



## LAW OF MONGOLIA

March 30, 1995

### ENVIRONMENTAL PROTECTION

#### CHAPTER ONE GENERAL PROVISIONS

##### **Article 1. Purpose of the law**

The purpose of this law is to ensure the right to live in a healthy and safe environment, to link social and economic development with the environmental balance, to protect the environment in the interests of present and future generations, to use its resources properly, and to restore their natural potential. to regulate relations between business entities and organizations.

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##### **Article 2. Legislation on environmental protection**

1. Legislation on environmental protection shall consist of the Constitution of Mongolia, this law and other legislative acts enacted in conformity with them.

2. If an international treaty to which Mongolia is a party provides otherwise than this law, the provisions of the international treaty shall prevail.

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##### **Article 3. Objects of legal protection and related terms**

1. This law shall protect the following natural objects from activities that may have a harmful impact on the environment and prevent environmental imbalance:

- 1 / land and its soil;
- 2 / subsoil and its resources;
- 3 / water;
- 4 / plants;
- 5 / animals;
- 6 / air.

2. The following terms used in this law shall have the following meanings:

1) "Environment" means the interconnected atmosphere of the Stone Atmosphere, Water Atmosphere, Biosphere and Atmosphere of the territory of Mongolia, which directly or indirectly affect human life and activities;

2) "water" means surface and groundwater in the territory of Mongolia, such as rivers, streams, springs, streams, mineral springs, glaciers, natural and artificial lakes and ponds;

3) "plants" means natural and cultivated forests, trees, and all types of upper and lower plants growing in the territory of Mongolia;

4) "animals" means mammals, birds, reptiles, amphibians, fish, crustaceans, insects, mollusks and protozoa that are permanent or temporary residents of the territory of Mongolia;

5) "air" means the gas cover of the territory of Mongolia;

6) "Harmful impact on the environment" means an act (inaction) that pollutes, degrades, damages, destroys or destroys the environment and its resources.

7) "Environmental protection" means the prevention of environmental pollution, the rational use, rehabilitation and monitoring of natural resources in accordance with their natural capacity, without compromising their ability to regenerate naturally;

*/ This provision was added by the law in 11 November 2005 /*

8) "Natural resource co-management partnership" (hereinafter referred to as "partnership") means the right of local people to protection, rational use and rehabilitation of natural resources, to organize resource use jointly, in accordance with transparent and fair principles and to share the benefits equally with citizens. partnerships for distribution purposes;

*/ This part was amended according to the law dated May 17, 2012 /*

9) "environmental database" (hereinafter referred to as "database") means a set of information technology to compile, collect, transmit, process, use, store, enrich, modify, update and protect environmental data and information;

*/ This provision was added by the law in January 31, 2008 /*

10) "metadata" means a set of information about the data source, responsible person, format, scale, quality, scope, duration and use of the data.

*/ This provision was added by the law in January 31, 2008 /*

11) "Environmental damage" means any act or omission of unauthorized preparation, mining of natural resources, or pollution, degradation, damage, depletion of natural resources, or loss of ecosystems in excess of the established norms and maximum permissible limits of environmental capacity. ;

*/ This provision was added by the law in 8 July 2010 /*

12) "Compensation for damage to the environment" means monetary expression established by citizens, business entities, organizations and officials in accordance with the environmental ecological and economic assessment and methodology required to eliminate the damage caused to the environment, prevent it and prevent further risks;

*/ This provision was added by the law in 8 July 2010 /*

13) "Compensator of environmental damage" means a citizen, business entity, organization or official who has committed an act or omission specified in Article 11.2.2 of this Law.

*/ This provision was added by the law in 8 July 2010 /*

14) "Environmental audit" means an independent activity that monitors the implementation of environmental legislation, state policy, national programs, environmental impact assessment, implementation of standards, issues conclusions, and provides professional advice.

*/ This provision was added by the law in 5 May 2012 /*

3. Relations related to the ownership, possession and use of objects and their resources specified in paragraph 1 of this Article shall be regulated by a special law.

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#### **Article 4. Civil rights and responsibilities for environmental protection**

1. Citizens shall have the following rights to protect the environment:

1 / to demand compensation from the guilty person for damage caused to his / her health and property due to harmful impact on the environment;

2 / to fight against violations of the legislation on environmental protection, to demand liability for persons who have caused harm to the environment, and to file a claim to a court for compensation for damage caused to the environment;

*/ This part was amended according to the law dated July 08, 2010 /*

3 / to establish a public organization for the protection of the environment, to establish a capital fund, and to unite local citizens on a voluntary basis to protect, restore and benefit from natural resources;

*/ This part was amended according to the law dated November 18, 2005 /*

4 / to obtain true and correct information on the environment from relevant organizations;

5) to demand from the relevant authorities to ensure the inviolability of natural resources, to make decisions to restrict or stop any activities that may have a harmful impact on the environment, and not to issue permits to establish new business entities and organizations that may have a harmful impact on the environment;

*/ This part was amended according to the law dated May 17, 2012 /*

6) to organize on a voluntary basis, to protect certain types of natural resources of the place of residence, to use and possess them on a contractual basis in accordance with the relevant legislation by establishing a partnership specified in Article 3.2.2.8 of this Law.

*/ This provision was added by the law in 11 November 2005 /*

2. Citizens shall have the following obligations to protect the environment:

1) to comply with the legislation on environmental protection;

2 / to acquire and use national traditions and customs for environmental protection and to provide ecological education to their children;

3 / to prevent harmful effects on the environment, to eliminate or compensate for harmful effects caused by one's own fault.

4) a citizen who discovers an act of illegal use, damage or destruction of natural resources shall immediately inform the local governor, state inspector and ranger.

*/ This provision was added by the law in 11 November 2005 /*

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#### **Article 5. State functions and principles of the state on environmental protection**

1. In order to ensure the right to live in a healthy and safe environment, the state shall perform the function of preventing harmful effects on the environment and disturbing the environmental balance.

2. The state shall adhere to the following principles in carrying out its environmental protection functions:

1) to create favorable environmental conditions for human life, work and rest;

2 / to develop an ecologically oriented economy and ensure environmental balance;

3 / to ensure conditions for the rational use of natural resources on a scientific basis;

4) transparency of decisions and activities on environmental protection and use of natural resources.

5) to ensure the inviolability of natural resources.

*/ This provision was added by the law in 5 May 2012 /*

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#### **Article 6. Ownership of natural resources and protection of the environment**

*/ The title of this article was amended by the law in 5 May 2012 /*

1. Land, subsoil, forests, water, fauna, flora and other natural resources other than those allocated to citizens of Mongolia for ownership shall be state property and shall be inviolable, except for use with licenses and vouchers issued by state authorities.

*/ This part was amended according to the law dated May 17, 2012 /*

2. Unless otherwise provided by law, citizens, business entities, organizations, foreign citizens and legal entities of Mongolia may use natural resources in accordance with contracts, licenses or vouchers by paying appropriate fees and charges.

3. In accordance with the procedures set forth in laws and agreements, citizens may own water reservoirs, lakes and ponds established by collecting plants, forests, reared animals and rainwater grown on their own land by their own funds.

*/ This part was added by the law in 11 November 2005 /*

4. The issue of allocating natural resources for ownership shall be decided in accordance with the law based on the conclusion of a professional research organization on the creation of natural resources in accordance with paragraph 3 of Article 6 of this Law and a reference from the state central administrative body in charge of local government and environment.

*/ This part was added by the law in 11 November 2005 /*

5. If the authorized professional organization officially determines that the Governor has caused significant damage to the local environment due to improper fulfillment of his / her duties specified in Article 16.2.2 and Article 17.2.2 of this Law. Measures specified in Article 32.2 of the Law on Administrative and Territorial Units and Their Management shall be taken.

*/ This section was added by the law in 5 May 2012 /*

*/ This part was amended according to the law dated July 08, 2015 /*

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## **CHAPTER TWO ENVIRONMENTAL ASSESSMENT, RESEARCH AND AUDIT**

*/ The title of this chapter was amended by the law in 5 May 2012 /*

#### **Article 7. Environmental assessment**

1. In order to develop and implement measures to preserve the original state of the environment, prevent its imbalance, and to regulate the use of natural resources, an assessment of natural resource resources and an environmental impact assessment shall be conducted.

2. Citizens, business entities and organizations wishing to use natural resources for production purposes shall pay for the assessment specified in paragraph 1 of this Article at their own expense or, if the assessment has already been established, for the cost of its implementation.

3. The environmental assessment shall be carried out by a business entity or organization authorized in accordance with paragraph 4 of this article and approved by the state central administrative body in charge of protection of the natural resource.

4. The state central administrative body in charge of protection and rational use of natural resources and the state central administrative body in charge of nature and environment / hereinafter referred to as the "state central administrative body" shall have the right to assess natural resource resources. and so on.

*/ This part was amended according to the law dated January 22, 1998 and amended according to the law dated May 17, 2012 /*

5. Business entities and organizations that meet the following requirements shall be authorized to conduct environmental assessments:

1 / at least one third of the members of the evaluation team shall be full-time professionals;

*/ This part was amended according to the law dated November 18, 2005 /*

2 / have measuring and research instruments, tools and equipment;

3 / have a methodology for conducting environmental assessments approved by an accredited professional organization;

*/ This part was amended according to the law dated November 18, 2005 /*

4 / have a database on evaluation issues.

6. *This part was repealed by the law in January 22, 1998 /*

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#### **Article 8. Valuation of natural resources**

1. The assessment of a natural resource is the determination of the quantity, quality and monetary value of a particular type of natural resource.

2. The assessment shall determine the amount of natural resource resources, measures for the protection, rational use and restoration of natural resources, and shall be registered in the state unified environmental database.

*/ This part was amended according to the law dated November 18, 2005 /*

3. The monetary value of natural resources shall be determined by the State Central Administrative Body in cooperation with other relevant organizations, taking into account their ecological and economic significance.

4. The monetary value of the resource shall be the basis for determining the amount of royalties, fees, harmful effects on the environment and compensation for direct damage to the resource.

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#### **Article 9. Environmental impact assessment**

1. */ This part was repealed by the law in January 22, 1998 /*

2. Relations related to environmental impact assessment shall be regulated by law.

*/ This part was amended according to the law dated January 22, 1998 /*

3. Impact assessment costs shall be financed by the procuring entity.

4. Citizens, business entities and organizations implementing the project shall be obliged to comply with the requirements set by the impact assessment.

*/ This part was amended according to the law dated January 22, 1998 /*

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#### **Article 10. Monitoring of the state of the environment**

1. Monitoring of the state of the environment shall include regular observation, measurement, research and analysis of the state of the environment and its evolution, and the development of measures to stop and eliminate the identified negative changes.

2. The State Central Administrative Body shall organize and operate an environmental condition monitoring network (hereinafter referred to as "monitoring network") for the purpose of implementing the activities specified in paragraph 1 of this Article.

3. The following activities will be implemented through the monitoring network:

1 / to conduct regular observation, measurement and research on physical, chemical and biological changes in the environment, and to determine and assess changes in the state of the environment;

2 / to provide information to the population and interested business entities and organizations on the environment and its resources;

3) to develop drafts of measures to prevent and eliminate harmful effects on human health and the environment, natural disasters.

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#### **10 Article 1<sup>1</sup>. Environmental audit**

1. Business entities and organizations engaged in production and services using natural resources shall conduct environmental audits every two years, obtain relevant conclusions and recommendations, and submit their reports to aimag and capital city environmental departments within the period specified in the recommendations.

2. The procuring entity shall be responsible for the costs of conducting an environmental audit within the planned period, if the business entity or organization, the Governor or the state central administrative body in charge of nature and environment deems it necessary to conduct an audit during the unscheduled period.

3. Environmental audit activities shall be carried out by a legal entity authorized by the state central administrative body in charge of nature and environment.

4. The member of the Government in charge of nature and environment shall approve the methodology and licensing procedure for environmental audit.

5. This law shall not regulate relations related to environmental financial and performance audits by the State Audit Office.

*/ This article was added by the law in 5 May 2012 /*

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#### **Article 11. Environmental research and analysis and its financing**

1. Research and analysis on determining the direction of national and regional development, rehabilitation and reproduction of endangered animals and plants, protection of soil, water and air, and living in a healthy and safe environment shall be financed from the state and local budgets.

*/ This part was amended according to the law dated January 2, 2003 /*

2. The State Central Administrative Body and the Governor of the relevant level shall order environmental research and development work and project development from research and related professional organizations and finance it with appropriate budget funds, as well as with their own funds for research and analysis by interested citizens, business entities and organizations. support.

*/ This part was amended according to the law dated June 29, 2006 /*

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~~Article 12-~~ */ This article was repealed by the law in January 31, 2008 /*

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### **CHAPTER THREE**

#### **AUTHORITIES OF GOVERNMENT ORGANIZATIONS FOR ENVIRONMENTAL PROTECTION**

##### **Article 13. Powers of the State Great Hural**

The State Great Hural shall exercise the following powers in relation to environmental protection:

1 / to determine the state policy on protection of the environment, rational use and restoration of its resources;

2 / to approve a national program to protect the environment and ensure ecological security upon submission by the Government;

3) to approve legislation on environmental protection and monitor their implementation;

4) to set maximum and minimum fees and charges for the use of natural resources and environmental pollution;

5) to approve and change the list of endangered animals and plants and to take some natural objects under special state protection;

6) other powers provided by law.

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##### **Article 14. Powers of the Government**

The Government shall exercise the following powers to protect the environment:

1) to organize the development and implementation of a national program to protect the environment and ensure ecological security;

2 / to limit the amount of use, import and export of natural resources on the grounds specified by law or to prohibit them for a certain period of time;

*/ This part was amended according to the law dated November 18, 2005 /*

3) to suspend production and other activities of citizens, business entities and organizations that have a harmful impact on the health of the population and the environment, regardless of the form of ownership, taking into account the proposals of the state central administrative body and aimag and capital city governors;

4) to organize border, customs and quarantine control over the export and import of animals and plants, as well as natural raw materials;

~~5~~ / *This provision was repealed by the law in force since June 29, 2006 /*

6) to organize ecological education and upbringing of citizens;

7) other powers provided by law.

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#### **Article 15. Powers of the State Central Administrative Body**

1. The state central administrative body in charge of nature and environment shall exercise the following powers in relation to environmental protection:

1) to organize the implementation of state policies and legislation to protect the environment, to use and restore its resources, to ensure the environmental balance, to prevent possible damage to the environment, and to eliminate the damage caused;

*/ This part was amended according to the law dated May 17, 2012 /*

2 / to approve decisions, rules and regulations to be followed by other state central administrative bodies, aimags and the capital city on specific issues of environmental protection, rehabilitation, sustainable use and compensation for damage caused to the environment and to ensure their implementation;

*/ This part was amended according to the law dated May 17, 2012 /*

3 / to be responsible for inter-sectoral and inter-regional management, policy planning and coordination on environmental protection, rational use and rehabilitation of its natural resources, to develop and approve environmental capacity norms and standards or to approve them in cooperation with relevant state central administrative bodies; , to approve the methodology for organizing the implementation, ecological and economic assessment and damage assessment;

*/ This part was amended according to the law dated May 17, 2012 /*

4) to determine the number of forests, plants and animals that can be used annually in accordance with the legislation, and to restrict or prohibit the use of certain types of natural resources in the region for a certain period of time, taking into account ecological requirements and resources;

*/ This part was amended according to the law dated November 18, 2005 /*

5) to issue state orders for environmental protection, to carry out research, analysis and design work, and to manage the activities of its own research, analysis, design and professional organizations;

6) to promote the equal and fair use of the benefits of the application of traditional knowledge, new ideas and life experiences aimed at the sustainable use of biological and genetic resources to provide citizens, economic entities and organizations with information on the environment;

*/ This part was amended according to the law dated November 18, 2005 /*

7) to provide methodological assistance and financial support to state administrative and local self-governing bodies on protection of the environment, rational use and restoration of its natural resources, and compensation for damage caused to the environment;

*/ This part was amended according to the law dated May 17, 2012 /*

8) to cooperate with foreign countries and international organizations on environmental protection issues;

~~9~~ / *This provision was repealed by the law in July 10, 2002 /*

~~10~~ / *This provision was repealed by the law in July 10, 2002 /*

11) to develop a partnership management plan, provide methodological advice, support and provide integrated management;

*/ This provision was added by the law in 5 May 2012 /*

12) to approve the methodology specified in paragraph 5 of Article 49 of this Law;

*/ This provision was added by the law in 5 May 2012 /*

13) to provide financial support for environmental protection, restoration of natural resources, and ecological education and upbringing.

*/ This provision was added by the law in 6/29/2006 /*

*/ This part was amended according to the law dated May 17, 2012 /*

14) to develop and approve procedures for hiring active rangers and rewarding them for their work;

*/ This provision was added by the law in 11 November 2005 /*

*/ This part was renumbered by the Law of June 29, 2006 /*

*/ This part was amended according to the law dated May 17, 2012 /*

15) to provide unified management of the implementation of the legislation on the operation of the environmental database and to monitor its implementation;

*/ This provision was added by the law in January 31, 2008 /*

*/ This part was amended according to the law dated May 17, 2012 /*

16) other powers provided by law.

*/ This part was renumbered by the Law of November 18, 2005 and the Law of June 29 , 2006 /*

*/ This part was amended according to the law dated January 31, 2008 and May 17, 2012 /*

2. Other central state administrative bodies shall exercise the following powers in relation to environmental protection:

1 / to include in the development direction of the sector specific measures to protect the environment, rational use and restoration of natural resources;

2 / organize the implementation of environmental protection legislation in the sector and report the results to the Government annually.

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#### **Article 16. Powers of aimag and capital city Citizens 'Representatives' Khurals and Governors**

1. Aimag and capital city Citizens 'Representatives' Khurals shall exercise the following powers in relation to environmental protection:

1) to approve measures and budgets for the protection of the environment, the rational use and restoration of its resources, and to monitor their implementation;

2) to determine the maximum amount of natural resources to be used in its territory in a given year in accordance with the grounds and procedures set forth in this law;

3) to make decisions on taking local objects that are not under special state environmental protection under local protection, to establish their boundaries and protection regimes, and to monitor their implementation;

4) to establish the boundaries of special zones to protect the environment of cities, villages, other settlements and resorts, river sources, lakes, mineral springs, springs, streams and water points, and to meet sanitary requirements;

5) to discuss the Governor's information and report on the state of the environment and the database.

6) the newly appointed Governor shall register and hand over the local natural resource fund in accordance with the indicators specified in subparagraphs 1-6 of paragraph 1 of Article 35 of this Law, and its change report shall be discussed and evaluated annually.

*/ This provision was added by the law in 5 May 2012 /*

2. Aimag and capital city governors shall exercise the following powers to protect the environment and compensate for damage caused to the environment:

*/ This part was amended according to the law dated May 17, 2012 /*

1) to organize the implementation of legislation on environmental protection and decisions of the Government;

2) to develop measures for the protection of the environment, the rational use and restoration of its resources, to submit them to the Citizens' Representatives Khural and to organize the implementation of decisions made;

3) to submit information and documents from the environmental database to the state central administrative body in a timely manner;

4) to monitor the activities of economic entities and organizations in their territories to protect the environment, use and rehabilitate its resources, and to compensate damage to the environment, regardless of their jurisdiction, and to take measures to eliminate violations; to suspend the harmful activities or to raise the issue with the competent authority;

*/ This part was amended according to the law dated May 17, 2012 /*

5) to provide senior state and state environmental inspectors working in its territory with insignia, uniforms, self-defense weapons, equipment and vehicles in accordance with this law;

*/ This part was amended according to the law dated November 18, 2005 /*

6) to appoint and dismiss the head of the aimag and capital city environmental department in consultation with the state central administrative body in charge of nature protection.

*/ This provision was added by the law in 22 December 2006 /*

7) to approve the budget required for the implementation of partnership activities in its territory and to provide financial support;

*/ This provision was added by the law in 5 May 2012 /*

8) to organize the provision of professional and methodological guidance to support and develop the partnership's activities within the approved budget in its territory;

*/ This provision was added by the law in 5 May 2012 /*

9) to submit a report on the partnership's activities to the Citizens' Representatives Khural in a given year;

*/ This provision was added by the law in 5 May 2012 /*

10) to be responsible for protecting natural resources on behalf of the state and ensuring their inviolability in their respective territories.

*/ This provision was added by the law in 5 May 2012 /*

3. The head of the aimag and capital city environmental department shall be selected and appointed from among environmental professionals in accordance with Articles 25, 26 and 27 of the Civil Service Law.

*/ This part was added by the law in December 22, 2006 /*

*/ This part was amended according to the law dated December 07, 2017 /*

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#### **Article 17. Powers of soum and district Citizens 'Representatives' Khurals and Governors**

1. Soum and district Citizens 'Representatives' Khurals shall exercise the following powers in relation to environmental protection:

1) to approve measures and budgets for the protection of the environment, the rational use and restoration of its resources, and to monitor their implementation;

2) to determine the amount of natural resources to be used in its territory in a given year in accordance with the grounds and procedures specified in the legislation;

4) to discuss the Governor's work report on environmental protection.

5) to decide on the protection, use and possession of certain types of natural resources of its territory by the partnership specified in Article 3.2.2.2 of this law based on the proposal of the Public Hural of the bagh or khoroo.

*/ This provision was added by the law in 11 November 2005 /*

6) to give assessments and conclusions specified in paragraph 6 of paragraph 1 of Article 16 of this Law ;

*/ This provision was added by the law in 5 May 2012 /*

7) to approve and monitor the implementation of programs to be implemented within the framework of the concept of community-based natural resource management in its territory.

*/ This provision was added by the law in 5 May 2012 /*

2. Soum and district governors shall exercise the following powers to protect the environment and compensate for damage to the environment:

*/ This part was amended according to the law dated May 17, 2012 /*

1) to organize the implementation of the legislation on environmental protection in its territory, decisions of the Citizens' Representatives Khural and higher level organizations;

2 / to issue natural resource use licenses to citizens, business entities and organizations in accordance with the legislation;

3) to monitor the use of natural resources by citizens, business entities and organizations, and to receive forests, plants, animals, rehabilitated and landscaped lands and water points grown by them;

4) to monitor the environmental protection, rational use and rehabilitation of natural resources of economic entities and organizations in their territories, regardless of their jurisdiction, to compensate for environmental damage, to take measures to eliminate revealed violations, and if necessary, to suspend activities that are harmful to the environment or to raise the issue with the competent authority; / *This part was amended according to the law dated May 17, 2012 /*

5) to direct the work of rangers, to provide the local budget with insignia, uniforms, self-defense weapons, equipment and vehicles required for the performance of their official duties, and to provide other necessary assistance;

*/ This part was amended according to the law dated November 18, 2005 /*

6) to establish waste disposal sites of business entities and organizations and take measures to reduce pollution.

7) to conclude agreements on protection, use and possession of certain types of natural resources to be responsible for citizens' partnerships in accordance with laws and regulations on the basis of the decision specified in paragraph 5 of paragraph 1 of Article 17 of this law and monitor their implementation.

*/ This provision was added by the law in 11 November 2005 /*

8) to be responsible for protecting natural resources on behalf of the state and ensuring their inviolability in their respective territories;

*/ This provision was added by the law in 5 May 2012 /*

9) to implement the responsibilities set forth in Article 17.2.2 of this Law in the form of raising awareness of local citizens on the rational use of natural resources, combating illegal use of natural resources, compensation for damages and filing lawsuits;

*/ This provision was added by the law in 5 May 2012 /*

10) to organize the implementation of the partnership management plan, conduct professional training and report the results to the soum Citizens' Representatives Khural.

*/ This provision was added by the law in 5 May 2012 /*

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## **Article 18. Powers of Citizens' Public Hurals and Governors of baghs and khorooos**

1. Citizens' Public Hurals of baghs and khorooos shall exercise the following powers in relation to environmental protection:

1 / to develop and regulate schedules for protection and use of hay, pastures and water points not allocated for possession or use by others;

2 / to monitor the protection and use of public natural resources;

3 / to hear the Governor's work report on environmental protection.

4) to discuss and resolve proposals submitted by bagh governors on the establishment of partnerships.

*/ This provision was added by the law in 5 May 2012 /*

2. Bag and khoroo governors shall exercise the following powers in relation to environmental protection:

1) to organize the implementation of legislation on environmental protection, decisions of the Public Hural and higher level organizations;

2 / to direct the work of environmental protection in their territories and to involve citizens in the annual work of cleaning up environmental pollution and waste;

3) to issue licenses for the use of natural resources in cases provided by law;

4) to ensure environmental hygiene and sanitation requirements and to establish public waste disposal sites in its territory.

5) to present to the Citizens' Public Hural for discussion proposals related to the establishment of a partnership and its activities.

*/ This provision was added by the law in 5 May 2012 /*

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**CHAPTER FOUR**  
**GENERAL MEASURES FOR ENVIRONMENTAL PROTECTION, USE OF NATURAL RESOURCES AND RENEWAL**

**Article 19. Common methods of environmental protection**

1. Mongolia has a "National Program for Environmental Protection and Ecological Security" with financial guarantees.

2. The state, its organizations and officials shall protect the environment in the following common ways:

1 / to prohibit hunting, trapping and preparation and use of very rare animals and plants;

2 / to register and protect very rare and endangered animals and plants in the Red Book of Mongolia;

3 / to establish and enforce norms and standards for harmful effects on the environment;

*/ This part was amended according to the law dated November 18, 2005 /*

4) to provide ecological education and upbringing to the population and to possess national heritage;

5) to encourage the introduction and use of non-toxic, safe, non-polluting and waste-free technologies;

*/ This part was amended according to the law dated November 18, 2005 /*

6) to protect the environment of cities, villages and other settlements and the environment of rivers, lakes, mineral springs, springs and streams, and to establish sanitary zones.

7) to be responsible for the protection, use and possession of certain types of natural resources in accordance with the agreement.

*/ This provision was added by the law in 11 November 2005 /*

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**Article 20. Environmental capacity standards**

1. In order to ensure healthy and safe living conditions for the population and to protect the environment, the content of harmful and hazardous substances released into the environment and the level of adverse effects (hereinafter referred to as "environmental capacity standards") shall be determined by the following indicators:

*/ This part was amended according to the law dated November 18, 2005 /*

1) permissible levels of chemically and biologically hazardous substances in air, water and soil;

*/ This part was amended according to the law dated November 18, 2005 /*

2 / the maximum permissible levels of toxic and hazardous substances that may be released into the environment;

*/ This part was amended according to the law dated November 18, 2005 /*

3 / tolerances for noise, vibration, electromagnetic fields and other harmful physical effects;

4 / tolerable radiation standards;

5) maximum permissible levels of agrochemicals to be used for crop and pasture protection;

6 / maximum permissible concentration of chemicals in food products;

7 / maximum permissible capacity and resource utilization.

*/ This part was amended according to the law dated November 18, 2005 /*

2. The standards specified in paragraphs 1, 2, 3, 4 and 6 of paragraph 1 of this Article shall be established by the standardization body.

*/ This part was amended according to the law dated November 18, 2005 /*

3. Citizens, business entities and organizations that have had a negative impact on the environment by exceeding the established norms of environmental capacity shall compensate the damage caused to the environment by themselves or by a professional organization.

*/ This part was amended according to the law dated November 18, 2005 /*

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**Article 21. Protection of the environment from pollution**

1. Pollution of the environment is the dumping of industrial and domestic waste in excess of the established norms of environmental capacity.

2. The state central administrative body shall maintain the unified state register of pollution sources.

3. Citizens, business entities and organizations shall have the following responsibilities to prevent pollution of the environment by industrial and household waste:

1) to bury and destroy toxic and hazardous substances and wastes only in a specially designated place in a permitted manner;

*/ This part was amended according to the law dated November 18, 2005 /*

2 / to separate the waste, collect it in a special container and transport it by a specially equipped vehicle to a designated place;

3 / to clean and, if necessary, disinfect the living (living) environment and when moving;

4 / to regularly clean the garbage around the fence and premises.

4. The Government shall establish by law the procedure for production, storage, transportation, use and destruction of radioactive and toxic and hazardous substances and compounds containing them, and the procedure for collection, transportation, detoxification, disinfection, processing, burial and destruction of industrial and household waste. .

*/ This part was amended according to the law dated November 18, 2005 /*

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#### **Article 22. Areas in danger of natural disasters and emergencies**

1. Areas with harmful effects and changes caused by human activities and natural processes that may cause harm to the environment, population, livestock, animals, plants and their gene pool shall be considered as natural disaster and emergency areas.

2. The boundaries of zones covered by natural disasters and emergencies shall be determined by the Government based on the proposal of the state central administrative body.

3. Measures to prevent natural disasters and emergencies, to limit their sources, to eliminate their damage, to improve the environment and to restore natural resources shall be taken jointly by the state central administrative body, civil protection service, governors of all levels and other relevant organizations.

4. Expenses for the elimination of the consequences of natural disasters and emergencies shall be reimbursed from the state budget and the guilty person shall be reimbursed after determining the cause of the damage.

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#### **Article 23. Environmental protection in case of state of emergency**

Measures to mitigate natural disasters and emergencies, eliminate their consequences, and protect the environment and its resources in the territory where a state of emergency has been declared in accordance with the Constitution of Mongolia shall be taken in accordance with the grounds and procedures set forth in the Law on State of Emergency.

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#### **Article 24. Maximum use of natural resources**

1. The maximum amount of natural resources that can be used for a certain period of time, taking into account its carrying capacity and renewable capacity, is called the maximum use of natural resources.

2. The maximum use of natural resources shall be determined in accordance with the Law on Protection and Rational Use of Natural Resources.

[Print](#)

#### **Article 25. Rehabilitation of natural resources**

1. Citizens, business entities and organizations using natural resources for production purposes shall take the following measures in order to ensure the environmental balance:

1 / to increase the resources of endangered animals and plants by restricting their use, breeding, reintroduction and feeding;

2 / to improve and beautify the land and environment where natural resources are used.

2. Reproduction of animals not present in the territory of Mongolia, cultivation of native plants, and culture of protozoa shall be carried out under the permission and supervision of the state central administrative body and other authorized organizations.

[Print](#)

### **CHAPTER FIVE ENVIRONMENTAL MONITORING**

#### **Article 26. Environmental control**

1. Supervision over the protection of the environment, the rational use and restoration of its resources shall be carried out by a specialized inspection agency.

*/ This part was amended according to the law dated July 10, 2002 /*

2. Inspectors such as border, customs, veterinary, sanitary, epidemiological and mining inspectors or employees responsible for carrying out such inspections in accordance with the law may be authorized by the state environmental inspector to perform inspection duties.

*/ This part was amended according to the law dated July 10, 2002 /*

3. The state general inspector, state general inspector, senior state inspector, senior state inspector, state inspector in aimags and the capital city, senior state inspector in soums and districts, state inspector (hereinafter referred to as "state inspector") and ranger shall be present at the central specialized inspection agency. works.

*/ This part was amended according to the law dated May 17, 2012 /*

4. A state inspector shall be appointed and dismissed as follows:

1) the rights of a senior state inspector and a state inspector shall be granted in accordance with Article 10.4 of the Law on State Inspection.

*/ This part was amended according to the law dated July 10, 2002 /*

*/ This part was amended according to the law dated June 10, 2010 /*

~~2~~ */ This provision was repealed by the law in force since July 10, 2002 /*

~~3~~ */ This provision was repealed by the law in force since July 10, 2002 /*

4) the ranger shall be appointed by the soum or district governor taking into account the proposal of the soum or district state inspector in accordance with the norms specified in paragraph 7 of Article 26 of this law.

*/ This part was amended according to the law dated November 18, 2005 /*

5. A citizen with a degree in the field of environment or with a higher education degree specialized in this field shall be appointed as a state inspector of environmental inspection.

*/ This part was added by the law in 11 November 2005 /*

*/ This part was amended according to the law dated July 08, 2015 /*

6. A citizen who has completed vocational training at a school licensed by the state central administrative body in charge of education to conduct environmental training shall be employed as a ranger.

*/ This part was added by the law in 11 November 2005 /*

7. The area of responsibility of one ranger is 100.0 ha in high mountainous areas, 120.0 ha in forest-steppe zone, 500.0 ha in steppe zone, 600.0 thousand hectares in desert steppe zone, up to 800.0 thousand hectares in desert zone, and one nature per 30 km This standard will be reduced by 70 percent in the suburban green zone. The Government shall determine the list of soums to be included in the zoning, the area of responsibility of one ranger in Strictly Protected Areas and National Parks, taking into account the classification, protection regime, features and workload of the special protected area.

*/ This part was added by the law in 11 November 2005 /*

8. An active ranger may be appointed to assist in the implementation of control over the protection of the environment, the rational use and restoration of its resources in the given area.

*/ This part was added by the law in 11 November 2005 /*

[Print](#)

## **Article 27. Rights and responsibilities of the state inspector**

1. The state inspector shall have the following rights:

1) to inspect the compliance of citizens, business entities and organizations with the legislation on environmental protection, regardless of their jurisdiction;

2 / to have relevant citizens, business entities and organizations request information and documents required for control;

3 / to demand that citizens, business entities and organizations that have caused harmful effects on the environment in violation of legislation, standards and maximum allowances be remedied, and to suspend their activities in accordance with the procedures set forth in the Law on Investigation and Resolution of Violations;

*/ This part was amended according to the law dated May 18, 2017 /*

4) to enter a business entity or organization for inspection, to take samples and to analyze them under his / her supervision;

5) in case of natural disasters and emergencies, if necessary, to travel by public transport regardless of the queue, to mobilize other vehicles and pay for them;

6) to inspect the documents of civilians and vehicles while monitoring the implementation of the legislation on environmental protection, and to confiscate documents, illegally hunted, collected, prepared and mined natural resources, used machinery, equipment and tools in case of violations;

*/ This provision was added by the law in 5 April 2002 /*

7) to impose penalties and take coercive measures on persons and legal entities who violate the Law on Violations;

*/ This part was amended according to the law dated May 17, 2012 /*

*/ This part was amended according to the law dated May 18, 2017 /*

8) to inspect and instruct rangers.

~~9) confiscation of a vehicle used in the event of a serious violation.~~

*/ This provision was added by the law in 5 April 2002 /*

*/ This part was amended according to the law dated November 18, 2005 /*

*/ This provision was annulled by the law in 5 May 2017 /*

10) to revoke the licenses, permits and licenses of business entities and organizations that have caused damage to the environment by violating legislation and technology, and to submit a proposal to the authorized organization for a decision to suspend or suspend its activities;

*/ This provision was added by the law in 5 April 2002 /*

*/ This part was amended according to the law dated November 18, 2005 /*

11) to demand the annulment of the decision of an organization or official that has made a decision that violates the legislation on the environment, or to file a complaint to a higher level organization for resolution.

*/ This provision was added by the law in 5 April 2002 /*

2. The state inspector shall have the following responsibilities:

1) to strictly comply with the legislation and rules and regulations issued in accordance with it in fulfilling its environmental protection duties;

~~2) to keep a record of the nature of the violation of the environmental protection legislation (name, address, nature of the offender, damage caused, mitigating and aggravating circumstances) and to make an explanatory note if the violator refuses to sign or draw;~~

*/ This provision was annulled by the law in 5 May 2017 /*

~~3) to impose administrative sanctions on citizens, business entities and organizations, and to suspend their illegal activities, to determine their grounds and reasons in accordance with the articles and provisions of the legislation, and to record them in an act or penalty sheet;~~

*/ This provision was annulled by the law in 5 May 2017 /*

4) to respect the rights and legitimate interests of citizens, business entities and organizations, and to maintain the secrecy of production when taking measures to stop and eliminate detected violations;

~~5) to register the items, weapons, tools and documents temporarily confiscated from the offender on the grounds specified in the law, to leave them to their owners, to ensure the integrity of the weapons and equipment and to transfer them to the competent authority in a timely manner.~~

*/ This provision was annulled by the law in 5 May 2017 /*

6) to increase the participation of local citizens and the public in environmental protection, rational use, rehabilitation and monitoring activities, to encourage their initiatives, to advise, organize and cooperate with them.

*/ This provision was added by the law in 11 November 2005 /*

[Print](#)

## **Article 28. Rights and responsibilities of rangers**

1. A ranger shall have the following rights:

1) to exercise the rights of a state inspector specified in paragraphs 1, 4 and 5 of paragraph 1 of Article 27 of this Law in its territory;

2) to exercise the rights of state inspectors specified in paragraphs 6 and 7 of paragraph 1 of Article 27 of this Law in its territory in cases specifically provided by law.

2. In addition to those specified in paragraph 2 of Article 27 of this law, rangers shall have the following responsibilities:

1) to take measures to prevent potential environmental hazards and to protect natural resources in the territory under their jurisdiction;

2 / to issue licenses for the use of natural resources in cases provided by law;

3 / to designate and monitor the use of natural resources in accordance with contracts, licenses and vouchers to citizens, business entities and organizations;

*/ This part was amended according to the law dated November 18, 2005 /*

4) to observe changes in natural resources in the area of responsibility and to include the information in the database;

5) to immediately notify the Governor of the appropriate level of natural disasters and emergencies and take measures to eliminate the damage;

6) to organize the restoration of natural resources in the territory under its jurisdiction.

7) to support and cooperate in the implementation of the partnership management plan for the area of responsibility.

*/ This provision was added by the law in 5 May 2012 /*

8) to provide information, guidance and co-operation to the police department searching for fugitive accused and convicts hiding in mountains and forests on land features, natural formations and locations.

*/ This provision was added by the law in 5 July 2013 /*

*/ This part was amended according to the law dated July 21, 2016 /*

9) to monitor the transportation of waterways in rivers, lakes and lakes located in the territory under its jurisdiction.

*/ This provision was added by the law in 5 May 2017 /*

3. A ranger who meets the requirements specified in paragraph 5 of Article 26 of this Law shall be granted the right of a state environmental inspector and the procedure for granting a license shall be approved jointly by the state central administrative body in charge of nature and environment and the General Agency for Specialized Inspection.

*/ This section was added by the law in 5 May 2012 /*

[Print](#)

#### **Article 29 Use of firearms and special self-defense equipment by state inspectors and rangers**

1. State inspectors and rangers shall have the right to carry firearms and special self-defense equipment when inspecting the implementation of legislation in the field.

2. If it is not possible for a state inspector or ranger to prevent violations or external attacks detected during field inspections by other means, firearms may be used in the following cases:

1) a person who has violated the legislation on environmental protection has committed suicide by using a weapon or otherwise using force in clear opposition to his / her legal requirements;

2 / has been attacked by wild animals and endangered.

3. If a person violating the legislation on environmental protection violently opposes the lawful demands of a state inspector or ranger, he or she may use special tools such as rubber and electric batons, tear gas, suffocating guns, and rubber or plastic bullets.

4. Instructions on the use of firearms and special means shall be approved by the state central administrative body of police in consultation with the General Prosecutor taking into account the proposal of the state central administrative body.

[Print](#)

#### **29<sup>1</sup> of inspectors, rangers guarantee the social rights of the State**

1. State inspectors and rangers shall be provided with the following social guarantees for the exercise of their rights:

1) to provide one-time financial assistance equal to 12 months' basic salary to state environmental inspectors and rangers who have worked in the civil service for 25 years or more and for the last 10 years in the nature protection service;

*/ This part was amended according to the law dated September 07, 2016 /*

*/ This part was amended according to the law dated November 03, 2016 /*

2 / to be provided with vehicles, uniforms, firearms and special self-defense equipment for the purpose of performing their duties.

2. In the event that a state inspector or ranger temporarily loses his / her ability to work, becomes disabled or dies in the course of his / her official duties, he / she and his / her family shall be provided with the following grant aid and salary difference:

1 / in case of temporary disability, the difference between the allowance for the period of sick leave and the basic salary of the position;

2 / in case of disability, the difference between the disability pension and the basic salary of the position;

3 / in the event of death, a one-time grant equal to the victim's family's basic salary for 3 years;

4) the difference between the basic salary and the grant aid specified in paragraph 2 of this Article shall be provided from the budget and the equivalent shall be reimbursed by the guilty person.

5) other guarantees provided by law.

*/ This article was added by the law in 11 November 2005 /*

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## **CHAPTER SIX ROLE OF BUSINESS ENTITIES AND ORGANIZATIONS IN PROTECTION OF THE ENVIRONMENT AND NATURAL RESOURCES**

### **Article 30. Professional organization**

1. A professional organization is a business entity or organization that deals with the protection, rational use and rehabilitation of natural resources such as forests, animals, water and minerals in accordance with the law and the rights granted by the state central administrative body.

*/ This part was amended according to the law dated November 18, 2005 /*

2. The Government shall approve the procedure for authorizing a professional organization to conduct the activities specified in paragraph 1 of this Article.

*/ This part was added by the law in 11 November 2005 /*

3. A professional organization shall implement the following activities in its area of responsibility:

*/ This part was renumbered by the Law of November 18, 2005 /*

1) to conclude a contract for the use of natural resources with citizens, business entities and organizations based on the decision of the state central administrative body and the Governor, and to indicate the place for the use of natural resources in accordance with this agreement;

2 / to develop projects and plans for the protection, rational use and rehabilitation of natural resources, to organize their implementation, and to conduct impact assessments if authorized;

3 / to order natural resource research;

4) to implement measures to prevent, protect and combat natural resources from natural disasters and emergencies such as diseases, rodents, pests and fires;

5) to provide technological supervision, professional and methodological assistance to citizens, business entities and organizations on the protection, rational use and restoration of natural resources;

6) to observe changes in natural resources in the territory under his / her responsibility and to include the information in the database;

7) to submit proposals on research, protection, rational use and restoration of natural resources to the Citizens' Representatives Khural and the Governor for decision, and if necessary, to submit them to the state central administrative body;

8) to protect, rehabilitate, rationally use and care for natural resources, and to engage in production and services using them in accordance with the procedures specified in the legislation.

9) to determine the damage caused to the environment in accordance with the methodology specified in paragraph 4 of Article 49 of this law.

*/ This provision was added by the law in 5 May 2012 /*

[Print](#)

### **Article 31. Responsibilities of business entities and organizations**

Business entities and organizations shall have the following responsibilities for environmental protection:

1) to comply with the legislation on environmental protection, decisions of the Government, local self-governing bodies and governors, and requirements of state inspectors and rangers;

2 / to strictly comply with environmental standards, norms, rules and regulations approved by the competent authority and to implement internal control;

3 / to register the amount of toxic substances, harmful physical effects and wastes released into the environment in the course of production and services, and to submit timely reports on measures taken to reduce and clean them and the operation of monitoring equipment to the relevant authorities;

4) business entities and organizations engaged in production and services that have a negative impact on the environment shall include in their annual budgets the costs of reducing and stopping the negative impact of their activities and implementing measures to protect and restore the environment;

*/ This part was amended according to the law dated November 18, 2005 /*

5) to hand over forests, plants, animals, rehabilitated water sources and landscaped lands planted in accordance with the agreement to soum and district governors in a timely manner;

6) to keep ecological passports in accordance with the procedures approved by the state central administrative body.

7) business entities and organizations with sources of pollution shall have an internal control unit responsible for ensuring the implementation of the environmental management plan and organizing and operating the control of solid, liquid and gaseous wastes emitted into the environment due to their production activities.

*/ This provision was added by the law in 6/24/2010 /*

*/ This part was amended according to the law dated May 17, 2012 /*

8) to demand from the Governor and the state environmental inspector to compensate and impose liability for damage caused to the environment by a person or legal entity that violated the law;

*/ This provision was added by the law in 5 May 2012 /*

*/ This part was amended according to the law dated December 4, 2015 /*

9) to eliminate the damage caused to the environment due to its activities, to notify the relevant authorities, and to pay the compensation imposed by the state environmental inspector within 14 working days;

*/ This provision was added by the law in 5 May 2012 /*

10) to refrain from any actions that may cause harm to the environment.

*/ This provision was added by the law in 5 May 2012 /*

*31, Article<sup>1</sup> . / 31 Article<sup>1</sup> was repealed by the law in 5 May 2012 /*

[Print](#)

### **Article 32. Participation of non-governmental organizations in environmental protection**

*/ The title of this article was amended according to the law dated November 18, 2005 /*

1. A public organization and a partnership for joint management of natural resources, which has the purpose of protecting the environment and its resources, may carry out the following activities to protect the environment:

*/ This part was amended according to the law dated May 17, 2012 /*

1) to monitor the implementation of the legislation on environmental protection, to conduct public inspections, to demand the elimination of revealed violations, to submit the issue to the competent authority for resolution, and to file a lawsuit to compensate the damage caused to the environment;

*/ This part was amended according to the law dated July 08, 2010 /*

2 / to submit proposals on environmental protection to the state central administrative body and to the respective level Hural and Governors;

3 / to organize ecological training and education by itself and in cooperation with relevant organizations;

4) to develop projects, recommendations and methodologies for environmental protection and rehabilitation, present them to relevant organizations and make decisions.

2. The Government may delegate certain functions of the state executive body on environmental protection to a non-governmental organization with the purpose of environmental protection charter on a contractual basis or to a person formed on a voluntary basis by local citizens and finance its implementation.

*/ This part was amended according to the law dated November 18, 2005 /*

[Print](#)

### **Article 33. Forms of databases**

1. The database will be created in electronic form.
2. Database information shall be in the form of data, sound, video, pictures, graphics and text. The pictorial information provided in this article shall be based on the coordinate and altitude system approved by the Government.
3. The database data shall be in digital form.
4. Unless otherwise provided by law, the database shall be open to the public.

[Print](#)

### **Article 34. Database system**

1. The database has the following categories:
  - 1 / state;
  - 2 / aimags and the capital city;
  - 3 / soum and district.
2. The database referred to in paragraph 1 of this article shall be unified.
3. The Government shall approve the procedure for compiling, processing, disseminating, using, storing and protecting the database and a detailed list of source data.

[Print](#)

### **Article 35. Composition of the database**

1. The state database shall consist of the following information:
  - 1 / land and its soil;
  - 2 / subsoil and minerals;
  - 3 / water and mineral water;
  - 4 / thought;
  - 5 / natural plants;
  - 6 / animals;
  - 7 / air and its pollution;
  - 8 / climate;
  - 9 / natural disasters;
  - 10 / toxic and hazardous chemicals;
  - 11 / waste;
  - 12) specially protected areas;
  - 13 / environmental law;
  - 14 / environmental impact assessment;
  - 15 / implementation of environmental policies and programs;
  - 16) environmental statistics and reports;
  - 17) budgets and expenditures for environmental protection measures;
  - 18) organizations and human resources operating in the field of environment;
  - 19 / meta database;
  - 20 / other environmental information.
  - 21 / information on compensation for damage to the environment;

*/ This provision was added by the law in 5 May 2012 /*

  - 22 / information on crimes and violations related to the environment.

*/ This provision was added by the law in 5 May 2012 /*
2. Aimag and capital city databases shall consist of information on items specified in paragraphs 1-7, 9-12, 14-18 and 20 of part 1 of this article.
3. The soum and district database shall consist of information on items specified in paragraphs 1-6, 9-12, 14, 15, 17, 18 and 20 of paragraph 1 of this article.

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### **Article 36. Meta database**

1. The environmental metadata consists of the following information:
  - 1 / title and brief description of the information;
  - 2 / a description of the quality of the information;
  - 3 / the main source of information;

4 / information overview and coordinate system;

5 / use and dissemination of information.

2. Citizens, governmental and non-governmental organizations that compile information related to the environment shall compile metadata and centralize it in the state database every time they compile or update the information specified in paragraph 1 of Article 35 of this law.

[Print](#)

### **36<sup>1</sup> article züil. Baigali payment for losses caused by environmental database**

1. The database on compensation for environmental damage shall consist of the following information:

1 / information on citizens, business entities and organizations that have caused damage to the environment;

2 / ecological and economic assessment of environmental damage and amount of compensation for damage;

3 / a report on the payment of compensation for damage to the environment and the elimination of damage.

*/ This article was added by the law in 5 May 2012 /*

[Print](#)

### **Article 37. Organization responsible for centralizing information in the database and implementation period**

1. The state administrative body in charge of land matters shall centralize the information specified in paragraph 1 of paragraph 1 of Article 35 of this Law in the state database by February 20 of each year.

2. The state administrative body in charge of geology and mining, aimag and capital city governors shall centralize the information specified in paragraph 2 of paragraph 1 of Article 35 of this Law in the state database by March 1 of each year.

3. The information specified in paragraphs 3, 4 and 7 of paragraph 1 of Article 35 of this Law shall be centralized in the state database by the state administrative center in charge of nature and environment and the state administrative body in charge of the issue by December 20 of each year.

4. The information specified in paragraphs 5 and 6 of paragraph 1 of Article 35 of this Law shall be centralized in the state database by the scientific and state central administrative body in charge of the issue by December 20 of each year.

5. The state administrative organization in charge of hydro-meteorological, environmental monitoring and emergency management shall centralize the information specified in paragraphs 8 and 9 of paragraph 1 of Article 35 of this law in the state database in case of a disaster situation.

6. The information specified in paragraph 10 of Article 35.1 of this Law shall be centralized in the state database by December 20 of each year by the state central administrative body in charge of environment, geology, mining and other issues.

7. The information specified in paragraphs 11 and 12 of paragraph 1 of Article 35 of this Law shall be centralized in the state database by the state central administrative body in charge of nature and environment and aimag and capital city governors by December 20 of each year.

8. The state central administrative body in charge of nature and environment shall centralize the information specified in Article 35.1.1.1-18 of this Law in the state database from time to time.

[Print](#)

### **Article 38. Organization to ensure the operation of the database**

1. The state central administrative body in charge of nature and environment shall manage and organize the operation of the database at the national level.

2. There shall be an environmental information center attached to the state central administrative body in charge of nature and environment, and this center shall be a public service organization that implements the day-to-day operations of the state database.

[Print](#)

### **Article 39 Powers of the Environmental Information Center**

1. The Environmental Information Center shall exercise the following powers:

1 / to implement the legislation on database activities;

2 / to manage the process of compiling, enriching, storing, protecting, updating and using the database;

3 / to implement a unified policy, software, technology and human resources policy within the database, to train and specialize them;

4) to ensure conditions for users to exercise their right to receive information from the database;

5) to process information necessary for the creation of public and secondary information;

6) to keep records and document database data and information;

7) to organize the collection, selection and verification of database information from citizens and legal entities other than those specified in Article 37 of this Law;

8) be responsible for the accuracy of information, promptness, normal operation, protection, storage, confidentiality and copying of the database;

9) to create a backup copy of the database;

10) to ensure the security of the database;

11) to provide professional and methodological assistance to the organization responsible for compiling and centralizing information on database creation;

12) to make changes to the database, compile information, and issue annual reports on the database;

13) immediately notify the relevant authority of the attack or damage to the database and restore its normal operation;

14) to cooperate with foreign and international organizations on database issues;

15) to provide the database with purpose-built premises, software, computers and equipment, and to include in the annual state budget the source of funds required for the purchase of necessary data and information.

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#### **Article 40. Powers of the organization responsible for centralizing information in the database**

1. An organization responsible for centralizing information in a state database in accordance with Article 37 of this Law shall exercise the following powers:

1) to compile relevant information and supply it to the state database in electronic form or through a network, and if it is not technically possible, to provide it by information carrier;

2 / to update and make changes to environmental data and information, and to enrich the database with new data and information;

3 / be responsible for the accuracy and truthfulness of environmental data and information;

4 / be responsible for the primary processing of environmental data and information;

5) to notify the environmental information center on amendments and updates of environmental data and information within 7 working days;

6) to create technical and technological conditions for data collection in the state database and to be responsible for related expenses.

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#### **Article 41. Rights and obligations of database users**

1. The database user has the following rights and responsibilities:

1 / to quote the name of the owner of the information when conducting research, preparation of reference information and other forms of using the database data and information;

2 / to file a complaint about the operation of the database and the data and information.

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#### **Article 42. General requirements for compiling a database**

1. The activities of creating, using and disseminating the database, techniques and technologies shall be coordinated with the unified state policy on information, communication and technology.

2. The content, type and scope of the database are determined by the needs of the users.

3. Technical and technological solutions of the organization implementing the database activities shall be aimed at ensuring the integrity of the information.

[Print](#)

#### **Article 43. Prohibitions on database activities**

1. The following is prohibited in the operation of the database:

1 / altering, deleting or stealing database data and information;

2 / modification, removal or destruction of database software;

3) intentionally or unintentionally disrupting, damaging or damaging the reliable operation of the database's hardware, equipment and network;

4 / to spread a virus in a database;

5) to disclose information related to the secrecy of citizens and legal entities contained in the database;

6) to use, transfer or sell information obtained from the database for commercial purposes without the owner's permission;

7) intentionally or recklessly copying or using information from the database without quoting;

8) illegally access, modify, copy or delete data and information whose scope of use is restricted;

9 / illegally acquire or transfer the right to access the database;

10) infringe upon the integrity and security of the data, information and database in connection with the privileges granted to the database employee by law.

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#### **Article 44. Database financing and payment terms**

1. The database shall be state property and its activities shall be financed from the state budget.

2. Database information can be paid or free. The list of free and public information shall be approved by the Government member in charge of nature and environment.

3. Citizens and legal entities shall be obliged to provide metadata on data and information collected with their own funds to the state treasury free of charge.

4. The Environmental Information Center may purchase the necessary information from citizens and legal entities specified in paragraph 3 of this Article.

5. Citizens, organizations and legal entities shall be obliged to centralize environmental data and information collected within the framework of the state budget, science and technology fund, international and foreign loans and grants into the state database free of charge.

6. Citizens and legal entities have the right to free use of public information related to the provision of training, cognitive, healthy and safe living conditions in the database.

7. Up to 50 percent of the paid information revenue specified in this article shall be spent on updating the database, expanding the range of services and improving its capacity.

*/ This chapter was added by the law in January 31, 2008 /*

#### **CHAPTER EIGHT**

#### **COLLECTIVE NATURAL RESOURCES MANAGEMENT**

[Print](#)

#### **Article 45. Co-management of natural resources**

1. Local citizens organized in the form of partnerships specified in Article 3.2.2.8 of this Law shall be given the right to jointly protect, rational use and regenerate natural resources, and local people shall organize resource use jointly, in accordance with transparent and fair principles. The process of social and economic benefits is called collective management of natural resources.

[Print](#)

#### **Article 46. Principles of collective management of natural resources**

1. The following principles shall be followed in the joint management of natural resources:

1 / the use of natural resources shall be closely linked to the policy of environmental protection and restoration of natural resources;

2 / co-management of natural resources shall not disturb the balance of the ecosystem;

3) the rights and obligations of the respective level government organizations and citizens' partnerships to conduct natural resource management shall be determined by a collective agreement concluded between them within the framework of this law;

4) to ensure the full participation of the state and other interested parties in the partnership.

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#### **Article 47. Scope of joint management of natural resources**

1. In addition to the natural resources specified in paragraph 1 of Article 3 of this law, the objects of protection, use and rehabilitation of a partnership shall include areas belonging to the world and national natural and cultural heritage.

[Print](#)

#### **Article 48. Stakeholders in co-management of natural resources**

1. The following parties shall be involved in the joint management of natural resources:

- 1) a partnership established in the form specified in Article 11.2.2 of this Law;
- 2 / local self-governing bodies and governors of all levels;
- 3 / a professional environmental organization operating in the soum.

2. Non-governmental organizations and business entities operating in the field of environment may be stakeholders.

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#### **Article 49. Compensation for damage to the environment**

1. If a citizen, business entity or organization has caused damage to the environment or natural resources, compensation shall be paid and the compensation shall be paid to the Environment and Climate Fund specified in Article 7 of the Law on Government Special Funds. If the compensator pays more than the set amount, the difference will be reimbursed from the Environment and Climate Fund.

*/ This part was amended according to the law dated February 09, 2017 /*

*/ This part was amended according to the law dated November 13, 2019 /*

2. Damage to the environment is classified as follows:

- 1 / damage to the forest fund;
- 2 / damage to animals;
- 3 / damage to plants;
- 4) damage to water resources;
- 5) damage to land;
- 6) damage to the subsoil;
- 7 / damage to soil.

3. The state environmental inspector shall impose compensation for damages specified in paragraph 2 of Article 49 of this Law.

4. The damage specified in subparagraphs 1-5 of paragraph 2 of Article 49 of this Law shall be determined based on the ecological and economic assessment of the type of natural resource in the following amounts:

- 1) the amount of damage to the forest fund equal to three times the ecological and economic value of the forest;
- 2 / damage to fauna is equal to twice the ecological and economic value of the animal;
- 3 / the amount of damage caused to the flora is equal to five times the ecological and economic value of the plant;
- 4) damage to water resources in the amount equal to three times the ecological and economic value of the water in the basin;
- 5) damage to land in the amount equal to three times the ecological and economic value of the land in that category.

5. Damages specified in paragraphs 6 and 7 of paragraph 2 of Article 49 of this Law shall be determined in the following amounts based on the amount determined by the methodology for calculating environmental damage approved by the Government member in charge of nature and environment:

- 1) damage to the subsoil in the amount equal to twice the amount of damage calculated by the methodology for calculating environmental damage;
- 2) damage to soil and damage caused by environmental pollution in the amount equal to three times the amount of damage calculated by the methodology for calculating environmental damage;

6. Damages specified in paragraphs 1 and 2 of paragraph 5 of Article 49 of this Law shall be paid by a professional organization authorized to conduct environmental impact assessment.

7. Damaged work costs shall be added to the compensation.

8. The state environmental inspector who imposed the compensation shall be obliged to pay the payment within 14 working days, and in case of non-payment within that period, it shall be submitted to the relevant authorities for enforcement by a court decision and enforcement shall be ensured.

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#### **Article 50. Natural resource co-management partnership**

1. Local citizens may participate in the joint management of natural resources in the form of a partnership specified in Article 3, Paragraph 2, Clause 8 of this Law. have the right to use.

2. A member of a community partnership shall be a citizen of Mongolia who has reached the age of 18 and is a permanent resident of the soum or district.

3. When assigning certain types of natural resources to a partnership in accordance with a contract, the number of members of the partnership, the area of responsibility, the resource resources, the amount and characteristics shall be taken into account.

4. Based on the following documents, soum and district governors shall conclude agreements with citizens' partnerships to carry out environmental protection activities and organize activities to support their activities:

1 / proposals of bagh and khoroo Citizens' Public Khurals, decisions of soum and district Citizens' Representatives' Khurals;

2 / an application for the management of the community's natural resources;

3 / management plan for joint management of natural resources, discussed and approved by the general meeting of the partnership;

4) a copy of the partnership agreement and ID card of the partnership members.

5. Soum and district governors shall enter into an operation agreement and issue a certificate with the partnership that has submitted the documents specified in paragraph 4 of Article 50 of this Law.

6. The member of the Government in charge of nature and environment shall approve the model agreement and certificate for the partnership to operate in the field of joint management of natural resources.

7. A partnership shall enter into a written agreement with stakeholders in accordance with Article 481.1 of the Civil Code.

8. The soum or district governor shall terminate the activities of the partnership in the field of joint management of natural resources and terminate the agreement in the following cases:

1 / the proposal of the Public Hural of the bagh or khoroo to terminate the activities of the partnership in the field of joint management of natural resources, and the decision of the Citizens' Representatives Hural of the soum or district;

2 / has repeatedly failed to fulfill its obligations under the contract and has not been engaged in joint management of natural resources for six months after the conclusion of the contract;

3 / a decision has been made by the general meeting to terminate the cooperative's joint management of natural resources;

4) does not meet the requirements set forth in paragraph 2 of Article 50 of this Law;

9. A partnership shall fulfill its obligations set forth in Article 31 of this law and the relevant legislation governing the protection, rational use and rehabilitation of certain types of natural resources, and shall conduct its activities in accordance with the law in accordance with the agreement concluded with the respective level Governor.

10. A partnership shall have its own internal charter, which shall specify the rights, duties, responsibilities, and common property relations of all members' meetings, board of directors, supervisory board, leader, and members in accordance with the law.

11. The partnership shall report annually to the Khural of the respective soum, district, bag or khoroo on natural resource management, which shall reflect the expenditure on resources for protection, use and rehabilitation of natural resources, its results, resource status and its changes.

12. A partnership may be an association of partnerships responsible for protecting their interests and regulating their cooperation, and the rules and activities of the association shall be regulated by the Law on Non-Governmental Organizations [3].

13. A partnership shall have the right to compensation for damage caused to its land and other natural resources.

14. A partnership shall use a logo and a letterhead and may have a bank account.

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#### **Article 51. Mutual partnership fund**

1. A partnership may establish a mutual fund to finance its activities and support its members.

2. The procedure for forming and spending the mutual fund shall be discussed and approved by the general meeting of partnership members.

3. A mutual fund may be formed from sources such as donations, grants, contributions from community members, interest rates on common fund loans, leases for the use of partnerships, and a certain percentage of income from production and services.

4. The mutual fund shall be used to protect natural resources, create jobs, support the livelihoods of community members, reduce the damage caused by natural disasters, and finance other activities determined by the community members' meeting.

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#### **Article 52. Partnership management plan**

1. A partnership shall have a management plan approved by the general meeting of members.

2. The management plan shall include the following issues:

1 / information confirming the boundaries of the natural resources and information responsible for the territory;

2 / indicators such as the boundaries, quantity, carrying capacity and quality of natural resources to be used by the partnership for joint management of natural resources;

3 / conditions and measures to provide economic and social benefits now and in the future;

4 / methods and forms of management appropriate to the specific characteristics of the type of natural resource;

5) a monitoring program to monitor the condition of natural resources used and possessed by the partnership;

6 / the role of each partnership member in the implementation of the management plan and cooperation with stakeholders;

7 / financial plan;

8) other items determined by the general meeting of members.

*/ This chapter was added by the law in 5 May 2012 /*

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### **CHAPTER NINE**

*/ This chapter was amended by the Law of January 31, 2008 and the Law of May 17, 2012 /*

#### **OTHER THINGS**

#### **Article 53. Financing**

*/ This part was amended according to the law dated January 31, 2008 and May 17, 2012 /*

1. Expenditures required by state and local self-governing bodies to implement measures to protect the environment, restore its resources, and monitor the implementation of legislation on environmental protection shall be financed from the state and local budgets.

*/ This part was amended according to the law dated January 2, 2003 /*

2. Unless otherwise provided by law, revenues from fees and commissions for the use of natural resources shall be transferred to the local budget.

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#### **Article 54. Economic incentives for environmental protection**

*/ This part was amended according to the law dated January 31, 2008 and May 17, 2012 /*

1. The state shall reward citizens, business entities and organizations that have introduced advanced methods to protect the environment, rational use and restoration of its resources, and reduce harmful and harmful effects on the environment, and non-toxic, safe, non-polluting and waste-free technologies.

*/ This part was amended according to the law dated November 18, 2005 /*

2. The budget shall provide financial support for ecological education and upbringing, environmental protection and restoration of natural resources.

*/ This part was amended according to the law dated June 29, 2006 /*

3. The Government shall establish procedures for rewarding citizens, business entities and organizations in accordance with paragraph 1 of this article.

*/ This part was amended according to the law dated June 29, 2006 /*

4. Soum and district governors shall pay fines and compensations equal to 15 percent of the amount of income to the offender for providing accurate information on violations of environmental legislation to the competent authorities and officials, as well as for providing actual assistance in detecting violations. will be paid from payment income.

*/ This part was added by the law in 11 November 2005 /*

*/ This part was amended according to the law dated July 08, 2015 /*

5. 15 percent of the proceeds from the sale of illegally harvested natural resources shall be paid to the state inspectors who found the violation, and to the rangers by the respective aimag, capital city, soum and district governors from the natural resource use fee income.

*/ This part was added by the law in 11 November 2005 /*

*/ This part was amended according to the law dated July 08, 2015 /*

6. The members of the Government in charge of finance and the environment shall approve the procedure for awarding bonuses specified in paragraphs 4, 5, 8 and 9 of this article.

*/ This part was added by the law in 11 November 2005 /*

*/ This part was amended according to the law dated July 08, 2015 /*

7. The informant specified in paragraph 4 of this Article shall be kept confidential in accordance with the relevant legislation.

*/ This part was added by the law in 11 November 2005 /*

8. Soum and district governors shall provide 150,000 togrogs in cash incentives from natural resource use fees to citizens, partnerships and non-governmental organizations that provide accurate information on violations of environmental legislation to authorized organizations and officials within 10 working days.

*/ This section was added by the law in 7 July 2015 /*

~~9. A monetary reward equal to 70 percent of the proceeds from the sale of weapons, vehicles, vehicles, machinery and equipment used for committing crimes and violations of environmental protection regulations shall be paid to the partnership, non-governmental organization, police or border protection organization. The member of the Government in charge of nature and environment shall be paid from the Environment and Climate Fund.~~

*/ This section was added by the law in 7 July 2015 /*

*/ This part was amended according to the law dated February 09, 2017 /*

*/ This part was annulled by the law dated November 13, 2019 /*

10. Proceeds from the sale of illegally harvested and confiscated natural resources and proceeds from the sale of confiscated weapons, vehicles, vehicles, machinery and equipment shall be included in the Environment and Climate Fund specified in Article 7 of the Law on Government Special Funds.

*/ This section was added by the law in 7 July 2015 /*

*/ This part was amended according to the law dated February 09, 2017 /*

*/ This part was amended according to the law dated November 13, 2019 /*

11. The assessment, analysis, expert and laboratory expenses required to investigate crimes against the environment shall be financed from the Environment and Climate Fund on a reimbursable basis.

*/ This section was added by the law in 7 July 2015 /*

*/ This part was amended according to the law dated February 09, 2017 /*

*/ This part was amended according to the law dated November 13, 2019 /*

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#### **Article 55. Fees and charges for the use of natural resources**

*/ This part was amended according to the law dated January 31, 2008 and May 17, 2012 /*

1. Fees and charges for the use of natural resources shall include fees for the issuance of licenses for the use of natural resources, royalties, and fees for the release of wastes and pollutants in the permitted amount.

2. Compensation shall be imposed for the use of natural resources that have been used in excess of the amount specified in the voucher or contract, or for the extraction of waste and other substances that have been hunted, collected, prepared or mined without a permit.

*/ This part was amended according to the law dated November 18, 2005 /*

3. Compensation specified in paragraph 2 of this Article shall be paid to the local budget.

*/ This part was amended according to the law dated June 29, 2006 /*

4. The maximum and minimum amounts of fees and charges specified in paragraph 1 of this Article and the procedure for payment shall be determined by law.

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#### **Article 56. Ecological education and upbringing**

*/ This part was amended according to the law dated January 31, 2008 and May 17, 2012 /*

1. The Government shall approve and organize the implementation of programs to provide citizens with ecological education, upbringing, methods and practices of environmental protection within the framework of formal and non-formal education systems.

2. Ecological education and upbringing shall be organized as follows:

1 / to provide basic knowledge and education on environmental protection to pre-school educational institutions and general education schools;

2 / to provide scientific and legal knowledge to colleges, universities and vocational training institutions on the protection of the environment and the rational use of natural resources, taking into account their professional orientation;

3 / to promote ecological knowledge and national traditions, customs and legislation on environmental protection through the mass media.

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#### **Article 57. Compensation for damage to the environment**

*/ This part was amended according to the law dated January 31, 2008 and May 17, 2012 /*

1. Citizens, business entities and organizations shall be obliged to compensate the direct damage caused to the environment and its resources by their illegal activities.

2. Soum and district governors shall file a claim to the court to reimburse the guilty person for the expenses incurred to restore the environmental balance and natural resources lost due to illegal activities of citizens, economic entities and organizations, to relocate the population and to relocate livestock from the territory. .

*/ This part was amended according to the law dated November 18, 2005 /*

3. Reimbursement of damages specified in paragraphs 1 and 2 of this Article shall not serve as a ground for exemption from liability imposed by the Criminal Code or the Law on Violations in accordance with the relevant legislation.

*/ This part was amended according to the law dated December 4, 2015 /*

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#### **Article 58. Liability for violators of the law**

1. If the actions of an official violating this law are not of a criminal nature, he / she shall be subject to liability specified in the Civil Service Law.

2. A person or legal entity that violates this Law shall be subject to liability specified in the Criminal Code or the Law on Violations.

*/ This article was re-edited by the Law of December 4, 2015 /*

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#### **Article 59. Entry into force of the law**

*/ This part was amended according to the law dated January 31, 2008 and May 17, 2012 /*

This law shall come into force on June 5, 1995.

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**CHAIRMAN OF THE PARLIAMENT OF MONGOLIA N. BAGHABANDI**