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THE CONSTITUTIONAL LAW

On Presidential and Jogorku Kenesh Elections in the Kyrgyz Republic

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This Constitutional Law of the Kyrgyz Republic (hereinafter KR) defines electoral rights of and guarantees to the Kyrgyz Republic Citizens (hereinafter referred to as citizens); it regulates the relations connected with preparation and conduct of elections of the Kyrgyz Republic President (hereinafter referred to as President) and Jogorku Kenesh deputies of the Kyrgyz Republic (hereinafter referred to as Jogorku Kenesh Deputies).

Chapter I. General Provisions

Citizens' electoral rights

Article 1 Key definitions used in the present Constitutional Law

The following definitions are used in the present Constitutional Law:

Campaign materials – printed, audiovisual, and other materials containing the features 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 citizens to elect to the state authorities and local self-governance bodies;

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

Guarantees for citizens' electoral rights - organizational, legal, information and other means to ensure electoral rights of the Citizens;

Voter's identity card – passport (ID card) of a Citizen or a regular passport of a Citizen;

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;

Voters – citizens of the Kyrgyz Republic having active electoral right;

Election documents – voter lists; ballots - valid, invalid, not used (cancelled), wasted (filled with errors), as well as ballots issued to voters for early voting and for mobile voting; minutes of election commissions, their decisions on election-related issues, registration files of candidates

and political parties, aggregated tables of election results;

Election Commissions – collegial bodies organizing preparation and conduct of elections in KR and ensuring realization and protection of the Citizens' electoral rights;

Electoral legislation – a set of normative acts regulating election procedure in KR;

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

Election Information Support – voters information and pre-election campaign in order to ensure conscious choice of the citizens, transparency of elections;

Voting address – the address of a voter where he/she is willing to vote, defined pursuant to the procedure established by this Constitutional Law, which is not his/her permanent residency address;

Candidate – an individual nominated for the post of the President or Jogorku Kenesh deputy 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 KR pursuant to procedure established by the legislation;

Observer – an individual, designated by a candidate, a political party having submitted the list of candidates or by a non-profit organization (NGO) to carry out observation of voting, counting votes and tabulation of results pursuant to procedure established by the legislation;

Passive electoral right of citizens – the right of the Citizens to be elected to the state bodies and local self-governments;

Permanent residence – residence of a citizen in the territory of KR that was certified in the appropriate document by the registration mark of the registration body;

Law enforcement agencies – agencies on internal affairs, national security, financial police, prosecutor office, customs service, and drug control agency;

Election campaign – activity of the Citizens, candidates, authorized representatives and proxies of candidates and political parties with regard to preparation and dissemination of information during elections with the aim of encouraging or encouraging voters to vote for some candidates (list of candidates) or against them;

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

Voter list – a list of the Citizens possessing active electoral right as of election day; compiled in electronic and hard (paper) forms;

List of early voters – repealed as of 23/04/2015;

List of candidates – a single list of candidates nominated by political parties and registered by an election commission;

Added as of as of 23/04/2015:

Operator – a specialist of the State Registry Service, providing technical support at a polling station during election day;

Automatic scanning ballot box – a device for automatic counting the votes;

Stationary ballot box – a transparent ballot box;

Ballot boxes - Automatic scanning and Stationary ballot boxes;

Mobile ballot box – a ballot box, designed for mobile voting;

Failure – lack of functioning of an Automatic scanning ballot box.

Article 2 The principles of citizens' participation in the election

1. Elections in KR are carried out on the basis of universal, equal and direct suffrage by secret ballot. Elections in KR are based on free and voluntary exercise of electoral rights by the citizens of the Republic. No one may make a pressure on citizens with a view to make them participate or not participate in the elections, or on their free will.

2. Citizens residing or staying abroad have electoral rights in line with this Constitutional Law.

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

Kyrgyz citizens residing or staying abroad shall vote only within the territory of diplomatic missions and consulates of KR.

3. During the elections in KR, women have equal opportunities with men in realization of their rights to elect or be elected for presidency and Jogorku Kenesh deputies.

Article 3 Universal suffrage

1. Kyrgyz citizens who have attained the age of 18, have the right to elect and, upon attaining the age established by the Constitution of KR (hereinafter referred to as 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, nationality, disability, education, official and material 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 conviction has not been cancelled pursuant to the procedures established by law, may not be elected for presidency or Jogorku Kenesh deputies.
5. Citizens exercise their suffrage rights in line with the requirements, provided by this law.
(added as of 23/04/15)

Article 4 Equal suffrage

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

Article 5 Direct suffrage

Citizens of KR shall elect directly their representatives out of candidates for presidency and Jogorku Kenesh deputies.

Article 6 Secret ballot

Voting in the elections in KR shall be secret and any possibility to control citizens' will shall be eliminated.

Article 7 Obligation and periodicity of the election

1. The term of office of the President or Jogorku Kenesh deputies shall be established by the Constitution.
2. Presidential and Jogorku Kenesh elections shall be compulsory and held within the periods established by the Constitution.
3. Elections shall not be held at the time of emergency or martial law imposed in the territory of KR.

Article 8 Transparency of the electoral process

1. Elections shall be organized and conducted publicly and openly.
2. Members of higher level election commissions, candidates, representatives of candidates or political parties, as well as observers, international observers and mass media shall have the right to attend the sessions of the relevant elections commission.
3. The electoral information system shall be used for monitoring of the voting process and results by transfer of protocol data 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 KR (hereinafter referred to as the Central Election Commission, CEC) shall determine the procedure for the use of this information.

Article 9 Observers

1. Candidate, political party nominating the candidates' list, non-profit making organizations shall have the right to appoint an observer who shall be given the rights to observe preparation of elections, voting process, counting of votes, determination of voting returns and election results in a procedure stipulated by the legislation.
2. Observer shall be given the rights and duties provided by this Constitutional Law to observers upon submission of a referral to the appropriate election commission by his/her nominating organization. The referral should indicate first name, last name and patronymic,

place of residence, the polling stations 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 document shall be valid upon submission of passport or a replacing document. A preliminary notice on designation of the observer shall not be required.

3. Citizens of KR having the right to vote may act as observers. Jogorku Kenesh deputies, local council deputies, government officials and local government officers, members of election commissions, representatives of candidates and political parties nominating the candidates' list in the election commissions, judges, prosecutors, law enforcement and fiscal bodies officers and servicemen may not act as observers.
4. Observers shall have the right to:
 - 1) observe formation of election commissions of any level;
 - 2) observe compilation of voter lists;
 - 3) observe the process of voters registration;
 - 4) observe information support to election;
 - 5) observe voter lists available with the election commission and a register of applications (appeals) for a mobile voting;
 - 6) be at the voting premises at any time of the election day;
 - 7) observe mobile voting;
 - 8) openly express his/her opinion via mass media, as well as make statements on preparation and conduct of election;
 - 9) move freely and attend any polling stations and election commissions;
 - 10) observe the voting process organization established by this Constitutional Law, not violating secrecy of the vote, including issuance of ballots; establishing number of voters included in the voter list, ballots given to the voters and cancelled ballots; observe counting of votes at distance and in the circumstances providing for visibility of the ballot content, review any filled out or unfilled ballots during counting of votes; observe filling the election commission protocols on voting results and other documents;
 - 11) approach chairperson of the precinct election commission or, in the absence of the chairperson, approach his/her deputy with suggestions and remarks on the voting process organization;
 - 12) observe protocols of the election commission he/she is assigned to;
 - 13) get copies of protocols and attached documents from the election commission;
 - 14) appeal decisions and (or) action (inaction) of the election commission to which he/she is assigned to, in accordance with this Constitutional Law;
 - 15) attend vote recount in appropriate election commissions;
 - 16) wear badges without a campaign features, but indicating the status, name, the name of the organization that sent the observer to the election commission;
 - 17) make photo, video- and audio recording not violating secrecy of the vote, not impeding count of votes.

5. Observer may not:

- 1) issue ballots to voters;
- 2) sign instead of a voter on his/her request when getting ballot;
- 3) mark ballot for a voter on his/her request;
- 4) take up any actions undermining secrecy of vote;
- 5) participate in ballot counting done by the election commission members;
- 6) interfere to the work of the election commission;
- 7) carry out campaigning among voters;
- 8) participate in making decisions by the appropriate election commission.

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

Article 10 International observers

1. International observers shall be accredited by the Central Election Commission provided they have received invitation forwarded by the President, Jogorku Kenesh, Government, Central Election Commission after decision to call the elections was published officially. Proposals for invitations can be submitted by international and national NGO specializing in the electoral legislation and elections as well as protection of human rights.
2. International observer's term of office shall begin on the day of his/her accreditation by the Central Election Commission and end as of the day of official publication of election results.
3. International observers may move freely and attend any precincts and election commissions.
4. International observers shall be entitled to :
 - 1) express in public their opinion on preparation and conduct of the elections;
 - 2) hold press conferences and approach mass media;
 - 3) make photo, video- and audio recording not violating secrecy of the vote;
 - 4) have badges without a campaign feature, indicating the status, name and the name of the organization they represent;
 - 5) observe formation of election commissions of any level;
 - 6) observe voter lists compilation;
 - 7) observe the process of voter registration;
 - 8) observe information support to election.
5. International observers cannot use their status to engage into activities not related to election observation.

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

7. Activities of international observers shall be regulated by the electoral law.

Article 11 Mass media representatives

1. Mass media shall be accredited by the Central Election Commission upon submission of a request in writing.
2. Mass media representatives participating in information coverage of election preparation and conduct shall be entitled to:
 - 1) attend election commission meetings;
 - 2) review election commission protocols;
 - 3) get copies of protocols and attached documents from election commissions;
 - 4) take pictures or video-recording during the period of election preparation, and on the election day they may do it at the place indicated by the Chairperson of the precinct election commission without violating secrecy of election;
 - 5) have badges on with no sign of campaigning, but indicating the status, name and the name of the organization they represent;
3. On request of a mass media representative, the election commission must certify a copy of the protocol on election results or election results.
4. The Central Election Commission shall be entitled to withdraw accreditation of any mass media representative in the event of violation of the electoral legislation.
5. In the period of election preparation and conduct activities of a mass media representative shall be regulated by the electoral law

Chapter II Election commissions and constituency

Article 12 Election Commissions

1. Election commissions shall organize preparation and conduct of elections in KR and provide for exercise and protection of electoral rights of the Citizens.
2. The unified system of election commissions in KR shall include:
 - 1) Central Election Commission (hereinafter CEC);

- 2) territorial election commissions: Bishkek and Osh city election commissions, rayon election commissions for elections and referenda, city election commissions (hereinafter TEC) – as decided by the Central Election Commission;
 - 3) precinct election commissions (hereinafter PEC).
3. Election commissions shall carry out their activity based on the following principles:
- 1) legality;
 - 2) transparency;
 - 3) openness;
 - 4) independence;
 - 5) collective nature;
 - 6) fairness.
4. The Law regulating operational procedure of the election commissions, this Constitutional Law, and other regulatory statutes shall establish the legal status, activity organization and procedures as well as guarantees of independence with regard to election commissions.

Article 13 Constituency

1. The whole territory of the Kyrgyz Republic is a single constituency to conduct presidential election or elections of the Jogorku Kenesh deputies.
2. The voters residing abroad shall be deemed assigned to the constituency.

Chapter III Voter lists

Article 14 Compilation of voter lists *(as of 23/04/15)*

1. With a view of exercising electoral rights, familiarization of voters with data on themselves, as well as voting a voter list is compiled for each polling station.
2. The citizens possessing active electoral right as of election day and having passed the biometric registration as prescribed by the law, are included into voter lists.
3. Compilation of a voter list is provided based on personal data (including biometrical) kept in the Unified State Population Register within the boundaries of electoral precincts.

Formation, storage, and updating of the Unified State Population Register is provided by the state body in charge of population registration (hereinafter, the authorized state body, or *State Registration Service*)

4. The voter list shall be drawn up by the State Registry Service on the basis of information about the voters - their biometrical and personal data via the voter registration system.
5. The data on voters being during election day at hospitals, or as detainees at temporary detention facilities shall be provided by heads of the abovementioned institutions and submitted to the State Registry Service and the appropriate precinct election commission no later than 12 days before election day.
6. Information about the voters residing and staying abroad, who has registered at the consulates and passed the biometric registration shall be prepared by heads of the appropriate diplomatic missions and consulates and transferred via the MFA to the State Registry Service through the state body in charge of foreign affairs no later than 55 calendar days prior to the election day.

The State Registry Service in coordination with the Ministry of Foreign Affairs shall determine the form, type and procedure for submission of information about the voters staying abroad and registered at the consulates.

7. Voter lists compiled for each polling station are submitted in electronic version by the State Registry Service to the CEC 50 days prior to the election day. Submission of the voter lists in electronic version is provided in accordance with the legislation on electronic documents and electronic signature.

The CEC immediately after receiving the voter lists prints them out and transfers the voter lists to the relevant PECs.

The PECs post the voter lists for public scrutiny no later than 45 days before election day.

8. Voter lists submitted to the PECs are aggregated by the CEC in breakdown of precincts, districts, towns and are posted at the official websites of the State Registry Service and the CEC without an information about the permanent or temporary residence, year of voter's birth. The voter lists are posted for familiarization and verification of the data, defining mistakes and inaccuracies in the voter lists.

The voter lists posted at the official websites are subject to regular updating based on information received.

9-11 – repealed by the law as of 23/04/2015

Article 15 Familiarization with the voter lists; Voting address
(amended as of 23/04/2015)

1. PEC must post the voter list for the public scrutiny for voters residing within the territory of the appropriate electoral precinct, 45 days prior to the election day.
2. PEC shall send a notification to a voter about his/her inclusion into the voter list no later than 40 days prior to the election day.
3. In case of non-inclusion in the voter list or in case of any mistake and inaccuracy, every voter no later than 15 calendar days prior to the election day shall be entitled to submit written application to the appropriate PEC and enclose copies of relevant documents. Such an application shall be immediately sent by PEC to the State Registry Service for consideration.

The response for the voter's application is sent by the State Registry Service to the voter within 2 calendar days after inclusion onto the voter list or correction of a mistake and inaccuracies.

In case of lack of voter's biometric data, the voter is referred to the State Registry Service for biometric registration.

4. Every voter, after familiarization with the voter list but no later than 15 calendar days prior to the election day, shall be entitled to declare his/her desire to vote according to a voting address, by submitting a standard application to a corresponding PEC with a copy of the citizen's passport (ID card) attached. Persons residing or staying abroad shall submit the regular passport of KR citizen.

This application is immediately transferred to the State Registry Service, that must include the voter into the voter list of the precinct according to the voting address and inform the voter about the inclusion within 2 days after inclusion.

5. The State Registry Service no later than 15 days prior to the election day shall stop accepting applications from the voters on their non-inclusion into the voter lists, about mistakes and inaccuracies in the voter lists, and on changing the voting address.

The CEC shall immediately print out and submit numbered, bound, and sealed by the CEC voter lists (hereinafter paper voter lists) to the appropriate PECs no later than 3 days prior to the election day.

6. Only citizens included in the voter list shall have the right to vote on election day.
7. The CEC in coordination with the State Registry Service approves Rules of Procedures for the CEC and the State Registry Service with regards to compilation and transfer the voter lists, familiarization with the voter lists, handling the applications from the voters on their non-inclusion into the voter lists, about mistakes and inaccuracies in the voter lists, and on

changing the voting address, on identification of voters on election day, as well as other issues.

Article 16 State registration (record) of voters
(as of 23/04/2015)

1. State voter registration shall be performed via the Unified State Population Register.
2. The Rules on formation and use of the Unified State Population Register are provide by the laws.

Chapter IV Representatives of a candidate and a political party; the status of candidates

Article 17 The status of the candidate's and political parties' representative nominating list of candidates in election commissions

1. After the registration, a candidate or a political party nominating list of candidates shall be entitled to appoint a representative to the appropriate election commission (hereinafter referred to as representative in the election commissions). The representative of a candidate shall submit identification documents indicating his/her full time job, occupation, full permanent address and contact data.
2. Authorities of the representative in the election commissions shall take effect at the moment of his/her registration with the appropriate election commission.
3. Any citizen of KR who has attained the age of 21, has a voting right and permanently resides in KR may become a representative in the election commissions.
4. Deputies, members of the government, officers of the President's Office, Central Government Office, Jogorku Kenesh, officials of state power bodies and local governments, judges, members of election commissions, judges, servicemen and officers of the law enforcement and fiscal bodies, foreign citizens and individuals without Kyrgyz citizenship as well as individuals, whose previous convictions were not cancelled pursuant to procedure established by law, may not be candidate's representatives in election commissions.
5. A representative in election commission may not be simultaneously a representative in other election commissions.
6. 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.

7. A representative in election commissions shall be issued a certificate of the standard form.

Article 18 Powers of representative in election commissions

(amended as of 23/04/15)

1. Representative in election commissions shall be entitled to:
 - 1) review documents and materials considered at election commission meetings;
 - 2) enter his/her suggestions into the agenda of the election commission meetings within the scope of the commission's functions and require 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 commission 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) appeal against activity (inactivity) of the election commission in accordance with the procedure established by this Constitutional Law;
 - 7) check authenticity of the documents submitted by voters and see if ballots are distributed correctly.
2. Representative in election commissions may not:
 - 1) participate in inspections carried out by the elections commission;
 - 2) give explanations, instructions and reports on behalf of the election commission;
 - 3) draw up protocols on voting returns and election results;
 - 4) participate in voting during a decision making process referred to the powers of the election commission;
 - 5) sign resolutions and protocols of the election commission.
3. Powers of representative in election commissions can be terminated at any time by a decision of individuals who had appointed him and his powers may be assigned to another person.
4. Powers of representative in consultative capacity can also be terminated in case of revocation of the registration of the entity who had appointed such representative.
5. Power of representative in election commissions shall be terminated upon official publishing of election results.
6. In case of a complaint lodged by a registered candidate or political party against election results, powers of the representatives in election commissions shall be terminated after the final decision on the complaint.

Article 19 Authorized representatives of candidates and political parties nominating list of candidates

1. Candidates and political parties can appoint authorized representatives to represent them on the issues connected with participation in elections and finance.
2. Deputies, members of government, officers of the President's Office, Jogorku Kenesh, Central Government Office, officials of state power bodies, local governments, judges, servicemen and officers of law enforcement and fiscal bodies, foreign citizens and individuals without citizenship may not be authorized representatives.
3. The list of authorized representatives of candidates and political parties shall be submitted to the CEC 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 CEC, authorized representatives should provide their written consent to fulfill the functions of the authorized representative.
4. Within 2 calendar days after submission of all required documents the CEC shall issue registered certificates to authorized representatives or take a reasoned decision to refuse registration in line with this Constitutional Law.
5. Authorized representative of candidate or political party shall be regarded appointed and shall acquire all the rights and duties of the authorized representative after issuance of the registered certificate by CEC.
6. Authorized representative of candidate or political party acting as government or municipal official may not take advantages of his/her official capacity or employment status.
7. Authorized representative shall:
 - 1) certify candidacy lists when collecting signatures of voters in support of candidate to the post of the President, count signatures, draw up protocol on the results of signature collection;
 - 2) submit candidacy lists in support of candidate to the post of the President to the appropriate election commission, as well as other documents for registration of candidate;
 - 3) receive written confirmation issued by the appropriate election commission in connection with acceptance thereby of candidacy lists and other documents;
 - 4) carry out election campaign, disseminate campaigning materials;

- 5) shall be entitled to participate in the random draw procedure conducted by the election commission in order to determine provision of air time to candidates and political parties;
 - 6) attend meetings of election commission on the issues related to candidates and political parties that nominated authorized representatives;
 - 7) implement other activities specified by this Constitutional Law and on instructions of candidate or political party.
8. Candidate or political party may terminate powers of the authorized representative at any time by sending a written notice to the CEC that has registered such authorized representative.
9. The term of powers assigned to the authorized representative of a candidate or political party shall take effect on the day of his/her registration by the CEC and shall expire from the date of 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 announcement of election results.

Article 20 Proxies of candidates or political parties nominating list of candidates

1. Candidate and political party can nominate their proxies.
2. Proxies shall be registered by the CEC on the basis of written application of candidate, or recommendation of political party, and application of the citizen, who wants to become an agent. The CEC shall issue a certificate to the proxy of a standard pattern.
3. Deputies, members of the government, officers of the President's Office, Central Government Office, Jogorku Kenesh, officials of state power bodies and local governments, members of election commissions, judges, officers of law enforcement and fiscal bodies, and foreign citizens may not be proxies.
4. Proxy shall act within the authority provided to them by candidates or political parties.
5. Proxies shall be entitled to:
 - 1) carry out campaigning and other activities supporting election of candidate (list of candidates), present their electoral programs;
 - 2) deliver speeches at pre-election assemblies, meeting with voters, participate in debates and discussions;
 - 3) attend election commission meetings;
 - 4) attend precincts during voting, votes counting and summarizing voting returns;

- 5) review documents of election commissions and protocols on voting returns and election results;
 - 6) appeal against decisions and activity (inactivity) of the election commission and attend processing of complaints and applications.
6. Proxies of candidates or political parties may not:
- 1) interfere with the work of the election commission;
 - 2) sign instead of a voter on his/her request when he/she is issued a ballot or fill out his/her ballots;
 - 3) present informative TV and radio programs (broadcast), participate in coverage of the elections via mass media if proxies are journalists, creative specialists or officials of these media editorial offices;
7. Candidates or political parties shall be entitled to recall their proxies at any time by notifying the CEC about revocation; the CEC shall revoke a certificate issued to those proxies. Proxy can at any time on his/her own initiative resign returning to the CEC a certificate issued to him and notifying a candidate or political party that nominated him/her.
8. Powers of proxies shall be terminated if their registered candidate loses his/her status, or if candidates included into the list of candidates by political parties, lose their status.

Article 21 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 state and 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 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 for the purposes of nomination or election;
 - 5) collecting signatures and conducting election campaign by state or municipal officials during their business trips;
 - 6) 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 elective officials.
 5. Registered candidates holding state political positions except the Jogorku Kenesh deputies and the President, administrative state and municipal positions or working with mass media must suspend their official capacity or employment status from the moment of registration till announcement of elections results.
 6. Heads of state power bodies, local governments, companies, 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.
 7. No later than 5 calendar days from the moment of registration, candidates or their authorized representatives and authorized representatives of political parties shall submit certified copies of the appropriate orders to the CEC.
 8. At the time of registration the CEC responsible for registration of candidates and candidate lists must inform the candidate and authorized representatives of political parties about the abovementioned circumstances.
 9. During the elections the 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.
 10. 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 CEC except for the cases of being caught in the

act. Institution of a criminal case may not be a reason for barring candidate from implementing his/her right to be elected.

11. A registered candidate shall lose the rights and be released from obligations related to the status of a candidate since official declaration 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.
12. Candidates and political parties shall be entitled to appoint representatives in election commissions, authorized representatives and proxies in accordance with the procedures specified in this Constitutional Law. In the cases provided for by this Constitutional Law, candidates and political parties shall bear responsibility for the actions of their representatives related to violation by them of the provisions of this Constitutional Law.

Chapter V Information support of elections

Article 22 Provision of information to voters and holding of 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 the elections.
2. Provision of information to voters shall be performed by state power bodies and local governments, election commissions, mass media, legal entities and individuals in conformity with this Constitutional Law and the legislation in force. State power bodies, local governments and election commissions shall be responsible for timely and reliable provision of information to citizens.
3. The content of information 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 candidates or political parties.
4. Publishing of opinion poll outcome related to elections is one of the ways to raise awareness of voters.
5. When opinion poll results connected with elections are published, 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 election day and on the election day, publication in mass media of opinion poll returns, 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 returns, 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 KR, candidates and political parties with the possibility of free campaigning in line with this Constitutional Law and the laws of KR.
9. Citizens, candidates and political parties shall be entitled to carry out election campaign for or against any candidate or list of candidates and discuss pre-election programs of candidates or political parties freely and comprehensively.

Campaigning can be carried out through assemblies, meetings and mass media. The form and methods of campaigning must be consistent with the Kyrgyz legislation. Election commissions must provide for campaigns and meetings with the voters.

For the purposes of campaigning, state power bodies and local governments must provide the appropriate premises for meetings, places or areas for election campaign posters at the expense of republican budget.
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 political parties;
 - 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 and political parties shall be able 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 can be carried out via:

- 1) mass media;
 - 2) 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. Candidates 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 governments, members of election commissions, observers, international observers, judges, 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 KR. 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.
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 reach campaigning speeches of the above-mentioned persons, when candidates use free air time on the government and local TV and radio channels in the procedure specified in Article 24 of this Constitutional Law.
18. Mass media, whose founder or co-founders are state power bodies and local governments or their subordinated agencies 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 CEC, to candidates or political parties.
The amount of payment for air time and publications in periodicals must be the same for all candidates or political parties.
20. 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 CEC.

Article 23 The period of election campaign

1. Election campaign shall begin from the day on which registration of all candidates and lists of candidates is completed 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 24 Election campaign via TV and radio

1. Candidates and political parties nominating list of candidates shall have the right to get free air time on the TV and radio channels that fall under item 18, Article 22 hereof and broadcast within the territory of the elections. The mentioned air time should be provided in the period, when TV and radio programs gather the largest audience, namely 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.
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 authorized representatives and proxies. 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 or representatives of political party have 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 22 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 and representatives of political parties or comment on 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 22 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 25 Election campaign via print media

1. Periodical printed mass media that fall under item 18 of Article 22 hereof and are disseminated in the territory of the elections, except for the newspapers founded by state power bodies and local 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. 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). The cost of print space cannot exceed the cost charged 6 months prior to election call.

Article 26 Election campaign via public events

1. State power bodies and local 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 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 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 proxies 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 27 Publication and dissemination of printed matter, audiovisual and other election materials

1. Candidates and political parties can issue and disseminate printed matter, audiovisual and other campaigning materials in the procedure established by KR legislation. It is prohibited to prepare campaigning materials abroad. Copies of printed matter and other campaigning materials must be submitted to the CEC.
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 funded 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 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 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 be entitled 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 matter, 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 28 Inadmissibility of abuse of the right for election campaigning

1. Election commission 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, ethnic, racial and religious, and interregional hatred, gender and other social superiority calling for discrimination, hostility; or appeals to take-over of power, forcible change of the constitutional system and calls against integrity of the country; war propaganda; use of photo and video materials with the images of politicians and officials of other countries and other forms of abuse of mass media freedom prohibited by laws of KR.
3. From the moment of calling of the elections, it is prohibited to bribe voters; pay money to voters; give gifts and other material values to voters; make special sales at low prices, distribute goods for free except for campaign 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, spouse, 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.
5. Candidates, their representatives, 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 candidate or political party, give disclaimer or explanations of unfaithful article or speech. Disclaimer 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; disclaimer or explanations of TV or radio appearances should be done on the next day when disclaimer 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 disclaimer 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, 3, and 5 of this Article by a candidate or political party, by their representatives and 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 immediate actions to stop lawless campaigning and immediately inform the appropriate election commission on the facts and actions taken.

8. Law enforcement bodies 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.
9. In the event of breach of the requirements specified in Articles 22 – 28 hereof by candidate or political party, the appropriate election commission may 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 CEC 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 VI Voting procedures

Article 29 Voting premises (amended as of 23/04/2015)

1. Voting premises shall be provided free of charge to be used by a PEC, governmental agencies and local governments.
2. The voting booths equipped with a lighting system and provided with writing items, monitors, other equipment 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 observation of the activities of the PEC, 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 set up in such a way as to allow 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, monitors, other equipment, and ballot boxes at the same time.
5. Voting premises must be accessible for disabled people. Availability of ramps and handrails is one of the ways to ensure accessibility of voting premises for disabled people.

Article 30 Ballot (amended as of 23/04/2015)

1. In order to vote, a voter shall receive a ballot, which is a strictly accountable document. The form and a degree of protection shall be determined by the CEC. The number of ballots may not exceed the number of the registered voters by more than 0.1 per cent.
2. The text and form of the ballot shall be subject for approval by the CEC no later than 25 calendar days prior to voting. The text of the ballot should be placed only on one side of the ballot.
3. During election of President, a ballot shall contain first name, family name and patronymic of the candidates, year of birth in a sequence established by casting of lots.
4. During election of KR Jogorku Kenesh deputies, a ballot shall contain the names of political parties in a sequence established by drawing of lots.
5. To the right of information of candidates and the names of political parties specified in items 3 and 4 of this Article, there is an empty square field. At the end of the candidates' and political parties' list there is a line "Against all" with an empty square field located to the right of it.
6. Ballots shall be printed in the state and official languages no later than 10 calendar days prior to the voting. Every ballot must contain explanation of the filling out procedure and information of the ballot manufacturer and the number of copies printed.
7. After discarding of defective ballots, the printing house shall transfer the ballots to the members of the CEC based on the act of transfer. After the transfer of the ballots, in the presence of at least 3 members of the CEC and invited representatives of candidates, political parties, the printing house, mass media and law enforcement bodies the discarded and surplus ballots shall be destroyed, and the appropriate act shall be drawn

up to signed by all persons mentioned above.

8. The CEC shall transfer the ballots to the TECs based on the act and in the presence of at least half of the members of the TEC. Representatives of candidates, political parties, non-profit organizations and mass media have the right to be present during the transfer of ballots. TECs shall transfer the ballots to the PECs under the act, in the presence of at least half of the members of the PEC, Representatives of candidates, political parties, non-profit organizations and mass media have the right to be present during the transfer of ballots.
9. Ballots shall be transferred to the appropriate TECs no later than 10 calendar days prior to the election day; in case of repeat voting – no later than 5 calendar days prior to the voting, and to the PECs – 1-2 calendar days prior to the election day. The number of the ballots transferred to the PEC may not exceed the number of voters included in the voter lists at the electoral precinct by more than 0.1 percent.

The ballots are signed by the chairperson and the secretary of the PEC and sealed with the PEC stamp.

10. In case of withdrawal of candidates or the lists of candidates after manufacturing the ballots, the PECs shall cross out the data of the relevant candidates, list of candidates from the ballots. Crossing out shall be done with a straight line along the line containing all data of the candidate or political party and with a ballpoint pen only. In this case, the crossing out line should cover the empty square opposite the data line of a candidate, political party.
11. The premises in which there is a special safe-deposit (locker) for keeping ballots, voter 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 election day, the safe-deposit (locker) must be inside polling station premises.
12. It shall be prohibited to take ballots out of the premises of printing houses and election commissions, to make copies of the ballots and distribute them in violation of the requirements of this Constitutional Law.

Article 31 Voting Procedure *(as of 23/04/15)*

1. On the election day voting shall be held from 8 a.m. to 8 p.m. The PEC shall be obliged to inform voters about the time and place of voting through the mass media or by another means, 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 election day.

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

- provide identification of voters in electronic version of the voter list together with an operator;
- register citizens in the paper voter list;
- issue the ballots
- exercise control over movement of the voters to the voting booths casting the ballots into the ballot boxes;

Chairperson and Secretary of the PEC shall not participate in the lottery.

Chairperson of the PEC, in the presence of the PEC members, representatives of candidates, political parties and observers shall open a sealed safe containing the voter list of this precinct, ballots and a stamp of the PEC, and also documents on mobile voting; shall take the paper voter list, other equipment for work with electronic voter list out of the safe, read out the number of the voters included in the voter list, shall allow the attending persons get acquainted with the voter list, compare the paper and electronic versions of the voter list, and then distribute it among members of the PEC, who are responsible for registration of voters and filling out the paper voter list on the election day.

Chairperson of the PEC shall demonstrate empty ballot boxes to the members of the PEC, observers, representatives of the candidates, political parties, and media, and then seals them with a stamp of the PEC. Then Chairperson of the PEC shall put control sheets into the sealed ballot boxes. Control sheets shall indicate the number of the election precinct, the time of putting control sheets into the ballot boxes, the names of the chairman, secretary and other members of the PEC, the attending candidates, their representatives, observers and representatives of political parties. Control sheets shall be signed by the above mentioned persons and certified by the stamp of the PEC.

Chairperson of the PEC shall announce the number of ballots received from the superior election commission, and received for mobile voting. Members of the PEC shall count and announce the number of ballots in the presence of the representatives of candidates, political parties and observers; then Chairperson of the PEC shall provide ballots to the persons present for familiarization and shall enter the number of the ballots received by the PEC from the superior election commission into the protocol of voting results and in its post-size form.

After counting the ballots, the Chairperson of the PEC shall hand them over in batches of 100 pcs. to the members of the PEC who sign the receipt thereof in a register and are responsible for handing ballots out.

2. At the voting premises PEC members together with an operator provide an identification

of voters based on their biometric personal data.

No consent of a voter is required for the identification against the biometrical personal data. The following information is shown at the monitors, set at a place available for observation by representatives of the candidates, political parties, and observers:

- Total number of citizens, included into voter list at this polling station;
- Number of voters having voted so far at this polling station;
- Another information, defined by the CEC in coordination with the State Registry Service, in accordance with technical possibilities of the equipment.

After the identification, a cheque is to be printed out. It shall be provided by voter to a PEC member, who shall issue the ballot to the voter and retain the cheque.

3. When issuing the ballots, the PEC member defined by lots, shall register voters in paper voter list. The voter shall sign it confirming receipt of the ballot.
4. Each voter must vote in person; voting for other voters shall not be allowed.
5. Ballots shall be handed out to the voters included in the voter list, upon presentation of an identity document.
6. Serial number of the passport or identity document of the voter shall be entered into the paper voter list upon receipt of the ballot. The voter shall check correctness of the record and sign the paper voter list.
7. Ballot 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 secrecy of the voter's will expression during filling out the ballot and control of the voter's actions by members of the election commission and observers.
8. Voter shall put a mark in the appropriate field of the ballot to indicate a candidate or political party in whose favor the choice was made, or shall indicate his/her attitude by marking the "Against all" field.
9. If the voter thinks that during filling out the ballot he/she has made a mistake, he/she may apply to a member of a PEC, who had issued the ballot, with a request to give him/her a new ballot instead of the defective (wasted) one. A member of a PEC shall provide a new ballot and make an appropriate record in the voter list opposite the name of the voter. The defective (wasted) ballot shall be invalidated and a document of invalidation shall be drawn up.
10. A voter who has no possibility to sign for receipt of a ballot and to fill it out, 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 PEC of his/her intention to take the help of another person.

11. The marked ballots shall be put by voters in a sealed (cored) ballot boxes. It is forbidden to take ballots outside the voting premises.
12. Chairperson of the PEC shall watch for public order in the voting premises. In the event of public order violation in the voting premises, Chairperson of the PEC 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 Chairperson of the PEC 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 PEC chairman, his/her powers shall be exercised by secretary of the PEC or a member of the commission, authorized thereby.
13. A member of the PEC 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 and violate secrecy of election. In this connection, the PEC shall take a decision in writing. In doing so, the commission shall have the right to contact the appropriate authorities with a request to bring these persons to liability under the legislation of KR.
14. 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 election day.
15. In case of a failure of the Automatic scanning ballot box during election day, the voting is provided by means of an additional Automatic scanning ballot box. In such case, the PEC compiles an Act, which is subject to signing by all PEC members and operators present.

In case of a failure of the additional Automatic scanning ballot box, the voting is provided by means of stationary ballot box. In such case, the PEC also compiles an Act, which is subject to signing by all PEC members and operators present.

In case of restoring the functioning the Automatic scanning ballot boxes during the election day, resuming of their use shall not be allowed.

Article 32 Early voting procedures *Repealed as of 23/04/15*

Article 33 Mobile Voting

1. Voters, who are included in the voter list, but for health reasons or disability cannot attend the polling station; voters, who are in hospitals and detention centers on the election day; voters, who temporarily reside in remote and hard-to-reach areas, in distant pasture areas, and in exceptional cases by decision of the appropriate election commission, military staff, who on the election 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 assigned, can vote at the place of their temporary stay. PECs shall be obliged to ensure the opportunity for such voters to vote by means of mobile ballot box 1 calendar day prior to the election day.
2. Mobile Voting shall be held only one calendar day prior to the election day and only on the basis of the written application of the voter to provide the opportunity for him/her to vote via mobile ballot box. The application of a voter may be made at any time after formation of the PEC, but no later than 3 calendar days before the voting. The PEC shall register all submitted applications 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 application for mobile voting.
3. PEC shall have the necessary quantity of mobile ballot boxes (but not more than three). Mobile Voting shall be conducted by members of the PEC together with an operator, who shall receive the necessary number of ballots against their signature, as well as preliminary sealed mobile ballot boxes. Mobile Voting shall be held in the presence of representatives of candidates, political parties, observers, and mass media.
4. A PEC, 2 days prior to the election day, at its meeting shall assign through a drawing of lots, members of the commission (no less than two PEC members) who will organize mobile voting. Chairperson and secretary of the PEC shall not participate in drawing.

2 days before election day, the PEC shall post at its polling station the registry of the voters, who applied for mobile voting.
5. Chairperson of the PEC shall demonstrate empty mobile ballot boxes to the members of the PEC, observers, representatives of the candidates, political parties and mass media, which are sealed with a stamp of the PEC. Then Chairperson of the PEC shall put control sheets into the sealed ballot boxes. Control sheets shall indicate the number of the election precinct, the time of putting control sheets into the ballot boxes, the names of the chairman, secretary and other members of the PEC, the attending candidates, their representatives, and representatives of political parties. Control sheets shall be signed by the above mentioned persons and certified by the stamp of the PEC.

6. Upon arrival to the voter, the PEC members together with an operator undertake identification of the voter against his/her biometrical personal data. Afterwards, a PEC member shall issue a ballot to the voter. While issuing the ballot, the series and number of voter's identity document are recorded in the paper voter list. The voter shall check the record made and sign the paper voter list.
7. A ballot shall be filled out by the 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.
8. The series and number of the passport or identity document of the voter, who has voted via mobile voting, shall be entered into the voter list, while in the corresponding column of the voter list a "Voted via mobile voting" note shall be made.
9. Upon completion of the mobile voting, mobile ballot boxes shall be additionally sealed with the stamp of the PEC 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 via mobile voting shall be done after the end of polling in the voting premise in a procedure established by this Constitutional Law.

Chapter VII Determining election results

Article 34 Protocol of voting returns

1. A PEC shall draw up Protocol on voting returns in the appropriate election precinct.
2. Protocol on voting returns is a document of strict accountability, whose form and level of protection shall be determined by the CEC.
3. The procedure of filling out the Protocol by precinct and TECs shall be established by the CEC.

Article 35 Procedure for determining voting returns by precinct election commissions (amended as of 23/04/15)

1. Upon expiration of the voting time, Chairperson of a PEC shall announce that ballots can be obtained and voting possible only for the voters present in the voting premises.

2. Counting of votes shall be carried out openly and publicly, exclusively by members of the PEC at the meeting thereof. The results of all consequent activities connected with counting of ballots 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).

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

3. Counting of votes shall begin immediately after completion of the voting and done without interruption until voting returns 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 PEC and representatives in election commissions. All persons present during the counting must have the possibility of seeing actions of the PEC members.

In case of concurrent 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 keneshes.

Members of the PEC, except for Chairperson and secretary thereof, shall not be permitted to use writing implements during vote counting.

4. Members of the PEC responsible for handing out ballots, shall count the remaining unused ballots, invalidate them by cutting the lower right-hand corner (at that no damage to the fields (squares) located to the right of the registered candidates' personal data and the lists of candidates shall be allowed) and hand them to the Chairperson of the PEC according to the register. The procedure shall be completed with drawing up of a statement. All non-used ballots remaining in the safe of the PEC shall be invalidated in the same manner. All cancelled ballots shall be counted and packed into a package, which then shall be sealed with the stamp of the PEC and signed by its members. A "Cancelled ballots" note shall be written on the package besides the amount of the ballots and the number of the election precinct.

The number of all cancelled ballots, which is defined as the sum of the number of unused ballots and ballots, which were returned by voters due to errors/mistakes made during their marking (spoilt) shall be announced and recorded in the counting results Protocol and its poster-size copy.

5. Prior to counting of votes, the members the PEC 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 PEC, who then shall sum up all data and transfer to the Chairperson of the PEC. On the last page of the voter list Chairperson and secretary of the PEC 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 a stamp of the PEC. After the work with the voter list

Chairperson of the PEC shall offer the persons present to get familiarized with them. After this, the voter list shall be put into the safe (box).

The number of the ballots issued to the voters is additionally checked against the number of the cheques.

After the work with the voter list, an Act is compiled on a number of ballots issued to the voters. The copy of the Act certified with the signature of the PEC chairperson and the PEC stamp, is subject to handing to the candidates, representatives of candidates and political parties, media, observers. Then these figures are recorded in the poster-size copy of the results protocol.

6. A PEC shall start counting ballots contained in the mobile ballot boxes. Members of the PEC, who have conducted mobile voting, shall demonstrate the integrity of the seals, open the mobile ballot boxes one by one, then take out the ballots and control sheets with the signatures of the PEC members and the persons, who were present when the sealing of ballot boxes took place. The Chairperson of the PEC shall demonstrate the control sheets. Opening of each mobile ballot box shall be preceded by the announcement of the number of voters, who have voted with the use of this mobile ballot box. Counting of ballots in each mobile ballot box for shall be done separately. If it is determined that the number of ballots in the mobile ballot box is bigger than the number of voters' applications containing the mark of the number of the received ballots, all ballots available in the mobile ballot box shall be recognized invalid by a decision of the PEC 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 returns, in which the surnames and initials of the PEC members shall be indicated, who have arranged mobile voting. These invalid ballots shall be packed and sealed separately, and the number of the election precinct, box number and the amount of ballots shall be written on the package, including explanatory note "Invalid ballots taken from the mobile box for voting»,

The ballots, taken out of the mobile ballot boxes are cast into the ballot boxes.

7. Ballots of a non-established form (unofficial ballots) shall not be taken into account in vote counting. Ballots with the content and (or) form not corresponding to the ballot text and form established by the CEC shall be deemed unofficial ballots.
8. If the automatic scanning ballot boxes have been applied, the PEC chairperson immediately before start of counting the votes announces preliminary counting results based on the data of the automatic scanning ballot boxes. This is recorded in a special Act, which is attached to the results protocol and announced for all the PEC members, representatives of candidates, political parties, media, and observers present.

The automatic scanning ballot boxes shall not provide for a possibility to disclose secrecy of the vote during the whole voting period, and cannot be switched to wire- and wireless networks. Receiving the data on voting results from the automatic scanning ballot boxes is provided only according to a PEC decision after 8 pm on election day.

Chairperson of the PEC shall announce the start of counting ballots contained in the ballot box, shall demonstrate the integrity of the seals and open the ballot box. Members of the PEC shall take out ballots and control sheet with signatures of the PEC members and other persons, who were present in the morning when the ballot boxes were sealed. Chairperson of the PEC shall demonstrate the control sheet.

The ballots after their taking out of the ballot box are counted, and the results are recorded into the counting results protocol.

The number of the ballots found in the ballot box shall be equal to or less than the number of ballots, issued to the voters. If the number of the ballots found in the ballot box is greater than the number of the ballots issued to the voters, the PEC shall undertake the measures to clarify and dismiss the reasons thereof.

If after clarifying and dismissing the reasons, the number of valid ballots found in the ballot box is greater than the number of the ballots issued, the PEC takes a decision to invalidate all the ballots found in the ballot box and cancel them by cutting off their right lower corner.

9. Members of the PEC shall sort out ballots from mobile and stationary ballot boxes according to the votes cast for each candidate, lists of candidates, the «Against all candidates» position and simultaneously put aside ballots of a non-established form and invalid ones. When sorting ballots, members of the PEC shall announce the marks of voters contained in the ballots and provide the ballots for visual inspection to all those present at the counting process.
10. Representatives of candidates, political parties and observers shall have the right to get familiarized with the sorted out ballots under the supervision of the PEC members.
11. Then votes shall be counted based on the ballots of the established form separately for each candidate, the list of candidates and the “Against all” position. The sorted out ballots 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 the mark of a voter in the ballot. Simultaneous counting of ballots from different batches shall not be allowed. The obtained data determined based on the appropriate voters’ marks (votes) in the ballots cast for each candidate, list of candidates and the “Against all” position shall be entered into the Protocol on the voting returns and the enlarged form thereof.
12. Invalid ballots shall be counted and summed up separately. The ballots by which it is impossible to determine the will of the voter, as well as invalid ballots from the mobile ballot

box (if there was a fact of taking ballots from the mobile box in the number exceeding that of voters' applications containing a mark regarding the number of the received ballots) shall be considered invalid. Ballots that do not bear the protection symbol established by the CEC and which are not sealed by the stamp of the PEC, and do not contain other established marks, shall be attributed to those invalid ones.

In case of doubts regarding recognition of a ballot as invalid, the PEC shall solve the problem by voting. The reasons for ballot invalidity shall be indicated on the reverse side of the ballot and the record shall be confirmed by signatures of the Chairperson and the secretary of the PEC and certified with the seal of the commission. The total number of invalid ballots shall be entered into the protocol on the voting returns and in the enlarged form thereof.

13. Members of the precinct elections commission shall count, announce and enter the number of valid ballots into the protocol on voting returns and into its enlarged form. The number of valid ballots shall be determined based on the voters' marks, by which expression of voters' will can be determined.
14. Chairperson of the PEC shall invite all those present at the vote counting to get visually familiarized with the ballots under supervision of the PEC members. In case of mismatch the results from the automatic scanning ballot box and the results of manual count, at the request of a representative of a candidate, political party or an observer to recount votes, the ballots shall be recounted and such representative of a candidate, political party or the observer shall participate in the recounting and shall be able to exercise visual control. Recount of ballots shall be performed out aloud.

The counting results are established on the base of the manual count.

15. After that, check of control correlation of the data entered in the Protocol on the voting returns shall be performed according to the procedure approved by the CEC.
16. After vote counting a PEC 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 PEC and applicants, who agree with the decisions made by the PEC on the complaints (statements) shall sign the Minutes of the final meeting of the PEC. While signing the Minutes of the final meeting of the PEC, members of the PEC, 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 returns, the sorted ballots and voter lists shall be packaged in separate packages, with the number of the election precinct, the amount of ballots and the names of the voter lists specified. Packages shall be sealed and signed by members of the PEC 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 PEC members. Ballots and voter lists 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.

17. The protocol on the voting returns shall be filled out in two copies and signed by all the present PEC members specifying the date and time (hour, minutes) of its signing. The protocol shall be valid, if it is signed by the majority of the PEC members. When signing the protocol, PEC 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.
18. After signing of the Protocol on voting returns the PEC shall immediately announce the voting returns in front of all the members of the commission, representatives of candidates, political parties, observers, mass media.
19. After signing, the first copy of the Protocol on the voting returns and electoral documents including ballots, voter lists, complaints (applications), decisions taken and acts drawn up by the PEC shall be promptly brought to the TEC by the Chairperson or one of the members of the PEC accompanied by representatives of candidates and political parties.
20. The second copy of the Protocol and the stamp of the PEC 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.
21. The enlarged form of the Protocol on voting returns shall be posted for public inspection in the place designated by the PEC and kept until the end of operation of the PEC.
22. The secretary of the PEC shall, without any delay, issue a copy of the Protocol on voting returns with the seal affixed, to each person present at counting of votes.
23. The voting results in breakdown of each polling station, as well as the list of voters, who voted, are posted at the CEC website within 3 calendar days as well as at the announcement boards in front of the polling stations.

Article 36 Procedure for determining voting returns by TECs

1. First copies of the Protocols on voting returns of the PECs and electoral documents specified in item 19 of Article 35 hereof, after being signed by members of the PEC shall be promptly handed over under handover act to the TEC, which shall sum up voting returns in the respective territory.
2. Voting returns shall be summarized in the respective territory by the TEC based on the protocols received directly from the PECs, by summing up the data contained in the protocols.

After preliminary check of correctness of the Protocols drawn up by the PECs on voting returns, the TEC shall summarize voting returns in the relevant territory by summing up data of all PECs. Based on voting returns, the TEC shall develop a summary table and protocol, where it shall record summary data specifying the number of PECs, the number of protocols used as a basis for the protocol on voting returns, as well as summarized data of the PEC protocols.

Prior to signing the Protocol on voting returns in the relevant territory, the TEC shall conduct a mandatory final meeting to examine the complaints (applications) connected with the conduct of voting, vote counting and protocol development by PECs. The election commission shall make decisions on each application (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 Minutes of the final meeting of the election commission. When signing the Minutes of the final meeting of the election commission the election commission members who disagree with the contents of the Minutes may enclose their particular opinion therewith, and the appropriate entry shall be made in the Minutes. After that the election commission shall sign the protocol on the voting returns in the respective territory.

3. Protocols on voting returns shall be drawn up in duplicate and signed by all members of the TEC present. Two copies of the summary table of voting in the relevant 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 TEC Protocol with the first copy of the summary table shall be delivered to the CEC.
5. The second copy of the Protocol together with all electoral documents shall be kept by the secretary of the territorial 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 TEC, 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 TECs, the CEC 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 CEC. 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 returns with a mark "Vote recounting". The protocol shall be immediately sent to the CEC.

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

Article 37 Procedure for determining election results *(as of 23/04/15)*

1. Election results shall be determined by the CEC 20 calendar days at the latest following the election day, based on the protocols received directly from the TECs, by summing up the data contained in the protocols.

The CEC 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 application (statement).

2. The CEC 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 CEC shall also develop a summary table containing summary data of the lower ranking election commissions' protocols.
3. The CEC shall declare elections failed:
 - 1) if the number of votes cast for the candidate who has gained the biggest number of votes with regard to another candidate is less than the number of votes cast against all candidates. In this case repeat election shall be conducted;
 - 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 who participated in the voting is determined according to the number of signatures of voters confirming receive of official ballots.

4. TEC shall declare the voting returns at the election precinct invalid:
 - 1) if, at the time of voting, counting and determining voting returns violations have taken place thus preventing the commission from establishing the voting returns with certainty;
 - 2) if, at the time of voting, counting and determining voting returns violations have taken place, which affected the expression of will by the voters;
 - 3) by decision of the superior election commission;
 - 4) by court decision;

- 5) if the ballots found in the ballot boxes are invalidated.

In the event that voting returns at an election precinct are considered to be invalid, the election results shall be determined by the voting returns in the rest precincts. In the event that the voting results at the election precinct(s) are recognized invalid, which affects the election results; 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.

5. Violations in the voting procedure, vote counting, drawing up a protocol on voting returns 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 returns 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 election 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 CEC shall recognize the election results null and void: 1) if voting results at certain election precincts covering more than one-third of the total voters participating in voting are declared invalid; 2) based on a court decision.

Article 38 Repeat election

1. Repeat election shall be appointed, if election was acknowledged as failure and invalid and candidates and political parties were not elected according to voting results. Repeat election shall be appointed by the CEC within one month and shall be conducted by the appropriate election commissions. Nomination and registration of candidates, lists of candidates, other activities, including the timeframes of electoral activities for elections shall be carried out pursuant to the procedure established by this Constitutional Law and acts of the CEC. Information on repeat election shall be published in mass media within 7 calendar days after taking a decision on repeat election.
2. In the event of repeat election, candidates whose actions have served as a basis for acknowledgement of election as invalid may not be nominated as candidates.
3. In the event that decisions, actions (inaction) of officials of state bodies, local governments, election commissions have served as a basis for acknowledgement of the outcome and (or) results of election as invalid, repeat election shall be conducted among the candidates and political parties, who participated in the election and expressed their intention to take part in the repeat election.

Article 39 Publishing of voting results

1. Voting returns 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 CEC 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 returns for each election precinct shall immediately be placed on the official website of the CEC on a rolling basis. The voting return data placed on the official website of the CEC is the preliminary information of no legal significance.
2. The CEC 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.

Chapter VIII Election financing

Article 40 Financial support of election preparation and holding

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. The funding procedure shall be established by the budget legislation of KR and the Law on 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 KR, 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.

Article 41 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 pursuant to the procedure established by articles 54 and 62 hereof. 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.

Candidates and political parties, which nominated a list of candidates after the registration shall continue maintaining open accounts of their electoral funds for funding of the election campaign.

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

2. Electoral fund of a candidate or political party can be established from the following funds:
 - candidate's or political party's own funds, allocated according to the law;
 - voluntary donations of citizens and legal entities with an exception for the persons specified in item 3 of this Article.

3. Voluntary donations to electoral funds are prohibited from:
 - 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 KR, whose participants are foreign citizens and legal entities;
 - persons without citizenship;
 - state bodies and local governments;
 - state and municipal institutions and enterprises;
 - legal entities having a state or municipal share in the statutory capital and enjoying preferences in tax payments, fees and other mandatory payments;
 - military units, military establishments and organizations;
 - law enforcement bodies, courts;
 - organizations engaged in charitable activity;
 - religious organizations;
 - anonymous donations.

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 KR 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 CEC whereas the latter shall further transfer these funds to the state budget or to the Social Fund of KR.

4. Resources transferred to the electoral funds of candidates and political parties, shall be estimated based on a salary index established by the law of KR 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.

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

5. 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 CEC. Resources transferred to the electoral funds shall be accepted only in the national currency. No proceeds shall be accrued or paid on those accounts.
6. 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 CEC subject to agreement with the banks or other establishments.
7. Candidates, political parties and their authorized representatives shall have the right to dispose of the electoral funds established by them-
8. Electoral funds are of designated purpose. They can be used only to cover expenses connected with an election campaign.
9. Electoral funds can be used for:
 - 1) financial support of organizational and technical measures, including the ones aimed at signatures collection in favor of a candidate;
 - 2) election campaign;
 - 3) labor remuneration payable to citizens for performance (provision) of work (services), directly connected with the election campaign;
 - 4) payment of a fee for renting of premises, equipment, transportation expenses, business trip expenses, communication services, purchase of stationary and other expenses, directly connected with election campaign.
10. 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.

11. Candidates and political parties are prohibited to use resources other than those transferred to their election funds for payment of work connected with collection of voters' signatures, election campaigning and other election activities.
12. Banks or other establishments shall be obliged to submit information on receipt and spending of the funds on a special account of a candidate or political party on a weekly basis and within 24 hours upon the demand of the CEC.
13. 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 them citizens and organizations. Expenditures connected with return of the specified funds shall be covered out of the donations made by citizens and organizations.
14. Agreements (contracts) with citizens and legal entities for performance of certain works (provision of services), connected with the candidate's or political party'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 election 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 (delivery of services) shall be made only in a non-cash procedure.
15. 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.
16. 10 calendar days at the latest after the election, candidates and political parties shall have to submit a report to the CEC on the amounts and all sources of their fund and on all expenses. Financial deposit 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 CEC.
17. The balances of non-spent funds on a special account shall be returned to a candidate or political party.
18. 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 KR.

Article 42 Expenditure control of the funds allocated for elections, of the

candidates' electoral funds and those of political parties

1. Control over the procedure of formation and spending of electoral funds of candidates and political parties shall be carried out by election commissions.
2. An audit group consisting of no more than 7 persons shall be established under the CEC 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 CEC.
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 CEC 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 CEC.
6. Upon a written instruction of the CEC 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 election 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 IX Guarantee for freedom of elections

Article 43 Activities of election commissions and government agencies to ensure freedom of elections *(amended as of 23/04/15)*

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 KR.
2. The election day and the day preceding it shall be a working day for courts, prosecution agencies and internal affairs bodies. For banks or other institutions serving special accounts of the election funds of candidates and political parties the day prior to the election day shall be a working day.
3. Internal affairs bodies shall be obliged to provide assistance that election commissions may require to 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 PEC.
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, election commissions or court in accordance with the laws of KR.

Law enforcement bodies shall consider citizens' applications and complaints relating to breaches of public order, as well as appeals against actions of participants of the electoral process, which provide for administrative or criminal liability in accordance with the law, except of those persons, listed in the para 3 of this part of this article.

Prosecutor offices shall exercise general control over the adherence to the electoral legislation by the executive state bodies, local self-government bodies and their officials, as well as consider complaints against their actions, which provide for administrative and criminal liability in accordance with the legislation.

The election commissions within their competence defined by law, consider complaints against actions of the participants of the electoral process, with the exception of the persons,

listed in para 3 of this part of the article, which provide for administrative liability in accordance with the 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, nonprofit 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 election day or the day before the election 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 44 **Appeal of decisions and (or) actions (inaction) of election commissions violating electoral rights of electoral process subjects** *(amended as of 23/04/15)*

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, the decisions and (non)actions of the CEC – to the 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, NGOs, their representatives, observers.
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) (non)actions of PECs or their officials violating electoral rights of the subjects of the electoral process shall be appealed to a TEC.

5. Decisions and (or) (non)actions of TECs or their officials violating electoral rights of the subjects of the electoral process shall be appealed to the CEC.
6. Decisions and (or) actions (failure to act) of the CEC shall be appealed in the court of the first instance 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 not subject to 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.
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 election day or the day before the election 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 upheld 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 CEC; 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 45 **Appeal of decisions made by election commissions as to voting returns and election results** *(amended as of 23/04/15)*

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 election results and election results.
2. Decisions of PECs on election results shall be appealed to the TECs; decisions of TECs shall be appealed to the CEC; decisions of the CEC shall be appealed to the court of the first instance; decisions of the first instance courts shall be appealed to the Supreme Court.

3. The appeals (complaints) shall be lodged within 3 calendar days after determination of election results.
4. The appeals (complaints) received shall be reviewed by 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 taken 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. The appeals (complaints) against the decisions taken shall be submitted within 3 days after the issuance of such decision.
6. In the cases established by this constitutional law and the laws of KR, the court may cancel a decision of the CEC on determination of election results.
7. Court decision shall come into force from the date of its issuance and shall be binding to state authorities, local governments, nonprofit 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 CEC.

Lodging of a complaint for supervisory review in the manner and terms established by this Constitutional Law shall suspend execution by the CEC of a decision made by the court of original jurisdiction.

8. A complaint against the decision of the court of original jurisdiction may be lodged within three days after the issuance of the court decision.
9. 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 KR, which shall invite a representative of the CEC 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.

10. 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 46 Grounds for revocation of candidate's registration, candidates' list, revocation of a decision made by the election commission as to voting returns 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 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 election 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 21, 53, 61 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 election 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 presidential election results in KR by the CEC and award of the mandate to the elected candidate it is confirmed that he/she lacks the right to be elected; or has 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 Citizenship; or he/she has citizenship in another state; or in the case of his/her death, the decision on the election results shall be canceled by the CEC or court and the election shall be deemed null and void.

If, in the period between determination of the election results for Jogorku Kenesh deputies and award of the mandate to the elected candidate in the list of candidates it is confirmed that such candidate lacks the right to be elected; or he/she has 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 Citizenship; or he/she has citizenship in another state; or in the case of his/her death, the decision on election of such candidate shall be cancelled by the CEC or court.

In this case, the next candidate on the list of candidates nominated by this political party shall be registered subject to requirements of article 65 hereof.

5. The grounds for cancellation of the registration of a candidate or a list of candidates and cancellation of the election commission's decision on voting returns and election results specified in this Article shall be exhaustive.

Article 47 Responsibility for infringement of citizens' electoral rights

Criminal, administrative or other responsibility in conformity with the laws of KR shall be borne by the persons, who:

- 1) by force, fraud, threats, forgery or otherwise impede free exercise by 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 returns or election results erroneously; fail to submit or publish information on voting returns 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 prior to the election 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.

Chapter X Presidential election in the Kyrgyz Republic

Article 48 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 CEC within 2 calendar days from the day on which elections were considered called, shall officially publish in mass media information about the date of elections or early elections of the President and shall arrange for preparation and conducting of elections within the timeframe established herein.

Article 49 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 the 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 KR specifying the leader of each political party and also within the same timeframe shall send this list to the CEC.
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 CEC.

The CEC 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 CEC.

Article 50 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, who does not have citizenship of a foreign state, is not younger than 35 years old and not older than 70 years old, speaks the state language and has been living in KR for at least 15 years in aggregate, may be elected as President.
4. Compliance of the candidate for presidency with the requirements established by the Constitution shall be determined by the CEC 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 CEC shall establish the fact of the total candidate's residence in KR for no less than fifteen years in aggregate. The CEC shall establish the fact of the candidate's knowledge of the state language in line with Article 51 of this Constitutional Law.

Article 51 State language proficiency of a candidate for presidency

1. The CEC 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 CEC 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:

- a) present his/her election program in written form in the volume not more than three pages;
 - b) make an oral presentation within not more than 15 minutes, presenting the main provisions of his/her election program;
 - c) 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 refrain 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, write and 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 52 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 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, 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 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 CEC.
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 election day to the CEC, which, within ten days shall carry out checking of signature authenticity with involvement of registration services officials. When accepting signature lists the CEC 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 53 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 CEC no later than 45 calendar days prior to the election day:
 - 1) an application for self-nomination or a protocol on nomination with attachment of an application (applications) with an 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 financial deposit established by this Constitutional Law.
2. The CEC 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 CEC has found inconsistencies in the documents of a candidate, which is an obstacle for registration of the candidate, the CEC 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 CEC.

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 a financial deposit out of the funds of his/her election fund to a special account of the CEC in a thousand-fold amount of the calculated index established by the legislation. The contributed financial deposit 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 CEC 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 election day.
6. In case of a decision to reject candidate's registration, the CEC 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 CEC 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 election day refuse further participation in the elections by filing a written application to the CEC. Based on the application, the CEC, 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 CEC 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 CEC shall issue them the appropriate certificates with the indication of the registration date.

Article 54 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 CEC:
 - 1) candidate's own funds, which may not exceed a measure of calculation more than 15000 times;
 - 2) funds allocated to the candidate of a political party, which may not exceed the estimated index more than 50000 times;
 - 3) voluntary donations from individuals, whose amount may not exceed a measure of calculation more than 50 times;
 - 4) voluntary contributions of legal entities, whose amount may not exceed the estimated index more than 5000 times.
3. The maximum amount of candidate's expenditures from the election fund may not exceed a measure of calculation more than 500000 times.

Article 55 Summing up and determining the results of presidential election

1. On the basis of the Protocols received directly from the PECs, TECs shall summarize at their meetings voting returns at presidential elections in their territories and shall send the documents to the CEC without delay.
2. No later than within a twenty-day period after the election day, the CEC shall determine the results of the presidential elections.
3. In the event that voting returns 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.
4. A candidate for presidency shall be considered elected, if in the first round of the voting he/she has obtained more than half of votes of all voters participating in the elections.

Article 56 Repeat voting

1. If more than two candidates for presidency were included into a ballot and none of them was elected, the CEC 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 CEC 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 CEC. 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 57 Repeat election

In the event the results of the election 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.

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 no later than within three calendar days after the corresponding decision was taken.

Article 58 Inauguration of the President

1. Within 30 calendar days, the elected President shall take an oath to the people of Kyrgyzstan in the presence of Jogorku Kenesh deputies in line with the Constitutional Law.
2. Official publication of the presidential election results in mass media shall be carried out by the CEC within 3 calendar days.
3. The CEC 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 XI Election of Jogorku Kenesh deputies

Article 59 Calling the election of Jogorku Kenesh deputies

1. Any citizen who on the election day is 21 years old and enjoys the electoral right can be elected a deputy of the Jogorku Kenesh.
2. Deputies of the Jogorku Kenesh are elected for five years in the single district 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 election 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. 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 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 CEC 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 60 Procedure of nominating candidate for deputy lists

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 KR with the indication of the leader of each political party. The list shall be forwarded to the CEC 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. The total number of candidates nominated by a political party according the list may not be less than 120 and more than 200 candidates.

When determining the list of candidates, a political party must take into account the following conditions:

- no more than 70 percent of candidates 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;
 - at least 15 percent of candidates must be less than 35 years old;
 - at least 15 percent of candidates must be of different ethnic grounds;
 - at least two candidates must be people with limited health capacities; one of them must be included into the list of the first 50 deputies.
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 CEC 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 agree with the CEC upon a brief 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 CEC.

The CEC must, without delay, issue a written document to a political party confirming 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 nominated by a political party and certified by the signature and the seal of the political party shall be submitted to the CEC. After submission of the list of candidates to the CEC, its composition and the sequence of candidates in the list may not be changed, except for the changes caused by withdrawal of the candidates. In this case, the place of the withdrawn candidate shall be taken over by another member of the political party subject to requirements of item 3 of this Article.

Article 61 Registration of candidate lists *(amended as of 23/04/2015)*

1. To register the list of candidates, authorized representatives of political parties shall submit the following documents to the CEC no later than 40 calendar days before the election 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 a financial deposit. The CEC 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 a financial deposit of 50,000-fold amount of the calculated index established by the legislation from their election fund to the special account of the CEC. This shall be done prior to registration and after verification of the submitted documents.

After the elections, the financial deposit paid shall be refunded to those political parties, whose lists obtained 5 and more per cent of the votes of voters who participated in voting. Non-refunded financial deposits are not transferred to the state budget and spent by the CEC for the purposes of conduct of elections, development of the electoral system.

3. The CEC 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 district, the elections will be postponed by decision of the CEC 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 taken, the CEC 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 CEC 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 election day, refuse to participate further in the election by submitting the appropriate written application to the CEC. A political party may, any time, but no later than three days prior to the election 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 CEC. Based on the mentioned applications, the CEC which has registered the list of candidates must take a decision on exclusion of the candidate from a relevant list of candidates.
11. The CEC 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 CEC within 2 calendar days after the registration shall provide the candidates with the appropriate certificates, where the registration date is specified.

Article 62 Election fund of political parties submitting the list of nominated candidates *(amended as od 23/04/15)*

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 CEC:
 - 1) the own funds of the candidate included into the candidates' list; the fund may not exceed a measure of calculation more than 15000 times;
 - 2) the own funds of a political party, which may not exceed a measure of calculation more than 1,000,000 times;
 - 3) donations from individuals; the amount may not exceed a measure of calculation more than 2,000 times;
 - 4) contributions of legal entities; the amount may not exceed a measure of calculation more than 30,000 times.

The maximum expenditure amount of a political party, which nominated a candidates' list using its election fund, may not exceed a measure of calculation more than 5,000,000 times.

Article 63 Repeat election

1. In the event that the CEC acknowledges that all deputies' mandates over the single election constituency remained undistributed, if all political parties are excluded from distribution of the deputies' mandates in line with items 2 and 6, Article 64 hereof, the CEC shall call repeat election in the single election constituency.
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 CEC.

Article 64 Determination and official publication of elections results

1. The CEC shall count the votes cast for each list of candidates in the single election constituency on the basis of the protocols of PECs. The count shall be performed by summing up the data of the protocols.
2. Political parties, whose lists of candidates obtained the number of votes provided below, shall be excluded from allocation of seats:
 - less than 7 percent of votes nationwide;
 - less than 0.7 percent of votes in each oblast, Bishkek and Osh.

Political parties, whose lists of candidates obtained 7 (seven) and more percent of votes **over the republic**; shall obtain deputy mandates; the number of mandates shall be determined based on the methodology provided for in item 3 of the Article.

3. The CEC shall count the number of votes cast by voters in the single election constituency for the lists of candidates of political parties, which obtained 7 and more percent of votes over the republic and which obtained 0.7 and more per cent of votes in each oblast, Bishkek and Osh. This sum of the votes shall be divided by 120 – the number of deputies mandates distributed in the single election constituency. The obtained result shall be the first electoral quotient (a quota for obtaining one mandate).

Then the number of votes obtained by each list of candidates participating in the distribution of deputies' mandates shall be divided by the first electoral quotient. The integral part of the number obtained as a result of division shall be the number of deputies' mandates which shall be obtained by the corresponding list of candidates.

If there are undistributed mandates after all the 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.

4. Distribution of deputies' mandates among the candidates on political parties' list of candidates shall be carried out in line with the sequence of candidates in the list established during registration thereof in the CEC.
5. Based on results of elections, a political party may be issued no more than 65 deputies' mandates in Jogorku Kenesh.
6. The CEC shall draw up a protocol on distribution of deputies' mandates in the single election constituency 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.
7. The CEC 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 two of this Article. In this case, the CEC shall call repeat election over the single election constituency.
 8. The CEC shall get Jogorku Kenesh deputies' election results officially published within the two-week period following the day on which elections results were determined.

Article 65 Registration of Jogorku Kenesh deputies; filling in of deputy's vacant mandate

1. After the signing of the protocol on election results, the CEC 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 CEC within three 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 three days, his/her deputy mandate shall be passed to a candidate from the same list in accordance with his/her precedence in the list.

A candidate, having been placed within the registered candidate list of a political party, after the voting and before allocation of the seats, has a right to file an application with the CEC to withdraw from the list of candidates. The CEC takes a decision to expel the candidate from the list of candidates.

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 CEC 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, by decision of the CEC.

In this article, the following shall be understood under early termination of powers of deputy:

- 1) Submission of a written application to resign or quit the faction;
 - 2) court decision on his/her recognition as legally incapable;
 - 3) deputy's death;
 - 4) entry into force of a court decision on declaring him/her as dead or missing;
 - 5) entry into force of a criminal conviction against a deputy;
 - 6) taking or keeping a position, incompatible with the status of a deputy;
 - 7) departure from the territory of KR 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;
 - 10) recognition of elections as invalid.
4. If no candidates remain on the list of a political party, the mandate shall remain vacant until the next election to the Jogorku Kenesh.

Chapter XII

Final and transitional provisions

Article 66 Transitional provisions

1. Provisions of item 1 of Article 48 of this Constitutional law shall not apply to elections of the President of the Kyrgyz Republic of 2011.

The elections of the new President of the Kyrgyz Republic shall be called by the Resolution of Jogorku Kenesh of the Kyrgyz Republic in accordance with Item 2 of Article 3 of the Law of KR on enactment of the Constitution of KR.”

See.:Resolution of Jogorku Kenesh of KR No. 9160V of June 30, 2011 “On calling of elections of the President.”

2. CEC shall have the right to involve the officials of the government bodies and local self-governments to the process of compilation of the lists of voters during the period of preparation and holding of elections of the President in 2011.

Article 67 The Constitutional Law’s enactment

1. This Law shall come into effect from the day of its official publication.

The law was published in Erkin-Too newspaper No. 54 of July 5, 2011.

2. From the date of enactment of this Constitutional Law the following shall be deemed to have lost force:

Election Code of the Kyrgyz Republic (Bulletin of Jogorku Kenesh No. 9, of 1999, art. 436)

Law of KR on Amendments to KR Election Code (Bulletin of Jogorku Kenesh No. 10 of 2007, art. 775)

Law of KR on New Wording of KR Election Code (Bulletin of Jogorku Kenesh No. 10 of 2007, art. 777)

Law of KR on Additions to KR Election Code (Bulletin of Jogorku Kenesh No. 1 of 2009, art. 3)

Article 1 of the Law of KR on Amendments and Additions to certain legislative acts of KR (KR Election Code, Code of KR on Administrative Responsibility) (Bulletin of Jogorku Kenesh of KR No. 1 of 2009, art. 20)

Article 1 of the Law of KR on Amendments and Additions to certain legislative acts of KR (Bulletin of Jogorku Kenesh No. 7 of 2009, art. 735)

Article 8 of the Law of KR on Amendments and Additions to certain legislative acts of KR (Bulletin of Jogorku Kenesh No. 9 of 2009, art. 871)

President of the Kyrgyz Republic R. Otunbaeva

Passed by Jogorku Kenesh on June 30, 2011