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## NUCLEAR-WEAPON-FREE STATUS OF MONGOLIA

**Declared:** 25 September 1992

**Entered into Force:** 3 February 2000

### Treaty Text

**Background:** A comprehensive study conducted in 1976, in accordance with the Resolution 3261 F of the UN General Assembly in 1974, provided for the possibility of a single-State nuclear-weapon-free zone (SS-NWFZ). The study concluded that “obligations relating to the establishment of nuclear-weapon-free zones may be assumed not only by groups of States, including entire continents or large geographical regions, but also by small groups of States and even individual countries.”

**Treaty Obligations:** An individual, legal person or any foreign State shall be prohibited on the territory of Mongolia from committing, initiating, or participating in the following acts or activities relating to nuclear weapons: 1) developing, manufacturing, or otherwise acquiring, possessing, or having control over nuclear weapons; 2) stationing or transporting nuclear weapons by any means; 3) dumping or disposing nuclear weapons-grade radioactive material or nuclear waste.

Transportation through the territory of Mongolia of nuclear weapons, parts, or components thereof, as well as of nuclear waste or any other nuclear material designed or produced for weapons purposes shall be prohibited.

**Treaty Zone:** The Treaty covers the territory of Mongolia in its entirety, including its air space, land, waters, and the sub-soil.

### **Verification and Compliance:**

**Verification:** Verification is to be achieved in cooperation with the relevant international organizations or by concluding special international agreements. National Verification: The Mongolian government has the right to gather information, stop, detain, and search any suspected aircraft, train, vehicle, individual, or group of persons. The central administrative authority in charge of foreign relations shall be entrusted with monitoring the compliance with the present law and the international commitments assumed by Mongolia in connection with the nuclear-weapon-

free status. Non-governmental organizations or individuals may, within the mandate provided for by the legislation, exercise public oversight of the implementation of the legislation on the nuclear-weapon-free status and submit proposals thereon to the relevant State authority. International Verification: Mongolia shall conduct international verification of the implementation of the present law in cooperation with the relevant international organizations or by concluding special international agreements thereon. In case of violation or suspected violation of the present law by a foreign State, Mongolia shall officially notify the State concerned of the violation or suspected violation, request an explanation, and peacefully resolve any question that may arise. If deemed necessary, the International Atomic Energy Agency (IAEA) and other relevant bodies could be asked for assistance. In case of a dispute, the issue could be submitted to the relevant international court or arbitration.

**Compliance:** An individual or legal person that violates the present law shall be held liable in accordance with the Criminal Code and shall pay compensation for the damage caused to the interests of Mongolia as well as to the population, the environment, and the properties in accordance with the relevant legislation of Mongolia or in conformity with the appropriate international treaty and the principles and norms of international law.

### **Developments:**

**2012:** On 27 April the First Preparatory meeting for the Third Conference of States Parties and Signatories that established nuclear-weapon-free zones and Mongolia was held in Vienna with J. Enkhsaikhan, the Permanent Representative of Mongolia to the UN office at Vienna. [The preparatory meeting](#) discussed future activities of the nuclear-weapon-free nations. This meeting also established that the Third Conference of the Nuclear-Weapon-Free Zones and Mongolia would take place in 2015 in Vienna. It was announced that Indonesia will chair the third NWFZM conference in 2015. Most importantly, the meeting’s results were submitted to the Preparatory Committee meeting (PrepCom) of the NPT in May 2012.

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On 7 May, Ambassador J. Enkhsaikhan of Mongolia [proposed to the P5](#) two draft declarations to strengthen Mongolia's nuclear-weapon-free zone status. This [new agreement](#) of security assurances would allow the P5 to officially recognize Mongolia's status as a non-nuclear state. The Ambassador averred that being recognized internationally as a non-nuclear weapon state status is Mongolia's main priority. He stated that nuclear weapons will not be stored in Mongolia nor will Mongolia maintain nuclear weapons. Regarding status recognition, he urged the P5 to meet again with Mongolia, either together or through a single representative from one P5 state, to agree on the content and format of the assurance. He hoped that an agreement could be reached by the time the P5 meets in Washington in June, and that an appropriate assurance would be formalized at the opening of the UN General Assembly or, if the P5 needs more time, at the meeting of the First Committee.

On 17 September, the Permanent Representatives to the United Nations of the five nuclear weapon states (NWS) – the United States, Russia, China, United Kingdom and France – and the Permanent Representative of Mongolia to the United Nations signed parallel political declarations regarding Mongolia's nuclear-weapon-free status. As a part of the declaration, the P5 reaffirmed the joint statement on security assurances they made in connection with Mongolia's nuclear-weapon-free status at the UNGA on 5 October 2000. In addition, the P5 also affirmed their intent to respect Mongolia's nuclear-weapon-free status and not to contribute to any act that would violate it. As a part of the parallel political declaration, Mongolia confirmed that it has and will continue to fully comply with its commitments as a non-nuclear-weapon state (NNWS) party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and pursuant to its own domestic law of 3 February 2000, has the domestic legal status of being nuclear weapon free.

**2011:** On 26 June the President of Mongolia Elbegdorj Tsakhia and U.S. President Barack Obama reaffirmed their comprehensive partnership. The two presidents stressed their shared [intention](#) to straightening trade, investment and people-to-people ties between the two countries, thus spurring economic growth and stronger friendship. The two sides emphasized their commitments to promoting democracy and freedom world wide and building more prosperous Asia-Pacific region. The United States congratulate Mongolia on its status as a Nuclear Weapons Free Zone and supported the Mongolia Nuclear Initiative. Mongolia expressed its support for President

Obama's vision of a "[New International Framework](#)" addressed during his visit to Prague.

**2010:** On 24-25 March, Mongolia and the IAEA held consultative meeting where they discussed the possibility of strengthening Mongolia's nuclear-weapon-free status through international laws, the IAEA's role in enforcing those laws, and ways Mongolia can improve its legal infrastructure in the areas of atomic and radiation safety.

On April 30, the Second Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia and Mongolia was held in New York. The conference adopted the [Outcome Document](#) which reiterated the final declaration of the 2005 Conference and welcomed the entry into force of the African and Central Asian NWFZs as well as the efforts of Mongolia to institutionalize its nuclear weapons free status. It further called on the nuclear-weapon states to sign all relevant protocols and withdraw existing reservations. **2009:** On 12 January, the 63<sup>rd</sup> UNGA adopted [Resolution 63/56](#) entitled "Mongolia's international security and nuclear-weapon-free status."

On 3-4 March, at the UN office in Geneva, Mongolia, Russia and China held their first meeting to discuss Mongolia's draft trilateral treaty regarding its NWFZ status.

On 27 April, the coordinators of Mongolia's nuclear-weapon free status met in Ulaanbaatar to discuss increased interaction between Mongolia and NWFZs, discuss plans for the second conference of NWFZ member states, and prepare for the 2010 Non-Proliferation Treaty (NPT) Review Conference.

In September 27, a second trilateral meeting took place in Geneva where Russia and China presented Mongolia with joint questions. However, negotiations of a draft treaty have not yet begun which would institutionalize its status.

**2008:** On 14 July, the [UN Secretary-General issued a report](#) stating that Mongolia has continued to seek international recognition for and the institutionalization of its NWF status through the conclusion of a legally binding instrument between Mongolia, Russia and China. The Secretary-General also stated in the report that he hopes the UN will further contribute to consolidating Mongolia's NWF status.

**2007:** In September, Mongolia presented a draft trilateral treaty to China and Russia.

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**2006:** On 6 December, the 61<sup>st</sup> UNGA adopted [Resolution 61/87](#) entitled “Mongolia’s international security and nuclear-weapon-free status.”

**2005:** On 26-28 April, the Conference of States Parties and Signatories of Treaties that establish Nuclear-Weapon-Free Zones was held in Tlatelolco, Mexico, of which Mongolia was a participant. The Conference affirmed the recognition and full support of Mongolia’s nuclear-weapons-free status.

**2004:** On 3 December, the 59<sup>th</sup> UNGA adopted [Resolution 59/73](#) entitled “Mongolia’s international security and nuclear-weapon-free status.”

**2002:** On 30 September-1 November, at the 57<sup>th</sup> session of the UN General Assembly (UNGA) First Committee, Mongolia expressed its support of consolidation of existing and establishment of new nuclear-weapon-free (NWF) zones. It welcomed an agreement reached among the five Central Asian States on the content of a treaty establishing a NWF zone in that region, stressing that the new treaty could make a significant contribution to strengthening nuclear nonproliferation.

On 22 November, the 57<sup>th</sup> UNGA adopted [Resolution 57/67](#) entitled “Mongolia’s international security and nuclear-weapon-free status.”

**2001:** On 5-6 September, the UN Asia-Pacific Regional Centre organized a non-governmental expert group meeting on Mongolia’s NWF status in Sapporo, Japan. Experts from the five nuclear-weapon States (NWS) and Mongolia examined the issue and came to agreed conclusions and recommendations. In line with those recommendations, Mongolia proposed to institutionalize its NWF status by concluding a multilateral agreement, to which China and Russia have in principle responded positively.

**2000:** On 28 February, Ambassador Jargalsaikhany Enkhsaikhan, Permanent Representative of Mongolia to the UN, transmitted to the Secretary-General the text of the “Law of Mongolia on its nuclear-weapon-free status,” adopted by the Parliament of Mongolia on 3 February 2000 and entered into force that same day. The law prohibits an individual, legal person, or any foreign State on the territory of Mongolia from developing, manufacturing or otherwise acquiring, possessing, or having control over nuclear weapons; stationing or transporting nuclear weapons by any means; testing or using nuclear weapons; dumping or disposing nuclear weapons-grade radioactive material or nuclear waste, and transporting nuclear weapons, parts, or components thereof, as well as nuclear waste or any other nuclear material designed or produced for weapons purposes through the territory of Mon-

golia. The law does not prohibit the peaceful use of nuclear energy. Upon the adoption of the legislation, the State Hural (national parliament) issued a resolution that required the government to actively cooperate with and acquire assistance from the relevant States, and international organizations, including the [International Atomic Energy \(IAEA\)](#), in implementing the law.

In October, during the 55<sup>th</sup> UNGA session, the NWS submitted a joint statement entitled “Statement on security assurances in connection with Mongolia’s nuclear-weapon-free status.” They reaffirmed their commitment to cooperate with Mongolia in implementing resolution 53/77 with respect to Mongolia’s NWF status.

On 20 November, the 55<sup>th</sup> UNGA adopted [Resolution 55/33 S](#) entitled “Mongolia’s international security and nuclear-weapon-free status.”

**1998:** On 4 December, the 53<sup>rd</sup> UNGA adopted, without a vote, [Resolution 53/77 D](#), entitled “Mongolia’s international security and nuclear-weapon-free status,” which stated the international community’s unanimous support for Mongolia’s efforts to strengthen regional stability and invited UN Member States to cooperate with Mongolia to ensure its international security and NWF status.. Each of the five NWS has also declared its support bilaterally.

**1997:** In April 1997, Mongolia tabled a working paper (A/CN.10/195) at the UN Disarmament Commission (UNDC) on the principles of establishment of a SS-NWFZ. This working paper enumerated six principles for establishing single-State NWFZ: 1) total absence of nuclear weapons or parts thereof on the territory of the zonal State; 2) adoption of a legally binding document; 3) general agreement freely arrived at with neighboring and NWS; 4) absence of territorial or border disputes with neighboring States; 5) effective verification and control arrangements; and 6) recognition of the zone as such by the General Assembly. Bearing in mind specifics of the single-State zone, the Mongolian delegation proposed that the guidelines for establishing SS-NWFZ be considered in parallel with guidelines for traditional zones, while the actual drafting of a SS-NWFZ could be undertaken separately.

The Mongolian delegation at the UNDC argued that the creation of single-State zones could not be ruled out in the future, especially bearing in mind that more than one-third of the entire membership of the United Nations was not covered by existing or emerging zones. It was pointed out that compared with existing zones; the single-State zone had its obvious ad-

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vantages. The geographical scope of the zone was well-developed. There was also no need for intra-zonal negotiations or coordination. The Mongolian delegation expressed its belief that an essential requirement was for the zonal State not to have any territorial or border problems with its neighbors and that the zone required the support of immediate neighbors and of the NWS.

The NWS seemed reluctant to accept SS-NWFZs as a concept, since they believed that this might set a precedent for other States to declare themselves as SS-NWFZ with all the attendant international consequences. At the same time, the NWS recognized the legitimacy of Mongolia's situation.

**1993:** On 20 January, the Russian Federation, through a bilateral friendship treaty concluded with Mongolia, pledged respect for Mongolia's policy of non-deployment and a ban on transit through its territory of foreign troops as well as nuclear and other weapons of mass destruction.

On 22 October, China welcomed and supported Mongolia's status as a NWF State. Also in the fall, the United States commended Mongolia's continued adherence to the [Non-Proliferation \(NPT\)](#), as well as its decision to declare Mongolia a NWFZ, and said that NPT-related security assurances would apply to Mongolia. In November 1993 and in January 1994, respectively, the United Kingdom and France both expressed their support for Mongolia's NWF status and reiterated their NPT-related security assurances.

**1992:** On 25 September, the Mongolian government declared itself a SS-NWFZ when Mongolian President Punsalmaagin Ochirbat announced before the 47<sup>th</sup> session of the UNGA that Mongolia's territory would be a NWFZ and that it would work to have its status internationally recognized. Its NWF policy includes non-deployment and a ban on transit through its territory of foreign troops, as well as nuclear and other weapons of mass destruction.