

Protected Area Status in Mongolia

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Policy and Legislation

Under the present constitution that was revised in 1992 all land, forests, water, fauna, and flora and other natural resources in Mongolia belong exclusively to the people and are under State protection. Apart from some limited areas given to the citizens of Mongolia for private ownership, the land as well as the subsoil with its mineral wealth, forests, water resources, and game, is State owned.

The tradition for protecting nature goes back to the 13th century when many forested hills were protected as holy areas. Kublai Khan, grandson of Ghengis Khan (Chinggis Khaan), extended protection to forests and also decreed a law in the 13th century forbidding hunting of any game during the summer months under penalty of death. The introduction of Buddhism from Tibet in the 16th and 17th centuries provided further protection for animals and for the establishment of the first protected areas in the late 1700s (Nowak, 1970).

The Great Khural (Parliament) passed the Decree on the Rational Utilization of Natural Resources and the Protection of the Natural Environment on 30 June 1972. This law requires every person to act for the good of nature and for the protection of natural resources (Borisov *et al.*, 1985; Kosmider, 1985).

In the early 1970s a number of laws relating to environmental protection were introduced: a second Law on Land Use in 1971 (revised November 1994); a Law on Hunting 6 January, 1972 (originally drawn up in 1934, revised in 1944, issued in 1962) (revised in May 1995); a Law on Water and a Law on Forests 1974 (revised in 1995). The Mongolian Law on Special Protected Areas (adopted 1994), the Law on Special Protected Area Buffer Zones (1997), the Mongolian Law on Environmental Protection (1995), the Mongolian Law on Natural Plants (1995), the Law on Protection from Toxic Chemicals (1995), the Mongolian Law on Water and Mineral Water Use Fees (1995), the Law on Fees for Harvest of Forest Timber and Fuel Wood (1995), the Mongolian Law on Natural Plant Use Fees (1995).

The Mongolian Law on Environmental Protection of March 1995 proclaims that 'land and its soil, underground resources and their mineral wealth, water, plants, animals, and air will be protected from any adverse effects to prevent ecological imbalance'. The purpose of this law is to regulate the interrelations between the state, citizens, economic entities and organizations in order to guarantee the human right to live in a healthy and safe environment, with ecologically balanced social and economic development, protection of the environment for present and future generations and proper use of natural resources. Environmental impact assessment is incorporated into Article 9 of the Mongolian Law on Environmental Protection in which it is stipulated that 'environmental impact assessment shall be conducted for the development of proposals and programs, as well as for establishing contracts for the operation, initiation, and expansion of production or services which may have adverse environmental impacts'. It clarifies the state organizations plenary rights on environmental protection as well as rights and obligation of citizens on environment protection.

The National Program on Special Protected Areas was enacted in April 1998 by the Great Khural (Parliament) Act Number 29. This program defines the main policy of Mongolian Government and implementation strategy related to the Special Protected Area for the next 20 years. Mongolian government plans to extend the network of protected areas in the future by gradually placing under state special protection areas of ecological importance and which support threatened wildlife and biodiversity. The plan aims to increase the territory of protected areas up to 20 % of the total area of Mongolian territory by 2001-2005, 25% by 2006-2010, and 30% by 2011-2030. The implementation strategy describes guidelines for protected areas designation and expansion of the protected areas network, legislation enforcement and the organizational structure of protected area administration. It is also provides guidance on research and monitoring in protected areas, public