

**LAW OF MONGOLIA**  
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ULAANBAATAR

**ON THE LEGAL STATUS OF FOREIGN CITIZENS**  
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**Chapter One**

**General Provisions**

**Article 1. Purpose of the law**

The purpose of this law is to regulate the entry, exit, transit and residence of foreign citizens and stateless persons in Mongolia and to define their rights and responsibilities.

**Article 2. Legislation and international treaties on the legal status of foreign citizens**

1. Legislation on the legal status of foreign citizens shall consist of the Constitution of Mongolia, this law and other legislation, which is consistent with those laws.
2. If an international treaty to which Mongolia is a party is inconsistent with this law, then the provisions of the international treaty shall prevail.

**Article 3. Foreign citizens**

Persons with legal documentation certifying their foreign citizenship shall be considered foreign citizens.

**Article 4. Application of the law**

The provisions of this law shall apply to foreign travelers to Mongolia, transit visitors, short and long-term residents, immigrants and stateless persons (hereinafter referred to as “foreign citizens”).

**Article 5. Diplomatic immunities and privileges of officers of diplomatic and consular missions**

The provisions of this law shall not affect any diplomatic immunities or privileges of officers of diplomatic and consular missions of foreign countries or of resident representative offices of the United Nations and its specialized organizations, provided by the legislation and international treaties of Mongolia.

**Article 6. Political asylum**

1. Foreign citizens persecuted in another country for holding ideas valued in Mongolia may be granted the right to residence in and State protection by Mongolia.
2. Any decision to grant residence status to a foreign citizen to whom paragraph 1 of this article applies shall be made by the President of Mongolia upon the recommendation by the Office in charge of foreign citizens and citizenship issues.

**Article 7. Authority in charge of foreign citizens and citizenship issues**

1. The Office in charge of foreign citizens and citizenship issues and responsible for coordinating and monitoring the implementation of State policy on foreign citizens, citizenship, and immigration (hereinafter referred to as “the Office”) shall function within the responsibilities of the Member of Cabinet in charge of justice and home affairs.
2. The organizational structure and regulations of the Office shall be approved by the Cabinet. [/as amended by the Law of December 7, 2000/](#)

## Chapter Two

### Legal Status of Foreign Citizens

#### **Article 8. Basic principles of the rights and duties of foreign citizens**

1. All persons legally residing in Mongolia shall be equal before the law and the Courts.
2. Foreign citizens in Mongolia may exercise the rights and freedoms conferred on them by the laws of Mongolia in the same manner as citizens of Mongolia.
3. In establishing the rights and duties of foreign citizens under this law, other legislation and its international treaties, Mongolia shall adhere to the principle of reciprocity with the country of which those persons are citizens.
4. In exercising their rights and freedoms provided by the legislation and international treaties of Mongolia, foreign citizens shall not act in a manner that is contrary to the interests of Mongolia, the rights and freedoms of Mongolian citizens or other human rights.

#### **Article 9. Respect for the Constitution of Mongolia and adherence to the law**

1. Foreign citizens shall have a duty to abide by this law and all other laws of Mongolia.
2. Foreign citizens shall follow the Constitution of Mongolia, adhere to its laws and respect Mongolian national traditions and customs.
3. Foreign citizens shall pay taxes unless otherwise provided by the legislation or international treaties of Mongolia.

#### **Article 10. Specific rights and duties of foreign citizens**

1. Foreign citizens may not vote in elections or be elected to self-governing bodies of administrative units, towns, villages or State organisations of Mongolia and shall not take part in referenda.
2. Foreign citizens may not be employed as full-time civil servants of Mongolia.
3. Foreign citizens shall not have the duty to serve in the armed forces or any other military service of Mongolia.
4. Foreign citizens shall not engage in any political activities, including setting up or joining organisations that carry out political activities in Mongolia. [/as amended by the Law of December 7, 2000/](#)
5. It shall be prohibited for foreign citizens to campaign against the national unity of Mongolia or to advertise, promote and practice a religion inconsistent with traditional customs and laws as well as violence, pornography and narcotics. [/as amended by the Law of December 7, 2000 /](#)
6. It shall be prohibited for foreign citizens to exceed their visa term, be employed without the permission of the competent authorities, to engage in activities that are different from the original purpose of travel, or to travel within the territory of other administrative units infringing the regulations of civil registration. [/as amended by the Law of December 7, 2000/](#)
7. Foreign citizens may be employed in organisations classified by law as objects of State importance upon the permission of the Cabinet of Mongolia only.
8. In order to ensure the sovereignty of Mongolia, national security and public order, the Cabinet of Mongolia may enact any legislation it considers necessary that may restrict the rights and freedoms of foreign citizens other than inalienable human rights.

## **Article 11. Employment**

1. Long-term private foreign residents,, permanent residents or immigrants may be employed in governmental, or non-governmental, international organisations and representative offices of business entities in Mongolia on a contractual basis, or engage in manufacturing or services by incorporating a business entity, upon permission of the central State administrative body in charge of labour issues or an organisation authorised by such body, or hold posts other than those prohibited by this law or other legislative acts.
2. Foreign citizens employed, or participating in training in Mongolia under an intergovernmental or other competent agreement, employed in a non-governmental or international organization may be employed or attend training at a different organization if they have applied to the central State administrative body in charge of labour issues upon expiry or early termination of their respective agreements.
3. Foreign citizens, other than long-term residents, permanent residents, and immigrants, may not engage in private business, or hold employment in a business entity or organisation with the purpose of generating revenue apart from the purpose at the time of their entry in Mongolia.
4. Any business entity, organization or individual in Mongolia may enter into an agreement to employ labor force from a foreign country upon permission of the central State administrative body in charge of labor issues or an organization authorized by such body. [\*/Changes introduced by Law of October 31, 1997/\*](#)
5. For the issuance of the permission described in paragraphs 1, 2, 4 of this article, the Central State Administrative body in charge of labour issues or an organisation authorised by such body shall obtain a prior approval from the Office. In case of rejection by the Office, the permission shall not be granted. [\*/as amended by the Law of 7 December 2000/\*](#)

## **Article 11<sup>1</sup>. Registration of family status of foreign citizens**

A foreign citizen's family status shall be registered at the State Center for Civil Registration and Information in the capital city of Ulaanbaatar and at the civil registration and information unit of the aimag Governor's Office in an aimag, and the contents of the registration shall be periodically delivered to the Office. [\*/as amended by the Law of December 7, 2000/\*](#)

## **Chapter Three**

### **Entry, Exit and Transit Visas for Mongolia**

## **Article 12. Visas for Mongolia**

1. Unless an international treaty of Mongolia provides otherwise, foreign citizens visiting Mongolia shall obtain a Mongolian visa (hereinafter referred to as "visa"). [\*/Changes introduced by Law of October 31, 1997/\*](#)
2. Visas shall be issued to foreign citizens who hold valid foreign passports or equivalent legal documents in accordance with this law. Visa may be issued on an attachment paper.
3. Visa shall have diplomatic, official or regular levels.
4. Visa shall have the "entry", "entry-exit", "exit", "exit-entry", "transit" designations and "single", "double", "multiple entry" purposes.
5. The Cabinet shall issue the visa regulation and the Member of Cabinet in charge of external relations shall approve the visa forms.

### **Article 13. Visas issuing authorities**

1. Visas shall be issued by the following authorities:
  - 1/ the Central State administrative body in charge of external relations;
  - 2/ the Office in charge of foreign citizens and citizenship issues; or
  - 3/ diplomatic and consular missions of Mongolia abroad.
2. Honorary consuls of Mongolia, authorised by the Central State administrative body in charge of external relations, may issue visas. [/as amended by the Law of December 7, 2000/](#)

### **Article 14. Rights and duties of visa issuing authorities**

1. The Central State administrative body in charge of external relations shall exercise the following rights and duties regarding visas:
  - 1/ to issue a visa of all levels and designations;
  - 2/ to modify levels and designations of the issued visa upon consideration of the reasons thereof;
  - 3) to refuse to issue visas, to extend a visa, and to terminate a visa;
  - 4) to maintain a centralized data records of the issued visas and periodically deliver the contents of the data to the Office;
2. The Office shall exercise the following rights and duties regarding visas:
  - 1) to issue visas except for diplomatic or official visas;
  - 2) to issue exit-entry, transit and, if necessary, exit visas to travelers to Mongolia at Mongolia's international border checkpoints or transport entry points;
  - 3) to issue exit and exit-entry visas to permanent residents, foreign immigrants and stateless persons in Mongolia;
  - 4) to refuse to issue visas, shorten or extend visa expiry date, modify visa types, or cancel a visa, if there exist valid reasons described in the legislation;
  - 5) to maintain a centralized data record of the visas issued described in subparagraph 2 of paragraph 2 of this Article;
  - 6) to process reports [records] about the issued visas delivered from other visa-issuing authorities. [/the numbering of this subparagraph was modified by the Law of 7 June 2001/](#)
3. Honorary Consuls of Mongolia may issue entry, entry-exit and transit visas for Mongolia. [/as amended by the Law of 7 December 2000/](#)

### **Article 15. Criteria for issuing a visa**

1. A Mongolian visa shall be issued to a foreign official visitor upon demonstration of one of the following:
  - 1/ a formal invitation letter by a State, or administrative organization, or self-governing territorial body, or by a political party with representation in the State Ikh Khural;
  - 2/ in respect of foreign citizens to be employed at diplomatic, or consular missions, or UN resident representative office or its specialized agency in Mongolia and members of their families - the official request of the relevant authorized organization, or the provisions of a relevant international treaty to which Mongolia is a party;
  - 3/ in respect of foreign citizens to work or study in Mongolia, to be employed in a representative office of a foreign non-governmental or international organisation in Mongolia - the relevant agreement and permission from the relevant central State administrative body in charge. [/as revised by the Law of December 7, 2000/](#)

2. Visa shall be issued to foreign citizens privately arriving in Mongolia upon demonstration of one of the following grounds:
  - 1/ a guarantee in writing by the visa applicant or the recipient individual or organization in Mongolia on availability of sufficient financial resources to support the applicant's living in or traveling back from Mongolia;
  - 2/ a marriage certificate by an applicant for a long-term visa recognized by an international agreement and legislation of Mongolia;
  - 3/ a relevant agreement, invitation letter, or permission of a recipient Mongolia organization for foreign tourists, visitors arriving for medical treatment, participation in a ceremonial or bereavement events etc;
  - 4/ a permission issued by a relevant central State administrative body in charge for foreigners visiting Mongolia for employment, scientific research or study purposes;
  - 5/ in cases other than those described in sub-paragraphs 1, 3 and 4 of paragraph 2 of this Article, - an invitation letter issued by the Office in the capital city of Ulaanbaatar and by the local police in an aimag upon the request of an [inviting] business entity, or organization, or individual.
3. Visa shall be issued to immigrant foreign citizens in Mongolia upon demonstration of the following:
  - 1/ a permission by the competent organization of Mongolia;
  - 2/ a guarantee in writing by the applicant of sufficient financial ability to support living in Mongolia.
4. Unless provided otherwise in an international treaty of Mongolia, a visa may be issued to a foreign citizen without an invitation. [/Changes introduced by Law of October 31, 1997/](#)
5. An organization or individual described in this article shall apply to the Office for issuance of a visa, except for a diplomatic visa. Upon its acceptance of the request, the Office shall issue the visa or shall forward to the Central State Administrative body in charge of foreign affairs for issuing a visa. [/Changes introduced by Law of December 7, 2000/](#)

#### **Article 16. Duration of visa**

1. Mongolian visas shall be issued for the following duration:
  - 1/ an entry-exit visa for up to 30 days for foreign citizens traveling to Mongolia;
  - 2/ for up to 90 days for temporary residents in Mongolia;
  - 3/ multiple entry visa for 6 or 12 months;
  - 4/ exit visa for up to 10 days;
  - 5/ transit visa for up to 5 days;
  - 6/ an exit-entry visa for up to 120 days for a permanent resident, immigrant or stateless person in Mongolia.
2. Duration of a visa issued to a temporary resident or traveler to Mongolia may be extended one time by the central state administrative body in charge of foreign affairs upon the recommendation by the Office for up to 30 days. [/Changes introduced by Law of October 31, 1997, December 7, 2000 and June 7, 2001/](#)

#### **Article 17. Entry to Mongolia**

A foreign citizen with a valid passport or equivalent legal document and permission [visa] from a competent visa issuing authority of Mongolia may enter Mongolia through a border checkpoint in accordance with the laws of Mongolia.

### **Article 18. Transit travel through Mongolia**

1. Upon obtaining a permission [visa] from the competent visa issuing authority, a foreign citizen with a valid passport or equivalent legal document may travel through Mongolia as a transit passenger.
2. Foreign citizens on international air flights may transit through Mongolia without a visa within 24 hours. [/as edited by the Law of 31 October 1997/](#)

### **Article 19. Denial of entry to Mongolia**

The following persons shall be denied entry to Mongolia:

- 1/ minors or other persons without legal capacity, unless accompanied by a guardian;
- 2/ persons convicted of criminal offences in Mongolia if the sentence has not been fully served;
- 3/ persons announced as *persona non grata* or expelled from Mongolia; [/Changes introduced by Law of October 31, 1997/](#)
- 4/ persons who are deemed as threatening to the national security or public order of Mongolia;
- 5/ persons without sufficient financial resources to support living in and traveling back from Mongolia. [/Changes introduced by Law of October 31, 1997/](#)

### **Article 20. Exit from Mongolia and refusal of exit visa**

1. Foreign citizens shall leave Mongolia on or before the expiry of their visa.
2. The exit of foreign citizens shall be prohibited for the following reasons and periods of time:
  - 1/ if a person is suspected in a criminal offence, until the matter is decided by court;
  - 2/ if a person is convicted of a criminal offence, until the sentence is completed [served], or an early release is granted, or extradition to the convict's country of nationality in accordance with international treaties to which Mongolia is a party;
  - 3/ in case of existence of a complaint or petition by other organization or individuals claiming infringement of their rights and interests and consideration by competent organizations of such complaints as reasonable, until such matter is resolved;
  - 4/ if such exit represents threat or danger to the national security or public order of Mongolia.

## **Chapter Four**

### **Visiting and Residing in Mongolia**

#### **Article 21. Residence of foreign citizens in Mongolia**

Foreign citizens who hold valid foreign passports or equivalent legal documents may visit, or reside in, Mongolia upon obtaining the required visa from a competent authority of Mongolia.

#### **Article 22. Foreign visitors, temporary and long-term residents and immigrants**

1. A foreign citizen visiting Mongolia upon the grounds described in this law for private or official purpose for up to 30 days shall be considered as a "visitor".
2. A foreign citizen staying in Mongolia for up to 90 days for a private purpose shall be considered as a "temporary resident".
3. A foreign citizen to be employed in Mongolia in the management of a business entity with foreign investment, a representative office of foreign non-governmental or international organisation, to attend training or hold an official post under an inter-

governmental agreement, for more than 90 days shall be considered as a “long-term resident for an official purpose”.

4. A foreign citizen who has come to live in Mongolia for more than 5 years for a private purpose shall be considered as an “immigrant”.
5. A foreign citizen married to a citizen of Mongolia and residing in Mongolia for more than 90 days shall be considered as a “permanent resident”.
6. A foreign citizens residing in Mongolia from 90 days up to 5 years for private business shall be considered as a “long-term resident for private business”. [/Changes to Para. 5 and 6 introduced by Law of October 31, 1997/](#)
7. A person travelling through Mongolian territory from one country to another shall be considered as a “transit traveller”. [/as amended by the Law of 7 December 2000/](#)

#### **Article 23. Extension of duration of residence**

1. The request by a visitor, or temporary resident, or long-term resident on an official or private business, or permanent resident, or immigrant citizen for extension of their duration of residence in Mongolia shall be considered and decided on by the Office. [/as amended by the Law of 7 December 2000/](#)

#### **Article 24. Number and composition of private long-term or permanent residents and immigrants in Mongolia**

1. The number of private long-term or permanent residents and immigrants residing in Mongolia shall not exceed 1 percent of the entire national population of Mongolia and the number of immigrants from any one country shall not exceed 0.33 percent.
2. If the number of private long-term or permanent residents and immigrants residing in Mongolia is lower than 0.8 per cent of the population of Mongolia, the State Ikh Khural shall determine once during its term of office the number and composition of immigrants to be permitted in administrative units of Mongolia upon recommendation by the Cabinet and, if the above figure is above 0.8 per cent of the population, the State Ikh Khural shall determine each year. [/This subscriber was changed by Law of October 31, 1997/](#)

#### **Article 25. Issuance, extension and cancellation of residency permits of foreign immigrants**

1. The Office shall receive and review the application and other relevant documents from foreign citizens who wish to obtain immigrant status, or reside permanently in Mongolia and shall grant a permission to reside in Mongolia for a term of no less than 90 days or to immigrate to Mongolia for up to 5 years upon consideration of the internal situation and the economic capacity of the country, requests from recipient organisations, the education level and professional skills of the applicant.
2. Issues in respect of extension of the residency status of permanent residents and immigrants shall be decided by the Office within the limits of the maximum number of private long-term residents, permanent residents and immigrants from any one country. The Office may extend indefinitely the residency status of foreign permanent residents and immigrants in Mongolia who are 55 years or older on the condition of reciprocity with the country concerned.
3. If a foreign citizen with immigrant status in Mongolia has not resided in Mongolia for over 90 days within any one year, the Office shall decide whether to revoke his/her immigrant status. If the Office has decided to revoke his/her immigrant status, the Office shall notify the person of such a decision and the person shall have the right to appeal the decision to Court for review of the revocation within 7 days of receiving such notice. [/Changes to Para.1,2,3 of this Article introduced by Law of October 31, 1997/](#)

4. If an immigrant commits a serious breach of the laws of Mongolia, the Office shall cancel his/her immigrant status.

#### **Article 26. Registration of foreign citizens**

1. Foreign citizens, except for those who come upon the invitation of State administrative bodies or local self-governing bodies of administrative units in Mongolia, shall be registered at the Office by the inviting organisation, business entity or individual within 7 days of their arrival in Mongolia. [/Changes by Law of June 7, 2001/](#)
2. Foreign citizens and members of their families, who come to work at foreign diplomatic or consular missions, resident representative offices of the UN or its specialised agencies or foreign press offices in Mongolia, shall be registered at the central State administrative authority responsible for external relations within 7 days of their arrival in Mongolia.
3. Foreign citizens, who come to work or study in Mongolia, shall be registered at the Office within 7 days of their arrival in Mongolia. [/Changes by Law of June 7, 2001/](#)
4. Unless otherwise provided by law, if a foreign immigrant or stateless person changes his/her residence in Mongolia, he/she shall cancel registration at the police office of the previous administrative unit and register with the police office of the new administrative unit within 5 days of their arrival in the new administrative unit, and get the registration remark on his/her residential papers.
5. A foreign immigrant or stateless person in Mongolia shall report to the Office or police office on changes in their family status, address, or job within 5 days of such a change.
6. If a foreign citizen with long-term residence status on an official and private mission, or permanent resident, or immigrant, or stateless person privately travels from his/her permanent residing place to another administrative unit for more than 7 days, he/she shall register with the police office of the travel area.
7. The central police agency shall collect data, on a monthly basis, on forms issued by the Office, about entering, exiting and transiting Mongolia by foreign citizens from the Office shall monitor such movement thereof, and shall provide the Office data about foreign citizens who have committed a crime, been convicted of a crime, or been deported from Mongolia, or whose penalty has expired, or who have been declared *persona non grata* for any country or been sought by internationally competent organisations.
8. Registration of entry, exit and transit of foreign citizens shall be carried out by the border protection department, control thereof shall be organized by the Office in collaboration with police and local administrative bodies, and relevant information shall be reported by the Office to appropriate authorities.
9. Relevant state administrative bodies shall provide the Office with all kinds of information relating to foreign citizens in accordance with specified schedule. Information data network regarding foreign citizens shall be established among relevant state administrative bodies. Regulation on such information sharing shall be approved by Minister for Justice and Home Affairs. [/Changes by Law of December 7, 2000/](#)
10. The Cabinet of Mongolia shall issue regulations dealing with registration of foreign citizens, temporary, long-term and permanent residency and immigration in Mongolia. [/Changes by Law of April 11, 2002/](#)

#### **Article 27. Travel abroad by stateless persons**

1. Stateless people residing in Mongolia may travel abroad.

2. The Office shall provide stateless persons with identity documents necessary for foreign visits. [\*Changes by Law of October 14, 1999\*](#)
3. Unless otherwise provided by law, the provisions applying to private visiting or immigration abroad by citizens of Mongolia shall apply to stateless persons travelling abroad.

**Article 28. Documents provided to immigrants and stateless persons residing in Mongolia**

1. The Office shall provide a permanent resident, immigrant or stateless person in Mongolia with a "Certificate of Residence in Mongolia", which shall identify the administrative unit of which he/she is resident.
2. A permanent foreign resident, immigrant and stateless person residing in Mongolia shall temporarily return their Certificate of Residence to the Office in the capital city of Ulaanbaatar. The Certificate shall be permanently kept by the Office if he/she departs Mongolia permanently. [\*Paragraphs 1 and 2 of this Article added by Law of October 31, 1997 and changes introduced by Laws of October 14, 1999 and December 7, 2000\*](#)
3. The Member of Cabinet in charge of justice issues shall approve the design of the documentation to be provided to immigrants and stateless people for their visits abroad.

**Chapter Five  
Miscellaneous**

**Article 29. Responsibilities of business entities, organisations and individuals inviting or employing foreign citizens**

1. Business entities, organisations and individuals, inviting or having a permission for employing a foreign citizen for a certain period of time, shall have the following duties:
  - 1/ to register the foreign citizen with the relevant authorities in accordance with legislation;
  - 2/ to provide a guarantee for source of sufficient financial resources to support living in Mongolia prior to obtaining a permission;
  - 3/ to provide the foreign citizen with accommodation;
  - 4/ to ensure the foreign citizen's departure from Mongolia before the expiry of visa. [\*as amended by the Law of 7 December 2000\*](#)
2. Foreign entities and organisations in Mongolia that invite or employ foreign workforce or consultants in accordance with the legislation of Mongolia shall have the same responsibilities and liabilities as Mongolian business entities and organisations.

**Article 30. Deportation of foreign citizens from Mongolia**

1. If there does not exist a cause for criminal liability, a foreign citizen shall be deported from Mongolia for the following reasons:
  - 1/ Entry into Mongolia using invalid or another person's documents, failure to leave Mongolia upon expiry of the residence permit;
  - 2/ Failure to leave Mongolia despite cancellation or confiscation of the residence permit in Mongolia;
  - 3/ Engagement in employment without proper authorization, or engagement in an activity different from the original purpose of entering Mongolia; [\*This sub-paragraph added by Law of December 7, 2000\*](#).
  - 4/ Engagement in activities prohibited by Article 13 of Law on Drug Control; [\*This sub-paragraph added by Law of November 28, 2002\*](#)

- 5/ Existence of grounds described in Article 11.3 of Law on AIDS Prevention; [/This sub-paragraph added by Law of May 13, 2004/.](#)
2. Upon recommendation by the Office, the Minister for Justice and Home Affairs shall issue a decision on deportation of a foreign citizen. The Office shall implement the decision on deportation in collaboration with border protection and police departments. [/Changes introduced by Law of December 7, 2000/.](#)
3. The costs of deportation shall be borne by the person in violation.
4. Deportation shall not apply to extradition of criminal offenders to another country.
5. The Cabinet of Mongolia shall issue regulations of deportation of a foreign citizen from Mongolia upon the grounds described in paragraph 1 of this article. [/This sub-paragraph added by Law of April 11, 2002/.](#)

**Article 31. Liability of violation of law**

A person in violation of the Law on the Legal Status of Foreign Citizens shall be penalized in accordance with the Criminal Code and the Law on Administrative Liability.

**Article 32. Coming into force**

This law shall come into force on February 1, 1994.

CHAIRMAN OF THE  
STATE IKH KHURAL

N. BAGABANDI