

## **CONSTITUTIONAL LAW INSTITUTE (CLI)**

### **About the Institute:**

The Constitutional Law Institute at National University of Mongolia (NUM) was established by Decree no. 104 of the President of Mongolia, Khurelsukh Ukhnaa, on November 26, 2021. The Institute is affiliated with the School of Law, NUM.

The CLI works consistently to enrich and develop the sixty years of experience and traditions of constitutional law training and research at the School of Law, NUM. The Institute's vision is to become a leading research institute in Mongolia on constitutional law at the highest level of quality and by international standards.

The mission of the Institute is to strengthen constitutional democracy, protect human rights and freedoms, and contribute to the comprehensive development of a humane, civic, and democratic society in Mongolia. To realize its vision and mission, the Institute conducts research and training, organizes conferences, and carries out advocacy activities mainly on constitutional law.

The CLI runs the Council of Constitutional Scholars and Researchers (the Council), its current membership is approximately 80. The Council is comprised law professors and researchers from NUM and other universities who conduct constitutional law research. Selenge Khayankhyarvaa (Ph.D), advisory professor at the School of Law, is currently serving as an interim director.

### **Research areas:**

The Institute aims to carry out independent, high-quality research on constitutional law in accordance with the fundamental conception of and within the basic structure of the 1992 Constitution of Mongolia. The Institute conducts doctrinal, policy and practical, and interdisciplinary research of the Constitution on various topics, including:

- Theory and philosophy of constitutional democracy
- Comparative constitutional law
- Human rights and their protection mechanisms
- Separation of powers, checks, and balances
- Legislative power
- Executive power
- Judicial power
- Local administration
- Constitutional review

In the two and a half years since its establishment, the CLI has completed about 10 projects and publications:

- Expert Opinion (amicus curiae) on the Concurrent Performance of Roles of Members of Parliament and Members of the Government in Countries with a Parliamentary System (by appointment of the Constitutional Court of Mongolia, March 2022)
- Separation of Powers, Checks and Balances in the Parliamentary System (April 2022)
- Assessment of Consequences of the Implementation of the Law on Demonstrations and Assembly (for Ministry of Justice and Internal Affairs, May 2022)
- Monitoring System for Political Parties (financed by the Swiss Agency for Development and Cooperation, October 2022)
- Establishment, Registration, Reorganization, and Liquidation of Political Parties (financed by the Swiss Agency for Development and Cooperation, October 2022)
- Expert Opinion (amicus curiae) on Whether the Inclusion of Techniques and Equipment Designed for the Discovery of Data in the Intelligence Violates the Right to Privacy (by appointment of the Constitutional Court of Mongolia, December 2022)
- “Constitution in My School” project (financed by the Asia Foundation, 2022)
- Translation of “Revised Report on Individual Access to Constitutional Justice by the Venice Commission (Opinion No. 1004/2020)” (February 2023)
- Translation of “Compilation of the Venice Commission Opinions, Reports, and Studies on Constitutional Justice (CDL-PI (2020)004)” (financed by Open Society Forum, February 2023)
- “Translation of Landmark Decisions of the Federal Constitutional Court of Germany” (financed by the Hanns Seidel Foundation in Mongolia, 2023)

The CLI also organizes annual symposiums of Constitutional scholars and researchers, as well as academic meetings and discussions itself and in partnership with other organizations. It also supports the participation of scientists and researchers in international, regional, and national conferences. Currently, the Institute has organized approximately 20 conferences.

#### **International cooperation:**

The Constitutional Law Institute intends to cooperate with foreign universities, research institutes, centers, and other organizations with similar functions. The Institute cooperated with the European Commission for Democracy through the Law (Venice Commission) and worked on translating the relevant sources of the commission into Mongolian in 2023. Also, last year, the CLI concluded a co-operation memorandum with the Constitutional Research Institute of Constitutional Court of Korea.

#### **Domestic cooperation:**

The Institute cooperates not only with professors of the NUM but also with researchers and scholars of constitutional law throughout Mongolia in research, training, and other activities. In addition, the Institute has the Council of Constitutional Scholars and Researchers to exchange opinions by organizing academic conferences, discussions, symposiums, research seminars, and honorary lectures. In this regard, the Institute welcomes researchers and scholars of constitutional law for cooperation.

The Institute strives to cooperate with the government and other organizations, universities, law schools, research institutes and other organizations with similar functions and to become a bridge connecting these organizations to collaborate and coordinate efforts to strengthen constitutional democracy in Mongolia.

In May 2022, we signed a Memorandum of Cooperation with the Institute of Judicial Training, Research, and Information at the Supreme Court. Under the scope of this MOU, the Institute conducts constitutional research, strengthens the research capacity of judges and supports research-based policy decisions.

On September 14, 2022, the NUM signed a memorandum of cooperation with the Judicial Disciplinary Committee of Mongolia. Within the framework of the memorandum, the Institute will conduct training and research in judicial ethics and discipline, support researchers, and organize academic meetings and discussions. The first research is planned for the disciplinary proceedings of judges.

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