Strasbourg, 12 November 2026 **CDL-REF(2026)050**

Engl. only

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
OF THE COUNCIL OF EUROPE
(VENICE COMMISSION)

MONGOLIA

DRAFT LAW ON THE CONSTITUTIONAL COURT PROCEDURE
(Revised edition)

Draft of June 29, 2026

THE LAW OF MONGOLIA

2026, ...th month, ... day — Ulaanbaatar city

ON THE CONSTITUTIONAL COURT PROCEDURE
/Revised edition/

CHAPTER ONE
GENERAL PROVISIONS

Article 1. Purpose of the law

1.1. The purpose of this law is to define and regulate the procedures by which the Constitutional Court of Mongolia adjudicates disputes concerning violations of the Constitution of Mongolia (hereinafter referred to as the "Constitution"), reviews contested issues and renders conclusions, and issues rulings.

Article 2. Legislation

2.1. The legislation on the Constitutional Court procedure (hereinafter referred to as the "Court") shall consist of the Constitution, the Law on the Constitutional Court of Mongolia, this law, and the legislation enacted in conformity with them.

2.2. The Court may have detailed Rules of Procedure necessary for the adjudication of disputes, in conformity with the Law on the Constitutional Court of Mongolia and this law. The Rules of Procedure of the Court shall not take precedence over the legislation on the Constitutional Court procedure specified in Article 2.1.

Article 3. Definition of terms

3.1. The terms used in this law shall have the following meanings:

3.1.1. "Citizen" refers to a citizen of Mongolia. A foreign national or a stateless person may enjoy the rights of a citizen of Mongolia on the basis of the principle specified in Article 18 of the Constitution and may submit a petition to the Constitutional Court;

3.1.2. "Plaintiff" refers to an individual who submits a petition or request to the Court in accordance with the provisions of this law;

3.1.3. "Dispute adjudication" refers to the procedure for adjudicating disputes on fundamental rights and on the separation of powers, reviewing contested issues, and reconsidering and ruling on them;

3.1.4. "Contested issue" refers to an issue specified in Article 66.2 of the Constitution that the Court reviews, renders a conclusion on, and brings to the State Great Khural;

3.1.5. “Petition” refers to an application to the Court, in accordance with this law, by a citizen who considers that a decision or other act of a legislative, executive, or judicial authority or official has violated their fundamental rights;

3.1.6. “Information” refers to information submitted to the Court by a citizen whose rights or interests have been affected by a contested issue under review by the Court, or who has carried out professional research or analytical work on that issue, or who has witnessed the events;

3.1.7. “Fundamental rights” refers to the fundamental rights and freedoms specified in Articles 16.1, 16.3, 16.7, 16.8, 16.9, 16.10, 16.11, 16.12, 16.13, 16.14, 16.15, 16.16, 16.17, and 16.18 of the Constitution, the right to "freely choose one’s occupation" in Article 16.4, and rights equivalent thereto;

3.1.8. “Fundamental rights dispute” refers to a dispute over whether a decision of a legislative, executive, or judicial authority, or another act of an executive or judicial authority or official, has violated the petitioner’s own fundamental rights;

3.1.9. “Request” refers to an application to the Court, as specified in Article 66.1 of the Constitution, by an organization or official participating in the constitutional separation of powers, within the scope of its functions and in accordance with this law, concerning a violation of the separation of powers and a loss of the principle of checks and balances, and for the purpose of obtaining a conclusion on a contested issue;

3.1.10. “Session” refers to a session of the Small, Medium, and Full Bench;

3.1.11. “Panel” refers to the composition of the Small, Medium, and Full Bench;

3.1.12. “Act ” refers to a decision, action, or omission, whether establishing a legal norm or individualized;

3.1.13. “Oral hearing” refers to the discussion of a dispute or a contested issue in the Session Hall with the participation of the participants in the dispute and, where necessary, other participants;

3.1.14. “Deliberative session” refers to the discussion of a dispute by the panel in the deliberation room, without the participation of the participants in the dispute, on the basis of the explanations and evidence collected in the course of preparing for the discussion at a session;

3.1.15. “Individual opinion” refers to a written statement of reasons by a member Justice of the panel who adjudicated the dispute, to the effect that the Justice agrees with the resolving section of the Court’s decision but disagrees with its reasoning section (concurring opinion), or disagrees with both the reasoning and the resolving sections of the decision (dissenting opinion).

Note: “Rights equivalent” to the fundamental rights and freedoms specified in Article 3.1.7 shall be understood to mean the rights specified in Article 3.1; Articles 5.2 and 5.3; Articles 6.3 and 6.5; Article 7.2; Article 8.2; Articles 14 and 15; Article 18.5; Article 19; Article 21.2; Article 26.2; Article 31.3; and Articles 52, 53, 54, and 55 of the Constitution, as well as the “right to know about the impact on the environment of the use of subsoil resources, within the scope of the right to live in a healthy and safe environment” specified in Article 6.2 of the Constitution.

The “request” specified in Article 3.1.9 shall also be understood to include the request of the Prosecutor General specified in Article 55.3 of this law.

Article 4. Scope of Dispute Adjudication

4.1. The Court shall conduct the dispute adjudication procedure solely on the issues of violation of the Constitution and conformity with the Constitution, and shall not accept petitions, information, or requests concerning violations of other laws.

4.2. The Court shall adjudicate disputes within its jurisdiction relating to laws and other decisions in force, or to acts of officials exercising their powers.

4.3. The Court shall have no power to exercise preliminary supervision.

Article 5. Timeframe for Dispute Adjudication

5.1. Unless otherwise provided by this law, the Court shall adjudicate the dispute within 90 days from the date of initiation. If the panel deems the dispute complex or challenging, this period may be extended by 90 days up to two times. The procedure for extending the period shall be regulated in detail by the Rules of Procedure.

5.2. Preparation for discussing contested issues related to the following decisions at a session shall be made immediately:

5.2.1. declaration of a state of emergency or war, or military mobilization;

5.2.2. shift to an elevated or nationwide state of preparedness for disaster protection.

5.3. In the circumstances specified in Article 5.2, multiple designated Rapporteur Justices may be appointed.

Article 6. Determining and Counting Time

6.1. The time limit for dispute adjudication shall be determined by calendar year, month, weekday, day, working day, and hour.

6.2. In counting time, the count shall begin from the established year, month, or day, or from the day or hour following the lapse of that period or the occurrence of the event.

6.3. If the final day of the counted period is a non-working day, that period shall end on the next working day.

6.4. If an obligation is to be performed, it shall be performed by the end of the established working hours of the organization concerned, as determined in accordance with the relevant procedure.

6.5. If a document has been delivered to a postal or communications organization within twenty-four hours of the final day of the established time limit, it shall be deemed to have been performed within the time limit.

6.6. In counting time, a calendar year shall be counted as twelve months, a half-year as six months, a quarter as three months, and a day as twenty-four hours.

6.7. In the event of an extension of a time limit, the new time limit shall be counted from the moment the time limit expires.

6.8. A time limit established by year, half-year, quarter, or month shall end on the same day of the month in which that time limit expires, and if there is no such day in the month in which the time limit expires, that time limit shall end on the last day of that month.

6.9. The calendar year shall begin on 01 January and end on 31 December.

6.10. A time limit established by week or day shall end at the same hour of the day on which that time limit expires, a time limit established by weekday shall end at the final hour of that designated weekday, and a time limit established by hour shall end at the same moment of the hour on which that time limit expires.

Article 7. Costs Related to Dispute Adjudication

7.1. The following costs incurred in connection with dispute adjudication in the Court shall be financed from the state budget:

7.1.1. transportation, accommodation, and meal expenses of experts, translators, and interpreters, as well as remuneration for work if the work performed by decision of the Court does not fall within their primary functions;

7.1.2. transportation, accommodation, and meal expenses, salary, and wages of witnesses;

7.1.3. expenses for the participation of participants with disabilities in dispute adjudication;

7.1.4. expenses for performing other necessary actions.

7.2. The costs of dispute adjudication shall be calculated as follows:

7.2.1. transportation, accommodation, and meal expenses to be paid to experts, translators, interpreters, and witnesses shall be reimbursed in the amount of the official travel expenses applicable to organizations financed from the state budget;

7.2.2. remuneration for the work of experts, translators, and interpreters shall be in an amount determined with regard to the standard valuation;

7.2.3. if a witness has suffered a loss of salary or wages during the period of being summoned to the Court to give testimony, the average of the salary or wages for that period shall be compensated;

7.2.4. the payment for the use of the tools and equipment necessary for the participation of participants with disabilities in dispute adjudication;

7.2.5.other costs in accordance with the relevant procedure.

7.3. The procedure for calculating and paying the costs specified in Articles 7.1 and 7.2 shall be regulated in detail by the Rules of Procedure.

CHAPTER TWO
PRINCIPLES OF DISPUTE ADJUDICATION

Article 8. Independence

8.1. A Justice shall be independent from any organization, official, or citizen, and, subject solely to the Constitution and upholding the supremacy of law in conformity with the Constitution, shall adjudicate disputes.

8.2. Any organization, official, or citizen, whoever it may be, shall be prohibited, outside the dispute adjudication procedure, from intervening from outside in the exercise by a Justice of their power to adjudicate disputes, exerting pressure or harassment on the Justice, or otherwise influencing the Justice.

8.3. In exercising their powers, Justices shall be impartial, and shall be prohibited from publicly expressing in advance their own opinion or conclusion, or from giving advice to others, regarding an issue to be resolved by the Court or a dispute under review by the Court before the Court's decision has been issued.

Article 9. Collegiality

9.1. The Court shall discuss any issue or dispute on the collegiality principle, and unless otherwise provided by law, shall resolve it by a majority vote of the Justices present at the session.

9.2. A Justice shall be prohibited from refusing or avoiding, on grounds other than those provided by law, voting in the adjudication of disputes, participating in sessions, and performing other official duties.

Article 10. Transparency

10.1. Unless otherwise provided by this law, the Court shall adjudicate disputes transparently and make its decisions public.

10.2. Unless otherwise provided by this law, oral hearings shall be conducted openly.

10.3. If the panel considers a proposal of a participant in the dispute or a Justice in the panel concerning the need to protect state secrets, organizational secrets, sensitive personal information (hereinafter referred to as "legally protected secrets and information"), or the safety of a person justified, the session may be conducted as closed, in whole or in part.

10.4. Justices, participants in the dispute, and other persons shall be prohibited from disclosing legally protected secrets and information that became evident in the course of a closed session or that became known within the scope of their official functions, and, where necessary, a confidentiality undertaking shall be obtained in accordance with the law.

10.5. The panel may permit specific persons to attend a closed session.

10.6. The course of an oral hearing shall be verified by audio and audio-visual recording in accordance with the relevant procedure and preserved in the archive.

10.7. Participants in the dispute and other persons shall have the right to obtain copies, at their own expense, of the Court's decisions, the minutes of open sessions, and the audio-visual recordings specified in Article 10.6.

Note: The "organization" specified in Article 10.3 shall not include state organizations.

Article 11. Ensuring Equal Rights

11.1. In adjudicating disputes, the Court shall ensure equal rights, and shall not discriminate against a person on the basis of nationality, race, language, skin color, age, gender, social origin, status, wealth, profession, official position, religion, sexual orientation, gender identity, disability, opinion, education, or other characteristics.

11.2. The Court shall provide support to a citizen with a disability participating in dispute adjudication in exercising the rights provided for in this law.

Article 12. Gathering Evidence

12.1. The Court shall be obliged to conduct the procedures necessary for the thorough and objective adjudication of disputes in conformity with the Constitution, and to collect and evaluate significant evidence.

12.2. The Court shall have the power to require citizens, officials, and organizations to submit evidence significant for the adjudication of a dispute, and the persons concerned shall be obliged to submit it within the specified period.

12.3. A participant in the dispute shall submit to the Court true evidence that is significant for the adjudication of the dispute and was obtained by methods and means provided by law.

12.4. The Court may render its decisions on the basis of facts established by legally valid court decisions.

Article 13. Language and Writing for Adjudication

13.1. The Court shall adjudicate disputes in the Mongolian language and shall record and certify them in the state official script.

13.2. If a participant in the dispute does not know the Mongolian language, they shall have the right to submit explanations and evidence in their native language or a language and script they know, or, if they are unable to communicate in the state official language and script due to a disability, by using sign language, gestures, or special symbols.

13.3. The explanations and evidence submitted to the Court by the person specified in Article 13.2 of this law shall be presented to the panel concerned and the other participants in the dispute, and the course of the session and other explanations and evidence shall be presented to that person by means of appropriate communication tools or through a translator or interpreter.

Article 14. In-Person Hearings

14.1. The session of the Court shall be conducted in person from start to finish by the panel appointed in accordance with the procedure established by law.

14.2. If a Justice in the panel is unable to continue working for a justifiable reason, another Justice of the Court shall be appointed in that Justice’s place.

14.3. In the circumstances specified in Article 14.2, the panel shall decide whether to conduct the dispute adjudication procedure or the session from the beginning.

Article 15. Continuity of Hearing

15.1. The session of the Court shall be conducted without interruption, except at times when a break is absolutely necessary.

15.2. If circumstances arise in which the dispute cannot be adjudicated at the session, the panel shall postpone the session for a reasonable period until those circumstances cease.

CHAPTER THREE
PROCEDURE AND TIME LIMITS FOR ADDRESSING THE COURT

Article 16. Procedure for Addressing the Court

16.1. Petitions, information, and requests shall be submitted to the Court in writing or electronically.

16.2. After a citizen has exhausted the legal remedies provided by law for the protection of their fundamental rights, a citizen who believes that a decision or other act of a legislative, executive, or judicial authority or official continues to violate their fundamental rights may submit a petition to the Court.

16.3. A citizen may submit information in connection with a dispute under adjudication by the Court.

16.4. The information of a citizen specified in Article 16.3 shall meet the following requirements:

16.4.1. the information shall relate to a specific dispute under adjudication by the Court;

16.4.2. the citizen’s own rights or interests shall have been affected in the dispute specified in Article 16.4.1, or the citizen’s own qualifications, research work, or known information shall be significant for resolving that dispute.

16.5. A petition concerning the violation of the fundamental rights of a citizen who lacks legal capacity, or has partial or incomplete capacity, as well as a citizen whose legal capacity is restricted, may be submitted to the Court by that citizen’s legal representative.

16.6. Concerning a violation of the separation of powers and a loss of the principle of checks and balances and contested issues specified in Article 66.2 of the Constitution, the following organizations and officials that participate in the separation of powers shall submit requests within the scope of their primary functions in accordance with this law:

16.6.1. the President;

16.6.2. no fewer than one-third of the members of the State Great Khural;

16.6.3. the Prime Minister;

16.6.4. the Supreme Court;

16.7. The Prosecutor General may submit a request on contested issues specified in Articles 66.2.1 and 66.2.2 of the Constitution.

16.8. If a citizen's submission on contested issues specified in Articles 66.2.3 and 66.2.4 of the Constitution is considered well-founded, the competent authority or official specified in Clause 16.6 of this Article may submit a request on that issue to the Court.

16.9. In submitting a petition or request to the Court on the non-conformity of a decision other than legislation with the Constitution, the legal remedies provided by law for protecting rights, such as applying to the organization or official that issued the decision, to a person competent to annul that decision, or to a court, shall have been exhausted.

Article 17. Time Limits for Addressing the Court

17.1. A citizen who believes that their fundamental rights have been violated shall submit a petition within the following time limits:

17.1.1. within 30 days from the date of personally receiving a court decision or other act.

17.2. A competent authority or official may submit a request at any time on a contested issue of whether legislation violates the Constitution.

17.3. On contested issues other than those specified in Article 17.2, a request may be submitted within one year from the date on which the grounds for submitting the request arose.

17.4. If the time limit specified in this law has been exceeded for a justifiable reason, the plaintiff may submit a proposal to restore the time limit to the Court, together with the relevant documents.

Article 18. Requirements for Petitions, Information, and Requests

18.1. The following shall be included in petitions, information, and requests submitted to the Court:

18.1.1. the father's (mother's) name, own name, and residential address of the person submitting the petition or information, or, if an organization, its name and registered address, or the name, official position, and address of the person submitting the request;

18.1.2. the telephone number and electronic address of the person submitting the petition or request, their representative, and attorney;

18.1.3. information on the legislation or other decision, or provision thereof, considered not to conform to the Constitution, or on the name of the official, and the decision or other act, considered to constitute grounds for a violation of the Constitution, removal from office, or recall;

18.1.4. the grounds for considering that the relevant article or provision of the Constitution has not been conformed to or has been violated by an official;

18.1.5. the requirement to be resolved by the Court;

18.1.6. the digital or ordinary signature of the person submitting the petition, information, or request, and the date;

18.1.7. facts and grounds regarding the connection of information by the citizen with a dispute under adjudication by the Court.

18.2. The following shall be enclosed with a petition or request:

18.2.1. if participating in the dispute adjudication through a representative or being represented by an attorney, a document defining the scope of authority and granting the right of representation;

18.2.2. a copy of the legislation or other decision, or provision thereof, considered not to conform to the Constitution, or evidence of the decision or other act that served as grounds for a violation of the Constitution, removal from office, or recall;

18.2.3. an official translation of documents in a language other than Mongolian.

18.3. In addition to the requirements specified in Articles 18.1 and 18.2, the petition shall state the grounds on which the citizen considers that their fundamental rights continue to be violated even though the legal remedies provided by law have been exhausted in accordance with Article 16.2 of this law, and relevant decisions and documents shall be enclosed.

Article 19. Receiving Petitions, Information, and Requests

19.1. The General Registrar shall receive petitions, information, and requests submitted to the Court.

19.2. Within 30 days of receiving a petition, information, or request, the General Registrar shall examine whether the requirements specified in Articles 16, 17, and 18 of this law have been fulfilled and whether the Court has previously rendered a decision on the matter, and shall provide a reasoned response as to whether it has been registered for adjudication to the plaintiff and to the citizen. The Court shall not accept information from a citizen on an issue for which it has not initiated a dispute adjudication procedure.

19.3. The General Registrar shall return the petition, information, or request to the plaintiff in the following circumstances:

19.3.1. the requirements specified in Articles 16, 17, and 18 of this law have not been satisfied;

19.3.2. a petition, information, or request has been submitted again on an issue on which the Court has previously responded, and there is no ground for re-examining it;

19.3.3. As specified in Article 19.2, information received from a citizen on an issue for which the Court has not initiated a dispute adjudication procedure.

19.4. If the plaintiff disagrees with the response provided by the General Registrar in accordance with Article 19.3, the plaintiff may resubmit the petition or request to the Court within 30 days.

19.5. If the petition, information, or request meets the requirements set forth in this law, or if it has been submitted in accordance with Article 19.4, the General Registrar shall, within five working days, forward it to the Small bench panel in accordance with the schedule determined by the Plenary of the Court and the Rules of Procedure, and register it for adjudication.

19.6. It shall be prohibited to abuse the right to address the Court, or to address the Court repeatedly on issues that have already been answered or decided, thereby obstructing the normal activities of the Court.

Article 20. Maintaining Electronic Records

20.1. The General Registrar shall register petitions, information, and requests in accordance with official record-keeping procedures and establish an electronic database.

20.2. A copy of the Court's decision or documents relevant to dispute adjudication shall be delivered to the participants in the dispute electronically.

20.3. If a participant in the dispute has proposed to receive the Court's decision and relevant documents in writing, or if electronic services cannot be provided, the decision and documents shall be delivered to the participant in the dispute by post.

CHAPTER FOUR
LEGAL STATUS OF PARTICIPANTS IN THE DISPUTE ADJUDICATION PROCEDURE

Article 21. Parties in a Dispute

21.1. The plaintiff and the organization or official that issued the decision or other act indicated in the petition or request as violating the Constitution or not conforming to the Constitution shall be parties in a dispute.

21.2. Witnesses, experts, translators, interpreters, and the Court Clerk of the Court shall be classified as participants in the dispute adjudication procedure, that is, other participants.

21.3. Representatives and attorneys shall not be independent participants in a dispute, but persons who protect only the rights and legitimate interests of the person being represented or defended, within the scope of the authority granted.

Article 22. Rights and Duties of Parties in a Dispute

22.1. A party in a dispute shall enjoy the following rights in dispute adjudication:

22.1.1. to express their position on the matter in dispute, provide explanations, submit evidence, and make a proposal to have evidence submitted;

22.1.2. in accordance with this law, to have witnesses participate, to have experts, translators, and interpreters appointed, and to propose the postponement of the session of the Court;

22.1.3. to become familiar with, copy, make notes on, and respond to petitions, information, requests, relevant explanations, and collected evidence;

22.1.4. to know about and obtain copies of decisions issued by the Court in connection with dispute adjudication;

22.1.5. to participate in the oral hearing in accordance with this law, in person or through a representative, and to ask questions from the participants;

22.1.6. to propose the recusal of the panel or of other participants on the grounds specified in this law;

22.1.7. to receive legal assistance from an attorney;

22.1.8. other rights specified in this law.

22.2. A party in a dispute shall assume the following obligations in dispute adjudication:

22.2.1. to appear at the time scheduled by the Court;

22.2.2. to submit the evidence required by the Court within the specified period;

22.2.3. to ensure that petitions, requests, and explanations submitted to the Court are consistent with reality and true;

22.2.4. not to disclose legally protected secrets and information learned in the course of dispute adjudication;

22.2.5. to observe the rules of the session;

22.2.6. other obligations specified in this law.

22.3. The person submitting a petition or request may, in accordance with Article 42.2 of this law, propose to increase or reduce, or fully or partially withdraw their claim within 10 working days from the date of receiving the ruling on initiating the dispute.

22.4. After the decision of the Medium bench has been issued, the plaintiff shall be prohibited from withdrawing, increasing, or reducing the claim.

22.5. If citizens jointly participate in the dispute adjudication procedure, they shall select up to five citizens from among themselves to participate in the oral hearing, and they shall exercise the rights and bear the obligations of parties in a dispute.

22.6. The Court shall inform the parties in a dispute of their rights and obligations and provide them with equal opportunities.

Article 23. Representation in Dispute Adjudication Procedure

23.1. Unless otherwise provided by this law, a party in a dispute may be represented in the adjudication procedure only by granting a power of attorney to a lawyer.

23.2. The State Great Khural shall participate in the oral hearing of the Court through one of its members, a member of the State Great Khural in person, or by being represented by a lawyer.

23.3. The Government Cabinet or the Prime Minister shall be represented at the oral hearing by the state central authority responsible for legal affairs, or by a lawyer authorized by the Prime Minister.

23.4. The President, the Prime Minister, the Supreme Court, the Chief Judge of the Supreme Court, the Prosecutor General, or other organizations and officials shall participate in the oral hearing in accordance with the law, or by being represented by a lawyer.

23.5. A person who represents the organization without a power of attorney within the scope of authority granted in accordance with legislation, other decisions, and founding documents, or a lawyer authorized by that person, shall represent the organization at the oral hearing.

23.6. A person representing the organization without a power of attorney shall submit to the Court a document proving their official position and authority, and any other person shall submit the power of attorney granted to them.

23.7. The power of attorney shall meet the following requirements:

23.7.1. the principal shall write their name, registration number, and telephone number and sign it, and in a power of attorney of an organization, the person who represents that organization without a power of attorney shall sign it and affix the seal and stamp;

23.7.2. the date of issuance shall be stated;

23.7.3. if provided by law, being certified by a notary;

23.7.4. it shall clearly state in which dispute and how to participate;

23.7.5. if the power of attorney is granted for a specific period, the period shall be stated.

23.8. A power of attorney with no period specified shall remain valid until the conclusion of the dispute adjudication procedure.

23.9. A party in a dispute or their representative shall participate in the dispute adjudication procedure.

23.10. The representative shall conduct the activities of protecting the rights and legitimate interests of the principal within the framework of the law and shall exercise the rights and duties of a party in a dispute specified in this law within the scope of the power of attorney granted by the principal.

23.11. The following persons shall be prohibited from participating as representatives in the dispute adjudication procedure:

23.11.1. a person who participated as a witness;

23.11.2. judges and prosecutors, except where they participate in that dispute adjudication procedure as a parent, guardian, or supporter, or in representation of the organization where they work.

23.12. Representation shall terminate on the following grounds:

23.12.1. the representative has refused the power of attorney;

23.12.2. the principal has revoked the power of attorney granted by the principal;

23.12.3. unless otherwise provided by law or contract, the principal has died or lost full legal capacity;

23.12.4. the organization of the principal has been dissolved.

23.13. The principal shall have the right to revoke the power of attorney, and the representative shall have the right to refuse the power of attorney. They shall be obliged to notify the Court of this immediately, and the principal shall bear the consequences arising from failure to notify.

Article 24. Attorney

24.1. A party in a dispute may obtain legal assistance from an attorney in the dispute adjudication procedure.

24.2. The rights of an attorney participating in dispute adjudication shall be determined by the agreement concluded with the party receiving legal assistance.

Article 25. Witness

25.1. A person who knows circumstances and facts significant for the adjudication of a dispute, and a citizen who has submitted information, may be involved as a witness by the designated Rapporteur Justice or the panel.

25.2. A witness shall appear at the scheduled time and be obliged to give truthful testimony on issues related to the dispute, and may use necessary notes, documents, and records.

25.3. If a witness knowingly gives false testimony, or unlawfully avoids or refuses to give testimony, the witness shall be warned of the liability provided by law, and this shall be documented in accordance with the Rules of Procedure.

Article 26. Expert

26.1. At the proposal of a participant in the dispute, or on their own initiative, the designated Rapporteur Justice or the panel may appoint as an expert, and have render a conclusion, a person without a conflict of interest in that dispute, or a citizen who has submitted information, on an issue requiring special qualification and knowledge for the adjudication of the dispute.

26.2. The decision specified in Article 26.1 shall specify the issue requiring an expert’s conclusion.

26.3. The expert shall be obliged to appear at the time scheduled by the Court and to render a true, accurate, complete, and well-founded conclusion within the specified period.

26.4. If an expert knowingly renders a false conclusion, or unlawfully avoids or refuses to render a conclusion, the expert shall be warned of the liability provided by law, and this shall be documented.

26.5. If their qualification and knowledge are not suitable, or there is a conflict of interest, the expert shall refuse to render a conclusion.

26.6. The expert shall have the right to propose to the Justice, if necessary for rendering a conclusion, to review the dispute materials and obtain additional evidence.

26.7. The expert shall, in addition to specifying the actions and analyses they have undertaken and the conclusion reached on that basis, draw up the conclusion in writing, giving a clear and well-founded answer to each question put by the Justice.

26.8. If the expert identifies circumstances that were not covered in the Court's questions but may be essential for resolving the dispute, the expert may include them in the conclusion.

26.9. If several persons are appointed as experts as a team, and they are unanimous, they shall render one conclusion and sign it, but if any expert disagrees, that expert shall render a separate conclusion.

Article 27. Translator and Interpreter

27.1. If a participant in the dispute does not know the Mongolian language, or cannot communicate in the state official language and script due to a disability, the designated Rapporteur Justice or the panel shall, upon their proposal, appoint a translator and interpreter and involve them in the dispute adjudication procedure.

27.2. The translator and interpreter shall appear at the scheduled time and shall be obliged to become familiar with petitions, information, requests, explanations, testimony, and evidence, and to translate and interpret accurately and completely the dispute adjudication procedure and the content of the Court's decisions.

27.3. The translator and interpreter may ask clarifying questions.

27.4. A participant in the dispute is prohibited from simultaneously performing the duties of a translator or interpreter.

27.5. If a translator or interpreter knowingly translates or interprets falsely, or unlawfully refuses or avoids translating or interpreting, the translator or interpreter shall be warned of the liability provided by law, and this shall be documented.

Article 28. Secretary of the Court

28.1. The Clerk of the Court (hereinafter referred to as the "Court Clerk") shall inform participants in the dispute of their rights and obligations in dispute adjudication and certify this, ensure the conditions for conducting the session, notify participants in the dispute of the schedule, register and announce their attendance, keep the minutes of the session, sign them, have them certified by the presiding Justice and attach them to the dispute materials, and perform other necessary actions.

Article 29. Grounds and Procedure for Recusal

29.1. A Justice shall be obliged to recuse themselves from participating in the panel if any of the following grounds exist:

29.1.1. they participated, in accordance with official duties or from a professional standpoint, in the review and adjudication of that dispute by an administrative organization or a court;

29.1.2. they themselves, or a person associated with them, is a participant in the dispute.

29.2. A participant in the dispute shall have the right to propose the recusal of a Justice on the grounds specified in Article 29.1, and shall submit the proposal in writing, clearly stating the grounds for recusal.

29.3. The panel shall resolve the proposal for recusal of a Justice, whether by self-recusal or recusal by others, without that Justice present, and if the votes are tied, the Justice shall be deemed to have recused themselves.

29.4. In circumstances where recusal, whether by self-recusal or recusal by others, would leave the panel without a quorum, recusal shall be prohibited, and the Justice shall perform their functions regardless of whether the grounds specified in Article 29.1 exist.

29.5. A Justice cannot be recused on grounds other than those specified in Article 29.1.

29.6. If the grounds specified in Article 29.1, or other grounds from which a conflict of interest may arise, exist, a translator, interpreter, expert, or the Court Clerk shall be obliged to recuse themselves, and the panel shall resolve proposals to recuse them.

29.7. If the grounds for recusal specified in Articles 29.1 and 29.6 exist, a Justice, translator, interpreter, expert, or Court Clerk shall be obliged to notify the presiding Justice of that session in writing before the session of the Court begins, or, if the grounds for recusal were not known until the session began and emerged in the course of the session, to notify the presiding Justice immediately upon becoming aware, and to recuse themselves.

29.8. If the designated Rapporteur Justice recuses himself/herself or is recused, the replacement Justice shall continue the dispute adjudication procedure, and if deemed necessary, may re-conduct certain procedures.

29.9. If any Justice in the panel other than the designated Rapporteur Justice recuses himself/herself or is recused, another Justice shall be appointed as a replacement, and the session shall be restarted. If it deems necessary, the panel shall postpone the session.

CHAPTER FIVE
GENERAL PROCEDURE FOR DISPUTE ADJUDICATION

Article 30. Grounds for Dispute Adjudication

30.1. The Court shall adjudicate a dispute solely on the basis of a petition, information, or request submitted in accordance with this law.

30.2. Except where a special procedure is established, disputes shall be adjudicated in accordance with the general procedure specified in this law.

Article 31. Distribution of Petitions, Requests, and Disputes, and Other Related Procedures

31.1. The procedure for allocating petitions and requests to the Small bench, appointing the panels of the Small and Medium benches, the presiding Justice of the session, and the designated Rapporteur Justice, and allocating disputes to the Medium bench shall satisfy the condition of allocation by unforeseeable, random chance, and shall use software that meets the following requirements:

31.1.1. the Court shall make the allocation immediately upon receipt of a petition or request, the software shall be protected so that it cannot be altered without a decision of the Plenary, and it shall be able to provide directly to the participating persons evidence of when and how the allocation was made;

31.1.2. an electronically made allocation shall be changed only where a proposal for recusal, whether by self-recusal or recusal by others, is considered well-founded, or where a change occurs in a Justice or in the panel concerned in accordance with this law, and such change shall be free from human influence, transparent, and documented.

31.2. The Chief Justice of the Court shall preside over a Full bench in which the Chief Justice participates. If the Chief Justice of the Court is not in the Full bench, or is in the panel as the designated Rapporteur Justice, one of the Justices shall preside.

31.3. In accordance with the procedures specified in Clauses 31.1 and 31.2 of this Article, petitions and requests shall be allocated to the Small bench, and the composition of the Small and Medium benches, the presiding Justice of the session, and the designated Rapporteur Justice shall be appointed, and the dispute shall be allocated to the Medium bench. The procedure on this matter shall be regulated in detail by the Rules of Procedure.

Article 32. Support by Other Organizations for the Adjudication of Disputes

32.1. Courts of all instances, administrative and other organizations, officials, and relevant persons shall be obliged to provide the Court with the necessary documents and information without hindrance and to support the Court in adjudicating disputes.

Article 33. Suspension of Adjudication Procedure

33.1. If the panel considers that a decision to be issued by another court is significant for the adjudication of the dispute, the panel shall suspend the dispute adjudication procedure until that decision is issued.

33.2. The suspension of the dispute adjudication procedure on grounds other than those specified in Article 33.1 of this law shall be prohibited.

33.3. If the grounds for suspension cease to exist, the panel shall resume the dispute adjudication procedure.

33.4. A participant in the dispute, or a Justice in the panel, may submit to the panel a proposal to suspend or resume the dispute adjudication procedure in accordance with this Article.

Article 34. Dismissal of a Dispute

34.1. The panel may dismiss a dispute under the following conditions:

34.1.1. the petitioner has passed away;

34.1.2. the person who submitted the petition or request has withdrawn their claim in the dispute;

34.1.3. the law or other decision under dispute has been annulled, or the circumstances in dispute have ceased to exist.

34.2. If the panel considers that the issue for which the dispute was initiated will affect the constitutional order, it shall continue to adjudicate the dispute regardless of whether the conditions specified in Article 34.1 have arisen, or whether the plaintiff is participating in person.

Article 35. Minutes of the Oral Hearing

35.1. The course of the oral hearing shall be recorded and documented in full, and the following shall be included, and information technology tools may be used:

35.1.1. the title of the minutes, the date, place, and room of the session, and the hour and minute at which the session began and ended;

35.1.2. the names of the presiding Justice, the Justices in the panel, and the Court Clerk;

35.1.3. the content of the dispute to be discussed;

35.1.4. the names, occupations, positions, and other relevant information of the participants in the dispute;

35.1.5. the claims and explanations submitted by participants in the dispute, their representatives, and attorneys, and the responses thereto and other explanations, testimony of witnesses, conclusions of experts, their proposals, questions, and answers, and other aspects of the course of the session;

35.1.6. oral rulings resolving issues that arose in the course of the session, as well as the content of the decision.

35.2. In the minutes of the oral hearing, the translations of explanations, testimony, and other information given in a foreign language in the course of that session shall be set down in writing. Explanations and testimony given in a foreign language may be appended to the minutes of the session of the Court.

35.3. The minutes of the oral hearing shall be drawn up in writing within five working days from the date on which the session ended, and shall be signed and certified by the presiding Justice and the Court Clerk respectively and attached to the dispute materials.

CHAPTER SIX
ORGANIZATION OF DISPUTE ADJUDICATION

Article 36. Organization of Dispute Adjudication by the Court

36.1. The dispute adjudication procedure in the Court shall be organized in the Small, Medium, and Full benches.

36.2. The Small bench shall sit with a composition of three, the Medium bench of six, and the Full bench of all Justices.

36.3. Unless no fewer than 5 Justices of the Medium bench have unanimously resolved a fundamental rights dispute of a citizen, the Full bench shall resolve it.

Article 37. Forms of Sessions for Dispute Adjudication

37.1. The session shall take an oral or deliberative form.

37.2. The dispute shall be discussed and resolved at a deliberative session.

37.3. If the panel considers that hearing the explanations of the participants in the dispute in person, becoming familiar at the session with the testimony and conclusions of witnesses or other participants, and obtaining clarification is necessary for the complete and objective resolution of the dispute, it may decide to conduct an oral hearing.

37.4. An oral hearing may be conducted electronically on the basis of a proposal of a participant in the dispute or a Justice of the Court, or, in cases of absolute necessity, some Justices in the panel and specific participants may be permitted to participate in the session electronically.

Article 38. Small Bench

38.1. The Court shall decide at the Small Bench whether to initiate a dispute on its own initiative on the basis of a petition, or upon request.

38.2. The Small Bench shall sit in a deliberative form.

38.3. The panel of the Small Bench shall resolve whether to initiate a dispute in the Court, or other matters specified in this law, and issue a ruling. The ruling shall constitute the final decision on whether to initiate a dispute

38.4. The Small Bench shall resolve the proposal to restore the time limit for submitting a petition or request to the Court within 30 days following its submission in accordance with Article 17.4 of this law, and in this case the General Registrar shall provide a written explanation.

Article 39. Preparation for the Small Bench

39.1. The Small bench shall be convened within 30 days, starting one week after the delivery of the petition or request in accordance with Article 19.5 of this law. If necessary, the Small bench may extend that period once by 30 days.

39.2. The presiding Justice of the Small Bench, in consultation with the other Justice of the panel, shall schedule the session and issue an order.

Article 40. Decision on Whether to Initiate a Dispute

40.1. The Small Bench may refuse to initiate a dispute if any of the following grounds are present:

40.1.1. the subject matter of the dispute is outside the jurisdiction of the Court;

40.1.2. the petition or request has been submitted by a person who is not authorized to submit a petition or request, or who has no authority to represent such a person;

40.1.3. the petition has been submitted by a person lacking full legal capacity;

40.1.4. the petition or request does not meet the requirements set forth in this law;

40.1.5. the time limit set forth in this law has expired;

40.1.6. the matter has not been addressed to the Court in accordance with the procedure for prior resolution provided by law;

40.1.7. a valid decision has already been rendered by the Court on the specific issue in question;

40.1.8. the matter does not have the nature of a constitutional dispute;

40.1.9. the person who submitted the petition or information has withdrawn their claim in the dispute.

40.2. Within five working days after the dispute is initiated, this shall be made public on the website and by other means.

40.3. If a dispute is initiated, the designated Rapporteur Justice shall be appointed immediately in accordance with the procedure specified in Article 31.1 of this law.

Article 41. Medium Bench

41.1. Fundamental rights disputes shall be adjudicated by the Medium Bench, which shall review the contested issues specified in Article 66.2 of the Constitution and render conclusions.

Article 42. Preparation for Discussing the Dispute at a Session

42.1. The designated Rapporteur Justice shall ensure preparation for discussing the dispute at a session by conducting the procedures specified in this law.

42.2. Within five working days of being appointed, the designated Rapporteur Justice shall deliver the ruling on initiating the dispute to the participants in the dispute in accordance with Articles 20.2 and 20.3 of this law. Copies of the petition, information, or request shall be attached and delivered to the organization or official that issued the decision or other act

indicated as not conforming to the Constitution or as violating the Constitution, granting them the opportunity to submit a response within the prescribed timeframe.

42.3. If deemed necessary, the designated Rapporteur Justice shall conduct the following actions:

42.3.1. request from the relevant organizations, officials, and other persons explanations, references, and other evidence significant for the resolution of the dispute;

42.3.2. summon witnesses;

42.3.3. appoint an expert and have the expert render a conclusion;

42.3.4. obtain additional explanations and clarifications from participants in the dispute;

42.3.5. review petitions, information, and requests with content similar to the dispute jointly, and propose to separate requirements that cannot be resolved at one session;

42.3.6. propose the suspension of the dispute adjudication procedure on the grounds specified in Article 33.1 of this law, and its resumption in accordance with Article 33.3 of this law;

42.3.7. propose the dismissal of the dispute on the grounds specified in Article 34.1 of this law;

42.3.8. propose an extension of the period for dispute adjudication on the grounds specified in this law;

42.3.9. other necessary actions.

42.4. The proposals of the designated Rapporteur Justice specified in Articles 42.3.5, 42.3.6, 42.3.7, and 42.3.8 shall be resolved by the panel at a deliberative session, and a participant in the dispute shall have the right to submit to the panel a proposal to conduct these actions.

42.5. A participant in the dispute shall have the right to submit to the designated Rapporteur Justice proposals to conduct the actions specified in Articles 42.3.1, 42.3.2, 42.3.3, 42.3.4, and 42.3.9.

42.6. The designated Rapporteur Justice shall distribute copies of the dispute materials to the panel no fewer than 21 days before the session. A Justice in the panel shall read the dispute materials in advance and have the right to become familiar with the original materials.

42.7. If preparations are made for discussing the dispute at a session, the designated Rapporteur Justice shall, in consultation with the panel, set the date of the session. In the decision of the panel, the location, date, and time of the session, whether it shall be open or closed, and whether it shall be conducted in a deliberative or oral form shall be determined.

42.8. A Justice in the panel, upon receiving the documents in accordance with Article 42.6, may propose additional actions within ten working days following receipt, and if the panel concerned accepts the proposal, the period for preparing for the session shall be extended in accordance with this law.

42.9.No fewer than ten working days before the oral hearing, the location, date, and time of the session shall be notified to the participants in the dispute and made public on the Court's website and by other means.

42.10. In the circumstances specified in Article 5.2 of this law, notification and public announcement shall be made in accordance with Article 42.9 no fewer than five working days before the oral hearing.

42.11. For the preparation of a session to resolve a contested issue specified in Article 5.2 of this law, the time limits specified in this Article shall not apply, and the Court shall ensure preparation for discussion at the session in the shortest possible time.

Article 43. Oral Hearing

43.1. The oral hearing of the Court shall be conducted in a hall where the State Emblem and the Flag of Mongolia are displayed and that meets the requirements for deliberation.

43.2. Every person present in the Session Hall shall be obliged to treat the Court and the participants with respect, to observe the rules of the session, and to obey the presiding Justice of the session (hereinafter referred to as the "presiding Justice").

43.3. The presiding Justice shall open the session, verify the attendance of the participants with the Court Clerk , and announce the content of the dispute to be discussed.

43.4. The presiding Justice shall ascertain from the participants in the dispute whether they have become familiar with their rights and obligations, and explain the liability they bear.

43.5. The presiding Justice shall announce the panel, introduce the other participants, and explain to the participants in the dispute that they have the right to recuse them.

43.6. The presiding Justice shall introduce the rules of the session and remind the participants in the dispute and other persons in the hall of their obligation to observe them and to obey the presiding Justice.

43.7. The designated Rapporteur Justice shall briefly inform on the content of the petition, information, or request and on the procedures conducted in the course of preparing it for discussion at the session.

43.8. At any stage of the session, a Justice in the Court who is a member of that panel shall have the right to ask questions of the participants in the dispute and to receive answers.

43.9. A participant in the dispute shall explain their position on the matter in dispute and its grounds, following the order in which they submitted petitions, requests, and explanations to the Court.

43.10. A participant in the dispute shall make explanations and ask questions solely on issues related to the dispute under discussion.

43.11. If an expert participates in the session, the expert shall personally read out the conclusion.

43.12. A Justice in the panel and a participant in the dispute may ask the expert questions in connection with the conclusion, and the expert is obliged to answer.

43.13. A witness shall be separated from the Session Hall before giving testimony at the session.

43.14. A witness shall be obliged to answer truthfully the questions of the member Justices of the panel and the participants in the dispute.

43.15. Written and other evidence included in the dispute materials that is significant for the adjudication of the dispute shall be examined at the session of the Court.

43.16. At the end of the session, a participant in the dispute may address the Court, but shall not cite documents or other evidence that were not examined at the session.

43.17. The presiding Justice is obliged to take the necessary measures to conduct the dispute adjudication procedure in accordance with the law, to resolve the dispute fully and objectively from all sides, to ensure the exercise by participants of their rights and obligations and the principle of equality, and to maintain the rules of the session.

43.18. An employee of the organization specified in Article 16.9 of the Law on the Constitutional Court of Mongolia shall perform the duty of ensuring the security of the session of the Court and maintaining the rules of the session at the instruction of the presiding Justice.

43.19. The procedure for conducting an oral hearing shall be regulated in detail by the Rules of Procedure.

Article 44. Consequences of Absence at the Oral Hearing

44.1. The failure of a participant in the dispute to appear at the oral hearing, even though the date of the oral hearing was officially notified to the participants, shall not constitute grounds for postponing the session, except in the cases specified in Article 44.2.

44.2. If a participant in the dispute is unable to appear at the oral hearing for a justifiable reason and has notified in writing, no fewer than three working days before the session, of their proposal to participate in the session in person, the panel may postpone the session.

44.3. If the panel concerned considers that submitting proposals two or more times on the grounds specified in Article 44.2 is intended to deliberately obstruct the adjudication of the dispute, the session shall not be postponed.

44.4. If a witness or expert fails to appear, the panel shall discuss and decide whether to continue the session.

44.5. If a translator or interpreter fails to appear, the panel may postpone the session.

Article 45. Introduction of the Court’s Conclusion to the State Great Khural

45.1. In accordance with Articles 41.1 and 46.2 of this law, the Court shall bring to the State Great Khural the conclusion it has rendered after reviewing a contested issue.

45.2. Upon the entry into force of the conclusion specified in Article 45.1, the effect of the relevant law, other decision, or the articles and provisions thereof shall be suspended until the Court's final judgement is issued.

45.3. If the panel considers it absolutely necessary, then upon the entry into force of the conclusion specified in Article 45.1, it may issue a ruling on suspending, until the Court's final judgement is issued, the effect of the law, other decisions found to violate the Constitution, and the relevant articles and provisions thereof.

45.4. Restoring the effect of a regulation suspended in accordance with Articles 45.2 and 45.3 shall be prohibited.

45.5. Within 14 days after the Court's conclusion is formalized, or, if the conclusion is formalized during the recess of the session of the State Great Khural, within 14 days from the date on which the next session meeting of the State Great Khural commences, in accordance with the procedure provided by law, it shall be brought before the State Great Khural and submitted for its decision.

45.6. The State Great Khural shall discuss without delay the Court's conclusion issued on a matter related to the decisions specified in Articles 5.2.1 and 5.2.2 of this law, and the time limit specified in Article 45.5 shall not apply to it.

45.7. If the Court's conclusion on contested issues specified in Articles 66.2.1 and 66.2.2 of the Constitution is not accepted by the State Great Khural after discussion, the State Great Khural shall deliver its decision thereon, together with the grounds, to the Court within 10 working days, and an authorized representative of the State Great Khural may submit to the Court an explanation regarding that decision.

Article 46. Full Bench

46.1. The Full Bench shall deliberate and resolve the following disputes:

46.1.1. the Small Bench has initiated a dispute on the basis of a petition or request on whether the articles or provisions of a law or other decision annulled by a decision of the Court have been restored directly or in substance;

46.1.2. no fewer than three of the Justices who participated in the Medium bench have considered that a need has arisen to amend or newly establish the Court's legal position on a specific article or provision of the Constitution;

46.1.3. in accordance with Article 36.3 of this law, the Medium bench has not resolved a fundamental rights dispute of a citizen;

46.1.4. the separation of powers provided for in the Constitution is claimed to have been violated, and a request has been submitted by a participant in the distribution of powers specified in Article 16.6 of this law.

46.2. If the Medium bench has not rendered a unanimous conclusion on contested issues specified in Article 66.2 of the Constitution, the Full bench shall review the matter, render a conclusion, and bring it to the State Great Khural.

46.2. The Full Bench shall be conducted with the composition of all Justices of the Court, and if Justices are recused on the grounds provided by law, or are unable to participate

for health reasons, the Full Bench may be conducted with a composition of no fewer than seven Justices.

46.3. A decision of the Full Bench shall be deemed to be made when no fewer than 6 of the Justices participating in the Full bench concur.

Article 47. Reconsideration of a Contested Issue and Making a Final Judgement

47.1. If the State Great Khural, after discussing the Court's conclusion in accordance with Article 45.7 of this law, does not accept it, the Court shall reconsider the matter at the Full Bench and make a final judgement.

47.2. If the grounds specified in Article 46.1 of this law and the conditions specified in Article 47.1 are met, the date of the Full Bench shall be set.

47.3. In preparing the dispute for discussion by the Full Bench, and in discussing it, the general procedure of the Medium Bench specified in this law shall be followed.

47.4. If the Full bench, on the grounds specified in Article 47.1, reconsiders the contested issue and make a final judgement, that decision shall take the form of a resolution. If the Full Bench issues a decision on the violation of the Constitution, the decision of the State Great Khural not to accept the conclusion shall become void, and if it issues a decision that the Constitution has not been violated, the Court's conclusion shall be annulled.

47.5. The Full Bench shall finally resolve the dispute specified in Article 46.1 of this law and issue a resolution.

CHAPTER SEVEN
ISSUANCE OF COURT DECISIONS

Article 48. Discussing Disputes at a Deliberative Session

48.1. The Court's decision shall be rendered in the deliberation room solely by the Justices in that panel in deliberation, and the Court Clerk , participants in the dispute, and other persons shall not be present.

48.2. The deliberative session shall be directed and conducted by the presiding Justice.

48.3. A Justice in the panel shall enjoy equal rights in resolving the issue under deliberation, may ask questions of and obtain answers from the designated Rapporteur Justice, and is obliged to cast their vote on that issue.

48.4. In the deliberation room, the designated Rapporteur Justice shall first present their opinion and conclusion, after which the Justices in the panel shall state their opinions and conclusions in order of length of service, starting with the Justice who has served the longest in the Court, and the presiding Justice shall present last.

48.5. After the Justices of the Court have finished stating their opinions, the presiding Justice shall consolidate and formulate the content of the resolving section of the decision and conduct the vote in accordance with the following procedure:

48.5.1. After the first vote, the minority may speak again, stating the grounds for their opinion. If necessary, a Justice who formed the majority may respond;

48.5.2. After the Justices of the Court have finished expressing their opinions to one another, the presiding Justice shall conduct a second vote. This vote shall be conducted without changing the formulation of the previous vote, and if it receives the support of the majority specified in this law, the resolving section of the decision shall be deemed to have been supported;

48.5.3. If the former minority becomes the majority in the second vote, after the Justices of the Court have spoken again and explained the grounds for their votes, a third vote shall be conducted using the formulation specified in Article 48.5.2, and it shall be deemed that a decision has been made depending on whether it has received the support of the majority specified in this law.

48.6. If the State Great Khural does not accept the Court's conclusion, the Full Bench shall reconsider the contested issue in its entirety and vote using the formulation of whether it conforms to the Constitution.

48.7. Votes shall be cast openly in the deliberation room.

48.8. If an oral hearing has been held, the content of the resolving section of the Court's decision shall be presented to the participants in the dispute and made public within the period determined by the panel.

48.9. If no oral hearing has been held, the content of the resolving section of the Court's decision shall be made public within the period determined by the panel.

48.10. The Court's decision shall become effective upon the public announcement of its resolving section.

Note: The term "a Justice who has served the longest in the Court" as specified in this Article shall be understood to mean the Justice specified in the Note to Article 11 of the Law on the Constitutional Court of Mongolia.

Article 49. Determining the Grounds of the Court's Decision through Discussion

49.1. The Court shall explain the grounds of its decision in detail. The draft of the reasoning section of the Court's decision shall be written, on the basis of the opinion supported by the majority specified in this law, within 14 days after the deliberative session, by the designated Rapporteur Justice or another member Justice appointed by the panel, and presented to the panel. Other Justices in the panel may submit their opinions in writing.

49.2. A Justice in the panel shall be obliged to submit their opinion in writing in connection with the reasoning section of the draft specified in Article 49.1.

49.3. Within 14 days after the draft specified in Article 49.1 is presented, the reasoning section of the Court's decision shall be finally discussed at the deliberative session.

49.4. If no fewer than half of the Justices who have become familiar with the draft specified in Article 49.1 of this law propose to revise the draft of the reasoning section of the Court's decision, conduct additional research, or make fundamental changes to the reasoning, the deliberative session may be postponed for up to 14 days.

49.5. Unless otherwise provided by this law, the content of the reasoning section of the Court's decision shall be determined by the majority vote of the Justices participating in the panel.

49.6. The designated Rapporteur Justice or another Justice appointed by the panel shall draw up the Court's decision in full in writing, in accordance with the content discussed at the deliberative session, reflecting the opinions of the other Justices.

49.7. The decision made by the Medium or Full bench shall be signed and formalized within two months after it becomes effective.

49.8. The Justices in the panel who supported the decision and formed the majority shall be obliged to sign the Court's decision. The individual opinion of a Justice in the panel shall necessarily be appended to the Court's decision.

49.9. A Justice who fully or partially disagrees with the reasoning or resolving section of the Court's decision shall have the right to submit their individual opinion on this in writing.

49.10. The procedure for deliberating to render the Court's decision and its grounds shall be regulated in detail by the Rules of Procedure.

Article 50. Structure of the Court's Decision

50.1. The Court's decision shall consist of an introductory section, a descriptive section, a reasoning section, and a resolving section, with the following content:

50.1.1. the introductory section shall state the title, number, and date of the Court's decision, the place where the session was held, the panel, the names of the participants, the dispute discussed, and a brief statement of the contested issue;

50.1.2. the descriptive section shall state the brief meaning of the petition or request on which the dispute was initiated, the explanations of the participants in the dispute, and the content of other necessary information and evidence;

50.1.3. the reasoning section shall specify the articles and provisions of the Constitution that served as the basis for adjudicating the dispute and reviewing the contested issue, explain their meaning, set out, using legal application methodology, the grounds on whether the Constitution has been violated or not conformed to, and determine the relationship between the evidence and information collected and the grounds submitted by the participants in the dispute;

50.1.4. the resolving section shall determine whether the Constitution has been violated, or whether there is non-conformity with the Constitution, and shall clearly and unambiguously specify the name of the law that served as the basis of the conclusion, its articles and provisions, and the resolution reached in adjudicating the dispute. If a decision on non-conformity with the Constitution or violation of the Constitution is made, the start date for suspending the effect of the articles and provisions of the law or other decisions shall be included.

50.2. The Court's resolution shall consist of an introductory section, a descriptive section, a reasoning section, and a resolving section, with the following content:

50.2.1. in the introductory section, in addition to what is specified in Article 50.1.1, the name and number of the decision of the State Great Khural not accepting the

Court's conclusion, if any, and a brief content of the final judgement on the contested issue reconsidered;

50.2.2. in the descriptive section, in addition to what is specified in Article 50.1.2, the content and grounds of the Court's conclusion and of the decision of the State Great Khural not accepting it, if any;

50.2.3. in the reasoning section, in addition to what is specified in Article 50.1.3, the grounds for the final resolution of the contested issue concerned shall be written, if there is a Court conclusion and a decision of the State Great Khural not accepting it;

50.2.4. the resolving section shall determine whether the Constitution has been violated or not conformed to, and shall clearly and unambiguously specify the name of the law that served as the basis of the resolution, its articles and provisions, the decision of the State Great Khural or other decision, if any, and the resolution reached as to whether to annul it, and shall clearly state the law or other decision to be annulled in its entirety, or the articles and provisions thereof that are in conflict.

50.3. If obvious errors in words, letters, or numbers are found in the Court's decision, the panel that issued the decision may make the correction.

50.4. The ruling issued by the Small bench in connection with the initiation of a dispute shall not include a reasoning section, and a ruling refusing to initiate a dispute shall cite the grounds specified in Article 40.1 of this law.

50.5. If the Medium or Full bench decides to dismiss the dispute, it shall issue a ruling on this. The structure of that ruling shall meet the requirements specified in Article 50.1.

50.6. In the course of adjudicating a dispute, the panel shall issue a ruling and shall define its content within the scope of the issue resolved.

Article 51. Enforcement and Publication of the Court's Decision and Other Procedures

51.1. All organizations, officials, and citizens shall be obliged to comply with the Court's decision.

51.2. The Court's conclusion, resolution, and the ruling specified in Articles 50.5 and 53.1 of this law shall be posted and published on the website within five working days from the date of formalization, and these decisions shall become effective upon being so published. The individual opinion of a Justice shall be published together with these decisions.

51.3. The decisions and individual opinions specified in Article 51.2 of this law shall be published in the "State Gazette" issued in the month following their formalization.

51.4. By the end of January each year, the decisions and individual opinions specified in Article 51.2 of this law that were rendered in the preceding year shall be published in the Court's compilation of decisions.

51.5. Within five working days of the formalization of the Court's decision, it shall be delivered to the participants in the dispute, as well as to the State Great Khural, the President, the Government, the Supreme Court, the state central authority responsible for legal affairs, and the Unified Legal Information System.

51.6. If the panel considers it necessary, it shall schedule a date for the oral presentation of the content of the Court's decision to the public.

51.7. The Court's decisions and the dispute adjudication procedure shall be made public in an understandable manner.

51.8. In presenting orally, announcing, or publishing the decisions and individual opinions specified in Article 51.2, it shall be prohibited to disclose a person's personal information, other than the person's father's (mother's) name and own name, without that person's consent.

51.9. If the panel considers that the following essential requirements have arisen, it shall not publish the personal information of participants in the dispute or other persons:

51.9.1. to protect state and organizational secrets and sensitive personal information;

51.9.2. to protect the interests of the person concerned.

51.10. The procedure for delivering, presenting orally, announcing, and publishing the Court's decisions shall be regulated in detail by the Rules of Procedure.

Article 52. Consequences of the Court's Decision

52.1. Unless otherwise provided in a Court decision finally resolving a dispute, upon the entry into force of that decision, laws, other decisions, and their relevant articles and provisions that do not conform to the Constitution shall become void, and the time of annulment shall be specifically stated.

52.2. Taking into account legal, economic, and organizational consequences, the time of annulment of legislation, other decisions, and their relevant articles and provisions may be set to be after the issuance of the decision, or the method and procedure for implementing the Court's decision may be specified and determined in the Court's decision.

52.3. If the Court annuls the provisions of a law or other decision that serves as the basis of an administrative act, that administrative act, or its provisions, shall likewise become void.

52.4. If, as a result of a Court decision that a law, other decision, or their relevant articles and provisions do not conform to the Constitution, social relations would be left unregulated, the authorized organization or official shall be obliged to adopt a decision amending or newly regulating those social relations in conformity with the Constitution in accordance with the Court's decision, and the Court may, by specifying a time limit in its decision, impose this obligation on the authorized organization or official.

52.5. If, as a result of a Court decision that a law or its relevant articles and provisions do not conform to the Constitution, grounds arise for mitigating liability provided in the Criminal Code or the Infringement Code, the case shall be reconsidered and resolved on the basis of the Court's decision.

52.6. If a decision of the Court has been rendered that the fundamental rights of the petitioner and the distribution of powers provided by the Constitution to the requester have been violated, it shall serve as the basis for restoring those rights and for ensuring the distribution of powers, and the organization or official that violated the fundamental rights of

citizens or the distribution of state powers shall be obliged to bring its decisions and other acts into conformity with the Constitution in accordance with the Court's decision.

Article 53. Ruling on Temporary Suspension

53.1. If the panel considers that, in the course of dispute adjudication, immediate measures are necessary to prevent serious harm to the constitutional order and the lawful system, to protect against violence threatening public safety, or to stop proceedings prosecuting a citizen for exercising their fundamental rights, it may issue a ruling on temporarily suspending, in whole or in part, the effect of the law or other decision in dispute.

53.2. In deciding whether to temporarily suspend the effect of a law or other decision, the Court may hold an oral hearing. In cases of extreme urgency, the ruling specified in Article 53.1 of this law may be issued without obtaining explanations from the participants in the dispute or other authorized persons.

53.3. If a ruling on temporary suspension has been issued, this shall be made public immediately without stating the grounds, and the grounds for the ruling shall be delivered separately to the participants in the dispute.

53.4. A ruling on temporary suspension shall be valid for three months, and that period may be extended by the votes of an overwhelming majority of the member Justices of the panel.

53.5. In cases of extreme urgency, if the quorum of the Medium or Full bench is not met, a law or other decision may be temporarily suspended by a ruling issued unanimously by three Justices of the Court. A ruling issued in this way shall be valid for one month.

CHAPTER EIGHT
SPECIAL PROCEDURES

Article 54. Contested Issues Related to Laws and Other Decisions

54.1. The following authorized persons may, for the purpose of ensuring the principle of the distribution of powers under the Constitution, submit a request to the Court, within the scope of their primary functions, on the following contested issues:

54.1.1. no fewer than one-third of all members of the State Great Khural, or the President, the Prime Minister, the Supreme Court, on the issue of whether a law or other decisions of the State Great Khural conform to the Constitution, and whether the Speaker or a member of the State Great Khural has breached the Constitution;

54.1.2. no fewer than one-third of all members of the State Great Khural, or the Supreme Court, the Prime Minister, on the issue of whether decisions of the President conform to the Constitution and whether the President's other acts violate the Constitution;

54.1.3. no fewer than one-third of all members of the State Great Khural, or the President, the Supreme Court, on the issue of whether decisions of the Government Cabinet conform to the Constitution, and whether decisions and other acts of the Prime Minister or a member of the Government Cabinet violate the Constitution;

54.1.4. no fewer than one-third of all members of the State Great Khural, or the President, the Supreme Court, on the issue of whether an international treaty that Mongolia

intends to ratify or accede to conforms to the Constitution, before the enactment of the law on such ratification or accession;

54.1.5. no fewer than one-third of all members of the State Great Khural, or the President, the Prime Minister, on the issue of whether the Chief Judge of the Supreme Court or the Prosecutor General has breached the Constitution.

54.2. On whether the consideration by a court of a policy (political) issue decided by the State Great Khural or the Government violates the Constitution, no fewer than one-third of all members of the State Great Khural, or the Prime Minister, may submit a request to the Court.

54.2. The State Great Khural, the Speaker or a member of the State Great Khural, the President, the Government Cabinet, the Prime Minister, a member of the Government, the Supreme Court, the Chief Judge of the Supreme Court, the Prosecutor General, and the central election authority may provide a clarification on the contested issues specified in Article 54.1 of this law within the period determined by the Court.

54.3. The Court shall bring its conclusion, rendered after reviewing the contested issues specified in Article 54.1, to the State Great Khural in accordance with the procedure specified in Article 45 of this law, and in the case specified in Article 47.1 of this law, shall reconsider and rule on the contested issue.

Article 55. Contested Issues Arising from Requests of the Supreme Court and the Prosecutor General

55.1. If a court considers that the law to be applied in adjudicating a case or dispute is inconsistent with the Constitution, or has violated or worsened the fundamental rights of a citizen, it shall suspend the adjudication procedure and submit its opinion to the relevant panel of the Supreme Court, and if no fewer than two-thirds of all judges of that panel consider this opinion well-founded, a request shall be made to the Court.

55.2. If the appellate instance session of the Supreme Court considers, in adjudicating a case or dispute on appeal, that the law to be applied is inconsistent with the Constitution, or has violated or worsened the fundamental rights of a citizen, it shall suspend the adjudication procedure and submit a request to the Court regarding that law in accordance with the procedure specified in Article 55.1.

55.3. If no request has been made to the Court in accordance with Article 55.1, the Prosecutor General may, upon the request of the defendant who participated in the court hearing of the criminal case, submit a request to the Court on the grounds that the law is inconsistent with the Constitution, or has violated or worsened the fundamental rights of a citizen.

55.4. The request specified in Articles 55.1, 55.2, and 55.3 of this law shall clearly and in detail state, based on the factual circumstances of the case, the grounds on which it is considered that applying that law would violate the fundamental rights of a citizen provided for in the Constitution.

55.5. In reviewing contested issues on the basis of a request specified in Articles 55.1, 55.2, and 55.3, the provisions of Articles 54.2 and 54.3 of this law shall be followed.

55.6. A citizen who is a participant in the dispute may submit the request specified in Articles 55.1, 55.2, and 55.3 regardless of whether they have submitted a petition to the Court on the ground that a provision of law violates fundamental rights.

55.7. The Court shall provide the relevant panel of the Supreme Court, or the participants in the adjudication procedure being conducted by the court that made the proposal, with an opportunity to submit explanations.

55.8. A party to a case or dispute being adjudicated by a court has the right to apply to that court to make the proposal specified in Article 55.1 of this law, and to the panel of the appellate instance court to make the request specified in Article 55.2 of this law, respectively.

Article 56. Contested Issues Relating to Public Officials

56.1. The State Great Khural, the President or the Prime Minister, the Supreme Court, and the Prosecutor General may submit a request to the Court on the following contested issues:

56.1.1. in order to have the constitutional grounds for the removal from office of the President, the Speaker of the State Great Khural, or the Prime Minister, or the recall of a member of the State Great Khural, established, on the basis that they are considered to have negated Mongolia’s independence and sovereignty, which are fundamental principles of the Constitution; destroyed the structure of the unitary, parliamentary republic state; undermined the rights and freedoms of citizens, the distribution of powers, and the checks and balances thereof as provided for in the Constitution; directly endangered the life, health, livelihood, or public security of citizens; or threatened the constitutional order and the lawful system.

56.2. The request specified in Article 56.1 shall state the constitutional grounds and evidence for the violation of the Constitution, or for removal from office or recall.

56.3. The Full bench shall render a conclusion on whether the President, the Speaker of the State Great Khural, a member of the State Great Khural, the Prime Minister, a member of the Government Cabinet, the Chief Judge of the Supreme Court, or the Prosecutor General has breached the Constitution, and whether there are constitutional grounds for the removal from office of the President, the Speaker of the State Great Khural, or the Prime Minister, or the recall of a member of the State Great Khural, after discussing it at an oral hearing, and bring it to the State Great Khural.

56.4. The official specified in Article 56.1.1 shall be involved in the oral hearing of the Court. If that official submits a proposal that they are unable to participate in the oral hearing in person, the Court may decide to instruct that a representative be involved, or to postpone the session once.

56.5. The Court shall clearly state in its conclusion the grounds for the following issues:

56.5.1. whether the President, the Speaker of the State Great Khural, a member of the State Great Khural, the Prime Minister, a member of the Government Cabinet, the Chief Judge of the Supreme Court, or the Prosecutor General has breached the Constitution by decisions or other acts;

56.5.2. whether there are constitutional grounds, in accordance with Article 56.1.1, for the removal from office of the President, the Speaker of the State Great Khural, or the Prime Minister, or the recall of a member of the State Great Khural.

Article 57. Disputes Regarding Fundamental Rights

57.1. Disputes regarding fundamental rights shall be adjudicated, in accordance with the procedure specified in Article 36.3 of this law, by the Medium Bench and the Full Bench.

57.2. In a fundamental rights dispute, a relevant person whose interests have been affected may submit an explanation within the specified period.

57.3. If the petition raises the issue of whether legislation conforms to the Constitution, the State Great Khural may submit an explanation within the period determined by the Court.

57.4. If it is decided that a fundamental rights dispute is to be discussed at an oral hearing, the person specified in Article 57.3 may participate in the session, and the person specified in Article 57.2 of this Article may be involved in the session.

57.5. If the Medium Bench decides that the petition is well-founded, it shall clearly state in its decision the grounds on which decisions or other acts of legislative, executive, and judicial bodies or public officials have violated the fundamental rights protected by which provision of the Constitution. The decision may state that each instance of repeated issuance of a decision or other act that was decided to violate the Constitution shall constitute a violation of the Constitution.

57.6. The effect of a decision or other act that violated fundamental rights shall be suspended upon the entry into force of the Court’s decision, and the matter shall be transferred to the authorized organization or official to be resolved anew in conformity with fundamental rights. Where the Court suspends the effect of a court decision, the matter of protecting the fundamental right shall be transferred to the Supreme Court in accordance with Article 5.1.3 of the Constitution.

57.7. If the panel considers it absolutely necessary, it may issue a ruling on suspending the effect of the decision specified in Article 57.6 upon the entry into force of the Court’s conclusion or decision.

57.8. The courts, other organizations, and officials specified in Article 57.6 of this law shall, within the scope of their powers, in accordance with the Court’s conclusion, resolve the matter in conformity with fundamental rights, annul the relevant decisions, and take measures to restore the fundamental rights of the citizen and prevent further violations.

57.9. If a petition submitted on the ground that legislation violates the Constitution is decided to be well-founded, that legislation shall be suspended until the Court’s final judgement is issued in accordance with Articles 45.2 and 45.3 of this law, and the conclusion shall be brought to the State Great Khural, which shall discuss it and adopt a resolution in accordance with Articles 45.5 and 45.6 of this law.

57.10. If the State Great Khural has not discussed and accepted the Court’s conclusion within the time limits specified in Articles 45.5 and 45.6 of this law, or has not adopted the relevant decision within that time limit, the Court shall reconsider the contested issue and make a final judgement.

57.11. If a decision specified in Article 57.6 of this law was issued on the basis of legislation that violates the Constitution, that legislation shall likewise be suspended and resolved in accordance with Articles 57.9 and 57.10 of this law.

57.12. In adjudicating fundamental rights disputes related to the right to elect and be elected, this Article and Article 58 of this law shall be applied.

Article 58. Disputes Regarding the Fundamental Right to Elect and Be Elected

58.1. A citizen entitled to vote may submit a petition to the Court on the following grounds:

58.1.1. the citizen's right to elect has been violated as a result of a decision or other act of the central election authority;

58.1.2. a decision or other act of the central election authority on matters such as whether to register a candidate or a party list has violated the citizen's right to be elected.

58.2. If the petition specified in Article 58.1 of this law relates to an election conducted in an electoral district, only a voter of that district has the right to submit a petition.

58.3. The Medium Bench shall adjudicate, within four months after the dispute is initiated on the basis of the petition specified in Article 58.1 of this law, and render one of the following conclusions:

58.3.1. if, in discussing the dispute specified in Article 58.1.1 of this law, it is established that the right to elect has been violated and this has affected the election results or the allocation of seats, annul the election in whole or in part;

58.3.2. if, in discussing the dispute specified in Article 58.1.2 of this law, it is established that the right to be elected has been violated and this has affected the election results or the allocation of seats, annul the election in whole or in part;

58.3.3. establish that the right to elect or to be elected has been violated;

58.3.4. dismiss the dispute.

Article 59. Contested Issues Related to Referendums and Elections

59.1. No fewer than one-third of all members of the State Great Khural may submit a request to the Court on the contested issue of whether decisions of the central election authority concerning a referendum, or the election of the State Great Khural, its members, or the President, conform to the Constitution.

59.2. The request specified in Article 59.1 of this Article shall be submitted within two months from the date on which the results of the referendum or of the election concerned were presented.

59.3. The request specified in Article 59.1 shall be submitted on the following grounds:

59.3.1. in the course of preparing, conducting, or determining the results of a referendum or election, the constitutional principle of voting by secret ballot on the basis of universal, equal, free, and direct suffrage has been violated, and this has affected the allocation of seats in the State Great Khural, the results of the presidential election, or the results of the referendum;

59.3.2. a decision of the central election authority relating to the registration of a candidate or a party list has violated the Constitution.

59.4. The Medium bench shall adjudicate, within four months after the dispute is initiated on the basis of the request specified in Article 59.1, and render one of the following conclusions:

59.4.1. after discussing the contested issue specified in Article 59.3.1, establish a violation of the Constitution, and, where necessary, confirm the allocation of seats to members of the State Great Khural or annul the election in the electoral district concerned;

59.4.2. after discussing the contested issue specified in Article 59.3.2, establish that the decision of the central election authority violated the Constitution, and, where necessary, annul the election in whole or in part;

59.4.3. establish, within the scope of the contested issue, whether it conforms to the Constitution;

59.4.4. dismiss the contested issue.

59.5. The request specified in Article 59.1 shall be adjudicated in accordance with Articles 54.2 and 54.3 of this law.

CHAPTER NINE
MISCELLANEOUS

Article 60. Responsibility for Legal Violations

60.1. If a participant in a dispute or another person violates the rules of the session, fails to comply with a decision on maintaining the rules, or shows disrespect to the Court, a warning shall be issued, the person shall be forcibly removed from the Session Hall of the Court, and liability as provided in the Infringement Code shall be imposed.

60.2. A citizen, organization, official, or other person who attempted to interfere from outside with, exert pressure or harassment on, or otherwise influence the Court or a Justice in the exercise of the function of adjudicating disputes, or who failed to comply with the Court's decision, shall be held liable as provided in the Infringement Code.

60.3. If a person abused the right to address the Court, or repeatedly addressed the Court on issues that have been answered or decided, thereby obstructing its normal activities, liability as provided in the Law on Infringement shall be imposed.

60.4. If an expert or witness knowingly gave a false conclusion or testimony, or unlawfully avoided or refused to give testimony, liability as provided by law shall be imposed.

Article 61. Entry into force

61.1. This law shall enter into force on 13 January 2028.

[Signature]