



Strasbourg, 22 April 2014

Opinion No. 767 / 2014

CDL-REF(2014)014

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

DRAFT ELECTORAL LAW
OF KYRGYZSTAN

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SECTION I - GENERAL PROVISIONS

Article 1. Constitutional Law Relations

This Constitutional Law defines the electoral rights of the citizens of the Kyrgyz Republic and their guarantees; it regulates the relations involved in preparation and conduct of elections of the President of the Kyrgyz Republic, Jogorku Kenesh deputies, and local kenesh deputies.

Article 2. Key definitions used in the present Constitutional Law

The following definitions are used in the present Constitutional Law:

Campaign material - printed, audio, visual and other materials showing signs of pre-election campaign and intended for mass circulation and promulgation in the course of election campaign;

The right of citizens to vote – the right of the Kyrgyz Republic citizens to elect to the state authorities and local self-governance authorities;

Charitable activities – voluntary actions to donate disinterestedly (on gratuitous or easy terms) to citizens or legal party properties, including finances, work, services;

Charitable organization – is a non-profit organization designed in accordance with the law whose primary activity is charity to benefit society or a specific group of people;

Immediate relatives – spouses, parents, children, adoptive parents, adopted children, full blood and half blood siblings, grandfather, grandmother, grandchildren;

Guarantees for citizens' electoral rights – organizational, legal, informational, and other means to ensure electoral rights of the Kyrgyz Republic citizens;

Executive officer of a local government – an elected official, head of the local executive organ (branch);

Officers of state – citizens of the Kyrgyz Republic holding public offices, performing professional functions on a continuing basis of a representative of authority and bearing responsibility for discharging duties;

Voter's identity card – passport (ID card) of a citizen of the Kyrgyz Republic or a replacing document. Documents replacing the passport include the following: regular passport of a citizen of the Kyrgyz Republic, certificate of active service officer (warrant officer), involuntary service record card, pension certificate, driver's license;

Executive officer of a state power body or local government – a person performing the functions of a representative of authority or those of organizational-management, administrative, control and supervision character in state bodies and local self-governments on a regular or temporary basis or by special authority;

Single electoral district – an electoral district encompassing the whole territory of the Kyrgyz Republic;

Electoral district – an electoral entity (district) from which the President of the Kyrgyz Republic, deputies of the Jogorku Kenesh, deputies of local kenesh are being elected by voters;

Voters – citizens of the Kyrgyz Republic having the right to vote;

Election documents – voter list, register of early-voting voters, election envelopes (hereinafter referred to as the envelope), ballots - valid, invalid, not used (cancelled), wasted (filled with errors), as well as ballots issued to voters for early voting and for voting out of the

voting station, minutes of election commissions, their resolutions on election related issues, registration papers of candidates and political parties, summary tables of election results, acts of data compliance put in the automatic Shailoo system, lists and maps of electoral districts, stations;

Election Commissions – collective bodies organizing the preparation and conduct of elections in the Kyrgyz Republic and ensuring enforcement and protection of the electoral rights of the citizens of the Kyrgyz Republic;

Electoral legislation – a package of regulatory statutes regulating election procedure in the Kyrgyz Republic;

Electoral rights of citizens – the right of the citizens of the Kyrgyz Republic to elect and be elected to state bodies and local self-governments, as well as to participate in nomination of candidates, pre-election campaigns, observation of election, performance of election commissions, including summarizing of voting results and determining election results, as well as other election activities;

Election process – a complex of actions in the process of choosing: date of elections, registry and record of voters, nomination and registration of candidates, pre-election campaign and election financing, election and vote counting;

Informational program – television and radio program broadcasted periodically informing on the current news and events;

Election Information Support – informing constituents and pre-election campaign, ensuring conscious expression of the citizens' will, transparency of elections;

Informing voters – actions of state authorities, local government, electoral committees, mass media, legal entities and individuals related to generation and dissemination of information during an election campaign, aimed at urging voters to participate in the election, conscious declaration of citizens' will, publicity of elections, except describing possible consequences of electing or not electing a candidate (list of candidates), election campaign of a candidate (list of candidates) or campaign against them, expressing preferences to one of the candidates (list of candidates), derogation of candidates, political parties and information of state and local government entities about candidates (candidates' list);

Electoral address – the actual residence of a citizen stated pursuant to the procedure established by this Constitutional Law, where he/she is willing to vote and which is not his/her permanent address;

Executive office of local government (city hall, aiyl okmotu) – local government body created to ensure preparation and execution of city kenesh and aiyl kenesh decisions, as well as execution of powers stipulated by laws and decisions of the local kenesh;

Candidate – an individual nominated as an applicant for state or local government body according to the procedure specified by this Constitutional Law;

International observer – an individual representing a foreign or international organization that acquires the right to observe preparation and conduct of elections in the Kyrgyz Republic pursuant to procedure established by legislation;

Local kenesh – representative body of local government elected by the local community of a city (city kenesh), aiyl aymak (aiyl kenesh);

Local community – citizens of the Kyrgyz Republic permanently residing within the territory of administrative-territorial unit (aiyl aimak, city), sharing interests in responsible decision making of local issues;

Multi-member electoral district - electoral district where more than one member is being elected, each member is voted for personally;

Temporary residence place – hotel, resort, spa resort, tourist base, hospital, other

similar institutions, as well as residential dwelling which is not the permanent residence of the citizen;

Municipal official – citizen of the Kyrgyz Republic holding municipal office, performing professional functions on continuing basis for pecuniary reward from the state budget of a representative of authority and bearing responsibility for discharging duties;

Observer – an individual, assigned by a candidate, a political party, a non-profit organization that submitted the list of candidates, to observe preparations for voting, voting itself, counting of votes, determining the vote returns and election results pursuant to procedure established by the Constitutional Law;

Non-profit organization – an organization, created in accordance with the Law on non-profit organization and participating in the elections within the limits established by the Constitutional Law;

Bodies of the state power – bodies created and executing power in accordance with the Constitution and legislature of the Kyrgyz Republic;

Bodies of local self government – elected collegial bodies consisting of local kenesh deputies elected by the local community and authorized to manage local activities;

Passive electoral right of citizens – the right of citizens of the Kyrgyz Republic to be elected to state bodies and local self-government bodies;

Permanent residence – residence of a citizen within the territory of the Kyrgyz Republic that is proven by the registration mark of the registration body in the identification document;

Law enforcement agencies – agencies on internal affairs, national security, financial police, public prosecution, customs service, justice and drug control agency;

Election campaign – activity of the citizens of the Kyrgyz Republic, candidates, authorized representatives and agents of candidates and political parties in order to prepare and disseminate the information during the campaign with the aim of encouraging voters to vote for some or other candidates (lists of candidates) or against them;

Representative of a candidate or political party – a representative in election commissions, an authorized representative, agent, or observer representing a registered candidate or political party that had nominated the list of candidates;

Voter list – a list of the citizens of the Kyrgyz Republic having the right to vote on the polling day; the list shall be made up by the appropriate election commission;

List of early voters – a list of voters made up by the relevant territorial election commissions 2-9 days prior to the polling day; the list includes information on the voters who have voted prior to the polling day based on the written request and submitted relevant documents established by this Constitutional Law;

List of candidates – a list of candidates nominated by political parties, registered by the election commission;

Charter of the local community (city, aiyl aymak) – main legal act of the local community ruling actions of the local self government bodies and local communities, developed and accepted in accordance with the legislature;

Members of the local community – citizen of the Kyrgyz Republic permanently residing in the territory of an aiyl aymak, city, which is proven by the registration mark of the registration body in the identification document.

Chapter 1. Citizens' Electoral Rights

Article 3. Election Participation Principles

1. Elections in the Kyrgyz Republic are carried out on the basis of universal, equal and direct suffrage by secret ballot.

Elections in the Kyrgyz Republic are based on free and voluntary exercise of electoral rights by the citizens of the Republic. No one has the right to influence citizens in order to coerce them to participate or not to participate in the elections, or their free will.

2. Citizens of the Kyrgyz Republic residing or staying outside of its territory have electoral rights in line with this Constitutional Law.

Electoral rights of the citizens of the Kyrgyz Republic residing or staying outside of the Republic during the election shall be ensured by the state body in charge of foreign affairs, through their diplomatic missions and consulates.

Citizens of the Kyrgyz Republic residing or staying outside its territory shall vote only within the territory of diplomatic missions and consulates of the Kyrgyz Republic.

Article 4. Universal suffrage

1. Citizens of Kyrgyz Republic who have reached the age of 18 years, have the right to vote and, upon attaining the age established by the Constitution and this Constitutional Law, have the right to be elected to the state bodies and local self-governments.

2. Kyrgyz citizens can elect and be elected irrespective of their origin, sex, race, ethnic origin, official capacity, confession, political and other convictions.

3. Citizens adjudicated by court as legally incapable or those kept in places of confinement, may not vote.

4. Citizens whose previous conviction has not been expunged pursuant to the procedures established by law, do not have the right to be elected to the state government bodies.

Article 5. Equal suffrage

Citizens of the Kyrgyz Republic shall participate in elections in the Kyrgyz Republic on equal terms.

Article 6. Direct suffrage

Citizens of the Kyrgyz Republic elect their representatives to the bodies of state power and local self government directly.

Article 7. Secret ballot

Voting in the elections in the Kyrgyz Republic is secret, ruling out any possibility to control citizens' will.

Article 8. Obligation and periodicity of the election

1. The term of office of the bodies of state power and local government is established by the Constitution and legislature of Kyrgyz Republic.

2. Elections of bodies of the state power and local government in Kyrgyz Republic are obligatory and are conducted periodically within the time limit established by the Constitution of the Kyrgyz Republic, present Constitutional Law, laws of the Kyrgyz Republic.

3. Elections shall not be held at the time of emergency or warlike situation imposed on the territory of the Kyrgyz Republic.

Chapter 2. Publicity

Article 9. Publicity of the Electoral Process

1. Elections shall be prepared and conducted publicly and openly.

2. Members of higher level election commissions, candidates, candidates or political party representatives, as well as observers, international observers, and mass media have the right to attend the sessions of relevant elections commission.

3. The electoral information system is to be used for monitoring the voting process and its results by ways of protocol data transfer from the lower level election commissions to the higher level election commissions. The data received via electoral information system shall be regarded as preliminary information with no legal effect. The Central Election Commission on conducting elections and referenda in the Kyrgyz Republic (hereinafter referred to as the Central Election Commission) shall determine the procedure for the use of this information.

Article 10. Observer

1. A candidate and a political party nominating candidates, non-profit organizations have the right to appoint an observer who observes the preparation of elections, voting process, counting of votes, determination of voting returns and election results according to the procedure stipulated by the legislation.

2. An observer acquires the rights and duties stipulated by this Constitutional Law from the day of being directed to the appropriate election commission by his/her organization. The referral should indicate first name, last name and patronymic, permanent place of residence, the polling station's number, the name of the election commissions to which he/she is directed as well as a note about the absence of restrictions specified in item 2 of this Article. Such a document is valid upon presenting a passport or a replacing document. A preliminary notice on designation of the observer is not required.

3. Citizens of the Kyrgyz Republic with the right to vote may act as observers.

Not entitled to be an observer: Jogorku Kenesh deputies, local kenesh deputies, government officials and local government officers, members of election commissions; representatives of candidates and political parties nominating the candidates' list, judges,

prosecutors, law enforcement and fiscal bodies, officers and servicemen.

4. An observer has the right to:

1. observe the formation of territorial, precinct election commission;
2. review the voter list formation process
3. review the process of voter registration;
4. review information support of elections;
5. review voter lists located at the election commission and a register of applications (appeals) for a vote outside the voting premises;
6. be present at the voting premises at any time of the polling day;
7. be present when voting takes place outside the voting premises;
8. openly express his/her opinion, including via mass media, comment on the preparation and conduct of the election;
9. move freely and attend any polling stations, sittings of election commissions;
10. observe preparation and the voting process established by this Constitutional Law, not violating secret ballot, including the issue of ballots; counting the number of citizens included in the voter list, ballots given to the voters and invalidated ballots; observe counting of votes at a distance and in the circumstances ensuring the visibility of the ballot content, review any filled or unfilled ballots during the counting of votes; observe drawing up of election commission protocols on voting results and other documents;
11. approach chairman of the precinct election commission he/she is directed to and, in the absence of the chairman, approach his/her deputy with suggestions and remarks on the voting process organization;
12. review protocols of the election commission he/she is directed to;
13. get copies of protocols and attached documents from the election commission;
14. appeal decisions and (or) actions (inaction) of the election commission to which he/she is directed, in line with this Constitutional Law;
15. attend vote recount in the appropriate election commissions;
16. wear badges with no sign of campaigning, but indicating the status, family name, the name of the organization that directed the observer to the election commission;
17. take photos, video and audio recording not violating ballot secrecy of voters, not impeding summarizing of voting returns.

5. Observer may not:

1. issue ballots to voters;
2. sign instead of a voter on his/her request when getting ballot;
3. fill out ballots for voters on his/her request;
4. take up any actions abusing the secrecy of the vote;
5. participate in ballot counting conducted by the election commission members;
6. create any obstacles to the work of the election commission;
7. campaign among voters;
8. take part in the decision making of the appropriate election commission;

6. Observers' activity shall be regulated by the electoral law.

Article 11. International Observers

1. International observers shall be accredited by the Central Election Commission provided they have received an invitation forwarded by the President, Jogorku Kenesh, Government, Central Election Commission after the calling of the elections was published officially. Proposals for invitations can be submitted by international and national non-profit organizations specializing in the electoral law and elections as well as protection of human rights.

2. An international observer's term of office shall begin on the day of his/her accreditation by the Central Election Commission and end on the day of official publication of election results.

3. International observers may move freely and attend any precincts and sittings of election commissions.

4. International Observers have the right to:

- 1) express publicly their opinion on preparation and conduct of the elections;
- 2) hold press conferences and approach mass media representatives;
- 3) take photos, video and audio recording not violating ballot secrecy of voters;
- 4) wear badges with no sign of campaigning, but indicating the status, family name, name, patronymic, the name of the organization they represent;
- 5) observe the formation of territorial, precinct election commissions;
- 6) review the voter list formation process;
- 7) observe the process of voter registration;
- 8) observe the information support of elections.

5. International observers cannot use their status to be engaged in activities not related to observation of election preparation and conduction.

6. The Central Election Commission can withdraw accreditation of an international observer in the event of violation of this Constitutional Law or the legislation of the Kyrgyz Republic by such an international observer.

7. International observers' activity is regulated by this Constitutional Law and normative-legal acts of the Central election Commission.

Article 12. Mass media representatives

1. Mass media shall be accredited by the Central Election Commission upon submission of a written request.

2. Mass media representatives participating in information coverage of election preparation and conduct have the right to:

attend election commission meetings;

review protocols of the election commission;

get copies of protocols and attached documents from the election commission;

take pictures or video-recording during the period of election preparation, and on the polling day they may do it from the place indicated by the chairman of the precinct election commission without violating secrecy of election;

wear badges with no sign of campaigning, but indicating the status, family name, name,

patronymic, the name of the organization they represent;

3. Upon the request of a mass media representative the election commission must certify a copy of the protocol on vote returns or election results.

4. The Central Election Commission has a right to withdraw accreditation of any mass media representative in the event of violation of the electoral legislation.

5. During the period of election preparation and conduct activities of a mass media representative is regulated by the present Constitutional Law and the Central Election Commission legal acts.

SECTION II - ELECTORAL COMMITTEES

Article 13. System of electoral committees

The unified system of election commissions in the Kyrgyz Republic consists of:

1. Central Election Commission;
2. Territorial election commissions: Bishkek and Osh city election commissions, rayon election commissions (hereinafter – territorial electoral committees) – as decided by the Central Election Commission;
3. precinct election commissions for elections and referenda (hereinafter - precinct election commissions).
4. Legal status of electoral committees is defined by this Constitutional Law, Law of the Kyrgyz Republic on Referendum and legal acts of the Central Election Commission of the Kyrgyz Republic.

Article 14. Principles and Fundamental Guarantees of the Election Commissions

1. Election commissions shall carry out their activity based on the following principles: Legality; publicity; openness; independence; collectivity.
2. Interference with any activity of the election commissions on the part of state bodies, local self-governments, non-profit organizations, as well as political parties, other legal entities and individuals shall be prohibited.
3. Decisions and acts of the election commissions, taken within their competence, shall be mandatory for the state bodies, government agencies, local self-governments, non-profit organizations, other legal entities, their officials, candidates, political parties, voters, and lower level election commissions.
4. Decision of the election commission that is contradictory to the Constitution of the Kyrgyz Republic, this Constitutional Law, legislation of the Kyrgyz Republic, or decisions taken beyond the established authorities, shall be subject to cancellation by the higher level election commission or the court.
5. The state bodies, local self-governments, and their officials shall be obliged to provide assistance to the election commissions in exercising their powers, mainly: to provide the required equipment, transport, premises equipped with telephones, including premises to store technological equipment (info boards, boxes, polling booths, etc.), election documents prior to their submission to the higher level election commission or to the archives, as well as ensuring their safety; to provide the necessary information and materials, give timely responses to

inquiries of the election commissions related to the preparation and conduct of elections, referenda; if necessary to conduct further study of the relevant issue or inspection – within three days, and on the polling day or on the day following the polling day – immediately.

6. Political parties and other non-profit organizations, other legal entities shall be obliged to provide the election commissions with the required information and materials related to preparation and conduct of elections and referenda within two business days in the course of preparation for elections, referenda, and on the polling day or on the day following the polling day – immediately.

7. In case of non-implementation or improper implementation of the requirements, and failure to comply with the deadlines established in this Article, the officials of state bodies and local self-governments, political parties, non-profit organizations, and other legal entities shall bear responsibility as set forth by the law.

Article 15. Objectives of the Election Commissions

Objectives of the election commissions shall be:

- 1) to ensure the observance of electoral rights and the right of citizens of the Kyrgyz Republic to take part in referenda in the territory of the Kyrgyz Republic;
- 2) to ensure the unified application of the electoral legislation;
- 3) to ensure the observance of equal legal terms for candidates, political parties;
- 4) to organize the unified registration system of voters and participants of referenda;
- 5) to organize preparation and conduct of elections of the President, deputies of the Jogorku Kenesh, deputies of the local keneshes, heads of the executive bodies of the local self-governments, and referenda;
- 6) development of the electoral system, increased awareness of participants of the electoral process.

Article 16. Financial Support to Operation of the Election Commissions

1. Financing of the Central Election Commission shall be envisaged within a separate line in the Republic budget for the next financial year.

2. Allocations for preparation and conduct of elections, referenda shall be envisaged within the Republican budget.

3. Expenses of the election commissions with regard to the preparation and conduct of elections, referenda shall be covered out of funds of the Republican budget. The funds for the conduct of 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 date of calling of elections, referenda, and distributed among the lower level election commissions.

4. Financing of elections, referenda by foreign states, foreign state bodies, institutions and enterprises, other foreign legal entities, their branches and representation offices, foreign citizens, international organizations registered in the Kyrgyz Republic, legal entities, whose members are foreign legal entities and citizens, shall be prohibited with an exception for funding of programs aimed at improving the electoral legislation, scientific and research, informational, and educational programs increasing voters' and referenda participants' legal culture, as well as technical preparation of elections, referenda.

5. Financial support to activities of the state programs related to development of the electoral system, including the introduction of new electoral technologies, automation means, legal training of voters, referendum participants and administrative staff of the Central Election Commission, members of the election commissions, the reserve shall be appropriated from the funds of the Republic budget, Special Fund of the Central Election Commission and other financing sources authorized by the law.

6. Out of the funds of the Republic budget the following expenses of the election commissions shall be funded:

1) remuneration and emoluments of members of the election commissions, administrative staff of the Central Election Commission, as well as payments to citizens attracted to the work of the election commissions under the labor agreement;

2) Printing materials and implementation of publishing activities (bulletin of the Central Election Commission);

3) procurement, delivery and installation of equipment (including the technological one), other material valuables necessary to guarantee elections, referenda, and powers of the election commissions;

4) setting up of communication with the election commissions (telephone, fax, mail, e-mail), transport expenses, related to preparation and conduct of elections, referenda;

5) delivery, storage of the electoral documents, preparation to their submission to the archives or for the destruction;

6) publication of the list of polling stations, electoral districts, with indication of their borders, addresses, members of the territorial and precinct election commissions;

7) publication of the voter list, referenda participants and notifications on their inclusion in the unified voter registration system;

8) setting up, development and maintenance of the unified voter and referenda participants' registration system;

9) business trips and reimbursement of travel expenses to the members of the election commissions with the aim of ensuring arrangements on organization and conduct of the elections and referenda;

10) provision of free air time, free printed space to candidates, political parties that nominated lists of candidates;

11) publication in mass media of statements of the election commissions;

12) conduct of continuous and systematic training of the administrative staff of the Central Election Commission, members of the election commissions and the reserve;

13) other expenses related to the conduct of elections, referenda, and to ensure powers and operation of the election commissions.

7. Election commissions shall use funds for preparation and conduct of elections, referenda within the allocated funds in accordance with the approved estimate of expenses. The higher level election commission shall have the right to cover the expenses of the lower level election commissions in an established way.

8. The precinct election commission shall submit to the territorial election commission a financial report on receipt and use of funds from the Republic budget no later than seven calendar days from the voting date.

9. The territorial election commission shall submit to the Central Election Commission a financial report on receipt and use of funds from the Republic budget no later than twenty calendar days from the voting date.

10. Financial report of the Central Election Commission, lower level election commissions on the use of funds of the Republican budget to preparation and conduct of elections, referenda shall be published in official sources of mass media, Bulletin and official site of the Central Election Commission no later than three months after the date of official publication of the election, referenda results.

11. Chairmen of the election commissions shall manage funds and bear responsibility for compliance of financial documents with decisions of the election commissions on financial issues and submission of financial reports at the times and in accordance with the procedure established hereof.

12. Election commissions can attract contract employees under labor agreements for implementation of activities related to the preparation and conduct of elections.

13. In the period of preparation and conduct of the Presidential and Jogorku Kenesh elections mass media that fall under item 18 of Article 47 hereof shall provide to the Central Election Commission no less than 15 minutes of free air time on their channels on a weekly basis for clarification of the electoral legislation of the Kyrgyz Republic, informing the voters about the time and procedure of implementation of the required electoral actions, election campaign progress, as well as to answer voters' questions.

14. Periodical printed mass media issued at least weekly and that fall under item 18 of Article 47 hereof shall allocate free space to the Central Election Commission to the extent of no less than one hundredth part of a weekly volume of printed area for clarification of the electoral legislation, informing the voters about the time and procedure of implementation of the required electoral actions, election campaign progress, as well as to answer voters' questions.

Chapter 3. Central Election Commission

Article 17. Status of the Central Election Commission

1. The Central Election Commission is a permanent state body ensuring preparation and conduct of elections and referenda in the Kyrgyz Republic and managing the election commission system.

2. The Central Election Commission is a legal entity with its own budget, special fund, official letterhead and a seal with a depiction of the State coat of arms.

3. The Central Election Commission is located in a separate administrative building.

Article 18. Formation Procedure and Term of Powers of Members of the Central Election Commission

1. The Central Election Commission shall be formed for a period of six 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 members – upon the recommendation of the President of the Kyrgyz Republic (hereinafter referred to as the President), one-third – of the parliamentary majority, and one-third – of the parliamentary opposition.

3. Rejection by the Jogorku Kenesh of a candidate for position of a member of the Central Election Commission shall be justified. The subject of nomination shall be entitled to nominate the same or a different candidate.

4. In case of a vacancy due to early termination of powers of a member of the Central Election Commission filling of a vacancy shall be done upon the recommendation of the same subject that nominated that member of the Central Election Commission.

5. The term of powers of the current members of the Central Election Commission shall begin from the day of its first meeting and terminate after the first duly constituted meeting of new members of the Central Election Commission.

6. If the term of powers of members of the Central Election Commission terminates in the period of the electoral campaign of the Presidential and Jogorku Kenesh elections, referendum campaign, the term of powers shall be extended till the end of the electoral campaign, referendum campaign.

7. The activity of members of the Central Election Commission shall not be suspended prior to termination of their powers on account of dissolution of the Jogorku Kenesh, changes in coalition members of factions of the Jogorku Kenesh, termination and early termination of powers of the President.

Article 19. Powers of the Central Election Commission

1. The Central Election Commission shall:

1) elect, recall a Chairman of the Central Election Commission, Deputy Chairman of the Central Election Commission;

2) form permanent commissions out of members of the Central Election Commission for preliminary consideration of documents and materials and preparation of draft documents that shall be accepted or approved by the decision of the Central Election Commission. Form their members.

The head of the commission shall be elected out of the members of the Central Election Commission.

Procedure for organization and operation of commissions shall be established by the Regulations of the Central Election Commission;

3) approve structure, staffing list and estimate of expenses of the Central Election Commission, lower level election commissions;

4) provide implementation of the electoral legislation;

5) issue within the limits of its power regulations, instructions, provisions and other acts and control their implementation;

6) establish and organize the unified voter and referendum participants' registration system;

7) consider and approve territorial borders, covered by the territorial election commission;

8) form and approve members of the territorial election commissions and publish their lists of members in mass media;

9) establish and keep a reserve for the relevant lower level election commissions;

10) coordinate activities of the lower level election commissions including updating and clarification of voter list, referenda participants;

11) provide legal, organizational, methodological, and technical assistance to the lower level election commissions;

12) organize preparation and conduct of elections, referenda in the case and under the procedure identified by the electoral legislation;

13) approve estimate of expenses for preparation and conduct of elections and referenda;

14) carry out measures to arrange financing of preparation and conduct of elections, referenda, distribute funds allocated from the budget for financial support to preparation and conduct of elections, referenda, control over proper use of funds;

15) establish a special fund and determine a procedure for its use;

16) establish forms of financial reporting for the lower level election commissions, candidates, and political parties;

17) approve borders of the electoral districts;

18) publish a scheme and borders of the electoral districts in mass media with indication of their borders and addresses;

19) determine a number of mandates for the electoral districts;

20) determine forms, degree of protection, procedure of production, and approve the text of electoral documents;

21) ensure production of electoral documents and their delivery to lower level election commissions;

22) establish dates, procedure for storage and transfer to archives of electoral documents;

23) develop and approve standards of the technological equipment (stands, boxes, voting booths, etc.) and exercise control over their observance;

24) register candidates for the post of President, list of candidates for the Jogorku Kenesh deputies, their representatives and initiative groups, issue them a certificate of the standard form;

25) establish conditions for voting by secret ballot of disabled persons;

26) carry out accreditation of the international observers, foreign and local mass media;

27) coordinate activity of the state bodies and local self-governments on preparation and conduct of elections and referenda;

28) inform voters, referenda participants on the electoral campaign progress, referenda campaign, electoral legislation and activity of the election commissions;

29) sum up results of referenda, elections of the President and deputies of the Jogorku Kenesh. In case of appeals against decisions of the territorial election commissions shall determine election results of deputies of Local Keneshes, heads of the executive bodies of the local self-governments of the relevant territory in the case and under the procedure established hereof and officially publish them in mass media;

30) register the elected candidate for the presidency, elected candidates for the Jogorku Kenesh deputies and award a lapel badge and certificate of the standard form;

31) consider complaints against decisions, actions (inactions) of the election commissions and members of the election commissions, conduct inspections and make motivated decisions within the time limits specified by the electoral legislation;

32) post at its official site information about the voting returns as far as new information becomes available;

33) study the practice of preparation and conduct of elections, referenda, and submit to the Jogorku Kenesh proposals on improving the electoral legislation;

34) develop training and information programs and conduct regular training of members of the election commissions, reserve, and also conduct training for other participants of the electoral process;

35) make a decision on early termination of deputy powers in cases prescribed by law;

36) exercise other powers in accordance with the legislation.

2. Central Election Commission shall be entitled to:

1) require from the relevant state bodies, local self-governments, state and municipal authorities and enterprises information on registration of citizens of the Kyrgyz Republic;

2) impose administrative punishments in the cases and under the procedure envisaged by the legislation;

3) apply to the law-enforcement bodies with a recommendation to conduct the relevant inspection and prevent violations of the Constitutional Law;

4) cancel registration of candidate; list of candidates, in the cases and under the procedure envisaged hereof;

5) cancel decisions of the election commissions in case of violation of the electoral legislation;

6) recall accreditation of the international observers and mass media;

7) attract contract employees (specialists) for the purpose of implementing activities related to preparation and conduct of elections, referenda, whose remuneration shall be determined by the estimate of expenses of the Central Election Commission;

8) carry over the international cooperation;

9) change, modify, or cancel instructions of the Chairman;

10) dissolve the territorial and precinct election commissions;

11) recall the Chairman, secretary of the territorial, precinct election commissions.

3. The Central Election Commission shall bear responsibility for non-performance or improper performance of its authorities in accordance with the legislation.

Article 20. Organization of the activity of the Central Election Commission

1. Activity of the Central Election Commission shall be carried out based on a free discussion and solution of issues within its powers.

2. The Central Election Commission is eligible to start its work if its composition is formed by no less than two-thirds of the established number of members of the Central Election Commission.

3. Issues related to internal organization of activity of the Central Election Commission shall be established by the Regulations of the Central Election Commission.

Article 21. Meetings of the Central Election Commission

1. A meeting of the Central Election Commission (hereinafter referred to as the Meeting) shall be called by the Chairman, and also on call of no less than one-third of members of the Central Election Commission.

2. During the period of preparation and conduct of elections, referenda meetings shall be held no less than once a week.

3. Meetings shall be legally qualified if attended by the majority of the established members of the Central Election Commission. Minutes of the meeting shall be prepared.

4. Meetings shall be held at the place of permanent stay of the Central Election Commission. The Central Election Commission is entitled to take a decision to hold an off-site meeting.

5. Representatives of state bodies, local self-governments, candidate, political parties, non-profit organizations, mass media, as well as candidates, observers, and international observers shall be entitled to attend the meeting.

6. When considering proposals, applications and complaints, the parties concerned and their representatives shall be entitled to attend the meeting.

Article 22. Procedure for adopting decisions of the Central Election Commission

1. Decisions of the Central Election Commission shall be adopted by members of the Central Election Commission in the procedure established hereof.

2. Decisions of the Central Election Commission on:

- 1) adoption of Regulations of the Central Election Commission,
- 2) financial support to preparation and conduct of elections, referenda,
- 3) on registration of candidates, list of candidates,
- 4) on cancellation of registration of candidates, list of candidates,
- 5) on refusal of registration of candidates, list of candidates,
- 6) on results of elections and referenda,
- 7) on declaring elections or referenda null and void,
- 8) on conduct of the repeat voting or repeat elections,
- 9) on cancellation of a decision of the lower level election commission,
- 10) on dissolution of the lower level election commissions,
- 11) on impeachment to the Chairman, Deputy Chairman of the Central Election Commission shall be adopted at the meeting by two-thirds votes of the established number of members of the Central Election Commission.

3. Decisions of the Central Election Commission related to different issues shall be adopted by a majority of votes of the established number of members of the Central Election Commission. Voting returns on all issues announced by the Chairman shall be entered into the minutes of the meeting.

4. The Central Election Commission, upon the demand of any member, shall hold a vote on any issues within its competence and considered at the meeting in accordance with the approved agenda.

5. Protocols of the Central Election Commission on the election and referenda results shall be signed by all members of the Central Election Commission attending the meeting.

6. Member of the Central Election Commission attending the meeting shall not be entitled to abstain from voting.

7. A member of the Central Election Commission having a dissenting opinion on a decision taken by the Central Election Commission shall be entitled to express in writing a dissenting opinion, which shall be considered by the Central Election Commission, reflected in the Protocol and attached to it.

8. Decisions of the Central Election Commission shall enter into force from the day of their adoption. Decisions of the Central Election Commission shall be published within 24 hours and placed on the official site of the Central Election Commission, and in the period of elections - immediately.

9. The Central Election Commission shall inform the applicant or representatives of the interested parties on the decision taken at the meeting pursuant to the terms and procedures stipulated by the law and provide them with a certified copy of the decision at their request.

10. Decisions of the Central Election Commission made within its powers shall be mandatory for officials of the state bodies, local self-governments, state and municipal institutions and enterprises, political parties, non-profit organizations, candidates, initiative group members, voters, referendum participants as well as for the lower level election commissions.

11. Decisions of the Central Election Commission contradicting the Constitution, legislation, or decisions exceeding the limits of the approved powers shall be subject to cancellation by the Central Election Commission or in the court.

Article 23. Procedure for Election of Chairman, Deputy Chairman of the Central Election Commission

1. Members of the Central Election Commission, who were elected on the proposal of the President, parliamentary majority and parliamentary opposition, shall perform authorities of the Chairman of the Central Election Commission.

2. Members of the Central Election Commission shall hold their first meeting no later than five calendar days from the day of their election.

3. The first meeting of the Central Election Commission shall be deemed duly constituted if attended by at least two-thirds of the assigned members of the Central Election Commission and it shall be chaired by the eldest member.

4. At the first meeting of the Central Election Commission:

1) the presiding member shall introduce members of the Central Election Commission;

2) members of the Central Election Commission, elected on the proposal of the President, parliamentary majority and parliamentary opposition (hereinafter referred to as representatives), shall define the order of performance of authorities of the Chairman of the Central Election Commission via casting of lots. Before the expiration of the Central Election Commission office the order of performance of authorities of the Central Election Commission cannot be changed in the view of dismissal of the Jogorku Kenesh, amendment of coalition of the Jogorku Kenesh factions, termination and early termination of the President's office.

3) Representatives, who received the right to nominate a candidate for the post of the Chairman of the CEC, shall nominate a candidate for the post of the Chairman of the Central Election Commission. Candidate nominated for the post of the Chairman shall be considered to be elected as the Chairman of the Central Election Commission from the moment of signing the corresponding enactment by presiding chairman.

4) the other representatives groups of the CEC members separately shall nominate a candidate for the post of Deputy Chairman of the Central Election Commission. Candidate for the post of Deputy Chairman shall be considered to be elected as the Deputy Chairman of the Central Election Commission from the moment of signing the corresponding enactment by the Chairman of the Central Election Commission.

5) Candidates for the post of the Chairman, Deputy Chairman of the Central Election Commissions shall have a law degree, election experience as a candidate or a member of the election commission.

Nomination of a candidate to the post of the Chairman, Deputy Chairman of the Central Election Commission shall be held by secrecy ballot with the majority of votes of the representatives.

6) The election of the Chairman of the Central Election Commission shall not be postponed to the next meeting of the Central Election Commission.

7) By the decision of the Central Election Commission, the first meeting may be suspended for no more than ten hours.

5. Rotation of the Chairman, Deputy Chairman of the Central Election Commission shall be held every two years in order established by the part 4 of the present article and priority defined by casting of lots.

6. Representatives who have no nominated a candidate for the post of the Chairman, Deputy Chairman of the Central Election Commission shall lose the right of candidate nomination for the specified post until the expiration of office of the Central Election Commission. Their right shall be transferred to other group of CEC members by casting of lots.

7. The election of Chairman and Deputy Chairman of the Central Election Commission shall be finalized by a resolution of the Central Election Commission

8. In case of an early termination of the powers of the Chairman and Deputy Chairman of the Central Election Commission a vacancy shall be filled according to the election procedure on the proposal of that representative, which has nominated the Chairman, Deputy Chairman of the Central Election Commission.

9. The administrative staff of the Central Election Commission shall bear responsibility for the organizational support to the first meeting, election of the Chairman and Deputy Chairman of the Central Election Commission.

Article 24. Administrative staff of the Central Election Commission

1. Administrative staff of the Central Election Commission shall provide organizational and methodological, informational and analytical, and logistical support to the Central Election Commission.

2. For the purpose of ensuring coordination, organizational and methodological, and logistical support to operation of the election commissions, the Central Election Commission shall have permanent special representatives in each regional electoral districts as specified by Article 85 hereof.

For the purpose of maintaining, updating and verifying the list of voters and referendum participants, the Central Election Commission shall have system administrators in Territorial Election Commissions.

3. A special representative and system administrator shall be members of the administrative staff of the Central Election Commission. The Regulation on activities of a

special representative and system administrator shall be approved by the Central Election Commission.

4. Administrative staff of the Central Election Commission shall be civil servants. The order of the activity of administrative staff of the Central Elections Commission shall be approved by the enactment of the CEC.

Article 25. Status and fundamental guarantees of members of the Central Election Commission

1. A member of the Central Election Commission may be a citizen of the Kyrgyz Republic, who has attained the age of 25 and has the right to vote, with a higher education, except for individuals listed in Para 3 and 4 of this Article.

2. Members of the Central Election Commission shall exercise their powers on a permanent basis.

3. The following persons may not be a member of the Central Election Commission:

- 1) a candidate, representative of a candidate or political party;
- 2) an individual whose previous conviction is not released or removed from official records in a procedure established by the law;
- 3) a person possessing nationality of another state.

4. A spouse or close relatives shall not be elected as members of the Central Election Commission.

5. A member of the Central Election Commission shall not serve in state or municipal authorities.

6. A member of the Central election Commission may be engaged in scientific, educational and other creative activities if such activities do not prejudice duties..

7. A member of the Central election Commission shall be exempted from conscription during the period of exercising powers.

8. In the period of exercising his/her powers a member of the Central Election Commission shall suspend activity in political party.

9. Members of the Central Election Commission shall be civil servants.

10. The Speaker of the Jogorku Kenesh shall issue a certificate of the standard form to a member of the Central Election Commission.

11. Members of the Central Election Commission may not be prosecuted, detained, or arrested without the consent of the President, Jogorku Kenesh, except when detained at the crime scene. Criminal proceedings against members of the Central Election Commission may be launched only by the Prosecutor General of the Kyrgyz Republic. .

12. A member of the Central Election Commission may not be persecuted for his/her opinion or proposal on any issue. Any pressure exerted on a member and administrative staff of the Central Election Commission with the aim of impeding exercise of their powers and official duties, or making them to take decision in somebody's favor, as well as violent acts, insults, slander, and dissemination of corrupted information with regard to exercise of their powers and official duties shall entail a liability stipulated by the law.

13. Working environment shall be provided to members of the Central Election Commission to perform their duties in the Commission, including premises, transport and communication means for the period of work in the Commission.

In case if a personal vehicle is used for the exercise of powers, the expenses shall be reimbursed within the limits envisaged in the estimate of expenses.

14. Remuneration terms, material, social, public, and medical services provided to a member of the Central Election Commission shall be under the same procedure and terms established for a member of the Government.

Article 26. Authorities of a Member of the Central Election Commission

1. A member of the Central Election Commission shall:

1) submit proposals on the agenda of the Central Election Commission meeting, proposals, comments, and amendments to the point of the discussed issues, render information, and participate in debates on all issues under consideration;

2) be entitled to demand voting on any issues within the scope of powers of the Central Election Commission, which are considered at its meetings;

3) be entitled to have a special opinion in case of disagreement with a decision made at a meeting of the Central Election Commission and demand consideration of this opinion;

4) receive representatives of the state bodies and local self-governments, political parties, non-profit organizations, mass media, and citizens;

5) as assigned by the Central Election Commission exercise control over performance of the lower level election commissions, report to the Central Election Commission on inspection findings;

6) take part in the development of normative legal acts and other documents related to the preparation and conduct of elections, referenda and other issues within the powers of the Central Election Commission;

7) become familiar with the documents and materials of the Central Election Commission and lower level election commissions, get copies of such documents and materials (except for documents and materials containing confidential information identified as a confidential in accordance with the procedure established by the law);

8) have the right to request information on issues within the competence of the Central election Commission from state, local authorities;

9) exercise other powers as envisaged by the laws.

2. A member of the Central Election Commission shall be obligated:

1) to attend all meetings and sessions of the Central Election Commission

2) to inform the Chairman of the Central Election Commission in advance on his/her excusable inability to attend the meeting of the Central Election Commission (due to illness confirmed by a sheet of temporary incapacity to work. Taking of annual or other leave according to the Labor Code, or due to other reasons envisaged by the Regulations of the Central Election Commission);

3) to train members of the lower level election commissions;

4) to execute assignments and duties of the Central Election Commission.

Article 27. Authorities of the Chairman and Deputy Chairman of the Central Election Commission

1. The Chairman of the Central Election Commission shall:

1) act as a representative officer of the Central Election Commission in the state bodies and local self-governments, non-profit and international organizations;

2) organize operations of the Central Election Commission;

3) call and chair meetings of the Central Election Commission;

4) issue orders and instructions on the issues within his/her powers;

5) sign resolutions and other documents of the Central Election Commission;

6) exercise control over the implementation of decisions of the Central Election Commission;

7) distribute responsibilities and tasks to the Deputy Chairman and members of the Central Election Commission;

8) exercise general supervision of the administrative staff of the Central Election Commission;

9) develop the structure, staff schedule, and estimated expenses of the Central Election Commission;

10) hire and dismiss the administrative staff of the Central Election Commission and contract employees in accordance with the existing legislation.

Hiring and dismissal of permanent special representatives, system administrators, Head of the administration, Heads of the structural subdivisions of the Central Election Commission, contract employees shall be subject to approval by the Central Election Commission.

11) consider issues related to financial and logistical support to operation of the election commissions within the limits of the approved budget and estimate of expenses;

12) inform members of the Central Election Commission on all proposals, applications and complaints received by the Central Election Commission and organize the work on their consideration;

13) implement instructions of the Central Election Commission;

14) submit to the Central Election Commission an annual Report on his/her activities, on organizational management of the Central Election Commission;

15) exercise other powers envisaged by the law.

2. During the absence period of the Chairman of the Central Election Commission his/her duties shall be performed by the Deputy Chairman.

Article 28. Termination of Powers of the Member, Chairman, Deputy Chairman of the Central Election Commission

1. A member of the Central Election Commission shall be released from his/her duties by the Jogorku Kenesh prior to the expiration of the term of office in case of:

1) submission of a written resignation application;

2) renunciation or loss of a citizenship of the Kyrgyz Republic as well as acquiring of a citizenship of another country, or getting of a residence permit confirming the right for permanent residence of a citizen in the territory of a foreign country;

3) departure to a permanent place of residence outside the Kyrgyz Republic;

4) effective judge of conviction against him/her;

5) declaring by an effective court decision him/her as incapable, with limited capabilities, missing or deceased;

6) death – as informed by the Central Election Commission;

7) systematic non-performance of his/her responsibilities and assignments – as informed by the Central Election Commission;

8) other reasons specified in Para two of the Article hereof.

2. A member of the Central Election Commission shall be considered released from duties of the member of the Central Election Commission without a decision of the Jogorku Kenesh if he/she is registered as a candidate for the Presidency, candidate for deputy of the Jogorku Kenesh, deputy of Local Keneshes, Head of the executive body, and local self-governments.

3. Powers of the Chairman or Deputy Chairman of the Central Election Commission shall be terminated in case of:

1) submission of a written application on divesting of powers of the Chairman of the Central Election Commission or Deputy Chairman of the Central Election Commission (resignation);

2) termination of powers of a member of the Central Election Commission;

3) termination of powers as a chairman;

4) impeachment to the Central Election Commission;

Text of a written application on divesting of powers of the Chairman of the Central Election Commission or Deputy Chairman shall be announced by the presiding person at the meeting of the Central Election Commission and taken into consideration.

Pre-term termination of powers of a member of the Central Election Commission shall entail termination of powers of the Chairman or Deputy Chairman of the Central Election Commission.

Impeachment to the Chairman of the Central Election Commission or Deputy Chairman shall be brought in the agenda by no less than one-third of the established votes of members of the Central Election Commission at the initiative of any member of the Central Election Commission.

Decision of the Central Election Commission to impeach the Chairman of the Central Election Commission, Deputy Chairman of the Central Election Commission shall be voted by secret ballot.

While considering the issue on the impeachment of the Chairman of the Central Election Commission, the eldest member of the Central Election Commission shall preside at the meeting.

Rejection of the annual progress report of the Chairman of the Central Election Commission shall imply termination of powers of the Chairman of the Central Election Commission.

Filling of a vacancy of a Chairman of the Central Election Commission, Deputy Chairman of the Central Election Commission shall be done through the election procedure.

Chapter 4. Territorial and Precinct Election Commissions

Article 29. Formation Procedure and Terms of Powers of the Territorial and Precinct Election Commissions

1. The territorial election commission shall be formed for a term of two years and composed of two-thirds of representatives of political parties that directly participated in the previous election of deputies of the Jogorku Kenesh or Local Keneshes, and one-third – of representatives of local self-governments.

If political parties do not provide the required number of representatives to the territorial election commission, then the missing amount of members shall be filled from the representatives of the representative body of local self-government.

At the election of deputies of the Jogorku Kenesh, deputies of city keneshes, a member of the territorial election commission nominated by a political party not participating in the relevant elections shall be substituted by a representative of a political party participating in the election, out of the reserve of the relevant election commission according to the sequence.

If the term of powers of the territorial election commission expires during the election campaign of the President, deputies of the Jogorku Kenesh, deputies of the Local Keneshes, Heads of the local self-government executives, referendum campaign, then the term of its powers shall be extended till the end of the election campaign, referendum campaign.

The territorial election commission shall be composed of twelve members taking into consideration the requirements of this Article, and members that are in the reserve of a respective territorial election commission.

The reserve of the territorial election commission shall be formed for the term of three years out of representatives of political parties, representative bodies of local self-governments and be composed of no less than twelve members of a respective election commission. The Regulation on the procedure of formation and maintenance of the reserve shall be approved by the Resolution of the Central Election Commission.

If political parties nominates more than the approved number of members of the territorial election commission, then the Central Election Commission shall hold the draw among them. Representatives of a political party that don't go into the respective election commission shall form a reserve for filling a vacancy in case of pre-term termination of powers of a member of the election commission representing this political party.

2. The precinct election commission shall be formed out of representatives of political parties and reserve of the respective precinct election commission no later than 15 calendar days after the date of calling of the election.

While conduct of referendum, election of the President, deputies of the Jogorku Kenesh a special precinct commission in the Bishkek city shall be formed.

If political parties do not provide the required number of representatives to the precinct election commission then the missing number of members of the election commission shall be filled out of representatives of the representative bodies of local self-governments.

If political parties nominate more than the approved number of members of the precinct election commission then the territorial election commission shall hold a drawing. Representatives of a political party that do not go into the precinct election commission shall form a reserve of the political party to fill a vacancy in case of pre-term termination of powers

of a member of the precinct election commission representing this political party.

3. A list of members and addresses of the territorial and precinct election commissions shall be published by a higher level election commission in mass media no later than three calendar days after the date of their formation, and placed at the official site of the Central Election Commission.

4. The Chairman of a higher level election commission shall call the first meeting of the respective election commission no later than three days from the date of its formation.

5. Election and pre-term recall of a Chairman and Secretary of the election commission shall be carried out in the following way:

1) a candidate, who receives more than half of the number of votes of members of the election commission, having participated in voting, shall be considered as elected Chairman of the election commission;

2) in case no candidate receives required number of votes for being elected in the first round, the second round of voting on one candidate who received the most votes shall be held;

3) if a candidate does not receive more than half of total number of votes of members of election commission, new election with nomination of new candidates shall be held;

4) in case candidates receive equal number of votes, new election shall be held;

5) election of a Chairman, secretary of the election commission shall not be moved to the next sitting of the election commission;

6) upon decision of the election commission a break in the first sitting of no longer than 10 hours duration shall be announced;

7) election of a Chairman, Secretary of the election commission shall be issued resolution of the corresponding election commission;

8) in case of pre-term recall of a Chairman and Secretary of the election commission filling a vacancy shall be implemented through the election procedure.

9) a body of local state government shall be charged to organize the first sitting, election of a Chairman and Secretary of territorial election commission;

10) a body of local self-government shall be charged to organize the first sitting, election of a Chairman and Secretary of precinct election commission;

11) pre-term recall of a Chairman and Secretary of the election commission shall be carried out in accordance with the procedure established hereof for recall of Chairman of the Central Election Commission.

Member of the election commission nominated by a candidate for the post of chairman, secretary of the election commission shall have election experience as a candidate or a member of the election commission

6. Filling of a vacancy of a Chairman and Secretary shall be implemented through the election procedure.

7. Term of powers of the territorial and precinct election commissions shall begin on the day of their first meetings and terminate on the day of the first duly constituted meeting of new members of the territorial and precinct election commissions.

8. Members of the territorial, precinct election commissions shall include no more than one representative of each political party.

9. If some members withdraw from the territorial and precinct election commission, the vacancy shall be filled no later than three days after his/her withdrawal under Para 1 and 2 of this Article from the reserve according to the sequence.

10. The procedure for formation and operation of the territorial and precinct election commissions, including the precinct election commissions outside of the Kyrgyz Republic shall be determined by the Central Election Commission.

Article 30. Authorities of the Territorial Election Commission

1. The territorial election commission shall:

- 1) elect, recall a Chairman, Secretary of the territorial election commission;
- 2) provide the implementation of provisions of this Constitutional Law and also ensure their uniform application in the respective territory;
- 3) organize preparation and conduct of elections, referenda in the relevant territory;
- 4) develop and submit for approval to the Central Election Commission a scheme of polling stations and electoral districts;
- 5) form members of the precinct election commissions and publish information in mass media on their location;
- 6) inform the population on addresses and telephone numbers of the precinct election commissions;
- 7) organize operation of the precinct election commissions related to the preparation and conduct of elections, referenda in the relevant territory and hear statements of the precinct election commissions on issues related to preparation and conduct of elections, referenda;
- 8) provide legal, organizational and methodological, as well as logistical assistance to the precinct election commissions
- 9) exercise control over provision of premises, transport, communication means to the precinct election commissions, address other issues of logistical support to elections, referenda;
- 10) provide verification of the list of voters and referendum participants;
- 11) renders assistance to system administrator;
- 12) manage the state funds allocated for the preparation and conduct of elections, referenda, distribute these funds among the precinct election commissions and ensure control over the proper use of such funds;
- 13) ensure observance of equal legal terms for all candidates and political parties;
- 14) register candidates for deputies of the Local Keneshes, heads of executive bodies of the local self-governments, lists of candidates, their representatives and issue them certificates of the standard form;
- 15) organize the delivery of election and other documents to the precinct election commissions;
- 16) recognize voting returns at specific electoral districts invalid in cases and procedure established by the electoral legislation;
- 17) determine voting returns and determine results of the election of heads of executive bodies of the local self-governments, deputies of the Local Keneshes of the respective territory in cases and procedure stipulated by this Constitutional Law that regulates conduct of elections to the local self-governments;
- 18) determine the voting returns of election of the President, deputies of the Jogorku

Kenesh, referenda;

19) submit protocols of the voting returns and results of the respective elections to the Central Election Commission;

20) register the elected candidates to deputies of the Local Keneshes, heads of executive bodies of the local self-governments, and issue them certificates of the standard form;

21) consider complaints and applications against decisions and actions (inactions) of the precinct election commissions, take relevant decisions;

22) ensure the submission of documents related to preparation and conduct of elections, referenda to the Central Election Commission;

23) submit a financial report on allocation and use of the budget funds for preparation and conduct of elections, referenda;

24) if necessary, attract contract employees under labor agreements to perform activities related to the preparation and conduct of elections, referenda;

25) train members of the precinct election commissions and reserve members;

2. The Territorial Election Commission shall bear responsibility for non-performance or improper performance of its powers in accordance with the legislation.

Article 31. Authorities of the Precinct Election Commissions

1. The precinct election commission shall:

1) elect, recall a Chairman, Secretary of the precinct election commission in accordance with the procedure established for the election and recall of Chairman of the Central Election Commission;

2) inform the public about the address and telephone number of the relevant precinct election commission, its working hours, ballot date and venue and on inclusion of a voter, referendum participant in the list;

3) ensure access of voters and referendum participants to the voter list, referendum participant lists for familiarization and verification;

4) accept and consider applications on errors and inaccuracies in the list of voters, referendum participants, consider the issue of introducing the appropriate amendments;

5) accept applications from voters on voting at the voting address;

6) exercise control over compliance with the rules of placing campaign materials in the territory of the polling station;

7) organize voting at the polling station on the polling day;

8) count the votes and identify the voting returns at the polling station;

9) ensure submission of the documents related to the preparation and conduct of elections, referenda to a higher level election commission;

10) consider applications and complaints against violations of the electoral legislation within its competence and take decisions on them;

11) if necessary, attract contract employees under labor agreements to perform activities related to preparation and conduct of elections, referenda according to labour legislation;

12) ensure safety of material values and property;

13) submit a financial report on the allocation and use of budget funds for preparation and conduct of elections, referenda;

14) exercise other powers in accordance with this Constitutional Law and legal acts of the Central Election Commission.

2. The Precinct Election Commission shall bear responsibility for non-performance or improper performance of its powers in accordance with the legislation.

Article 32. Organization of Operation of the Territorial and Precinct Election Commissions

1. The territorial and precinct election commissions shall be entitled to begin its work if the number of its members is no less than two-thirds of the approved number of members.

2. Issues related to the organization of operation of the territorial and precinct election commissions shall be identified by this Constitutional Law.

3. The first meeting of the respective election commission shall be duly constituted if attended by no less than two-thirds of the approved number of members of the relative election commission. The first meeting shall be opened and presided by the eldest member of the relative election commission.

4. At the first meeting of the relative election commission:

1) the presiding member shall introduce members of the election commission

2) a Counting Board consisting of three members of the relative election commission shall be elected by an open ballot by the majority vote of the attending members;

3) Chairman and secretary of the election commission shall be elected.

5. Meetings of the territorial and precinct election commissions (hereinafter referred to as the meeting) shall be called by the Chairman as well as upon the demand of no less than one-third of the approved number of members of the relative election commission. The meetings shall be called at least once a week during preparation and conduct of election and referenda.

6. The meeting shall be duly constituted if attended by majority of the approved number of members of the relevant election commission. Minutes of the meeting shall be kept.

7. Decisions of the territorial election commission on financial support to preparation and conduct of elections and referenda, cancellation of registration of candidates, lists of candidates, voting returns or election results, acknowledging elections as null and void, conduct of the repeat voting, re-voting or repeat elections, cancellation of a decision of the precinct election commission, and impeachment to the Chairman, Secretary of the territorial election commission shall be taken at the meeting by no less than two-thirds of votes of the approved number of members of the territorial election commission.

8. Decisions of the precinct election commission on financial support to preparation and conduct of elections and referenda, voting returns at the electoral district shall be taken at the meeting by no less than two-thirds of votes of the approved number of members of the precinct election commission

9. Decisions of the territorial and precinct election commissions on other issues shall be taken at the meetings by the majority vote of the approved number of members of the relevant election commission.

10. Decisions of the territorial and precinct election commissions shall be signed by the

Chairman and Secretary of the election commission.

11. A member of the territorial and precinct election commissions who disagrees with the decision shall be eligible to express his/her special opinion in writing, which should be recorded in the minutes of the meeting and attached to the minutes, and it shall be reported by the Chairman to the higher level election commission within two days, and on the voting day and the day following the voting day – immediately.

Article 33. Procedure for Dissolution of the Territorial and Precinct Election Commissions

1. The territorial and precinct election commissions may be dissolved by a higher level election commission in cases of:

1) violation by election commission of the electoral rights of a candidate, citizens that entails recognition of the voting returns or election and referenda results by a higher level election commission or court as invalid in a respective territory;

2) failure of the election commission to implement decisions of a court or a higher level election commission taken in accordance with the requirements of the law;

3) violation of requirements of this Constitutional Law.

2. A member of the election commission, election commission itself, candidate, and political party are eligible to appeal to the higher level election commission with the application on dissolving the territorial and precinct election commissions. The application to dissolve the territorial and precinct election commissions can be submitted no later than ten calendar days prior to the voting day, or in case of repeat voting – in the period after identifying the voting returns at the specific polling station, but no later than seven calendar days prior to the day of repeat voting.

3. The application on dissolving the territorial and precinct election commissions shall be accepted for consideration immediately and appropriate decision shall be passed no later than two calendar days from the day of registration of application in superior commission.

4. In case of a decision to dissolve the territorial and precinct election commission the higher level election commission shall form new territorial and precinct election commissions composed of new members in accordance with the provisions of this Constitutional Law.

5. Territorial and precinct election commissions composed of new members shall be elected no later than five calendar days after the decision on dissolving has been taken.

6. Dissolving of the territorial and precinct election commissions shall not entail the termination of term of powers of a representative of the candidate and political party.

Article 34. Status of a Member of the Territorial and Precinct Election Commissions

1. The following persons shall have no right to be a member of the territorial and precinct election commissions:

1) deputy of the Jogorku Kenesh, deputy of the Local Kenesh;

2) an official of the state body and local self-governments;

3) a judge, military man, law enforcement or fiscal body officer;

4) a candidate, representative of a candidate or political party;

- 5) a person possessing nationality of another state.
- 6) an individual whose previous conviction is not released or removed from official records in a procedure established by the law;
- 7) member of another election commission;
- 8) an individual without a permanent residence permit in the given administrative-territorial unit;
- 9) close relatives of a candidate, persons under a direct ferule of candidates. Direct ferule within the context of this Constitutional law shall be considered as working relations between the manager and subordinate, under which the manager possesses the right to employ and dismiss the latter, as well as to give him/her instructions, orders obligatory for implementation, apply encouragement and disciplinary punishment measures.

2. A spouse or close relatives shall not be elected as members of the same territorial and precinct election commissions.

3. Members of the territorial and precinct election commissions shall exercise their powers on-the-job basis.

4. Members of the territorial and precinct election commissions shall be released from implementation of responsibilities on their main job in the period of preparation and conduct of elections and referenda.

5. Members of the territorial and precinct election commissions temporarily released from the main job for the period of preparation and conduct of elections and referenda shall be paid an approved remuneration from the Republican budget funds allocated for preparation and conduct of elections and referenda.

Members of the territorial and precinct election commissions shall be provided with a paid leave for one business week.

6. Members of the territorial and precinct election commissions shall be paid an emolument in no less than sixty times amount of the specified rate approved by the legislation.

7. Members of the territorial and precinct election commissions may not be persecuted for their opinion or proposal on any issue. Any pressure exerted on members of the territorial and precinct election commissions with the aim of impeding exercise of their powers and official duties, or making them to take decision in somebody's favor, as well as violent acts, insults, slander, and dissemination of corrupted information with regard to exercise of their powers and official duties shall entail a liability stipulated by the law.

8. Within the period of a conduct of elections and referenda and within the period of 6 months after termination of the powers members of the territorial and precinct election commissions shall not be dismissed on the initiative of management (employer) or transferred to other job without their consent.

9. Members of the territorial and precinct election commissions shall:

- 1) be notified in advance of the meetings;
- 2) make proposals on issues within the authorities of a relevant election commission;
- 3) be eligible to request a vote on any issues within the authority of the territorial and precinct election commissions and considered at its meetings;
- 4) be eligible to familiarize himself/herself with documents and materials of a relevant and lower level 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 relevant higher level election commission;

6) be entitled to check the conformity of the presented ID of a voter, referendum participant, and proper issuance of the ballot paper;

7) not be entitled to abstain from voting at the meeting.

10. Members of the territorial and precinct election commissions shall be released from their duties prior to expiration of the term of office by the decision of a higher level election commission in cases of:

1) submission of a written resignation application;

2) departure to a permanent place of residence outside the Kyrgyz Republic;

3) renunciation or loss of a citizenship of the Kyrgyz Republic as well as acquiring of a citizenship of another country, or getting of a residence permit confirming the right for permanent residence of a citizen in the territory of a foreign country;

4) effective judge of conviction against him/her;

5) declaring by an effective court decision him/her as incapable, with limited capabilities, missing or deceased;

6) death – as informed by the Central Election Commission;

7) emerging grounds specified in Para one of this Article;

8) notification from the relevant election commission, made by the decision of a higher level election commission, about regular dismissing of the duties and assignments by a member of the election commission;

9) dissolving of the territorial and precinct election commissions.

11. In case of pre-term termination of powers of members of a respective election commission a vacancy shall be filled within the election procedure with observance of requirements of the this Constitutional law.

SECTION III - ORGANIZATION OF THE ELECTION

Chapter 5. Electoral Districts and Polling Stations

Article 36. Establishment of Electoral Districts

1. Depending on the system of elections, the electoral districts shall be established based on the data on the number of voters, registered in the relevant territory.

2. The Presidential election shall be conducted in a single electoral district. Voters residing outside the Kyrgyz Republic shall be considered as registered in a single electoral district.

3. Elections of deputies of the Jogorku Kenesh shall be conducted in 9 electoral districts as specified by Article 85 of this Constitutional Law.

4. At the conduct of elections of deputies of the City Kenesh the city territory shall be considered a single electoral district.

5. At the conduct of elections of deputies of the Aiyl Keneshes multi-mandate electoral districts shall be established. The number of multi-mandate electoral districts and amount of mandates in each of them shall be identified by the relevant territorial election commissions.

Multi-mandate electoral districts shall be established with observance of the following

conditions:

1) approximate parity of the electoral districts to the amount of voters with a permissible deviation of the average norm of representation of voters by no more than 10 percent, and in remote areas – no more than 15 percent.

2) the electoral district shall constitute a single territory, establishment of an electoral district out of not adjoining territories shall not be admitted.

In the scheme of the electoral districts, borders of the electoral districts shall be identified, as well as a list of settlements (streets, houses) within each electoral district, name, number, and center of every electoral district, number of voters in every electoral district.

In observance of the defined requirements the administrative-territorial division of the Republic shall be taken into consideration.

6. The Central Election Commission shall publish a scheme and borders of the electoral districts in mass media with indication of their borders and addresses no later than 5 calendar days from the day of the voting day announcement.

Article 37. Establishment of the Polling Stations

1. For the purpose of conducting voting and count of votes the polling stations shall be established taking into consideration local and other conditions to create maximum conveniences for the voters.

2. Polling stations shall be established by the relevant territorial election commissions in an amount of no more than 1000 voters per every station. Intersection of borders of the electoral districts by the borders of the polling stations shall not be admitted.

3. Voters, who on the voting day are in hospitals, health resorts, rest homes, remote and inaccessible areas, in transhumance, detention centers shall vote on the place of their temporary stay in the procedure specified by Article 58 of this Constitutional Law, if they permanently reside in the territory of the electoral district, to which they are bound by the area of their temporary stay. The procedure for registration of the mentioned voters to the specific polling station shall be determined by the relevant territorial election commission.

4. Military service men shall vote at the common polling stations. As an exceptional case voting of the military service men shall be admitted in the military units that are located in the isolated, remote areas in the procedure established in Article 58 of this Constitutional Law. The procedure for registration of the mentioned voters to the specific polling station shall be determined by the relevant territorial election commission.

5. At the Presidential and Parliamentary elections polling stations for the citizens of the Kyrgyz Republic staying in the territories of the foreign countries, shall be established by the Central Election Commission by recommendation of the Ministry of Finance of the Kyrgyz Republic. Polling stations shall be established at the diplomatic representative offices and consular offices of the Kyrgyz Republic. The requirement on the amount of voters indicated in Part 2 of this Article may not be applied during establishment of the polling stations outside the territory of the Kyrgyz Republic.

6. Lists of the polling stations with indication of their borders and addresses shall be published in mass media no later than 5 calendar days from the day of their establishment.

Chapter 6. Voter List

Article 38. Making of a Voter List

1. State registration of voters shall be executed through the unified voter registration system.

2. The procedure for formation and use of the unified voter registration system shall be regulated by the Regulation approved by the Central Election Commission.

3. The voter list shall include the citizens of the KR having the right to vote on the polling day.

4. Making of a voter list, verification of information on the registered voters during the period between the elections shall be a responsibility of the Central Election Commission. The preliminary voter list shall be made based on the information about voters who took part at the last elections and using the Unified voter registration system. Making of the voter list shall start no later than 20 days after determination of the election results in the electoral districts where elections have been conducted.

State bodies and local self-governments at the request from the election commissions shall be obliged to provide the required assistance to the election commissions regarding consideration of an issue on inclusion or non-inclusion of citizens of the Kyrgyz Republic in the voter list and verification of information in the voter list.

State registration bodies and local self-governments providing information on the voters shall bear responsibility for accuracy of this information.

System administrators of the Central Election Commission and Chairmen of the territorial election commissions shall bear responsibility for accuracy and promptness of the introduction of information in the voter list.

Central Election Commissions shall bear responsibility for completeness and promptness of transferring the voter list to the relevant election commission.

5. The information on voters temporarily staying in hospitals, detention centers shall be provided by heads of the abovementioned institutions and submitted to the relevant precinct election commission no later than 12 days prior to the polling day.

6. Information about the voters residing and staying outside the Kyrgyz Republic, who are registered at the consular offices shall be prepared by heads of the relevant diplomatic missions and consular offices and transferred to the Central Election Commission through the state body in charge of foreign affairs no later than 25 calendar days prior to the polling day.

The form, type, and procedure for submission of the information on the voters residing and staying outside the Kyrgyz Republic, and registered at the consular offices shall be determined by the Central Election Commission.

The voter list is a sensitive document, and the form and level of its protection shall be determined by the Central Election Commission.

7. The voter list submitted to the precinct election commissions shall be numbered, bound, signed and sealed by the Chairman of the territorial election commission.

8. Removal of a citizen from the voter list made within the procedure specified in Para 5 of this Article shall be done by appropriate system administrator based on written information received from the relevant registration bodies or written application of the voter. The application shall include information reflected in the passport of a citizen of the Kyrgyz Republic (ID-card)

proving ineligibility to vote at this or that polling station. The voter list shall indicate the date of the voter's name removal and the reason for it.

9. The voter list shall be placed on the official site of the Central Election Commission according to the procedure determined by the Central Election Commission, and it is subject to update as information arrives.

Article 39. Familiarization with the voter list. Electoral address

1. For the purposes of exercising electoral rights, familiarizing voters with data on themselves, and carrying out of voting, a preliminary voter list shall be drawn up in each constituency.

2. A preliminary voter list for the purposes of familiarization shall be drawn up in one copy. The data about voters shall be listed in alphabetical order. The voter list for each constituency shall be signed and shall bear the seals of the territorial election commissions, and one copy shall be sent to the relevant precinct election commission no later than 15 calendar days from the date on which the election date was set.

3. A precinct election commission is obliged to post the voter list for review by the voters residing in the territory of the relevant constituency no later than 20 calendar days from the day on which the election date was set.

4. Precinct election commission is obliged to send a notification to a listed voter about his/her inclusion into the voter list no later than 25 days from the date on which the polling day was set.

5. Every voter within 20 calendar days prior to the polling day shall be entitled to submit an application in writing to the appropriate precinct election commission regarding non-inclusion of him/her into the voter list, any error or inaccuracy. A response to the voter's application must be provided within 2 calendar days following the day of inclusion into the voter list and correction of the error.

The application shall only be accepted at the electoral address within one settlement by the persons who are the members of the election commissions and who ensure the public order on the polling day.

6. When electing the President and the deputies of the Jogorku Kenesh, each voter, within 20 calendar days preceding the polling day, shall be entitled to announce his/her intention to vote by submitting an application of the format established by the Central Election Commission along with the attached copy of a passport of a citizen of the Kyrgyz Republic (ID Card). Persons residing or staying outside the Kyrgyz Republic shall submit the regular passport of the KR citizen.

The territorial election commission must include the voter into the voter list of the precinct at the electoral address and inform the voter about the inclusion no later than 10 days prior to the polling day.

7. 20 calendar days prior to the polling day the precinct election commission shall stop accepting applications from voters and submit the received information together with the voter list to the territorial election commission

Within 5 calendar days a system administrator shall check the data stated in the applications, form the final voter list and submit the data to the Central Election Commission and to the Chairman of the territorial election commission.

Article 40. Final voter list

1. The final voter list (hereinafter referred to as the voter list) shall be drawn up in two copies. The voters' data shall be listed in an alphabetical order. The voter list for each precinct must be numbered and sewn together with a seal of the Chairman of the territorial election commissions affixed. One copy shall be sent to the appropriate election commission no later than 3 calendar days prior to the day on which the polling day shall be set.

At the conduct of election of the deputies to the Jogorku Kenesh additionally to data of voter living and being outside the Kyrgyz Republic a number of electoral district corresponding with passport data shall be indicated in the voters' list.

2. Voter lists are high security documents. The format and the level of security shall be established by the Central Election Commission.

3. Only those citizens who are included in the voter list shall be entitled to vote on the polling day.

4. The citizens who were not included in the voter list shall be entitled to submit an application on the polling day to the Chairman of the appropriate precinct election commission.

The Chairman of the precinct election commission shall immediately inform the territorial election commission about the absence of the applicant in the voter list. The chairman of the territorial election commission, in the presence of at least two members of the territorial election commissions, representatives of the candidates, political parties, and observers and upon the written corresponding expert conclusion of a system administrator, shall make a decision to include or deny inclusion of an application to the register. In case of dismissal of an application, the reasons for such denial shall be indicated. The relevant decision of the territorial election commission shall serve as the ground for issuance of a ballot paper to a voter.

The procedure for issuance of a ballot paper to an applicant who had not been included into the voter list shall be established by the Central Election Commission.

Chapter 7. Nomination of Candidates and Guarantees for the Candidates' Activity

Article 41. Nomination of candidates

1. The political parties shall be entitled to nominate the candidates as well as the citizens by way of self-nomination following the procedure and the deadlines established by Articles 74, 87, 98 of this constitutional Law.

2. Political parties that have been gone through state registration, as of the date of setting the polling day, with the justice bodies of the Kyrgyz Republic, shall participate in the election in accordance with this constitutional law and the law on political parties.

The government body authorized to implement the function of state registration of political parties shall draw up the list of the political parties registered in accordance with the law on political parties and eligible to participate in the elections of the state and local bodies as of the date of official publication of the decision regarding the polling date and within three days following the official publication about the decision shall publish the given list with the indication of the leader, address, contact telephone numbers of each political party in the

government periodicals and shall within the same timeframe send the given list to the Central Election Commission.

Article 42. Authorized representatives of candidates and political parties

1. Candidates and political parties shall appoint authorized representatives who shall represent the corresponding candidates and political parties on the issues related to participation in the election, including financial issues.

Deputies, members of the government, officers of the President's Office, Central Government Office and the Jogorku Kenesh, officials of state power bodies and local governments, members of election commissions, judges, officers of the law enforcement and fiscal bodies, servicemen, foreign citizens and individuals without Kyrgyz citizenship may not be candidates' authorized representatives.

2. The list of authorized representatives of candidates and political parties shall be submitted to the appropriate Election Commission with indication of the terms of reference, last name, first name, patronymic, date of birth, passport number or the number of the replacing document, date of issue, residence address, full time job, post or occupation (where there is no full time job, occupation should be indicated) and telephone number of each authorized representative. Authorized representative of a candidate in the financial sphere must have the right of signing financial documents. Apart from the abovementioned list to be submitted to the Election Commission, authorized representatives should provide their written consent to fulfill the functions of the authorized representative.

3. Within 2 calendar days after submission of all required documents, the Election Commission shall issue the registered certificates to authorized representatives or take a reasoned decision to refuse registration in line with this Constitutional Law. An authorized representative of the candidate or of the political party shall be considered as appointed and shall acquire all the rights and duties of the authorized representative after issuance of the registered certificate by the Election Commission.

4. An authorized representative shall:

1) submit the documents for registration of the candidate and the candidacy lists to the appropriate territorial election commission;

2) receive written confirmation (certificate) from the election commission regarding the acceptance of the documents for registration;

3) carry out pre-election campaign, disseminate campaigning materials;

4) shall be entitled to participate in the random draw procedure conducted by the election commissions in order to determine provision of air time to candidates, political parties, and the groups of voters;

5) shall be entitled to attend the meetings of election commissions on the issues related to a candidate, a political party or a group of voters that nominated an authorized representative;

6) carry out other authorities following the instructions of a candidate or political party.

5. A candidate or a political party may terminate the powers of an authorized representative at any time by sending a written notice to the Election Commission that has registered such authorized representative.

6. The term of powers assigned to the authorized representatives of a candidate or political party shall take effect on the day of his/her registration by the Election Commission and shall expire from the date of the candidate's losing his/her status of candidate for presidency or

Jogorku Kenesh deputy, or when all candidates lose the status of candidates nominated as political party candidates, but no later than the day of official announcement of election results. Term of powers exercised by the authorized financial representative of candidates or political parties shall expire 20 days after the election results were determined.

Article 43. Status of a representative in election commissions

1. After the registration, a candidate or a political party shall be entitled to appoint a representative to the appropriate election commissions (hereinafter referred to as a representative in the election commissions) and shall submit identification documents indicating his/her full time job (occupation), full permanent address and contact data.

2. The authorities of the representative in election commissions shall take effect at the moment of his/her registration with the appropriate election commission.

3. Any citizen of the KR who has attained the age of 21, has a voting right may become a representative in the election commissions.

4. Deputies, members of the Government, officers of the President's Office, Jogorku Kenesh, Government Office, officials of state power bodies and local self-governments, judges, servicemen, members of election commissions, and officers of the law enforcement and fiscal bodies, foreign citizens, and individuals without Kyrgyz citizenship may not be representatives in election commissions.

5. A representative in election commission appointed to one election commission may not be simultaneously a representative in another election commission.

6. A representative in election commissions shall be issued by a corresponding election commission a certificate of the form established by the Central Election Commission.

7. A representative in election commissions acting as a state or municipal official shall not be entitled to take advantage of his/her official capacity or employment status.

Article 44. Powers of a representative in election commissions

1. A representative in election commissions shall be entitled to:
 - 1) review documents and materials that are considered at election commission meetings;
 - 2) enter his/her suggestions into the agenda of the election commission meetings on the issues that are within the scope of the commission's functions and demand voting on such suggestions;
 - 3) attend all meetings of the election commission and participate in discussions;
 - 4) ask questions to other participants of the election commission meetings in compliance with the agenda and receive pertinent answers;
 - 5) familiarize himself/herself with documents and materials of the election commissions directly connected with elections and get copies of those documents and materials (except for documents and materials containing confidential information or regarded as confidential in line with the legally established procedure);
 - 6) check the authenticity of the ID document submitted by a voter and see if the ballot is issued correctly.

- 7) appeal against the action (inaction) of the election commission to the higher level election commission or to court.
2. A representative in the election commissions may not:
 - 1) participate in inspections carried out by the elections commission;
 - 2) give explanations and instructions, make statements on behalf of the election commission;
 - 3) draw up protocols on voting results and election results;
 - 4) participate in voting when making decisions referred to the powers of the election commission;
 - 5) sign resolutions and protocols of the election commission.
3. Powers of a representative in election commissions can be terminated at any time by a decision of the individual who had appointed him and his powers may be assigned to another person.
4. Powers of a representative in the election commission can also be terminated in the case of cancellation of the registration of the person who had appointed such representative.
5. Powers of a representative in the election commissions shall be terminated upon official publication of election results.
6. In case of an appeal filed by a registered candidate, a political party or a group of voters who registered the list of candidates against election results, the powers of a representative in the election commissions shall be terminated after the final decision is issued by the court on the complaint.

Article 45. Agents of a candidate and political parties

1. A candidate and political parties shall be entitled to appoint agents.
2. The agents shall immediately be registered by the election commission that registered the candidate and the list of candidates, based on the written application of the candidate, presentation by the political party and the statement made by the citizen himself about his/her consent to be an agent. The election commission issues the certificate in the form established by the Central Election Commission to an agent.
3. Deputies, members of the government, officers of the President's Office, Jogorku Kenesh, Central Government Office, officials of state power bodies, local self-government bodies, members of elections commissions, judges, officers of law enforcement and fiscal bodies, servicemen, foreign citizens and individuals without citizenship may not be the agents.
4. The agents shall perform within the limits of authorities provided to them by the candidates, political parties and groups of voters.
5. The agents shall be entitled to:
 - carry out campaigning and other activities supporting election of candidate (list of candidates) in the forms allowed by the law and using the lawful methods, present their electoral programs;
 - deliver speeches at pre-election assemblies; meetings with the voters, participate in the pre-election debates and discussions;
 - receive the necessary assistance from the government bodies and local self-government bodies in conducting pre-election meetings and meetings with voters;

attend meetings of election commissions;

be present at the ballot stations, including the stations opened outside the territory of the Kyrgyz Republic during voting process, counting the votes and determining voting results;

familiarize themselves with the documents of election commissions and with the protocols on voting and election results;

appeal the decisions and the action (inaction) of election commissions and be present during the consideration of the complaints and applications.

6. The agents may not:

interfere with the work of the election commission;

sign instead of a voter on his/her request when he/she is issued a ballot in the voting room

or fill out his/her ballots in the cabin, specially equipped room or in the room for secret ballot procedure;

present informative TV and radio programs (broadcast), participate in coverage of the elections via mass media if such representatives are journalists, creative specialists or officials of these media editorial offices;

7. An administration (employer) is obliged to provide a leave without pay to an agent upon his/her request until his agent's authorities cease to exist.

8. Candidates or political parties that appointed their agents shall have the right to recall them at any time by notifying the Election Commission to that effect; the Election Commission shall revoke a certificate issued to those agents. An agent can at any time on his/her own initiative resign returning to the Election Commission a certificate issued to him and notifying a candidate or political party that nominated him/her.

9. The powers of an agent shall be terminated under the circumstances mentioned in Para 8 above, or if their registered candidate loses his/her status, or if candidates included into the list of candidates by political parties, lose their status.

Article 46. Status of Candidates

1. All candidates shall have equal rights and bear equal responsibilities unless otherwise is provided for by this Constitutional Law.

2. Candidates holding political, high level administrative and special state positions, or municipal positions as well as positions of heads of state and municipal enterprises and institutions, agencies with the state (municipal) share of more than 30% and their branch offices, may not take advantage of their official capacity or employment status.

3. According to this Constitutional Law, taking advantage of official capacity or employment status implies the following:

1) involvement of subordinates or dependent officers, or other government and municipal officers on duty into activities promoting the nomination and (or) election processes;

2) use of premises occupied by state power bodies or local governments for nomination and (or) election purposes where other candidates cannot use the same premises under the same terms and conditions;

3) use of telephone, fax and other communication means, information services, office equipment ensuring functioning of state institutions or local self-governments for the purposes of nomination and (or) election;

4) free or privileged use of the vehicles belonging to the state and local government bodies to carry out activities promoting the nomination and (or) election;

5) collecting signatures and conducting election campaign by state or municipal officials;

6) business trips;

7) superiority in getting access to mass media (compared to other candidates) for the purpose of collecting signatures or campaigning.

4. Observance of the restrictions listed in Para 3 of this Article must not impede implementation of official duties by the President.

5. Registered candidates for the position of the President of the Kyrgyz Republic holding state political positions, except for the President and the deputy of Jogorku Kenesh, holding administrative state and municipal positions must suspend their official capacity or employment status from the moment of registration until election results are determined.

6. Registered candidates to the deputies of Jogorku Kenesh and local councils holding political, special, high level administrative and state positions shall be released from office.

Deputies of Jogorku Kenesh running for local councils shall be released from their deputyship authorities.

7. Registered candidates to deputies to Jogorku Kenesh and local councils, holding state administrative positions that are not specified in Para 6 of this Article, heads of state institutions, enterprises with the state share of more than 30% or the candidates working in mass media, shall suspend execution of the official duties.

8. Persons holding municipal positions, heads of law-enforcement and fiscal bodies, their territorial structural subdivisions and their deputies, heads of state institutions, enterprises with the state share of more than 30% shall suspend execution of their official duties from the moment of registration and till determination of election results, if the precinct for election of the deputies to the local council for which he runs is in the zone of influence of the corresponding higher level bodies and institutions. This rule does not apply to the deputies of the local council.

The zone of influence in this case is an administrative and territorial unit to which the activity and the service of the afore-indicated bodies apply.

9. Heads of state power bodies, local self-governments, enterprises, institutions and organizations, heads of military units and other officials of the bodies, where the registered candidate works or serves, must suspend his/her duties with preservation of his/her average salary rate at the expense of that institution, enterprise or organization regardless of the form of ownership within 3 calendar days from the moment of the application/report of the candidate.

10. No later than 5 calendar days from the moment of registration, candidates or their authorized representatives and authorized representatives of political parties shall submit a certified copy of the appropriate orders (resolutions) to the Election Commission.

The election commission responsible for registration of candidates and candidate lists must inform the candidate and authorized representatives of political parties about the abovementioned circumstances.

11. During the elections registered candidates may not be dismissed from their job (position) on the initiative of their administration (employer) or transferred to another job (position) without their consent.

The period of the registered candidate's participation in the elections shall be included into his/her overall work record with the statement of the specialty in which he/she had been working before his/her registration as a candidate.

12. A registered candidate may not be brought to criminal responsibility, detained, arrested or subject to administrative penalties inflicted by court before official declaration of

election results via mass media without consent of the Election Commission except for the cases when such a candidate was detained at the place of crime commitment. Institution of a criminal case may not be a reason for barring the candidate from implementing his/her right to be elected.

13. A registered candidate shall lose the rights and be released from obligations related to the status of a candidate from the moment of official publication of election results in mass media by the election commission; the same shall take place in case of the candidate's early withdrawal - from the time of withdrawal. In the event that the election commission takes a decision to hold a repeat voting, those registered candidates, who are not going through the repeat voting shall cease to be candidates from the time of the repeat voting.

14. A candidate and a political party shall be entitled to appoint representatives in election commissions, authorized representatives and agents in accordance with the procedures specified in this Constitutional Law. In the cases provided for by this Constitutional Law, a candidate and a political party shall bear responsibility for the actions of their representatives related to violation by them of the provisions of this Constitutional Law.

15. The term of powers of authorized representatives of the candidate and a political party begins on the date of their registration by the election commission and expires from the moment of losing the status of the candidate to the presidents, deputies, all candidates nominated as part of the list of the candidates of political parties for election precinct, but no later than the day of official publication of the election results. The term of powers of the authorized representatives of the candidate and the political party on financial issues expires in 20 days following the date of determination of the election results.

Chapter 8. Information support of elections

Article 47. Informing voters and holding election campaign

1. Information support of elections includes provision of information to voters and campaigning aimed at ensuring conscious expression of the will by citizens and transparency of elections.

2. Provision of information to voters shall be performed by state power bodies and local self-governments, election commissions, mass media, legal entities and individuals in conformity with this Constitutional Law and the legislation in force. State power bodies, local self-governments and election commissions shall be responsible for timely and reliable provision of information to citizens.

3. The content of information materials published in mass media or otherwise disseminated must be unbiased and true, provide for equality of candidates or political parties with no superiority given to any candidate or political party.

4. Publishing (coverage) of the opinion poll results related to elections is one of the ways to raise awareness of voters.

5. When opinion poll results connected with elections are published (covered), mass media, citizens and institutions involved in the publication must mention the institution or individual, who has carried out the opinion poll, date of the poll, number of the interviewed people (sampling), method of information collection, region of the poll, clear phrasing of questions, statistical assessment of a possible error and the individual who ordered the opinion poll and paid for publication thereof.

6. Five days prior to the polling day and on the polling day, publication in mass media of opinion poll results, forecast of election results or other research connected with the elections,

shall be forbidden.

7. In case of noncompliance with the requirements of items 5 and 6 of this Article when publishing opinion poll results, the materials containing such information shall be deemed campaigning thus entailing liability stipulated by the existing legislation.

8. During the elections, the state shall provide citizens of the KR, candidates and political parties with the possibility of free campaigning in line with this Constitutional Law and the laws of the Kyrgyz Republic.

9. Citizens of the Kyrgyz Republic, candidates and political parties shall be entitled, in the forms allowed by laws and using lawful methods, to carry out election campaign for participation in election and discuss freely and comprehensively the pre-election programs of candidates or political parties, their political, business, and personal qualities and election programs of the political parties, hold agitation for or against any candidate or list of candidates during the meetings, assemblies, and in mass media. Election commissions jointly with the local self-government bodies shall facilitate the conduct of such meetings and provide the appropriate premises for meetings, inform well in advance about the time and the venue of the meetings and carry out other necessary arrangements. Election commissions shall organize the meetings of all candidates simultaneously.

10. The following activities shall be recognized as campaigning:

- 1) calls to vote for these or those candidates, list of candidates or against them;
- 2) preference expressed with regard to certain candidates or political parties;
- 3) description of possible consequences of electing or non-electing any candidates or the list of candidates;
- 4) dissemination of information on activity of candidates not related to their professional activity or implementation of their duties of service.

11. During the campaigning period, citizens of the Kyrgyz Republic and political parties, that do not participate in elections, shall have the right to conduct an election campaign requiring financing, only on agreement with candidates or political parties and through their election funds.

12. Equal access to mass media shall be guaranteed to candidates and political parties.

13. Campaigning during elections can be carried out via:

- 1) mass media;
- 2) conducting popular activities (assemblies, meetings with people, public debates and discussions, demonstrations and marches);
- 3) issuance and dissemination of printed, audiovisual and other campaigning materials;
- 4) other forms not prohibited by this Constitutional Law.

14. The candidate and political parties can determine on their own the form and type of their campaign via mass media.

15. Officials of state power bodies, local self-government bodies, members of election commissions, observers, international observers, judges, members and representatives of religious organizations, charity organizations, individual under the age of 18, foreign citizens and organizations, individuals without citizenship shall have no right to conduct an election campaign, issue and disseminate any campaign materials.

16. It is prohibited to conduct campaigning via foreign mass media, disseminated in the Kyrgyz Republic. During the elections, foreign TV and radio programs shall be rebroadcast on tape delay. Local mass media rebroadcasting foreign mass media shall bear responsibility for information aspersing honor, dignity and business reputation of candidates. In such cases the

rebroadcasting mass media shall bear responsibility for dissemination of such kind of information.

17. According to this Constitutional Law, journalists, other creative workers and officials of mass media offices shall be prohibited from carrying out TV and radio programs, participating in giving coverage to elections via those mass media, if the abovementioned persons are founders of those mass media, or candidates, or their representatives. This rule does not apply to campaigning speeches of the above-mentioned persons, when candidates use free air time on the government and local TV and radio channels following the procedure specified in Article 24 of this Constitutional Law.

18. Mass media, whose founder or co-founders are state power bodies and local self-governments or their subordinated institutions and enterprises, which are fully or partially funded by the republican budget or local budgets, or mass media with tax and other mandatory payment privileges as compared to other mass media, must provide equal opportunities to candidates and political parties for election campaigning.

19. Mass media that do not fall under item 18 of this Article shall be entitled to provide air time and space in printed media to candidates and political parties on a contract basis in conformity with the instructions on provision of air time on TV and radio channels and space in printed periodicals approved by the Central Election Commission, to candidates or political parties.

The payment for air time and publications in periodicals by candidates or political parties must be made on equal terms through the appropriate election funds of the candidates or political parties.

The payment rate for air time and publication in periodicals must be the same for all candidates and political parties.

20. When conducting elections, the information as to the amount of payment and other terms and conditions for getting air time and space in printed media must be published by the appropriate TV and Radio Company or printed media office 10 days at the latest after publication of official calling of the election. Information must be submitted to the Central Election Commission.

Article 48. The period of election campaign

1. Election campaign shall begin from the day on which the documents provided for by Articles 77, 87, 103, 109 of this Constitutional Law are submitted to the Election commission and shall end 24 hours prior to voting.

2. In case of repeat voting, campaigning shall be resumed from decision making moment on repeat voting and shall end 24 hours prior to repeat voting.

3. Campaigning printed materials (flyers, posters, billboards and other materials) that have been placed outside the buildings and premises of the election commissions shall be kept at the same places on the day of voting.

Article 49. Election campaign via TV and radio

1. For purposes of conducting campaigning during Presidential elections or election of the deputies of Jogorku Kenesh, candidates and political parties shall have the right to get free air time on the TV and radio channels that fall under item 18, Article 47 hereof and broadcast within the territory of the republic. The mentioned air time should be provided in the period,

when TV and radio programs gather the largest audience, i.e. between 8 pm – 12 pm.

2. The total volume of free air time allocated by the state TV and Radio Company for the purposes of presidential and Jogorku Kenesh campaigning must be at least one hour on working days. The mentioned free air time should be distributed on an equal basis among the registered candidates and political parties nominating list of candidates that have shown up for broadcast.

Candidates and political parties nominating the lists of candidates may not use the provided free air time for conducting election campaign for other candidates or other political parties.

3. No less than one-third of the total free air time shall be allocated to candidates or political parties nominating list of candidates exclusively for joint discussions, round table meetings and other similar campaigning events. All candidates and political parties must have equal access to such a share of free air time.

During joint campaigns on the TV and radio channels, the registered candidates may only participate personally, while political parties can do it through their leaders, authorized representatives and agents. Refusal to participate in the joint campaigning shall not result in increase of free air time provided to the registered candidate or political party that has refused to participate in the joint campaigning event.

If a candidate, a leader or a representative of a political party has failed to participate in the joint election campaign for objective cause, they may require using their free air time together with other candidates or political parties that have failed to participate in the joint event

4. TV and radio companies that fall under item 18 of Article 47 hereof must book paid air time for campaigning by candidates or political parties, as applied to the level of elections. The mentioned air time should be provided to a candidate or political party on their request, on a contractual basis, for payment. The total volume of the booked air time may not be less than the total volume of free air time; the amount of payment should be the same for all candidates and political parties. In addition, each candidate and political party shall have a right of getting the share of time out of the total booked air time, which was obtained as a result of dividing that volume by the total number of candidates and political parties. The cost of paid air time provided to candidates and political parties cannot exceed the cost charged 6 months prior to election call.

5. It is forbidden to interrupt speeches of candidates, leaders or representatives of political parties or comment them.

6. The Kyrgyz legislation shall regulate the procedure of providing air time to candidates and political parties on the channels of TV and radio companies, if they fall under item 19 of Article 47 hereof.

7. TV and radio companies, regardless of the form of ownership, who have provided air time to candidates or political parties, must provide air time to other candidates or political parties on the same terms and conditions (the same fee, time of broadcast, duration and other terms).

8. Election commissions shall establish the order, volume and time of TV and radio broadcast for campaigning purposes as agreed with management of TV and radio companies and shall distribute the abovementioned between candidates and political parties on an equal basis.

Article 50. Election campaign via print media

1. Periodical printed mass media that fall under item 18 of Article 47 hereof and are

disseminated in the territory of the elections, except for the newspapers founded by state power bodies and local self-governments exceptionally for publication of official information and materials, normative and other legal acts, must allocate free space no less than one A 4 format page in print mass media, to candidates and political parties that have nominated the registered lists of candidates. As for specialized print media (children's, technical, scientific and others), they may refuse publishing any campaigning materials provided they are fully out of any form of campaigning.

2. Print media, regardless of the form of ownership, providing candidates or political parties with print space must provide other candidates or political parties with print space on the same terms and conditions (the same fee, size and other terms).

Article 51. Election campaign via public events

1. State power bodies and local self-governments must assist candidates and political parties in organizing assemblies and meetings with citizens, public debates and discussions, meetings, demonstrations and marches and ensure security of public events.

2. Applications of candidates or political parties for getting premises in state or municipal ownership for the purposes of meeting with voters shall be considered by state power bodies and local self-governments on the day of submission.

In case of refusal of candidate's or political party's application for premises required for meeting with voters, state power bodies and local self-governments must issue written motivated decision of their refusal.

If the premises have been allocated to one of the candidates or political parties for public events refusal to provide the same premises to other candidates or political parties shall be inadmissible.

3. Based on requests of election commissions, the premises suitable for public events, which are in state or municipal ownership and on the balance sheet of state enterprises, institutions and organizations, shall be provided free of charge for the period determined by the election commission for candidates, representatives of political parties, their agents and authorized representatives to hold meeting with voters. The election commissions must ensure equal opportunities to candidates and political parties in holding public events.

Article 52. Publication and dissemination of printed matter, audiovisual and other election materials

1. Candidates and political parties shall have the right to freely issue and disseminate printed matter, audiovisual and other campaigning materials in the procedure established by the KR legislation. It is prohibited to prepare campaigning materials outside the Kyrgyz Republic. Copies of printed matter and other campaigning materials must be submitted to the relevant Election Commission which had registered the candidate or the list of candidates.

2. All printed and other campaigning materials should contain the names and addresses of organizations (last name, first name, patronymic and residential address of individuals) that prepared campaigning materials; last name, first name, patronymic and residence address of the individual (name of organization), who has ordered preparation of those campaigning materials, circulation data, date of issue as well as last name, first name and patronymic of the candidate or authorized representative of the political party, who has paid for the order. Dissemination of campaign materials not containing the mentioned information shall be prohibited.

3. Within 10 calendar days from the day of calling of the election, local self-governments must provide special places at every precinct for posting campaign materials. Candidates and political parties must be provided with equal conditions for posting their materials.

4. It is prohibited to place the abovementioned materials on monuments, obelisks and buildings of historical, cultural and architectural value or within the premises of the election commission, at their entrances and in voting premises.

It is prohibited to use green plantations and trees to place campaign materials.

5. Within 10 days after the publication of election results, local self-governments must ensure removal of the campaign materials from the election constituency area.

6. The election commission informed about dissemination of forged campaign materials or materials not containing information mentioned in item 2 of this Article, shall take measures to prevent such activity and shall have the right to apply to the appropriate law enforcement and other bodies with the request to stop the lawless campaigning and withdraw illegal campaign materials.

7. Candidates and political parties can use printed, audiovisual and other campaign materials that had been made before calling of the election, in conformity with the requirements of this Article and within the authorized expenses of candidates and political parties from the election fund.

Article 53. Inadmissibility of abuse of the right for election campaigning

1. Election commissions shall control compliance with the established campaigning procedure.

2. During the election campaign, abuse of freedom of mass media is inadmissible: it is forbidden to instigate national and interregional antagonism, ethnic, racial and religious hatred, gender and other social superiority calling for discrimination, hostility; or appeals to take-over of power, forcible change of the constitutional system and offense against integrity of the country; war propaganda; use of photo and video materials with the images of politicians and statesmen of other countries and other forms of abuse of mass media freedom are prohibited by laws of the Kyrgyz Republic.

3. From the moment of calling of the elections, it is prohibited to bribe voters: pay money to voters; present gifts and other material values to voters; make special sales at low prices, distribute goods for free except for campaign print materials, badges, T-shirts, caps, scarves, containing symbols of a political party that nominated a list of candidates, picture of a candidate; provide free services or those on easy terms.

Payment from the election fund of a candidate or political party for completed works under labor contracts between candidate or political parties and contractor shall not be regarded as bribery.

4. Candidates, their close relatives, representatives of candidates or political parties, from the moment of calling of the elections and before publication of the election results may not undertake charity activities, including such activity outside the precinct in which the candidate is nominated.

5. Candidates, their representatives, leaders, representatives of political parties, mass media, other individuals participating in election campaigns may not allow publications based on the knowingly false information that asperse honor, dignity or business reputation of candidates or political parties. Mass media that allowed such publications must, on demand of the candidate or political party, give rebuttal or explanations on the article or speech that are false or distorting. Rebuttals and explanations should be published in a separate column or on

the same page and with the same font as the information in question; in periodicals it should be done in the next issue; rebuttals or explanations of TV or radio appearances should be done on the next day when such rebuttal or explanation is received.

6. If till the end of the campaigning period candidate and political party are not provided with an opportunity to give rebuttal or other explanations in order to protect their reputation in mass media that had published information adversely affecting the reputation of such candidate or political party, this can lay the basis for judicial responsibility of those mass media.

7. In the event of abuse of items 2 and 5 of this Article by a candidate or political party, by their representatives or mass media, election commissions, voters, a candidate or political party and their representatives can apply to law enforcement bodies and court to demand that relevant law enforcement bodies and other bodies stop lawless campaigning and bring the offender to liability in accordance with this Constitutional Law and the existing legislation. Law enforcement bodies must take actions to stop lawless campaigning and immediately inform the appropriate election commission on the facts revealed and actions taken, as well as must assist election commissions in preventing provision of forged and illegal pre-election printed, audiovisual and other campaigning materials, in withdrawal thereof and in identifying producers of the mentioned materials and the source of funding.

8. In the event of breach of the requirements specified herein by the candidate or political party, the appropriate election commission shall have the right to issue a written notice to such candidate or political party. In case of repeated violations of the abovementioned requirements by candidate or political party, the Central Election Commission shall be entitled to make a decision on revocation of the candidate or the list of candidates' registration on recommendation of the appropriate election commission or on its own initiative.

Chapter 9. Voting organisation and procedure

Article 54. Voting premises

1. Voting premises shall be provided free of charge to a precinct election commission by the government bodies or local self-governments.

2. Specially equipped voting booths equipped with a lighting system, writing materials (a ballpoint pen) except for pencils, and ballot boxes shall be placed in the voting premises.

The lighting system should have an alternative source of power, lanterns and candles. In the event that electricity supply gets cut off, voting shall be suspended until renewal of electricity supply (based on the main (central) or alternate power source). In this case, for effective monitoring of the work of the precinct election commission, observers, representatives of candidates and political parties shall have the right to be at such a distance from the ballot boxes and voting booths, which provides for full viewing/coverage of the procedures and functions performed by the election commission.

3. The election commission shall equip a stand in the voting premise, on which information materials of all candidates and political parties registered list of candidates shall be placed. Such materials must not have campaigning appeals. Samples of filled out ballots, which must not contain the names of the registered candidates and political parties, shall be placed on the stand.

4. Voting premises must be equipped in the way allowing the members of the election commission, representatives of candidates and political parties and observers to clearly see the place where voting ballot papers are issued, voting booths and ballot boxes at the same time. The voting premises must also be equipped by the system of video monitoring for the purposes of ongoing broadcasting in internet of the voting process and counting of the votes throughout

the territory of the country.

5. Voting premises must be accessible for disabled persons. Availability of ramps and handrails is one of the ways to ensure accessibility of voting premises for disabled people.

Article 55. Envelope, ballot paper

1. In order to participate in the election of the President, deputies of local councils, a voter shall receive a ballot paper. On election of deputies of the Jogorlu Kenesh, a voter shall receive an envelope and ballot papers with a list of all nominated candidates in election district (further, a ballot paper with candidates' list).

Envelope and ballot paper are strictly accountable documents with the degree of protection determined by the Central Election Commission. The number of envelopes and ballot papers may not exceed the number of the registered voters by more than 0.1 percent.

Bar-code shall be used for manufacturing of envelopes and ballot papers.

Identification of an envelope, ballot paper with candidates' list, ballot paper shall be carried out through reading of bar-code by technical means (computer, scanner with automatic document feeder, projector, etc.)

Bar-code of political party shall be printed onto ballot paper with candidates' list. Bar-code of election district shall be printed onto envelope, ballot paper.

2. The text and form of an envelope and ballot paper with candidates' list, ballot paper, and an order of bar-code establishing shall be subject for approval by the Central Election Commission no later than 20 calendar days prior to voting. The text of an envelope, ballot paper with candidates' list, ballot paper and bar-code should be placed only on one side.

3. An envelope and ballot shall contain the name of the body which is being elected, the name and the number of the election precinct or indication about a single election area.

During election of the deputies to the Jogorku Kenesh abroad a blank box to mark the number of electoral district shall be put instead of name and number of electoral district.

4. During election of the President a ballot shall contain additionally a priority number of a candidate established by casting of lots, the first name, second name and patronymic of the candidate, the year of birth.

During election of aiyl kenesh a ballot additionally shall contain the first name, second name and patronymic of the candidates, their year of birth in a sequence established by casting of lots. A line "Against all" with a blank box on the right shall be in the end of the list.

5. During election of the deputies to the Jogorku Kenesh, to the town council (town kenesh) ballot papers with the list of candidates shall be printed out separately for each political party. The title text of ballot paper with candidates' list shall additionally contain the emblem, short or full name of the political party, the first name, second name and patronymic of the party leader and two candidates in accordance with Part 3 article 85 of this Constitutional Law. The first names, second names and patronymic names of nominated candidates in a sequence determined by a political party shall be indicated in the candidates' list.

6. To the right of information of candidates, political parties, envisaged by parts 4,5 of the present article, there is a blank box for the voter to mark.

7. Envelopes and ballots papers with candidates' list shall be printed in the state and official languages no later than 10 calendar days prior to the voting day. Every envelope, ballot paper with candidates; list, ballot paper must contain an explanation on how to use and fill it, and information about the manufacturer and the number of copies printed.

8. After discarding of defective envelopes, ballot papers with candidates list and ballots, the printing house shall transfer the envelopes, ballot papers with candidates' list and ballot papers, under the act of transfer, to the members of the Election Commission which had ordered production of envelopes, ballots. After the transfer of the envelopes, ballot papers with candidates' list and ballot papers, in the presence of at least 3 members of the Election Commission and invited representatives of the printing house and law enforcement bodies the discarded and surplus envelopes, ballot papers with candidates' list and ballot papers shall be destroyed, and the appropriate act shall be drawn up to signed by all persons present.

9. The Election Commissions shall transfer the envelopes, ballot papers with candidates' list and ballot papers to the lower-level territorial election commissions based on the act and in the presence of at least three members of the corresponding election commissions. The Chairmen of the corresponding election commissions shall bear responsibility for the rightful transfer of envelopes, ballot papers with candidates' list and ballot papers. Representatives of candidates, political parties, non-profit organizations and mass media have the right to be present during the transfer of envelopes, ballot papers with candidates' list and ballot papers.

The Regulation on procedure of transfer of envelopes, ballot papers with candidates' list and ballot papers to election commissions, including those established outside the Kyrgyz Republic shall be established by the Central Election Commission.

10. Envelopes, ballot papers with candidates' list and ballot papers shall be transferred to the territorial election commissions within 10 calendar days prior to the voting day; in case of repeat voting – within 5 calendar days prior to the voting, and to the precinct election commissions – 1-2 calendar days prior to the voting day.

11. The number of the envelopes, ballot papers with candidates' list and ballot papers transferred to the precinct election commission may not exceed the number of voters included in the voter list for a particular precinct as of the date of transfer of envelopes, ballot papers with candidates' list and ballot papers. The remaining portion (0,1%) of envelopes, ballot papers with candidates' list and ballot papers shall be kept in territorial election commission in case that the precincts are short of envelopes, ballot papers with candidates' list and ballot papers to give an envelope, ballot paper with candidates' list and ballot paper to a voter who had not been included into the voters' list. Upon receipt of the envelopes, ballot papers with candidates' list and ballot papers the members of the precinct election commission on the premises of the precinct election commission and in the presence of the representatives of the candidates and political parties shall count once again the envelopes, ballot papers with candidates' list and ballot papers and shall draw up the act to that effect. The Chairman of the precinct election commission shall put a seal in the required place of the envelope, ballot papers with candidates' list and ballot papers in the presence of no less than half of the members of the precinct election commission, representatives of the candidate and political party.

12. In case of withdrawal of candidates after manufacture of the ballot papers, the precinct election commissions shall cross out the data of the relevant candidates from the ballots. Crossing out shall be done with a straight line along the line containing all data of the candidate and with a ballpoint pen only. In this case, the crossing out line should cover the blank box opposite the data line of a candidate.

13. In case of withdrawal of candidates' list after manufacture of the ballot papers with candidates' list, the precinct election commissions shall hand over the ballots with candidates' lists to the territorial election commission and draw up the act.

14. The premises in which there is a special safe-deposit (locker) for keeping envelopes, ballot papers with candidates' list, ballot papers, voters' lists, and other election documents, seal of the appropriate election commission shall be sealed and handed over for guarding to the internal affairs bodies. On the voting day the safe-deposit (locker) must be inside polling station premises.

15. It is prohibited to take envelopes, ballots out of the premises of printing houses and

election commissions, to make copies of envelopes, the ballots and disseminate them in violation of the requirements of this Constitutional Law.

Article 56. Voting Procedure

1. On the voting day voting shall be held from 8 a.m. to 7 p.m. The precinct election commission shall be obliged to inform voters about the time and place of voting through the mass media or otherwise, no later than 10 calendar days prior to the voting and in the course of early and repeat voting - no later than 7 calendar days prior to the voting day.

On the voting day at 7 a.m., the precinct election commission shall have a meeting in the voting premises to conduct a draw and determine members of the commission, who will be doing the following:

- verify the lack of marking (marking) of each voter;
- keep a record of the citizens in the voter list;
- mark (label) voters with a special visible ink and hand out ballots;
- exercise control over movement of the voters to the voting booths for secret voting and over their putting of the ballots in a folded form into the ballot boxes;

Chairman and Secretary of the precinct election commission shall not participate in the draw.

Chairman of the precinct election commission, in the presence of the precinct election commission members, representatives of candidates, political parties and observers shall open a sealed safe, take out the voter list of this precinct, envelopes, ballot papers with candidates' list and ballot papers and a seal of the precinct election commission, and also documents on voting results on voting outside the premise. Then he shall read out the number of the voters included in the voter list, shall allow the attending parties get acquainted with the voter list and then distribute it among members of the precinct election commission, who are responsible for registration of voters and filling out the voter list on the voting day.

The Chairman of the precinct election commission shall demonstrate empty ballot boxes sealed with a seal of the precinct election commission to be inspected by the members of the precinct election commission, observers, representatives of the candidates, political parties and mass media. Then chairman of the precinct election commission shall put control lists into the sealed ballot boxes. Control lists shall indicate the name of the constituency, the number of the election precinct, the time of putting control lists into the ballot boxes, the names of the chairman, secretary and other members of the precinct election commission, the attending representatives of candidates, observers, and representatives of political parties. Control lists shall be signed by the above mentioned persons and certified by the seal of the precinct election commission.

The Chairman of the precinct election commission shall announce the number of envelopes, ballot papers with candidates' list, ballot papers received from the superior election commission, and received for voting outside the premise. Members of the precinct election commission shall count and announce the number of envelopes, ballot papers with candidates' list, ballot papers in the presence of the representatives of candidates, political parties and observers; then chairman of the precinct election commission shall provide envelopes, ballot papers with candidates' list, ballot papers to the persons present for familiarization and shall enter the number of the envelopes, ballot papers with candidates' list, ballot papers received by the precinct election commission from the superior election commission into the protocol of voting results and in the enlarged form thereof.

After counting of the envelopes, ballot papers with candidates' list, ballot papers, the

chairman of the precinct election commission shall hand them according to the register to the members of the precinct election commission for them to sign the receipt thereof and be responsible for handing envelopes, ballot papers with candidates' list, ballot papers out.

2. At the entrance of the voting premises a member of the precinct election commission determined by draw shall check voters' marking. A voter having no marking shall be eligible to vote. In case the marking is available the voter shall not be allowed to vote.

3. When issuing the envelope, ballot paper a member of the precinct election commission, determined by draw, shall register voters by checking voters' documents, entering their information into the register, in which the voters shall confirm receipt of envelope, ballot paper by their signatures. The other member, determined by draw, shall mark the thumb of the voters' left hand with a special composition, on election of the deputies of the Jogorku kensh, town council hand out ballots.

4. Each voter must vote in person; voting for other voters shall not be allowed.

5. Envelopes, ballot papers with candidates' list, ballot papers shall be handed out to the voters included in the voter list, upon presentation of a passport or identity document.

6. PIN of passport or serial number of identity document of the voter shall be entered into the voter list upon receipt of the envelope, ballot. The voter shall check correctness of the entry and sign for the receipt in the voter list.

7. At precincts formed in populated areas with no more than 500 voters, a voter shall be entitled to vote in the absence of a passport or another personal identification document upon the permission of the chairman of the respective election commission, and provided that a given voter is entered into the main electoral register, and there is the confirmation of his residence on the territory of a given precinct by at least two precinct election commission members. In cases of voting without personal identification documents, a respective note shall be made in the main electoral register, and shall be certified by signatures of the chairman and members of a given precinct election commission, who confirmed the fact of a given voter's residence on the territory of that precinct.

8. The ballot with candidates' list, ballot paper shall be filled out by the voter in a specially equipped booth or other specially equipped place, where no intrusion of other persons shall be allowed. A specially equipped booth or a specially equipped place must be established or manufactured to ensure the secrecy of the voter's will expressed while filling out the ballot paper with candidates' list, ballot paper, sealing the envelope and control of the voter's actions by members of the election commission and observers.

If a voter spoiled a ballot paper, a new ballot paper shall be given out instead.

A voter shall put signature about repeated receipt of a ballot paper in the voters' list, and a special note shall be made in the protocol of the voting process.

9. When electing the President of the Kyrgyz Republic and deputies of aiyl kenesh, a voter shall mark a box against the name of candidate in which favor the choice was made.

10. When electing deputies of the Jogorku Kenesh, deputies of the city council, voting shall be held for the list of candidates from the party with the possibility for voter to vote separately for a certain person.

Each voter shall receive ballot papers with the list of candidates, ballot "Against all" and an envelope.

A voter shall put a ballot paper corresponding with a list of candidates in which favor the choice was made, or ballot "Against all" into the envelope.

In the ballot paper against the names of candidates a voter shall put a mark "+", not to put a mark or cross out name first or second names of a candidate.

A voter shall put a mark "+" against the name of some candidate if he definitely supports

electing of this candidate. If a voter does not support any of candidates in the ballot, then the first or second name of this candidate shall be crossed out. A voter may put unchanged (with no marks) ballot in the envelope.

11. On elections of deputies of the Jogorku Kenesh, a voter when voting abroad shall receive ballot papers with candidates' list of the electoral district, where he adjusts in the voters' lists, a ballot "Against all", and envelope. On the front of the envelope a member of election commission shall put number of electoral district, where they are registered.

12. A voter, who is unable to sign for receipt of an envelope, ballot paper with candidates' list, ballot, to fill it out, put into envelope and seal it, shall have the right to use help of another voter, who is not a member of the election commission, a candidate, a representative of a candidate, a political party or an observer. In this case, the voter shall orally notify the precinct election commission of his/her intention to take the help of another person.

13. The sealed envelope, ballot paper shall be put by voter in a sealed (cored) ballot box. It is forbidden to take envelope, ballot papers with candidates' list, ballot paper outside the voting premises.

Remained unused ballots with candidates' list in folded or torn view a voter shall put into ballot box in the presence of member of the election commission. The procedure for secrecy, storage and disposal of unused ballots shall be established by the Central Election Commission.

14. Chairman of the precinct election commission shall watch for public order in the voting premises. In the event of public order violation in the voting premises, chairman of the precinct election commission shall have the right to seek help by applying to the officers of law enforcement agencies to ensure public order in the voting premises. After restoration of public order the officers must leave the voting premises. Instructions of the chairman of the precinct election commission issued within his/her terms of reference without infringement of the rights of the election process participants shall be mandatory for everyone in the voting premises. In the absence of the precinct election commission chairman, his/her powers shall be exercised by secretary of the precinct election commission or a member of the commission, authorized thereby.

15. A member of the precinct election commission shall be immediately dismissed from participation in its work; an observer and other persons shall be removed from the voting premises, if they try to obstruct the work of the election commission or the exercise of election rights by citizens of the Kyrgyz Republic and violate secrecy of election. In this connection, the precinct election commission shall take a decision in writing. In doing so, the commission shall have the right to contact the appropriate authorities with a formulation of bringing these persons to liability under the legislation of the Kyrgyz Republic.

16. State bodies, local governments, governmental and municipal institutions and enterprises, as well as their officials shall be obliged to ensure public safety, smooth operation of public transport, communications, lighting and heating of the voting premises on the voting day.

Article 57. Early voting procedure

1. A member of precinct and territorial election commissions, voter having no opportunity to arrive on the voting day to the election precinct, in which he/she is included in the voter list, shall have the right to vote early based on a written application in connection with the coming absence in the territory of the Kyrgyz Republic or business trip on the voting day. Such voter shall have to submit business trip certificate and certified copy of order in

case of business trip, the appropriate documents (copies of the business trip certificate, air ticket, a visa in the passport) and filling out the ballot in the premises of the appropriate territorial election commission 3-9 days prior to the voting day. The election commission shall be obliged to ensure secrecy of election, to exclude the possibility of distortion of the will expressed by the voter, to ensure safeguard of the ballot, record of a vote when determining vote results and election results.

2. The early voter list, which should be drawn up by the territorial election commission, shall include information about the voters, who are going to vote early. The voter shall check correctness of the record, sign it and get an envelope, ballot with candidates' list, ballot paper in the presence of at least two members of the election commission.

3. Filling out a ballot paper, putting it into envelope and sealing of envelope shall be carried out by a voter in a specially constructed booth or a special place, where the presence of other persons shall not be allowed. When electing the deputies of the Jogorku Kenesh, city council, order of voting is carried out in accordance with part 10 of article 56 of the present law.

4. Sealed envelopes with ballot papers with candidates' list, ballot papers and the early voter list shall be put into the safe for storing election documents of the respective election commission.

5. On the voting day, before the beginning of voting, the chairman of the precinct election commission in the presence of members of the precinct election commission, observers and other persons shall inform on the number of voters who have voted early; he/she shall demonstrate the sealed envelopes with the ballot papers with candidates' list inside and the early voter list and shall provide them to the abovementioned persons for visual review. After that, he/she shall put each envelope, one by one, in a stationary voting box. The number of early voters shall be entered into the Protocol of the voting results and in the enlarged form thereof prior to the beginning of the voting. In the early voter list, opposite the name of each early voter an "Early vote" note shall be made.

Article 58. Voting procedure outside the voting premises

1. Voters, who are included in the voter list, but for health reasons or disability cannot attend the election precinct; voters, who are in hospitals and detention centers as suspects and defendants on the voting day; voters, who temporarily reside in remote and hard-to-reach areas, in distant pasture areas, and in exceptional cases and by decision of the appropriate election commission servicemen, who on the voting day appear to be in the military units located in special places far from the populated areas, if they permanently reside in the area of the election precinct, to which they are bound, can vote on the place of their temporary stay in the order prescribed by Central Election Commission. Precinct election commissions shall be obliged to ensure the opportunity to such voters to vote outside the voting premises 1 calendar day prior to the voting day.

2. Voting outside the voting premises shall be done only one calendar day prior to the voting day and only on the basis of the written statement of the voter (including the one transferred through assistance of other persons) regarding the opportunity for him/her to vote outside the voting premises. The statement of the voter may be made at any time after formation of the precinct election commission, but no later than 3 calendar days before the voting. The precinct election commission shall register all submitted statements in a special registry. The reason, for which the voter cannot arrive to the voting premises and his/her data shall be indicated in the statement with submitted respective support documents for the opportunity to vote outside the voting premises.

3. Precinct election commission shall have the necessary quantity of portable ballot boxes

(but not more than three). Voting outside the voting premises shall be conducted by members of the precinct election commission, who shall receive the necessary number of envelopes, ballots against their signature, as well as preliminary sealed portable boxes. Voting outside the voting premises shall be held in the presence of representatives of candidates, political parties, observers and mass media.

4. Precinct election commission 2 days prior to the voting day at its meeting shall identify through a drawing members of the commission (no less than two members of the precinct election commission) who will organize voting outside the voting premises. Chairman and secretary of the precinct election commission shall not participate in drawing.

5. Chairman of the precinct election commission shall demonstrate empty ballot boxes for voting outside the premises to the members of the precinct election commission, observers, representatives of the candidates, political parties and mass media, which are sealed with a seal of the precinct election commission as well as with signatures of attending representatives of candidates, political parties nominated list of candidates. Then chairman of the precinct election commission shall put control lists into the sealed ballot boxes. Control lists shall indicate the number of the election precinct, the time of putting control lists into the ballot boxes, the names of the chairman, secretary and other members of the precinct election commission, the attending candidates, their representatives, and representatives of political parties. Control lists shall be signed by the above mentioned persons and certified by the seal of the precinct election commission.

6. In the written application the voter shall specify the series and number of his/her passport or identity document and shall confirm the receipt of the envelope, ballot with his/her signature. Member of the precinct election commission shall check lack of marking, and if so, marks thumb of the voter's left hand and hands out an envelope and a ballot. Members of the precinct election commission certify the fact of handing out the envelope and a ballot by their signatures in the application.

7. A ballot paper is filled out by a voter in a special place, where the presence of other individuals shall not be allowed. A special place must be selected to ensure secrecy of election when filling out the ballot by a voter and control on behalf of the election commission members and observers over the actions of the voter.

On election of the deputies of the Jogorku Kenesh, deputies of city council an order of voting is carried out in accordance with part 10 article 56 of the present Law.

8. The PIN of passport or series and number of identity document of the voter who has voted outside the voting premises, shall be entered into the voter list, while in the corresponding column of the voter list a "Voted outside the voting premises" note shall be made.

9. Upon completion of the polling outside the voting premises, portable ballot boxes shall be additionally sealed with the seal of the precinct election commission as well as with signatures of attending representatives of candidates, political parties, and taken away to the safe (cabinet) for keeping of electoral documents, that shall be additionally sealed.

10. Counting of votes of voters who voted outside the voting premises shall be done after the end of polling in the voting premise in a procedure established by this Constitutional Law.

Chapter X. Determining voting results and election results

Article 59. Protocol of voting results

1. A precinct election commission shall draw up Protocol on voting results in the appropriate election precinct.

2. Protocol on voting results is a document of strict accountability, whose form and level of protection shall be determined by the Central Election Commission.

3. The procedure of filling out the Protocol by precinct and territorial election commissions shall be established by the Central Election Commission.

Article 60. Procedure for determining voting results by precinct election commissions

1. Upon expiration of the voting time, chairman of a precinct election commission shall announce that envelopes, ballot papers with candidates' lists can be obtained and voting possible only for the voters present in the voting premises and members of precinct election commission.

2. Counting of votes shall be carried out openly and publicly, exclusively by members of the precinct election commission at the meeting thereof. The results of all consequent activities connected with counting of envelopes, ballots with candidates' list, and votes shall be announced, and appropriately recorded in the Protocol on Voting Results and in the enlarged form thereof (which shall be posted at the place designated by the election commission).

Representatives of candidates, political parties, observers and mass media representatives may make pictures, filming and video recording of the process of counting votes and establishing voting results.

3. Counting of votes shall begin immediately after completion of the voting and done without interruption until voting results are established in the premises where the voting was held. The place, where votes are counted must be equipped in such a way as to ensure access to it for all members of the precinct election commission and representatives in election commissions. All persons present during the counting must have the possibility of seeing the process of ballot papers with candidates' list, ballot papers counting and actions of the precinct election commission members.

In case of combined elections of various levels, counting of presidential election votes shall take place first of all followed by counting of votes for Jogorku Kenesh deputies, deputies of local councils.

Members of the precinct election commission, except for chairman and secretary thereof, shall not be permitted to use writing implements during vote counting.

4. At votes' counting precinct election commission records the Protocol of votes' counting in two copies. The protocol of votes' counting consists of two parts:

- 1) preliminary counting of votes (hereinafter referred to as the first part of the protocol of votes' counting);
- 2) final results of counting of votes (hereinafter referred to as the second part of the protocol of votes' counting).

5. Members of the precinct election commission responsible for handing out envelopes, ballot papers with candidates' list, ballot papers shall count the remaining unused envelopes, ballot papers with candidates' list, ballot papers, invalidate them by cutting the lower right-hand corner and hand them to the chairman of the precinct election commission according to the register. The procedure shall be completed with drawing up of a statement. All non-used envelopes, ballot papers with candidates' list, ballot papers, remaining in the safe of the precinct election commission shall be invalidated in the same manner. All cancelled envelopes, ballot papers with candidates' list, ballot papers, shall be counted and packed into a package, which then shall be sealed with the seal of the precinct election commission and signed by its members. A "Cancelled envelopes, ballot papers with candidates' list, ballot papers" note shall

be written on the package besides the amount of the ballots and the number of the election precinct.

On election of the deputies of the Jogorku kenesh, deputies of city council, the number of all canceled envelopes, ballot papers with candidates' list, is defined as the sum of the number of unused envelopes and ballot papers with candidates' list, shall be announced and recorded in the first part of the Protocol of votes' counting in the enlarged form thereof.

On election of the President, deputies of local council, the number of all cancelled envelopes, which is defined as the sum of the number of unused ballot papers and ballot papers which were returned by voters as damaged, shall be announced and recorded in the first part of the Protocol of votes' counting in the enlarged form thereof.

6. The members the precinct election commission responsible for registration of voters must indicate the respective summarized data on every page of the voter list.

After indication of the summarized data, each page of the voter list shall be signed by a member of the precinct election commission, who then sum up all data and transfer to the chairman of the precinct election commission. On the last page of the voter list chairman and secretary of the precinct election commission shall write down the summarized data defined as the sum of data on all pages of the voter list, and shall certify them with their signatures and the seal of the precinct election commission.

After the work with the voter list, the chairman of the precinct election commission shall offer the persons present to get familiarized with it. Then the data, including the number of envelopes, ballots issued to voter shall be recorded in the first of the protocol of votes' counting and its enlarged form.

After this, the voter list shall be packed in a package, which is being certified by the seal of precinct election commission, signatures of its members and put into the safe (box).

7. Before the opening of ballot boxes precinct election commission shall record data about received, used and remained envelopes, ballot papers with candidates' list, ballot papers, a number of envelopes, ballot papers with candidates' list, ballot papers handed out to voters, into the first part of the protocol of votes' counting.

8. After recording data mentioned in item 7 of the present article into the first part of the protocol of votes' counting, handing out copies of the first part of the protocol of votes' counting certified by signature of chairman and seal to attending observers, ballot boxes shall be opened.

9. A precinct election commission shall start counting envelopes, ballot papers contained in the portable ballot boxes. Members of the precinct election commission, who have conducted voting outside the voting premises, shall demonstrate the integrity of the seals, with signatures of persons attending at sealing of ballot boxes, open the portable ballot boxes one by one, then take out the envelopes, ballot papers and control lists with the signatures of the precinct election commission members and the persons, who were present when the sealing of ballot boxes took place. The chairman of the precinct election commission shall demonstrate the control lists.

Opening of each portable ballot box shall be preceded by the announcement of the number of voters, who have voted with the use of this portable ballot box. Counting of envelopes, ballots in each portable ballot box for shall be done separately.

If it is determined that the number of envelopes, ballot papers in the portable ballot box is bigger than the number of voters' applications containing the mark of the number of the received envelopes, all envelopes, ballot papers available in the portable ballot box shall be recognized invalid by a decision of the precinct election commission and cancelled by cutting the lower right-hand corner. In this case, a statement shall be drawn up to be attached to the Protocol on the voting results, in which the surnames and initials of the precinct election

commission members shall be indicated, who have arranged voting outside the voting premises. These invalid envelopes, ballot papers shall be packed and sealed separately, and the number of the election precinct, box number and the amount of envelopes shall be written on the package, including explanatory note "Invalid envelopes", "Invalid ballot papers taken from the portable box for voting».

10. Envelopes, ballot papers with candidates' list, ballot papers of a non-established form shall not be taken into account in vote counting. Envelopes, ballot papers with candidates' list, ballot papers with the content and (or) form not corresponding to the ballot text and form established by the Central Election Commission shall be deemed non-established form envelopes, ballot papers with candidates' list, ballot papers.

11. Chairman of the precinct election commission shall announce the start of counting envelopes, ballot papers contained in the stationary ballot box. Chairman of the precinct election commission shall demonstrate the integrity of the seals and opens the ballot box. Members of the precinct election commission shall take out envelopes, ballot papers and control lists with signatures of the precinct election commission members and other persons, who were present in the morning when the ballot boxes were sealed. Chairman of the precinct election commission shall demonstrate the control list.

12. Unsealed envelopes, ballot papers taken out each ballot box shall be sorted to valid and invalid envelopes, ballot papers.

Envelopes, ballot papers of non-standard form, torn envelopes, envelopes, ballot papers with no seal of relevant precinct election commission, as well as envelopes, ballot papers without indication of elections, shall be considered as invalid envelopes.

Ballot papers impossible to define the choice of a voter shall be considered as invalid ballots.

Invalid envelopes, ballot papers shall be counted, and packed. The package shall contain indication that invalid envelopes are inside and their number. Total number of invalid envelopes, ballot papers shall be recorded into the protocol of votes' counting.

13. Number of envelopes, ballot papers taken out the ballot box shall match the number of envelopes, ballot papers handed out to voters, or be less than it.

14. If on election of the deputies of the Jogorku Kenesh, deputies of city council, in ballot box there are ballot papers with candidates' list not put into envelope, then they shall be cancelled and packed in manner established by the Central Election Commission.

15. On election of the deputies of the Jogorku Kenesh, deputies of city council after counting of valid envelopes they shall be opened and their content shall be stated:

- 1) there is one ballot paper with candidates' list of relevant district in the envelope;
- 2) there is more than one ballot paper with candidates' list in the envelope;
- 3) there is ballot paper with candidates' list of other district;
- 4) there is torn ballot paper with candidates' list in the envelope;
- 5) there is no ballot paper with candidates' list in the envelope.

There is no need to keep envelopes containing one ballot paper with candidates' list of relevant electoral district after taking out ballots. Ballot papers with candidates' list from these envelopes shall be folded in place for counting.

Empty envelopes, as well as envelopes with more than one ballot paper with candidates' list or torn ballot paper with candidates' list, or ballot paper with candidates' list of other electoral district, shall be put separately.

After all valid envelopes are opened precinct election commission shall take a decision on validness of ballot papers with candidates' list, which are put in envelopes.

Invalid ballot papers with candidates' list shall be counted and summed up separately.

Envelopes envisaged in item 2, 3, 4, 5, part 15 of the present article, not containing valid ballot papers with candidates' list, shall be considered as envelopes for voting.

16. Derogations from established norms of hereof the present Constitutional Law, concerning notes by voters in the voters' list, shall not be a basis for declaring ballots as invalid.

17. Contradictions on the issue of validness of envelopes, ballot papers with candidates' list, ballot papers shall be decided by the majority of votes. At this the back side of ballot indicates reasons of its invalidity, and this record shall be certified by signatures of chairman and secretary of precinct election commission, and seal of the commission.

At equal number of votes, decisive vote shall belong to chairman of the commission.

Total number of valid and invalid ballots shall be recorded into the protocol of voting results and its enlarged form.

18. Valid ballot papers with candidates' list, ballot papers shall be sorted by names of candidates' lists, and candidates. When sorting ballot papers with candidates' list, members of the precinct election commission shall provide the ballot papers with candidates' list, ballot papers for visual inspection to all those present at the counting process.

19. Representatives of candidates, political parties and observers shall have the right to get familiarized with the sorted out ballot papers with candidates' list under the supervision of the precinct election commission members.

20. Then votes shall be counted based on the ballot papers with candidates' list, ballot papers of the established form separately for each list of candidates, and by second name for each candidate. The sorted out ballot papers with candidates' list, ballot papers shall be counted out aloud and shifted one by one from one pack to another so that the persons present during the counting procedure could hear or see. Simultaneous counting of ballots from different batches shall not be allowed.

At the demand of representative of candidate, political party or observer a re-counting of votes shall be carried out, ballot papers with candidates' list, ballot papers shall be recounted in the presence of representatives of candidate, political party or observer and providing a chance of visual control from their side. At this recounting shall be carried out aloud.

The obtained data shall be entered into the Protocol on the voting results and the enlarged form thereof.

After this a checking of control correlation of data, entered into the protocol of voting results according to the procedure approved by the Central Election Commission.

21. When electing deputies of the Jogorku Kenesh, deputies of city councils after check of control correlation of the data and corresponding entering in the Protocol of the voting results, rating of candidates in a list of candidates of political party shall be determined . .

For determining rating of candidates in the list of candidates ballots of each list shall be divided to two groups: changed and unchanged ballots. Ballots, in which a voter has marked "+" against the second name of any candidate or has crossed first or second name, shall be considered as changed. The rest ballots shall be considered as unchanged.

In regards of each candidate changed ballots shall be counted if:

- a) There is a mark "+" against his second name,
- b) His first or second names are crossed out.

Stated candidates of every list of candidates shall line up on the number of received votes. Number of votes for a candidate is equal to number of votes for the list of candidates, in which this candidate is named, minus number of ballots in which first or second name of this candidate is crossed out, plus number of those ballots in which voters marked with "+" against

the second name of this candidate. If two or more candidates from one list of candidates received equal number of votes, they shall line up in the sequence envisaged by the applicant of the list of candidates.

Final results of votes' counting precinct election commission shall mark in the protocol about results of rating voting, which is created separately.

After approval of results of rating voting the precinct election commission shall inform them to attending authorized observers and representatives of mass media.

Order and terms of approval of candidates' lists of political parties, granted a right to receive deputy mandates, taking into account rating of candidates, shall be defined by Central Election Commission.

22. The Central Election Commission shall have the right to optimize process of votes counting to meet requirements and terms of hereof the present Law through use of technical means. In this case, identification and counting of votes shall be carried out by reading bar-codes of valid ballot papers with scanner with automatics document feeder.

When electing the President, deputies of local councils, rating of candidates in the list of candidates, with a purpose to automate votes counting, valid ballots shall be projected onto screen with use of scanner, computer and projector. Provision on identification of envelopes, ballot papers with candidates' list, ballot papers, votes counting with use of technical means shall be approved by the Central Election Commission.

23. After vote counting a precinct election commission shall hold a mandatory final meeting to examine complaints (statements) on violations of the voting and vote counting and to make decisions on each claim (statement). Then members of the precinct election commission and applicants, who agree with the decisions made by the precinct election commission on the complaints (statements), shall sign the Minutes of the final meeting of the precinct election commission. While signing the Minutes of the final meeting of the precinct election commission, members of the precinct election commission, who disagree with the content of the Minutes, may enclose their individual opinion therewith and the appropriate record shall be made in the Minutes

After drawing up the Protocol on the voting results, and additional drawing up the Protocol on the rating voting results at election of deputies of the Jogorku Kenesh, city councils, the sorted ballot papers with candidates' list, ballot papers shall be packaged in separate packages, with the number of the election precinct, the amount of ballot papers with candidates' list, ballot papers specified. Packages shall be sealed and signed by members of the precinct election commission and placed into a separate bag or box. The number of polling station and a list of documents contained inside are indicated on the bag or box. The bag or box shall be sealed and signed by the precinct election commission members. Ballot papers with candidates' list, ballot papers shall be packed and placed into the bag or box in the presence of the representatives of candidates, political parties and observers, who shall be given the opportunity to put their signatures on the bag or box. A package, bag or box can be opened only by decision of the superior election commission or court.

24. The protocol on the voting results, and additional Protocol on the voting results for certain candidate at election of deputies of the Jogorku Kenesh, city councils, shall be filled out in two copies and signed by all the present precinct election commission members specifying the date and time (hour, minutes) of its signing. Representatives of candidates and political parties, nominated a list of candidates, have a right to sign the Protocol on the voting results. The protocol shall be valid, if it is signed by the majority of the precinct election commission members. When signing the protocol, precinct election commission members, who disagree with the content of the protocol, may enclose their individual opinion with the protocol and the appropriate record shall be made in the protocol.

25. After signing of the Protocol on voting results by the precinct election commission and attending representatives of candidates and political parties, nominated a list of candidates, the precinct election commission shall immediately announce the voting results in front of all the members of the commission, representatives of candidates, political parties, observers, mass media.

26. After signing, the first copy of the Protocol on the voting results, additional Protocol on rating voting results at elections of deputies of the Jogorku Kenesh, city councils, and electoral documents including ballots, voter list, complaints (applications), decisions taken and acts drawn up by the precinct election commission shall be promptly brought to the territorial election commission by the chairman or one of the members of the precinct election commission accompanied by representatives of candidates and political parties.

27. The second copy of the Protocol on the voting results and the seal of the precinct election commission shall be kept by the secretary thereof responsible in conformity with the law for their reliability and safety until the end of the commission's work.

When election deputies of the Jogorku Kenesh, city councils, the second copy of the Protocol on the rating voting results shall be handed over to empowered representatives of respective political party.

28. The enlarged form of the Protocol on voting results shall be posted for public inspection in the place designated by the precinct election commission and kept until the end of operation of the precinct election commission.

29. The secretary of the precinct election commission shall, without any delay, issue a copy of the Protocol on voting results with the seal affixed, to each person present at counting of votes.

30. On elections abroad, preliminary votes counting (first part of the protocol of votes counting), as well as procedures envisaged in parts 9-14 of hereof present article shall be carried out by precinct election commission. Final results of votes counting (second part of the protocol of votes counting) in order envisaged by parts 15-28 of hereof present article shall be carried out by special territorial election commission of Bishkek city.

The Provision on staff, powers of special territorial election commission, precinct election commissions abroad, order of their formation, voting procedures, vote secrecy ensuring, storage and delivery of electoral documents from abroad, rules of counting and summing up the voting results shall be set forth by Central Election Commission.

Article 61. Procedure for determining voting results by superior election commissions

1. First copies of the Protocols on voting results of the precinct election commissions and electoral documents specified in item 16 of Article 60 hereof, after being signed by members of the precinct election commission shall be promptly handed over under handover act to the territorial election commission, which shall sum up voting results in the respective territory.

2. Voting results shall be summarized in the respective territory by the territorial election commission, authorized with this right by present Constitutional law, based on the protocols received directly from the precinct election commissions, by summing up the data contained in the protocols.

Before summarizing the results of voting members of the territorial election commission, recount the rest unused envelopes, ballot papers with candidates' list, ballot papers kept in the safe, cancel them by cutting the bottom right corner and pass on the register to the chairman of the territorial election commission with drawing up an act. All canceled envelopes, ballot papers with candidates list, ballot papers are counted and packed in a packet that is sealed by the

territorial election commission and the signatures of its members. The label "canceled envelopes, ballot papers with candidates' list, ballot papers" shall be made on the packet, indicating their number and the name of the territorial election commission.

After a preliminary check of correctness of the Protocols drawn up by the precinct election commissions on voting results, the election commission shall summarize voting results in the respective territory by summing up data of all precinct election commissions. Based on voting results, the respective election commission shall develop a summary table and protocol, where it shall record summary data specifying the number of precinct election commissions, the number of protocols used as a basis for the protocol on voting results, as well as summarized data of the lines of precinct election commission protocols.

Prior to signing the Protocol on voting results in the respective territory, the election commission shall conduct a mandatory final meeting to examine the complaints (statement) connected with the conduct of voting, vote counting and protocol development by inferior election commissions. The election commission shall make decisions on each complaint (statement), after which members of the election commission and the applicants, who agree with the decisions of the election commission on complaints (statement) shall sign the Protocol of the final meeting of the election commission. When signing the Protocol of the final meeting of the election commission the election commission members who disagree with the contents of the Protocol may enclose their particular opinion therewith, and the appropriate entry shall be made in the Protocol. After that the election commission shall sign the protocol on the voting results in the respective territory.

3. Protocols on voting results shall be drawn up in duplicate and signed by all members of the territorial election commission present. Two copies of the summary table of voting in the respective territory, a particular opinion of the commission members, complaints (statements) received and decisions taken shall be attached to the Protocol.

4. Immediately after signing, the first copy of the territorial election commission Protocol with the package of voter list certified by the seal of precinct election commission, and first copy of the summary table shall be delivered to the Central Election Commission.

5. The second copy of the Protocol together with all electoral documents shall be kept by the secretary of the indicated commission in a guarded room until their transfer to the archive.

6. The enlarged protocol form on the election results shall be posted for public review in the place designated by the respective election commission, and kept there until the end of the election commission work.

7. In case of disclosure of errors and inaccuracies in the protocols and (or) summary tables on the voting results or some doubts as to correctness of protocols received from the inferior election commissions, the superior election commission may take a decision in favor of recounting of votes by the election commission. Recount shall be carried out in a mandatory presence of a member (members) of the superior election commission. Representatives of candidates, political parties and observers can attend recounting of votes. Based on the vote recount results, the election commission shall draw up a protocol on the voting results with a mark "Vote recounting". The protocol shall be immediately sent to the superior election commission.

8. After signing of the protocol on the voting results, the secretary of the territorial election commission shall immediately provide each person present at the vote counting with a copy of the protocol on the voting results with the seal affixed.

Article 62. Procedure for determining election results

1. Election results shall be determined by the respective election commission, authorized by the present Constitutional law, 20 calendar days at the latest following the voting day, based on the protocols received directly from the inferior election commissions, by summing up the data contained in the protocols.

The respective election commission shall hold a mandatory final meeting to consider all complaints (statements) received in connection with violations that occurred during preparation and conduct of the elections and shall make a decision on each complaint (statement).

2. The respective election commission shall draw up a protocol on election results. The data from the received protocols shall be entered into the abovementioned one and shall serve as the basis for determining election results and the data on the number of lower ranking election commissions. The Central Election Commission shall also develop a summary table containing summary data of the lower ranking election commissions' protocols.

3. The respective election commission shall declare elections failed:

1) if the number of votes cast for the candidate (candidates) who has gained the biggest number of votes with regard to another candidate (candidates) is less than the number of votes cast against all candidates. In this case repeat election shall be conducted, where previously nominated candidates cannot be candidates for elective posts;

2) none of the lists of candidates received the number of votes necessary for participation in the distribution of mandates;

3) if the number of votes cast for the list of candidates which obtained the biggest number of votes with regard to other lists of candidates is less than the number of votes cast against all lists of candidates. In this case repeat election shall be conducted;

The number of voters participating in the voting is determined according to the number of signatures of voters confirming receive of envelopes, ballots of the established form and the number of envelopes, ballots taken from the ballot boxes.

4. Respective election commission shall declare the voting results at the election precinct invalid:

1) if, at the time of voting, counting and determining voting results violations of ht present Constitutional law have taken place thus preventing the commission from establishing the voting results with certainty;

2) if, at the time of voting, counting and determining voting results violations have taken place, which affected the expression of will by the voters;

3) if number of envelopes, ballot papers taken out from the ballot box is more than number of envelopes, ballot papers handed out to voters;

4) by decision of the superior election commission;

5) by court decision on the basis and in order set forth by the present Constitutional law.

In the event that the voting results at the election precinct(s) are recognized invalid, repeat voting shall be conducted at this election precinct(s) within two weeks from the date of appointing repeat voting by the respective election commission.

In the event that voting results at an election precinct are considered to be invalid repeatedly, the election results shall be determined by the voting results in the rest precincts.

5. Violations in the voting procedure, vote counting, drawing up a protocol on voting results at an election precinct in such a way that does not allow to determine the number of the votes received by each candidate and the list of candidates with certainty, shall be considered as violations that do not allow to determine the voting results with certainty.

Violations affecting the expression of the voters' will during voting, counting and determining voting results at the election precinct; violations connected with campaigning on the voting day; violations hindering exercise of electoral rights by citizens; violations impeding observing of the voting; voting for other voters; interference with activities of election commissions and bribing of voters shall be considered as violations that have affected the expression of the voters' will.

6. The respective election commission shall recognize the election results null and void:

a) if voting results at certain election precincts covering more than one-third of the total voters participating in voting are declared invalid;

b) based on a decision of superior election commission on the basis and in order set forth by the present Constitutional law;

c) based on a court decision on the basis and in order set forth by the present Constitutional law.

Article 63. Publishing of voting results and election results

1. Voting results at each election precinct and territory covered by the activities of the election commission, election results on the electoral constituencies in the volume of the data contained in the Protocols of the respective election commission and subordinate election commissions, shall be provided to voters, candidates, representatives of candidates and political parties, observers, international observers, representatives of mass media upon request.

Voting results for each election precinct shall immediately be placed on the official website of the Central Election Commission on a rolling basis. The voting return data placed on the official website of the Central Election Commission is the preliminary information of no legal significance.

2. The Election Commissions, having registered candidates, lists of candidates, shall forward general information on the election results to mass media within one day after determining the election results.

3. Election results, information on the number of the votes received by each candidate and a list of candidates, the votes cast against all candidates and against all lists of candidates, including the data in the protocols of subordinate election commissions on the voting results based on which the results of elections were determined, shall be officially published by the Central Electoral Commission within two weeks from the date, on which election results were determined.

4. Within one month from the date of publication of the election results, a register of voters who took part in the voting shall be posted on the website of the Central Election Commission and stand of the polling stations.

Chapter XI. Election financing

Article 64. Financial support of election preparation and conduct

1. Expenses of election commissions connected with preparation and conducting of elections shall be covered out of the funds of the republican budget and special funds of election commissions.

2. Financing of election by foreign states, foreign state bodies, institutions and enterprises, other foreign legal entities, their branches and representation officers, foreign citizens, international organizations, legal entities registered in the Kyrgyz Republic, whose participants are foreign citizens and legal entities shall be prohibited with an exception for funding of the programs aimed at improvement of the electoral legislation, informational, educational, scientific and research programs, technical preparation of elections and upgrading of the voters' legal culture.

3. Assignments for preparation and conduct of regular elections shall be provided in a separate line in the national budget for the next fiscal year. The Central Election Commission shall have an access to funds for the conduct of elections no later than 10 calendar days from the day of the election announcement, and they are distributed between the inferior election commissions.

4. The following expenses of election commissions shall have been financed from the funds of national budget:

1) remuneration of labor, including the remuneration of the members of election commissions, administrative staff of the election commissions, as well as payments to citizens, involved into work on civil contracts in the election commission;

2) production of printing materials and publishing activities;

3) purchase, delivery and installation of equipment (including technology), other property necessary for the elections and the powers of the election commissions;

4) providing communication with election commissions (telephone, fax, mail, e-mail), transportation costs associated with the preparation and conduct of elections;

5) delivery and storage of election documents, preparation of their passing to archives or destruction;

6) publication of lists of precincts, constituencies with indication of their borders, addresses, staffs of precinct election commissions;

7) business trips and reimbursement of travel costs of members of election commissions with a purpose to ensure the activities of the organization and conduct of elections;

8) providing free air time and free printing areas to candidates, political parties nominated lists of candidates;

9) publication of information of election commissions in mass media;

10) daily allowances for the day before the election, and on election day for the members of election commission in the amount established by the legislation of the Kyrgyz Republic;

11) meals for election commission members, involved citizens in the amount of per diem per person;

12) other purposes related to the conduct of elections, as well as providing the powers and activities of election commissions.

Election commissions expend funds on preparation and conduct of elections within the allocated funds, in accordance with the approved calculation of costs. Superior election commission may pay the costs of inferior election commissions centrally.

State agencies, local governments, state bodies and their officials shall be obliged to assist commissions in the exercise of their powers, in particular at no cost to provide the necessary equipment and telephones in the premises, including the storage of election documents until these documents are delivered to superior election commission or archive; ensure protection of provided premises and documentation, as well as to provide vehicles, communication equipment, technical equipment free of.

5. The respective election commission shall submit report on the receipt and expenditure of the national budget funds, allocated to this election commission for the preparation and conduct of elections, to superior election commission no later than 7 calendar days after elections. The respective election commissions shall submit report on the receipt and expenditure of the national budget funds, allocated to this commission, to the Central Electoral Commission no later than 20 calendar days after elections.

6. The chairmen of election commissions shall dispose funds and be responsible for compliance of financial documents to decisions of election commissions on financial matters.

Article 65. Electoral funds

1. Citizens, from the time of their nomination as candidates and until provision of documents for registration, shall establish their own electoral funds for financing of the election campaign. A political party, which has nominated a list of candidates, shall establish an electoral fund within five calendar days after registration by the election commission of the authorized representative of the political party for financial issues to finance its election campaign. In case of an official refusal to register a candidate or a list of candidates, the resources received by the electoral fund shall be returned to the organizations and persons who provided donations and made transfers.

2. In case of registration of candidate or a list of candidates, candidates, political parties, which nominated a list of candidates, shall continue maintaining open accounts of their electoral funds for funding of the election campaign.

Political parties, nominated a list of candidates, shall be entitled to open sub-accounts of their electoral funds in territorial offices of bank or other organizations of the republic.

Candidates, running as a part of the list of candidates, shall not be entitled to create their own electoral funds.

Candidates to the deputies of local councils, nominated in multi-mandate constituencies, shall not be entitled to create electoral fund in case they do not use television, radio, periodic printing publications on paid basis, produce agitation printing materials, and do not enjoy services of private and legal persons demanding certain material costs (financing) during agitation campaign.

3. Electoral fund of a candidate or political party can be established from the following funds:

- 1) candidate's or political party's own funds;

2) voluntary donations of citizens and legal entities with an exception for the persons specified in item 4 of this Article.

The maximum amount of electoral fund shall be established by this Constitutional law.

4. Voluntary donations to electoral funds are prohibited from:

1) foreign states, foreign state bodies, institutions and enterprises, other foreign legal entities, their branches and representation offices, foreign citizens, international organizations, legal entities registered in the Kyrgyz Republic, whose participants are foreign citizens and legal entities;

2) persons without citizenship;

3) state bodies and local governments;

4) state and municipal institutions and enterprises;

5) legal entities having a state or municipal share in the statutory capital and enjoying preferences in tax payments, fees and other mandatory payments;

6) military units, military establishments and organizations;

7) law enforcement bodies, courts;

8) organizations engaged in charitable activity;

9) religious organizations;

10) anonymous donations

5. Legal entities, individuals carrying out entrepreneurial activity without establishing of a legal entity and being in debt to the budget or the social fund of the Kyrgyz Republic shall not be allowed to contribute to the election fund of a candidate or political party. A candidate or political party shall not bear responsibility in case of the resources contributed in their electoral funds by the mentioned legal entities and individuals. In the event that resources were transferred from the abovementioned legal entities and individuals into the electoral funds of a candidate or political party, a bank or another institution shall transfer the funds under the court ruling to the special fund of the Central Election Commission whereas the latter shall further transfer these funds to the state budget or to the Social Fund of the Kyrgyz Republic.

6. Resources transferred to the electoral funds of candidates and political parties, shall be estimated based on a salary index established by the law of the Kyrgyz Republic on the day of calling of the election. Funds received in excess of the established amount shall not be credited to the election fund and shall be returned to the citizens and organizations. Expenditures connected with return of such funds shall be covered by contributing citizens and organizations.

7. In case of repeat voting, the total maximum amount of all expenses of a candidate, political party out of the electoral fund may be increased half as much again.

8. All resources forming the electoral fund shall be transferred to a special account in a bank or another institution. This account shall be opened by a candidate or political party by authority of the respective territorial election commission. Resources transferred to the electoral funds shall be accepted only in the national currency. No proceeds shall be accrued or paid on those accounts.

9. The list of the banks or other establishments, the procedure of opening and keeping the specified accounts, accounting and reporting on the resources of the electoral funds shall be established by the Central Election Commission subject to agreement with the banks or other establishments.

10. Candidates, political parties and their authorized representatives shall have the right

to dispose of the electoral funds established by them-

11. Electoral funds are of designated purpose. They can be used only to cover expenses connected with an election campaign.

12. Electoral funds can be used for:

1) financial support of organizational and technical measures on registration of candidate, list of candidates;

2) election campaign;

3) labor remuneration payable to citizens for performed (provided) work (services), connected with the election campaign;

4) payment of a fee for renting of premises, equipment, transportation and business trip expenses, communication services, purchase of stationary and other expenses, directly connected with election campaign.

13. Citizens and legal entities may provide financial (material) support to the activity promoting election of a candidate or a list of candidates only through election funds. Legal entities, their branches, representation offices and individuals may not perform work, provide services and sell goods directly or indirectly connected with the elections, free of charge or at unreasonably low prices.

14. Candidates and political parties are prohibited to use resources other than those transferred to their election funds for payment of work and services for election campaigning and other election activities.

15. Banks or other establishments shall be obliged to submit information on receipt and spending of the funds on a special account of a candidate, political party, group of voters on a weekly basis and within 24 hours upon the demand of the Central Election Commission to the territorial election commission, having registered candidate.

16. In case of a candidate's withdrawal, recall of the list of candidates by a political party or cancellation (annulment) of the candidate's or candidates' list registration, resources transferred to the election fund shall be subject to immediate return to the contributing citizens and organizations. Expenditures connected with return of the specified funds shall be covered out of the donations made by citizens and organizations.

17. Agreements (contracts) with citizens and legal entities for performance of certain works (provision of services), connected with the candidate's election campaign shall be concluded personally by a candidate or his/her authorized representative, authorized representative of a political party. Agreements and contracts for payment to be made from special accounts of candidates or political parties may not be concluded later than on the day preceding the voting day.

All financial operations, including settlements with individuals and legal entities using special accounts, shall terminate at 6 p.m. of the day preceding the day of voting. Settlements between a candidate, a political party and legal entities for execution of certain work (provisions of services) shall be made only in a non-cash procedure.

18. During repeat voting, financial operations on special accounts of candidates with regard to whom a repeat voting is held shall be resumed on the day of repeat voting appointment and terminated at 6 p.m. on the day preceding the day of repeat voting.

19. 10 calendar days at the latest after the election, candidates, political parties shall have to submit a report to the respective territorial election commission on the amounts and all sources of their fund and on all expenses. Electoral pledge set forth by this Constitutional law shall be returned to candidates and political parties who received the necessary number of votes, after submitting the report on the amounts and all sources for creation of their fund and all expenses, to the Central Election Commission.

20. The balances of non-spent funds on a special account shall be returned to a candidate or political party.

21. A taxation procedure for electoral funds, voluntary donations and transfers to such funds as well as expenditures out of the specified funds shall be established by the laws of the Kyrgyz Republic.

Article 66. Expenditure control of the funds allocated for elections conduct, of the electoral funds of candidates, political parties

1. Control over the procedure of formation and spending of electoral funds of candidates and political parties shall be carried out by respective election commissions.

2. An audit group consisting of no more than 7 persons shall be established under the Central Election Commission to exercise control over targeted spending of the funds allocated from the republican budget to election commissions for preparation and conducting of elections and for control over the sources of funding, proper accounting and use of election funds of candidates and political parties, checking of financial statements of candidates and political parties. Organization and activity procedure of the audit group shall be specified by the Central Election Commission.

3. The audit group shall consist of the head of the audit group, his/her deputy, members of election commission appointed to the audit group, invited officials of law-enforcement, financial and other state bodies, organizations and institutions. 15 calendar days at the latest following the day of the official calling of the elections the specified bodies, organizations and establishments must send their officials to the disposal of the Central Election Commission upon request.

4. During their work in the audit group the invited officials shall be released from their work, while their place of work (position), established salary and other payments at the place of their primary employment shall be preserved. The invited officials can also be paid remuneration out of the funds allocated for preparation and conduction of elections.

5. Organizational, legal and logistical support of the audit group's activity shall be provided by the Central Election Commission.

6. Upon a written instruction of the Central Election Commission the audit group shall:

1) check financial statements of candidates, political parties and subordinate election commissions;

2) request and receive information about all issues within its competence from candidates, political parties and election commissions;

3) control observance of the established order of funding election campaigns, carry out other activities directly connected with election campaigns of candidates and political parties;

4) apply to state bodies, organizations irrespective of the form of ownership and to citizens on the issues assigned to the competence of the audit group, request the required information and materials, connected with financial support of elections. Responds to the requests of the audit group and materials shall be provided within a three-day period; anything requested by the group five or less days prior to the voting day shall be provided immediately;

5) develop documents on financial violations in the course of election funding;

6) raise questions to the appropriate election commission as to application of responsibility measures to candidates, political parties, and citizens' legal entities for violations made by them when funding the election campaign of candidates and political parties;

7) invite experts to make inspections, prepare conclusions and experts' assessments.

Chapter XII - Guarantee for freedom of elections

Article 67. Activities of election commissions and government agencies to ensure freedom of elections

1. In the course of preparation and holding of elections, election commissions, prosecutors and police shall ensure strict compliance with the Constitution, this Constitutional Law and laws of the Kyrgyz Republic.

2. The voting day and the day preceding it shall be a working day for courts, prosecution agencies, internal affairs bodies as well as organizations on exploitation of housing stock. For banks or other institutions serving special accounts of the election funds of candidates and political parties the day preceding the voting day shall be a working day.

3. Internal affairs bodies and organizations on exploitation of housing stock shall be obliged to provide assistance that election commissions may require:

1) ensure public order during voting in the area of the election precinct and in the voting premises in case of public order violation, upon an invitation of chairperson of the precinct election commission;

2) specification of voters register;

3) other issues appearing in activity of election commissions on the voting day.

4. Decisions and (or) actions (failure to act) of state and other bodies, their officials and other participants of the electoral process, which violate electoral rights of citizens and the requirements of this Constitutional Law, may be appealed at the prosecutor's office, police or court in accordance with the laws of the Kyrgyz Republic.

Law enforcement bodies shall consider citizens' applications and complaints relating to breaches of public order, as well as actions which provide for administrative liability in accordance with the applicable law.

Prosecuting authorities shall exercise general supervision over the observance of electoral legislation, as well as actions, which provide for criminal liability in accordance with the current legislation.

Statements (complaints) against decisions and (or) actions (failure to act) of state and other bodies, their officials and other participants of the electoral process can be made by voters, candidates, political parties, non-profit organizations, their representatives and observers. A statement (complaint) must be motivated and presented together with the evidence on which they are based.

5. Statements (complaints) of voters, candidates, political parties and other participants of the electoral process, submitted during the preparation of elections shall be subject to review by prosecutors and law enforcement bodies within two days upon receipt of complaints, and those received on the voting day or the day before the voting day - immediately. If the facts contained in the statements and complaints received during the preparation of elections require additional investigation, a decision on them shall be taken no later than within three days. A copy of the decision on the statement (complaint) shall be sent by prosecution and law enforcement bodies to the appropriate election commission immediately.

6. In case of a refusal to consider the statement (complaint), prosecution and law enforcement bodies shall be obliged to immediately issue a copy of the decision indicating the reasons for refusal.

Article 68. Appeal of decisions and (or) actions (inaction) of election commissions violating electoral rights of electoral process subjects

1. Decisions and (or) actions (inaction) of election commissions and their officials, which violate electoral rights of electoral process subjects, can be appealed in the superior election commissions or in court.

2. The appeals (complaints) against decisions and (or) actions (inaction) of election commissions violating the electoral rights of the citizens can be submitted by voters, candidates, political parties, nonprofit organizations, their representatives, observers and election commissions. The appeal (complaint) on behalf of the election commission shall be submitted upon a decision of the election commission taken at the meeting of the commission and attached to the appeal (complaint), signed by the chairperson and duly verified by the seal of the election commission.

3. When reviewing appeals (complaints) and in other cases, when the issue of violation of electoral rights and electoral legislation is considered, the concerned parties or their representatives shall be informed about the date, time and venue of such review process. The abovementioned persons shall be entitled to provide explanations and submit evidence on the point of the investigated case.

4. Decisions and (or) actions (failure to act) of precinct election commissions or their officials violating electoral rights of the subjects of the electoral process shall be appealed in a territorial election commission or in the court of the original jurisdiction.

5. Decisions and (or) actions (failure to act) of the territorial election commissions or their officials violating electoral rights of the subjects of the electoral process shall be appealed in the Central Election Commission or in the court of the original jurisdiction.

6. Decisions and (or) actions (failure to act) of the Central Election Commission shall be appealed in the court of the original jurisdiction while the decision of the court of original jurisdiction shall be appealed in the Supreme Court. The decision of the Supreme Court shall be final and without appeal.

7. The appeals (complaints) shall be submitted immediately from the moment when a subject of the election process has become aware of the infringement of his/her voting rights, decision-making, action (or failure to act), but no later than within 2 days. Copies of appeals (complaints), endorsed by chairman or secretary of precinct election commission, indicating time of receipt of appeal (complaint) and registration number, shall be handed immediately to an applicant. In case of refusal to receive appeals (complaints) a relevant act shall be drawn up, signed by no less than three observers, and filed to superior election commission with enclosing an appeal (complaint).

8. The appeals (complaints) received in the course of preparation of elections shall be subject to consideration by election commissions and courts within a three-day period from receipt of the complaint; a complaint received on the voting day or the day before the voting day shall be considered immediately. If the facts contained in the appeals (complaints) received during the preparation of elections require additional verification, a decision on them shall be taken no later than within five days. A decision in writing signed and sealed by the authority shall be immediately handed over to the claimant.

9. The appeals (complaints) against the decisions taken shall be lodged within 3 days after issuance of such decision.

10. Superior election commission or court shall either uphold the decision taken by a subordinate election commission or court, or shall cancel it and make a decision on the point of the appeal (complaint).

11. The court, upon establishing the validity of the appeal (complaint), shall recognize the appealed decision or action (inaction) as unlawful and shall cancel the decision of the relevant election commission; or the court shall dismiss the appeal (complaint) should it establish that the appealed decision or action (inaction) was lawful.

12. Timeframe for appeals (complaints) to be lodged shall not be subject to extension or renewal. On expiration of this period complaints shall not be accepted.

Article 69. Appeal of decisions made by election commissions as to voting results and election results

1. Candidates, political parties nominating the lists of candidates, their representatives and observers may file appeals (complaints) against the decisions of election commissions with regard to determination of vote results and election results.

2. Decisions of precinct election commissions on vote results shall be appealed to the territorial election commissions; decisions of territorial election commissions shall be appealed to the Central Election Commission; decisions of the Central Election Commission shall be appealed to the court of the original jurisdiction; decisions of the original jurisdiction courts shall be appealed to the Supreme Court of the Kyrgyz Republic.

3. The appeals (complaints) shall be lodged within 3 calendar days after making a decision on determination of vote results or election results.

The decision taken by the election commission shall be immediately provided to representatives of candidates, political parties.

4. The appeals (complaints) received shall be reviewed by the election commissions and courts, within three days after their receipt. In cases where the facts contained in the appeals (complaints) require additional investigation, a decision on them shall be made no later than within five days. A decision signed and sealed by the decision taking authority shall be immediately delivered to the claimant in written form.

5. In the cases established by this Constitutional law and the laws of the Kyrgyz Republic, the court may cancel a decision of the Central Election Commission on determination of election results.

6. The court decision shall come into force from the expiration date of appealing term and shall be binding to state authorities, local governments, non-profit organizations, officials, election commissions and other participants of the election process.

The Court's reasoned decision shall be promptly communicated to the applicant, defendant or their representatives and to the Central Election Commission.

Lodging of a complaint for supervisory review in the manner and terms established by this Constitutional Law shall suspend execution by the Central Election Commission of a decision made by the court of original jurisdiction.

7. A complaint against the decision of the court of original jurisdiction may be lodged within three days after the issuance of the court decision.

8. A complaint against the decision of a district (city) court that has come into force shall be reviewed in exercise of supervisory power within five calendar days after the complaint was filed with the Supreme Court.

A supervisory appeal shall be brought to the Supreme Court of the Kyrgyz Republic, which shall invite a representative of the Central Election Commission in a mandatory manner.

A supervisory appeal against the court decision shall be lodged through the appropriate court that has taken the decision. Lodging a complaint directly to the supervisory authority shall not be an obstacle for reviewing such an appeal.

Resolution of the supervisory authority shall come into force from the date of its issuance, shall be final and not subject to any appeal.

9. The timeframes for lodging appeals (complaints) shall not be subject to extension or renewal. On expiration of this period appeals (complaints) shall not be accepted.

Article 70. Grounds for revocation of candidate's registration, candidates' list, revocation of a decision made by the election commission as to voting results and elections results

1. Registration of an elected candidate shall be canceled by the appropriate election commission or the court in the cases connected with confirmation of the facts regarding concealment of information by a candidate about his/her lack of the right to be elected, including information about his/her criminal record non-cancelled in conformity with the Constitutional Law; or entry into force of a court conviction against him/her; or forfeiting (loss) of the Kyrgyz Republic citizenship; or availability of citizenship in another state; or other grounds provided for by the applicable laws in determining his/her lack of the right to be elected. Registration of a candidate shall be canceled in the case of his/her death.

2. Registration of a candidate shall be canceled no later than 5 calendar days before the voting day in the following cases:

1) filing of a statement by the candidate on withdrawal of his/her candidacy;

2) removal of some candidates from the list of candidates by a political party;

3) if, in financing his/her election campaign, a candidate uses other funds (in addition to his/her election fund) which amount to more than 0.5 percent of the total funds transferred to the electoral fund of such candidate; or if a candidate has exceeded expenditures from the election fund by more than 0.5 per cent of the maximum limit established for all expenditures from the candidate's election fund;

4) violation of registration rules specified by Articles 46, 77, 87, 102, 108 hereof;

5) confirmation of the facts specifying that a candidate or his/her representatives abuse the advantages of his/her powers or official position for election of such candidate; or confirmation of the facts specifying candidates' involvement in the use of the advantage of powers or official position by his/her representatives in order to elect the candidate;

6) confirmation of the facts specifying direct involvement of the candidate and his/her representatives in violation of the election campaign rules;

7) confirmation of the facts specifying that the candidate, his representatives and close relatives have bribed voters or indicating involvement of the candidate in bribing of voters.

3. Registration of the list of candidates shall be canceled no later than 5 calendar days prior to the voting day in the following cases:

1) withdrawal of the list of candidates by a political party and refusal to participate in the elections;

2) use of other funds by a political party (in addition to the election fund), which amount to more than 0.5 percent of the total funds transferred to the election fund of such political party for financing of its election campaign; or if expenditures of the political party from the election fund by more than 0.5 percent exceed the limit established for all expenditures from the election fund of a political party;

3) violation of the rules for registration of the list of candidates determined by Articles 21, 53, 61 hereof;

4) confirmation of the facts specifying that the leadership of a political party has abused the advantages of powers or an official position in order to promote election of the list of candidates or the facts specifying involvement of the leadership in abuse of the advantages of powers or official position by representatives of political parties in order to promote election of the list of candidates;

5) confirmation of the facts specifying direct involvement of the leadership, or officials of an executive body or representatives of a political party in violation of the election campaign rules;

6) confirmation of the facts specifying bribing of voters by the leadership, officials or representatives of an executive body or political party or their involvement in bribing of voters.

4. If, in the period between determination of election results by the respective election commission and award of the mandate to the elected candidate it is confirmed that he/she lacks the passive electoral right, including non-cancelled criminal record established by law; or enactment of court conviction against him/her is in force; or he/she has forfeited or lost the Kyrgyz Republic citizenship; or he/she has citizenship in another state; or in the case of his/her death, the decision of election commission on the election results shall be canceled by the superior election commission or court and the election shall be deemed null and void. If, in the period between determination of the election results for the Jogorku Kenesh, local council deputies and award of the mandate to the elected candidate, the indicated information is confirmed, the decision on election of such candidate shall be cancelled by the respective election commission or court. In this case, the next candidate on the list of candidates nominated by this political party in the election of deputies of the Jogorku Kenesh or candidate with the most votes in the election of deputies of local councils shall be awarded the mandate.

5. The grounds for cancellation of the registration of a candidate, a list of candidates, cancellation of the election commission's decision on voting results and election results specified in this Article shall be exhaustive.

Article 71. Responsibility for infringement of citizens' electoral rights

Criminal, administrative or other responsibility in conformity with the laws of the Kyrgyz Republic shall be borne by the persons, who:

1) by force, fraud, threats, forgery or otherwise impede free exercise by Kyrgyz Republic citizen of the right to elect and be elected, or violate secrecy of election, or infringe the rights of citizens to get familiarized with the voter list, or force citizens to put signatures in support of a candidate (or prevent from doing so) or participate in forgery of signatures, or bribe voters;

2) exploit the advantage of their official capacity or employment status to get elected; fail to form on time and specify information of the registered voters (voter list) prior to forwarding thereof to the appropriate election commission; violate election financing rules (including persons delaying transfer of funds to election commissions); issue ballots to citizens to enable voting for other persons; carry out forgery of electoral documents; prepare and issue false documents; intentionally miscount the votes or purposely determine voting results or election results erroneously; fail to submit or publish information on voting results and election results despite their duties;

3) spread deliberately false information about candidates and political parties or commit other actions discrediting the honor and dignity of candidates, their close relatives and representatives of candidates, political parties and their representatives; infringing the rights of

election commission members, observers, international observers, representatives of candidates, political parties, mass media, including the right to get information and copies of election documents in time, unreasonably refuse to register observers, international observers, candidates, lists of candidates, political parties, candidates' and political parties' representatives, media representatives; prevent exercise of electoral rights at election precincts; or violate the rules of election campaigning, including campaigning on the day preceding the voting day and the on voting day; prevent or unlawfully interfere with the work of election commissions connected with performance of their duties; take ballots out of the voting premises; fail to submit or publish statements on expenditures for preparation and conduct of elections, financial statements of candidates' and political parties' election funds, financial statements on expenditures of budgetary funds allocated for elections; employers, who refuse to provide leave for participation in elections established by the Constitutional Law.

4) non-performance, or improper performance, or excess of powers of election commissions.

SECTION IV - ELECTIONS OF THE PRESIDENT, DEPUTIES OF THE JOGORKU KENESH AND LOCAL COUNCILS, HEAD OF LOCAL GOVERNMENT

Chapter XIII. Presidential election

Article 72. Calling of presidential election

1. The regularly scheduled elections of the President shall be held on the third Sunday of November in the year in which the President's term to which he has been elected is to expire, and shall be called by the Jogorku Kenesh no later than 4 months prior to the Election Day.

2. Early elections of the President shall be called by the Jogorku Kenesh in the cases provided for by the Constitution, no later than within a week after termination of the powers of the President and shall be held within 3 months from the date of termination of the powers of the current President. The timeframe for electoral activities established herein shall be reduced by one-fourth.

3. Should the Jogorku Kenesh fail to call elections or early elections of the President by the dates established in Items 1 and 2 above, the elections or early elections of the President shall be deemed called. In these cases, the Election Day shall be considered the day following the day on which the timeframe for calling the elections expired.

4. Upon occurrence of events specified in Item 3 above, the Central Election Commission within 2 calendar days from the day on which elections were considered called, shall officially publish the information about the date of elections or early elections of the President in mass media and shall arrange for preparation and conducting of elections within the timeframe established herein.

Article 73. Procedure for Nomination of a candidate for President

1. The number of candidates for President is not limited. Any person who has collected at least 30 thousand of voters' signatures can be registered as a candidate for President.

2. Nomination of candidates for President shall commence on the day following the date of official publication of the decision on calling of elections and end 75 calendar days prior to Election Day.

3. The right to nominate candidates for President belongs to citizens through self-nomination and to political parties registered in the established manner as of the date of official publication of the decision on calling of elections.

A state executive power body authorized to perform political parties' registration shall make a list of the registered political parties and no later than three calendar after the decision on calling elections came into force shall ensure publication of this list in the official publications of the regulatory acts of the Kyrgyz Republic specifying the leader of each political party and also within the same timeframe shall send this list to the Central Election Commission.

4. Nomination of a candidate for President shall be carried out by a political party pursuant to the procedure stipulated by its Charter and in line with the requirements hereof.

The protocol of a political party on nomination of a candidate and attached application (applications) on his/her intent to run for Presidency shall be submitted by an authorized representative of the political party in a printed form to the Central Election Commission.

The Central Election Commission must issue a written confirmation (a certificate) of the documents receipt to the person, who submitted the documents.

The abovementioned confirmation (a certificate) shall be issued immediately upon submission of the documents.

5. Nomination of a candidate for President through self-nomination shall be performed by filing a statement of intent to run for Presidency to the Central Election Commission.

Article 74. Requirements to a candidate for presidency

1. President of the Kyrgyz Republic shall be elected for a six-year term.

2. The same person may not be elected as President twice.

3. Any citizen of the Kyrgyz Republic, who does not have citizenship of a foreign state, is not younger than 35 years old and not older than 70 years old, has higher education and working in total no less than 7 years as a head in state and municipal bodies, speaks the state language and has been living in the Kyrgyz Republic for at least 15 years in aggregate, may be elected as President of the Kyrgyz Republic.

4. Compliance of the candidate for presidency with the requirements established by the Constitution shall be determined by the Central Election Commission within five days from the date of filing of the application on self-nomination or from the date of filing of the decision on nomination of a candidate by a political party. The Central Election Commission shall establish the fact of the total candidate's residence in the Kyrgyz Republic for no less than fifteen years in aggregate. The Central Election Commission shall establish the fact of the candidate's knowledge of the state language in line with Article 76 of this Constitutional Law.

Article 75. State language proficiency of a candidate for presidency

1. The Central Election Commission shall determine the level of state language proficiency of a candidate running for President based on a conclusion to be made by the Language Commission. 20 calendar days at the latest from the day of official publication of calling of the elections an authorized state body for the state language shall offer a composition

of the Language Commission consisting of 12 persons, which shall be approved by the resolution of the Central Election Commission within ten days.

2. The level of the state language proficiency of a candidate running for President shall be determined from the day of expiration of the nomination period for candidates till the day of candidates' registration completion.

3. The level of the state language proficiency of a candidate shall be determined based on his/her ability to read, write and express his/her thoughts in the state language.

In order to check the level of the state language proficiency of a candidate running for presidency, the candidate shall have to:

1) make an oral presentation within not more than 15 minutes, presenting the main provisions of his/her election program;

2) read a printed text in the volume of not more than three pages.

4. Each member of the Language Commission shall make an out loud conclusion on the candidate's state language proficiency in each item, using the following scale:

- knows;

- does not know.

5. Decisions of the Language Commission shall be taken by a majority vote of the attending Commission members. No one of those present at the meeting of the Language Commission members may retain from voting. If, when taking a decision by the Language Commission there is an equal number of votes "for" and "against", the vote of the Commission chairperson shall be decisive.

6. The grounds for considering a candidate not adequately knowing the state language may only include:

- non-participation of the candidate in checking his/her level of the state language proficiency;

- inability to read, express thoughts in the state language.

7. Checking level of the state language proficiency of a candidate running for a position of the President shall be conducted upon observance of equal conditions for all candidates. The state television must broadcast in live the procedure of determining candidates' level of the state language proficiency.

Article 76. Signatures collection in support of candidate for presidency

1. A candidate running for the position of President must be supported by no less than 30-thousand and no more than 50 thousand signatures of voters.

2. Collection of signatures shall be carried out from the day of nomination of candidates for presidency and shall be organized by the authorized representatives of candidates.

3. Only signatures of voters who enjoy the right to vote may be collected. Collection of voters' signatures shall be carried out at the place of work, service, and study, residence, at election events and in other places, where campaigning and collection of signatures are not prohibited by this Constitutional Law.

4. The right to collect signatures of voters shall belong to any citizen of the Kyrgyz Republic at full legal age, having legal capacity.

5. Voters may put their signature in support of various candidates, but only once, in support of the same candidate.

6. Signatures collection procedure and signature form shall be established by the Central Election Commission.

7. Signature lists for collection of signatures in support of a candidate for presidency shall be submitted by their authorized representatives no later than 50 days prior to the voting day to the Central Election Commission, which, within ten days shall carry out checking of signature authenticity with involvement of registration services officials. When accepting signature lists the Central Election Commission shall seal each signature list and issue a written confirmation of acceptance of signature lists.

8. Either all or a part of the submitted signatures selected randomly (through casting a lot) may be checked.

All candidates, who submitted signatures for registration, shall be notified about each case of the checking. During the checking of signatures, including those selected randomly, all candidates who submitted the established number of signatures or their authorized representatives may be present.

9. Signature lists shall be considered invalid if the requirements established by this Article are not observed.

Article 77. Registration of candidates for presidency

1. To get registered, a candidate for presidency or his/her authorized representative shall submit the following documents to the Central Election Commission no later than 45 calendar days prior to the voting day:

1) an application for self-nomination or a protocol on nomination with attachment of an application (applications) with the intent to run as a candidate for presidency;

2) a form with information about a candidate and his/her biographic data;

3) a copy of his/her passport;

4) a certificate from the place of work or study;

5) a document confirming payment of the electoral pledge established by this Constitutional Law.

2. The Central Election Commission, within 10 calendar days from the day of documents acceptance, shall check the compliance of the candidate nomination procedure with requirements of the Constitution and this Constitutional Law and shall carry out registration of candidates for presidency or take a justified decision to reject registration.

If the Central Election Commission has found inconsistencies in the documents of a candidate, which is an obstacle for registration of the candidate, the Central Election Commission must notify the candidate or political party about these inconsistencies within 24 hours after receipt of the documents. A candidate or political party may, within 48 hours after receipt of the notification, make necessary changes and submit revised documents to the Central Election Commission.

3. In the case of registration of a candidate nominated by a political party, the appropriate decision of the election commission shall specify the fact of his/her nomination by a relevant political party.

4. Prior to registration and after checking of the submitted documents a candidate for presidency shall place an electoral pledge out of the funds of his/her election fund to a special account of the Central Election Commission in a five thousand-fold amount of the calculated index established by the legislation. The contributed electoral pledge shall be returned to the candidate after the elections, if at least 5 percent of voters who participated in the vote have

cast their votes for him/her. The remaining amount of the pledge shall not be credited to the budget, but shall be used by the Central Election Commission in a targeted way for preparation and conducting of elections and improvement of the election system.

5. Registration of Presidential candidates shall end 35 calendar days prior to the voting day.

6. In case of a decision to reject candidate's registration, the Central Election Commission must issue a candidate or his/her authorized representative a copy of the decision within a day from the decision taking and specify the grounds for refusal.

7. The grounds for refusal shall include:

1) failure to provide registration documents necessary for registration of a candidate under this Constitutional Law;

2) insufficient number of submitted authentic voters' signatures in support of a candidate;

3) lack of the right to be elected;

4) failure of the candidate to create an election fund in the cases established by this Constitutional Law;

5) non-compliance with the requirements provided for in Item 3 of Article 21 hereof.

If a candidate or an authorized representative thereof has not submitted all the necessary documents mentioned in this Article, but provided them additionally prior to expiration of the registration period, the election commission shall be obliged to register such candidate.

8. The Central Election Commission shall inform the person, whose registration as a candidate for presidency was rejected, about the decision. This decision may be appealed in the court within a five- day period.

9. A candidate for presidency may at any time, but no later than three days before the voting day refuse further participation in the elections by filing a written application to the Central Election Commission. Based on the application, the Central Election Commission, which registered the candidate, shall take a decision on cancellation of the candidate's registration.

10. No later than the fifth day after the candidates' registration, the Central Election Commission shall publish information about registration of candidates in the press. The information shall include the name, surname, patronymic, year of birth, position (occupation) and place of residence of each candidate and information of his/her party membership.

11. Within 2 calendar days after the registration of candidates, the Central Election Commission shall issue them the appropriate certificates with the indication of the registration date.

Article 78. Election fund of the candidate for presidency

1. Within five calendar days after nomination, a candidate running for presidency shall establish his/her election fund for financing of the election campaign in the manner established by this Constitutional Law.

2. Election funds may be established by means of the following funds and campaigning and information materials of agitation and informational nature, which are taken into account by the Central Election Commission:

1) candidate's own funds, which may not exceed the estimated index more than 50000

times;

2) funds allocated to the candidate of a political party, which may not exceed the estimated index more than 100000 times;

3) voluntary donations from individuals, whose amount may not exceed the estimated index more than 100 times;

4) voluntary contributions of legal entities, whose amount may not exceed the estimated index more than 10000 times.

3. The maximum amount of candidate's expenditures from the election fund may not exceed the estimated index more than 1000000 times.

Article 79. Summing up and determining the results of presidential election

1. On the basis of the Protocols received directly from the precinct election commissions, territorial election commissions shall summarize at their meetings voting results at presidential elections in their territories and shall send the documents to the Central Election Commission without delay.

2. Within a period of no more than twenty days after the voting day, the Central Election Commission shall determine the results of the presidential elections.

In the event that voting results are appealed in the procedure established by this Constitutional Law, determination of the elections results shall be suspended until the final consideration thereof by court.

3. A candidate for presidency shall be considered elected, if in the first round of the voting he/she has obtained more than half of the votes of all voters participating in the elections.

Article 80. Repeat voting

1. If more than two candidates for presidency were included into a ballot and none of them was elected, the Central Election Commission shall call a repeat voting for the two candidates who obtained the biggest number of votes.

2. Repeat voting shall be conducted not earlier than within two weeks after the day of determination of the elections results in line with the requirements of this Constitutional Law. Information about repeat voting shall be published by the Central Election Commission in mass media no later than three calendar days from the day of determination of elections results.

3. If one of the candidates for presidency has quit prior to repeat vote, a candidate, who received the biggest number of votes at the general elections after the candidates for whom the repeat voting was initially called, shall become the second candidate by decision of the Central Election Commission. If no other candidates remain, elections shall be conducted for one candidate.

4. In the repeat voting, a candidate shall be considered elected, if he/she has obtained the largest number of votes of the participating voters.

Article 81. Repeat election

In the event the elections and results of the elections are recognized invalid, and if a

ballot includes two candidates for a position of President, and none of them was elected; or during the repeat voting none of the candidates was elected, Jogorku Kenesh shall call repeat presidential election within a month. In case the Jogorku Kenesh shall not call repeat elections of the President in terms set forth hereof, repeat elections are considered called. In such cases the day following the day of expiration of term for elections calling shall be considered as the day of elections call.

Repeat election shall be conducted in line with the procedure and within the period established by this Constitutional Law.

Information about repeat election shall be published in mass media within no more than three calendar days after the corresponding decision was taken.

2. In case of repeat elections persons, whose actions have led to declaring elections invalid, cannot be nominated as candidates for presidency again.

Article 82. Inauguration of the Kyrgyz Republic President

1. Within 30 calendar days from the day of official publication of voting results, the elected President shall take the following oath to the people of Kyrgyzstan in the presence of Jogorku Kenesh deputies:

"I, ..., assuming the office of President of the Kyrgyz Republic, swear before God and before the people to exercise the powers of the head of state justly, to protect human and civil rights, to follow the Constitution of the Kyrgyz Republic strictly, to protect the people's unity, integrity and security of the state. "

The oath shall be pronounced by the President in the state language.

The swearing ceremony of the President shall be broadcasted on national television and radio.

2. Official publication of the presidential election results in mass media shall be carried out by the Central Election Commission within 3 calendar days.

3. The Central Election Commission shall register the elected President and during the inauguration procedure, President shall receive a certificate of election as President and symbols - a badge and an ensign (flag) of the President with an engraved last name, first name and patronymic of the President and the dates of the term of his/her authorities.

Chapter XIV. Election of the Jogorku Kenesh deputies

Article 83. Calling the election of the Jogorku Kenesh deputies

1. Any citizen of the Kyrgyz Republic who is 21 years old on the voting day and enjoys the electoral right can be elected a deputy of the Jogorku Kenesh of the Kyrgyz Republic.

2. Deputies of the Jogorku Kenesh are elected for five years in the single constituency under the proportional system.

3. Regular elections to the Jogorku Kenesh shall be called by President not earlier than 75 calendar days and no later than 60 calendar days prior to the voting day and shall be conducted on the first Sunday of the month, in which the Constitutional term of the previous Jogorku Kenesh deputies shall expire.

4. The President shall call early elections of Jogorku Kenesh deputies in the event of self-dissolution of the Jogorku Kenesh pursuant to the case established by the Constitution, within five days from the day of taking a decision or self-dissolution of the Jogorku Kenesh.

The elections shall be conducted no later than 45 calendar days from the day of calling of early elections.

In the event of early elections, the timeframes for electoral activities of established by this Constitutional Law shall be reduced by one-third.

5. The Decree of the Kyrgyz Republic President on calling of the elections of deputies to the Jogorku Kenesh shall be officially published in mass media within three calendar days from the day of signing the Decree.

6. In the event the President fails to appoint the elections of deputies to the Jogorku Kenesh within the timeframes specified in items 3 and 4 of this Article, elections of deputies to the Jogorku Kenesh shall be considered appointed. Within two calendar days, the Central Election Commission shall officially publish the date of elections of deputies to the Jogorku Kenesh in mass media and shall conduct elections within the time-limit established by this Constitutional Law.

Article 84. Electoral constituency

1. Election of deputies of the Jogorku Kenesh shall be held in 9 electoral constituencies :

Constituency #1 – within Batken territorial entity;

Constituency #2 – within Bishkek city;

Constituency #3 – within Jalal-Abad territorial entity;

Constituency #4 – within Issyk-Kul territorial entity;

Constituency #5 – within Naryn territorial entity;

Constituency #6 – within Osh city;

Constituency #7 – within Osh territorial entity;

Constituency #8 – within Talas territorial entity;

Constituency #9 – within Chuy territorial entity.

2. 120 mandates of the Jogorku Kenesh (further mandates) shall be assigned to the constituencies until new convocation.

3. Mandates assigned to constituencies shall be distributed among the parties in each constituencies pro rata election results in those constituencies.

Article 85. Distribution of mandates among constituencies

Mandates shall be distributed by the Central Election Commission among constituencies 15 days before the election announcement in the following order:

the number of voters determined by Article 38 of the Constitutional Law is divided by 120 - the number of deputy seats. This result is the first electoral quotient (quota to secure a mandate);

the number of voters of a constituency is divided by the first electoral quotient. The

integer part of the number resulted from dividing is the number of seats, which is assigned to the relevant electoral constituency. If after the above steps there are undistributed mandates, second distribution shall be held. Undistributed mandates shall be passed by one to those constituencies, which have the largest fractional part (remainder) of the number resulted from dividing in accordance with this paragraph. In case of equality of the fractional parts the preference is given to the constituency, which has a greater number of voters.

Article 86. Procedure of nominating candidates for the Jogorku Kenesh.

1. Nomination of the lists of candidates for Jogorku Kenesh deputies shall begin from calling of the election and shall end 45 calendar days prior to the polling day.

2. The right to nominate candidates for Jogorku Kenesh deputies shall belong to political parties, which were officially registered and/or reregistered in the established manner as of the date of official publication of the decision on calling of the election. The state executive power body authorized to perform political parties' state registration shall form a list of the registered political parties and within 3 calendar days after the decision on calling of the election came into force it shall arrange for publication of the list in the official publications of the regulatory acts of the Kyrgyz Republic with the indication of the leader of each political party. The list shall be forwarded to the Central Election Commission within the same period. The decision on nomination of the list of candidates shall be made by secret ballot at a political party congress.

3. Lists of candidates shall be nominated for each electoral constituency separately. In the list of each constituency after the name of political party there are details about leader of political party and two candidates especially singled out by superior body of political party (further two candidates) taking into account requirements Para 4 of the fourth paragraph of hereof present article. Accordingly, the leader of a political party and two candidates are not indicated in the sequence of candidates' list.

The total number of candidates nominated by a political party according to the list may not be less than a number of mandates assigned for a constituency. The number of candidates assigned in the list may be more than two from a number of mandates for candidates assigned in a constituency (without taking leader of political party and two candidates into consideration).

When determining the list of candidates, a political party must take into account the following conditions:

a) no more than 70 percent of individuals of the same gender; the difference in the sequence in the lists of candidates between men and women nominated by the political parties may not exceed three positions;

b) in general in 9 constituencies:

- no less than 15% of people aged 35 years and less;

- no less than 15% of citizens who have various ethnicity.

Political parties shall not be entitled to nominate non-party persons or members of other political parties participating in elections as candidates.

4. Within five calendar days after calling of the election of deputies to the Jogorku Kenesh, the political parties which expressed an intent to participate in the election shall send a written notification to the Central Election Commission about their participation in the election and shall indicate the name and data of an authorized political party representative, who enjoys the right to sign electoral documents required from political parties in line with this Constitutional Law. A written notification with an enclosed notarized copy of the political

party's charter shall be signed by the political party leader and a seal of the political party shall be affixed.

A political party shall notify the Central Election Commission upon a name and emblem to be used in the electoral documents in the event they differ from the name and emblem described in its charter. Any change in the name and emblem of a political party shall not be allowed until the end of the election process after they are submitted to the Central Election Commission.

The Central Election Commission must, without delay, issue a written document to a political party confirming the reception of this notification and a certificate necessary for opening of a special election account for the purpose of forming the election fund by a political party.

5. The list of the candidates for each constituency (further list of candidates) nominated by a political party and certified by the signature and the seal of the political party shall be submitted to the Central Election Commission.

After submission of the list of candidates to the Central Election Commission, its composition and the sequence of candidates in the list may be changed only in cases:

1) withdrawal of the candidate 15 days before voting. In this case, the place of the withdrawn candidate shall be taken over by another member of the political party of respective constituency subject to requirements of item 3 of this Article;

2) after voting results defined, on the basis of voters' will in regards of queue in a list of candidates.

Article 87. Registration of list of candidates for deputies of the Jogorku Kenesh

1. To register the list of candidates, authorized representatives of political parties shall submit the following documents to the Central Election Commission no later than 40 calendar days before the voting day, until 6 pm local time:

1) decision of a political party on nomination of the list of candidates; the decision shall be certified with the signature of the political party leader and the seal;

2) special data forms filled out by each candidate included into the list of candidates with the indication of biographical and other data, copies of their passports, certificates from the place of work or study;

3) document certifying the payment of an electoral pledge.

The Central Election Commission must issue a written acknowledgment (certificate) of receipt of these documents to the person, who has submitted the documents. The confirmation (certificate) shall be issued immediately upon submission of the documents.

2. Political parties nominating candidate lists shall transfer an electoral pledge of five thousand-fold amount of the calculated index established by the legislation from their election fund to the special fund of the Central Election Commission. This shall be done prior to the registration and after the verification of the submitted documents.

After the elections, the contributed electoral pledge shall be returned to those political parties whose lists have obtained five and more percent of the votes in a single constituency.

3. The Central Election Commission, within 10 calendar days from the date of documents adoption, shall check correspondence between the candidates' list nomination procedure and the requirements of this Constitutional Law and shall register the list of candidates or make a reasoned decision to reject registration. If the Election Commission has found inconsistencies in the candidate's documents or candidates' list, which is an obstacle for

registration of the candidate or candidates list, the election commission shall notify the political party of these inconsistencies within 24 hours after receiving the documents. A political party may, within 48 hours upon receipt of the notification, make necessary changes and submit the revised documents to the relevant election commission.

4. It is not permitted to register the same person in more than one list of candidates.

5. Registration of the candidates' list shall end 30 calendar days before the elections.

6. If within the period specified in this Article, no list or one registered list of candidates was nominated in the single constituency, the elections will be postponed by decision of the Central Election Commission for 25 calendar days for additional nomination of the candidates' list and the subsequent electoral activities.

7. If a decision to reject registration of a candidate or list of candidates has been made, the Central Election Commission must provide a copy of the decision with the specified grounds for refusal to the authorized representative of the political party. This must be done within 1 day from decision making.

Grounds for refusal may be as follows:

1) failure to provide documents required under this Constitutional Law for registration of the candidates' list,

2) non-compliance with the nomination procedures provided for by the present Constitutional Law;

3) a candidate has no right to be elected;

4) a candidate is registered in the list of another political party in this election;

5) a political party's failure to create its election fund;

6) a candidate is a citizen of another country.

If an authorized representative of a political party has not submitted all documents indicated in this Article that are necessary for registration, but provided them in addition prior to the deadline of the registration period, the Central Election Commission shall be obliged to register the candidate or the list of candidates.

8. The grounds for refusal of registration under this Article in respect of certain candidates included into the list of candidates may serve as a basis for their exclusion only from the certified list of candidates.

9. A decision to deny registration of the candidates' list may be appealed to the superior election commission or the court.

10. A candidate included into the list of candidates may, any time, but no later than three days prior to the voting day, refuse to participate further in the election by submitting the appropriate written application to the Central Election Commission. A political party may, any time, but no later than three days prior to the voting day recall its list of candidates and refuse to participate further in the election or exclude some of its candidates from the list by submitting the appropriate written application to the Central Election Commission. Based on the mentioned applications, the Central Election Commission which has registered the list of candidates must take a decision on exclusion of the candidate from a relevant list of candidates.

11. The Central Election Commission no later than the fifth day after registration of the candidates' list shall publish this information in mass media and indicate the names of political parties. In addition, name, surname, patronymic, year of birth, position (occupation) and place of residence of each candidate included into the list of candidates from the political party shall be indicated.

12. The Central Election Commission, within 2 calendar days after the registration, shall provide the candidates with the appropriate certificate of the candidate with the registration date specified.

Article 88. Election fund of political parties submitting the list of nominated candidates

1. Political parties, which have nominated a list of candidates, shall form their election funds for financing of their election campaigns in the procedure established by this Constitutional Law.

2. Election funds may be established based on the following funds and campaigning and information materials, which are taken into account by the Central Election Commission:

1) the own funds of the candidate included in the candidates' list; the funds may not exceed the estimated index more than 20000 times;

2) the own funds of a political party, which may not exceed the estimated index more than 50000 times;

3) donations from individuals; the amount may not exceed the estimated index more than 100 times;

4) contributions of legal entities; the amount may not exceed the estimated index more than 10000 times.

The maximum expenditure amount of a political party, which nominated a candidates' list using its election fund, may not exceed the estimated index more than 1000000 times.

Article 89. Repeat election

1. In the event elections are declared as failed or elections results as invalid repeat election shall be called. Repeat elections shall be called by the Central Election commission within one month.

2. Repeat election shall be conducted within the time limits established by this Constitutional Law. The time limits of the electoral activities established hereby shall be reduced by one-third. Information on repeat election shall be published in mass media no later than 2 calendar days following the appropriate decision making by the Central Election Commission.

3. In case of repeat elections political parties nominated lists of candidates cannot participate in repeat elections if their actions were the basis for declaring elections as invalid.

4. If the decisions, actions (inaction) of officials of the state bodies, local government, election commissions formed the basis for the recognition of the election results invalid, repeat election shall be held among political parties having participated in the elections and expressed a desire to participate in repeat election.

Article 90. Determination and official publication of elections results

1. Elections results shall be determined by the Central Election Commission in the following way:

- 1) on the basis of the protocols of precinct election commissions by summing up the data of the protocols, votes cast for each list of candidates;
- 2) with a purpose to determine political parties gained the right for deputy mandates, votes cast for list of candidates in 9 constituencies and abroad shall be summed up.

Political parties shall be excluded from distribution of deputies' mandates, if their lists of candidates obtained:

- 1) the number of votes less than 5 percent of votes over the republic,
- 2) the number of votes less than 0,5% of votes having participated in voting in every constituency.

2. Distribution of deputy mandates for constituencies shall be held in the following way:

The sum of votes cast for the list of candidates of political party, which are admitted to distribution of deputy mandates, shall be divided by the number of deputy mandates of constituency. The result is the first electoral quotient (quota to secure a mandate).

Then the number of votes obtained by each list of candidates in a constituency participating in distribution of deputy mandates shall be divided by the first electoral quotient. The integer part of a number resulted from dividing is the number of deputy mandates the respective list of candidates gains.

If there are any undistributed mandates after actions undertaken in line with the second paragraph of this item, the second distribution shall be undertaken. Undistributed mandates shall be transferred one by one to those lists of candidates, which get the biggest fractional part (remainder) of the number obtained as a result of division in line with the second paragraph of this item. In the event of equality of fractional parts, preference shall be given to the list of candidates for which the majority of votes was cast. In the event of equal number of votes, preference shall be given to the list of candidates, which was registered earlier.

3. Distribution of deputies' mandates among the candidates on political parties' list of candidates in constituencies shall be carried out after specification of list of candidates by leading body of political party in case of delegating such powers by leading body.

In a priority order, a leader and two candidates are to be included into the candidates' list of three constituencies, where political party received relative majority of votes, at the suggestion of the leading body of political party.

Further lining up of candidates in the list is being carried out taking into account voters' opinion in regard of the sequence of candidates in the list and their rating.

Assigned candidates of every list of candidates, obtained more than 10% of votes from total amount of votes cast for party list in electoral constituency, shall line up in a sequence of number of received votes. If two or more candidates obtain equal number of votes, then they shall line up in a sequence established by leading body of political party.

Following lining up of candidates in the list obtained less than 10% of votes shall be established by leading body of political party taking into account requirements of part 3 article 86 of hereof present Constitutional Law.

4. Based on results of elections, a political party may be issued no more than 65 deputies' mandates in Jogorku Kenesh.

Order of mandates' distribution in case political parties pretend for more than 65 deputy mandates as a result of elections shall be established by the Central Election Commission.

5. The Central Election Commission shall draw up a protocol on distribution of deputies' mandates in constituencies among political parties in line with the terms and conditions established by this article. The following shall be additionally entered into the Protocol:

- 1) names of political parties admitted to distribution of deputies' mandates;
- 2) second name, first name and patronymic of the elected deputies from each list of candidates in constituencies.

6. The Central Election Commission shall acknowledge that all deputies' mandates in the single election constituency remain undistributed, if all political parties are excluded from distribution of deputies' mandates in line with item one of this Article. In this case, the Central Election Commission shall call repeat election over the single election constituency.

7. The Central Election Commission shall get Jogorku Kenesh deputies' election results officially published within the two-week period following the day on which elections results were determined.

Article 91. Registration of Jogorku Kenesh deputies; filling in of deputy's vacant mandate

1. After the signing of the protocol on election results, the Central Election Commission shall notify of that the political parties allowed for distribution of deputies' mandates and the elected candidate. The candidate elected as the deputy must submit a copy of the application on abdication of responsibilities, which are incompatible with the status of Jogorku Kenesh deputy, to the Central Election Commission within five days.

If a deputy elected as a result of seats distribution from the candidates' list, does not fulfill the requirement on abdication of responsibilities incompatible with the status of Jogorku Kenesh deputy within five days, his/her deputy mandate shall be passed to a candidate from the same list in accordance with his/her precedence in the list.

2. After determination of election results and getting of applications of the candidates elected as deputies for abdication of responsibilities incompatible with the status of Jogorku Kenesh deputy, the Central Election Commission shall register the elected deputies within three days and give them certificate and badge of the standard pattern.

3. In the case of early retirement of a deputy elected as a result of seats distribution among political parties based on the lists of candidates, his/her mandate shall be transferred to the next candidate following the elected candidates from the same list.

Sequence in the list of candidates may be changed by leading body of political party with following approval of this decision by superior body of party (within 30 calendar days from the day decision was made) in the following cases:

- 1) written statement of a candidate;
 - 2) appointment of a candidates as a member of Government or head of state administrative body;
 - 3) calling a candidate to criminal responsibility;
 - 4) lack of communication between candidate and party;
4. In this article, the following shall be understood under early retirement of deputy:
- 1) provision of a written application for abdication of responsibilities;
 - 2) court verdict on his/her recognition as legally incapable;

- 3) deputy's death;
- 4) coming into force of a court verdict on his/her announcement as dead or missing;
- 5) enactment of a court indictment against a deputy;
- 6) transfer to another work or preserving the work incompatible with execution of his/her authorities as deputy;
- 7) departure from the territory of the Kyrgyz Republic for permanent residence;
- 8) forfeiting, loss of citizenship or obtaining citizenship of another state;
- 9) absence from Jogorku Kenesh meetings without a justified reason for 30 and more working days within one session.

5. If no candidates remain on the list of a political party, the mandate shall remain vacant until the next election to the Jogorku Kenesh.

6. In case leading body of party or faction take a decision to dissolve faction, deputy mandates of members of this faction shall be distributed among political parties of rest parliamentary factions in order established by the Central Election Commission.

Article 92. Suspension of the deputy powers

1. The powers of the deputy may be suspended by decision of the leading body of political party, with the subsequent approval of the decision by supreme governing body of the political party (no later than 30 days from the date of the decision) in cases of:

- 1) appointment as Prime Minister;
- 2) initiation of criminal proceedings;
- 3) repeated violation (at least twice) of party regulations or the loss of connection with political party or faction;
- 4) offense, discrediting status of deputy and member of the party;
- 5) personal statement, as well as in connection with not entering a faction or entering other deputy units without consent of faction.

2. With the suspension of deputy powers, the deputy mandate shall not be passed to the next candidate on the list and not kept material and financial allowances.

3. Suspension of the powers of the Jogorku Kenesh deputy on the grounds in the first part of this article shall be carried out by the Central Election Commission within 10 calendar days from the date of receipt of the submission by the leading body of the political party from which he was elected.

The submission shall include the reasons and the period of suspension of the powers of the deputy.

At the end of the period of suspension of powers of the Jogorku Kenesh deputy, the Central Election Commission shall make an appropriate decision.

Chapter XV. Election of deputies of local councils

Article 93. Voting Rights of Local Community Members

1. The citizens of the Kyrgyz Republic, who are local community members of a respective

administrative-territorial unit, where an election is conducted, possess the right to elect local council deputies.

2. Local community members shall directly elect deputies of a respective local council.

3. Local community members shall participate in an election of local council deputies on equal grounds.

4. Military men on an involuntary service in military units located on the territory of a respective administrative-territorial unit, where an election is conducted, individuals on an alternative service outside the place of their permanent residence, as well as students, day-time study post graduates, who are not members of a respective local community, shall not take part in an election of local council deputies at the place of their actual stay (service, study).

5. Citizens of the Kyrgyz Republic, who are detained as suspects and charged with crimes shall have the right to vote in places of detention, given they domicile on the territory of a respective administrative-territorial unit, where an election is conducted and the place of their detention is located on the territory of this administrative-territorial unit.

Article 94. Obligation and Frequency of Elections

1. Local council deputy term of powers shall be established by the legislation on local government.

2. Local council deputy elections shall be obligatory and conducted at regular intervals within the time periods and according to the procedures stipulated in this Law and legislation on local government.

3. It is prohibited to conduct a local council deputy election:

1) where an emergency or military situation is imposed over the whole territory of the Kyrgyz Republic;

2) in case of imposing an emergency or military situation on this territory.

Article 95. Major Requirements to Candidates for Local Council Deputies

1. A citizen of the Kyrgyz Republic, meeting the requirements stipulated in Items 3-4 of Article 4 of this Constitutional Law, may be elected a deputy of a local council.

2. Local council deputies shall be elected by citizens who are members of a local community of a respective administrative-territorial unit, where an election is conducted.

Article 96. Systems of Election of Local Council Deputies

An election of deputies of city councils shall be based on a proportional system and an election of aiyyl council deputies – on a majority system.

Article 97. Calling Election of Local Council Deputies

1. An election of local council deputies shall be called by the President within 60 calendar days prior to the day of an election.

2. In case of an early dissolution of local councils, the President shall immediately call an election of local council deputies. In this case, an election shall be conducted within 45 calendar days from the day of an early dissolution of local councils. In this case, the period of election related actions shall be reduced by one fourth.

Article 98. Nomination of Candidates for Local Council Deputies

1. Nomination of candidates for city council deputies shall start on the day an election is called and terminate 40 calendar days prior to the day of an election.

Nomination of candidates for aiyl council deputies shall start on the day an election is called and terminate 30 calendar days prior to the day of an election

2. The right to nominate candidates shall belong to:

1) political parties – to local city councils;

2) political parties, groups of electors, being local community members, and citizens through self-nomination – to local councils of an aiyl aimak.

3. A political party, group of electors shall be entitled to nominate:

1) for a proportional system election – a number of candidates exceeding at least one and a half the number of mandates set for this local council, at each constituency;

2) for a majority system of election – a number of candidates that does not exceed the number of mandates set for this constituency – at each multi-mandate constituency.

4. A decision on nominating candidates for local council deputies shall be taken by a political party by secret vote.

5. Candidates for local council deputies shall be nominated at a congress (conference) of a political party, meeting (conference) of its regional division.

6. Political parties shall not be entitled to nominate persons who are members of other political parties.

7. When compiling lists of candidates for city councils, political parties, groups of electors shall have not right to include more than 70 percent of one gender representatives, and the difference regarding the order of priority of females and males in the lists of candidates nominated by a political party, group of electors must not exceed two positions.

8. Nomination of a candidate for an aiyl council deputy in the form of self-nomination shall be performed by filing an application to the appropriate territorial election commission on one's intention to stand for council.

9. A list of candidates, nominated by a political party shall be submitted by an authorized representative of a political party, group of electors to an appropriate territorial election commission in print format within the time limits indicated in this constitutional law.

10. A decision of a political party on nominating a list of candidates or candidates for a single constituency or multi-mandate constituency shall be certified by the signature of the leader of this political party or its territorial division and the political party stamp.

Article 99. Election Pledge

1. Candidates, political parties prior to registration and after check-up of presented documents shall pay an election pledge from funds of their electoral fund or own funds.

2. An election pledge shall be fixed at the following amount:

1) to Bishkek and Osh city councils – five hundred times the estimated indicator set by the law;

2) to city councils, other than the cities indicated in Item 1 of Part 2 of this Article, - two hundred times the estimated indicator set by the law;

3) to aiyl councils – ten times the estimated indicator set by the law

An election pledge, which has been paid, shall be returned to a candidate, political party after the election is conducted, if no less than 15 percent of those, who took part in the ballot, have voted for the candidate, the list of candidates. The remaining amount of the pledge shall be spent by the Central Election Commission for its intended purpose of preparing and conducting an election, improving the election system.

Article 100. Repeat election

1. In case the election of deputies to local councils is recognized as invalid or election results as null and void, the Central Election Commission shall call for a repeat election.

2. Nomination and registration of candidates, lists of candidates, other actions, including terms of election actions, shall be carried out according to the procedure stipulated in this Constitutional Law. Herewith, the time limits of election actions shall be reduced by a quarter. An announcement of a repeat election shall be published in mass media within 2 calendar days from the date a decision is taken on calling a repeat election.

3. In case of repeat election conduct, candidates, political parties to local councils, whose actions resulted in recognizing the election as null and void, must not be again nominated as candidates to deputies of local councils.

4. In case decisions, actions (inactions) of officials of state and local government authorities, election commissions have resulted in the election results to be recognized as null and void, a repeat election shall be conducted among the candidates, political parties, which have participated in the election and expressed a desire to take part in the repeat election.

Article 101. Registration of Local Council Deputies

1. Upon signing a protocol of election results, an appropriate territorial election commission shall notify about it the elected candidate for a local council deputy. A candidate, who has been elected a deputy, shall, within 3 days, submit a copy of an application on divesting himself/herself of the authorities, which are incompatible with the status of a local council deputy.

Where a deputy, elected as a result of allocating mandates by lists of candidates, will not within 3 days meet the requirement of divesting himself/herself of the authorities, which are incompatible with the status of a local council deputy, his/her mandate of a deputy shall be transferred according to the procedure provided for in Part 1 of Article 102 of this Constitutional Law.

2. Upon determining the results of an election and receiving applications from candidates, who have been elected deputies, to the effect that they have divested themselves of the authorities incompatible with the status of a local council deputy, an appropriate territorial election commission shall, within 3 days, register a deputy and present him/her a certificate and lapel badge of the set pattern.

Article 102. Taking Vacant Mandate of Local Council Deputy

1. In case of an early termination of authorities by a deputy of a local council, his/her mandate shall, under the decision of an appropriate territorial election commission, be provided to:

1) the next candidate, following those who have been elected deputies, who has received the largest number of the votes of the electors, who took part in the ballot in a respective multi-mandate constituency.

2) the next candidate, following those who have been elected deputies, in the list of a political party – in an election based on a proportional system.

The sequence in the list of candidates may be changed at the proposal of the leading body of a political party with the subsequent approval of this decision by the superior body of the party (no later than 30 days from the date of the decision) in the following cases:

- 1) written statement of a candidate;
- 2) calling a candidate to criminal responsibility;
- 3) lack of communication between candidate and party;

2. By an early retirement of a deputy in terms of this Article one shall understand:

- 1) filing a written application on his/her abdication;
- 2) recognition of his/her non-ability by court;
- 3) death of a deputy;
- 4) a court decision on announcing him/her missing or dead becoming res judicata;
- 5) entry into legal force of a court guilty verdict with regard to him/her;
- 6) transfer to another job or failure to quit a job that is not compatible with his/her deputy authorities;
- 7) leaving the Kyrgyz Republic for naturalization in another country;
- 8) leaving for another locality for permanent residence, which makes it impossible for him/her to execute his/her deputy functions in an effective way;
- 9) withdrawal from citizenship, loss of citizenship of the Kyrgyz Republic, or acquisition of other citizenship;
- 10) absence during local council sittings without a valid reason more than four times in succession;
- 11) recognizing the election null and void.

3. Powers of deputy of city council shall be terminated at the statement of the leading body of political party with following approval of this decision by superior leading body of political party (no later than 30 days from the day of decision making) in cases:

- 1) repeated violation (no less than two times) of party statute or loss of contact with political party or faction;
- 2) misconduct discrediting status of deputy and party member;
- 3) in view of non-entering faction or entering other deputy forms without faction consent.

4. The procedure of changing the sequence in the candidates' list, early termination of deputy powers shall be approved by the Central election Commission.

5. In case there are no more candidates in a multi-mandate constituency, a mandate shall

remain vacant until the next election.

6. In case there are no more candidates for a proportional constituency in the list of a political party, a mandate shall remain vacant until the next election to a respective local council.

5. In case the leading body of party or faction makes a decision to dissolve faction of city council, deputy mandates of this faction members shall be distributed between political parties of remained factions of city council, in an order set by the Central election Commission.

Chapter XVI. Election of Deputies of City Councils

Article 103. Registration of List of Candidates for Deputies

1. For a list of candidates to be registered authorized, representatives of political parties shall, within 40 calendar days prior to the voting day, submit to an appropriate territorial election commission:

1) a decision of a political party on nominating a list of candidates, indicating the name of this party;

2) applications, drawn up by each candidate, included in the list of candidates, on his/her consent to be included in the list of candidates, a special form, including his/her personal information (background, etc.);

3) copies of passports, certificates of employment or residence proof of candidates;

4) a document, certifying the fact that an election pledge has been paid.

2. An appropriate election commission shall be obliged to issue a written confirmation of receiving these documents to an authorized representative, having submitted the documents stipulated in Part 1 of this Article.

3. Prior to the registration and upon checking the submitted documents, political parties having nominated lists of candidates, shall pay an election pledge at the amount set by Article 98 of this Constitutional Law to a special fund of an appropriate territorial election commission.

4. A territorial election commission shall, within 10 calendar days from the day of accepting the documents, check, if the procedure of nominating a list of candidates complies with the provisions of this Constitutional Law, and take a decision on registering a list of candidates or pass a motivated decision on refusing to register it. If an election commission has detected some inconsistencies in the documents, being an encumbrance for registering the list of candidates, the election commission shall, within 24 hours from the time of receiving the documents, have to notify the political party of such inconsistencies. A political party shall be entitled to make the required changes and submit the corrected documents to an appropriate territorial election commission within 48 hours from the time of being served a notification.

5. It is prohibited to register one and the same person in more than one list of candidates.

6. Registration of lists of candidates shall terminate within 30 calendar days prior to the election day.

7. Where a decision is passed on refusing to register a list of candidates, an appropriate territorial election commission shall be obliged to provide a copy of a decision of this territorial election commission, stating the grounds for registration refusal to the authorized representative of a political party in election commissions, within 24 hours from the hour this decision was passed.

8. The grounds for refusing to register a list of candidates may be as follows:

1) a failure to submit documents, required for registering a list of candidates under this Constitutional Law, as well as a failure to comply with the nomination rules stipulated in this Law;

2) a candidate or candidates, included in the list of candidates, lack a passive voting right;

3) a candidate's registration in the list of some other political party at this election;

4) failure to create an election fund by a political party,

5) the fact that a candidate is a citizen of another country or lacks the Kyrgyz Republic citizenship;

6) if actions (inactions) of deputies from political party resulted in dissolution of city council in connection with non-election of city mayor.

In case an authorized representative of a political party has failed to submit all the documents required for registration under this Article, but has submitted them additionally prior to registration termination, an appropriate territorial election commission shall be obliged to register the list of candidates.

9. Existence of some grounds to refuse registration, stipulated in this Article with regard to individual candidates, lists of candidates may only serve as the basis for striking them off the certified list of candidates.

10. A decision on refusing to register a list of candidates may be appealed in the Central Election Commission or court.

11. An appropriate territorial election commission shall, within 5 calendar days from the day of elector list registration termination, publish an announcement in mass media on registering a list of candidates, indicating names of political parties, as well as full names, birth dates, official positions (occupations), residential addresses of candidates, included in the list of candidates of political parties.

12. An appropriate territorial election commission shall, within 2 calendar days from the day of voter list registration, issue them appropriate certificates of candidates, indicating the date of his/her registration.

Article 104. Refusal to Participate in Election, Withdrawal of List of Candidates and Striking off List of Candidates

1. A candidate, included in the list of candidates, shall be entitled to refuse to further participate in the election at any time, but no later than 3 days prior to the voting day, by filing a written application to this effect with an appropriate territorial election commission. In this case, an election commission, having registered the list of candidates, shall be obliged to take a decision on striking this candidate off the respective list of candidates.

2. At any time, but no later than 3 days prior to the voting day, a political party shall be entitled to withdraw its list of candidates and refuse to participate in the election, or strike a candidate (candidates) off the list, by filing an appropriate written application with the respective territorial election commission. In this case, an election commission, having registered the list of candidates, shall be obliged to take a respective decision on:

1) revocation of registration of a list of candidates;

2) striking a candidate (candidates) off the appropriate list of candidates.

3. In cases stipulated in Part 1 and Item 2 of Part 2 of this Article, the order of priority of including candidates in the list of candidates shall be changed. In place of the struck off candidate another candidate of the same gender, as the struck off candidate, shall be included.

4. In case of withdrawal of a list of candidates (refusal of a political party to take part in the election) after the ballot papers were produced, precinct or appropriate territorial election commissions shall cross out data on a respective political party in ballot papers. They must be crossed out by a straight line drawn along the lines where all the data on this political party were entered. It is only with a ball point pen that the line shall be drawn. The line must also cross the blank box opposite the line with the data on the political party.

Article 105. Election Fund of Political Party Having Nominated List of Candidates

1. A political party, having nominated a list of candidates, shall create its own election fund to finance an election campaign according to the rules stipulated in this Constitutional Law.

2. Election funds of political parties nominating list of candidates to Bishkek, Osh city councils may be created with the following monetary resources:

1) own money of a candidate included in the list, which may not exceed the estimate indicator by more than 1000 times;

2) own monetary resources of a political party, which may not exceed the estimate indicator by more than 5,000 times;

3) donations of individuals, which may not exceed the estimate indicator by more than 1000 times;

4) donations of legal entities, which may not exceed the estimate indicator by more than 3000 times.

The maximum amount of expenses of a political party covered with the money of its election fund may not exceed the estimate indicator by more than 50,000 times.

Article 106. Determining City Council Deputy Election Results

1. An appropriate territorial election commission shall determine the number of electors' votes cast for each list of candidates, proceeding from the protocols of precinct election commissions, by adding the figures in these protocols.

2. Political parties, which lists of candidates have obtained less than 5 percents of votes participated in elections, shall be excluded from distribution of deputy mandates in constituency.

Political parties, obtained 5 or more votes, shall receive deputy mandates, the number of which is determined in order stipulated by part 3 of this Article.

3. Sum of voters' votes casted for the list of the candidates of the political parties participating in distribution of deputy mandates in constituency shall be divided by the number of deputy mandates in constituency. The obtained result shall be the first election quotient (quote for obtaining one mandate).

Then the number of votes obtained by each list of candidates, participating in distribution of deputy mandates, shall be divided by the first election quotient. The integer part of the number, obtained as a result of dividing this number shall be the number of deputy mandates obtained by a respective list of candidates.

If, after the manipulations, performed according to paragraph 2 of this Part, there will be some non-apportioned mandates, they shall be apportioned again. One of the non-apportioned mandates shall be provided to those lists of candidates, which have proved to possess the largest fraction (remainder) of the number, received as a result of dividing under paragraph 2 of this Part. Where fractions are equal, the preferred one is a list of candidates, which was cast

the largest number of the electors' votes. Where the number of electors' votes is equal, the preferred one is a list of candidates, which was registered earlier.

4. Distribution of deputy mandates among the candidates, included in the list of political parties, shall be made after check-up of list of candidates by political party body, which has approved list of candidates in accordance with opinion of voters in regards of the order in which the candidates are included in this list, depending on the candidates' rating, taking into account requirements of part 7 Article 97 of this Constitutional law. At this sequence of candidates on the list, who obtained less than 5 percent of all votes cast for political list, shall be determined by the leading body of the political party. The order and terms for determining candidates' sequence shall be stipulated by the Central Election Commission.

5. An appropriate territorial election commission shall draw up a protocol on distribution of deputy mandates in a respective constituency among the political parties in accordance with the terms established under this Article.

In addition, a protocol shall include:

- names of political parties, having participated in distribution of deputy mandates;
- full names of elected deputies from each list of candidates.

6. An appropriate election commission shall admit that deputy mandates in constituency are undistributed, if all political parties are stroked off distribution of deputy mandates in accordance with part 2 of this Article. In this case the Central Election Commission shall call repeat election in constituency.

7. Information on the results of election of local council deputies shall be officially published in mass media according to the procedure and within the time limits stipulated in Part 3 Article 63 of this Constitutional Law.

Article 107. Recognizing Election as Null and Void

An election may be recognized as null and void, if none of the lists of candidates of a political party has been registered by the voting day, or registered political parties have refused to take part in the election under Article 103 of this Law, as well as in the cases stipulated in Part 3 of Article 62 of this Law.

Article 108. Repeat Election

1. In case election of deputies of a city council have been recognized as null and void, or election results declared as invalid, the Central Election Commission shall call a repeat election.

2. Nomination and registration of list of candidates, other actions including terms of election commissions on election, shall be carried out in order stipulated by this constitutional law. Herewith, the time limits of election actions shall be reduced by one-third. An announcement on conducting a return election shall be published in mass media no later than 2 calendar days from the day an appropriate decision is taken.

Chapter XVII - Election of Deputies of Aiyl Councils

Article 109. Registration of Candidates for Aiyl Council Deputies

1. Within 30 calendar days prior to the voting day, authorized representatives of candidates shall submit the following documents to an appropriate territorial election commission for the purpose of registering candidates for aiyl council deputies:

1) a decision of a political party on nominating candidates, which indicates the name of a party (when nominating a candidate by a political party on the basis of a majority system) or self-nomination motion;

2) a special form filled out by a candidate, including some information about him/her (background and other data);

3) a copy of a candidate's passport.

2. An appropriate election commission shall be obliged to issue a written certification of having accepted these documents to a candidate, who has submitted documents indicated in Part 1 of this Article.

3. An appropriate territorial election commission shall, within 10 calendar days from the day of accepting documents, check if the procedure of candidates nomination complies with this Law and take a decision on registering candidates or a motivated decision on refusing to register them. In this case, if an election commission has detected some inconsistencies in the documents, preventing a candidate from being registered, this election commission shall, within 24 hours upon receiving the documents, have to notify the candidate of such inconsistencies. Within 48 hours upon receiving the notification, the candidate shall be entitled to submit the corrected documents to the appropriate territorial election commission.

4. Where a decision has been made on refusing to register a candidate, an appropriate territorial election commission shall be obliged to provide a copy of a decision of the territorial election commission, stating the grounds for registration refusal, within 24 hours from the time of taking this decision.

5. Grounds for refusing to register a candidate may be as follows:

1) a failure to submit documents, required under this Constitutional Law for registering a candidate, as well as a failure to comply with the registration procedure, stipulated in this Constitutional Law;

2) a candidate lacking a passive voting right;

3) a fact of a candidate having been registered in other constituency for this election;

4) a candidate being a citizen of another state or not having citizenship in the Kyrgyz Republic.

6. A decision on refusing to register a list of candidates may be appealed in the Central Election Commission or court.

7. Registration of candidates for local council deputies shall terminate 20 calendar days prior to the voting day.

8. Within 5 calendar days from the day of termination of candidate registration period, an appropriate territorial election commission shall publish the data on registered candidates,

indicating their full names, birth dates, official positions, places of residence, in mass media.

9. Within 2 calendar days from the day of candidate registration, an appropriate territorial election commission shall issue candidates appropriate certificates of candidates, indicating the date of his/her registration.

10. A candidate to deputy of aiyl council shall be entitled to withdraw from the election at any time but no later than 3 days before the voting day, having submitted written statement to territorial election commission. Territorial election commission shall make a decision to cancel registration of candidate on the basis of indicated statement.

11. In case of withdrawal of a candidate after the ballot papers were produced, precinct or appropriate territorial election commissions shall cross out data on a respective candidate in ballot papers. They must be crossed out by a straight line drawn along the lines where all the data on this candidate were entered. It is only with a ball point pen that the line shall be drawn. The line must also cross the blank box opposite the line with the data on the candidate.

Article 110. Election Fund of Candidate for Aiyl Council Deputy

1. Candidates for aiyl council deputies shall be entitled to create their own funds to finance an election campaign according to the procedure stipulated in this Constitutional Law.

2. Election funds may be created with the following monetary resources:

1) own money of a candidate included in the list of candidates, which may not exceed the estimate indicator by more than 500 times;

2) own monetary resources of a political party, group of electors, which may not exceed the estimate indicator by more than 1,000 times;

3) donations of individuals, which may not exceed the estimate indicator by more than 500 times;

4) donations of legal entities, which may not exceed the estimate indicator by more than 500 times.

The maximum amount of expenses of a political party, group of electors, having nominated a list of candidates, covered with the finance of its election fund, may not exceed the estimate indicator by more than 5,000 times.

Article 111. Determining Results of Aiyl Council Deputy Election

1. Determining results of aiyl council deputy election on a respective territory shall be executed according to the procedures stipulated in Article 62 of this Constitutional Law.

2. Candidates (according the number of mandates), who have received the largest number of votes of the electors of a respective constituency, having taken part in the ballot, shall be considered elected. In case of an equal number of votes received by candidates, an elected candidate shall be the one who was registered earlier than the others. If candidates were registered on the same day, the issue shall be solved by drawing lots.

3. An official publication of results of aiyl council deputy election in mass media shall be conducted according to the procedure and within the time limits stipulated in Part 3 of Article 63 of this Constitutional Law.

4. Upon publication of the results of an election on a respective territory and receiving from candidates, who have been elected deputies, abdication notices, if their authorities are

inconsistent with an aiyi council deputy status, appropriate territorial election commissions shall, within 3 days, register the elected candidates. Appropriate territorial election commissions shall issue the elected deputies certificates of being elected deputies of a respective local council of the standard form established by the Central Election Commission.

Chapter XVIII - Election of heads of local self-government

Article 112. Registration of candidates for the post of head of the executive body of local self-government

1. A subject, which nominated a candidate for the post of head of the executive body of local self-government, shall provide the following documents respective territorial election commission no later than 5 working days prior to the voting day:

1) The decision to nominate a candidate for the post of head of the executive body of local self-government;

2) A statement of the candidate's consent to run;

3) The curriculum vitae of the candidate with his full name, date of birth, place of work, position (occupation) and place of residence;

4) the relevant documents proving the requirements of Articles 113 and 115 of the present Constitutional Law.

2. The respective territorial election commission, within 3 calendar days from the date of the documents' receipt, shall verify the procedure for the nomination of the candidate for the post of head of the executive body of the local government to the requirements of this Constitutional law and decide on the registration of a candidate or a reasoned decision to refuse registration. In this case, if the election commission has found discrepancies in the documents of the candidate, which are obstacles to the registration of the candidate, election commission is obliged to inform the subject, nominated the candidate, of data inconsistencies within 24 hours after receipt of the documents. The subject, nominated candidate, shall be entitled to make necessary changes and submit corrected documents to the respective territorial election commission 48 hours from the moment of their receipt.

3. In the event of a decision to refuse the registration of the candidate, within a day from the moment of its adoption respective territorial election commission shall issue a copy of the decision of the election commission grounding for refusal to the subject, nominating candidate.

4. The grounds for refusal of registration of a candidate may be:

1) a failure to comply with the registration procedure, stipulated in this Constitutional Law;

2) a candidate lacking a passive voting right;

3) a candidate being a citizen of another state ;

4) non-provision of all necessary documents referred to part 1 of this Article by the subject nominating candidate.

5. The decision to refuse the registration of a candidate may be appealed to the Central Election Commission or the courts.

6. The respective territorial election commission within two calendar days after the registration of all candidates shall organize elections of the head of the executive body of local self-government.

Apparatuses of the executive bodies of local self-government shall render assistance to

territorial election commissions in organization of elections by providing premises, installation of voting booths, ballot boxes and other matters related to the conduct of elections.

Article 113. Refusal to participate in the elections, a withdrawal of the candidate

1. A candidate shall be entitled to refuse to further participate in the election at any time, but no later than 2 days prior to the voting day, by filing a written application to this effect with an appropriate territorial election commission. In this case, an election commission, having registered the list of candidates, shall be obliged to take a decision on cancelling registration of candidate.

2. At any time, but later than 2 days prior to the voting day, a subject entitled to nominate candidate for the post of head of executive body in local self-government, shall be entitled to withdraw its candidate by filing an appropriate written application with the respective territorial election commission. In this case, an election commission, having registered candidate, shall be obliged to take a respective decision on cancelling registration of candidate.

Article 114. Requirements for mayor

The mayor of the city shall be a capable citizen of the Kyrgyz Republic, with higher education and work experience in the state or municipal service for at least 5 years, or work experience in managerial positions of state bodies, public institutions of education, health, culture, or the state, municipal enterprises, institutions and enterprises with state share (municipal) participation of more than 30 percent for at least 3 years, either.

A citizen of the Kyrgyz Republic, whose criminal record has not been removed or cancelled in the way established by the law, cannot be the mayor of the city.

Article 115. The procedure for electing the Mayor

1. City mayors shall be elected by deputies of city council by secret ballot for a term of city council's convocation. Mayoral elections in Bishkek and Osh shall be determined by a separate law. Territorial election commission shall conduct election.

2. The factions of city council and the Prime Minister shall have a right to nominate candidates for the position of Mayor of the city.

3. Mayoral elections shall be called by the Central Election Commission no later than 10 calendar days from the date of the first meeting of the newly elected city council.

In the case of early dismissal of the city mayor, the Central Election Commission shall call for the mayoral elections no later than 10 calendar days from the date of the vacancy opening.

In the case of early dismissal of mayor, 90 days before the expiration of the convening of the city council, mayoral elections shall not be called for by the Central Electoral Committee until the first sitting of the newly elected city council.

Mayoral elections shall be held by the territorial election commission no later than 30 calendar days from the day of the election calling.

4. Mayoral elections are considered valid if they are attended at least two-thirds of the total number of deputies of the city council.

The candidate who receives the most votes from the total number of deputies of the respective council is declared as elected.

In case:

- one registered candidate has not received necessary number of votes of deputies, repeated elections shall be held;

- none of two registered candidates has not received the required number of votes, a second round of voting for one candidate with the most votes shall be held. If in the first round, both candidates received an equal number of votes, repeated elections shall be held;

- none of more than two registered candidates has not received the required number of votes, a second round of voting for the two candidates who received the highest number of votes shall be held. If in the first round one of the candidates obtained the most votes and the next two candidates received an equal number of votes, a second round of voting for one candidate with the most votes shall be held. If in the first round, all candidates received an equal number of votes, a second round of voting for the two candidates identified by casting of lots shall be held. If none of them receives the required number of votes, a third round of voting for one candidate with the most votes shall be held. If in the second round of voting, both candidates receive an equal number of votes of the members, repeated elections shall be held.

If position "Against all candidates" filed the majority of votes than for the candidates, repeated elections shall be held.

If by the voting day no candidate was registered or registered candidates declined to participate in the elections, repeated elections shall be held.

The Central Election Commission shall call for repeat election within 5 calendar days from the date of the non-election of the mayor of the city.

Repeated elections with the nomination of new candidates shall be carried out by the territorial election commission no later than 15 calendar days from the day of repeated election.

If election of the city mayor did not take place due to lack of quorum, repeated session shall be conducted. Territorial election commission shall have the right to early terminate the powers of the deputies of the city council who were absent during the sessions for the election of the mayor of the city without a valid reason, their mandate is passed to the candidate next after the deputies on the list of a political party.

The Central Election Commission calls for repeat election within 3 calendar days from the date of the non-election of the mayor of the city on previously registered candidates.

Procedure for election of the mayor of the city, which is not settled by this article, shall be determined by the Central Election Commission.

Territorial Election Commission announces the results of the election and draws up a protocol.

Elected mayor shall be issued a corresponding certificate by territorial election commission.

5. In case of failure to elect mayor of the city by deputies of the respective council in a timely manner, on the proposal of the Central Electoral Commission the President shall dissolve the local council and call an early election to respective local council. The deputies, whose actions led to the disruption of the session on electing the mayor of the city, cannot be included in the list of candidates for deputies.

The Prime Minister shall appoint an acting mayor until the election of the mayor by new composition of the relevant local council.

Article 116. Requirements for head of aiyl okmotu

Head of aiyl okmotu shall be capable citizen of the Kyrgyz Republic, with higher education and work experience in the state or municipal office for at least 2 years, or work experience in public institutions of education, health, culture or experience in leadership positions of state and municipal enterprises, institutions, companies with a share of state (municipal) participation of more than 30 percent for at least 3 years.

A citizen of the Kyrgyz Republic, whose criminal record has not been removed or cancelled in the way established by the law, cannot be a head of aiyl okmotu.

Article 117. The procedure for electing the head of aiyl okmotu

1. Head of aiyl okmotu shall be elected by deputies of aiyl council by a secret ballot for the term of the aiyl council convocation, from candidates nominated by deputies of aiyl council, as well as nominated by the head of state administration of district- Akim (further akim). Territorial election commission shall conduct election.

2. Election of the head of aiyl okmotu shall be called by the Central Election Commission no later than 10 calendar days from the date of the first sitting of the newly elected aiyl council.

In the case of early dismissal of head of aiyl okmotu, the Central Election Commission shall call election of the head of aiyl okmotu no later than 10 calendar days from the date of the vacancy opening.

In the case of early dismissal of head of aiyl okmotu, 90 days before the expiration of the convening of the aiyl council, aiyl okmotu head elections shall not be called for by the Central Electoral Committee until the first sitting of the newly elected aiyl council.

Territorial election commission shall hold election of aiyl okmotu head within 20 calendar days from the day of the election calling.

3. Elections of the head of the aiyl are considered valid if they are attended by at least two-thirds of the total membership of the aiyl council.

The candidate who receives the most votes from the total number of deputies of the respective council is considered elected.

In case:

- one registered candidate has not received necessary number of votes of deputies, repeated elections shall be held;

- none of two registered candidates has not received the required number of votes, a second round of voting for one candidate with the most votes shall be held. If in the first round, both candidates received an equal number of votes, repeated elections shall be held;

- none of more than two registered candidates has not received the required number of votes, a second round of voting for the two candidates who received the highest number of votes shall be held. If in the first round one of the candidates obtained the most votes and the next two candidates received an equal number of votes, a second round of voting for one candidate with the most votes shall be held. If in the first round, all candidates received an equal number of votes, a second round of voting for the two candidates identified by casting of lots shall be held. If none of them receives the required number of votes, a third round of voting for one candidate with the most votes shall be held. If in the second round of voting, both candidates receive an equal number of votes of the members, repeated elections shall be held.

If position "against all candidates" filed the majority of votes than for the candidates,

repeated elections shall be held.

If by the voting day no candidate was registered or registered candidates declined to participate in the elections, repeated elections shall be held.

Procedure for election of the mayor of the city, which is not settled by this article, shall be determined by the Central Election Commission.

4. The Central Election Commission shall call for repeat elections within 3 calendar days from the date of the non-election of aiyl okmotu head.

Repeated elections with the nomination of new candidates shall be carried out by the territorial election commission no later than 15 calendar days from the day of repeated election.

5. If electing the aiyl okmotu head did not take place due to the lack of a quorum, the Central Election Commission shall convene repeated election within 5 calendar days from the date of the non-election of the aiyl okmotu head. Territorial election commission shall have the right to early terminate the powers of the deputies of the aiyl council who were absent at elections without a valid reason, their mandate is passed to the candidate next after the deputies on the list of a political party.

Procedure for election of the mayor of the city, which is not settled by this article, shall be determined by the Central Election Commission.

Territorial Election Commission announces the results of the election and draws up a protocol.

Elected aiyl okmotu head shall be issued a corresponding certificate by territorial election commission.

6. In case of failure to elect aiyl okmotu head by deputies of the respective council in a timely manner on the proposal of the Central Electoral Commission, the President shall dissolve the local council and call an early election for the respective local council. The deputies, whose actions led to the disruption of the session, cannot be included in the list of candidates for deputies.

The akim of district shall appoint an acting aiyl okmotu head until the election of the head of aiyl okmotu by new composition of the relevant local council.

Article 118. Entry into force of the Constitutional Law

1. This Constitutional Law shall come into force from the date of official publication except for:

1) item 1 Article 18; item 1,4,5,7,11 Article 23; para 3, item 1 Article 28, coming into force after electing new staff of the Central Election Commission.

2) Article 92 coming into force from the day of first sitting of newly-elected Jogorku Kenesh of the Kyrgyz Republic

2. From the date of entry into force of this Constitutional Law the following shall be recognized as expired:

The Constitutional Law of the Kyrgyz Republic "On the Election of the President of the Kyrgyz Republic and the deputies of the Jogorku Kenesh of the Kyrgyz Republic";

The Law of the Kyrgyz Republic "On elections of deputies of local councils" (as amended on October 12, 2012 # 172);

The Law of the Kyrgyz Republic "On Election Commissions on conduct of elections and referendums of the Kyrgyz Republic";

Articles 43, 43, 48, 49, 53, 54 of the Law "On Local Self-Government" (as amended on August 10, 2012 N 164).