

LAW OF THE KYRGYZ REPUBLIC

“On Election Commissions to Conduct Elections and Referenda in the Kyrgyz Republic”

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Chapter I. General Provisions

Article 1. Election Commissions System

Article 2. Election Commissions Activity Legal Framework

Article 3. Election Commissions Principles and Fundamental Guarantees

Chapter II. Central Election Commission

Article 4. Central Election Commission Status

Article 5. Central Election Commission Formation Procedure and Term of Powers

Article 6. Central Election Commission Objectives

Article 7. Central Election Commission Authorities

Article 8. Central Election Commission First Meeting, Chairman and Deputy Chairmen Election Procedure

Article 9. Central Election Commission Administration Staff

Article 10. Central Election Commission Training Center

Article 11. Integrated System of Voter and Referendum Participant Registration

Chapter III. Central Election Commission Members

Article 12. Central Election Commission Member's Status and Fundamental Guarantees

Article 13. Central Election Commission Member's Authorities

Article 14. Central Election Commission Chairman and Deputy Chairmen's Authorities

Article 15. Central Election Commission Member's Power Termination Procedure

Chapter IV. Central Election Commission Decisions

Article 16. Central Election Commission Operational Organization

Article 17. Central Election Commission Meetings

Article 18. Central Election Commission Decision Making Procedure

Chapter V. Territorial and Precinct Election Commission

Article 19. Territorial and Precinct Election Commission Formation Procedure

Article 20. Territorial Election Commission Authorities

Article 21. Precinct Election Commission Authorities

Article 22. Territorial and Precinct Election Commission Member's Status

Article 23. Territorial and Precinct Election Commission Operational Organization

Article 24. Territorial and Precinct Election Commission Disbanding Procedure

Chapter VI. Final Provisions

Article 25. Election Commission Operation Financial Support

Article 26. Transitional Provisions

Article 27. Present Law Enactment

Chapter I. General Provisions

Article 1. Election Commissions System

The following constitute the integrated election commissions system in the Kyrgyz Republic:

- 1) Central Election Commission on conducting elections and referenda in the Kyrgyz Republic (hereinafter referred to as the Central Election Commission);
- 2) Territorial election commissions on conducting elections and referenda: rayon and city election commissions (hereinafter referred to as territorial election commissions) – as decided by the Central Election Commission;
- 3) Precinct election commissions on conducting elections and referenda (hereinafter referred to as precinct election commissions).

Article 2. Election Commissions Activity Legal Framework

The activities of election commissions are governed by the Constitution of the Kyrgyz Republic (hereinafter referred to as Constitution), the Constitutional Law of the Kyrgyz Republic “On Elections of the Kyrgyz Republic President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic”, the Constitutional Law of the Kyrgyz Republic “On Referendum in the Kyrgyz Republic”, the Law of the Kyrgyz Republic “On Elections to Local Self-Governance Authorities in the Kyrgyz Republic”, the present Law and other legal regulatory statutes of the Kyrgyz Republic.

Article 3. Election Commissions Principles and Fundamental Guarantees

1. Election commissions shall carry out their activity pursuant to the following principles:
 - 1) legality;
 - 2) publicity;
 - 3) openness;
 - 4) independence;
 - 5) collegiality;
 - 6) fairness.
2. State authorities, local self-governance authorities, non-commercial organizations, political parties, other legal entities or individuals are not permitted to interfere in the activity of election commissions.
3. State authorities and local self-governance authorities as well as their officials shall be bound to provide support to election commissions to exercise their authorities: to provide the required equipment, vehicles, premises equipped with telephones including premises to store technological equipment (information boards, boxes, booths, etc.), election documents prior to their transfer to a higher ranking election commission or to the archive office, as well as ensure their security; to provide essential information and materials; to immediately respond to election

commissions appeals related to elections and referenda preparation and conduct; and if needed to conduct an additional study of a certain issue or inspection – within 3 days, and immediately on the polling day or on the day following the polling day.

4. Political parties, non-profit organizations, and other legal entities shall be bound to provide to election commissions necessary information and materials related to preparation and conduct of elections, referenda within 2 working days in the course of preparation of elections, referenda and respond immediately on the polling day or on the day following the polling day.
5. In case of non-fulfillment or inappropriate fulfillment of the requirements, or infringement of the deadlines specified in this Article officials of state authorities and local self-governance authorities, political parties, non-profit organizations, and other legal entities shall bear responsibility in accordance with the law.

Chapter II. Central Election Commission

Article 4. Central Election Commission Status

1. Central Election Commission is a permanent state authority ensuring preparation and conduct of elections and referenda in the Kyrgyz Republic and manages the election commissions system.
2. Central Election Commission is a legal entity, with its own budget, special fund, official letterhead and stamp with the image of the state emblem.
3. Central Election Commission is based in a separate administrative building.

Article 5. Central Election Commission Formation Procedure and Term of Powers

1. The Central Election Commission shall be formed for a period of five years and consist of twelve members.
2. The Jogorku Kenesh of the Kyrgyz Republic (hereinafter referred to as the Jogorku Kenesh) shall elect members of the Central Election Commission: one third of all the members – as nominated by the President of the Kyrgyz Republic (hereinafter referred to as the President), one third – by the parliamentary majority and one third - by the parliamentary opposition and ensures not more than seventy percent of nominees of one gender; shall dismiss them in cases as stipulated by this Law.
3. Denial by the Jogorku Kenesh of a nominee to position of the Central Election Commission member shall be justified. The nominating entity shall have the right to nominate the same or other candidate.
4. In case of a vacant position due to early termination of the Central Election Commission member's term of powers the same nominating entity that nominated him/her shall nominate a nominee to fill the vacancy.
5. The Central Election Commission term of powers shall enter into force as from the day of the first meeting and shall be terminated as from the day of the first legally qualified meeting of the new members of the Central Election Commission.

6. If the term of powers of the Central Election Commission expires during the Presidential or Jogorku Kenesh election campaign, or referendum campaign the term of powers shall be extended until the end of the election or referendum campaign.
7. The Central Election Commission activity shall not be suspended prior to termination of its term of powers due to the Jogorku Kenesh disbandment, changes in the Jogorku Kenesh coalitions' and factions' members or due to termination or early termination of the President's powers.

Article 6. Central Election Commission Objectives

The Central Election Commission objectives are to:

- 1) ensure observance of electoral rights and right of the Kyrgyz Republic citizens to participate in referenda on the territory of the Kyrgyz Republic;
- 2) ensure uniform implementation of the electoral legislation;
- 3) ensure observance of equal legal conditions for candidates, political parties;
- 4) organize the integrated system of voter and referendum participant registration;
- 5) arrange preparation and conduct of Presidential elections, Jogorku Kenesh deputies, local councils deputies, heads of local self-government executive authorities and referenda;
- 6) promote the election system, increase awareness of electors and train members of the election commissions and reserve persons of the election commissions.

Article 7. Central Election Commission Authorities

1. The Central Election Commission shall:

- 1) oversee the implementation of the electoral legislation;
- 2) issue resolutions, instructions, regulations and other documents and oversee their implementation within the scope of its authorities;
- 3) establish and organize an integrated system of voter and referendum participant registration;
- 4) consider and approve the layout and borders of polling stations and districts as advised by territorial election commissions;
- 5) publish in mass media the approved polling stations and districts specifying their borders and addresses not later than 5 calendar days from the day of their approval;
- 6) form and approve members of the territorial election commissions and publish their membership lists in mass media;
- 7) select and maintain a reserve for the corresponding lower ranking election commissions;
- 8) coordinate the activity of lower ranking election commissions, including formation, maintenance, update and verification of lists of voters, referendum participants;
- 9) provide legal, organizational, methodological and technical assistance to lower ranking election commissions;
- 10) arrange preparation and conduct of elections, referenda in the cases and under the procedures stipulated by electoral legislation;
- 11) develop and approve a preliminary estimate of expenditures to prepare and conduct elections and referenda;
- 12) undertake measures to arrange financing of preparation and conducting of elections and referenda, allocate the funds disbursed from the budget to financially support the preparation and conduct of elections, referenda, oversee the earmarked use of such funds;

- 13) establish a special fund and determine the procedures for its use;
 - 14) establish forms of financial reporting for lower ranking election commissions, candidates and political parties;
 - 15) establish forms, degree of protection, procedure of drafting and approve the text of election documents;
 - 16) ensure election documents printing and their delivery to lower ranking election commissions;
 - 17) identify deadlines, procedures of storing and transfer of election documents to the archive office;
 - 18) develop and approve standard requirements for technological equipment (boards, boxes, booths, etc.) and oversee their compliance;
 - 19) register candidates for the post of President, lists of candidates for the Jogorku Kenesh deputies, their representatives and initiative groups, issue IDs of standard pattern;
 - 20) make conditions for disabled persons for secret voting;
 - 21) carry out accreditation of international observers, foreign and local mass media;
 - 22) coordinate the activity of the state authorities and local self-governance authorities on issues related to preparation and conduct of elections and referenda;
 - 23) inform electors, referendum participants on the status of election campaign, referendum campaign, electoral legislation and performance of election commissions;
 - 24) summarize the results of referenda, elections of the President, Jogorku Kenesh deputies, local council deputies, heads of executive authorities of local self-governments of respective territories in cases and according to the procedures stipulated by the electoral legislation and ensure their official publication in mass media;
 - 25) register the elected Presidential candidates, elected candidates for Jogorku Kenesh deputies and award them a lapel badge and ID of a standard pattern;
 - 26) consider complaints against decisions, actions (inactions) of election commissions and their members, conduct inspections and issue appropriate resolutions within the deadlines established by the electoral legislation;
 - 27) post at its official website information on the results of voting as far as the information arrives;
 - 28) study the practice of preparation and conduct of elections, referenda and submit proposals to the Jogorku Kenesh on the electoral legislation improvement;
 - 29) develop training and information programs and conduct regular training of election commission members, reserve members and other election process actors;
 - 29-1) elect and early dismiss Chairman and Deputy Chairman of the Central Election Commission;
 - 30) perform other authorities in accordance with the legislation.
2. The Central Election Commission shall be entitled to:
- 1) request information on the Kyrgyz Republic citizens registration and record keeping from respective state authorities, local self-governance authorities, state and municipal institutions and enterprises;
 - 2) impose administrative penalties in the cases and according to the procedures established by the law;
 - 3) apply to the law enforcement authorities with the proposal to conduct an appropriate inspection and prevent violations of the present Law and electoral legislation;
 - 4) cancel the registration of a candidate, list of candidates, initiative group in the cases and according to the procedures established by the electoral legislation;
 - 5) cancel decisions of election commissions in case of their incompliance with the

- electoral legislation;
 - 6) recall accreditation of international observers and mass media;
 - 7) employ contract workers (specialists) based on labor agreements to perform activities related to preparation and conduct of elections, referenda, their remuneration shall be identified in the expenditure estimate of the Central Election Commission;
 - 8) conduct international cooperation.
3. The Central Election Commission shall bear responsibility for non-performance or improper performance of its authorities in accordance with the legislation.

Article 8. Central Election Commission First Meeting, Chairman and Deputy Chairmen Election Procedure

1. The Central Election Commission members shall hold their first meeting no later than five calendar days after their election.
2. The first meeting of the Central Election Commission shall be valid if attended by at least two thirds of the established members of the Central Election Commission, and presided by its oldest member.
3. At the first meeting of the Central Election Commission:
 - 1) the presiding member shall introduce the Central Election Commission members;
 - 2) a returning board of three members of the Central Election Commission shall be elected by open ballot by the majority vote of the attending members;
 - 3) Chairman of the Central Election Commission and two Deputy Chairmen shall be elected.
4. Nominees to the position of the Chairman shall be nominated by the Central Election Commission members. A member of the Central Election Commission recommended for the position of the Central Election Commission Chairman shall have a law degree or some experience of participation in an election as a candidate or member of an election commission.
5. A Candidate who received more than half of the votes of the Central Election Commission members, having taken part in the vote, shall be considered elected to the position of the Chairman of the Central Election Commission.
6. Where no candidate received the required number of votes during the first round of voting the second round shall be held for a single candidate who received the majority of the votes.
7. Where a candidate failed to receive more than half of the votes of the total number of the Central Election Commission members during the second round, a new election shall be held and new candidates shall be nominated.
8. Where candidates received an equal number of votes during the first round a new election shall be held.
9. Election of the Chairman of the Central Election Commission may not be postponed to the next meeting of the Central Election Commission.

10. The Central Election Commission may take a decision to suspend the first meeting for no more than ten hours.
11. A candidate for the position of a Deputy Chairman must have a law degree or experience of participation in an election as a candidate or member of an election commission. Deputy Chairmen of the Central Election Commission shall be nominated by the Central Election Commission members and elected in a procedure as specified for election of the Chairman of the Central Election Commission.
12. The Central Election Commission shall issue a resolution to the effect of the election of the Chairman of the Central Election Commission and Deputy Chairmen.
13. Chairman and Deputy Chairmen of the Central Election Commission shall be considered civil servants and execute their authorities on a permanent basis.
14. In case of an early termination of the authorities of the Chairman and Deputy Chairman of the Central Election Commission a vacancy shall be filled under the election procedure.
15. The organizational support of the first meeting, election of the Chairman and Deputy Chairmen of the Central Election Commission shall be the responsibility of the administrative staff of the Central Election Commission.

Article 9. Central Election Commission Administration Staff

1. The Central Election Commission administration staff shall provide organizational and methodological, informational and analytical, logistical and technical support to the Central Election Commission activity.
2. The Head of the Central Election Commission shall manage the Central Election Commission administration staff activity.
3. The Central Election Commission shall have its own permanent special representative and system administrator in each territorial election commission to provide coordination, organizational and methodological, logistical and technical support of the operation of the territorial election commission, as well as to maintain, update and verify the list of voters, referendum participants.
4. A special representative and system administrator shall be members of the Central Election Commission administration staff appointed by the Central Election Commission Chairman to the respective territorial election commission. The Regulation on the Activity of a Special Representative and System Administrator of the territorial election commission shall be approved by a resolution of the Central Election Commission.
5. The Central Election Commission administration staff members shall be civil servants.
6. The organizational structure and staff size of the Central Election Commission administration staff shall be approved by the Central Election Commission Chairman.

Article 10. Central Election Commission Training Center

1. The training center is the Central Election Commission structural unit which provides training on the electoral legislation to the administration staff, members of the election commissions, and reserve members of the election commissions.
2. The training center operation shall be financed with the funds allocated from the Central Election Commission budget as well as from a special fund and other sources under the law.
3. The training center can also provide training of other election process actors (members and representatives of political parties, candidates, mass media, observers, etc.) as agreed.
4. The Regulation on the training center activity shall be approved by a resolution of the Central Election Commission.

Article 11. Integrated System of Voter and Referendum Participant Registration

1. The integrated system of voter and referendum participant registration (hereinafter referred to as integrated system of voter registration) shall be established by the Central Election Commission based on the data on registration of the Kyrgyz Republic citizens, presented by local self-governments, state registration office, National Statistics Committee, and other authorities and institutions which conduct different forms of registration of the Kyrgyz Republic citizens.
2. The Central Election Commission shall keep and regularly update data on voters and referendum participants and maintain an integrated voter registration system.
3. The Regulation on the procedure for creating, maintaining and updating of an integrated voter and referendum participant registration system shall be approved by a resolution of the Central Election Commission.

Chapter III. Central Election Commission Members

Article 12. Central Election Commission Member's Status and Fundamental Guarantees

1. A Central Election Commission member may be a citizen of the Kyrgyz Republic, who reached the age of 25 and possesses the right to vote at elections, possessing higher education, except for individuals listed in Para 3 and 4 of the present Article.
2. The Jogorku Kenesh Toraga (Speaker) shall issue a standard pattern certificate to a Central Election Commission member.
 - 1) A Central Election Commission member must not be:
 - 2) a Jogorku Kenesh, local council deputy;
 - 3) an official of a state authority or local self-government;
 - 4) a judge, military man, law enforcement or fiscal body officer;
 - 5) a candidate or representative of a candidate of political party;
 - 6) a member of another lower ranking election commission;
 - 7) an individual whose previous conviction has not been overturned or annulled pursuant to the procedures established by the law;
 - 8) a person holding citizenship of other state.

3. Spouse or close relatives shall not be elected as members of the Central Election Commission.
4. A Central Election Commission member shall suspend his/her activity in political parties over the period of exercising his/her authorities.
5. The Central Election Commission members except for the Chairman and Deputy Chairmen shall fulfill their authorities while staying in service of their main jobs.
6. While executing his/her authorities a Central Election Commission member may not be transferred to another job without his/her consent or dismissed on his/her administration (employer) initiative.
7. A Central Election Commission member who is temporarily discharged from his/her main job for the period of elections, referenda preparation and conduct shall be paid approved amount of remuneration from the Republican Budget funds disbursed for preparation and conduct of elections and referenda.
8. A Central Election Commission member shall be guaranteed the reimbursement of all expenditures related to execution of his/her authorities as a Central Election Commission member, and shall be paid rewards from the funds envisaged in the Republican budget for the current year.
9. The Prosecutor General of the Kyrgyz Republic shall be authorized to file criminal proceedings against a Central Election Committee member.
10. A Central Election Commission member may not be persecuted for his/her opinion or proposal made on a certain issue. Pressure exerted on a Central Election Commission member and administrative staff for the purpose of preventing them from executing their authorities and official duties or making decisions in someone's favor, violent acts, insults, as well as slander and distribution of distorted information on their execution of the authorities and official duties shall entail responsibility under the law.
11. Conditions shall be provided to a Central Election Commission member to perform duties in the Commission, as well as premises, vehicles and communication devices for the period of working in the Commission.
12. Healthcare and everyday services to a Central Election Commission member shall be at the level of services provided to the members of the Kyrgyz Republic Government.

Article 13. Central Election Commission Member's Authorities

1. A Central Election Commission Member shall:
 - 1) make proposals on the Agenda of the Central Election Commission meeting, proposals, comments and amendments on the substance of the issues under discussion, provide statements and participate in debates on all issues under discussion;
 - 2) be eligible to require voting on any issue within the scope of the Central Election Commission authorities and on issues considered at its meetings;
 - 3) be entitled to have a special opinion in case of disagreement with the decision made at

- the Central Election Commission meeting and require that this opinion be discussed;
- 4) receive representatives of state authorities and local self-governments, political parties, non-profit making organizations, mass media, and citizens;
 - 5) on behalf of the Central Election Commission oversee the performance of the lower ranking election commissions, report to the Central Election Commission on inspection findings;
 - 6) take part in developing legal regulatory and other documents concerning preparation and conduct of elections, referenda and other issues within the scope of the Central Election Commission authorities;
 - 7) read documents and materials of the Central Election Commission, as well as documents and materials of lower election commissions, directly related to the election, referendum, receive copies of such documents and materials (except for documents and materials containing confidential information qualified as such according to the rules specified by the law);
 - 8) execute other authorities under the law
2. A Central Election Commission member shall be obligated to:
- 1) attend all meetings and deliberations of the Central Election Commission;
 - 2) inform the Central Election Commission Chairman in advance on his/her inability to attend the Central Election Commission meeting for a reasonable excuse (because of illness confirmed by a medical certificate, or leave according to the Labor Code, or due to other reasons envisaged by the Regulations of the Central Election Commission);
 - 3) train members of the lower ranking election commissions;
 - 4) fulfill assignments of the Central Election Commission.

Article 14. Central Election Commission Chairman and Deputy Chairmen's Authorities

1. The Chairman of the Central Election Commission shall:
- 1) represent the Central Election Commission in the state authorities and local self-governments, non-commercial and international organizations;
 - 2) organize the activity of the Central Election Commission;
 - 3) call and preside at meetings of the Central Election Commission;
 - 4) issue orders and instructions within his/her competence;
 - 5) sign resolutions and other documents of the Central Election Commission;
 - 6) oversee the fulfillment of the Central Election Commission decisions;
 - 7) allocate responsibilities and assignments to the Central Election Commission Deputy Chairmen and members;
 - 8) exercise general management of the Central Election Commission administrative staff;
 - 9) approve the staff size, structure and estimated expenditures of the Central Election Commission administrative office and lower ranking election commissions;
 - 10) employ and dismisses the administrative staff members of the Central Election Commission and out-of-staff employees in accordance with the existing legislation;
 - 11) address issues related to financial, technical and logistical support of election commissions' operation;
 - 12) inform the Central Election Commission members on all proposals, applications and complaints addressed to the Central Election Commission and arrange activity focused on their consideration;
 - 13) execute other authorities under the law.

2. During the period of the Chairman's absence his/her authorities shall be executed by one of the Central Election Commission Deputy Chairmen.

Article 15. Central Election Commission Member's Power Termination Procedure

1. A Central Election Commission member shall be dismissed by the Jogorku Kenesh prior to the expiration of his/her powers in case of:
 - 1) submission of a written resignation application;
 - 2) withdrawal or loss of a citizenship of the Kyrgyz Republic as well as acquisition of citizenship of another state, or of a residence permit confirming the right for permanent residence at the territory of foreign country;
 - 3) leaving the Kyrgyz Republic for permanent residence outside the Kyrgyz Republic;
 - 4) court conviction with regard to him/her becoming effective;
 - 5) recognition by a court decision, having become effective, that he/she be incapable, with limited capabilities, missing or deceased;
 - 6) death;
 - 7) regular failure to fulfill his/her duties and assignments – as advised by the Central Election Commission;
 - 8) grounds specified in Para two of the present Article.
2. A Central Election Commission member shall be deemed relieved of his/her duties of a Central Election Commission member without the Jogorku Kenesh decision where he/she is registered as a candidate for the post of the President, as a candidate for Jogorku Kenesh deputy, local council deputy, the head of a local self-government or their representative. In the specified cases a Central Election Commission member shall be obliged to abdicate responsibility within a ten-day period.

Chapter IV. Central Election Commission Decisions

Article 16. Central Election Commission Operational Organization

1. The Central Election Commission operation shall be carried out on the basis of collegiality, publicity and transparency through an open and free discussion and addressing of issues within its authorities.
2. The Central Election Commission shall be authorized to proceed to its work if the number of its members is not less than two thirds of the approved staff size of the Central Election Commission.
3. The Central Election Commission Regulations shall govern the issues of its internal organization and operation.

Article 17. Central Election Commission Meetings

1. The Central Election Commission meeting (hereinafter referred to as meeting) shall be called by the Chairman and also on the request of no less than one third of the Central Election Commission members.
2. During the period of preparation and conduct of an election, referendum meetings shall be called at least once a week.

3. A meeting shall be legally qualified if the majority of the approved number of Central Election Commission members took part in it. Minutes shall be kept during the meeting.
4. Meetings shall be held at place of the Central Election Commission permanent location. The Central Election Commission shall be entitled to make a decision on conducting a field meeting.
5. Representatives of state authorities, local self-governments, candidate, political party, non-profit making organizations, mass media, candidates, initiative group members, observers, international observers shall be entitled to attend a meeting.
6. The stakeholders' representatives shall be entitled to attend a meeting while proposals, applications and complaints are discussed.

Article 18. Central Election Commission Decision Making Procedure

1. The Central Election Commission decisions shall be passed by the Central Election Commission members according to the procedure specified by the present Law.
2. The Central Election Commission decisions on issues concerning approval of the Central Election Commission Regulations, financial support of election and referendum preparation and conduct, registration of candidates, list of candidates, initiative group, on cancellation of candidate's registration, lists of candidates, initiative group, on refusal to register candidates, lists of candidates, initiative group, on election and referendum results, on recognition of invalidity or failure of an election or referendum, on repeat ballot or reelection, on cancellation of a decision taken by a lower ranking election commissions, on disbandment of a lower ranking election commissions, on early dismissal of the Chairman, Deputy Chairman of the Central Election Commission shall be made by two thirds of the votes of the approved number of the Central Election Commission members.
3. The Central Election Commission decisions on other issues shall be taken by the majority of the votes of the approved number of the Central Election Commission members. The voting results on all the issues announced by the presiding person shall be recorded in the meeting's minutes.
4. On the request of any member of the Central Election Commission it shall be bound to vote on any issues within its competence and addressed by it at its meetings in accordance with the approved agenda.
5. The Central Election Commission minutes on election, referendum results shall be signed by all the Central Election Commission members attending the meeting.
6. Any Central Election Commission member attending a meeting shall not be entitled to abstain from voting.
7. A Central Election Commission member who disagrees with the decision made by the Central Election Commission shall be entitled to express his/her special opinion in writing, which the Central Election Commission shall have to consider. This opinion shall have to be reflected in the minutes and attached to the minutes.

8. The Central Election Commission decisions shall enter into force from the day of their adoption. The Central Election Commission decisions shall be published within 24 hours and placed on the official website of the Central Election Commission.
9. Resolutions of the Central Election Commission shall enter into force from the day of their official publication.
10. The Central Election Commission shall inform the applicant or stakeholders' representatives on the decision passed at the meeting pursuant to the terms and procedures specified by the law, and provide them with a certified copy of the decision at their request.
11. The Central Election Commission decisions, made within its authorities, shall be mandatory for officials of the state authorities, local self-governments, state and municipal institutions and enterprises, political parties, non-commercial organizations, candidates, initiative group members, electors, referendum participants as well as for the lower ranking election commissions.
12. The Central Election Commission decisions contradicting the Constitution, legislation, or decisions exceeding the limits of the approved authorities may be canceled by the Central Election Commission or through judicial procedures.

Chapter V. Territorial and Precinct Election Commissions

Article 19. Territorial and Precinct Election Commissions Formation Procedure

1. A territorial, precinct election commission shall be formed for a two year term. One half of its members shall be political parties' representatives and one half includes representatives of local self-governments.
2. A territorial, precinct election commission must not include more than one representative of each political party.
3. Where the term of powers of a territorial, precinct election commission expires during the election campaign of the President, Jogorku Kenesh deputies, local council deputies, local self-government executives, referendum campaign, the term of its powers shall be extended till the end of the election , referendum campaign.
4. A territorial election commission shall be formed by the Central Election Commission and be composed of at least eleven members from representatives of political parties and reserve members of a respective territorial election commission under Para one and two of the present Article.
5. A precinct election commission shall be formed by territorial election commission and be composed of at least seven members from representatives of political parties and reserve members of a respective precinct election commission under Para one and two of the present Article.
6. A higher ranking election commission shall approve members of the election commission out of nominated candidates.

7. A reserve of territorial, precinct election commission shall be formed for a five-year period from representatives of local self-government representative bodies and be composed of no less than the approved number of members of a respective election commission. The Regulation on the reserve formation and maintenance procedure shall be approved by the Central Election Commission Resolution.
8. If a political party nominates more than the approved number of members of territorial election commission then the higher ranking election commission shall make drawing. Representatives of political party not elected to a respective election commission shall form a reserve of political party to fill a vacancy in case of preterm termination of term of powers of a member of election commission representing a political party.
9. The number of precinct election commission members shall be identified by the Central Election Commission proceeding from the number of electors of a respective election district:
 - 1) from 0 up to 500 electors – no less than seven precinct election commission members;
 - 2) from 501 up to 1200 electors – no less than nine precinct election commission members;
 - 3) more than 1201 electors – no less than eleven precinct election commission members.
10. The Chairman of a higher ranking election commission shall call the first meeting of a respective election commission no later than three days after its formation.
11. Election and early dismissal of a Chairman and Secretary of an election commission are made according to the order established for the election and dismissal of the Chairman of the Central Election Commission, as provided for in this Law.
12. The vacant positions of Chairman and Secretary shall be filled according to the election procedure.
13. Members, list, borders and addresses of territorial, precinct election commissions shall be published by a higher ranking election commission in mass media no later than three calendar days from the day of their formation and approval, and placed at the official website of Central Election Commission.
14. The term of powers of territorial, precinct election commission shall start from the day of its first meeting and terminate after the first legally qualified meeting of new members of territorial, precinct election commission.
15. In case a territorial, precinct election commission member withdrawal, the vacant position shall be filled no later than three days after his/her withdrawal under Para one and two of the present Article from the reserve members and reserve representatives of political parties according to order of priority determined through drawing procedure when forming the respective election commission.
16. Where political parties have failed to nominate the required number of representatives to a respective election commission then additional election commission members shall be taken out of the reserve of respective election commission by members of representative local self-government bodies.

Formation procedure and operation of precinct election commissions outside the Kyrgyz Republic shall be identified by the Central Election Commission.

Article 20. Territorial Election Commission Authorities

1. A territorial election commission shall:

- 1) oversee the implementation of the provisions of the present Law and electoral legislation and also ensure their unified implementation on the respective territory;
- 2) organize preparation and conduct of elections, referenda on the respective territory;
- 3) submit proposals for consideration and approval to the Central Election Commission on layout and borders of polling stations and districts;
- 4) form and approve precinct election commissions members and publish information on their location in mass media;
- 5) inform people on addresses and telephone numbers of precinct election commissions;
- 6) organize operation of precinct election commissions related to preparation and conduct of elections, referenda on the respective territory and receive feedback from the precinct election commissions on issues related to preparation and conduct of elections, referenda;
- 7) provide legal, organizational and methodological as well as technical and logistical support to precinct election commissions;
- 8) oversee the provision of premises, vehicles, communication equipment to precinct election commissions, address other issues of logistical and technical support of elections, referenda;
- 9) create, maintain, update and verify lists of voters, referendum participants;
- 10) oversee the submission of the lists of voters, referendum participants for overall introduction and review;
- 11) administer the state funds allocated for preparation and conduct of elections, referenda, distribute these funds among the precinct election commissions and oversee the earmarked use of such funds;
- 12) ensure compliance with equal legal conditions for all candidates and political parties;
- 13) register candidates for local councils deputies, heads of local self-government executive authorities, lists of candidates, their representatives and issue them certificates of the approved standard pattern;
- 14) organize delivery of election and other documents to precinct election commissions;
- 15) recognize ballot results at specific polling stations as invalid in cases and procedure specified by the electoral legislation;
- 16) identify ballot returns and determine results of electing heads of local self-government executive authorities, deputies of local councils on respective territories in cases and procedure specified by the law regulating conduct of elections to local self-governments;
- 17) identify ballot returns of the election of the President, Jogorku Kenesh deputies, referenda;
- 18) submit protocols of the ballot returns and results of respective elections to the Central Election Commission;
- 19) register the elected deputies of local councils, heads of local self-government executive bodies and issue them certificates of the standard pattern;
- 19-1) early terminate powers of a deputy of local council if s/he submits a written statement of resignation or leaves his/her faction;
- 20) consider complaints and applications related to decisions and actions (inactions) of

- precinct election commissions, make related decisions;
 - 21) arrange transfer of documents related to preparation and conduct of elections, referenda to the archive office or Central Election Commission;
 - 22) submit a financial report on the budget funds allocated and spent for preparation and conduct elections, referenda;
 - 23) when needed hire employees on labor contract basis to perform activities related to preparation and conduct of elections, referenda;
 - 24) train members of precinct election commissions and reserve members;
 - 25) execute other authorities under the present Law and electoral legislation.
2. Territorial Election Commission shall bear responsibility for non-performance or improper performance of its authorities in accordance with the legislation.

Article 21. Precinct Election Commission Authorities

- 1) The precinct election commission shall:
 - 1) inform the public about the address and telephone numbers of respective precinct election commission, working hours, ballot date and venue and on voters, referendum participants included in the list;
 - 2) ensure access of voters and referendum participants to the list of voters, referendum participants for familiarization and verification;
 - 3) accept and consider applications on errors and inaccuracies in the list of voters, referendum participants, address the issue of making appropriate changes in them;
 - 4) accept applications from voters on voting at the polling address;
 - 5) verify the list of voters, referendum participants on the respective territory;
 - 6) oversee compliance with the rules of displaying propaganda and campaign materials on the precinct territory;
 - 7) organize voting at the polling station on the day of the election, referendum;
 - 8) count the votes and identify the ballot returns at the polling station;
 - 9) ensure transfer of documents related to preparation and conduct of elections, referenda to a higher ranking election commission or the archive office;
 - 10) consider applications and complaints related to violation of the electoral legislation within its competence and take decisions on them;
 - 11) when needed hire employees on labor contract basis to perform activities related to preparation and conduct of elections, referenda;
 - 12) ensure safety of material values and property;
 - 13) submit a financial report on the budget funds allocated and spent to prepare and conduct elections, referenda;
 - 14) execute other authorities under the present Law and electoral legislation.
- 2) Precinct Election Commission shall bear responsibility for non-performance or improper performance of its authorities in accordance with the legislation.

Article 22. Territorial and Precinct Election Commission Member's Status

1. The territorial, precinct election commission members cannot be:
 - 1) deputy of the Jogorku Kenesh, local council deputy;
 - 2) official of state authorities and local self-governments;
 - 3) judge, officer of law enforcement and fiscal body, military officer;

- 4) candidate, representative of candidate or political party;
 - 5) person holding citizenship of other state;
 - 6) individual whose previous conviction has not been overturned or annulled pursuant to the procedures established by the law;
 - 7) other election commission member.
2. A spouse or close relatives shall not be elected members of the same territorial, precinct election commission.
 3. A territorial, precinct election commission member shall execute their authorities while staying in service of their main job.
 4. A territorial, precinct election commission member shall for the period of preparation, conduct of an elections, referenda be discharged from his/her main job.
 5. For the period of preparation and conduct of elections, referenda a territorial election commission member shall be paid a remuneration from the funds allocated for conduct of elections and referenda in the twenty times amount of the specified rate approved as of the day of elections and referenda. A member of territorial, precinct election commission temporarily discharged from his/her main job for the period of preparation and conduct of elections, referenda shall be provided an average earnings at his/her main job (regardless of ownership form).
 6. Chairman and secretary of territorial election commission shall be paid a remuneration in the thirty times amount of the specified rate approved by the legislation.

For the period of conduct of elections, referenda Chairman and secretary of precinct election commission shall be paid a remuneration from the funds allocated for conduct of elections and referenda in the twenty five times amount of the specified rate approved by the legislation.

7. A territorial, precinct election commission member may not be persecuted for his/her opinion or proposal made on a certain issue. Pressure exerted on a territorial, precinct election commission member for the purpose of preventing him/her from executing his/her authorities and official duties or making decisions in someone's favor, violent acts, insults, as well as slander and distribution of distorted information on his/her execution of the authorities and official duties shall entail responsibility under the law.
8. Within the period of an elections, referenda conduct and for 6 months upon the end of elections, referenda, a territorial, precinct election commission member may not be dismissed from main job on the administration's (employer's) initiative or be transferred to another job without his/her consent.
9. A territorial, precinct election commission member shall:
 - 1) be in advance notified about meetings;
 - 2) make proposals on issues within the authorities of a respective election commission;
 - 3) be eligible to request a vote on any issues within the authority of territorial, precinct election commission and addressed at its meetings;
 - 4) be eligible to familiarize himself/herself with the documents and materials of a respective and lower ranking election commissions and receive their copies (except for the list of voters, ballot papers) and request certification of such copies;

- 5) be entitled to appeal against actions (inactions) of the election commission to the respective higher ranking election commission;
 - 6) be entitled to check the presented voter's, referendum participant's ID, and whether the ballot paper was appropriately issued
 - 7) not be entitled to abstain from voting at the meeting.
10. A territorial, precinct election commission member shall be dismissed prior to the expiration of his/her powers on the decision of a higher ranking election commission in cases of:
- 1) submission of a resignation application;
 - 2) leaving the Kyrgyz Republic for permanent residence;
 - 3) withdrawal from citizenship or loss of citizenship of the Kyrgyz Republic as well as acquisition of citizenship of another state, or of a residence permit confirming the right for permanent residence at the territory of foreign country
 - 4) court conviction with regard to him/her becoming res judicata;
 - 5) recognition by a court decision having become res judicata, that he/she is incapable, with limited capabilities, deceased or announcing him/her a missing person;
 - 6) death;
 - 7) emerging grounds specified in Para one of the present Article;
 - 8) recognition of an election commission member, based on the advice of a respective election commission, through the decision of a higher ranking election commission, to be regularly dismissing his/her duties and assignments;
 - 9) disbandment of the territorial, precinct election commission;
 - 10) regular dismissing his/her duties and assignments – as advised by a respective territorial, precinct election commission.
11. In case of preterm termination of powers of members of a respective election commission a vacancy shall be filled according to the election procedure keeping requirements of the present Law.

Article 23. Territorial and Precinct Election Commission Operational Organization

1. A territorial, precinct election commission shall perform its activity based on collegiality, publicity, transparency.
2. A territorial, precinct election commission shall be entitled to proceed to work if the number of its members is not less than two thirds of the approved staff size.
3. Territorial, precinct election commissions operational organization issues shall be identified by the present Law and electoral legislation.
4. First meeting of a respective election commission shall be legally qualified if attended by no less than two thirds of the approved number of the members of a respective election commission. First meeting shall be opened and presided by the eldest member of a respective election commission.
5. At the first meeting of the respective election commission:
 - 1) the presiding member shall introduce members of the election commission;
 - 2) a returning board of three members of the respective election commission shall be elected by open ballot by the majority vote of the attending members;
 - 3) Chairman and secretary of the election commission shall be elected.

6. Territorial, precinct election commission meetings (hereinafter referred to as meeting) shall be either called by the Chairman or on the request of no less than one third of the approved number of members of a respective election commission. Its meetings shall be called not less than once a week during the election, referendum preparation and conduct.
7. Meeting shall be legally qualified if attended by majority of the approved number of the members of a respective election commission. Minutes of the meeting shall be kept.
8. Territorial election commission decisions on issues concerning financial support of elections and referenda preparation and conduct, cancellation of candidate's registration, lists of candidates, ballot returns and election results, recognition of invalidity or failure of an election, repeat ballot or reelection, cancellation of a decision taken by a precinct election commissions shall be made by two thirds of the votes of the approved number of the territorial election commission members.
9. Precinct election commission decisions on issues concerning financial support of elections and referenda preparation and conduct, ballot returns at the polling station shall be made by no less than two thirds of the votes of the approved number of the precinct election commission members.
10. Territorial, precinct election commission decisions on other issues shall be passed at meetings by the majority vote of the approved number of members of the respective election commission.
11. Territorial, precinct election commission decisions shall be signed by the election commission Chairman and Secretary.
12. A territorial, precinct election commission member who disagrees with the decision shall be eligible to express his/her special opinion in writing, which should be recorded in the meeting's minutes, and attached to the minutes. The Chairman must report it to a higher ranking election commission within two days, and do it immediately on the ballot day and the day following the ballot day.

Article 24. Territorial, Precinct Election Commission Disbanding Procedure

1. A Territorial, precinct election Commission may be disbanded by a higher ranking election commission in cases where:
 - 1) an election commission violates the electoral rights of the citizens which entails recognition of the ballots returns or election, referendum results as invalid on a respective territory by a higher ranking election commission or court;
 - 2) an election commission has failed to implement the court decisions or decisions of a higher ranking election commission passed pursuant to the provisions of the law;
 - 3) Article 19 of the present Law has been violated.
2. A member of election commission, election commission, as well as candidate, and political party are eligible to appeal to the higher ranking election commission with the application to disband the territorial, precinct election commission. The application to disband the territorial, precinct election commissions can be submitted not later than ten calendar days prior to the ballot day or

in case of repeat ballot – during the period after identifying the ballot returns at the specific polling station, but no later than seven calendar days prior to the day of repeat ballot.

3. The application to disband the territorial, precinct election commission is accepted for consideration immediately and the decision on it should be passed not later than two calendar days from the day of application submission.
4. In case of making a decision to disband the territorial, precinct election commission the higher ranking election commission elects new members of territorial, precinct election commission in accordance with the provisions of the present Law.
5. The territorial, precinct election commission new members should be elected no later than three calendar days after making a decision to disband.
6. The territorial, precinct election commission disbanding shall not entail the termination of term of powers of the candidate or the political party representative.

Chapter VI. Final Provisions

Article 25. Election Commission Operation Financial Support

1. The Central Election Commission budget shall be a separate line in the Republican Budget for the ensuing financial year.
2. The allocations for elections and referenda preparation and conduct shall be included in the Republican Budget for the ensuing fiscal year as a separate line.
3. Election commissions' expenditures for preparation and conduct of elections, referenda shall be paid with the Republican Budget funds. The funds for conducting elections, referenda shall be transferred by the Central Treasury of the Ministry of Finance to the account of the Central Election Commission no later than ten calendar days from the approved date of elections, referenda and distributed among the lower ranking election commissions.
4. It is prohibited to finance elections, referenda by foreign states, foreign state authorities, institutions and enterprises, other foreign legal entities, and their branches and representative offices, foreign citizens, international organizations registered in the Kyrgyz Republic, legal entities with foreign legal entities' and citizens' interest, except for financing programs focused on improving the electoral legislation, research programs, information, educational programs targeted at increasing the legal awareness of the electorate, referendum participants, as well as technical support of elections, referenda.
5. Financial support to activities of state programs related to the election system promotion, including implementation of new election technologies, automation equipment, legal training of the voters, referendum participants and administrative staff of the Central Election Commission, members of election commissions, the reserve shall be appropriated from the Republican Budget, the Central Election Commission special fund and other finance sources unless prohibited by the law.
6. The following election commission's expenditures shall be paid out of the Republican Budget:

- 1) remuneration and rewards to election commission members, the Central Election Commission administrative staff members, as well as payments to citizens involved in the work of election commissions based on employment contracts;
 - 2) production of printed materials and publishing activities (the Central Election Commission bulletin);
 - 3) purchase, delivery and installation of equipment (including technological equipment), other material values required for supporting elections, referenda and election commissions authorities;
 - 4) establishment of communication with election commissions (telephone, fax, mail, e-mail) transportation costs related to preparing and conducting elections, referenda;
 - 5) delivery, storage of election documents, preparation of such documents for a transfer to the archive office or for destruction;
 - 6) publication of the lists of polling stations, electoral districts, specifying their borders, addresses, members of territorial and precinct election commissions;
 - 7) publication of a list of voters, referendum participants and notifications of their inclusion in the integrated voter registration system;
 - 8) creation, development, and maintenance of an integrated voter, referendum participant registration system;
 - 9) business trips and reimbursement of travel expenses of election commission members for the purpose of carrying out activities aimed at organizing and conducting elections, referenda;
 - 10) provision of free air time, printing space to candidates, political parties having nominated lists of candidates;
 - 11) publication of announcements by election commissions in mass media;
 - 12) providing continuous and systematic training to the Central Election Commission administrative staff, members of election commissions and the reserve;
 - 13) payment of per diem allowances to members of election commissions at the day preceding elections (referenda) day, and also on the elections (referenda) day in the amount established by the legislation of the Kyrgyz Republic;
 - 14) organization of meals to members of election commissions and attracted citizens at the day preceding elections (referenda) day, and also on the elections (referenda) day in the amount of a per diem per man;
 - 15) other expenditures related to conducting elections, referenda as well as supporting the authorities and operation of election commissions.
7. Election commissions shall spend their funds for preparation and conduct of elections, referenda to the extent of the allocated funds in accordance with the approved estimated expenditures. A higher ranking election commission may cover the expenses of lower ranking election commissions in a centralized mode.
 8. A precinct election commission shall submit to a territorial election commission a financial report on the received and spent Republican Budget funds no later than seven calendar days from the ballot day.
 9. A territorial election commission shall submit to the Central Election Commission a report on the received and spent funds of the Republican Budget no later than twenty calendar days from the ballot day.
 10. The Financial Report of the Central Election Commission, of lower ranking election

commissions on the Republican Budget funds spent to prepare and conduct elections, referenda shall be published in official publishing sources, bulletin and placed on the official web-site of the Central Election Commission no later than three months from the day of publishing the elections, referenda results.

11. Election commissions' Chairmen shall administer funds and bear responsibility for financial documents being in conformity with the election commissions' decisions as regard the financial issues and for submission of financial reports in due time and order as specified by the present Law.

Article 26. Transitional Provisions

1. It shall be established that starting from the day of this Law enactment:
 - 1) The Central Election Commission shall be entitled, if expedient, to form territorial election commissions regardless of the administrative and territorial system of the Republic for a period of preparing and conducting the 2011 Presidential election;
 - 2) The Central Election Commission shall take the necessary steps to transfer the appropriate documentation of oblast election commissions to appropriate territorial election commissions.
2. The reserve of territorial, precinct election commissions shall be formed starting from the day of this Law enactment.
3. The Government of the Kyrgyz Republic, mayor's offices shall take steps to transfer staff system administrators from oblast, rayon state administrations, mayor's offices of the cities to the Central Election Commission.
4. The Central Election Commission shall take measures:
 - on introducing system administrators and special representatives into its staff list;
 - on transferring existing system administrators of oblast, rayon state administrations, mayor's offices of the cities to the introduced staff list.
5. The Government of the Kyrgyz Republic shall raise funds to finance monthly payments to special representatives and system administrators of the Central Election Commission.
6. Local self-governance authorities shall transfer to the Central Election Commission the updated lists of voters during fifteen days after enactment of the present Law.

Article 27. Present Law Enactment

1. The present Law shall be enacted on the day of its official publication.

The Law is published in the "Erkin Too" newspaper of June 30, 2011, No 51.

2. The following laws shall be recognized as null and void:

- The Law of the Kyrgyz Republic "On Central Commission on Conducting Elections and Referenda in the Kyrgyz Republic" (Bulletin of the Jogorku Kenesh of the Kyrgyz Republic, 1997, No 3, Article 131);

- The Law of the Kyrgyz Republic “On new version of the Law of the Kyrgyz Republic “On Central Commission on Conducting Elections and Referenda in the Kyrgyz Republic” (Bulletin of the Jogorku Kenesh of the Kyrgyz Republic, 2004, No 6, Article 249);
- The Law of the Kyrgyz Republic “On Amending the Law of the Kyrgyz Republic “On Central Commission on Conducting Elections and Referenda in the Kyrgyz Republic” (Bulletin of the Jogorku Kenesh of the Kyrgyz Republic, 2005, No 2, Article 106);
- The Law of the Kyrgyz Republic “On Amending the Law of the Kyrgyz Republic “On Central Commission on Conducting Elections and Referenda in the Kyrgyz Republic” (Bulletin of the Jogorku Kenesh of the Kyrgyz Republic, 2005, No 3, Article 185);
- The Law of the Kyrgyz Republic “On Amending the Law of the Kyrgyz Republic “On Central Commission on Conducting Elections and Referenda in the Kyrgyz Republic” (“Erkin Too” newspaper of August 22, 2006, No 62);
- Article 4 of the Law of the Kyrgyz Republic “On Amending the Laws of the Kyrgyz Republic “On Account Chamber of the Kyrgyz Republic”, “On National Bank of the Kyrgyz Republic”, “On Prosecutors Office of the Kyrgyz Republic”, and “On Central Commission on Conducting Elections and Referenda in the Kyrgyz Republic” (“Erkin Too” newspaper of June 15, 2007, No 43);
- The Law of the Kyrgyz Republic “On Amending the Law of the Kyrgyz Republic “On Central Commission on Conducting Elections and Referenda in the Kyrgyz Republic” (“Erkin Too” newspaper of August 1, 2008, No 56);
- The Law of the Kyrgyz Republic “On Amending the Law of the Kyrgyz Republic “On Central Commission on Conducting Elections and Referenda in the Kyrgyz Republic” (“Erkin Too” newspaper of August 8, 2008, No 58);
- The Law of the Kyrgyz Republic “On Amending the Law of the Kyrgyz Republic “On Central Commission on Conducting Elections and Referenda in the Kyrgyz Republic” (“Erkin Too” newspaper of January 9, 2009, No 1).

President of the Kyrgyz Republic R. Otunbaeva

Passed by the Jogorku Kenesh of the Kyrgyz Republic on June 24, 2011