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EMIGRATION LAWS AND POLICIES OF MONGOLIA

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

AN UPDATED REPORT CONCERNING THE EMIGRATION LAWS AND
POLICIES OF MONGOLIA, PURSUANT TO 19 U.S.C. 2432(b)



FEBRUARY 3, 1998.—Referred to the Committee on Ways and Means and
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THE WHITE HOUSE,
Washington, January 20, 1998.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: On September 4, 1996, I determined and reported to the Congress that Mongolia was not in violation of the freedom of emigration criteria of sections 402 and 409 of the Trade Act of 1974. This action allowed for the continuation of most-favored-nation status for Mongolia and certain other activities without the requirement of an annual waiver.

As required by law, I am submitting an updated report to the Congress concerning the emigration laws and policies of Mongolia. The report indicates continued Mongolian compliance with U.S. and international standards in the area of emigration.

Sincerely,

WILLIAM J. CLINTON.

REPORT TO CONGRESS CONCERNING EMIGRATION LAWS AND
POLICIES OF MONGOLIA

This report is submitted pursuant to sections 402 and 409 of the Trade Act of 1974, as amended ("the Act"), following Presidential Determination Number 96-51 of September 4, 1996, and the accompanying report to Congress, that Mongolia is not in violation of paragraphs (1), (2), or (3) of sections 402(a) and 409(a) of the Act.

All current information indicates that the emigration laws and practices of Mongolia continue to satisfy the criteria set forth in sections 402(a) and 409(a) of the Act in respect of all matters covered in those subsections. Mongolia's "Law on Emigration and Private Trips of Mongolian Citizens Abroad" has been in effect since February 1, 1994. The law gives Mongolian citizens the right to move freely within the country, travel and emigrate, and return to Mongolia. These rights are exercised in fact.

A passport and exit visa (received for a nominal fee) are the only requirements to leave the country. Every citizen has the right to return to Mongolia following emigration. Citizens may not be forcibly expatriated and may not be deprived of citizenship acquired by birth. There are no outstanding emigration cases involving the United States and no divided family cases in Mongolia. Mongolia has accepted refugees from Inner Mongolia.

In addition to meeting the emigration requirements, Mongolia maintains a positive human rights record. The Mongolian Constitution provides for freedom of speech, press and expression and for an independent judiciary. These freedoms are respected in practice. The government, despite economic difficulties, is working for the expansion of citizen participation in public life.

At the same time, Mongolia has largely completed its political transition to a full fledged multi-party state. There were two major elections this year, the quadrennial Presidential election and a by-election to fill the former parliamentary seat of newly elected President Bagabandi. Both of these elections were conducted in a free and fair manner under the 1992 constitution. All political parties, including the former communist party, are publicly committed to democracy and actively participating in democratic institutions.

There are no impediments to monitoring human rights developments in Mongolia.

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