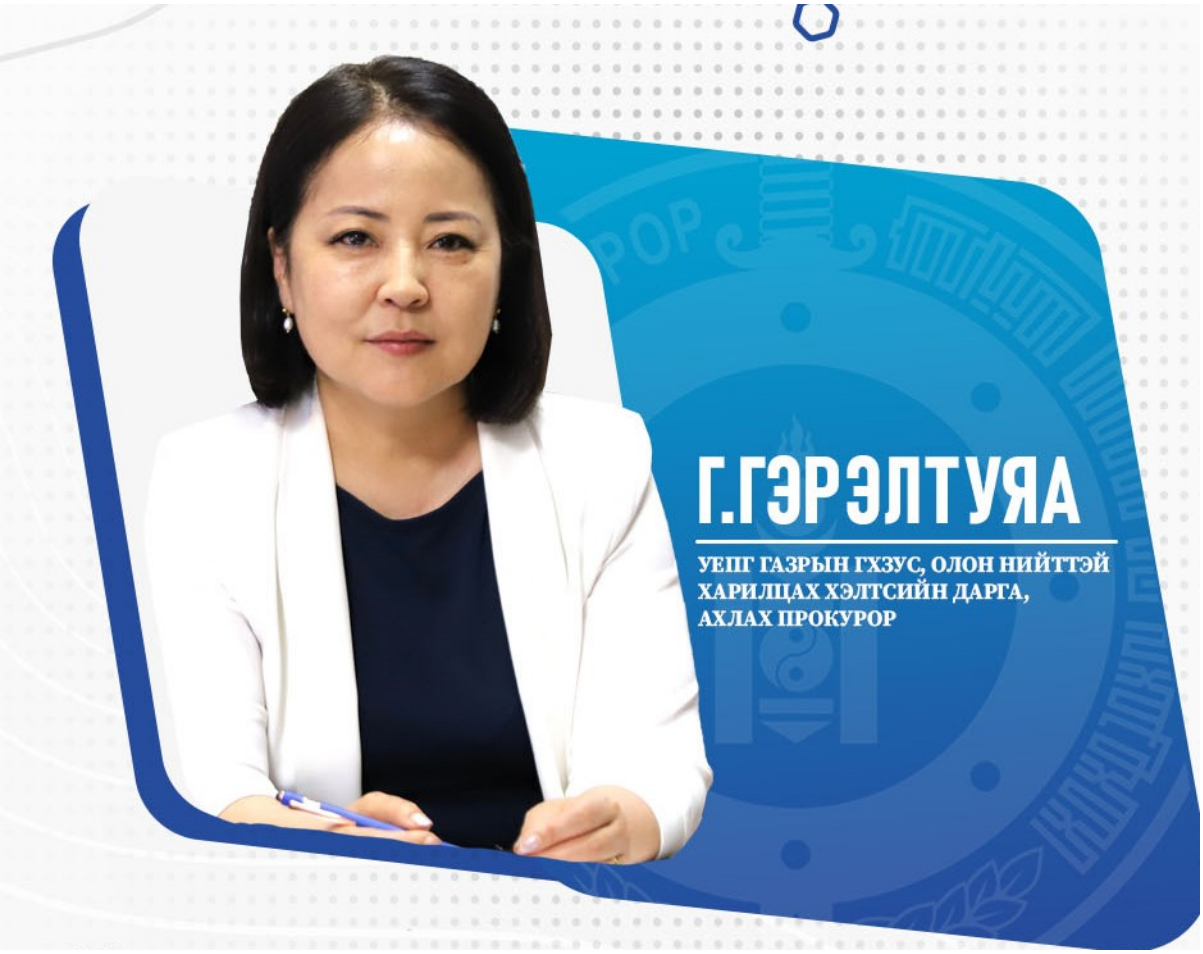
INTERVIEWS AND ARTICLES · 2026 оны 7-р сарын 7

G.Gereltuya: Damage Caused to the Environment Is Not Being Adequately Compensated



The prosecution service has studied crimes and infringements against the environment and launched an advocacy campaign aimed at preventing crimes and infringements of this kind. We present our interview on this subject with G.Gereltuya, Head of the Crime and Infringement Prevention and Public Relations Division of the Prosecutor General's Office and senior prosecutor.



The prosecution service has conducted a fairly extensive study of the occurrence and resolution of crimes and infringements against the environment. Could you share the statistics from the study on crimes of this kind?

-The general plan of measures for implementing in 2026-2030 the recommendations submitted by the United Nations Human Rights Council, approved by Resolution No. 73 of 2026 of the Government of Mongolia, provides that the PGO is responsible for studying the occurrence and resolution of crimes and infringements against the environment, and for organizing in stages advocacy campaigns for citizens and legal entities on issues such as protecting the

орчныг хамгаалах, уур амьсгалын зэрэг асуудлаар иргэн, хуулийн этгээдэд нөлөөллийн кампанит ажлыг үе шаттай зохион байгуулахыг УЕПГ хариуцан хэрэгжүүлэхээр тусгасан. Уг ажлын хүрээнд Прокурорын байгууллагаас Хүрээлэн байгаа орчны эсрэг гэмт хэрэг, зөрчлийн шалтгаан нөхцөлийг таван жилийн байдлаар судаллаа. Судалгааны мөрөөр улсын хэмжээнд энэ төрлийн гэмт хэрэг, зөрчлөөс урьдчилан сэргийлэх, нийтийн эрх ашгийг хамгаалах, иргэдийн эрх зүйн мэдлэгийг дээшлүүлэх, соён гэгээрүүлэх зорилгоор “Хамгаалсан байгаль-Бидний ирээдүй” нөлөөллийн арга хэмжээг эхлүүлээд байна.

> Over the past five years, the prosecution service has supervised 4105 cases against the environment, issued indictments in 2333 cases, and transferred them to court for resolution.

Chapter 24 of the Criminal Code establishes a total of 10 crimes against the environment. Of these, four types of crimes are predominantly committed. Of the crimes committed, 41 percent involve illegal logging, 31 percent illegal prospecting, use and extraction of minerals, 11 percent illegal hunting, 8 percent illegal harvesting of wild plants, and two percent setting forest and steppe fires.

In which regions of Mongolia are crimes against the environment most frequently committed?

The study established that crimes of this kind are committed in different places and seasons depending on the characteristics of the territory, natural resource reserves, and the distribution of animals and plants. For instance, illegal logging occurs in the forested regions of Mongolia, namely Khuvsgul, Selenge, Arkhangai and Bulgan provinces. It was mostly committed in March to May. Depending on the reserves and distribution of minerals, the majority of illegal mining crimes are registered in Uvurkhangai, Dornogovi, Govi-Altai and Selenge provinces. Many cases of this kind occurred during the warm season, that is, in June to August. The study also established that illegal hunting occurs in Bayan-Ulgii, Khovd and Khuvsgul in the depth of winter, in December to February, depending on areas with distinctive natural features and the distribution and population of rare and very rare animals. Illegal harvesting of wild plants is committed in soums of Selenge, Dornod and Bulgan provinces in September to November, depending on regional characteristics and the distribution of rare and very rare plants. In other words, nuts, berries and plants were illegally picked and harvested after they had ripened.

The law provides that when crimes against the environment are adjudicated, the damage caused must be compensated two to three times over. How much damage has been compensated?

Over the past two years, courts have resolved 797 cases. Of the 25 billion MNT in damage caused to the environment by these cases, 6.09 billion has been compensated. From this, it can be said that although the courts resolve crimes of this type, the damage caused to the environment is not adequately compensated, which in turn also infringes the public interest.

What are the main causes and conditions of crimes against the environment?

People become involved in crime because of citizens' lack of legal knowledge and information, and because legal entities fail to fulfill their obligations to protect and rehabilitate the environment. Over the past two years, namely in 2024 and 2025, courts imposed criminal liability on a total of 1299 individuals and 18 legal entities. Foreign nationals are also among those held criminally liable. Specifically, there are 13 foreign nationals. For example, citizens of the People's Republic of China, the Russian Federation, Kazakhstan and Taiwan have been held criminally liable. They were involved in cases of illegal mining, hunting and the use of toxic chemicals. In the mining sector, minerals are extracted and the subsoil is encroached upon under the pretext of exploration and rehabilitation.

> A distinctive feature of cases of this kind is that criminal liability is imposed not only on the individuals who illegally extracted minerals but also on the legal entities that profited.

> The courts sentenced 18 legal entities to fines ranging from 20 to 200 million MNT and deprived them of the right to engage in certain types of activities for a period of 1 to 5 years.

Харин иргэд ашиг олох зорилгоор хууль бусаар ан агнах, мод бэлтгэх, байгалийн ургамал түүх гэмт хэрэг ихээр үйлдэж байна. Тодруулбал, 24 төрлийн 3051 тооны амьтныг хууль бусаар агнаж, амьтны аймагт хохирол учруулжээ. Хууль бус ан агнах 90 гэмт хэргийн улмаас хүрээлэн буй орчинд 770 сая төгрөгийн хохирол учирсан гэсэн мэдээлэл бий. Мөрдөн байцаалтын шатанд 254,5 сая төгрөгийн хохирлыг нөхөн төлүүлсэн. Мөн ховор ургамал түүж бэлтгэсэн 109 гэмт хэргийн улмаас 9 тэрбум 690 сая төгрөгийн хохирол учирч, 433 сая төгрөгийг нь нөхөн төлүүлжээ. Уг төрлийн гэмт хэрэг зохион байгуулалттай, далд хэлбэрт шилжиж, улсын хилээр нэвтрүүлэх тохиолдол ч гарч байна. Сүүлийн хоёр жилийн байдлаар хүрээлэн буй орчны эсрэг гэмт хэрэг үйлдэж олсон алт, ховор ан амьтны эд, эрхтэн, ургамал, байгалийн баялгийг улсын хилээр хууль бусаар нэвтрүүлсэн 7 хэргийг прокурорын байгууллагаас шүүхээр шийдвэрлүүлж, 14 хүнд эрүүгийн хариуцлага хүлээлгэсэн.

In addition to supervising crimes and infringements, the prosecution service is organizing advocacy activities aimed at prevention. What work is being done within this framework?

“Хамгаалсан байгаль-Бидний ирээдүй” нөлөөллийн арга хэмжээ нь 2-3 жилийн хугацаанд үргэлжлэх юм. Амьтнаа, усаа, голоо, ой модоо хамгаалъя зэрэг дэд сэдвийн хүрээнд үе шаттай хэрэгжүүлнэ. Энэхүү арга хэмжээний хүрээнд хүрээлэн байгаа орчны эсрэг гэмт хэргийн шийдвэрлэлтийг эрчимжүүлэх, гэмт хэрэг, зөрчлийн улмаас учирсан хохирол, нөхөн төлбөрийг төлүүлэх, ийм төрлийн хэрэг, зөрчлийг шалгахад анхаарах асуудлаар эрх бүхий албан тушаалтнуудад сургалт зохион байгуулж, зөвлөмж, мэдээлэл өгөх, төр, нийтийн ашиг сонирхлыг хамгаалах, хэрэг, зөрчилд оноосон албадлагын арга хэмжээний биелэлтийг эрчимжүүлэх, олон нийтэд зориулсан соён гэгээрүүлэх зэрэг арга хэмжээг зохион байгуулж байна.



It seems that citizens' knowledge and understanding of loving and protecting the environment is rather poor. Surely there are things that must be pointed out as a warning.

Crimes against the environment are committed both intentionally and unintentionally. There are cases of citizens hunting in specially protected state areas and hunting animals listed as rare and very rare, such as moose, wild boar, argali, ibex, brown bear and wild ass. Under the Criminal Code, illegal hunting is punishable by a fine of 5.4-40 million MNT, restriction of freedom of movement for 1 to 5 years, or imprisonment for 1 to 8 years.

> Moreover, beyond imposing criminal liability alone, the damage caused to the fauna is recovered, in accordance with the Law on Environmental Protection and the Law on Fauna, in a monetary amount equal to twice the ecological and economic value of the animal concerned, and the weapons and equipment used in committing the crime are confiscated and turned into state revenue.

Прокурорын байгууллага 2021-2026 оны эхний зургаан сарын байдлаар ой, хээрийн түймэр тавих 26 хэрэгт хяналт тавьж, шүүхээр шийдвэрлүүлсэн. Хүрээлэн буй орчны эсрэг гэмт хэрэг дотроос хамгийн их хор хохиролтой уг хэргийг нь дийлэнхдээ болгоомжгүйгээр үйлддэг. Иргэний болгоомжгүй нэг үйлдэл л ой, хээрийн түймэр болсон байдаг тул хавар, намрын хуурайшилт ихтэй цаг үед үйлдэлдээ хянамгай байгаарай гэдгийг хэлье. Байгаль дэлхий маань хязгаарлагдмал нөөц баялагтай тул ирээдүй хойч үедээ унаган төрхөөр нь хадгалж үлдээх нь хүн бүрийн эрхэмлэх үүрэг. Тиймээс иргэд байгальдаа ээлтэй хандаж, ургамлаа, усаа, модоо, амьтнаа хамгаалж, “Хамгаалсан байгаль- Бидний ирээдүй” нөлөөллийн арга хэмжээг дэмжиж, нэгдэхийг уриалж байна.

Source: unuudur.mn

Эх сурвалж: https://prosecutor-en.greensoft.mn/post/3624