

MONGOLIA | PROFILE 2023

MIGRATION

GOVERNANCE

INDICATORS



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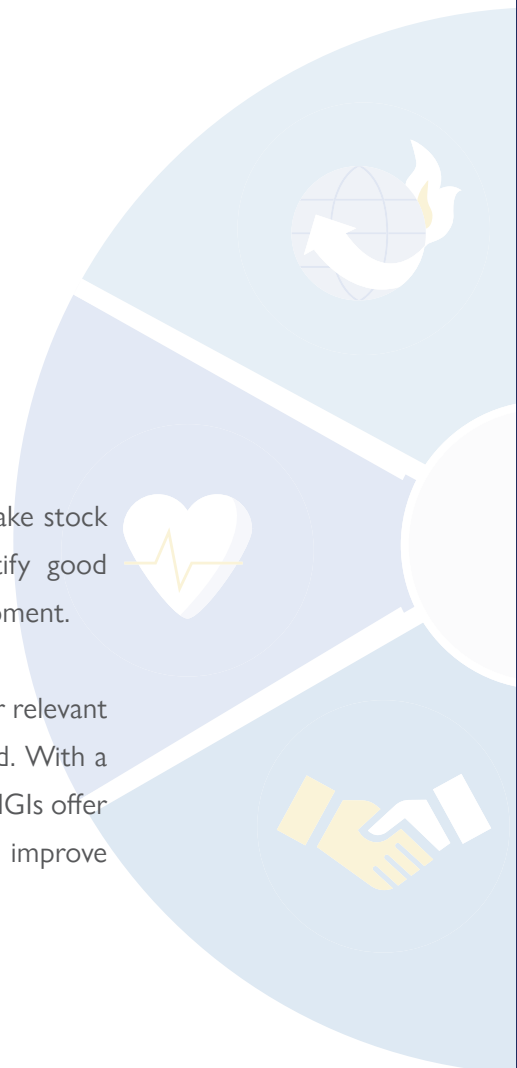
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OBJECTIVES

The MGIs aim to help governments, upon request, take stock of their migration policies and strategies to identify good practices and areas with potential for further development.

The MGIs open dialogues with governments and other relevant stakeholders to identify priorities on the way forward. With a focus on government ownership of the process, the MGIs offer support at the national and local levels to gradually improve migration management systems.



INTRODUCTION

“ Migration has been part of the human experience throughout history, and we recognize that it is a source of prosperity, innovation and sustainable development in our globalized world, and that these positive impacts can be optimized by improving migration governance.¹

The need to maximize the opportunities and to face the challenges that mobility brings has been recognized with the inclusion of migration in the 2030 Agenda for Sustainable Development, and with the adoption of the Global Compact for Safe, Orderly and Regular Migration. The incorporation of target 10.7 into the 2030 Agenda created the need to define “planned and well-managed migration policies”. This is why, in 2015, the International Organization for Migration (IOM) developed the Migration Governance² Framework (MiGOF). This Framework³ offers a concise view of an ideal approach that allows a State to determine what it might need to govern migration well and in a way that suits its circumstances. That same year, IOM in collaboration with Economist Impact developed the Migration Governance Indicators (MGIs), a standard set of almost 100 indicators that help States assess the comprehensiveness of their migration governance structures.

The indicators constitute a starting point to engage governments in a consultative process that allows them to identify areas that are well developed and others that would benefit from further development, and most importantly priorities that are in line with the specific challenges and opportunities that a given country is facing.

The MGIs are characterized by three main fundamental attributes:

1. The MGI process is a **voluntary** exercise: The MGIs are conducted in countries that have requested to be part of the process.
2. The MGIs are **sensitive to national specificities**: The MGIs recognize the different challenges and opportunities of each context, and therefore, do not propose a one-size-fits-all solution, but rather aim to spark a discussion on what well-governed migration can mean.
3. The MGIs constitute a **process**: The MGI process is not a static tool to collect data on countries' migration frameworks. It is rather the first step of a dynamic exercise that can enable governments to identify areas of their migration policy in need of further development, or that could benefit from capacity-building.

The MGIs recognize that all countries have different realities, challenges and opportunities in relation to migration. Therefore, the MGIs do not rank countries on the design or implementation of their migration policies.

Finally, the MGIs do not measure migration policy outcomes or institutional effectiveness. Instead, they take stock of the migration-related policies in place and operate as a benchmarking framework that provides insights on policy measures that countries can consider as they further progress towards good migration governance.

The development of the MGI process for Mongolia was a collaborative effort involving numerous State and non-State actors, institutions, and individuals. Thus, acknowledgements are extended for the invaluable contributions of all stakeholders, including government ministries, departments, agencies, civil society

¹ United Nations, [Global Compact for Safe, Orderly and Regular Migration](#) (A/RES/73/195 of 11 January 2019), paragraph 8.

² “Migration governance” refers to the system of institutions, legal frameworks, mechanisms, and practices aimed at regulating migration and protecting migrants. It is used almost synonymously with the term “migration management”, although the latter is also sometimes used to refer to the narrow act of regulating cross-border movement at the State level.

³ IOM Council, [Migration Governance Framework](#), 106th Session, C/106/40 (4 November 2015), page 1, footnote 1.

organizations, academia and other partners who actively participated in the MGI assessment and the interministerial consultative process. These contributions were integral to the development of this MGI report.

The timely provision of data and other essential information by the above key stakeholders and partners played a pivotal role in enabling the production of this MGI report for Mongolia. We extend our special appreciation to the Cabinet Secretariat of the Government of Mongolia; Mr B. Bayarmagnai, Head of the Prime Minister's Technical Working Group on Reverse Migration; Mr B. Batbaatar, Policy Adviser to the Prime Minister; Mr S. Zulpkhar, Deputy Minister for the Ministry of Labour and Social Protection; and the National Statistics Office for their unwavering support throughout this process. We are also grateful to all the experts who graciously accepted our invitation to the interministerial consultative meeting and made substantial contributions to the development of the MGI process for Mongolia.

The development of this MGI country profile would not have been possible without the financial support, technical assistance and guidance provided by IOM. We would like to extend credit to Mr Giuseppe Crocetti, Chief of Mission, and the IOM Mongolia Country Office, as well as the dedicated IOM staff who provided administrative review and technical support – including Mr Daniel Sam (Programme Manager), Ms Oyunkhishig Yura (National Project Officer) and Ms Elberel Tumenjargal (Consultant), whose technical expertise was instrumental in the consultative and assessment process. We also appreciate the collaboration and guidance provided by the MGI Team at IOM Headquarters. In expressing our gratitude and acknowledgement, we sincerely hope that we have not inadvertently overlooked any entity or individual who has contributed in various ways to help us achieve our goal of ensuring that this MGI report becomes an asset for the Government of Mongolia.

This country profile presents a summary of the well-developed areas of the migration governance structures of Mongolia, as well as the areas with potential for further development, as assessed by the MGIs.⁴

⁴ The MGI initiative is a policy-benchmarking programme led by IOM and implemented with the support of Economist Impact. Funding is provided by IOM Member States.

CONCEPTUAL FRAMEWORK

MiGOF

IOM's MiGOF sets out the essential elements to support planned and well-managed migration. It seeks to present, in a consolidated, coherent and comprehensive way, a set of three principles and three objectives which, if respected and fulfilled, would ensure that migration is humane and orderly, and benefits migrants and society.

At the basis of

PRINCIPLES

1. **Adhere** to international standards and fulfil migrants' rights.
2. **Formulate** policy using evidence and a whole-of-government approach.
3. **Engage** with partners to address migration and related issues.

OBJECTIVES

1. **Advance** the socioeconomic well-being of migrants and society.
2. **Effectively address** the mobility dimensions of crises.
3. **Ensure** that migration takes place in a safe, orderly and dignified manner.



MGIs

WHAT THEY ARE

-  A set of indicators that offers insights on policy levers that countries can use to strengthen their migration governance structures
-  A tool that identifies good practices and areas that could be further developed
-  A consultative process that advances dialogues on migration governance by clarifying what "well-governed migration" might look like in the context of SDG target 10.7 and the Global Compact for Migration implementation*

Which support the measurement of

WHAT THEY ARE NOT

-  Not a ranking of countries
-  Not an assessment of policy impacts
-  Not prescriptive



Note: "The Global Compact is framed in a way consistent with target 10.7 of the 2030 Agenda for Sustainable Development in which Member States committed to cooperate internationally to facilitate safe, orderly and regular migration."

The MGIs consist of almost 100 indicators grouped under the six different dimensions of migration governance that draw upon the MiGOF categories:



MIGRANTS'
RIGHTS
PAGE 19

Indicators in this domain look at the extent to which migrants have access to certain social services such as health, education and social security. They look at family reunification, access to work, and access to residency and citizenship. The international conventions signed and ratified are also included.



WHOLE-OF-GOVERNMENT
APPROACH
PAGE 22

Indicators in this area assess countries' institutional, legal and regulatory frameworks related to migration policies. This area also looks at the existence of national migration strategies that are in line with development objectives and overseas development efforts, as well as institutional transparency and coherence in relation to migration management.



PARTNERSHIPS
PAGE 25

This category focuses on countries' efforts to cooperate on migration-related issues with other States and relevant non-governmental actors, including civil society organizations and the private sector.



WELL-BEING
OF MIGRANTS
PAGE 27

Indicators in this area assess countries' policies on the recognition of migrants' educational and professional qualifications, provisions regulating student migration and the existence of bilateral labour agreements between countries. Aspects of diaspora engagement in the country of origin and migrant remittances are also under this domain.



MOBILITY DIMENSION
OF CRISES
PAGE 30

This category looks at the type and level of preparedness of countries when they are faced with mobility dimensions of crises. The questions look at the processes in place for nationals and non-nationals in relation to disasters and climate change, including if humanitarian assistance is equally available to migrants as it is to citizens.



SAFE, ORDERLY AND
REGULAR MIGRATION
PAGE 32

This area looks at countries' approach to migration management in terms of border control and enforcement policies, admission criteria for migrants, preparedness and resilience in the case of significant and unexpected migration flows, as well as the fight against trafficking in persons.



SUMMARY

SUMMARY OF FINDINGS

Migrants' rights

Regular migrants and stateless persons can access Government-funded health and education services in Mongolia in the same way as citizens. Foreign citizens and stateless persons can access compulsory and voluntary social insurance in Mongolia if they can prove legal residence.

Mongolia has agreements with six countries on the portability of social security entitlements: Czechia (2019), Hungary (2011), Poland (2018), the Republic of Korea (2006), the Russian Federation (1981) and Türkiye (2018). Migrants can apply for Mongolian citizenship after residing legally and continuously in the country for five years. Mongolia maintains records of its nationals living abroad, including voter databases.

Foreign residents do not have the same access to employment as Mongolian nationals. They require an employment visa, and there are quotas in place regarding the percentage of foreign citizens allowed to hold a residence permit in Mongolia. The development of a policy or strategy to combat hate crimes, violence, xenophobia and discrimination against migrants is an area with potential for improvement.

Whole-of-government approach

The Government does not yet have a dedicated agency responsible for creating and coordinating the implementation of a migration policy or strategic plan, an interministerial coordination mechanism on migration issues, or a body responsible for engaging with the diaspora population. However, as of 2022, the Government has established a working group tasked with interministerial and provincial coordination on migration policy implementation. The group is led by the Deputy Minister of Defence and works on the development of required policy actions surrounding migration.

The country has migration legislation governing civil registration, the legal status of foreign nationals, citizenship and labour force migration. All laws, rules and regulations approved by the Government, including those pertaining to migration, are published in Mongolian on the Unified Legal Information System, which is publicly available and regularly updated by the National Legal Institute.

Mongolia does not yet have a national migration strategy defined in a programmatic document or manifesto, nor does it have a strategy in place that addresses migrant integration. The New Revival Policy (2021) prioritizes internal migration, while Vision 2050 (2020) and the Action Plan of the Government of Mongolia for 2020–2024 (2020) have limited measures related to migration.

Partnerships

Mongolia is a member of two regional consultative processes on migration, namely the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (2002) and the Inter-governmental Asia–Pacific Consultations on Refugees, Displaced Persons and Migrants (1996). Mongolia does not participate in bilateral migration negotiations, discussions or consultations with corresponding origin or destination countries.

Mongolia's Law on Development Policy, Planning and Administration (2020, last amended in 2022) requires the Government to formally engage civil society organizations and the private sector in agenda-setting and the implementation of policies and programmes at the national and local levels, but this is limited in practice. The Mongolian Government engages with the diaspora but not specifically in developing programmes and implementing policies in relation to migration.

Well-being of migrants

Mongolia has a national assessment for monitoring the labour market demand for immigrants, and it determines the number of foreign workers to be employed in the country by 1 October each year, as per the Law on Labour Force Migration (2021, last amended in 2023).

The Law on Promotion of Gender Equality (2011) and the Intersectoral Strategic Plan for Gender Equality 2022–2031 (2022) concern the population as a whole, with no particular reference to migrant women or measures to support them.

Mongolia allows equal access to university education for all international students provided that they obtain a student visa, as per Ministerial Order No. A/540 on the procedure for student recruitment (2022). Additionally, international students are permitted to work in Mongolia during their studies, as per the procedure for the employment of students (2020).

Coordinating efforts to promote the creation of formal remittance schemes is an area with potential for further development.

Mobility dimension of crises

Mongolia has legislation in place to manage population movements during emergencies, including evacuation procedures and provisions for assistance to victims. The Law on Emergency (1995) regulates the declaration of a state of emergency and the management of emergency measures.

The inclusion of specific measures to provide assistance to migrants before, during and after crisis in Mongolia in the country's emergency management framework is an area with potential for further development.

The National Emergency Management Agency – the public body responsible for dealing with the effects of displacement – publishes data on disaster displacement only on an ad hoc basis. Additionally, it operates communications systems for the public to receive information on the evolving nature of crises, but they do not take into consideration the specific vulnerabilities that migrants face.

Safe, orderly and regular migration

The development of a policy or strategy seeking to promote and prioritize non-custodial alternatives to detention is an area with potential for improvement.

Mongolia has measures in place to attract nationals who have emigrated from the country by creating favourable legal conditions for their return. However, the development of a programme or policy focused on facilitating the reintegration of returning nationals is an area with potential for improvement.

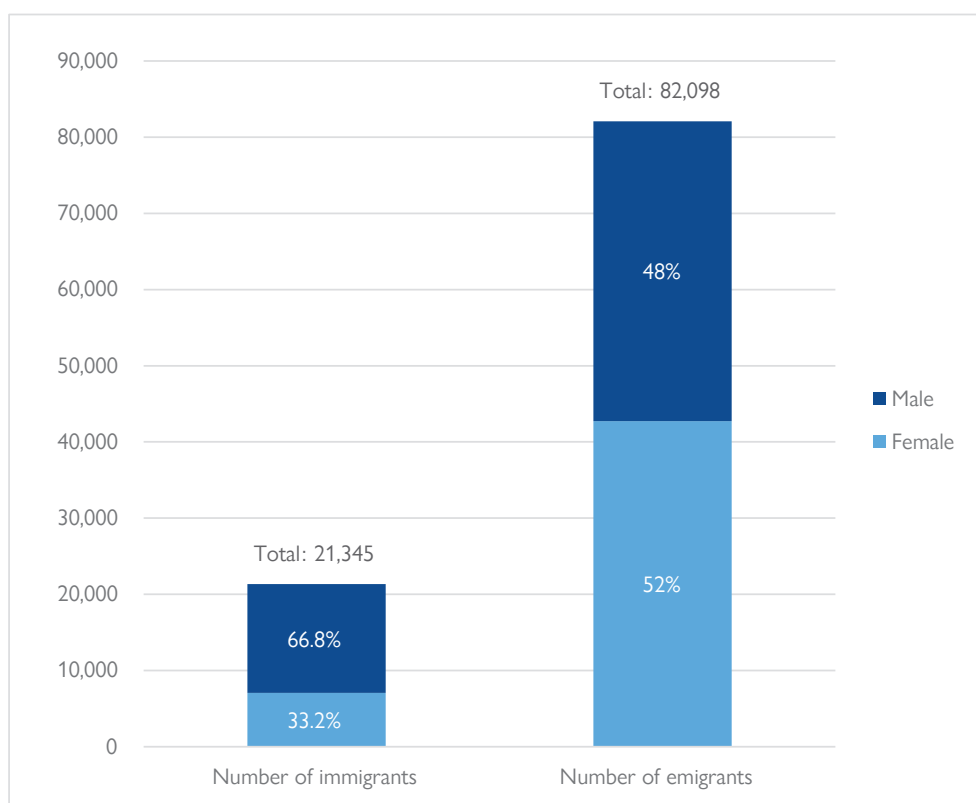
Mongolia's Law on Combating Human Trafficking (2012, last amended in 2022) aims to prevent human trafficking and promote the protection of victims, while the National Programme for Combating Human Trafficking 2017–2021 (2017) aims to improve prevention and victim protection efforts with respect to human trafficking.



CONTEXT

Immigration to Mongolia has increased in recent decades, reaching a total of 21,345 persons in 2020⁵ according to United Nations Department of Economic and Social Affairs (DESA) figures, representing 0.6 per cent of the country's total population (3.3 million). The distribution of immigrants by sex shows that 66.8 per cent are male and 33.2 per cent are female (see Figure 1). Similar to its immigration data, Mongolia has experienced increasing emigration since the 1990s, with emigration numbers reaching 82,100 people in 2020, 2.5 per cent of its total population, according to estimates by DESA.⁶ Disaggregated data indicate that the share of female emigrants (52%) in 2020 is slightly higher than the share of males (see Figure 1).

Figure 1. International migration to and from Mongolia (at mid-2020), by sex



Source: DESA, *International Migrant Stock 2020* (2020).

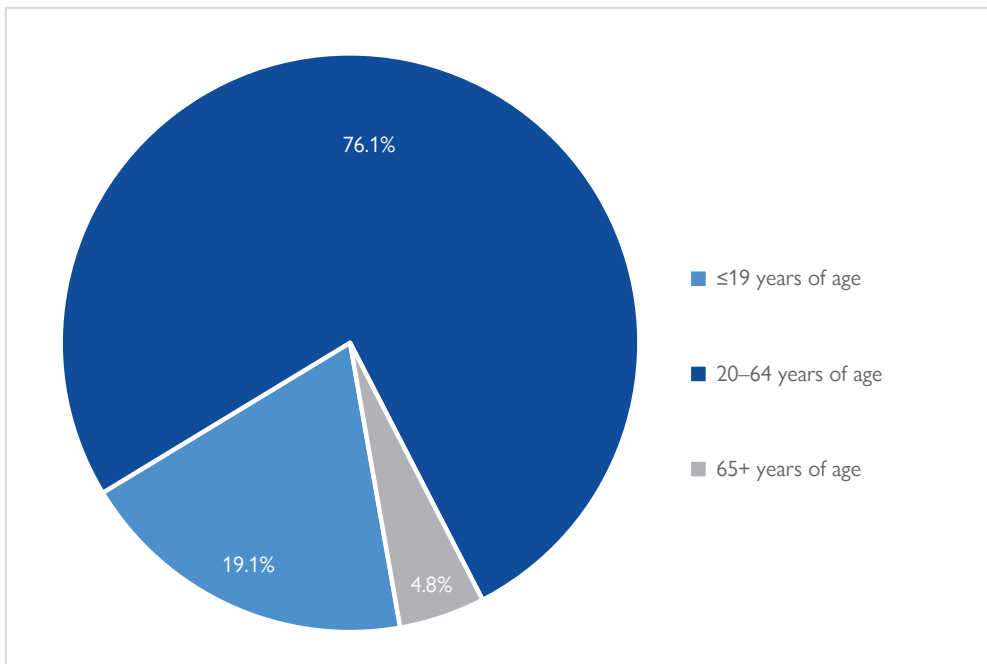
On the other hand, according to estimates by DESA, the difference in the share of migrants in the total population between 2000 and 2020 is 0.3.⁷ In addition, data from the World Bank show that personal remittances received in Mongolia accounted for 3.2 per cent of its GDP in 2022.⁸ Finally, Figure 2 shows that the majority of immigrants in 2020 were 20–64 years old (76.1%), followed by people 19 years and younger, who made up 19.1 per cent of the total number of immigrants in the country.

⁵ Visit the [Migration Data Portal](#) for more information.

⁶ See footnote 5.

⁷ See footnote 5.

⁸ See footnote 5.

Figure 2. Distribution of immigrants by age group (at mid-2020)

Source: Migration Data Portal, 2020 data from DESA (2020).



KEY

FINDINGS



1

ADHERE TO INTERNATIONAL STANDARDS AND FULFIL MIGRANTS' RIGHTS

1.1. International conventions ratified

Table 1. Signature and ratification of international conventions

Convention name	Ratified (Year)
International Labour Organization (ILO) Migration for Employment Convention (Revised), 1949 (No. 97)	No
United Nations Convention relating to the Status of Refugees (also known as the Refugee Convention), 1951	No
United Nations conventions on statelessness, 1954 and 1961	No
ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	No
Convention on the Rights of the Child (CRC), 1989	Yes (1990)
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), 1990	No

1.2. Migration governance: Examples of well-developed areas

Regular migrants in Mongolia have access to Government-funded health services provided by the Ministry of Health on the same basis as nationals. The Law on Health Insurance (2015, last amended in 2022) states that employed foreign nationals and stateless persons are covered by compulsory health insurance (Article 4, Section 3), while foreign citizens and stateless people who are not employed may be insured voluntarily through pension insurance, health insurance, and industrial accident and occupational disease insurance. Health-care services provided to foreign nationals and stateless persons who are insured include inpatient care and services; outpatient examination, monitoring, diagnosis and treatment; and day treatment (Article 9.1). Foreign nationals and stateless persons are responsible for paying their premiums to the health insurance fund on a semi-annual or annual basis, while Mongolian citizens pay through monthly payroll deductions or are covered by the State welfare fund (Article 8), depending on their employment status. In addition, the Government issued Decision No. 500 in 2022, specifying provisions for voluntary insurance targeting migrants, necessitating monthly payments for individuals without legal status and foreign citizens who are not employed to access health-care services.⁹

All migrants, regardless of their migration status, have equal access as citizens to Government-funded education provided by the State Central Administrative Authority of the Ministry of Education and Science. The Law on the Rights of Children (2016, last amended in 2022) applies without distinction to all children, including children of foreigners and stateless persons residing in Mongolia, as stated in Article 3. Article 9 outlines the educational rights of children, which encompass the provision of preschool, primary and secondary education. Foreign nationals and their family members can apply for visas to enrol in secondary

⁹ Individuals without legal status are mandated to make monthly payments of MNT 11,000 (approximately USD 3.17) to have access to health-care services. Children under 18 years of age can obtain the same coverage at a reduced monthly fee of MNT 5,500 (approximately USD 1.58).

education, technical and vocational education and training, or tertiary education, as per the procedure for the issuance of Mongolian visa (2021). It is important to note, however, that schools require valid visas in order to provide students with certificates and diplomas.

Foreign citizens and stateless persons with legal residence in Mongolia can access compulsory and voluntary social insurance.¹⁰ Under the Law on Social Insurance (1994, last amended in 2021), citizens of Mongolia, foreign citizens and stateless persons who are employed are subject to compulsory insurance (Article 4, Section 2). Foreign citizens and stateless persons who are unemployed have the option to obtain voluntary insurance, which includes pension insurance, health insurance, and coverage for industrial accidents and occupational diseases (Article 3). Under the Law on Pensions and Benefits Provided by the Social Insurance Fund (1994, last amended in 2021), the insured individual must pay a social insurance premium into the social insurance fund for at least three months to qualify for benefits.

Mongolia has agreements with six countries to ensure the portability of social security entitlements and earned benefits, including old-age pensions: Czechia (2019), Hungary (2011), Poland (2018), the Republic of Korea (2006), the Russian Federation (1981) and Türkiye (2018). These agreements, all active as of 2023, specifically deal with the calculation and payment of pensions for individuals who contributed to the social security systems of Mongolia and the respective countries involved. Migrants can be eligible to obtain Mongolian citizenship after legally and continuously residing in the country for a period of five years. The conditions for obtaining Mongolian citizenship are outlined in Article 9 of the Law on Citizenship (1995, last amended in 2022). These conditions include demonstrating suitable living capability and resources, possessing proper knowledge of Mongolian customs and the official language of the State, and having permanently resided in Mongolia for a minimum of five years prior to the citizenship application. According to the Law, the President of Mongolia holds the authority to grant citizenship to foreign citizens who have made significant contributions to Mongolia, possess much-needed professional experience or have achieved exceptional success in any field of science.

Mongolia maintains records of its nationals living abroad. The Consular Department of the Ministry of Foreign Affairs gathers data on Mongolians residing abroad on an annual basis, in cooperation with the Immigration Agency of Mongolia, using their administrative records. According to the Election Law (2016), Mongolian citizens who are non-residents have the right to vote in a foreign country where a diplomatic mission of Mongolia is located (Article 11.2). The General Authority for State Registration collaborates with the diplomatic missions of Mongolia to establish and manage a database of voters, while the missions collect information related to the diaspora in accordance with the Law on Civil State Registration (2018) (Article 5.5).¹¹ Additionally, as part of the Mongolians of the World Programme II (2021)¹² outlined in the Action Plan of the Government of Mongolia for 2020–2024 (2020), the Government would create a database of Mongolian citizens abroad.¹³

1.3. Areas with potential for further development

Foreign residents do not have equal access to employment as Mongolian nationals. In order to work in the country, migrants are required to obtain a work permit, as stated in the Law on the Legal Status of Foreign Nationals (2010, last amended in 2023) (Article 15) and the Law on Labour Force Migration (2021, last amended in 2023) (Article 24).¹⁴ Under the Law on the Legal Status of Foreign Nationals, migrants have

¹⁰ Social insurance includes benefits and payments to be delivered to the insured in the event of retirement, loss of the ability to work, sickness or unemployment, and to the dependants when the insured is deceased.

¹¹ Especially, as stated in Article 5.5, “[r]egistration officers of diplomatic missions abroad ... shall maintain the civil state registrations specified in Paragraphs 6.1.1, 6.1.2, 6.1.3, 6.1.4, 6.1.5, 6.1.8, 6.1.9, 6.1.10 and 6.1.11 [birth, marriage, dissolution of marriage, marriage restoration, paternity determination, death, citizen identity card, national passport and its identical document, and biometric trait (fingerprint), respectively] of the Law on Civil State Registration”.

¹² See the [Government of Mongolia Resolution No. 1 of 4 January 2016](#).

¹³ As of September 2023, this initiative has not been implemented yet.

¹⁴ There are 11 types of working visa depending on sector: construction, roads, bridges or other construction sectors; science, education and information technology sectors; geology, mining, oil and energy sectors; financial, economic or legal sectors; culture and sports sectors; manufacturing and service industries; agricultural sector; health sector; humanitarian sector; personal care and household services; and transport sector for export cargo transportation.

the option to apply for temporary residence permits specifically for employment purposes. These permits are initially granted for a period of five years and can be extended in three-year intervals (Article 27).¹⁵ Additionally, according to the Law on Labour Force Migration, a work permit is valid for up to one year (Article 24.4), but it can be extended for a total period of five years, based on the employer's request, the employee's performance, the employment agreement, the workplace category, valid reasons for future employment and compliance with legal obligations (Article 28). Migrant workers can apply for a transfer to another organization and have a new work permit issued to them within the validity term of the initial permit (Article 29.1). However, there are quotas in place that restrict the percentage of foreign citizens allowed to hold a residence permit in Mongolia based on labour demand and supply, as well as considering recommendations from government authorities (Article 22).

The ability of foreign residents to take up self-employed activity depends on the specific visa categories stated in the Law on Labour Force Migration, which outlines the categories and types of workplaces available for foreign citizens in Article 21. According to Article 24, it is the responsibility of the employer or inviting organization to submit the application for work permits on behalf of foreign employees to the General Agency for Labour and Social Welfare Services. Furthermore, the Law on the Legal Status of Foreign Nationals specifies certain prohibited activities for foreign residents, such as establishing or joining organizations that engage in political activities and carrying out activities that require approval from authorities without permission (Article 8).

Only migrants immigrating for reasons of family reunification and those who are more than 55 years old receive indefinite residency in Mongolia, in accordance with the Law on the Legal Status of Foreign Nationals (Articles 28.3 and 29.2). Other migrants are eligible only for the general residence permit, which is initially granted for a period of five years and can be extended in three-year intervals, subject to the proposal and approval of the relevant State organization, namely the Immigration Agency (Article 27.1). The provision for permanent residence in Article 29 does not specify whether the residence permit can be extended indefinitely, but it does state that the Immigration Agency under the Ministry of Justice and Home Affairs takes into consideration factors such as "a foreign national's request, the internal situation and the economic capacity of the country, and his/her educational background and professional skills". Furthermore, the same article introduces strict quotas regarding the number of migrants permitted to live in Mongolia.¹⁶

To register a child as a Mongolian citizen, it is required that the child has at least one parent who holds Mongolian citizenship, as per the Law on Civil State Registration (paragraphs 6.2 and 6.3). Furthermore, the Law on Citizenship specifies that a birth certificate issued to a child born to a stateless or foreign citizen parent serves solely as proof of their birth and not their identity (Article 5).

The formulation of a policy or strategy to combat hate crimes, violence, xenophobia and discrimination against migrants is an area for further development. The Criminal Code (2015, last amended in 2022) prohibits murder; crimes motivated by bias against ideology, race, nationality, ethnicity, religion or sexual orientation (Article 10.1); crimes against personal and political rights and freedom (Article 14.1); and crimes against national security, including the violation of the equality of rights of national and ethnic groups (Article 19.9).

¹⁵ For example, "the internal situation and the economic capacity of the country" as well as the educational background and professional skills of the applicant are considered (Article 29).

¹⁶ It states that the number of permanent migrants residing in Mongolia may reach up to 0.5 per cent of the citizens of Mongolia, and among them, nationals of one country may reach up to 0.17 per cent.



2

FORMULATE POLICY USING EVIDENCE AND WHOLE-OF-GOVERNMENT APPROACH

2.1. Migration governance: Examples of well-developed areas

The Ministry of Foreign Affairs (MFA) and its Consular Department are responsible for enacting Mongolia's emigration policy and providing services to protect the rights and legal interests of Mongolian citizens living abroad. According to the Law on Diplomatic Services (2000, last amended in 2021), the main functions of the Consular Department are to safeguard the interests of Mongolia and of its nationals and legal persons within the receiving State; to provide assistance in promoting friendly relations and expanding economic, commercial, scientific, technological, cultural and humanitarian relations, and tourism with the receiving State; and to observe and ensure compliance with international conventions and treaties on consular relations to which Mongolia is a party (Article 5).

Mongolia has national migration legislation regulating immigration. The Law on Civil State Registration (2018) regulates the registration of foreign nationals and stateless persons in Article 19; the Law on the Legal Status of Foreign Nationals (2010, last amended in 2023) regulates the regularization of migrants, including visa and residency status;¹⁷ the Law on Citizenship (1995, last amended 2022) specifies the requirements for obtaining Mongolian citizenship;¹⁸ and the Law on Labour Force Migration (2021, last amended in 2023) regulates labour migration to and from Mongolia and establishes the conditions for granting work permits.¹⁹ Additionally, other laws such as the Law on Labour (2021), the Law on Education (2002), the Law on Health Insurance (2015, last amended in 2022), the Law on Social Insurance (1994, last amended in 2021), the Law on the Rights of Children (2016, last amended in 2022) and the Law on Health (2011, last amended in 2023) contain provisions that address immigration-related issues and protect the rights of immigrants.

There are clear and transparent sets of rules and regulations pertaining to migration, and these are available to the public and published in Mongolian on the Unified Legal Information System, which was established in 2002 by the Ministry of Justice and Home Affairs.²⁰ This system is publicly accessible and operated by the National Legal Institute, ensuring regular updates. According to the website of the Unified Legal Information System, out of the 880 laws of Mongolia, 324 are available in English.

The Government of Mongolia holds regular consultations with decentralized levels of governance to enhance the vertical coherence of its migration-related policies. The New Revival Policy (2021), led by the Prime Minister of Mongolia, focuses on addressing internal migration issues, specifically promoting urban-to-rural migration. As part of this Policy, an interprovincial and interministerial working group, the Revival of Urban and Rural Areas, was established in 2022. The working group consists of deputy governors from all 21 Mongolian provinces, deputy ministers and representatives from IOM. It convenes monthly meetings to develop proposals and measures that support citizens, enterprises and organizations migrating from Ulaanbaatar (the capital) to rural areas. Under the Law on Development Policy, Planning and Administration (2020, last amended in 2022),²¹ which applies to all laws and regulations in Mongolia, vertical coherence should be evident in development policymaking and planning. Article 8 lists the stakeholders that must be involved in development policymaking and planning, such as the Government; the State Central Administrative Authority in charge of national development policymaking and planning matters; administrative divisions; provincial, capital and district governors; State administrative authorities; and executive agencies of the

¹⁷ See Chapter 4 – Visa, Chapter 5 – Entry and transit, Chapter 6 – Foreign nationals residing in Mongolia and Chapter 7 – Exit Mongolia.

¹⁸ See Chapter 6 – Request related to matters of citizenship and procedure of consideration.

¹⁹ See Chapter 2 – Mongolian citizens to work abroad, Chapter 3 – Foreign nationals to work in Mongolia and Chapter 4 – Labour migration management and database.

²⁰ Visit the [Unified Legal Information System website](#) for more information.

²¹ This Law aims to ensure the sustainability and consistency of Mongolian development policymaking and planning processes, establish underlying principles for development policymaking and planning, and effectively implement policies.

Government. In addition, local governments play a crucial and active role in implementing the Open Aimag programme across the 21 provinces (*aimags*) in Mongolia. Each province emphasizes its unique pull factors to attract internal migration.²²

The National Statistics Office (NSO) collects data on the number of foreign workers with labour contracts and publishes a quarterly report.²³ The data are usually disaggregated by sex, age, education, country, occupation and location, but not by migration status.²⁴ Additionally, the NSO publishes data on internal migration annually through its Demography Report (last published in 2022)²⁵ and on the Mongolian Statistical Information Service website.²⁶ The Ministry of Labour and Social Protection's (MLSP) quarterly statistics report, Labour Market Statistics, also presents disaggregated data on foreign workers in Mongolia, including their age group, gender and country of origin.

Mongolia's 2020 Population and Housing Census, conducted by the NSO, included various questions on migration, such as citizenship, residency status, status of residence since birth, nationality and country of origin. Information pertaining to migration is analysed and presented in the *2020 Population and Housing Census of Mongolia: National Report* (NSO, 2020a). Migration-related questions are to be added to the 2025 census tool, which will be updated and finalized in 2024, with a request for inputs from IOM on the migration-related questions.

In addition, several local migration data management initiatives have been implemented, such as the partnership between the municipality of Ulaanbaatar and IOM. Between 2021 and 2023, IOM conducted mobility tracking assessments, generating mobile population data for all nine districts of Ulaanbaatar. This comprehensive effort also involved training of government officials in the Displacement Tracking Matrix (DTM) methodology, thereby strengthening institutionalization (IOM, 2023). As part of a sustainable initiative, beginning in 2024, the municipality of Ulaanbaatar will independently conduct DTM mobility tracking assessments twice a year. These DTM activities have yielded insights encompassing studies of social mobility, urban-to-rural migration, and the employment of COVID-19 returnees and information regarding the Mongolian diaspora.

2.2. Areas with potential for further development

There is no specific government agency or department dedicated to creating and coordinating the implementation of a comprehensive migration policy or strategic plan in Mongolia. Similarly, there is no established interministerial coordination mechanism specifically focused on migration. However, various Mongolian ministries hold responsibilities regarding migration policy. MLSP is responsible for compiling, updating and monitoring the labour force migration database; providing advice to employers hiring foreign employees; and conducting inspections to ensure compliance with the Law on Labour Force Migration regarding foreign employees' employment status and working conditions at least once a year. The General Authority for State Registration (GASR) is in charge of delivering civil registration services for Mongolian citizens, foreign nationals and stateless persons. MFA is tasked with registering Mongolian citizens living abroad and providing consular services to them. The Immigration Agency of Mongolia is responsible for registering foreign nationals upon their arrival in Mongolia, issuing visas and visa permissions, extending residence permits, and cancelling visas for foreign nationals and stateless persons, as per Article 40 of the Law on the Legal Status of Foreign Nationals.

²² The Open Aimag programme aligns with regional development policy and is a vital initiative for *aimag* development and the effective management of internal migration.

²³ As of April 2023, the latest report published was on 13 January 2023.

²⁴ The data on the number of foreign workers with labour contracts can be found on the National Statistics Office (NSO) web page for [labour statistical data](#).

²⁵ Internal migration data were officially incorporated into NSO records in 1969.

²⁶ The data on the [Mongolian Statistical Information Service website](#) show domestic in-migration and outmigration aggregated by Mongolian subregions.

The consular service of MFA aims to protect the interests of Mongolian citizens abroad; provide opportunities for Mongolian children abroad to learn the Mongolian language; implement e-learning programmes; support the activities of Mongolian language and culture centres and Mongolian associations; and expand relations and cooperation with the Mongolian people to support them in preserving their native language, heritage, culture, customs and traditions, as per the Action Plan of the Government of Mongolia for 2020–2024 (2020). Yet the designation of a specific government agency responsible for engaging with the diaspora population and facilitating their contributions is an area for further development.

Mongolia does not have a national migration strategy defined in a programmatic document or manifesto, nor does it have a migration strategy that addresses the integration of migrants and is aligned with the national development strategy. The New Revival Policy prioritizes internal migration issues as one of six areas of focus for the Government of Mongolia, but there is no specific action plan outlined for the development of a national migration policy. The Vision 2050 long-term development policy of Mongolia (2020) and the Action Plan of the Government of Mongolia for 2020–2024 are Mongolia’s main national development strategies. The Vision 2050 policy has a section on border protection, with aims to strengthen and modernize the State borders, but it has no measures dedicated to migration-related issues apart from preventing illegal border crossings. Likewise, under its security policy, the Action Plan of the Government of Mongolia states that “[t]he registration, information and control system of foreign citizens and stateless persons will be improved”, but the Action Plan has no other migration-related measures. Nonetheless, as of June 2023, there are plans to develop Vision 2050 for the regional development of Mongolia, and the working group for its development is currently being formed. Vision 2050 will be the Government’s central policy document, which considers and addresses internal migration issues in Mongolia. The Working Group on the New Revival Policy, which the Prime Minister of Mongolia appoints, is extended as a National Committee on Internal Migration.²⁷

Mongolia’s Law on Promotion of Gender Equality (2011) prohibits discrimination based on various factors, including age, sex, vocation or rank, views, marital status and education, though it does not explicitly address nationality or migration status (Article 5.1.2). Nonetheless, the Law “applies equally to economic entities and organizations operating on the territory of Mongolia and to citizens of Mongolia, and, if an international treaty ratified by Mongolia does not provide otherwise, to all international and foreign organizations and foreign citizens and aliens operating or residing on the territory of Mongolia” (Article 3.1).

The establishment of a coordination mechanism to compile and harmonize migration data is an area with potential for further development in Mongolia. Migration data are collected by various government agencies, including MLSP,²⁸ MFA,²⁹ GASR under the Ministry of Justice and Home Affairs,³⁰ the NSO and the Immigration Agency.³¹ However, there is no policy or system in place to coordinate the harmonization of such data.

²⁷ The Technical Working Group, focused on migration data, services and coordination, has transitioned its responsibilities to the newly established National Committee on Internal Migration, created by the Mongolian Prime Minister in September 2023. This Committee comprises ministries, urban areas, selected *aimags* and international organizations.

²⁸ MLSP is tasked with compiling and updating the labour force migration database, as well as monitoring its accuracy.

²⁹ MFA is responsible for registering Mongolian citizens living abroad.

³⁰ The Civil State Registration Department of GASR is mandated to record various vital events such as civil State registration and is required by law to document various activities, including birth, marriage, death, adoption, residence address changes, migration and other pertinent civil matters.

³¹ The Immigration Agency of Mongolia is responsible for registering foreign nationals upon their entry into the country.



3

ENGAGE WITH PARTNERS TO ADDRESS MIGRATION AND RELATED ISSUES

3.1. Migration governance: Examples of well-developed areas

As a member of two regional consultative processes on migration, Mongolia actively participates in the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, which was established in 2002. With 45 member States,³² the Bali Process primarily focuses on promoting cooperation and information-sharing to raise awareness of and combat human trafficking. Additionally, Mongolia is involved in the Inter-governmental Asia–Pacific Consultations on Refugees, Displaced Persons and Migrants. Although established in 1996, this consultative process is inactive as of September 2023. The consultative process provided a forum for member States to discuss various issues related to population movements, including refugees, displaced persons and migrants. It involved 34 member States within the Asia–Pacific region.³³

Mongolia has signed memorandums of understanding related to migration with several countries. These include Czechia (2019), Hungary (2011), Poland (2018), the Republic of Korea (2006), the Russian Federation (1981) and Türkiye (2018).

The purpose of these agreements is to establish the relationship between Mongolia and the respective countries in the field of social security, covering areas such as pensions, insurance and employment. Furthermore, Mongolia and Japan signed an Economic Partnership Agreement in 2016, primarily focusing on free trade with the aims of “liberalizing and facilitating trade in goods and services”, “facilitating movement of natural persons”, “increasing investment opportunities and strengthening protection for investment and investment opportunities” and “enhancing protection of intellectual property”. In addition, in 2019, Mongolia and Japan signed a memorandum of understanding on the protection of skilled workers.

Additionally, Mongolia was one of the six original member countries of the Republic of Korea’s Employment Permit System (EPS) launched in 2004.³⁴ This System allows Korean employers to hire foreign workers in specific industries based on quotas determined by supply and demand trends. Industries covered by the EPS include manufacturing, construction and agriculture.

The Law on Development Policy, Planning and Administration (2020, last amended in 2022) mandates the Government to formally involve civil society organizations (CSOs) and the private sector in agenda-setting and the implementation of policies and programmes at the national and local levels. According to the Law, CSOs and private legal entities are recognized as stakeholders of development policymaking and planning (Article 8.2). CSOs have participated in discussions as members of working groups for the Government’s social development targeted programmes and regional development programmes, which encompass migration-related matters. The private sector, including the Mongolian National Chamber of Commerce and Industry (MNCCI), plays a pivotal role in funding, building and managing projects in rural areas,

³² The members of the *Bali Process* are Afghanistan, Australia, Bangladesh, Bhutan, Brunei Darussalam, Cambodia, China, the Democratic People’s Republic of Korea, Fiji, France, India, Indonesia, the Islamic Republic of Iran, Iraq, Japan, Jordan, Kiribati, the Lao People’s Democratic Republic, Malaysia, Maldives, Mongolia, Myanmar, Nauru, Nepal, New Zealand, Pakistan, Palau, Papua New Guinea, the Philippines, the Republic of Korea, Samoa, Singapore, Solomon Islands, Sri Lanka, the Syrian Arab Republic, Thailand, Timor-Leste, Tonga, Türkiye, the United Arab Emirates, the United States of America, Vanuatu, Viet Nam, Hong Kong SAR, China and Macao SAR, China.

³³ The members of the *Asia–Pacific Consultations on Refugees, Displaced Persons and Migrants* are Afghanistan, Australia, Bangladesh, Bhutan, Brunei Darussalam, Cambodia, China, Fiji, India, Indonesia, Japan, Kiribati, the Lao People’s Democratic Republic, Malaysia, the Federated States of Micronesia, Mongolia, Myanmar, Nauru, Nepal, Pakistan, Papua New Guinea, the Philippines, the Republic of Korea, Samoa, Singapore, Solomon Islands, Sri Lanka, Thailand, Timor-Leste, Vanuatu, Viet Nam, Hong Kong SAR, China, Macao SAR, China and New Caledonia, France.

³⁴ The other original members of the EPS are Indonesia, the Philippines, Sri Lanka, Thailand and Viet Nam, while other members include Bangladesh, Cambodia, China, the Kyrgyz Republic, the Lao People’s Democratic Republic, Myanmar, Nepal, Pakistan, Timor-Leste and Uzbekistan.

aligning with the New Revival Policy of 2021, which addresses internal migration concerns. In 2022, MNCCI partnered with IOM to develop a system dynamics model for Bulgan aimag, examining migration trends. This model will guide development strategies for the next two decades; subsequently, MNCCI employed a comparable approach in Khuvsgul aimag.

3.2. Areas with potential for further development

Formal arrangements for intraregional mobility have not been established as a result of Mongolia's participation in the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime or the Inter-governmental Asia–Pacific Consultations on Refugees, Displaced Persons and Migrants. Furthermore, Mongolia does not engage in bilateral migration negotiations, discussions or consultations with corresponding origin or destination countries. Moreover, Mongolia is not yet part of a regional agreement that promotes labour mobility. This is an area with potential for further development.

The formal engagement of the Government with the private sector and social partners in agenda-setting and the implementation of migration-related policies is an area for further development. In this sense, the Government of Mongolia's 2019 voluntary national review highlights the country's weak adherence to the "all of government" and "all of society" principles in formulating and implementing development policies. It states that instances of "CSO cooperation with the government in providing public services" have not been common.

The Government regularly engages with members of the diaspora, but not regarding agenda-setting and the implementation of development policy. In September 2022, the Ministry of Foreign Affairs (MFA) and the non-governmental organization (NGO) Council of Mongolians Abroad co-hosted the 4th Conference of Associations and NGOs of Mongolians Abroad in Ulaanbaatar. The conference included sessions on topics such as "legal environment and social issues of Mongolians abroad", "Mongolian graduates and students abroad" and the "Mongolian language and cultural immunity of Mongolian children abroad".³⁵ Additionally, MFA engages with members of the Mongolian diaspora on an irregular basis during high-level visits of the Minister of Foreign Affairs to other countries. For example, in March 2023, the Minister held a meeting with members of the Mongolian diaspora during a visit to Türkiye.³⁶ In addition, as of September 2023, IOM is supporting a diaspora research programme conducted by the National Statistics Office as well as policy-level interventions to address "brain drain".

³⁵ More information is available in this article on the Ministry of Foreign Affairs (MFA) website on the [IV Conference of the Council of Mongolians Overseas](#), held in 2022.

³⁶ More information is available in this article on the MFA website on [Minister of Foreign Affairs B. Battsetseg meeting with representatives of Mongolian citizens living in Istanbul](#), held in 2023.



4

ADVANCE THE SOCIOECONOMIC WELL-BEING OF MIGRANTS AND SOCIETY

4.1. Migration governance: Examples of well-developed areas

There is a national assessment for monitoring the labour market demand for immigrants in Mongolia. This assessment determines the annual quota for foreign workers allowed to work in the country. According to the Law on Labour Force Migration (2021, last amended in 2023), the Government of Mongolia determines the number and percentage of foreign workers to be employed in Mongolia by 1 October each year (Article 22), based on labour supply and demand as well as the recommendations of various government agencies. The Law on Foreign Migrant Workers (2022) outlines the procedure for setting the number of foreign workers in different sectors. The law requires the Ministry of Labour and Social Protection (MLSP) to conduct a labour market assessment (last conducted in January 2023), which indicates the number of foreign workers permitted in different sectors. MLSP publishes the Labour Market Statistics each month on its website.³⁷

Equal access to university education is granted to all international students in accordance with Mongolia's Ministerial Order No. A/540 on the procedure for student recruitment (2022) (Article 4.3). To avail themselves of this opportunity, international students must obtain a student visa. Article 1 of the regulation emphasizes the importance of maintaining transparency, fairness and equitable inclusion throughout the student recruitment process. Furthermore, international students studying in Mongolia are allowed to work, as outlined in the procedure for the employment of students (2020), which applies to all students in the country. According to Article 2.4, students aged 15 and above can engage in employment with written consent from their parents, guardians, supporters or the relevant State administrative organization responsible for labour matters. However, such employment should not adversely affect their health, growth, development or education.

Mongolia has implemented various mechanisms to safeguard the rights of its citizens working overseas. The Law on Labour Force Migration serves the purpose of regulating employment relations for Mongolian citizens in foreign countries and the employment of foreign citizens and stateless persons in Mongolia, as well as protecting their rights and legitimate interests. Additionally, the Revised Rules of the Assistance Fund for Mongolian Citizens Living Abroad (2018) ensures the provision of necessary assistance to Mongolian citizens living abroad.³⁸ During the COVID-19 pandemic and the earthquakes in Türkiye and the Syrian Arab Republic in 2023, the Fund, governed by the Council of the Fund, became the main financial resource for providing services and assistance to Mongolian citizens abroad.^{39,40} Furthermore, the Mongolians of the World Programme II (2021) is aligned with the Action Plan of the Government of Mongolia for 2020–2024 (2020). The Council of the Action Plan is responsible for its implementation and is headed by the Minister of Foreign Affairs. The Programme aims to foster cooperation with Mongolians living abroad in order to preserve the Mongolian culture, language and traditions. Additionally, the activities to be implemented in 2021 to 2030 within the long-term development policy of Mongolia, Vision 2050 (2020), include the objective of expanding cooperation with nationals residing abroad to achieve its aims.

³⁷ The 2023 Labour Market Statistics includes data on key labour market indicators, employment by sector, unemployment by demographic, and number of organizations paying social insurance premiums, among others.

³⁸ The Fund aims to provide assistance and support to insolvent citizens of Mongolia residing abroad, and fund legal assistance in foreign countries to protect the rights of Mongolian citizens whose legitimate interests have been violated abroad. The Fund is also used by Mongolian citizens to visit their relatives sentenced abroad, get emergency medical treatment and bring back deceased citizens to Mongolia.

³⁹ See the Government of Mongolia Resolution No. 179 of 20 June 2018.

⁴⁰ The Council of the Fund has seven members, namely the Minister of Foreign Affairs; the State Secretary of the Ministry of Foreign Affairs (MFA); the Director of the Finance Division of MFA; the Director of the Law, Treatment and Cooperation Department; the Director of the International Relations and Cooperation Department of the Supreme Court; the Director of the International Relations and Legal Assistance Department of the State General Prosecutor's Office; and the Director-General of the Consular Department of MFA.

The Law on Labour Force Migration in Mongolia includes essential provisions to promote the ethical recruitment of migrant workers. Employers are obligated to apply for a work permit on behalf of foreign employees after obtaining permission to invite them (Article 23). The work permit, issued by the Labour Authority, generally remains valid for up to a year, depending on the job position and employment agreement. Employers will undergo training to equip themselves with the necessary knowledge to, in turn, share with foreign workers arriving in Mongolia. This training includes general information about relevant labour laws and customs, as well as specific details essential for employment (Article 31). Additionally, Article 25 specifies that employers who fail to fulfil their obligations or harm foreign citizens will be prohibited from inviting foreign workers for a period of two years. This provision acts as a deterrent against non-compliance and reinforces the significance of maintaining ethical standards during the recruitment and employment of migrant workers.

There are measures to promote gender equality through gender equality policies, laws and general labour legislation in Mongolia, which primarily apply to the entire population. According to Mongolia's Law on Promotion of Gender Equality (2011), employers are obligated to ensure equal pay for equal work and provide equal working conditions. They are also required to "provide professional training opportunities for an employee returning from an absence from work due to childbirth and childcare in order to ensure their competitiveness in the labour market" (Article 11). To support this Law, the National Committee on Gender Equality⁴¹ approved the Intersectoral Strategic Plan for Gender Equality 2022–2031 (2022) as the Government's central gender equality strategy at the national and sectoral levels. The strategy's action plan includes a gender analysis of urban migration (i.e. internal) and addresses relevant issues such as employment and their impact on urban planning.

4.2. Areas with potential for further development

The establishment of formalized criteria for recognizing foreign qualifications in Mongolia is an area for further development. The Mongolian National Council for Education Accreditation (MNCEA), established in 1998, is responsible for accrediting national education programmes. On its website, MNCEA provides a list of Mongolian university programmes that have received international accreditation,⁴² as well as two foreign institutions active in Mongolia that have been accredited by MNCEA itself.⁴³ MNCEA publishes a list of 112 internationally accredited programmes, along with the accreditation criteria for higher education institutions in Mongolia, but it does not outline the criteria for recognition of foreign qualifications. The assessment and approval of foreign qualifications for foreign employees depends on the sector in which they are working. The respective government ministry or agency is responsible for evaluating and approving the qualifications of foreign workers in their specific fields.⁴⁴

The establishment of a scheme for allowing international students to work in the country after graduation presents an area with potential for further development. Once international students graduate, they need to submit to the Immigration Agency of Mongolia a request to change the category of their

⁴¹ The members of the National Committee on Gender Equality is as follows: Chair – the Prime Minister of Mongolia; Vice Chair – the Minister of Labour and Social Protection; members – the Head of the General Election Commission, the Head of the National Statistics Office, a member of the National Human Rights Commission of Mongolia, the State Secretary of the Ministry of Environment and Tourism, the Ministry of Foreign Affairs, the Ministry of Finance, the Ministry of Justice and Home Affairs, the Ministry of Education and Science, the Ministry of Health, the Deputy Governor in charge of air pollution and green development, the President of the Mongolian Women's Federation, the President of the Mongolian Men's Association, the Director of Development Policy Department of the Confederation of Mongolian Trade Union, the Head of the Societal Democracy–Mongolian Women's Association, the Head of the Democratic Women's Union, the President of the Mongolian Journalists' Union, the Executive Director of the Press Institute of Mongolia, the Executive Director of the Independent Research Institute and the Manager of the MONFEMNET National Network.

⁴² See the [list of Mongolian university programmes that have received international accreditation](#).

⁴³ These institutions are the Plekhanov Russian University of Economics and the branch school of Irkutsk State Transport University in Ulaanbaatar.

⁴⁴ For example, the Ministry of Education and Science is in charge of approving the employment of foreign workers in the education sector. The schools and institutions send the required documents such as CVs, diplomas, certificates and other qualification documents to the Ministry for review and approval. These applications are assessed on a case-by-case basis. For other sectors such as health care, the required documents and qualification criteria for foreign workers are further regulated by decree of the Minister of Health. If the criteria are met, the Ministry assesses and approves the applications.

residence permit five days before the permit expires. To apply for an employment visa and work permit, international students need to receive an official invitation letter from their future employer and comply with all other visa and permit requirements.

Mongolia is not actively involved in promoting the creation of formal remittance schemes. Nonetheless, the National Statistics Office has undertaken efforts to gather data on remittance transfers by migrants through a survey. This survey aims to assist government organizations in comprehending the impact of remittance transfers by migrants on the country. As of September 2023, the survey report has not been published.

The promotion of the financial inclusion of migrants and their families is an area for further development.



5

EFFECTIVELY ADDRESS THE MOBILITY DIMENSIONS OF CRISES

5.1. Migration governance: Examples of well-developed areas

There are established measures in Mongolia to manage small-scale population movements during times of crisis, implemented by the State Emergency Commission. The Law on Emergency (1995) outlines procedures for evacuation during a state of emergency, including providing assistance to victims, organizing shelter and food distribution, and if necessary, distributing essential items and establishing procedures for their allocation. The Law also regulates the declaration of a state of emergency by the President, as well as the management and oversight of emergency measures by the National Security Council of Mongolia⁴⁵ under the Office of the President. One of the Council's responsibilities is establishing and operating "an emergency working group with the members of the General Staff of the Armed Forces, the heads of the police, intelligence, and border and state administrative organizations in charge of emergency" (Article 9.9). Under the Law on Disaster Protection (2017), the governors of various administrative divisions, including *aimags* (provinces), the capital city and districts, have the responsibility to "plan, finance, manage and implement disaster protection measures at the territorial level" (Article 32). Additionally, the head of the Emergency Commission in each territorial unit has the authority to declare the level of disaster emergency response, as specified in Article 11.3 of the same Law.

Mongolia participates in regional frameworks that include specific provisions for internal and cross-border movements in the context of climate change, environmental degradation and disasters. One such framework is the Regional Consultative Committee on Disaster Management (RCC), established by the Asian Disaster Preparedness Center in 2000. As a member of the RCC, Mongolia contributes to identifying the disaster-related needs and priorities of countries in Asia and the Pacific. The RCC focuses on promoting cooperative programmes, developing regional action strategies and reducing the impact of disasters. The most recent RCC meeting took place in October 2021.⁴⁶

A communications system is in place to facilitate the flow of information during crises and enable the public to communicate their needs to the Government in Mongolia. The coordination of stakeholders and potential victims in disaster-related activities is regulated by the Law on Disaster Protection. According to Article 29 of the Law, both the Government and the National Emergency Management Agency (NEMA) are responsible for maintaining effective two-way communication during crises. The *Mongolia Disaster Management Reference Handbook*, published by the Center for Excellence in Disaster Management and Humanitarian Assistance in 2022, explains that NEMA operates early warning systems through the Emergency Operations Centre, including the DroughtWatch-Mongolia alerts.⁴⁷ These alerts utilize different platforms, such as the Internet, mobile phone services, and national radio and television, to transmit information about seismic activity and weather forecasts. Furthermore, citizens are required to "promptly and accurately deliver disaster and danger information to relevant organizations", as stated in Article 37 of the Law on Disaster Protection. In line with this Law, NEMA approved its Media and Communication Procedure in 2021, which further guides communication practices during emergencies.

⁴⁵ The National Security Council consists of three members: Khurelsukh Ukhnaa, President of Mongolia, Head of the National Security Council; Zandanshatar Gombojav, Speaker of the Parliament, member of the National Security Council; and Oyun-Erdene Luvsannamsrai, Prime Minister of Mongolia, member of the National Security Council.

⁴⁶ The members are Afghanistan, Bangladesh, Bhutan, Brunei Darussalam, Cambodia, China, Georgia, India, Indonesia, the Islamic Republic of Iran, Jordan, Kazakhstan, the Lao People's Democratic Republic, Malaysia, Maldives, Mongolia, Myanmar, Nepal, Pakistan, Papua New Guinea, the Philippines, the Republic of Korea, Sri Lanka, Thailand, Timor-Leste and Viet Nam. More details on the 16th Regional Consultative Committee meeting, held online on 30 September–1 October 2021, are available in this [article](#) on the Asian Disaster Preparedness Center website.

⁴⁷ DroughtWatch-Mongolia is a system established in 2018 that uses satellite data to provide real-time drought monitoring for disaster prevention and mitigation departments in Mongolia.

5.2. Areas with potential for further development

Although the Law on Emergency states that “foreign nationals ... shall comply with the Law on Emergency as Mongolians do” (Article 25), it does not include specific provisions for their assistance before, during and after crisis in the country. Additionally, the Law on Disaster Protection does not make any specific references to migrants. The National Programme for Community-based Disaster Reduction 2015–2025 (2015) is headed by NEMA and aims to reduce disaster risk by encouraging citizen participation in training and activities related to disaster prevention and response. It seeks to enhance citizens’ knowledge and skills, strengthening their capacity for life skills and safety, reducing potential risks and helping them adapt to climate change. While the Programme targets vulnerable populations such as persons with disabilities, children, elderly citizens and low-income individuals, it does not specifically address the needs of migrants.

Mongolia’s procedure for evacuation in the context of disasters (Government Resolution No. 340 of 2011) aims to protect people, particularly women, children, older people and people with disabilities, during times of disasters by implementing measures such as evacuation and relocation overseen by local governors. However, this regulation does not specifically mention migrants. Furthermore, neither the Law on Emergency, the Law on Disaster Protection nor the National Programme for Community-based Disaster Reduction 2015–2025 contains specific provisions for preventing and addressing the impacts of displacement caused by disasters. NEMA, the public body responsible for dealing with the effects of displacement, publishes data on disaster-related displacement only sporadically and not on a regular basis.

The lack of integration of human mobility considerations into Mongolia’s environmental and climate change policies is an area with potential for further development.

Developing communications systems to receive information about the changing nature of crises and relay how to access assistance, while also considering the unique vulnerabilities faced by migrants, is an area with potential for improvement.

There are no provisions that allow for exceptions to the immigration procedures for migrants originating from countries experiencing a crisis. The Law on the Legal Status of Foreign Nationals (2010, last amended in 2023) acknowledges the right of foreigners to seek political asylum if they face persecution for their ideals (Article 9.1), but it lacks further details regarding this matter. Additionally, there is potential for development in terms of establishing measures to promote the sustainable reintegration of migrants who have fled the country during a crisis. The New Revival Policy of Mongolia was adopted in 2021 as a recovery strategy from the COVID-19 pandemic. However, it solely addresses internal migration issues and does not include specific measures aimed at facilitating the sustainable reintegration of migrants.



6

ENSURE THAT MIGRATION TAKES PLACE IN A SAFE, ORDERLY AND REGULAR MANNER

6.1. Migration governance: Examples of well-developed areas

Mongolia's General Authority for Border Protection, operating under the Ministry of Justice and Home Affairs, is tasked with integrated border control and security, as per the Law on the Borders of Mongolia (2016, last amended in 2023) (Chapter 4). The General Authority is responsible for inspections of the movement of persons crossing the State border, verifying documents at border sites, preventing cross-border crime, and ensuring the observance of the rule of law and the protection of human rights and liberties. The Immigration Agency of Mongolia, as the State administrative body in charge of foreign nationals, is responsible for their exit and deportation, as outlined in the Law on the Legal Status of Foreign Nationals (2010, last amended in 2023). The General Authority for Border Protection and the Immigration Agency share an integrated database system.

The General Authority for Border Protection in Mongolia ensures that its border staff receive regular training in various topics, including ethics and compliance. In collaboration with the Coordination Council of Crimes Prevention and the Border Protection Authority, IOM has also organized several training courses for border officials over the past 10 years, such as identifying and assisting possible victims of trafficking when crossing border checkpoints and identifying false travel documents. The most recent counter-trafficking training was held in April 2023 for all border checkpoint heads.

There are measures to attract nationals who have emigrated from the country. The Government's Concept of Mongolia's Foreign Policy (2011)⁴⁸ prioritizes the creation of favourable legal conditions for citizens living abroad and encourages their return to their homeland, promoting their contribution to society and the economy. The Mongolians of the World Programme II (2021) aims to establish labour exchange to support Mongolian citizens studying and working abroad and to "create a favourable environment for citizens working and living abroad to return to their home country to work as well as to make a contribution to the economic and social development of the country from overseas". Additionally, the Action Plan of the Vision 2050 policy aims to "create opportunities and conditions for [Mongolian citizens abroad] to enjoy their civil rights based on technical and technological achievements, carry out business and volunteer activities, research and analysis aimed at their homeland, and return to their homeland and work".

The Government of Mongolia has measures in place to combat migrant labour exploitation. The Law on Labour Force Migration (2021, last amended in 2023) defines an employee as a citizen, foreigner or stateless person working on the basis of an employment relationship (Article 5.1.1). Additionally, Article 12.1.9 prohibits the employment of minors under the age of 18 and proscribes various forms of exploitative child employment. These forms include work that endangers minors' mental and physical development, endangers their life and health, adversely affects their upbringing and morals, and involves unfair wages.

The Law on Combating Human Trafficking (2012, last amended in 2022) aims "to prevent and stop human trafficking, determine its causes and eliminate it, and regulate relations related to the protection of the rights of victims" (Article 1).⁴⁹ Article 13 focuses on the protection of child victims and states that efforts will be made to identify the child's parents, and that the child will be placed in a shelter separate from adult victims.

⁴⁸ This was approved by Resolution No. 10 of 2011 of the State Great Khural of Mongolia.

⁴⁹ Under Article 3.1, human trafficking refers to "the use of force for the purpose of extorting a person's body, subjecting them to sexual exploitation or violence in other forms, keeping them in slavery or similar conditions, making them perform illegal forced labour, or using their cells and organs for exploitation. Illegal acts include recruiting, transporting, concealing, transferring or receiving a person by means of threats, theft, fraud, deception, abuse of power, taking advantage of their vulnerability, as well as payment or bribery to obtain the consent of a person who controls another person."

In accordance with this Law, the Government of Mongolia approved the National Programme for Combating Human Trafficking 2017–2021 (2017),⁵⁰ which was discontinued at the end of 2021. The Coordination Council of Crimes Prevention, established under the Law on Prevention of Crimes and Offences (2019), operating under the Ministry of Justice and Home Affairs, oversees the annual planning, budgeting and monitoring of the implementation of the national programme to prevent trafficking.

There are measures to identify migrants in vulnerable situations and provide them with adequate referral and protection services, as specified in the Law on Combating Human Trafficking. According to Article 11, if a foreign citizen or stateless person becomes a victim of human trafficking within Mongolia's territory, the responsible State administrative body in charge of immigration or foreign relations will issue a residence permit based on a proposal from the relevant organization. This permit remains valid until the court reviews and resolves the crime. Additionally, comprehensive care and services are provided to victims, including medical treatment and rehabilitation, job placement and training, legal assistance, temporary accommodation and meals, issuance of foreign passports and similar documents, and assistance in returning to their home country.⁵¹ Article 14 of the Law includes a provision to support victims in providing information: "To ensure the safety of a witness who provides a statement crucial for the detection and resolution of a human trafficking crime, or a citizen who provides factual information regarding such a crime, they may be included in the victim protection measures specified in Article 10 of this law."

Mongolia has legal provisions implemented by the Ministry of Labour and Social Protection to protect unaccompanied and separated children, children in need of international protection, and children without parental care. These provisions are applicable to all children, including children of foreigners and stateless persons residing in Mongolia. The Law on the Rights of Children (2016, last amended in 2022) ensures equal treatment for all children (Article 3).⁵² Article 5 of the Law grants rights regarding civil registration, staying with parents or family, and issues related to emigration and seeking refuge. Additionally, Article 7 provides for the children's rights to protection, while Article 11 requires Mongolian government organizations to "determine state and local policies on ensuring children's rights". Accordingly, Article 12 requires authorities "to adopt procedures regulating relations related to the protection of children's rights, assistance and support in emergency situations, and to take necessary measures from time to time".

6.2. Areas with potential for further development

There is no policy or strategy in place that includes measures for promoting and prioritizing non-custodial alternatives to detention. The detention of individuals who have irregularly crossed the country's borders is regulated by the Law on the Borders of Mongolia. The Law on the Legal Status of Foreign Nationals specifies various grounds for detaining foreign nationals, such as disregarding a 10-day departure warning, interfering with deportation procedures or committing other crimes, and lacking proper identification documents (Article 36). It states that detention centres will be established in the capital and at border checkpoints. Furthermore, Article 7 of the Law states that "restrictions on the rights and freedoms of foreign citizens may be imposed by law for reasons of national security and public order". In 2021, the Government of Mongolia approved the Appendix to Government Resolution No. 193 of 2021 on the procedure for deporting foreign nationals from Mongolia and setting up a period that bans re-entry into Mongolia. It outlines measures regarding the deportation, exemption from deportation, and cancellation of deportation of foreign nationals and stateless persons. The Resolution lists 14 reasons for deportation.

⁵⁰ The National Programme for Combating Human Trafficking 2017–2021 (2017) was evaluated and officially closed in 2021.

⁵¹ According to *Baseline Assessment into the Causes, Dynamics, Vulnerability and Resilience Levels to Human Trafficking in Mongolia* (IOM, 2022), the Government of Mongolia has no budget for the provision of protection services to human trafficking victims.

⁵² The Law defines a "child at risk" as a child whose health, life, safety or normal development environment has been lost; who does not have a guardian, supporter or legal representative; or who is in a disaster or emergency situation.

The establishment of a formal governmental programme or specific policy focused on facilitating the reintegration of returning nationals is an area with potential for development, together with the establishment of systems to trace and identify missing migrants within the national territory. In cases of missing migrants, the Immigration Agency informs the consulate of the migrant's home country. Similarly, if a Mongolian citizen abroad is reported missing, the Consular Department of the Ministry of Foreign Affairs shares the information with Mongolian consulates in the country of residence of the missing person, because the Consulate General has a duty to restore the violated rights of Mongolian citizens and legal persons abroad.

After the MGI assessment

IOM would like to thank the Government of Mongolia for its engagement in this process. IOM hopes that the results of this assessment can feed into the Government's strengthening of its migration governance. After an MGI assessment, the following are recommended:



The MGI report can be used to inform policy work with the support of IOM (if desired).



The findings can feed into capacity-building activities, which may connect to other IOM initiatives.



A follow-up assessment can be conducted after three years to verify progress.



Governments can exchange best practices and innovative solutions with other governments that have conducted the MGI process.



ANNEXES

Summary of the discussions of the national consultation on the Migration Governance Indicators (MGIs) process in Mongolia (26–29 August 2023)

The national consultation on the MGI process took place on 26–29 August 2023, in Ulaanbaatar, Mongolia, co-organized by the Government of Mongolia and IOM. The consultation brought together more than 30 representatives from various sectors, including the Mongolian Government, comprising ministries and local authorities, civil society organizations, and representatives from academic institutions. During the event, participants collectively evaluated the identified priorities. The outcomes were then presented, and valuable insights into migration governance in Mongolia were exchanged in six thematic discussions. Perspectives for future enhancements were also shared, contributing to the finalization of the report.

Key findings

- Migration issues are officially integrated into policymaking through a comprehensive approach.
- The draft report reflects international migration issues well. The Government of Mongolia has placed greater emphasis on internal migration issues, officially extending the Working Group on Urban-to-Rural Migration into a National Committee led by the Prime Minister. Its initial focus is amending land laws.
- To support “reverse migration”,⁵³ the Government of Mongolia plans to amend 11 laws and 31 decrees in the upcoming months.

Recommendations

- Develop a national strategy for migration issues, encompassing international and internal aspects.
- Clearly define the terms of reference for the National Committee, ensuring that members understand their responsibilities.
- Foster collaboration between the National Committee and other national partners and agencies.
- Establish an effective and inclusive institutional mechanism to encourage collective responsibility.
- Ensure interministerial and sectoral coordination among agencies.
- Strengthen the partnership between IOM and the Government of Mongolia.
- Prioritize resource mobilization for successful policy implementation.
- Monitor the implementation of existing migration-related programmes promptly.
- Focus on capacity-building at different government levels, including policy development and local information dissemination.
- Incorporate diaspora issues into policymaking, given the completed diaspora research.
- Address the gap in reflecting internal migration topics in Vision 2050 and the New Revival Policy, by incorporating migration mainstreaming into the seven targeted programmes to be presented to the Government during the autumn session.

⁵³ In this context, “reverse migration” refers to the movement of individuals or groups of people back to their place of origin or their home country after having previously immigrated.

The MGI process



1

Launch of the MGI process

The first step of the process is to explain what the MGIs entail to key government officials, in order to ensure full understanding of the project and complete buy-in.



2

Data collection

The second step of the process is to start the collection and analysis of data, based on about 90 indicators grounded in the six dimensions of the MiGOF. A migration governance profile based on the analysis of the findings is then drafted and shared with the government counterparts.



3

Interministerial consultation

The third step of the process is to convene an interministerial consultation where all relevant ministries and other stakeholders discuss the good practices and main areas that could be developed further as identified in the draft migration governance profile, as well as priorities on the way forward. It is also an opportunity for them to comment and provide suggestions on the draft profile.



4

Publication of the report on the Global Migration Data Portal

After the migration governance profiles are finalized and vetted by government counterparts, they are published on the [Migration Data Portal](#) and the [IOM Publications Platform](#).



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