
- Mongolian nationals, foreign nationals, and stateless persons may possess shares issued by business entities.
- Branches and representatives of foreign legal entities residing in Mongolia must be registered at the registration office.

- Unless otherwise stated in international agreements of which Mongolia is a part, the establishment of a company branch or representative office abroad shall be settled in accordance with the laws of that country.

#### According to Articles 3.1, 4.3 4.4, and 12.1 of the Law on Investment:

- Foreign investors are defined as foreign legal entities or individuals who invest in Mongolia (foreign citizens and stateless persons who do not reside in Mongolia permanently and citizens of Mongolia permanently residing in a foreign country).
- Foreigners and stateless persons reside in Mongolia permanently become domestic investors.
- Foreign-invested entities are defined as legal entities whose issued shares are at least 25 percent owned by foreign entities and the amount of investment of each foreign investor is 100 thousand US dollars or more, or the equivalent in Mongolian tugriks.
- A legal entity owned by a foreign state is defined as a legal entity whose issued shares are directly or indirectly at least 50 percent owned by a foreign state.
- Investors may not invest in sectors, industries and services prohibited by the laws of Mongolia.
- Legal entities owned by foreign states may make investments upon approval. Other investors will operate in Mongolia upon registration with the state registry.
- Foreign investors and their families who have invested in Mongolia may be supported with provision of multiple entry visas and permanent residence permits in accordance with the applicable laws.

#### According to Article 13 of the Law on the State Registration of Property Rights and other related Property Rights:

- Citizens and legal entities may submit declarations of the registration of ownership of immovable assets, such as land, buildings and watercraft, to the State Registration Administration Office of the territories where the immovable property is being listed and may file a written application through its representative.
- If the applicant does not reside permanently in the country [where their property is registered], the applicant may exercise their rights through a trustee, in which case the full rights of the trustee shall be notarized.

#### According to Article 4 of the Copyright and Related Rights Law:

- The following persons will be included in the services defined by this law:

- Mongolian nationals, foreign nationals permanently residing in the territory of Mongolia and stateless persons whose work was composed in Mongolia, regardless of its publication.
- Foreign nationals who first published their work in Mongolia.
- Authors of sculptures, classic architecture, architecture and products of urban development, and works of visual art, which are part of buildings and structures permanently placed on the territory of the country.
- Legal entities who have copyrights according to copyright law.
- Citizens and legal entities of other countries that have joined international copyright agreements.
- Should foreign citizens publish their work in Mongolia within 30 days from the date of publication in another country, the work will be considered first published in Mongolia.

#### According to Articles 9.2 and 27.1 of the Law on Patents:

- International applications filed by citizens of Mongolia, foreign nationals, or stateless persons residing in Mongolia shall be received by the State Administrative Body in charge of intellectual property and the World Intellectual Property Organization.
- The Intellectual Property Agent shall be a Mongolian citizen of 25 years of age with a higher education degree and work experience in the field of intellectual property for no less than three years and must not have any criminal record.

### NINE. ARTICLES RELATING CONFLICTS, CRIMES AND CRIMINAL PROCEDURES

#### According to Articles 8.2, 9.7, 9.10, 10.13, and 16.2 of the Law on Conflicts:

- Should land ownership or land possession rights be granted to legal foreign entities, foreign nationals or stateless persons by way of sale, trade, inheritance, gift or pledge, Mongolian nationals shall be fined by an amount equal to one thousand units, and legal entities by an amount equal to ten thousand units. (Note: By current law, one unit is 1,000 MNT.)
- Should foreign legal entities, foreign nationals or stateless persons rent a Mongolian national's property through a contract and lease the land to others, the lease shall be cancelled and individuals shall be fined by an amount equal to one thousand units, and legal entities by an amount equal to ten thousand units.
- Should the ownership of a historical or cultural heritage item be transferred to a foreign citizen, legal entity or stateless person, or should one mediate such a transfer, the object shall be seized and made state property, and individuals shall be fined by an amount equal to two thousand units, and legal entities by an amount equal twenty thousand units.

- Should foreign legal entities or non-governmental organizations engaged in business in Mongolia violate regulations by failing to communicate with the State organizations in the Mongolian language, or keep documents related to financing, taxes, labor, workplace safety or hygiene in the official state language, individuals shall be fined by an amount equal to one thousand units, and legal entities by an amount equal to ten thousand units.
- Should labor forces or specialists be hired and entered into Mongolia from abroad, or sent abroad without permission from the state central administrative body in charge of labor, the responsible parties shall compensate for all losses and damages, and individuals shall be fined by an amount equal to four hundred units, and legal entities by an amount equal to four thousand units
- Should business entities, organizations or citizens fail to pay for the labor and services of an employed foreign national by the amount stated according to law, the foreign national shall be reimbursed, and individuals shall be fined by an amount equal to one thousand units, and legal entities by an amount equal to ten thousand units.
- Should organizations fail to present reports and information on the workforce and professionals hired from abroad according to the regulations prescribed by the law, or fail to fully present the information of each individual terminated or extended contract to the state central administrative body in charge of labor matters or its authorized organizations, individuals shall be fined by an amount equal to five hundred units, and legal entities by an amount equal to five thousand units.
- Should organizations fail to fulfil the obligation to take measures to return their labor force and specialists hired from abroad to their countries of origin upon the termination of their contracts, individuals shall be fined by an amount equal to two thousand units, and legal entities by an amount equal to twenty thousand units.
- A fine equal to twenty thousand units shall be imposed on those who intermediate foreign nationals, stateless persons or persons under the age of eighteen and hires for the purpose of employment in a manner contrary to the law.
- Foreign nationals and legal entities working in the construction industry must:
  - have work experience in the field and obtain a permit to work in accordance with the law when requesting participation in construction operations.
  - Obtain the license specified in the law when conducting construction operations.
  - cooperate and create agreements with Mongolian legal entities authorized by law to conduct construction operations financed by state and local governments and foreign loans and aid unless stated otherwise in Mongolian law when conducting construction operations.

- attach the license certificate issued by the relevant authority of the country in which the license application was sent as per the law.
- In the case of a violation of the registration procedure in accordance with the law on registration of construction activities, [the foreign nationals] shall reimburse the losses they caused and shall pay a fine. Foreign national individuals shall be fined by an amount equal to five hundred units, and a foreign legal entity by an amount equal to five thousand units.
- Should foreign nationals or stateless persons violate the following regulations on Mongolian registration, individuals shall be fined by an amount equal to one hundred units.
  - The regulations on the possession, use and storage of their residence permit in the territory.
  - The regulations on carrying passports, documents or residence permits in the territory.
  - The employment regulations in the territory.
  - A violation of travel regulations by travelling to territories other than those permitted by the travel document specified in the international treaties and agreements concluded with the neighboring countries.
- Should a foreign citizen fail to be registered in the relevant organization within the timeframe established by law, individuals shall be fined by an amount equal to two hundred fifty units, and a legal entity by an amount equal to two thousand five hundred units.
- Foreign nationals and stateless persons who:
  - do not obtain the residence permit in Mongolia within the legal period.
  - exceeded the period of stay.
  - exceed the valid visa period.
 shall be fined by an amount equal to ten units per day regulation violated.

According to Articles 1.6, 1.7, 19.10, and 19.15 of the Criminal Law:

- Mongolian citizens or stateless persons permanently residing in the country shall be penalized by this law should they break this law abroad, commit crime, or not be penalized by the state in which this law was broken.
- This law shall impose criminal liability on foreigners or stateless persons who do not permanently reside in Mongolia who commit crimes against the interests of Mongolia outside the borders of the country but are not penalized by the country in which the crime was committed.
- Foreign nationals and stateless persons located in the territory of Mongolia who commit crimes outside the territory of Mongolia may be extradited to a foreign country for criminal prosecution and sentencing in accordance with the international treaties to which Mongolia has agreed.

- Foreign nationals and stateless persons shall not be extradited to countries for criminal prosecution or penalization, provided the law of said countries provide grounds for imposition of the death sentence or torture.
- Foreigners or stateless persons convicted of espionage in the territory of Mongolia, shall be sentenced to between twelve to twenty years in prison.
- Explanation: espionage refers to an act performed by a foreign intelligence agency, which entails a citizen of Mongolia to secretly cooperate with said foreign intelligence unit to steal, collect, store and transmit information and intelligence related to state secrets.
- Crossing the Mongolian border without proper entry or exit documents, with counterfeit documents, or without proper permission shall result in a fine from one thousand three hundred fifty units to ten thousand units and a limit of travel rights ranging from six months to two years, or imprisonment ranging from six months to two years.
- Such crossings are not considered crimes if foreigners or stateless persons who have been persecuted due to their views or political actions have crossed the Mongolian border to obtain asylum in Mongolia.
- Such crossings are not considered crimes if the individual who crosses the Mongolian border without proper documentation is a victim of trafficking or abduction.
- If Mongolian citizenship is obtained through the use of counterfeit documents or items, purposeful creation of false pretenses, misrepresentation or concealment of the facts, the violator shall be fined by an amount equal to between four hundred fifty units and fourteen thousand units, or face a limitation of travel rights ranging from six months to three years, or face imprisonment ranging from six months to three years.
- Those who illegally traffick, resettle, or transport foreign nationals or stateless persons through the territory of Mongolia shall be fined by an amount equal to between four hundred fifty to fourteen thousand units, or face a limitation of travel rights ranging from six months to three years, or face imprisonment ranging from six months to three years.

According to Articles 1.2, 14.13, 31.6, 42.3, 43.4, and 45.1 of the Criminal Procedure Law:

- The procedures specified in this law shall be followed when conducting criminal and criminal proceedings on foreign nationals and stateless persons in the territory of Mongolia.
- In the event that a foreign national is detained either as a convicted criminal or a suspect in a crime, the diplomatic representative's office of the detainee's country of origin shall be notified within two and six hours respectively. In the absence of a diplomatic representative's office in Mongolia, the central state administrative body in charge of foreign affairs shall be notified.

- Unless stated otherwise in international treaties, foreign witnesses, victims, experts, civil claimants and civil defendants shall be summoned through the central state administrative body in charge of foreign affairs and the authoritative office of the foreigner's country of origin.
- Should the exit of Mongolia by a foreigner after committing a crime in the territory of Mongolia be confirmed, the documents and materials collected during the investigation of the case shall be forwarded to the relevant foreign body in accordance with the law and procedures provided in international treaties.
- Requests for extradition of foreign citizens or stateless persons who have committed crimes or were sentenced in foreign countries shall be settled in accordance with the law, international treaties and agreements.
- Should foreign nationals serve their sentence in the territory of Mongolia, their extradition may be delayed until the sentence has been served or until their release. Should delay of the extradition result in the expiration of the date limit for pressing charges or cause hindrance to the investigation process, the individuals in question may be extradited immediately.
- The issue of the extradition of dual citizens and stateless persons shall be settled in accordance with this law, international treaties and agreements.
- Foreign citizens, stateless persons, and legal entities who face defamation, loss of personal and business reputation, damages to physical and mental health, property damage, and the loss of rights to pensions, benefits, and ownership of housing at the hands of the illegal actions of investigators, authorities, prosecutors and judges, shall be reimbursed for all the damages stated above and be reinstated their rights.

## TEN. ARTICLES REGARDING THE REGISTRATION OF STATE BODIES AND GOVERNMENT AGENCIES

### According to Articles 4 and 8 of the Law on Political Parties:

- Parties are unions of Mongolian citizens voluntarily uniting in accordance with the Constitution of Mongolia seeking the interests of society, personal opinions and political activities. Citizens of Mongolia have the right to establish, join, and leave parties, and participate in political activities in accordance with the law, and the charter of the party.
- Political parties are forbidden from receiving donations from international organizations, foreign nationals, foreign legal entities, and stateless persons.

### According to Articles 52.1 and 70.11 of the Law on Elections:

- Foreign states, foreign organizations, international organizations, foreign nationals, and stateless persons are forbidden to donate to elections.

- Political parties, unions, and candidates are forbidden from directly or indirectly receiving advice, support or aid from foreign citizens and foreign legal entities during the election period.

[According to Articles 16.2 and 17.2 of the Laws on Civil Service:](#)

- Foreign nationals and stateless persons may not be hired for public employment.

[According to Articles 4.1 and 4.2 of the Law on Public Assembly and Demonstrations:](#)

- Assemblies and demonstrations may be organized by citizens of Mongolia, registered political parties or non-governmental organizations.
- Unless stated otherwise in the international treaties to which Mongolia has agreed, foreign citizens and stateless persons shall have the right to participate in demonstrations and assemblies organized in accordance with the laws of Mongolia.

[According to Articles 17.3 and 17.4 of the Law on Road Safety:](#)

- Foreign citizens may, within one year of entering the territory of Mongolia, with a valid driving license or international driving license issued in member countries accordance with the Vienna Convention on Road Traffic, drive a vehicle of the same classification specified in said license.
- Driving a mechanized vehicle in the territory of Mongolia with a driver's license or international driving license issued by non-member countries of the Vienna Convention on Road Traffic is prohibited.

[According to Article 5.2 of the Law on Resolving Appeals and Complaints by Citizens to State Organizations and Officials:](#)

- Foreign nationals and stateless persons in the territory of the country shall have the same rights as citizens of Mongolia for making petitions, complaints and submissions [to State Organizations and Officials].

[According to Article 9.2 of the Law on the National Human Rights Commission:](#)

- Unless stated otherwise in the laws and international treaties to which Mongolia has agreed, foreigners and stateless persons in the territory of the country shall have the right to appeal to the Commission as a citizen of Mongolia.

[According to article 2 of the Constitutional Court on the Settlement of Disputes:](#)

- Foreign nationals and stateless persons legally residing in the territory of Mongolia may exercise their right to file petitions to the Constitutional Court.

[According to Article 10.1 of the Law on the State Census of Population and Housing:](#)

- The population census includes foreign nationals and stateless persons residing in the territory of Mongolia for more than 183 days or who have obtained permission from the relevant authority.

[According to Article 11 of the Law on Combating Human trafficking:](#)

- In the event that foreign nationals or stateless persons become victims of trafficking offenses in the territory of Mongolia, it shall be prohibited to deport the victims regardless of their violation of the laws of travel, residence and immigration in the country.
- In the event that foreign nationals or stateless persons become victims of trafficking crimes in the territory of Mongolia, the victims shall be given residence permits or shall have their permits extended in the country until the court resolves the crime upon the request of the state administrative body in charge of foreign nationals and stateless persons, or the state administrative body in charge of foreign affairs.

[According to Articles 38.2 and 38.3 of the Law on the legal Status of Judges:](#)

- Any person who abuses the independence of a judge is liable under the Criminal Code or the Law of Conflicts.
- Thus, foreign nationals and stateless persons who are liable under said code or law shall be deported from Mongolia and their right to return may be prohibited by up to ten years.

[According to Articles 23.1 and 23.3 of the Law on General Administration:](#)

- Administrative decision-making will be conducted in the Mongolian language.
- In the case of petitioners applying to the administration in a foreign language, the translation must be attached with the original, and the consequences of translation inconsistencies shall be borne by the petitioner.

[According to Articles 12.15 through 12.18, 13.6, 13.7, 13.11, 13.12, 14.8, 14.9, 16.3, 17.6, 18.6, 24.1, and 26.5 of the Law on Registration of Citizens:](#)

- In the event that a child is born in the territory of the country, and one parent is a Mongolian citizen and the other is a foreign national or a stateless person, the child shall be registered based on the parents' request in accordance with the procedures specified in this article.

- In the event that a child is born in the territory of a foreign country, and one parent is a Mongolian citizen and the other is a foreign national or stateless person, the child shall be registered by the mutual agreement of both parents. If one or both parents is a Mongolian citizen, the civil marital status registration office shall register their child based on the birth certificate of the country of birth. The registration office may mark the original birth certificate from the country of birth and replace it with a Mongolian birth certificate.
- Children born from foreign nationals or stateless persons may be registered and be issued a birth certificate in the territory of Mongolia in accordance with the procedures specified in this article.
- Should a Mongolian citizen marry foreign national or stateless person, or should foreign nationals or stateless persons marry one another in the territory of Mongolia, the registration of their marriage shall be issued by the organization specified in the Law on the Legal Status of Foreigners.
- Foreign nationals and stateless persons permanently residing in the territory of Mongolia, unless stated otherwise in international treaties to which Mongolia has agreed, shall settle their divorce issues in accordance with Mongolian Family Law.
- In the event that one of the spouses is a Mongolian citizen, and the other is a foreign national, and their divorce in accordance with foreign law does not contradict Mongolian law, the civil registration officer may register the family in the marital status registry and issue a certificate of divorce based on the document issued by the relevant authority of the country and its official translation.
- Foreign nationals of Mongolia and stateless persons residing in the territory of the country may submit a notarized application for the adoption of children to the state administrative body in charge of civil registration in the capital, or the province civil registration office of the relevant province.
- Unless stated otherwise by law, the registration of the confirmation of parenthood of foreign citizens or stateless persons permanently residing in the territory of Mongolia shall follow the procedures set forth in article 17 of this law.
- Mongolian women who marry foreign nationals may be registered under their husbands' last names.
- The state administrative body in charge of immigration statuses shall issue certification of residence permits to foreign nationals and stateless persons who are immigrants in accordance with the Mongolian residence permits.
- Foreign nationals and stateless persons permanently residing in the territory of Mongolia may move on the territory of Mongolia on the basis of the Law on the Legal Status of Foreign Citizens.

[According to Article 18, section 4, of the Mongolian Constitution:](#)

- Foreigners and stateless persons who have been persecuted because of their opinions, or political or other rightful activities may be granted the right to asylum in Mongolia.

According to Articles 7, 8, and 9 of the Law on the Legal status of Foreign Nationals:

- The law may establish restrictions on rights and freedoms of foreign nationals excluding human rights in order to protect social order ensuring the sovereignty and national security of Mongolia.
- Foreign nationals are entitled to the same rights, freedoms and responsibilities as Mongolian nationals unless stated otherwise in the law.
- Foreign nationals are entitled to the following rights in the territory of Mongolia:
  - The right to enter, reside and live in the territory of Mongolia.
  - Foreign citizens who wish to run a business in State Special Facilities, need permission from Mongolian government.
  - The right to request political asylum.
  - Other rights stated in legal regulations.
- Foreign nationals carry the following responsibilities in the territory of Mongolia:
  - To respect the constitution and laws of Mongolia, and to respect the traditions and customs of the Mongolian people.
  - To be registered according to articles of 24 and 26 of this law.
  - To pay taxes according to Mongolian legislation.
  - To stay in Mongolia only during the periods permitted by visas and residence permits issued by the relevant authority, and unless stated otherwise in international agreements to which Mongolia has agreed, to leave the country within the period of the residence permit or visa required by the relevant authority;
  - To carry their passports or residence permits issued by the Mongolian administrative office on their person.
  - To follow other duties stated in Mongolian law
- Foreign nationals have no duty to serve in the armed forces or other branches of the military.
- Foreign nationals are forbidden to conduct the following activities:
  - To act against the interests of Mongolia and Mongolian citizens, human rights, or Mongolian law while exercising their rights granted by Mongolian law and international agreements.
  - To vote or be elected, or participate in elections for the Presidency of Mongolia, membership of the State Great Khural, or membership of the Local Khural;
  - To conduct any political activities through the establishment of political organizations, and becoming a member of, or providing assets or financial support to, said organizations.

- To publicize against the national unity of the country, or promote non-humanitarian religious movements, any form of violence, pornography, or drugs which can harm the nation and national customs.
- To conduct unlicensed activities without the permission of an authorized body or official.
- To violate visas or the residence and registration procedure of Mongolia, be employed, or migrate without the permission of the relevant authority.
- To conduct other activities prohibited by law.

### Customs and Taboos of the Mongolian people

Mongolian cultural restrictions can be traced back to the earliest years of the Mongols. It was the unwritten law for a healthy nomadic lifestyle and for the respect and protection of their ancestors, elders, and environment. It is also considered a tool for raising children. There are at least 3000 customs and taboos in Mongolia.

If we cultivate respect for the customs and the love of untouched nature in each person, the protection the land receives will be stronger than the protection of government law.

### SOME TABOOS FOR VISITING FAMILIES TO KEEP INSIDE AND OUTSIDE OF A GER

1. Visitors get permission to enter a ger by saying "Guard your dog(s)".
2. Do not bring firearms, weapons, or lashes (whips) into a ger or put the hobbles or halters of horses in your belt.
3. Do not enter a ger without wearing belts around their waists (if they are wearing a deel). Widows or people in mourning are allowed to enter a ger without wearing belts around their waists.
4. Do not enter a ger with your sleeves pulled or rolled back. It will look as though you are entering a fight.
5. Children and younger people are not allowed to enter a ger before elderly people. Elders enter a ger first, and guests sit in order of age. When going out, the youngest goes out first.
6. If a family does not guard their dogs or a member of the household does not welcome the guests into their ger, the guests are not allowed to force their way into the ger.
7. Do not stand or sit on the doorstep.
8. Do not hang from or hold onto doorposts while entering a ger.
9. Do answer back to all greetings. Not replying is viewed as prideful or foolish, or ignorant to customs.
10. Do not put your gifts on the ground. Placing them on a higher place is a sign of respect.

11. Do not go between the support columns of ger, or to take tea from between them. It is viewed as immoral.
12. Do not lean on, pull or hug support columns. You cannot go between support columns because it may invite suffering to the family.
13. Do not kick stoves or fireplaces. It is viewed as an attack on their family hearth, and a call of bad luck on them.
14. Do not sit anywhere other than where shown by the host. Men sit on the right side of the ger, and women sit on the left side. Do not sit on the hosts' beds without permission.
15. Do not sit cross-legged or pull your legs with your hands.
16. Do not squat. It is viewed as the sitting position of a dog.
17. Don't sit at the corner of a table.
18. Never face your feet towards the hosts' idols or towards the north side of the ger.
19. Do not stretch your legs or face your back to the hosts' idols.
20. People under 18 should not pass beyond the support columns.
21. Do not stand as holding your back or cross your arms at your chest. To do these viewed as a sign of prideful, disrespectful and arrogant manners.
22. Do not sit on or put your legs on tables. It is a sign of going into debt.
23. Women are not allowed to sit cross-legged on the ground.
24. Do not cross your hands back of your head and don't lean your face on your hands.
25. Never point at anyone with your index finger, use your whole palm instead.
26. Do not whistle, hiss, wag, cross your arms at your back or put your hands around your waste in your own home, apartment, house or in someone else's home. If you do so, you will not be happy all your life.
27. Do not go around someone's ger counterclockwise. When exiting someone's home, it is good to go around the right side of the fireplace. This shows respect for the family.
28. Do not step over a person. One is only allowed to step over a dead body.
29. Do not walk in front of pregnant woman.
30. Do not walk over whips, rods, lasso poles, or corrals of someone's colts and calves.
31. Do not point lasso poles up or touch them against the ground.
32. Do not count a family's calves and colts in their stalls.
33. Do not point fire tongs up or face them to the north side of the home.
34. Do not enter a ger while carrying water on a shoulder yoke. You must leave the yoke outside. To do so is perceived as shortening your life.
35. Do not bring wood and water into a ger at the same time, because it's for the burial process. Thus, do not do it in daily life.
36. Do not throw or sprinkle water through a ger door. It is viewed as throwing or sprinkling water at the idol of the door.
37. Holding onto the doorposts with two hands outstretched is not allowed. Doing so is a sign of crucifixion. It is also related to the custom of pressing on the door when someone has passed away.

38. Do not close someone's door harshly. To do so is perceived as destroying the dignity of the home and the peace.
39. Do not peep through the closed door or doorposts or between walls of a ger. It is believed that only a person who brings bad luck or ghosts look through the closed door. So, this is considered bad luck.
40. Do not sweep the floor, hold a broom, or take the rubbish out while someone enters the ger. It's disrespectful.
41. Do not place empty pots, containers, and bowls near the door. You must put them upside down.
42. Do not throw things at someone. You must hand things to people with two hands, or with the right hand while placing your left hand under your right elbow.
43. Do not give or take things from people while placing them between your fingers or hanging them from your fingers. To do so is not good for your wealth and looks shameless and lawless.
44. Do not give or take things with your left hand. Mongolians consider the left hand for wealth and possessions and right hand for generosity.
45. Do not burp, pass gas, pick your nose while people are around you. It is rude and detestable.
46. Do not yawn without closing your mouth, scratch your body or take off your boots in public. If you do, others will be disgusted by you and you will lose your dignity.
47. Do not put on or take off your trousers, or unbutton, unzip, or untie your belts while people are around. Only insane, dumb, foolish or rude people do so.
48. Do not blow your nose inside the home or in public places. To do so will defile your name and is viewed as unclean and dirty.
49. Avoid touching the body, hand, head, or foot of a person willfully, because there are no greater creatures on earth than human beings.
50. Two people cannot put their soles together, and do not kick at the sole of someone's feet. It brings fight or quarrel.
51. Do not step on someone's feet. If you do, shake hands to clear the wrongdoing.
52. Do not relieve yourself at the arrival of someone's home or as soon as you get out of a vehicle. To do so is viewed as disrespectful and arrogant.
53. Do not relieve your body at the livestock stable. If you do, the livestock will have scabies.
54. Do not relieve yourself near someone's home or while facing a ger. If you do, the household or ger will be unclean.
55. Do not lay down or take off your clothes unless the hosts prepare you a bed. If you do, you break the customs and are viewed as dishonest.
56. Do not sleep with your head pointing towards the ger door.
57. Do not sing or weep in your bed, for your suffering will never go away. So, it is said that "Though you are happy don't sing in your bed and though you are sad don't weep in your bed".

58. Do not bring things out after the sunset or before the sunrise in order to protect your wealth.

## **RESTRICTIONS RELATING TO DINING, HOSPITALITY AND RESPECT**

59. Do not talk too loudly or be silent while eating.
60. You can lick bowls but not plates after meal. You cannot lick bowls of tea or airag, and do not finish all of the airag in your bowl. But you can lick bowls of meals and yogurt. Licking bowls develops the muscles of the tongue and larynx.
61. Do not pour milk onto the fire. If you sprinkle milk in the fire your eyesight will go bad, or you will be blinded. If you spit into the fire, your wealth will be gone.
62. Do not pour water onto the fire or play with fire. If you do, the fire god will be upset.
63. Do not touch fire with a knife. The fire god will be injured or furious.
64. Do not put something with blood into the fire. The fire god will be furious.
65. Do not put onion or garlic skins into the fire, otherwise the eyes of your livestock will hurt.
66. Mongolians consider water dark, so they don't pour water on milk. But you can pour milk on water.
67. Do not sprinkle water upward or refuse a person who asks for water.
68. Do not serve tea and rice to the guests with your scoop facing the wrong way.
69. Never say no to a person who asks for extra salt. Do not put salt into fire or throw on the ground.
70. Do not eat mutton shoulder with your teeth but use a knife. Do not eat mutton shoulder alone. The leader of the household or elderly person must share it with others.
71. Do not keep left over bones at home overnight because devils will possess it.
72. Do not serve tea or meal in bowls that have cracks.
73. Do not put bowls upside down, press the upper edge with your fingers, make noise with them, break them intentionally, or throw the leftovers from inside the home.
74. Do not put down offered tea without sipping it, and don't leave tea in your bowl.
75. Do not leave your bowls with chopsticks, spoons or forks in them. Don't serve tea overflowing to the guests.
76. Do not play with meals and food.
77. While eating don't moan, groan, yawn, sneeze or stretch your body. Don't eat meals while laying down. Only ill people eat while laying down.
78. Do not poke knives into pots to get the meat out.
79. Do not use chopsticks while eating milk products. Use your right-hand fingers only.
80. Do not talk about wolves while you are eating, because their teeth will become sharp and you will lose your livestock.

81. If you receive a bowl of gifts or borrow something in it, do not return the bowl empty.
82. Do not step over bowls, pots, or containers.
83. Do not hit bowls and plates with chopsticks, spoons, or forks. Don't place chopsticks on the bowls.
84. Do not put scoop pots upside down and don't put knives in them.
85. Do not serve meals with one chopstick only, or don't eat meals with one chopstick.
86. Do not give and take tea or meals with one hand.
87. When you are served snacks with tea, do not eat things without sipping the tea first. Only after you taste the tea you can take snacks. Take clotted cream, cheese, cheese curds, and biscuits in this order. Then at last you may take some sweets. Mongolians don't take sweets first.
88. When you take a snack from the plate first touch it with your right hand and then take not too much and not too little but take just the right amount.
89. Do not eat food while standing. If you do, you will be smeared and vilified.
90. Do not throw food away or play with it. The wealth of your mouth will be gone.
91. Do not put bowls, plates, ladle, and containers on the ground.
92. Do not leave knives blades up. Do not give knives and scissors pointing the sharp side at others. Give them the handle side.
93. Do not put bowls and cups upside down. If you do, you will be poor. You can put them upside down only in front of the idols.
94. Do not throw away milk, yogurt, and other milk products. If you have spilled some accidentally, dip one of your fingers into it and put the finger on your forehead.
95. Do not leave scoops in pots, and don't leave your spoons and forks in your bowls and plates. Don't let them stay in the plates and bowls overnight. If you do, demon will lick them, and the family's works and deeds will not be successful.
96. Do not put your bowls and plates down loudly while people are around you. If you do, the guests, relatives, and friends will think you are angry at them. If you do it accidentally, you must ask for forgiveness and reconcile.
97. Do not put a bottle of vodka on the ground. If you do, the greed of the ground will go into the vodka.

#### **TABOOS RELATED TO TRADITIONAL CLOTHING/DEEL**

98. Do not walk over deels and clothes. To do so is viewed as walking over their owners.
99. Do not face the collar of a deel towards the door, otherwise you are inviting illness to the owner. When you are using a deel as a blanket don't face the

- collar towards the fireplace. Do not cross the sleeves of a deel while folding it. To do so is a sign that the owner will be tied up by someone.
100. Do not put a deel over your head while you are using it as a blanket, because it is a sign of you becoming a prisoner. Do not leave the chest of a deel open, because it is a sign of divorce, or a sign of becoming a widow or widower.
  101. Do not pull up the lower part of the deel, and do not leave your deel chest open. Do not roll your sleeves up inside. Do not tie your belt around counterclockwise.
  102. Do not step on the collar of the deel, and do not put the collar of the deel upside down.
  103. Covering a deel over your head means you will become a prisoner.
  104. Do not put the buttons of a deel in your mouth or chew on them. If you do, it is the sign of becoming an orphan.
  105. Do not step on, walk over, or drag your belt on the ground. When you lay down at night, put it next to your pillow. Do not exchange your belt with others. Do not use ropes as belts, because it is a sign of you becoming weary and poor.
  106. Do not wear your hat the wrong way around. Only let a person who is becoming a sacrifice wear a hat the wrong way around. A person who is lifting a dead person's body wears a hat the wrong way around.
  107. Do not place your hat faced up. Do not a swing hat, otherwise you will be dizzy and become insane.
  108. Do not wear two hats at the same time. It is a sign of having two wives.
  109. Do not present a hat as a gift, because it is seen as an upside-down container. If you need to give a hat to your relatives, give something with it. As the price, take a small amount of money.
  110. Do not wear somebody else's clothes or hat. Do not exchange your clothes with others.
  111. Do not cover your head with the collar of a sweater. Only someone who murdered his mother does it.
  112. Do not roll down boots. It was customary for prisoners to wear their boots like that.
  113. Do not leave your boots anywhere. Always put them up standing together. If you leave your boots down facing different directions, your family will have fights and quarrels all the time.

#### **SOME TABOOS RELATED TO NATURE AND THE ENVIRONMENT**

114. Do not go around the mountains and ovoo anticlockwise.
115. Do not point to the sun and moon. It is disrespectful.
116. Do not curse the sun, moon or stars and don't throw water or dirt at them.

117. Do not throw water and dirt at the sky. Don't point knives to the sky and don't point one finger to the sky. Don't curse the sky and don't shoot at the sky.
118. Do not relieve yourself facing towards the sun and moon.
119. Since there are revered gods, big dippers, Lha five skies and the north star at the north, don't relieve yourself facing towards the north star. We must respect the stars and the sky. The god of wealth Namsrai takes care of the north.
120. Do not sprinkle milk on fire. Your cows' milk will lessen, and their udders will hurt.
121. Do not pour boiling water and ashes with embers on the ground. If you do, you will kill innocent insects, worms and plants, and you will accumulate sin.
122. Do not put or pour milk or unclean things into rivers and springs. Don't wash and relieve yourself in the rivers and springs. The water will be unclean, and the god of water will be furious.
123. Do not assemble your ger at the source of springs and don't assemble it near others.
124. Do not kill the insects, worms and the fish of the springs. They could be the army of the god of water or might be the supporters of the nutrition of the springs.
125. Do not water your animals with the water of springs.
126. Do not live at the source of springs. If you do, the water will be dried up and the god of water will be furious. You will dry up the water that heals all people and animals, and diseases and sickness will not go away.
127. Use very clean utensils when you collect water from springs. Don't pour blood, milk, dairy products or unclean things into the springs. Don't wash things in springs. Don't relieve yourself near springs and don't kill the insects and fish of the springs.
128. Do not assemble your gers at the source of the springs or nearer to another neighborhood. Don't put dirty things into springs and don't stir the mud of the springs. Since we think the flowing water of the spring season is not purified water, we don't wash our bodies in it.
129. Do not relieve yourself in rivers, springs or lakes. It is stated in the Law of Great Zasag [Great Government] that "Bring the one to court who relieved himself in the water".
130. Do not get water from the river with pots containing soot. If you do, you touch the god of water with fire and bring destruction to humans and animals.
131. Do not wash anything in flowing water. You can wash your things with the water that you take away from the flowing water. If you do, you will make the god of water angry and you will make drinking water unclean.
132. Do not put something on fire into water. Otherwise, your face will become spotty.

133. Do not point at, or count the birds migrating to the south. If you do, their journey will be difficult and the person who counted them will have encounter misfortune. Don't kill or hunt wild animals with young ones.
134. Do not scare away the birds hatching their eggs. If you do, you will accumulate sin onto yourself and the curse of birds will come to you. Don't hover your shadow over bird eggs. If you do, the birds will not like their eggs and fly away.
135. Do not kill taimen fish. If you do, the god of water will be furious, and your life will be shortened.
136. Mongolians believed that fish had long lives and were the army of the god of the water. So, they prohibited killing and eating them.
137. Do not kill birds and cranes. Cranes can curse you until the steel stirrups crack. Generally, Mongolians don't encourage killing birds. Especially water birds, because they are very loyal to their mates and if you kill them, they will suffer and mourn greatly, and your life will end up likewise.
138. Do not hunt deer, because deer are the saddle animals of the water gods.
139. Do not cut young trees or trees that are alone. If you do, the gods of the mountains will be angry, and they will bring you disasters.
140. Do not cut flowers, leaves or the roots of plants, and don't destroy the ant hills. Otherwise the heavens will be angry, and the weather will be bad.
141. Do not leave your previous ger site unclean when you move to a new place. You must clean all the rubbish without leaving anything behind. If you do, the gods of the land will be angry, and the new place will have no blessings.
142. Do not leave bones/hair at the previous site of your ger. If you do, your animals will die, your wealth will be reduced, and your animal stable will become dark without animals and you will be poor.
143. It is not good to step on someone else's previous ger site.
144. Try not to hammer pegs into the ground. Don't leave poles or pegs hammered into the ground. Instead, take them out and cover the holes with dirt and pour milk on them as you leave. When you leave pegs in the ground, you are not taking care of the land well, and they might hurt the feet of animals.