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# M.Uuriintuya: Citizens Who Find Tangible Cultural Heritage or Transfer It to Others Are Obliged to Notify the Cultural Heritage Registry and Database




*We asked M.Uuriintuya, supervising prosecutor of the Chingeltei District Prosecutor's Office, about the incidence and resolution of crimes against cultural heritage and the causes and conditions under which these crimes are committed.*




**A distinctive feature of the Chingeltei District Prosecutor's Office is that it specializes in supervising crimes against cultural heritage. What is the situation regarding the incidence and resolution of this type of crime?**

A distinctive feature of Chingeltei District is that citizens and business entities engaged in buying and selling antiques are concentrated in its territory. In this connection, the district Prosecutor's Office pays particular attention to resolving crimes against cultural heritage and preventing this type of crime.

The Chingeltei District Prosecutor's Office conducted a nationwide study of crimes committed against cultural heritage covering the period from 2022 to the first half of 2025. During this period, the prosecution service supervised a total of 91 cases of crimes against cultural heritage provided for in Chapter 25 of the Criminal Code and had 52 cases finally resolved in court, of which the district Prosecutor's Office alone supervised 50 percent.

In 2026, the district Prosecutor's Office has supervised 12 cases of crimes against cultural heritage and had 8 cases resolved in court.

**Citizens and the public generally have little understanding of or information about crimes against cultural heritage. What types of offences fall under crimes against cultural heritage?**

First of all, every citizen needs to understand what cultural heritage is. According to the Law on the Protection of Cultural Heritage, it refers to heritage of natural, social, historical, cultural, artistic and scientific value and significance that is capable of representing a particular historical space or period of time. For example, rock paintings, the remains of

towns, settlements, temples and monasteries, tombs and burial mounds (khirgisuurs), historic memorial buildings and architectural monuments, finds such as plant and animal bones, and antique objects all belong to historical and cultural heritage.

> Crimes against cultural heritage are set out in Chapter 25 of the Criminal Code. Damaging, impairing or destroying historical and cultural monuments; damaging, impairing or destroying immovable historical and cultural monuments; misappropriating or causing the loss of tangible cultural heritage; illegally conducting archaeological and paleontological exploration and excavation; and organizing or brokering the illegal trade in tangible cultural heritage are crimes against cultural heritage.

The cases supervised by the Chingeltei District Prosecutor's Office show that the crimes most frequently registered and investigated are misappropriation of tangible cultural heritage and the organization or brokering of illegal trade in tangible cultural heritage.

There are cases in which citizens travelling in the countryside, or local residents in their own area, find objects belonging to cultural heritage, or keep such objects handed down from generation to generation.  However, under the Law on the Protection of Cultural Heritage, citizens and legal entities that own tangible cultural heritage are obliged to register it in the cultural heritage registry and database of the relevant province or the capital city, and, if they have transferred their ownership of tangible cultural heritage to others by selling, gifting, bequeathing or otherwise, they are obliged to notify the cultural heritage registry and database at the relevant level. This means that failure to fulfil this obligation is considered to constitute the crime of misappropriation of cultural heritage and becomes grounds for legal liability.

> For example, citizen E found the tusk and teeth of a mammoth, a paleontological find dating from the Quaternary period, approximately 2.6 million to 15,000 years ago, in the territory of Yeruu Soum, Selenge Province, and kept it in his possession without notifying or registering it with the relevant authority. Since this act constitutes the crime of misappropriation of tangible cultural heritage under Article 25.3, Part 1 of the Criminal Code, the prosecutor issued an indictment and had the case resolved in court.

In the crime of organizing or brokering the illegal trade in tangible cultural heritage, by contrast, cases involving officials of professional organizations predominate. In other words, they become involved in crime by using their professional knowledge and skills to illegally sell cultural heritage to others or to organize such trade for the purpose of profit.

Under the Criminal Code, misappropriating or causing the loss of tangible cultural heritage is punishable by a fine of 2.7 million to 14 million MNT, or restriction of the right to travel for a period of 6 months to 3 years, or imprisonment for a period of 6 months to three years; illegally conducting or brokering the trade in tangible cultural heritage is punishable by a fine in an amount of MNT equivalent to 5.4 million to 27 million MNT, or restriction of the right to travel for a period of 1 to 5 years, or imprisonment for a period of 1 to 5 years.

**How many cases of this type has the Chingeltei District Prosecutor's Office had resolved in court? How is it working to protect state and public interests?**

> In 2026, the district Prosecutor's Office issued indictments in 8 cases involving 11 persons and had them resolved in court. The court released one person from criminal liability, imposed fines of 5 million to 17 million MNT on 10 persons, and ruled that the tangible cultural heritage illegally obtained as a result of the crimes be confiscated as state revenue.

Within the framework of the work to repatriate movable and immovable cultural heritage objects taken abroad, two dinosaur skeletons were returned to Mongolia in 2024 and handed over to the Ministry of Culture and the Institute of Paleontology.

A distinctive feature of this type of crime is that items used in committing the crime, such as metal detectors, other objects and vehicles, are confiscated as state revenue, and in some cases ordered to be destroyed.

In the cases resolved in court in 2026, tangible cultural heritage seized in the cases, including bronze coins, arrowheads, spoons, knives and ornaments found in medieval burial sites, was confiscated as state revenue and transferred to the Ministry of Culture, Sports, Tourism and Youth.

**What work is being done to reduce and prevent crimes against cultural heritage?**

Paying close attention to the resolution of crimes against cultural heritage, the Chingeltei District Prosecutor's Office organized discussions with the participation of the relevant organizations in 2024 and 2025, at which issues requiring attention and pressing problems were discussed and ways of resolving them were identified.

For example, proposals were presented and discussed on granting expert status to specialists with special knowledge of cultural heritage, cooperating with them in inquiry and investigation proceedings, and improving the procedure for disposing of seized cultural heritage.

The protection of cultural heritage should not be understood as the duty of any single state body or law enforcement agency alone; the participation of citizens is very important.

Citizens' insufficient legal knowledge of the value and significance of cultural heritage, and the lack of information on how to protect it and where to turn and how to proceed when they find it, is one of the reasons why this type of crime occurs. Therefore, when citizens find tangible cultural heritage or paleontological finds, they should notify the Governor of the relevant province or locality, representatives of the Citizens' Representative Khural, or organizations working to protect cultural heritage.

Every citizen has a duty to cherish and protect cultural heritage, to understand its value and significance, and to contribute to preventing illegal acts.

In conclusion, I would like to say that the cultural heritage we protect today will remain the

history and pride of our children tomorrow.

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Эх сурвалж: https://prosecutor-en.greensoft.mn/post/3690