ISSN 2055-0286
Advances in Social Sciences Research Journal; Vol. 13 No. 11 (2026) (133-146)
https://doi.org/10.14738/assrj.1311.12664

Criminal Liability for Violations of the Quarantine Regime in State Border Areas and at Border Crossing Points: Legal Issues and Challenges

Gandavaa, Dorj[1], Javkhlantsogt, Vaanchig[2], & Myagmarjav, Khulan[3]

1. Ph.D student at University of Internal Affairs, Mongolia.
2. Ph.D of Law, Ikh Zasag International University, Chinggis Soose
3. Ph.D, Consulting Professor of the Emergency Management Research Faculty Group, University of Internal Affairs, Mongolia

Abstract: Ensuring the security of Mongolia's state borders and the effective organization of border protection activities are influenced by various social, economic, political, and epidemiological factors. Among these, the emergence and spread of particularly dangerous infectious diseases affecting humans, livestock, and wildlife constitute a significant challenge, particularly in the context of Mongolia's traditional nomadic livestock husbandry and distinctive natural and climatic conditions. The outbreak of such diseases may necessitate the implementation of quarantine regimes and specific restrictions at designated sections of the state border. However, violations of established restrictions, regulations, instructions, and legal requirements may occur when individuals prioritize personal interests over public safety and collective welfare. Such violations can undermine the effectiveness of disease prevention and control measures and create additional challenges for state border security. Accordingly, this study highlights the need to examine and improve the legal framework governing liability for violations of quarantine measures and state border restrictions, with particular attention to the adequacy, proportionality, and effectiveness of applicable legal sanctions. Strengthening these legal mechanisms is essential to enhancing compliance, protecting public health, preventing the spread of particularly dangerous infectious diseases, and ensuring the security of Mongolia's state borders.

Keywords: state border security, particularly dangerous infectious diseases, quarantine regime, legal liability, border protection, legal regulation, Mongolia.

INTRODUCTION

Due to Mongolia's traditional nomadic livestock husbandry, the seasonal migration of wild animals, and various human-related factors, the country has historically been exposed to a considerable risk of the emergence and spread of particularly dangerous infectious diseases affecting humans, livestock, and wildlife. Mongolia's distinctive natural and climatic conditions, combined with the close interaction between humans, domestic animals, and wild animals, create specific challenges for preventing and controlling the transmission of infectious diseases. Consequently, the prevention of such diseases represents not only a public health concern but also an important issue for state border security and the effective implementation of border protection measures [1].

In recent years, the increasing occurrence of hazardous natural phenomena and the substantial human, financial, and institutional resources allocated to preventing and controlling particularly dangerous infectious diseases have not always resulted in the

effective containment of their spread. These circumstances highlight the need to strengthen existing preventive mechanisms and improve the coordination of relevant authorities. In particular, the effective enforcement of quarantine measures and compliance with legally established restrictions are essential to minimizing the risk of cross-border transmission and protecting public health, animal health, and national security [2].

When particularly dangerous infectious diseases emerge or pose a significant threat in areas along Mongolia's state border, at international airports, or at border crossing points, the Government of Mongolia may establish a quarantine regime and impose specific restrictions in accordance with applicable legislation. Such situations involve an increased level of public danger because violations of quarantine requirements may facilitate the cross-border transmission of infectious diseases and undermine the effectiveness of national prevention and control measures. Furthermore, the management of these situations may require coordinated action by multiple state authorities, cooperation with the competent authorities of neighboring countries, and compliance with relevant international legal obligations [3].

Despite the importance of these measures, questions remain regarding the adequacy and effectiveness of the legal mechanisms governing criminal liability for violations of quarantine regimes and related restrictions established by decisions of the Government of Mongolia. In particular, violations committed within state border areas, border zones, border strips, and at border crossing points require careful examination in light of the specific risks associated with cross-border disease transmission, the public danger posed by such conduct, and the legal obligations of individuals and organizations. The effectiveness of criminal liability depends not only on the existence of relevant legal provisions but also on the clarity of their formulation, the consistency of their application, and the proportionality of the sanctions imposed.

Accordingly, this study examines the legal framework governing criminal liability for violations of quarantine regimes established in Mongolia's state border areas and at border crossing points. It seeks to identify potential shortcomings in the existing legal regulations and assess whether the applicable criminal liability mechanisms adequately address the risks associated with particularly dangerous infectious diseases. The study also aims to identify legal and regulatory improvements that could strengthen compliance with quarantine requirements, enhance the effectiveness of disease prevention measures, and contribute to the protection of public health and the security of Mongolia's state borders.

THE RATIONALE FOR QUARANTINE REGIMES AT MONGOLIA'S STATE BORDER AND BORDER AREAS

The occurrence and spread of infectious diseases have long presented significant challenges to public health, animal health, economic stability, and national security in Mongolia. Historical data demonstrates the scale of these challenges. According to a ten-year study covering the period from 1991 to 2000, 119 cases of particularly dangerous and acute infectious diseases in humans and 136 cases of particularly dangerous infectious diseases in animals were recorded, alongside cases of avian influenza. During the same period, various disasters resulted in 1,330 deaths, 900 cases of illness, and the loss of approximately 9.2 million head of livestock. The total economic damage was estimated at 632.4 billion Mongolian tugriks. These figures illustrate the potentially severe consequences of infectious

disease outbreaks and other hazardous events for human life, livestock production, and the national economy [4].

The scale of infectious disease transmission was also evident in 2021. According to reported national statistics, the number of infectious disease cases reached 576,000, representing a 17.3-fold increase compared with the corresponding period of the previous year. Coronavirus infection accounted for 561,200 cases, or 97.4 percent of the total. Although these figures primarily reflect the impact of the COVID-19 pandemic, they demonstrate how rapidly an infectious disease can spread across a population and place considerable pressure on public health institutions, economic activities, and government resources [5].

The growing frequency of hazardous natural phenomena and the emergence or re-emergence of infectious diseases further underscore the need for effective prevention and response mechanisms. According to a global risk assessment report, approximately 400 disasters occurred annually worldwide in 2015, and this number was projected to increase to 560 by 2030, representing an estimated rise of 40 percent. Infectious disease outbreaks constitute an important component of the broader range of biological hazards that can threaten human and animal populations. In Mongolia, the emergence of new infectious diseases affecting humans, domestic animals, and wildlife, together with the reappearance of diseases previously considered eradicated, has increased the need for effective epidemiological surveillance, veterinary control, and coordinated emergency response measures. These developments can generate substantial economic losses and increase public expenditure on disease prevention, outbreak containment, treatment, and veterinary services [6],[7].

The prevention and control of particularly dangerous infectious diseases are not exclusively domestic concerns. Because infectious agents can cross national borders through human movement, international trade, freight transportation, and the migration of wild animals, outbreaks in one country may pose significant risks to neighboring states and the wider international community. Consequently, measures requiring the establishment of quarantine regimes and the implementation of special procedures are governed by relevant international legal instruments and applicable national legislation. International cooperation is essential to ensuring the timely exchange of information, coordinating preventive measures, and reducing the risk of cross-border transmission. In this context, a state's response to infectious diseases has implications extending beyond its territorial boundaries, potentially affecting regional security, economic stability, and the normal functioning of social institutions.

The classification of infectious diseases according to their public health risks also demonstrates the importance of differentiated prevention and response strategies. However, any numerical classification attributed to the World Health Organization must be interpreted in accordance with the specific classification system, disease categories, and reporting period used in the original source. The identification and assessment of biological threats require appropriate scientific evidence and consistent criteria to ensure that preventive measures correspond to the nature and severity of the risks involved.

Mongolia's expanding foreign relations, increasing international trade, and growing volume of passenger and freight transportation create additional challenges for the prevention of infectious diseases. International airports, railway facilities, road transport

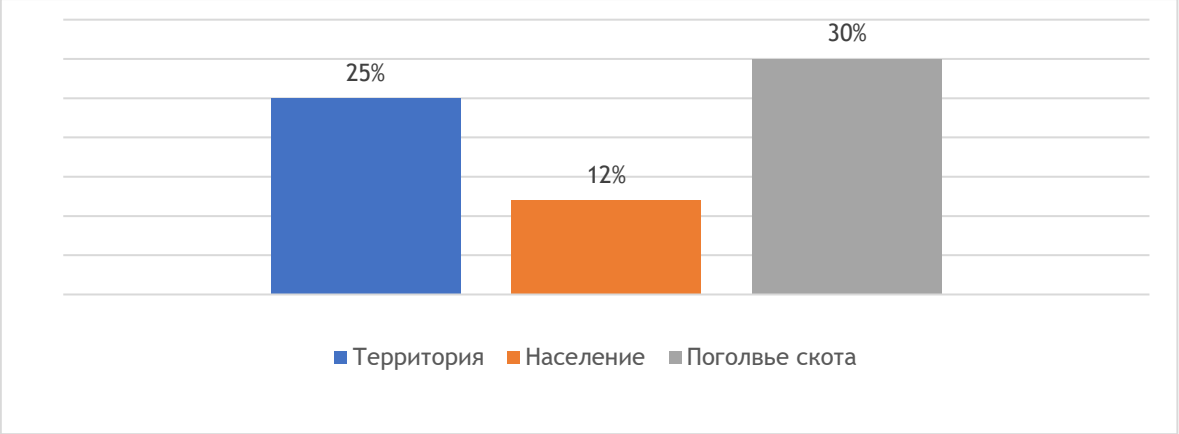
routes, and border crossing points serve as essential channels for economic and social exchange, but they may also facilitate the transmission of infectious agents when appropriate preventive measures are not implemented. In certain circumstances, individuals or legal entities may engage in unlawful activities to obtain financial benefits, including the circumvention of established restrictions or the failure to comply with mandatory sanitary, quarantine, and veterinary requirements. Such conduct may undermine public safety and weaken the effectiveness of measures intended to prevent the introduction and spread of particularly dangerous infectious diseases. Accordingly, the legal framework must establish clear obligations and appropriate forms of liability for violations that create a substantial risk to public health, animal health, and national security [8].

These challenges are particularly significant in Mongolia because of the country's traditional nomadic livestock husbandry, distinctive natural and climatic conditions, and extensive interaction between humans, domestic animals, and wildlife. The seasonal migration of wild animals, the movement of livestock across different territories, and human activities can contribute to the emergence and transmission of infectious diseases. Border areas are especially important in this regard because they connect domestic and international transport networks and may be exposed to epidemiological risks originating in neighboring countries.

According to the available territorial and demographic data, Mongolia's border areas, defined as the territories of border soums (administrative districts), account for approximately 25 percent of the country's total land area. These areas accommodate around 12 percent of the national population and contain approximately 30 percent of the country's livestock. This distribution highlights the strategic importance of border territories for livestock production, rural livelihoods, and the national economy. It also demonstrates why the prevention and control of infectious diseases in these areas require coordinated measures involving public health authorities, veterinary services, border protection agencies, local administrations, and other competent institutions [9].

In this context, the establishment of quarantine regimes at the state border and in border areas constitutes an important legal and administrative mechanism for preventing the introduction and spread of particularly dangerous infectious diseases. Such regimes may provide the legal basis for imposing temporary restrictions, regulating movement, conducting sanitary and veterinary inspections, and coordinating the activities of relevant authorities when a significant epidemiological threat arises. Their effectiveness, however, depends not only on the timely adoption of government decisions but also on public compliance, institutional coordination, and the availability of appropriate legal enforcement mechanisms [10].

Therefore, the necessity of establishing quarantine regimes in Mongolia's state border areas is determined by the combined effects of epidemiological risks, the country's livestock-based economic structure, cross-border mobility, and the potential consequences of infectious disease outbreaks for public safety and national security. These circumstances also provide a rationale for examining the adequacy of the legal framework governing violations of quarantine requirements, particularly the grounds for criminal liability, the clarity of the relevant legal provisions, and the proportionality and deterrent effect of applicable sanctions. A comprehensive legal approach is essential to ensuring that quarantine measures are implemented effectively while remaining consistent with national legislation and applicable international obligations.



Graph 1: Comparative Distribution of Territory, Population, and Livestock in Mongolia's Border Areas (%)

Territory, Population, and Livestock:

- Territory: 25%
- Population: 12%
- Livestock population: 30%

The Legal and Scientific Basis for Establishing Quarantine Regimes for Particularly Dangerous Infectious Diseases in Mongolia

By Resolution No. 266 of the Government of Mongolia (2018), Appendix 1 approved the List of Diseases for Which a Quarantine Regime Is Established, comprising 23 infectious diseases. This regulatory framework reflects the importance of quarantine measures as an instrument for preventing and controlling infectious diseases that pose significant threats to human health, animal health, and public safety. A quarantine regime enables competent state authorities to introduce temporary restrictions and special procedures in accordance with applicable legislation when the circumstances require intervention to prevent or contain the spread of infectious diseases.

From a legal and administrative perspective, a quarantine regime may be understood as a set of temporary, legally authorized measures and restrictions implemented by competent state authorities and professional inspection organizations to prevent the introduction, transmission, and further spread of infectious diseases and to facilitate their containment and elimination. Such measures may include restrictions on movement, sanitary and veterinary inspections, epidemiological surveillance, and coordination among relevant institutions. The legitimacy and effectiveness of a quarantine regime depend on a clear legal basis, the appropriate allocation of institutional responsibilities, compliance with established procedures, and the proportionate application of restrictions in response to the level of risk.

The need for such measures is particularly evident in Mongolia's border territories. According to the available data, approximately 40 percent of the particularly dangerous infectious disease outbreaks affecting humans, domestic animals, and wild animals recorded over the preceding ten-year period occurred within border strips and border zones. This proportion highlights the importance of border territories in the prevention and control of

infectious diseases and supports the need for coordinated action by local communities, professional organizations, border protection agencies, and other law enforcement and state authorities. During quarantine operations, cooperation among these stakeholders is essential for implementing restrictions, maintaining public order, protecting personnel, and safeguarding animals and property. Effective coordination also helps ensure that measures taken to contain infectious diseases do not unnecessarily undermine essential social and economic activities.

At both national and local levels, reducing the adverse consequences of disasters for human life, socioeconomic conditions, and the environment constitutes an important public policy priority. Mongolia's Law on Disaster Protection provides the relevant legal framework for defining disasters and organizing preventive and response measures. Under the definition presented in the legislation, a disaster is an event involving hazardous natural phenomena, major technological accidents, terrorist acts, or explosions that causes harm to human life or health, results in animal deaths, or produces significant damage to property and the environment. This framework establishes the broader legal context within which infectious disease outbreaks may be addressed as biological hazards requiring coordinated preventive and response measures [10],[11].

Hazardous phenomena in Mongolia include severe snowstorms and dust storms, drought, dzud (severe winter conditions that can cause extensive livestock mortality), floods, earthquakes, desertification, and fires. Biological hazards also include outbreaks of particularly dangerous infectious diseases affecting humans, animals, and plants, as well as the spread of harmful pests and rodents. These hazards are commonly distinguished according to their principal characteristics as climatic and meteorological, geological, and biological phenomena. Biological hazards are particularly significant because they may spread beyond their initial location, affect large populations, and cause serious consequences for public health, livestock production, agricultural activities, and environmental stability [12].

Biological hazards associated with particularly dangerous infectious diseases include the following:

1. Particularly dangerous infectious diseases affect humans.
2. Particularly dangerous infectious diseases affect animals, including domestic and wild animals.
3. The spread of harmful rodents.
4. Particularly dangerous infectious diseases affect plants.

The pathogens responsible for infectious diseases affecting humans, domestic animals, and wildlife differ in their biological characteristics, structures, modes of transmission, and capacity to survive in the external environment. Many disease-causing microorganisms cannot be detected through unaided human senses. Depending on the pathogen, some can persist in the environment for extended periods, while others may multiply or remain infectious under particular environmental conditions. Following entry into a susceptible host, pathogens may reproduce and cause disease, potentially resulting in severe illness or death. Their transmission characteristics and potential consequences make accurate identification, epidemiological surveillance, and timely intervention essential components of disease prevention and control. In general, microbiological

classification, infectious agents include bacteria, viruses, rickettsiae, and fungi, although other agents, including parasites, can also cause infectious diseases [13].

The international dimension of infectious disease prevention is reflected in the World Health Organization's International Health Regulations (2005), which establish a framework for preventing, protecting against, controlling, and responding to the international spread of disease while avoiding unnecessary interference with international traffic and trade. Under these Regulations, events that may constitute a public health emergency of international concern are subject to assessment and notification procedures, as applicable. Such a framework recognizes that infectious disease threats are not necessarily confined to the territory in which they originate and that effective responses may require information exchange, international cooperation, and coordinated public health measures. The applicable international framework should therefore be considered alongside Mongolia's domestic legislation when establishing and enforcing quarantine regimes in border areas and at international crossing points.

In this context, particularly dangerous infectious diseases can be understood as diseases that, depending on their nature and epidemiological characteristics, have the potential to spread rapidly among susceptible human or animal populations, affect extensive geographical areas, and cause serious illness, death, or substantial socioeconomic damage. Their significance for state border protection arises from the possibility that infected individuals, animals, contaminated materials, or other transmission pathways may carry pathogens across national boundaries. Consequently, the prevention and control of such diseases require not only appropriate medical, sanitary, and veterinary interventions but also clear legal obligations and effective enforcement mechanisms.

It is important, however, to distinguish the scientific classification of infectious diseases from the legal designation of diseases subject to quarantine. The term disease of international concern should not be treated as a universal synonym for particularly dangerous infectious disease or as a formal disease category automatically requiring quarantine. Under the International Health Regulations, the determination of a public health emergency of international concern follows specific assessment and decision-making procedures. Similarly, the diseases subject to quarantine in Mongolia are determined by the applicable national legal framework [14].

In summary, the establishment of quarantine regimes in Mongolia's state border areas is supported by the combined need to manage biological hazards, prevent cross-border disease transmission, protect human and animal health, and maintain public safety. The relevant domestic legislation provides the legal foundation for imposing quarantine measures, while international health regulations establish principles for cooperation and the management of cross-border health risks. These frameworks also underscore the importance of examining whether the legal provisions governing violations of quarantine requirements are sufficiently clear, enforceable, and proportionate to the risks involved. Points to verify before academic publication

- Government Resolution No. 266 (2018): Confirm the official title of the resolution, the exact title of Appendix 1, and the list of 23 diseases against the official legal text.

- The 40 percent statistic: Provide the original source, study period, geographical coverage, and definition of the cases counted. Clarify whether the figure refers to reported cases, outbreaks, or recorded disease events.
- The Law on Disaster Protection: Verify the precise statutory wording and the relevant article or provision in the version applicable to the study period.
- WHO terminology: Cite the relevant provisions of the International Health Regulations (2005) and avoid presenting "diseases of international concern subject to quarantine measures" as an official WHO classification unless the cited source explicitly uses that term.

These checks will strengthen the section's legal accuracy and distinguish statutory provisions, scientific explanations, and empirical findings [15].

THE LEGAL FRAMEWORK FOR QUARANTINE REGIMES IN MONGOLIA'S BORDER AREAS

Pursuant to Article 16(2) of the Constitution of Mongolia, which provides that "everyone has the right to live in a healthy and safe environment," relations concerning the establishment and implementation of quarantine regimes are governed by the following laws:

1. Law on the Prevention of Zoonotic Infectious Diseases.
2. Law on Animal Genetic Resources.
3. Law on Animal Health.
4. Law on Disaster Protection.
5. Law on Health.
6. Law on the State Border.
7. Criminal Code.
8. Law on Infringements.

Article 15.6 of the Special Part of the Criminal Code of Mongolia, entitled "Transmission of an Infectious Disease That May Endanger the Life of Another Person or the Human Immunodeficiency Virus," provides for criminal liability where a person intentionally violates a quarantine or restrictive regime established in a relevant area because of an infectious disease threatening public health and life. Criminal liability arises where the person violates the regime or other rules, instructions, and requirements established by competent authorities and officials, thereby creating conditions for the spread of an infectious disease or transmitting the disease to other persons.

At the same time, Article 5.13(2) of the Law on Infringements, entitled "Violation of the Law on Disaster Protection," provides for liability for violating or obstructing quarantine regimes, movement restrictions, and other restrictions imposed by competent authorities during disasters, hazardous phenomena, infectious disease outbreaks, accidents, and other emergencies.

Thus, a system of legal liability has been established. However, compliance with quarantine regimes during outbreaks of particularly dangerous infectious diseases in border

areas has distinctive characteristics. Such areas are subject to special regulatory regimes and serve as points of intersection between international relations and cooperation with neighboring states. Violations in these areas may therefore have political and diplomatic consequences.

This is particularly evident when individuals cross the state border illegally, when domestic or wild animals and birds cross the border, or when passengers, vehicles, animals, plants, raw materials, and products of animal or plant origin are transported through border crossing points, creating a risk of transmitting and spreading particularly dangerous infectious diseases.

Consequently, when a particularly dangerous infectious disease emerges in a border zone or a specially regulated border area, it is necessary to distinguish intentional acts aimed at violating quarantine-control measures that result in substantial damage and to establish liability for such acts that differs from the liability applicable to similar conduct committed in other areas.

Government Resolution No. 266 of Mongolia, dated August 22, 2018, approved the Procedure for Conducting Activities During Quarantine and Restrictive Regimes. The accompanying List of Diseases for Which a Quarantine Regime Is Established includes 23 highly contagious animal diseases. Following the adoption of this resolution, Government Resolution No. 305 of July 29, 2008, which approved procedures for confirming infectious disease diagnoses, establishing quarantine and restricted zones, and conducting activities within those zones, was repealed. Under the current legislation of Mongolia, when an infectious disease included in the list of diseases requiring a quarantine regime occurs, the authority to determine the boundaries of the outbreak and establish a quarantine regime is exercised by the following officials:

1. Where the outbreak is confined to one soum, or where the outbreak areas cannot be consolidated: the Governor of the soum, based on a proposal from the relevant veterinary unit.
2. Where the outbreak covers the territories of two or more soums and the outbreak areas can be consolidated: the Governor of the aimag, based on a proposal from the aimag’s veterinary organization.
3. Where the outbreak affects the territory of the capital city: the Governor of the capital city, based on a proposal from the relevant veterinary organization.
4. Where the outbreak affects a railway, international airport, border crossing point, or border checkpoint, or where outbreak areas in two or more aimags can be consolidated: the Government of Mongolia, based on a proposal from the central state administrative body responsible for animal health.

Taking into account the objectives and scope of the relevant measures, the characteristics of the professional organizations involved, and the applicable requirements, a quarantine regime may be defined as a set of sanitary, medical, hygienic, and restrictive measures implemented through the coordinated activities of specialized state organizations to contain an outbreak of a particularly dangerous infectious disease affecting humans, domestic animals, or wild animals and to prevent further transmission.

However, the Procedure for Conducting Activities During Quarantine and Restrictive Regimes, approved by Government Resolution No. 266 of August 22, 2018, is primarily oriented toward combating particularly dangerous infectious diseases in animals. It stipulates that measures to control the relevant disease within an area subject to restrictions are carried out under the direction of a veterinary organization.

International legal measures for responding to outbreaks of particularly dangerous infectious diseases in humans are governed by the International Health Regulations, adopted by the World Health Organization in 2005, together with recommendations on procedures and response measures for outbreaks of diseases including pneumonic plague and other particularly dangerous infections. These regulations are binding on 192 participating states. Mongolia has participated in the International Health Regulations framework since their original adoption in 1969.

Particularly dangerous infectious diseases in humans are caused by viruses and bacteria and generally spread more rapidly than other diseases. Cases of particularly dangerous infectious diseases in humans were recorded in Mongolia in 2009 and 2015, while no such cases were recorded during the period from 2015 to 2020.

Mongolia is a region with natural foci of particularly dangerous infectious diseases affecting humans, domestic animals, and wild animals. Over several decades, quarantine regimes have repeatedly been established during outbreaks, and measures have been implemented to contain and eliminate these diseases. One of the most extensive responses was the effort to control the COVID-19 pandemic, first identified in 2019, which caused serious concern worldwide.

On January 12, 2020, the World Health Organization confirmed that the coronavirus responsible for the outbreak that began on December 31, 2019, in Wuhan, Hubei Province, People’s Republic of China, caused a respiratory disease.

Beginning on January 27, the Government of Mongolia started closing air and land border crossing points connecting the country with its southern neighbor. Subsequent measures, including the introduction of nationwide quarantine regimes and restrictions, mass testing, and vaccination, produced positive results, as acknowledged by the World Health Organization.

Nevertheless, numerous cases of negligent and intentional violations of the restrictions and infection-control requirements imposed during quarantine in response to the genuine threat to public health and life contributed to the spread of infection, increased government expenditure, and created significant difficulties. These circumstances made it necessary to examine the issue of liability for such violations.

The measures applicable to violations of restrictions imposed in quarantine zones, and the corresponding legal framework, are established under Article 10(1), entitled “Liability,” of the Procedure for Conducting Activities During Quarantine and Restrictive Regimes, approved by Government Resolution No. 266 of August 22, 2018. The provision stipulates that compliance with the procedure is monitored by a state inspector of the competent professional authority. Where a violation does not give rise to criminal liability, liability is imposed in accordance with Article 36.1 of the Law on Animal Health and the relevant provisions of the Law on Infringements.

The legal framework governing liability for violations of quarantine and restrictive regimes is established in the following legislative acts:

1. Criminal Code of Mongolia.
2. Law on Infringements.
3. Law on Animal Health.

Article 15.6 of the Special Part of the Criminal Code of Mongolia, entitled "Transmission of an Infectious Disease That May Endanger the Life of Another Person or the Human Immunodeficiency Virus," establishes criminal liability for intentionally violating quarantine or restrictive regimes, as well as other rules, instructions, and requirements established by competent authorities and officials during an outbreak of a dangerous infectious disease, where the violation creates conditions for the spread of the disease or results in the infection of other persons.

Article 5.13(2) of the Law on Infringements, entitled "Violation of the Law on Disaster Protection," provides for liability for violating or obstructing quarantine regimes, movement restrictions, and other requirements imposed by competent authorities during disasters, hazardous phenomena, infectious disease outbreaks, accidents, and other emergencies.

Article 36.1 of the Law on Animal Health provides that where the conduct of an official who violates established requirements does not give rise to criminal liability, the official is subject to liability under the Law on Civil Service. This refers to Article 48 of the Law on Civil Service, which regulates the imposition of disciplinary sanctions on civil servants.

Under the legislation described above, the types and levels of liability applicable to culpable conduct by individuals, officials, and legal entities in connection with a quarantine regime established in response to a particularly dangerous infectious disease are as follows:

1. Under Article 15.6(1) of the Special Part of the Criminal Code of Mongolia: a fine of 2,700 to 14,000 units, restriction of the right to travel for a period of six months to three years, or imprisonment for a period of six months to three years.
2. Under Article 5.13(2) of the Law on Infringements: for an individual, a fine of 500 units or administrative detention for a period of 7 to 30 days; for a legal entity, a fine of 5,000 units.

The following disciplinary sanctions may be imposed on civil servants who commit violations during an established quarantine regime:

1. Individual warning.
2. Public warning announced among employees.
3. Reduction of official salaries by up to 20 percent for a period of up to three months.
4. Dismissal from civil service.
5. Dismissal from civil service with a prohibition on re-entering the civil service for three years.

Consequently, there are grounds to conclude that a system of legal liability for violations and culpable conduct associated with the establishment of quarantine regimes has generally been developed. However, when the Government of Mongolia establishes a quarantine regime in response to particularly dangerous infectious diseases at international airports, border crossing points, and state border checkpoints, the conduct of activities in these areas presents an elevated risk to public safety, requires cooperation with the relevant authorities of neighboring states, and is governed by specific rules of international law.

For these reasons, the effectiveness of criminal liability for violations of quarantine regimes established by decisions of the Government of Mongolia in state border areas, border zones, border strips, and at border crossing points appears to be insufficient.

Important note for academic publication: The translation preserves the substance of the Russian original. Before submitting the article, please verify the accuracy of the cited Mongolian legal provisions, penalty amounts, historical dates, and WHO statistics against authoritative sources. In particular, the references to the 1969 and 2005 International Health Regulations may require clarification.

CONCLUSION

The risk of the emergence and spread of particularly dangerous infectious diseases in Mongolia remains a significant concern because of the potential consequences for public health, animal health, social stability, and economic development. Mongolia's traditional nomadic livestock husbandry, the migration of wild animals, increasing cross-border movement, and the country's distinctive natural and climatic conditions create challenges for preventing and controlling infectious diseases. These circumstances highlight the importance of establishing and effectively enforcing quarantine regimes, particularly in state border areas, border zones, border strips, and at border crossing points.

The effectiveness of measures to combat particularly dangerous infectious diseases depends on coordinated action by competent state authorities, specialized professional organizations, local communities, business entities, and the general public. Successful implementation requires clear legal requirements, effective institutional cooperation, public compliance, and appropriate mechanisms for preventing and responding to violations. In this regard, a quarantine regime may be defined as a set of coordinated medical, sanitary, hygienic, veterinary, and restrictive measures implemented by competent state authorities and specialized organizations to contain outbreaks of particularly dangerous infectious diseases affecting humans, domestic animals, and wildlife and to prevent their further transmission.

Although Mongolia has established a legal framework governing liability for violations committed in connection with quarantine regimes, the adequacy and effectiveness of criminal liability for violations of quarantine measures introduced by decisions of the Government of

Mongolia in response to particularly dangerous infectious diseases require further examination. Particular attention should be given to violations occurring at the state border, in border zones and border strips, and at border crossing points, where the consequences of non-compliance may extend beyond local communities and create risks of cross-border

disease transmission. The effectiveness of the existing framework should therefore be assessed in terms of the clarity of the relevant legal provisions, their practical enforceability, and the proportionality of the applicable sanctions.

Accordingly, this study proposes revising Article 15.6(2) of the Special Part of the Criminal Code of Mongolia to clarify the grounds for criminal liability for intentional violations of quarantine regimes and associated restrictions established in designated border areas. The proposed amendment would cover the intentional violation of quarantine regimes, rules, instructions, and requirements applicable at the state border, in border zones and border strips, and at border crossing points, as well as the intentional transmission to another person of an infectious disease that threatens that person's life or of the human immunodeficiency virus (HIV). Under the proposed provision, offenders would be subject to restriction of the right to travel for a period of one to five years or imprisonment for a period of one to five years.

The proposed amendment aims to strengthen the legal protection of public health and state border security by establishing clearer grounds for criminal liability and reinforcing compliance with legally imposed quarantine measures. However, the final wording should be carefully harmonized with the terminology and structure of Mongolia's Criminal Code, the existing provisions governing intentional transmission of infectious diseases, and the principles of legality, legal certainty, and proportionality. In particular, the provision should clearly distinguish intentional violations of quarantine requirements from conduct resulting in the actual transmission of an infectious disease, ensuring that the elements of each offense and the applicable sanctions are defined precisely.

In conclusion, improving the legal framework governing criminal liability for violations of quarantine regimes is an important component of strengthening Mongolia's capacity to prevent and control particularly dangerous infectious diseases. A clear, consistent, and proportionate system of legal responsibility, supported by effective interagency cooperation and public compliance, can contribute to more effective quarantine enforcement, reduced risks of cross-border disease transmission, and enhanced protection of public health, animal health, and national security.

REFERENCES

1. Bayaraa, N., & Damdin, P. (2006). Hazardous phenomena, disasters, and lessons from Mongolia. Ulaanbaatar, Mongolia. [Publisher to be verified]
2. Centers for Disease Control and Prevention. (2012). Principles of epidemiology in public health practice: An introduction to applied epidemiology and biostatistics (3rd ed.). U.S. Department of Health and Human Services. https://www.cdc.gov/csels/dsepd/ss1978/
3. Damdin, P., & Tsedэв, P. (2015). Disaster risk management. Ulaanbaatar, Mongolia. [Publisher to be verified]
4. Erdenebaatar, B. (2004). Disasters and other issues. Ulaanbaatar, Mongolia. [Publisher to be verified]
5. Food and Agriculture Organization of the United Nations. (2011). World livestock 2011: Livestock in food security. https://www.fao.org/4/i2373e/i2373e.pdf
6. Gostin, L. O., & Wiley, L. F. (2016). Public health law: Power, duty, restraint (3rd ed.). University of California Press.

7. International Health Regulations (2005). (2016). World Health Organization. https://www.who.int/publications/i/item/9789241580496
8. National Emergency Management Agency of Mongolia. (2021). Disaster protection management. Ulaanbaatar, Mongolia. [Publisher and official title to be verified]
9. Republic of Mongolia. (2002). Law on quarantine control and inspection at the entry of animals, plants, and raw materials and products derived from them across the state border. Legalinfo.mn. https://legalinfo.mn/mn/detail/38
10. Republic of Mongolia. (2017). Law on disaster protection (revised version). Legalinfo.mn. https://legalinfo.mn/mn/detail?lawId=12458&type=11
11. Republic of Mongolia. (2017). Law on animal health. State Information Bulletin, No. 15. [Official publication details to be verified]
12. Republic of Mongolia. (2018). Government Resolution No. 266: List of diseases for which a quarantine regime is established. [Official title and appendix to be verified against the original resolution]
13. Republic of Mongolia. (2015). Criminal Code of Mongolia (revised version). Legalinfo.mn. https://legalinfo.mn/en/edtl/16147365419841
14. Tsevenмid, G. (2000). Infectious and epizootic diseases of animals in Mongolia. Ulaanbaatar, Mongolia. [Publisher to be verified]
15. World Health Organization. (2008). International Health Regulations (2005) (2nd ed.). https://www.who.int/publications/i/item/9789241580410
16. World Health Organization. (2016). International Health Regulations (2005) (3rd ed.). https://www.who.int/publications/i/item/9789241580496
17. World Health Organization. (2018). International Health Regulations (2005): IHR monitoring and evaluation framework. https://www.who.int/publications/i/item/international-health-regulations-%28-2005%29-ihr-monitoring-and-evaluation-framework
18. World Health Organization. (2023). Catalogue of guidance, tools, and training resources on border health and points of entry. WHO Regional Office for Europe. https://ihrbenchmark.who.int/reference-library
19. Merianos, A., & Peiris, M. (2005). International health regulations (2005). The Lancet, 366(9493), 1249–1251. https://doi.org/10.1016/S0140-6736(05)67508-3
20. World Health Organization. (n.d.). International Health Regulations. https://www.who.int/health-topics/international-health-regulations