

# Law of the Kyrgyz Republic on Citizenship of the Kyrgyz Republic

## Chapter 1 General provisions

### Article 1. Subject of regulation of this Law

This Law establishes the grounds, conditions and procedure of acquiring and termination of the Kyrgyz Republic citizenship and also regulates other issues related to the Kyrgyz Republic citizenship.

### Article 2. Legislation on citizenship in the Kyrgyz Republic

The citizenship in the Kyrgyz Republic is regulated by the Kyrgyz Republic Constitution, legally adopted international treaties, this Law and Kyrgyz Republic regulations adopted in accordance with them.

### Article 3. Main definitions

The following main definitions are used in this Law:

- *Citizenship of the Kyrgyz Republic* is a sustainable legal connection of a person with the Kyrgyz Republic expressed in combination of their mutual rights and obligations;
- *Other citizenship* is the citizenship of another state;
- *Dual citizenship* is the existence of citizenship of another state of a Kyrgyz Republic citizen;
- *Foreign citizen* is a person, who is not a citizen of the Kyrgyz Republic and possessing evidence of his/her belonging to citizenship of another state;
- *Person without citizenship* is a person, who is not a citizen of the Kyrgyz Republic and who has no evidence of his/her belonging to citizenship of another state;
- *Permanent residence* is a document authorizing foreign citizens or persons without citizenship to residence or temporary residence in the Kyrgyz Republic;
- An *applicant* is an able-bodied citizen of the Kyrgyz Republic of a major age, a foreign citizen or a person without citizenship;
- *General procedure of acquiring or termination of the Kyrgyz Republic citizenship* is the procedure of consideration of issues of citizenship and adoption of decisions on them by the President of the Kyrgyz Republic in relation to persons covered by general conditions envisioned by this Law;
- *Authorized agencies* are state agencies of the Kyrgyz Republic participating in solving the citizenship issues;
- *Simplified procedure of acquiring and termination of the Kyrgyz Republic* means the procedure of consideration of issues of citizenship and adoption of decisions on them in

relation to persons to who privileged conditions envisioned by this Law and legally adopted international treaties are applied;

- A *child* is a person at the age of up to 18 years old.

#### Article 4. Principles of citizenship of the Kyrgyz Republic

1. Each person in the Kyrgyz Republic has the right to citizenship.
2. Not a single citizen of the Kyrgyz Republic can be deprived of his/her citizen and the right to change his/her citizenship.
3. The Kyrgyz Republic guarantees protection and patronage to its citizens outside its borders.
4. Citizens of the Kyrgyz Republic regardless of the grounds and the procedure of obtaining the citizenship of the Kyrgyz Republic have equal rights, freedoms and obligations in accordance with the Constitution of the Kyrgyz Republic.

#### Article 5. Citizens of the Kyrgyz Republic

Citizens of the Kyrgyz Republic are:

- 1) persons possessing citizenship of the Kyrgyz Republic on the day of effectiveness of this Law;
- 2) persons who used to be USSR citizens and who have lived continuously for the previous five years (from the moment of applying to internal affairs agencies) on the territory of the Kyrgyz Republic and those persons who have not made any application regarding belonging to citizenship of another state;
- 3) persons who obtained citizenship of the Kyrgyz Republic in accordance with this Law.

#### Article 6. Other citizenship

1. A citizen of the Kyrgyz Republic having another citizenship is considered by the Kyrgyz Republic only as a citizen of the Kyrgyz Republic, except for cases envisioned by the Law and interstate treaties, which became effective in accordance with the law.
2. Obtaining citizenship of another state by a citizen of the Kyrgyz Republic shall not result in termination of the Kyrgyz Republic citizenship.

#### Article 7. Protection of rights, freedoms and legal interests of citizens of the Kyrgyz Republic located outside the Kyrgyz Republic by the state

1. Citizens of the Kyrgyz Republic located outside the Kyrgyz Republic shall be provided with protection of their rights, freedoms and legal interests through diplomatic representations and consular agencies of the Kyrgyz Republic.
2. State power agencies, diplomatic representations and consular agencies of the Kyrgyz Republic, their officials must undertake measures to ensure citizens of the Kyrgyz Republic with the possibility of using full rights and freedoms envisioned by the legislation of the state of stay, interstate agreements, which have become effective and in accordance with the procedure set forth by the legislation protect their interests guarded by the law and, if necessary, undertake measures to restore violated rights of citizens of the Kyrgyz Republic.
3. In case of absence of a diplomatic representation or consular agency of the Kyrgyz Republic

in the state of residence protection rights, freedoms and legal interests of citizens of the Kyrgyz Republic according to interstate agreements may be implemented by appropriate agencies of other states.

#### Article 8. Citizenship of the Kyrgyz Republic in conclusion and termination of marriage

1. Conclusion of marriage of a citizen of the Kyrgyz Republic with a foreign citizen or a person without citizenship and also termination of such marriage do not change their citizenship.
2. Change of citizenship by one of spouses shall not cause change of citizenship of another spouse.
3. Termination of marriage shall not result in a change of citizenship of children born or adopted in this marriage.

#### Article 9. Documents certifying citizenship of the Kyrgyz Republic

All types of national passports of citizens of the Kyrgyz Republic, birth certificate of a citizen and other documents certifying the identity of a citizen of the Kyrgyz Republic shall serve as the document certifying citizenship of the Kyrgyz Republic.

#### Article 10. Non-allowance of exclusion and extradition of a citizen of the Kyrgyz Republic outside the Republic

A citizen of the Kyrgyz Republic can not be excluded outside the Kyrgyz Republic or issued to another state, except for cases envisioned by interstate agreements, which became effective in accordance with the law.

## **Chapter 2 Obtaining citizenship of the Kyrgyz Republic**

#### Article 11. Grounds for obtaining citizenship of the Kyrgyz Republic

Citizenship of the Kyrgyz Republic is obtained:

- 1) as a result of birth;
- 2) as a result of being accepted in citizenship of the Kyrgyz Republic;
- 3) as a result of revival in citizenship;
- 4) in grounds or in accordance with the procedure envisioned by interstate agreements which became legally effective.

#### Article 12. Obtaining the Kyrgyz Republic citizenship

1. A child, the parents of who at the moment of his/her birth are the citizens of the Kyrgyz Republic, is a citizen of the Kyrgyz Republic regardless of a place of birth.
2. If citizenship of parents is different and if one parent has the Kyrgyz Republic citizenship, the citizenship of the child regardless of a place of birth shall be defined with a written consent of

parents.

3. A child, one of the parents of who by the moment of his/her birth was a citizen of the Kyrgyz Republic, and the other parent was a person without citizenship or was unknown, is a citizen of the Kyrgyz Republic regardless of the place of his birth.

4. A child born on the territory of the Kyrgyz Republic, the parents of who are persons without citizenship permanently residing in the Kyrgyz Republic, is a citizen of the Kyrgyz Republic.

5. A child located on the territory of the Kyrgyz Republic, both of parents of who are unknown, is a citizen of the Kyrgyz Republic.

Article 13. Conditions of acceptance to the citizenship of the Kyrgyz Republic in accordance with the general procedure

1. Foreign citizens and persons without citizenship, who reached the age of 18, have the right to turn with a petition of being accepted in citizenship of the Kyrgyz Republic in accordance with the general procedure if they:

- 1) continuously, uninterruptedly lived on the territory of the Kyrgyz Republic for the last five years at the moment of filing the application. The term of residence is considered uninterrupted if a person left for outside the Kyrgyz Republic for no longer than three months during one year;
- 2) can speak the state or official language in the amount sufficient for communication; the procedure of identifying the level of knowledge of the state or official languages is set forth by the regulation on the procedure of considering the citizenship issues;
- 3) undertake to comply with the Constitution and legislation of the Kyrgyz Republic;
- 4) have a source of subsistence.

2. The period of residence of foreign citizens and persons without citizenship on the territory of the Kyrgyz Republic set forth by clause 1 of this Article, shall be reduced up to three years if one of the following grounds exists:

- 1) availability of marriage with a citizen of the Kyrgyz Republic;
- 2) availability of high achievements in the field of science, culture and also a profession or qualification, which is in a high demand in the Kyrgyz Republic;
- 3) investing in highly prioritized sectors of the economy of the Kyrgyz Republic. The procedure or investments and the amount of investments shall be approved by the Government of the Kyrgyz Republic;
- 4) in case of recognition as refugees in accordance with the legislation of the Kyrgyz Republic.

Article 14. Acceptance in citizenship of the Kyrgyz Republic in a simplified procedure

1. Foreign citizens and persons without citizenship reached the age of 18 years old, have the right to file a petition on being accepted to citizenship of the Kyrgyz Republic in a simplified procedure. The time period of their residence on the territory of the Kyrgyz Republic, set forth by clause 1 of part 1 of Article 13, shall be reduced to one year if it is not otherwise specified by interstate agreement, which became legally effective, if they:

- 1) have at least one parent, who has the citizenship of the Kyrgyz Republic and resides on the territory of the Kyrgyz Republic;
- 2) were born in Kirgizskaya Soviet Socialist Republic and had the citizenship of the former

USSR;

3) are being revived in citizenship of the Kyrgyz Republic.

2. Person of Kyrgyz nationality having the citizenship of a foreign state or residing on the territory of a foreign state, have the right to obtain the citizenship of the Kyrgyz Republic in a simplified procedure according to this Law.

3. The following persons shall be granted citizenship of the Kyrgyz Republic in a simplified procedure without complying with conditions envisioned by part 1 of Article 13 of this Law:

1) a child, one of the parents of who has the citizenship of the Kyrgyz Republic - by the petition of this parent and with the presence of the written consent of the other parent for obtaining the citizenship of the Kyrgyz Republic by the child. Such a consent shall not be required if a child resides on the territory of the Kyrgyz Republic;

2) a child, the only parent of who has the citizenship of the Kyrgyz Republic - by the petition of this parent;

3) a child or an invalid person, being under custody or trusteeship, - by the petition of a custodian or trustee having the citizenship of the Kyrgyz Republic.

4. For persons listed in parts 1 and 2 of this Article, requirements envisioned by clauses 3 and 4; part 1 of article 13 shall be applied.

#### Article 15. Revival in the citizenship of the Kyrgyz Republic

A person who has been a citizen of the Kyrgyz Republic earlier, continuously and legally resided on the territory of the Kyrgyz Republic, may be revived in the citizenship of the Kyrgyz Republic based on a personal petition and in compliance with the procedure envisioned by Article 14 of this Law.

#### Article 16. Grounds for refusal in granting the citizenship of the Kyrgyz Republic

It shall be refused to grant citizenship of the Kyrgyz Republic to persons:

1) advocating for a forcible change of the foundations of the constitutional system, carrying out activity representing threat to the Kyrgyz Republic security;

2) intentionally provided false documents or reported false facts;

3) deported from the Kyrgyz Republic with a temporary of up to five years or permanent prohibition to enter the Kyrgyz Republic in accordance with the legislation of the Kyrgyz Republic;

4) being in the military service and also in the service in law-enforcement agencies and security agencies of a foreign state;

5) criminally prosecuted in accordance with the legislation of the Kyrgyz Republic or in accordance with the legislation of a foreign state - until the final decision is made by law-enforcement agencies or courts of the Kyrgyz Republic;

6) acts as a defendant on civil cases - until the final decision is made courts of the Kyrgyz Republic;

7) convicted and serving a sentence in the form of imprisonment - until the expiration of sentence;

8) convicted to imprisonment for committing crimes qualified as grave crimes of felonies in the Kyrgyz Republic.

Article 17. Obtaining of the Kyrgyz Republic citizenship by a child in case of adoption and establishment of custody or trusteeship

1. A child, who is a foreign citizen or a person without citizenship adopted by a citizen of the Kyrgyz Republic, or who is taken under the custody or trusteeship by citizens of the Kyrgyz Republic shall become the citizen of the Kyrgyz Republic.
2. A child who is a foreign citizen or a person without citizenship adopted by a citizen of the Kyrgyz Republic, or who is taken under the custody or trusteeship by persons, one of who is a citizen of the Kyrgyz Republic, shall become the citizen of the Kyrgyz Republic.
3. A child who is a foreign citizen adopted by spouses or who is taken under the custody or trusteeship by persons, one of who is a citizen of the Kyrgyz Republic and the other is a citizen of a foreign state, shall become the citizen of the Kyrgyz Republic from the written consent of both adoptive parents, custodians and trustees. .
4. A child who is a person without citizenship adopted by spouses or who is taken under the custody or trusteeship by persons, one of who is a citizen of the Kyrgyz Republic, shall become the citizen of the Kyrgyz Republic.

Article 18. Retention of citizenship of the Kyrgyz Republic by a child in case of his/her adoption

A child who is a citizen of the Kyrgyz Republic adopted by foreign citizens or by persons without citizenship, or by spouses, one of who is a citizen of the Kyrgyz Republic and the other is a foreign citizen or a person without citizenship, retains citizenship of the Kyrgyz Republic.

Article 19. Retention of citizenship of the Kyrgyz Republic by a child who is taken under custody or trusteeship

If parents or one parent of the child, who resides on the territory of the Kyrgyz Republic or loses it and is not taking part in the child's upbringing, on who custody or trusteeship by citizens of the Kyrgyz Republic are established, the child preserves citizenship of the Kyrgyz Republic based on petition of a custodian or trustee.

Article 20. Obtaining the citizenship of the Kyrgyz Republic by a child in case of obtaining citizenship of the Kyrgyz Republic by one of the parents

1. If one of the parents becomes the citizen of the Kyrgyz Republic and the other parent remains a foreign citizen the child may obtain the citizenship of the Kyrgyz Republic by the petition of the parent who obtains the citizenship of the Kyrgyz Republic, with a written consent of the other parent.
2. If one of the parents becomes the citizen of the Kyrgyz Republic and the other remains a person without citizenship, the child residing on the territory of the Kyrgyz Republic, becomes the citizen of the Kyrgyz Republic.
3. If an either parent becomes the citizen of the Kyrgyz Republic and the other parent remains the person without citizenship, the child residing outside the Kyrgyz Republic may obtain citizenship of the Kyrgyz Republic by petition of the parent obtaining citizenship of the Kyrgyz Republic.

Article 21. The necessity of agreement of children in case of changing their citizenship  
Change of citizenship of children at the age of 14 through 18 years old in case of changing the citizenship of their parents and also in case of adoption shall be allowed only with the content of children certified by the notary.

Article 22. Recognition of citizenship of another state for a citizen of the Kyrgyz Republic

1. A citizen of the Kyrgyz Republic may accept citizenship of another state remaining the citizen of the Kyrgyz Republic in the following cases:

- 1) if obtaining the citizenship of another state is not in contradiction with the legislation of the Kyrgyz Republic and the legislation of a foreign state;
  - 2) if between the states legally effective interstate agreements on issues of dual citizenship exist.
2. Dual citizenship in the Kyrgyz Republic shall not be recognized:
- 1) for a citizen of borderline states with the Kyrgyz Republic;
  - 2) for persons listed in Article 16 of this Law.
3. A citizen of the Kyrgyz Republic having the dual citizenship can not be the President of the Kyrgyz Republic, a deputy of Jogorku Kenesh of the Kyrgyz Republic, the judge of the Kyrgyz Republic, an employee of law-enforcement agencies, an employee of the Ministry of Defense of the Kyrgyz Republic and also occupy managerial positions in government agencies.
4. Termination, revival and quitting the dual citizenship shall be made in accordance with the procedure set forth by this Law, as termination, revival and quitting the citizenship of the Kyrgyz Republic.
5. A person receiving dual citizenship in the Kyrgyz Republic shall undergo through registration in accordance with the procedure set forth by this Law as a citizen of the Kyrgyz Republic.
6. Dual citizenship in the Kyrgyz Republic shall be void unilaterally if facts listed in Article 23 of this Law are established.

### **Chapter 3**

#### **Termination of the Kyrgyz Republic citizenship**

Article 23. Grounds for termination of the Kyrgyz Republic citizenship

Citizenship of the Kyrgyz Republic shall be terminated as a result of:

- 1) quitting the citizenship of the Kyrgyz Republic;
- 2) loss of citizenship of the Kyrgyz Republic;
- 3) on other grounds envisioned by this Law, which became effective in accordance with the procedure set forth by international agreements, of which the Kyrgyz Republic is a part.

Article 24. Quitting citizenship of the Kyrgyz Republic

1. Quitting the citizenship of the Kyrgyz Republic by a person residing on the territory of the Kyrgyz Republic shall be made based on a voluntary expression of will of such a person in accordance with the procedure, except for cases envisioned by Article 26 of this Law.

2. Quitting the citizenship of the Kyrgyz Republic by a person residing on the territory of a foreign state shall be made based on a voluntary expression of will of such a person in a simplified manner, except for cases envisioned by Article 25 of this Law.
3. Quitting the citizenship of the Kyrgyz Republic by a child, one parent of who has the citizenship of the Kyrgyz Republic and the other parent of who is a foreign citizen, or the only parent of who is a foreign citizen, shall be made in a simplified manner, based on the petition of both parents or based on the petition of the only parent.

#### Article 25. Grounds for refusal in quitting the citizenship of the Kyrgyz Republic

Quitting the citizenship of the Kyrgyz Republic shall not be allowed if the citizen of the Kyrgyz Republic:

- 1) has unfulfilled obligations before the state or property obligations, with which interests of legal entities and individuals on the territory of the Kyrgyz Republic are related;
- 2) is attracted by law-enforcement agencies of the Kyrgyz Republic as an accused on a criminal case in relation to who a legally enforceable and implementable court sentence exists.

#### Article 26. Loss of citizenship of the Kyrgyz Republic

Citizenship of the Kyrgyz Republic shall be lost:

- 1) as a result of the person's military service or investigation enlistment in a foreign state except for cases envisioned by legally effective interstate agreements and Article 25 of this Law;
- 2) if the citizenship of the Kyrgyz Republic was obtained as a result of intentionally false information or false documents.

### **Chapter 4**

#### **Authorized agencies and officials in charge of the Kyrgyz Republic citizenship**

Article 27. Authorized agencies and officials in charge of issues of citizenship in the Kyrgyz Republic

1. The authorized agencies and officials in charge of citizenship of the Kyrgyz Republic are:  
The President of the Kyrgyz Republic;  
Internal Affairs Agencies;  
The Ministry of Foreign Affairs of the Kyrgyz Republic;  
Diplomatic representations and consular agencies of the Kyrgyz Republic abroad.
2. Powers of agencies in charge of issues of the Kyrgyz Republic citizenship shall be defined by this Law.

Article 28. Powers of the President of the Kyrgyz Republic

1. The President of the Kyrgyz Republic makes decisions in accordance with this Law on issues of:



- 1) granting citizenship of the Kyrgyz Republic to foreign citizens and persons without citizenship;
  - 2) revival of the Kyrgyz Republic citizenship;
  - 3) quitting the citizenship of the Kyrgyz Republic and the loss of citizenship of the Kyrgyz Republic.
2. On issues of citizenship of the Kyrgyz Republic the President of the Kyrgyz Republic issues decrees.
3. Regulation on the procedure of consideration of issues of citizenship of the Kyrgyz Republic shall be approved by the President of the Kyrgyz Republic.

#### Article 29. Powers of internal affairs agencies of the Kyrgyz Republic

Internal affairs agencies of the Kyrgyz Republic:

- 1) accept petitions on issues of citizenship of the Kyrgyz Republic from persons residing on the territory of the Kyrgyz Republic, checks facts and documents provided as the evidence to such petitions;
- 2) forward the materials on petitions about obtaining the citizenship and quitting the citizenship from the citizen of the Kyrgyz Republic for consideration of the President of the Kyrgyz Republic;
- 3) defines the belonging of persons permanently residing on the territory of the Kyrgyz Republic, to the citizenship of the Kyrgyz Republic;
- 4) prepare materials on issues of citizenship to persons permanently residing on the territory of the Kyrgyz Republic;
- 5) register the loss of citizenship of the Kyrgyz Republic by persons permanently residing on the territory of the Kyrgyz Republic;
- 6) processes materials for quitting citizenship in cases envisioned by parts 1 and 3 of Article 24 of this Law;
- 7) accept materials on issues of revival of the Kyrgyz Republic citizenship;
- 8) keep the record of persons in relation to who decisions on change of citizenship of the Kyrgyz Republic are made;
- 9) implement decisions made by the President of the Kyrgyz Republic on the Kyrgyz Republic citizenship issues in relation to persons residing on the territory of the Kyrgyz Republic.

#### Article 30. Powers of the Ministry of Foreign Affairs of the Kyrgyz Republic, diplomatic representations and consular agencies of the Kyrgyz Republic

1. The Ministry of Foreign Affairs of the Kyrgyz Republic, diplomatic representations and consular agencies of the Kyrgyz Republic:

- 1) accept petitions on issues of the Kyrgyz Republic citizenship from persons permanently residing outside the Kyrgyz Republic and together with the necessary documents, forward them for review by the President of the Kyrgyz Republic;
- 2) defines the belonging of persons permanently residing abroad, to citizenship of the Kyrgyz Republic;
- 3) register the loss of citizenship of the Kyrgyz Republic by persons permanently residing

abroad;

- 4) process quitting the citizenship in cases envisioned by part 2 of Article 24 of this Law;
- 5) keep the consular record of citizens of the Kyrgyz Republic permanently residing abroad;
- 6) implement decisions on issues of the Kyrgyz Republic citizenship made by the President of the Kyrgyz Republic in relation to persons residing outside the Kyrgyz Republic;
- 7) keep the record of persons in relation to who decisions on changing citizenship of the Kyrgyz Republic are made.

2. In case of absence of a diplomatic representation or consular agency of the Kyrgyz Republic in a country, the functions of these agencies are performed by diplomatic representations and consular agencies based on legally effective interstate agreements.

## **Chapter 5**

### **Proceedings on cases of the Kyrgyz Republic citizenship**

Article 31. Procedure of applying petitions on the Kyrgyz Republic citizenship issues

1. Petitions on issues of the Kyrgyz Republic citizenship shall be addressed to the name of the President of the Kyrgyz Republic and applied to internal affairs agencies of the Kyrgyz Republic in the place of a petitioner's residence.
2. Persons permanently residing outside the Kyrgyz Republic, apply petitions to diplomatic representations and consular agencies of the Kyrgyz Republic.
3. A petition is applied personally by a petitioner.
4. In case if a petitioner is unable to personally apply the petition due to circumstances of an exceptional nature and supported by documents, the petition and the necessary documents may be submitted for review through another person or sent by mail. In that case the truthfulness of the signature of the person signed the petition and correspondence of the copy of the document attached to the petition shall be certified by entries made by a notary.
5. A petition on changing the citizenship of a child or a disabled person shall be supplied by their parents or other legal representatives in the place of residence of the child or the disabled person.

Article 32. The procedure of processing documents on issues of the Kyrgyz Republic citizenship

1. A petition of granting citizenship of the Kyrgyz Republic, revival or quitting it shall be reviewed based on a written petition of a petitioner. Petitions of persons who did not reach the age of 18 shall be reviewed based on petitions of their legal representatives certified by a notary and outside the Kyrgyz Republic - by diplomatic representations or consular agencies of the Kyrgyz Republic.
2. In applying petitions related to granting the citizenship, revival or quitting the citizenship of the Kyrgyz Republic of children at the age of 14 through 18, it is necessary to provide their agreement in writing certified by a notary and outside of the Kyrgyz Republic, their written consent shall be certified by a diplomatic representation or consular agency of the Kyrgyz Republic.
3. In applying the petition regarding quitting the citizenship of the Kyrgyz Republic of a minor child, one of the parents of who remains the citizen of the Kyrgyz Republic, the written consent

of the latter agreeing to quit the citizenship of the Kyrgyz Republic by the minor child shall be required. Such petitions should be notarized and outside the Kyrgyz Republic - by a diplomatic representation or a consular agency of the Kyrgyz Republic.

4. If a petitioner can not sign the petition due to his/her physical defects, the petition shall be signed on his/her behalf by another person and notarized. Outside the Kyrgyz Republic, the signature of a petitioner shall be certified by an official of a diplomatic representation or consular agency of the Kyrgyz Republic.

Article 33. The list of document applied to authorized agencies of the Kyrgyz Republic

1. A foreign citizen or a person without citizenship applies the following documents to internal affairs agencies or diplomatic representations and consular agencies:

- 1) the application-questionnaire on granting the citizenship of the Kyrgyz Republic in two copies;
- 2) an original and copies of documents certifying the identity of the petitioner (passport, residence permit for persons without citizenship);
- 3) two pictures;
- 4) the slip on payment of the state duty (consular fees) or document on the payment waiver;
- 5) the document on availability of sources of subsistence (the reference on income of an individual, declaration on income taxes of individuals with the tax authority mark, the reference from work, labor book, pension certificate, the reference of the social protection agency on receiving the benefit, confirmation of receiving alimonies, the reference on availability of a deposit in a credit institution indicating the number of account, the certificate of the inheritance right, the reference on income of persons, who the petitioner is a dependent of, or any other document confirming the receipt of income from an activity not prohibited by the law);
- 6) the document confirming a continuous and uninterrupted residence on the territory of the Kyrgyz Republic (residence permit, mark on registration, reference from aiyl okmotu);
- 7) the document confirming the level of knowledge of the state or official language by the petitioner. Such a reference shall not be required from persons who graduated from an educational institution with the Kyrgyz or Russian languages being the languages of instruction.

2. If a petitioner simultaneously petition on granting the citizenship of the Kyrgyz Republic to minor children, depending on the circumstances envisioned by this Law the following documents are provided:

- 1) an original and copies of the marriage certificate (divorce certificate), child birth certificate, custody or trusteeship certificate or deprivation of parental rights;
- 2) written notarized agreement of children aged 14 through 18 for changing the citizenship.

3. In applying the documents in accordance with part 2 of Article 14 of this Law additionally to documents listed in part 1 of this Article, the copy of one of the following documents shall be provided if the petitioner:

- 1) is married to a citizen of the Kyrgyz Republic - the marriage certificate;
- 2) has achievements in the field of science, technique, culture or possess a profession or qualification, which is in demand in the Kyrgyz Republic - the petition of an interested government agency on granting the Kyrgyz Republic citizenship;
- 3) is a refugee in the Kyrgyz Republic - the certificate of a refugee. Documents listed in points of clause 2 and point 5 of part 1 of this Article shall not be provided;

4) made investments to the economy of the Kyrgyz Republic - the document confirming the contribution of investments issued by government agencies of the Kyrgyz Republic.

4. In case of applying the petition to grant citizenship of the Kyrgyz Republic in a simplified manner, in addition to documents listed in part 1 of this Article, one of the following documents shall be furnished is a petitioner:

1) has one parent who is a citizen of the Kyrgyz Republic, - the copy of the petitioner's birth certificate and the document confirming the parent's citizenship;

2) born in the Kyrgyz Republic - the document confirming the fact of birth in the Kyrgyz Republic;

3) is a personal of the Kyrgyz nationality possessing the citizenship of a foreign state or residing on the territory of a foreign state, - the document confirming the Kyrgyz nationality or the Kyrgyz nationality of either parent and the document listed in point 6 of part 1 of this Article shall not be furnished.

#### Article 34. The procedure of acceptance and review of petitions on issues of the Kyrgyz Republic citizenship

1. Internal Affairs agencies of the Kyrgyz Republic, diplomatic representations or consular agencies of the Kyrgyz Republic must accept all petitions on issues of the Kyrgyz Republic citizenship filed as a rule, personally by a petitioner or sent by mail and also handed in through a third person or due reasons, the list of which is approved by the President of the Kyrgyz Republic.

2. Internal Affairs Agencies or respective diplomatic representations or consular agencies processing petitions on citizenship issues, make their motivated and well-grounded opinion on it.

3. The Ministry of Internal Affairs of the Kyrgyz Republic, the Ministry of Foreign Affairs of the Kyrgyz Republic send their opinions on issues of citizenship and other necessary materials agreed with the national security service of the Kyrgyz Republic to the Commission on issues of the Kyrgyz Republic citizenship under the President of the Kyrgyz Republic.

4. The total timeline of reviewing petitions on the issues of citizenship by internal affairs agencies and diplomatic representations or consular agencies should not exceed 90 days in accordance with the general procedure and 30 days in accordance with the simplified procedure.

In conclusion information on unfulfilled obligations of the petitioner before the state or his/her property obligations, with which significant interests of citizens or companies, agencies or organizations, public associations or information on being criminally prosecuted as a convicted person or of imprisonment as of the court sentence or quitting the citizenship by such person contradict to interests of the state security of the Kyrgyz Republic.

#### Article 35. Charging the state duty and consular fees

In the process of applying petitions on obtaining the citizenship of the Kyrgyz Republic, revival or quitting citizenship on the territory of the Kyrgyz Republic, the state duty is charged and the consular fee outside the Kyrgyz Republic in accordance with the procedure set forth by the legislation of the Kyrgyz Republic.

#### Article 36. Commission on the issues of citizenship under the President of the Kyrgyz Republic

1. For a prior review of citizenship issues listed in this Law, the President of the Kyrgyz Republic creates a permanent Commission on issues of citizenship (hereinafter - the Commission). The composition and the operations procedure of the Commission shall be determined by the Regulations approved by the decree of the President of the Kyrgyz Republic.
2. In consideration of petitions on issues of citizenship the Commission studies far and wide the reasoning of the petitioner, pinions of state agencies and attached documents listed in Article 33 of this Law.
3. The Commission makes suggestions on each individual petition individually for consideration of the President of the Kyrgyz Republic.
4. The decision of the Commission shall be validated by the minutes to be signed by all members of the Commission participating in the meeting.

#### Article 37. Procedure and deadlines of making decisions on issues of the Kyrgyz Republic citizenship

1. Consideration of applications on issues of the Kyrgyz Republic citizenship and making decisions on them based on petitions in accordance with the general procedure shall be made within six months from the date of filing the petition attaching duly processed documents.
2. Consideration of applications of persons applying the petition for obtaining or termination the citizenship of the Kyrgyz Republic in a simplified procedure and making decisions on them based on petitions procedure shall be made within three months from the date of filing the petition attaching duly processed documents.
3. Change in citizenship becomes effective from the moment of issuing the decree of the Kyrgyz Republic President.
4. Repeated applications on issues of citizenship shall be considered on expiration of one year after making the prior decision on this issue. In case of appearance of significant for the case circumstances, which were not and could not be known to the petitioner, the repeated application may be considered at an earlier stage.

#### Article 38. Procedure of implementing decrees of the President of the Kyrgyz Republic on issues of the Kyrgyz Republic citizenship

Implementation of decrees of the Kyrgyz Republic President on issues of citizenship of the Kyrgyz Republic in relation to petitioning persons located on the territory of the Kyrgyz Republic is laid onto the Ministry of Internal Affairs of the Kyrgyz Republic and its agencies and on issues pertaining to persons residing outside the Republic, - onto the Ministry of Foreign Affairs, diplomatic representations and consular agencies of the Kyrgyz Republic.

#### Article 39. Issuance of passports and residence permits

1. Persons who obtained the Kyrgyz Republic citizenship in accordance with the procedure set forth by this Law, the Kyrgyz Republic internal affairs agencies or diplomatic representatives and consular agencies of the Kyrgyz Republic issues the passport of the Kyrgyz Republic citizen. In documents of children, who have not reach the age of 16 years old, an entry is made on their belonging to the Kyrgyz Republic citizenship.
2. Persons residing in the Kyrgyz Republic and being non-citizens of the Kyrgyz Republic, the

Kyrgyz Republic internal affairs agencies issue residence permits of a foreign citizen or a citizen without citizenship.

Article 40. Control over implementation of decisions on issues of citizenship of the Kyrgyz Republic

Control over implementation of decisions on issues of citizenship of the Kyrgyz Republic shall be established by the Commission on issues of citizenship under the President of the Kyrgyz Republic.

Article 41. Appeal of decisions on issues of citizenship

1. Decisions on issues of citizenship may be appealed through the court.
2. An appeal can be applied within six months from the day of making an appropriate decision. The deadline for filing an appeal to the decision on citizenship issues missed for a legitimate reason can be revived in a judicial proceeding.

## **Chapter 6**

### **Final provisions**

Article 42. Appeal of actions of officials on issues of citizenship

Refusal in consideration of applications on issues of citizenship of the Kyrgyz Republic and other actions of officials violating the procedure of implementing decisions on issues of citizenship of the Kyrgyz Republic may be appealed to a higher-level official or the court.

Article 43. Application of norms of interstate agreements

If different norms than those contained in this Law are established by legally implemented interstate treaties, norms of interstate treaties, of which the Kyrgyz Republic is a party, shall be applied.

Article 44. Effectiveness of this Law

1. This Law becomes effective from the day of official publication.

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2. Acknowledged the loss of effectiveness of the Kyrgyz Republic Law "On citizenship of the Kyrgyz Republic" as of 18 December 1993 N 1333-XII (Vedomosti of Jogorku Kenesh of the Kyrgyz Republic, 1994, N 1, page 1).
  3. Offer to the President of the Kyrgyz Republic to bring his regulations in compliance with this Law within three months.
- The Government of the Kyrgyz Republic:
- 1) within three months introduce draft laws resulting from this Law to Jogorku Kenesh of the

Kyrgyz Republic;  
2) bring its regulations in compliance with this Law.

The President of the Kyrgyz Republic K. Bakiev

Adopted by Jogorku Kenesh  
of the Kyrgyz Republic as of 27 March 2007