

CHAPTER THREE
THE STRUCTURE OF THE STATE

I. THE STATE IH HURAL OF MONGOLIA

ARTICLE 20

THE STATE IH HURAL OF MONGOLIA IS THE HIGHEST ORGAN OF STATE POWER AND THE SUPREME LEGISLATIVE POWER SHALL BE VESTED ONLY IN THE STATE IH HURAL.

ARTICLE 21

- 1. THE STATE IH HURAL SHALL HAVE ONE CHAMBER AND CONSIST OF 76 MEMBERS.**
- 2. THE MEMBERS OF THE STATE IH HURAL SHALL BE ELECTED BY CITIZENS OF MONGOLIA ENTITLED TO VOTE, ON THE BASIS OF UNIVERSAL, FREE, DIRECT SUFFRAGE BY SECRET BALLOT FOR A TERM OF FOUR YEARS.**

3. **CITIZENS OF MONGOLIA WHO HAVE REACHED THE AGE OF 25 YEARS AND ARE ELIGIBLE FOR ELECTIONS MAY BE ELECTED TO THE STATE IH HURAL.**
4. **THE PROCEDURE OF THE ELECTION OF MEMBERS OF THE STATE IH HURAL SHALL BE DEFINED BY LAW.**

ARTICLE 22

1. **IF EXTRAORDINARY CIRCUMSTANCES ARISING FROM SUDDEN CALAMITIES OCCURRING IN THE WHOLE OR A PART OF THE COUNTRY, THE IMPOSITION OF MARTIAL LAW OR THE OUTBREAK OF PUBLIC DISORDER PREVENT REGULAR GENERAL ELECTIONS FROM BEING HELD, THE STATE IH HURAL SHALL RETAIN ITS MANDATE UNTIL THE EXTRAORDINARY CIRCUMSTANCES CEASE TO EXIST AND THE NEWLY ELECTED MEMBERS OF THE STATE IH HURAL ARE SWORN IN.**
2. **THE STATE IH HURAL MAY DECIDE ON ITS DISSOLUTION IF NOT LESS THAN TWO THIRDS OF ITS MEMBERS CONSIDER THAT THE STATE IH HURAL IS UNABLE TO CARRY OUT ITS MANDATE, OR IF THE PRESIDENT IN CONSULTATION WITH THE CHAIRMAN OF THE STATE IH HURAL, PROPOSES TO DO SO FOR THE SAME REASON. IN CASE OF SUCH A DECISION, THE STATE IH HURAL SHALL EXERCISE ITS POWERS UNTIL THE NEWLY ELECTED MEMBERS OF THE STATE IH HURAL ARE SWORN IN.**

ARTICLE 23

1. **A MEMBER OF THE STATE IH HURAL SHALL BE AN ENVOY OF THE PEOPLE AND SHALL REPRESENT AND UPHOLD THE INTERESTS OF ALL THE CITIZENS AND THE STATE.**
2. **THE MANDATE OF A MEMBER OF THE STATE IH HURAL SHALL BEGIN WITH AN OATH TAKEN BEFORE THE STATE EMBLEM AND EXPIRE WHEN NEWLY ELECTED MEMBERS OF THE STATE IH HURAL ARE SWORN IN.**

ARTICLE 24

1. **THE CHAIRMAN AND VICE-CHAIRMAN OF THE STATE IH HURAL SHALL BE NOMINATED AND ELECTED FROM AMONG THE MEMBERS OF THE STATE IH HURAL BY SECRET BALLOT.**
2. **THE TERM OF OFFICE OF THE CHAIRMAN AND VICE-CHAIRMAN OF THE STATE IH HURAL SHALL BE FOUR YEARS. THEY CAN BE RELIEVED OF OR REMOVED FROM THEIR POSTS BEFORE THE EXPIRY OF THEIR TERMS FOR REASONS DEFINED BY LAW.**

ARTICLE 25

1. **THE STATE IH HURAL MAY CONSIDER AT ITS INITIATIVE ANY ISSUE PERTAINING TO DOMESTIC AND FOREIGN POLICIES OF THE**

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- 1) TO ENACT LAWS AND MAKE AMENDMENTS TO THEM;
 - 2) TO DEFINE THE BASIS OF THE DOMESTIC AND FOREIGN POLICIES OF THE STATE;
 - 3) TO SET AND ANNOUNCE THE DATE OF ELECTIONS OF THE PRESIDENT AND THE STATE IH HURAL AND ITS MEMBERS;
 - 4) TO DETERMINE AND CHANGE THE STRUCTURE AND COMPOSITION OF THE STANDING COMMITTEES OF THE STATE IH HURAL, THE GOVERNMENT AND OTHER BODIES DIRECTLY ACCOUNTABLE TO IT ACCORDING TO LAW;
 - 5) TO PASS A LAW RECOGNISING THE FULL POWERS OF THE PRESIDENT AFTER HIS/HER ELECTION AND TO RELIEVE OR REMOVE THE PRESIDENT;
 - 6) TO APPOINT, REPLACE OR REMOVE THE PRIME MINISTER, MEMBERS OF THE GOVERNMENT AND OTHER BODIES RESPONSIBLE AND ACCOUNTABLE TO THE STATE IH HURAL AS PROVIDED FOR BY LAW;
 - 7) TO DEFINE THE STATE'S FINANCIAL, CREDIT, TAX AND MONETARY POLICIES; TO LAY DOWN THE GUIDELINES FOR THE COUNTRY'S ECONOMIC AND SOCIAL DEVELOPMENT; TO APPROVE THE GOVERNMENT'S PROGRAM OF ACTION, THE STATE BUDGET AND THE REPORT ON ITS EXECUTION;
 - 8) TO SUPERVISE THE IMPLEMENTATION OF LAWS AND OTHER DECISIONS OF THE STATE IH HURAL;
 - 9) TO DEFINE THE STATE BORDERS;
 - 10) TO DETERMINE THE STRUCTURE, COMPOSITION AND POWERS OF THE NATIONAL SECURITY COUNCIL OF MONGOLIA;
 - 11) TO APPROVE AND CHANGE THE ADMINISTRATIVE AND TERRITORIAL DIVISIONS OF MONGOLIA ON THE RECOMMENDATION OF THE GOVERNMENT;
 - 12) TO DETERMINE THE LEGAL BASIS OF THE SYSTEM, STRUCTURE AND ACTIVITIES OF LOCAL SELF-GOVERNING AND ADMINISTRATIVE BODIES;
 - 13) TO INSTITUTE HONORIFIC TITLES, ORDERS, MEDALS AND HIGHER MILITARY RANKS; TO DETERMINE THE TABLE OF RANKS IN SOME SPECIAL FIELDS OF STATE SERVICE;
 - 14) TO ISSUE ACTS OF AMNESTY;
 - 15) TO RATIFY AND DENOUNCE INTERNATIONAL AGREEMENTS TO WHICH MONGOLIA IS A PARTY; TO ESTABLISH AND SEVER DIPLOMATIC RELATIONS WITH FOREIGN STATES ON THE RECOMMENDATION OF THE GOVERNMENT;
 - 16) TO HOLD NATIONAL REFERENDUMS; TO VERIFY THE VALIDITY OF A REFERENDUM IN WHICH THE MAJORITY OF ELIGIBLE CITIZENS HAS TAKEN PART; AND TO ABIDE BY AND GIVE EFFECT TO THE DECISION OF THE MAJORITY IN A REFERENDUM;

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- RESCIND IT;**
- 18) TO DECLARE A STATE OF EMERGENCY OR MARTIAL LAW IN THE WHOLE OR SOME PARTS OF THE COUNTRY IN SPECIAL CIRCUMSTANCES DESCRIBED IN PARAGRAPHS 2 AND 3 OF THIS ARTICLE, AND TO APPROVE OR NULLIFY THE PRESIDENT'S DECREE TO THAT EFFECT.**
- 2. UNDER THE FOLLOWING EXTRAORDINARY CIRCUMSTANCES THE STATE IH HURAL MAY DECLARE A STATE OF EMERGENCY TO ELIMINATE THE CONSEQUENCES THEREOF AND TO RESTORE THE LIFE OF THE POPULATION AND SOCIETY TO THE NORM:**
- 1) IF NATURAL DISASTERS OR OTHER UNFORESEEN DANGERS OCCUR WHICH HAVE THREATENED OR MAY THREATEN DIRECTLY THE LIFE, HEALTH, WELL BEING AND SECURITY OF THE POPULATION INHABITING THE WHOLE OR A PART OF THE COUNTRY'S TERRITORY;**
- 2) IF STATE AUTHORITIES ARE NOT ABLE WITHIN LEGAL LIMITS TO COPE WITH PUBLIC DISORDERS CAUSED BY ORGANISED, VIOLENT, ILLEGAL ACTIONS OF ANY ORGANISATION OR A GROUP OF PEOPLE THREATENING THE CONSTITUTIONAL ORDER AND THE EXISTENCE OF THE LEGITIMATE SOCIAL SYSTEM.**
- 3. THE STATE IH HURAL MAY DECLARE MARTIAL LAW IF PUBLIC DISORDER IN THE WHOLE OR A PART OF THE COUNTRY'S TERRITORY RESULTS IN ARMED CONFLICT OR CREATES A REAL THREAT OF ARMED CONFLICT, OR IF THERE IS ARMED AGGRESSION OR A REAL THREAT OF AGGRESSION FROM OUTSIDE.**
- 4. THE OTHER POWERS, STRUCTURE AND THE PROCEDURES OF THE STATE IH HURAL SHALL BE DEFINED BY LAW.**

ARTICLE 26

- 1. THE PRESIDENT, MEMBERS OF THE STATE IH HURAL AND THE GOVERNMENT SHALL HAVE THE RIGHT TO INITIATE LEGISLATION.**
- 2. CITIZENS AND OTHER ORGANISATIONS SHALL FORWARD THEIR SUGGESTIONS ON PROPOSED LAWS TO THOSE ENTITLED TO INITIATE A LAW.**
- 3. THE STATE IH HURAL SHALL OFFICIALLY PROMULGATE NATIONAL LAWS THROUGH PUBLICATION AND, UNLESS A LAW PROVIDES OTHERWISE, IT SHALL BE EFFECTIVE 10 DAYS AFTER THE DAY OF PUBLICATION.**

ARTICLE 27

- 1. THE STATE IH HURAL SHALL EXERCISE ITS POWERS THROUGH ITS SESSIONS AND OTHER ORGANISATIONAL FORMS.**
- 2. REGULAR SESSIONS OF THE STATE IH HURAL SHALL BE CONVENED ONCE EVERY SIX MONTHS AND SHALL LAST NOT LESS THAN 75 WORKING DAYS ON EACH OCCASION.**
- 3. EXTRAORDINARY SESSIONS MAY BE CONVENED AT THE DEMAND OF MORE THAN ONE THIRD OF THE MEMBERS OF THE STATE IH HURAL, OR ON THE INITIATIVE OF THE PRESIDENT AND THE CHAIRMAN OF THE STATE IH HURAL.**
- 4. THE PRESIDENT SHALL CONVOKE THE FIRST SESSION OF THE STATE IH HURAL WITHIN 30 DAYS FOLLOWING THE ELECTIONS. OTHER SESSIONS SHALL BE CONVOKED BY THE CHAIRMAN OF THE STATE IH HURAL.**
- 5. IN CASE OF THE PROCLAMATION BY THE PRESIDENT OF A STATE OF EMERGENCY OR WAR, THE STATE IH HURAL SHALL BE CONVENED FOR AN EXTRAORDINARY SESSION WITHIN 72 HOURS WITHOUT PRIOR ANNOUNCEMENT.**
- 6. THE PRESENCE OF AN OVERWHELMING MAJORITY OF THE MEMBERS OF THE STATE IH HURAL SHALL BE REQUIRED TO CONSIDER A SESSION VALID, AND DECISIONS SHALL BE TAKEN BY A MAJORITY OF ALL MEMBERS PRESENT AND VOTING UNLESS THE CONSTITUTION AND OTHER LAWS PROVIDE OTHERWISE.**

ARTICLE 28

- 1. THE STATE IH HURAL SHALL HAVE STANDING COMMITTEES DEALING WITH SPECIFIC FIELDS.**
- 2. THE STATE IH HURAL SHALL DETERMINE THE COMPETENCE, STRUCTURE AND PROCEDURES OF THE STANDING COMMITTEES.**

ARTICLE 29

- 1. MEMBERS OF THE STATE IH HURAL SHALL BE REMUNERATED FROM THE STATE BUDGET DURING THEIR TERM AND SHALL NOT HOLD CONCURRENTLY ANY POSTS AND EMPLOYMENT OTHER THAN THOSE ASSIGNED BY LAW.**
- 2. IMMUNITY OF MEMBERS OF THE STATE IH HURAL SHALL BE PROTECTED BY LAW.**
- 3. IF A QUESTION ARISES THAT A MEMBER OF THE STATE IH HURAL IS INVOLVED IN A CRIME, IT SHALL BE CONSIDERED BY THE SESSION OF THE STATE IH HURAL WHICH SHALL DECIDE WHETHER TO SUSPEND HIS/HER MANDATE. IF A COURT PROVES THE MEMBER IN QUESTION TO BE GUILTY OF CRIME, THE STATE IH HURAL SHALL TERMINATE HIS/HER MEMBERSHIP IN THE LEGISLATURE.**