



Нүүр

ГАДААДЫН ЦЭРГИЙН ХҮЧНИЙГ БАЙРЛУУЛАХ, ДАМЖИН ӨНГӨРҮҮЛЭХ ТУХАЙ

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(2023.07.01-ны өдрийн орчуулга)

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LAW OF MONGOLIA

January 8, 1998

Ulaanbaatar city

ON DEPLOYMENT AND TRANSIT OF FOREIGN MILITARY FORCES

CHAPTER ONE
General provisions

Article 1.Purpose of the law

1.1.The purpose of this law is to regulate relations related to the deployment and transit of foreign military forces in the territory of Mongolia (hereinafter referred to as "deployment and transit of foreign military forces").

Article 2.Legislation on deployment and transit of foreign military forces

2.1.The legislation on the deployment and transit of foreign military forces consists of the Constitution of Mongolia, this law and other legislative acts issued in accordance with them.

Article 3.Description of terms in law

3.1."Foreign military forces" means organized military groups, branches, units, formations and organizations under the jurisdiction of the United Nations, other international organizations, and the armed forces of foreign countries, provided with full-time personnel, weapons, combat and special equipment .

3.2."Deployment of foreign military forces" refers to the deployment of foreign military forces in the territory of Mongolia and assigned to perform certain duties in accordance with this law and international treaties of Mongolia.

3.3."Transit of foreign military forces" means the transit of foreign military forces through the country's territory and airspace in accordance with this law and international treaties of Mongolia.

Article 4.Grounds for deployment and transit of foreign military forces

4.1.When deploying and transiting foreign military forces, the following shall be justified:

- 4.1.1.United Nations Security Council decision on the use of United Nations peacekeeping forces;
- 4.1.2.International treaties signed by Mongolia;
- 4.1.3.Decisions made by the Government of Mongolia when other countries have aggressively attacked Mongolia with military force, or when such an attack has become a reality;

4.1.4.the Government's decision that a request made by the Government of a foreign country to pass its military forces through the territory and airspace of Mongolia is not contrary to the national security of Mongolia.

Article 5.Prohibiting the deployment and transit of foreign military forces

5.1.If hostile parties do not pose a threat to the independence and sovereignty of Mongolia, it is prohibited to deploy or transit the military forces of one of them in the territory of Mongolia.

Article 6.Making a decision on the deployment and transit of foreign military forces in the territory of Mongolia

6.1.The draft law on the deployment and transit of foreign military forces in the territory of Mongolia shall be developed in cooperation with the state central administrative organization in charge of defense matters and other relevant organizations, and submitted to the Government in consultation with the member of the Government in charge of defense matters and the member of the Government in charge of foreign relations matters.

6.2.The Government of Mongolia shall prepare a draft law on this issue and submit it to the State Great Khural.

6.3.The draft law submitted by the Government of Mongolia on the deployment and transit of foreign military forces shall be discussed and adopted by the State Great Khural.

Article 7.International treaties on the deployment and transit of foreign military forces

7.1.In accordance with this law, the law of Mongolia on the deployment and transit of foreign military forces and other laws and regulations approved by the State Great Khural the Government of Mongolia shall conclude an international agreement on the deployment and transit of foreign military forces.

7.2.The international agreement on the deployment and transit of foreign military forces shall include grounds for the deployment and transit of troops, rights and obligations of the Parties on specific issues, subjects of negotiations, and other issues.

CHAPTER TWO

Deployment of foreign military forces

Article 8.Agreement on deployment of foreign military forces

8.1.Operation and legal status of foreign military forces located on the territory of Mongolia shall be regulated by an intergovernmental agreement.

8.2.The intergovernmental agreement on the deployment of foreign military forces in the territory of Mongolia shall include the following issues:

- 8.2.1.conditions for deployment of foreign military forces in the territory of Mongolia;
- 8.2.2.the purpose of deploying foreign military forces in the territory;
- 8.2.3.role of foreign military forces;
- 8.2.4.period and procedures for the stay of foreign military forces;
- 8.2.5.rights and obligations of the Parties in certain matters;
- 8.2.6.number and size of foreign military forces;
- 8.2.7.background of foreign military forces and financial provision procedures;
- 8.2.8.legal status of foreign military personnel and their families;
- 8.2.9.procedures for organizing military management and cooperation;
- 8.2.10.other issues relevant to the implementation of the agreement.

Article 9.Other issues related to the deployment of foreign military forces

9.1.Personnel of foreign military forces stayed in the territory of Mongolia are obliged to comply with the laws of Mongolia and the obligations of international agreements concluded with that country.

CHAPTER THREE

Transit of foreign military forces

Article 10.Agreement on the Transit of Foreign Military Forces

10.1.The Government of a foreign country shall raise an issue of transit of its military forces through the territory of Mongolia to the Government of Mongolia prior to the transit of the military forces, and shall sign an agreement based on its response.

10.2.The following issues shall be included in the intergovernmental agreement on the transit of foreign military forces:

- 10.2.1.conditions for the transit of foreign military forces through the territory of Mongolia;
- 10.2.2.purpose of foreign military forces passing through the territory;
- 10.2.3.composition of the military forces to pass through and the method of transportation;
- 10.2.4.procedures for submitting orders for military convoys to pass through, and items to be included in the order;
- 10.2.5.procedures for the introduction of foreign military personnel, weapons, combat and special-purpose equipment and materials across the border of Mongolia, and transit through the territory;
- 10.2.6.procedures for guarding and guarding convoys of foreign military forces, carrying and using weapons by guard personnel;
- 10.2.7.payment for the transit of foreign military forces and the procedure for its payment;
- 10.2.8.procedure for resolving the issue of compensation for damages caused by transiting military personnel who violate the laws of Mongolia;
- 10.2.9.procedures for regulating other issues arising during the implementation of the agreement.

Article 11.Other issues related to the transit of foreign military forces

11.1.Personnel of foreign military forces passing through the territory of Mongolia shall comply with the laws of Mongolia and the obligations of international agreements concluded with that country.

11.2.The law of Mongolia on the legal status of foreign nationals does not apply to personnel of foreign military forces passing through the territory of Mongolia.

CHAPTER FOUR

Miscellaneous

Article 12.Liabilities for violators of the Law

/The title of this Article was amended according to the law as of December 4, 2015/

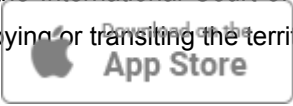
12.1.If foreign military personnel commit a crime in the territory of Mongolia in violation of Mongolian law, the guilty party shall be held accountable in accordance with the law and international treaties.

/This paragraph was modified according to the law as of December 4, 2015/

12.2.Any person or legal entity who violates this law shall be held liable under the Criminal Law or the Law on Violations.

/This paragraph was modified according to the law as of December 4, 2015/

12.3.Mongolia shall file a lawsuit to the International Court of Justice if foreign military forces violate generally accepted principles and norms of international law when deploying or transiting the territory of Mongolia.



THE CHAIRMAN OF STATE GREAT KHURAL OF MONGOLIA R.GONCHIGDORJ



ХҮҮЛЬ ЗҮЙН
ҮНДЭСНИЙ ХҮРЭЭЛЭН



Хаяг: Эко Интернэйшнл Трэйд Тауэр 9 давхар, 1 дүгээр хороо, Сүхбаатар дүүрэг, Улаанбаатар хот



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