

THE ELECTORAL CODE OF TURKMENISTAN

This Code shall govern the relations connected to the preparation and conduct of elections of the President of Turkmenistan, Deputies of the Mejlis of Turkmenistan, members of halk maslahaty, Gengeshes, referenda, and shall establish the guarantees for free expression of the will of Turkmenistan's citizens at the elections and referenda.

Chapter I. GENERAL PROVISIONS

Article 1. Fundamentals of the Electoral System

1. According to the Constitution of Turkmenistan, elections of the President of Turkmenistan, deputies of the Mejlis of Turkmenistan, members of halk maslahaty in velayats, cities and towns with the rights of velayats (hereinafter referred to as velayat halk maslahaty), etraps, cities and towns with the rights of etraps (hereinafter – etrap and municipal halk maslahaty), and members of Gengeshes and referenda, shall be conducted on the basis of the universal, equal and direct suffrage through secret ballot.

Elections shall be conducted on an alternative basis.

2. Elections of the President of Turkmenistan, deputies of the Mejlis, members of halk maslahaty, Gengeshes shall be elected based on single-mandate constituencies.

3. Referendum (people's voting) – is one of the forms of direct participation of the citizens of Turkmenistan in exercising the state power by voting.

Public and local referenda may be conducted in order to solve important issues related to the state and public life.

4. Election and referendum campaigns (hereinafter – election campaign) shall be conducted on the basis of free and equitable nomination of candidates for the post of President of Turkmenistan, deputies of the Mejlis of Turkmenistan, members of halk maslahaty and Gengeshes and putting the issues to referendum, publicity and openness, freedom of agitation, and equal opportunities for all candidates.

Article 2. Legislation of Turkmenistan on Elections and Referenda

1. Legislation of Turkmenistan on elections and referenda shall be based on the Constitution of Turkmenistan and consist of this Code and other regulatory and legal acts of Turkmenistan.

2. Should an international treaty ratified by Turkmenistan establish different rules than those contained in this Code, the rules established by the international treaty shall apply.

Article 3. Principles of the Conduct of Elections and Referenda

1. Elections and referenda shall be universal. Citizens of Turkmenistan who have attained the age of eighteen shall have the right to vote and participate in a referendum.
2. Any direct or indirect limitations on the electoral rights and participation in referenda (hereinafter – voting rights) of citizens of Turkmenistan based on nationality, race, gender, origin, proprietary or official status, place of residence, language, attitude towards religion, political affiliation, party membership or the lack thereof shall be prohibited.
3. Persons recognized as incapable by a court, persons who are in places of deprivation of freedom shall not participate in elections. Limitation of the voting rights of citizens in other cases shall not be permitted and shall entail liability as established by the law of Turkmenistan.
4. Citizens of Turkmenistan shall participate in elections and referenda on an equal basis. Each voter or referendum participant (hereinafter – voter) shall have one vote.
5. Elections shall be direct. The President of Turkmenistan, deputies of the Mejlis of Turkmenistan, members of halk maslahaty and Gengeshes shall be elected by citizens directly.

Citizens of Turkmenistan shall vote for the issue(s) to be put to referendum or against it (them) directly.

6. Participation of citizens of Turkmenistan in the elections and referenda shall be free and voluntary.
7. Voting at elections and referenda (hereinafter – voting) shall be secret. Control over the expression of the will of voters shall not be permitted.

Article 4. Calling of Elections and Referenda.

1. Elections shall be called by the Mejlis of Turkmenistan no later than three months prior to the expiry of the powers of the President of Turkmenistan, deputies of the Mejlis of Turkmenistan, members of halk maslahaty and Gengeshes.

Elections of deputies of the Mejlis of Turkmenistan, members of halk maslahaty and Gengeshes shall be conducted on the last Sunday of March.

Elections of members of halk maslahaty and Gengeshes in connection with a change of administrative and territorial system may be conducted at other time.

2. Right to make a decision to conduct a public referendum shall pertain to the Mejlis of Turkmenistan.

Right to call a local referendum shall pertain to the relevant Gengesh.

3. Date of the conduct of a public referendum shall be established by President of Turkmenistan; a local referendum – by the relevant Gengesh.
4. Decision to call the election and a referendum shall be officially published in the mass media no later than five days after it was made.

5. The Central Election and Public Referendum Commission in Turkmenistan (hereinafter – Central Election Commission) shall announce the start of the election or a referendum campaign no later than seventy days prior to election day. This information shall be made public through the mass media.

6. Elections and referenda shall not be conducted during the period of the state of emergency.

Article 5. Ensuring the Conduct of Elections and Referenda

1. Election and referendum commissions (hereinafter – election commissions) shall ensure the preparation and conduct of elections and referenda. Election commissions shall be established in accordance the laws of Turkmenistan.

2. When preparing and conducting the elections and referenda election commissions within their competence shall be independent of state authorities and local self-governance bodies.

3. Intervention in the activities of election commissions from state authorities, local self-governance bodies, political parties, public associations, establishments, organizations, enterprises as well as from officials and citizens shall not be permitted.

Article 6. Publicity of the Electoral and Referendum Process

1. Election commissions shall prepare and conduct the elections openly and publicly.

Election commissions shall inform citizens of their composition, location and work conducted, registered candidates and their biographical data, the issues to be put to referendum, the results of voting for each candidate or for issues put to referendum and the outcome of elections and a referendum.

2. Persons authorized by candidates, national observers, observers from foreign states, from international organizations (hereinafter – foreign (international) observers) may observe elections.

3. A national observer shall be a citizen of Turkmenistan who has a voting right except for the heads of state authorities and local self-governance bodies, judges, prosecutors, members of election commissions, initiative groups, candidates, persons authorized by candidates.

4. Political parties, public associations and groups of citizens shall have the right to appoint national observers.

The appointment of national observers shall be exercised by political parties, public associations at the meetings of their local bodies and at gatherings of groups of citizens.

Gathering of groups of citizens to appoint national observers shall be authorized if no less than thirty citizens with voting rights participated in it.

National observers at elections of the President of Turkmenistan shall be registered by the Central Election Commission; at elections of deputies of the Mejlis of Turkmenistan, members of halk maslahaty, Gengeshes shall be registered by the relevant election commission of

velayats, cities and towns with the rights of velayats (hereinafter – election commission of velayats). They shall be provided with identification documents of the established form.

5. Invitations for foreign (international) observers may be sent by the President of Turkmenistan and the Central Election Commission after the election or a referendum day has been set.

Foreign (international) observers shall be officially accredited, if they have an invitation, by the Central Election Commission. The Central Election Commission shall provide a foreign (international) observer with identification documents of the established form.

Their activities shall be governed by this Code and other regulatory legal acts of Turkmenistan and generally accepted norms of international law.

Election commissions, state authorities and local self-governance bodies, officials shall, within their competence, render necessary assistance to a foreign (international) observer.

Foreign (international) observers shall carry out their activities on their own and independently. Foreign (international) observers or the party that sent them shall incur expenses related to the conduct of their activities.

Foreign (international) observers shall not have the right to carry out activities not connected with the supervision over the preparation and conduct of elections and referenda.

6. The rights of observers shall begin from the day of their registration (accreditation) and terminate on the day of official publication of election or referendum results.

7. Observers, persons authorized by candidates shall have the right to:

- 1) meet with representatives of political parties, public associations, groups of citizens, candidates, observers, voters;
- 2) supervise the preparation and conduct of elections and referenda, the observance of the electoral and referenda law of Turkmenistan (hereinafter – electoral law of Turkmenistan);
- 3) express their opinion about the electoral law of Turkmenistan, the preparation and conduct of elections and referenda;
- 4) familiarize oneself with a voters list and referendum participants (hereinafter – voters list);
- 5) be present at meetings of election commissions;
- 6) be present at the sealing of ballot boxes, supervise early voting, voting outside and at a polling station on election and a referendum day;
- 7) supervise the issue of voting and referendum papers (hereinafter – voting papers);
- 8) familiarize oneself, during the vote counting, with any completed or blank voting paper as well as supervise the compilation of a voting results protocol and other documents by the election commission;

9) supervise the count of votes, voting papers issued to voters, voting papers deemed invalid, cancelled voting papers;

10) familiarize oneself with voting results protocols by election commissions and documents attached to these protocols.

8. Observers, persons authorized by candidates shall not have the right to:

1) issue a voting paper to a voter;

2) complete a voting paper instead of a voter;

3) commit actions that violate the secrecy of the ballot;

4) participate in the count of voting papers;

5) commit actions that hamper the work of election commissions.

Also, observers shall not conduct a pre-election and pre-referendum campaign among voters (hereinafter – campaign).

9. Representatives of the mass media shall have the right to be present at meetings and gatherings for nomination of representatives to election commissions, at meetings of election commissions, at meetings of political parties, at gatherings of citizens concerning the nomination of candidates, at meetings of initiative groups suggesting the conduct of a referendum, at meetings of candidates with voters, at the sealing of ballot boxes before the start of voting, during the voting and vote counting at a polling station, during tabulation for a constituency and when general results of the elections or a referendum are drawn up.

Representatives of the mass media shall be registered by the Central Election Commission. They will be provided with identification documents of the established form.

The mass media shall cover the preparation and conduct of elections. Election commissions, state authorities and local self-governance bodies, political parties, public associations shall provide them with information concerning the preparation and conduct of elections and a referendum.

10. The powers of representatives of foreign mass media concerning the coverage of the preparation and conduct of elections shall begin from the day of their accreditation by the Central Election Commission and terminate on the day of official publication of the election and referendum results.

The Central Election Commission shall provide a representative of foreign mass media with an identification document of the established form.

The activities of representatives of foreign mass media shall be governed by this Code and other regulatory legal acts of Turkmenistan, generally accepted norms of international law.

11. The relevant election commission may cancel the registration (accreditation) of an observer, a person authorized by a candidate, a representative of the mass media should they violate this Code, other legislative acts of Turkmenistan, generally accepted norms of international law.

12. The procedure for the registration (accreditation) of observers, persons authorized by candidates, representatives of the mass media shall be established by the Central Election Commission.

Chapter II. GUARANTEES OF ELECTORAL RIGHTS OF CITIZENS OF TURKMENISTAN

Article 7. Voting Rights of Citizens of Turkmenistan

Voting rights of citizens of Turkmenistan shall be the rights to participate in elections and referenda, stipulated by the Constitution and laws of Turkmenistan.

Article 8. Realization of Voting Rights

1. Realization of voting rights shall be ensured through the conduct of free and fair elections and referenda on a broad democratic basis.

2. Elections in state authority bodies and self-governance bodies shall be obligatory and conducted in terms stipulated by the Constitution of Turkmenistan and laws of Turkmenistan.

3. The state shall guarantee periodic conduct of elections in state authority and local self-governance bodies on the basis of free expression of the will of citizens and with observance of norms of legislative acts of Turkmenistan and generally accepted norms of international law.

Article 9. Guarantees of Voting Rights of Citizens of Turkmenistan

Organizational, legal and other measures, established by the legislation of Turkmenistan and securing exercise of the rights of citizens to participate in elections and referenda shall be guarantees of voting rights of the citizens of Turkmenistan.

Article 10. System of Guarantees of Voting Rights of Citizens of Turkmenistan

System of guarantees of voting rights of citizens of Turkmenistan shall contain legislative, legal, economic, organizational and information guarantees.

Article 11. Legislative Guarantees

Voting rights of the citizens of Turkmenistan shall be guaranteed by the Constitution of Turkmenistan, this Code and other regulatory and legal acts of Turkmenistan, defining the legal status of participants in electoral process, a referendum and regulating relations on the preparation and conduct of elections and referenda in Turkmenistan.

Article 12. Legal Guarantees

Measures ensuring free expression of the will of the citizens, protection of their voting rights, including judicial protection, personal immunity of candidates in elected bodies, aimed at securing conditions for efficient participation of the citizens in elections and referenda, established by the Constitution and laws of Turkmenistan and generally accepted norms of international law, shall be the legal guarantees for voting rights of the citizens of Turkmenistan.

Article 13. Economic Guarantees

1. The state shall guarantee provision of equal economic and financial possibilities for participation of citizens in elections and referenda by means of incurring expenses related to their preparation and conduct thereof, at the expense of the State budget of Turkmenistan.
2. Participants of the election process and referendum, based on and in accordance with the procedure as established by the legislation of Turkmenistan, shall be guaranteed privileges and compensations related to exercise by them of their rights and powers.

Article 14. Organizational Guarantees

Organizational guarantees shall consist of implementation by the state bodies, political parties, public associations, groups of citizens of measures on formation and ensuring the activities of electoral constituencies, polling stations and referendum polling stations (hereinafter polling stations), formation of election committees, voters lists, nomination and registration of candidates, questions of referendum, observers, persons authorized by candidates, representatives of the mass media, conduct of campaign, organization of voting and drawing up voting results, as well as other activities connected with the organization of elections and referenda.

Article 15. Information Guarantees

1. Electoral process and referendum shall be carried out on the basis of publicity and broad awareness of citizens.
2. Information coverage of elections and referenda shall contain awareness of the voters and agitation campaign ensuring conscious free expression of the will of citizens, publicity of elections and referenda.
3. Publicity and openness of election process and referendum shall be ensured by participation of the persons authorized by candidates, observers, representatives of the mass media.
4. Citizens of Turkmenistan shall be guaranteed the right to receive and disseminate information on the issues of preparation and conduct of the elections and referenda.

To this effect, election commissions, state authorities, political parties, public associations and citizens shall have right to use the mass media and other publicly available means of communication of information.

Article 16. Observance of International Norms

Turkmenistan, being a full-fledged subject of the world community shall adhere to the generally accepted norms of international laws when organizing elections and referenda.

Chapter III. ELECTION COMMISSIONS

Part 1. General Provisions

Article 17. System of Election Commissions

1. Conduct of elections of the President of Turkmenistan, deputies of the Mejlis of Turkmenistan, members of halk maslahaty, Gengeshes and referenda shall be organized by the following election commissions:

- 1) the Central Election Commission;
- 2) election commissions of velayats;
- 3) election commissions of etraps, cities and towns with the rights of etraps (hereinafter – election commissions of etraps, cities and towns) ;
- 4) election commissions of constituencies;
- 5) election commissions of cities and towns inside etraps, of small towns and gengeshliks;
- 6) polling station election commissions.

2. Election commissions shall organize their work in accordance with the Constitution, this Code and other regulatory and legal acts of Turkmenistan.

Article 18. Nomination of Representatives to Election Commissions

1. Nomination of representatives to election commissions shall be conducted at meetings of velayat, etrap, city and town bodies of political parties, public associations, at gatherings of their primary organizations, by gatherings of groups of citizens.

2. Nomination of representatives to the Central Election Commission shall be conducted according to the Article 22 of this Code.

3. Nomination of representatives to election commissions of velayats, etraps, cities, towns and constituencies shall be conducted at meetings of velayat, etrap, city and town bodies of political parties, public associations and by gatherings of groups of citizens.

4. Nomination of representatives to election commissions of cities and towns inside etraps, of small towns, gengeshliks, to polling station election commissions shall be conducted at meetings of primary organizations of political parties, public associations and by gatherings of groups of citizens.

5. For any decision of citizens who gather to nominate a representative to a velayat election commission to be valid, the meeting shall be attended by no less than one hundred individuals who reside in the territory of the respective etrap, city and town; to election commissions of etraps, cities and towns, cities and towns inside etraps, of small towns, gengeshliks – the meeting shall be attended by no less than fifty individuals who reside in the territory of the relevant etraps, cities and towns, cities and towns inside etraps, of small towns, gengeshliks; and to a polling station election commissions – by no less than thirty individuals who reside or work in the territory of this polling station. Participants of the gathering shall be registered; the list of registration shall specify the name, surname, patronymic name, birth date and place of residence of each voter.

6. At meetings and gatherings an unlimited number of candidates for members of election commissions may be discussed. All participants of a meeting or gathering shall have the right to nominate candidates, discuss them, support or deny them, nominate for discussion themselves as candidates for members of the election commission.

7. A candidate for members of the election commission shall be considered nominated if more than a half of members of the meeting of the respective body of political party, public association or more than a half of participants of the gathering of citizens voted for him/her.

8. The procedure for ballot and other procedural matters shall be determined by participants of the meeting or gathering.

9. At a meeting or gathering only one representative shall be nominated for the election commission of a velayat, etrap, city and town, constituency, while for election commissions of cities and towns inside etraps, of small towns, gengeshliks, of polling station election commissions – up to three representatives.

Article 19. Organization of the Work of Election Commissions

1. The chair, deputy chair and secretary of an election commission shall be elected at the first meeting of the relevant commission; the information regarding this shall be made public.

2. The first meeting of the election commission shall be opened by the oldest of its members, he/she shall preside over the meeting until the chair of the commission is elected.

3. At least two-thirds of all members of an election commission shall be required to give validity to a meeting of an election commission. Decisions of the commission shall be made by open voting by a majority vote of the total composition of the commission. Members of the commission who disagree with its decision shall have the right to express a dissenting opinion that shall be attached to the minutes in a written form. A dissenting opinion of a member of the election commission shall be examined by the higher election commission.

4. Decisions of the election commission adopted within the scope of its powers shall be obligatory for implementation by all state authorities and local self-governance bodies, political parties and public associations, establishments, organizations and enterprises.

Decisions adopted by the higher election commissions within the scope of their competence shall be obligatory for subordinate election commissions.

5. Decisions of an election commission adopted in excess of its powers may be cancelled by a higher election commission or a court of law.

6. By a decision of an election commission one of its members, under the legislation of Turkmenistan, may, during the period of the preparation and conduct of elections, be released from the fulfilment of his/her job or office duties for the following periods: a member of an election commission of velayats, etraps, cities, towns, constituencies, cities and towns inside etraps, of small towns, gengeshliks – up to two months; a member of a polling station election commission - up to one month.

Within the period specified in paragraph one of this part, the member of the electoral commission temporarily released from performing his/ her job or office duties shall retain his place of employment (service) and average wage in primary employment as prescribed by laws of Turkmenistan.

7. Any person who is a member of an election commission shall be released from his/her responsibilities based on his/her application, in connection with the termination of powers in election commissions as well as with the arising of circumstances set forth in Articles 48 and 52 of this Code.

The termination of powers of a member of an election commission shall be conducted by the commission that formed it.

The violation of the provisions of this Code or systematic failure to perform the responsibilities imposed shall provide the basis for the termination of powers of a member of an election commission. The decision about termination of powers may be appealed in court.

8. A new chair, deputy chair or secretary of the election commission shall be elected at a meeting of the commission.

9. Nomination of a new representative to the election commission shall be conducted under the procedure as established by this Code.

Article 20. Ensuring Conditions for Activities of Election Commissions

State authorities and local self-governance bodies, political parties, public associations, establishments, organizations, enterprises and officials shall assist election commissions in exercising their powers, provide them, on a free basis, under the procedure as established by the legislation of Turkmenistan, with necessary premises, equipment, transport and information connected with elections, consider questions brought up by the election commission and answer them no later than within three days.

Article 21. Central Election Commission

1. The Central Election Commission shall organize, within its powers, the conduct of elections of the President of Turkmenistan, deputies of the Mejlis of Turkmenistan, members of Halk Maslakhaty and Gengeshes, and referenda.

2. The term of office of the Central Election Commission shall be five years.

3. The Central Election Commission shall be a legal entity.

Article 22. Formation of the Central Election Commission

1. The Central Election Commission shall be formed by the President of Turkmenistan and comprised of the chair, deputy chair, secretary and twelve members from among citizens of Turkmenistan.

The chair of the Central Election Commission shall be approved by the Mejlis of Turkmenistan.

2. Representatives to the Central Election Commission shall be proposed by the President of Turkmenistan, political parties and public associations.

3. Members of the Central Election Commission shall temporarily suspend their membership in political parties and public associations. This rule shall be applied to employees of the apparatus of the Central Election Commission as well.

4. The powers of a member of the Central Election Commission in case he/she was nominated for membership in an elected body or registered as a person authorized by a candidate shall be suspended from the moment of his/her registration as a candidate or an authorized person.

Article 23. Forms of Activities of the Central Election Commission

1. Activities of the Central Election Commission shall be carried out in the form of meetings.

2. The meeting of the Central Election Commission shall take place on the basis of a free and open discussion of matters within its competence.

Article 24. Procedure for Calling and Conduct of a Meeting of the Central Election Commission

1. A meeting of the Central Election Commission, when necessary, shall be called by its chair; also, the chair of the Central Election Commission shall be obliged to call a meeting at the request of more than half of the established number of its members.

2. At least two-thirds of all members of the Central Election Commission shall be required to give validity to a meeting of the Commission.

3. Representatives of state authorities and local self-governance bodies, political parties, public associations, the mass media and other persons may be invited to a meeting of the Central Election Commission under the established procedure.

4. The public shall be informed of a meeting of the Central Election Commission.

Article 25. Decisions of the Central Election Commission

1. Decisions of the Central Election Commission shall be made by open voting by a majority vote. Decisions made by the Central Election Commission shall have a binding force in Turkmenistan.

2. Decisions of the Central Election Commission shall be made public through the mass media.

3. Decisions of the Central Election Commission shall not be subject to state registration.

4. Decisions of the Central Election Commission may be appealed in the Supreme Court of Turkmenistan.

Article 26. Powers of the Central Election Commission

The Central Election Commission shall:

- 1) direct the preparation and conduct of elections and referenda, and the system of election commissions
- 2) ensure the uniform application of electoral legislation of Turkmenistan;
- 3) make decisions within its competence;
- 4) give explanations and issue instructions regarding the preparation and conduct of elections and referenda;
- 5) approve the format of a voting paper, voter lists, minutes of meetings of election commissions, other electoral documents, referendum documents (hereinafter – electoral documents), seals of election commissions, ballot boxes, voting booths, ensure the production of seals of election commissions and establish the procedure for storage of electoral documents;
- 6) draw up and submit to the Cabinet of Ministers of Turkmenistan an estimate of expenses for the preparation and conduct of elections and referenda;
- 7) establish the procedure for funding elections and referenda as agreed with the Ministry of Finance of Turkmenistan;
- 8) organize the provision of premises, means of communications, legal, methodical and information support to election commissions, control the provision of necessary material and technical means to election commissions;
- 9) form constituencies at elections of deputies of the Mejlis of Turkmenistan with the indication of their names, boundaries and centres and make the respective information known to the public through the media;
- 10) form election commissions of velayats and constituencies at elections of deputies of the Mejlis of Turkmenistan, and make changes to their composition;
- 11) register initiative groups to nominate candidates for the post of the President of Turkmenistan;
- 12) register an issue to be put to public referendum and an initiative group for conducting it;
- 13) provide initiative groups with the forms of subscription lists;
- 14) register candidates for the post of the President of Turkmenistan and persons authorized by candidates and provide them with identification documents;
- 15) make public the information regarding candidates for the post of the President of Turkmenistan, and ensure the production of posters with biographical data of candidates for voters to become familiar with this information;
- 16) approve the text of the voting paper at the elections of the President of Turkmenistan, a public referendum and ensure the production of voting papers;

- 17) ensure the observance of equal conditions for the participation of candidates for the post of the President of Turkmenistan, deputies of the Mejlis of Turkmenistan, members of Halk Maslakhaty, Gengeshes and initiative groups during an election campaign and their broadcasting in the mass media;
- 18) hear reports of the heads of election commissions, state authorities and self-governance bodies, political parties, public associations, establishments, organizations and enterprises regarding issues connected with the preparation and conduct of elections and a referendum;
- 19) make decisions to conduct the repeat voting at elections of the President of Turkmenistan, deputies of the Mejlis of Turkmenistan, a public referendum and organize their conduct;
- 20) organize the conduct of repeat elections;
- 21) establish the results of the elections of the President of Turkmenistan, deputies of the Mejlis of Turkmenistan, a public referendum;
- 22) register the President-elect of Turkmenistan and elected deputies of the Mejlis of Turkmenistan and provide them with appropriate identification documents, register issues accepted at a public referendum;
- 23) draw up the elections and referenda results in Turkmenistan, ensure the publication of the elections and referenda results and information about elected candidates in the mass media;
- 24) examine statements and complaints about decisions and actions of election commissions;
- 25) determine the procedure for the participation of citizens of Turkmenistan who are abroad in elections and referenda;
- 26) as advised by the Ministry of Foreign Affairs, create voting stations under the diplomatic missions (consular sections) of Turkmenistan abroad (hereinafter – diplomatic representative offices of Turkmenistan) and make them part of polling stations of etraps or cities in the territory of Turkmenistan;
- 27) inform the general public about the course of the preparation for elections and referenda;
- 28) when conducting elections and referenda, register foreign (international) observers, representatives of foreign mass media, and provide them with appropriate identification documents;
- 29) when conducting elections and referenda simultaneously, determine uniform voter lists for elections and referenda, election commissions and polling stations;
- 30) exercise international co-operation within its competence;
- 31) form working groups for the organizational, legal and technical provision of elections and referenda under the Central Election Commission;
- 32) exercise other powers as established by the legislation of Turkmenistan.

Article 27. Powers of the Chair of the Central Election Commission

1. The chair of the Central Election Commission shall:

- 1) direct the Central Election Commission and its apparatus;
- 2) chair the meetings of the Central Election Commission;
- 3) sign decisions of the Central Election Commission and minutes of its meetings;
- 4) exercise control over the implementation of decisions of the Central Election Commission;
- 5) administer funds allocated to the Central Election Commission from the State budget of Turkmenistan;
- 6) exercise other powers in accordance with this Code and other regulatory and legal acts of Turkmenistan.

2. The chair of the Central Election Commission shall issue orders to deal with current issues.

Article 28. Powers of the Deputy Chair of the Central Election Commission

The deputy chair of the Central Election Commission shall:

- 1) co-ordinate the activities connected with the conduct of elections and referenda, formation of election commissions and organization of their activities;
- 2) control the use of funds allocated for the conduct of elections and referenda;
- 3) carry out instructions of the chair of the Central Election Commission;
- 4) in the absence of the chair of the Central Election Commission, or if he/she cannot perform his/her duties, shall perform his/her duties on the basis of a decision of the Central Election Commission or as instructed by the chair;
- 5) exercise other powers in accordance with this Code and other regulatory and legal acts of Turkmenistan and distribution of tasks in the Central Election Commission.

Article 29. Powers of the Secretary of the Central Election Commission

The secretary of the Central Election Commission shall:

- 1) organize the preparation of meetings of the Central Election Commission;
- 2) organize the drawing up of work plans of the Central Election Commission and control their implementation;
- 3) inform the members of the Central Election Commission, election commissions, state authorities and local self-governance bodies, relevant establishments and organizations, officials, political parties, public associations and the mass media representatives about the decisions and other information from the Central Election Commission;

- 4) sign the minutes of meetings of the Central Election Commission;
- 5) carry out instructions of the chair of the Central Election Commission;
- 6) exercise other powers in accordance with the distribution of tasks in the Central Election Commission.

Article 30. Rights and Duties of a Member of the Central Election Commission

1. A member of the Central Election Commission shall have the right to:

- 1) speak at a meeting of the Central Election Commission and make proposals on matters within the competence of the Central Election Commission;
- 2) familiarize himself/herself with documents and information of the Central Election Commission and subordinate election commissions related to elections and referenda;
- 3) control the implementation of decisions of the Central Election Commission concerning relevant matters;
- 4) exercise other powers in accordance with the decisions of the Central Election Commission.

2. A member of the Central Election Commission shall:

- 1) participate in the preparation of matters proposed to be considered by the Central Election Commission according to its decisions;
- 2) participate in meetings of the Central Election Commission;
- 3) carry out instructions of the Central Election Commission, its chair and deputy chair given within their competence;
- 4) perform other duties established by the legislation of Turkmenistan and decisions of the Central Election Commission.

Article 31. Provision of Activities of the Central Election Commission

1. Organizational, legal, technical and information provision of activities of the Central Election Commission shall be exercised by its permanent apparatus.

The staffing structure of the apparatus of the Central Election Commission shall be approved by the President of Turkmenistan.

2. Activities of the apparatus of the Central Election Commission shall be organized in accordance with the Regulations on the Apparatus. The Regulations on the Apparatus of the Central Election Commission shall be approved by the Central Election Commission.

3. Financial provision of the activities of the apparatus of the Central Election Commission shall be funded from the State budget of Turkmenistan.

Part 3. Election commissions of velayats, etraps, cities and towns, constituencies, of small towns, gengeshliks, precincts

Article 32. Formation of Election Commissions

1. Election commissions of velayats shall be formed by the Central Election Commission and shall comprise 9-13 members.

Election commissions of etraps, cities and towns shall be formed by the election commission of the relevant velayat and shall comprise 11-15 members.

Election commissions of constituencies at elections of deputies of the Mejlis of Turkmenistan shall be formed by the Central Election Commission shall comprise 9-11 members.

Election commissions of cities inside etraps, of small towns, gengeshliks shall be formed by the relevant election commission of etraps, cities shall comprise 7-11 members.

Election commissions in precincts shall be formed by the relevant election commission of etraps, cities and towns and shall comprise 5-15 members. If necessary, precinct election commissions may be formed and comprise at least three members.

2. The general public shall be informed about the composition of the election commission.

3. The term of powers of the election commission of a velayat, etrap, city and town, gengeshlik, divisional election commission and constituencies shall be five years.

4. The powers of election commissions of cities and towns inside etraps, small towns, gengeshliks shall terminate after the recognition of the powers of elected members of Gengeshes or drawing up the results of a local referendum; powers of the election commission in precincts – after the recognition of the powers of elected candidates or drawing up a referendum results.

Article 33. Powers of Election Commissions of Velayats

The election commission of a velayat shall:

1) control the implementation of this Code, ensure the preparation and conduct of elections and referenda;

2) form constituencies at elections of members of a velayat halk maslahaty;

3) form election commissions of etraps, cities, towns, make changes to their composition, coordinate activities of election commissions of etraps, cities, towns, constituencies, election commissions of cities and towns inside etraps, of small towns, gengeshliks, precincts;

4) render assistance to election commissions in providing them with premises, transport, means of communications, deal with other matters of material and technical provision for elections and a referendum;

5) submit to the Central Election Commission an estimate of expenses for the preparation and conduct of elections, a referendum;

- 6) hear reports of the heads of relevant election commissions, political parties, public associations, establishments, organizations and enterprises regarding matters connected with the preparation and conduct of elections, a referendum;
- 7) approve for each constituency the text of the voting paper at elections of velayat halk maslahaty members;
- 8) render assistance to election commissions of etraps, cities and towns, constituencies in production of voting papers, organize the production of forms of electoral documents and provision of election commissions with them;
- 9) register nominated candidates for members of velayat halk maslahaty, provide them with appropriate identification documents, make known to the general public reports about registered candidates and issues to be put to public referendum, ensure familiarization of voters with the biographical data of candidates for members of velayat halk maslahaty and appropriate information about a referendum;
- 10) ensure equal conditions of participation of candidates in the election campaign;
- 11) register persons authorized by candidates for velayat halk maslahaty members and provide them with appropriate identification documents;
- 12) establish the election results of velayat halk maslahaty members in each constituency;
- 13) provide an elected velayat halk maslahaty member with an appropriate identification document;
- 14) draw up the election, public referendum results in velayat and organize the publication of the election, public referendum results and a list of elected velayat halk maslahaty members in the mass media;
- 15) at elections of velayat halk maslahaty members make a decision to conduct repeat voting and organize it;
- 16) at elections of velayat halk maslahaty members conduct repeat elections;
- 17) call elections of velayat halk maslahaty member who left, and conduct them;
- 18) examine statements and complaints about decisions and actions of subordinate election commissions;
- 19) ensure the storage of electoral documents under the established procedure;
- 20) exercise other powers as established by this Code.

Article 34. Powers of the Election Commission of Etraps, Cities and Towns

The election commission of etraps, cities and towns shall:

- 1) exercise control over the implementation of this Code, ensure the preparation and conduct of elections, referenda;

- 2) form constituencies at elections of etrap, municipal halk maslahaty members;
- 3) form polling stations, election commissions of cities and towns inside etraps, of small towns, gengeshliks and precincts, make changes to their composition and co-ordinate their activities;
- 4) render assistance to election commissions in providing them with premises, transport, means of communications, deal with other matters of material and technical provision for elections, a referendum;
- 5) submit to the velayat election commission an estimate of expenses for the preparation and conduct of elections, a referendum;
- 6) approve for each constituency the text of the voting paper at elections of etrap, municipal halk maslahaty members, organize the provision of forms of electoral documents, voting papers to polling station election commissions;
- 7) hear reports of the heads of relevant polling station election commissions, political parties, public associations, establishments, organizations and enterprises regarding matters connected with the preparation and conduct of elections, referenda;
- 8) exercise control over the compilation of voter lists and making them known to the general public;
- 9) register nominated candidates for etrap, municipal halk maslahaty, provide them with appropriate identification documents, make known to the general public reports about registered candidates, issues to be put to public referendum, ensure the familiarization of voters with the biographical data of candidates for halk maslahaty members, relevant information about a referendum;
- 10) ensure equal conditions of participation of candidates in the election campaign;
- 11) register persons authorized by candidates for etrap, municipal halk maslahaty members and provide them with appropriate identification documents;
- 12) render assistance, jointly with local executive authorities and local self-governance bodies, political parties, public associations, to candidates for halk maslahaty members in organizing meetings with voters;
- 13) establish the election results of etrap, municipal halk maslahaty members for each constituency;
- 14) provide an elected etrap, municipal halk maslahaty member with an appropriate identification document;
- 15) draw up the election, public referendum results for etraps, cities, towns and organize the publication of the election results and a list of elected halk maslahaty members in the mass media;
- 16) at elections of etrap, municipal halk maslahaty members, make a decision to conduct repeat voting and organize it;

- 17) at elections of etrap, municipal halk maslahaty members conduct repeat elections;
- 18) call elections of an etrap, municipal halk maslahaty or Gengesh member who left and conduct them;
- 19) examine statements and complaints about decisions and actions of subordinated election commissions;
- 20) ensure the storage of electoral documents under the established procedure;
- 21) exercise other powers as established by this Code.

Article 35. Powers of the Election Commission of Constituencies

The election commission of constituency:

- 1) exercise control over the implementation of this Code, ensure the preparation and conduct of elections;
- 2) approve for each constituency the text of the voting paper at elections of deputies of the Mejlis of Turkmenistan, organize production of voting papers, forms of electoral documents and provision of polling station election commissions with them;
- 3) hear reports of the heads of relevant polling station election commissions, political parties, public associations, establishments, organizations and enterprises regarding matters connected with the preparation and conduct of elections;
- 4) exercise control over the compilation of voter lists and making them known to the general public;
- 5) register nominated candidates for deputies of the Mejlis of Turkmenistan, provide them with appropriate identification documents, make known to the general public reports about registered candidates, ensure the familiarization of voters with the biographical data of candidates;
- 6) ensure equal conditions of participation of candidates for deputies of the Mejlis of Turkmenistan in the election campaign;
- 7) register persons authorized by candidates for deputies of the Mejlis of Turkmenistan and provide them with appropriate identification documents;
- 8) render assistance, jointly with local executive authorities and local self-governance bodies, political parties, public associations, to candidates in organizing meetings with voters;
- 9) establish the election results for each constituency;
- 10) draw up the election results for constituency and organize the publication of the elected deputy of the Mejlis of Turkmenistan in the mass media;
- 11) at elections of deputies of Mejlis of Turkmenistan make a decision to conduct repeat voting and organize it;
- 12) at elections of deputies of Mejlis of Turkmenistan conduct repeat elections;

- 13) conduct elections of deputy of Mejlis of Turkmenistan who left;
- 14) examine statements and complaints about decisions and actions of election commissions;
- 15) exercise other powers as established by this Code.

Article 36. Powers of the Election Commission of Etraps, Small Towns and Gengeshliks

The election commission of etraps, small towns, gengeshliks shall:

- 1) exercise control over the implementation of this Code, ensure the preparation and conduct of elections, a local referendum;
- 2) form constituencies at elections of Gengesh members;
- 3) co-ordinate activities of polling station election commissions;
- 4) render assistance to polling station election commissions in providing them with premises, transport, means of communications, deal with other matters of material and technical provision for elections, a local referendum;
- 5) register an initiative group that put issues to a local referendum, provide members of the initiative group with appropriate identification documents and forms of subscription lists;
- 6) register issues to be put to local referendum under the procedure as established by this Code, make known to the general public reports about registered issues, ensure familiarization of citizens with the relevant information;
- 7) hear reports of the heads of polling station election commissions, political parties, public associations, establishments, organizations and enterprises regarding matters connected with the preparation and conduct of elections, a local referendum;
- 8) exercise control over the compilation of voter lists and making them known to the general public;
- 9) register nominated candidates for Gengesh members, provide them with appropriate identification documents, make known to the general public reports about registered candidates, ensure familiarization of voters with the biographical data of candidates for Gengesh members, relevant information about a local referendum;
- 10) ensure equal conditions of the participation of candidates in the election campaign;
- 11) register persons authorized by candidates for Gengesh members and provide them with appropriate identification documents;
- 12) render assistance, jointly with political parties, public associations, to candidates for Gengesh members in organizing meetings with voters;
- 13) at elections of Gengesh members, approve for each constituency the text of a voting paper, organize the production of forms of electoral documents, voting papers and the provision of them to polling station election commissions;

- 14) at elections of Gengesh members, establish the election results for each constituency;
- 15) draw up the election results for cities and towns inside etraps, for small towns, gengeshliks, local referendum results, make known to the general public the election, local referendum results and a list of elected Gengesh members;
- 16) provide an elected Gengesh member with an appropriate identification document;
- 17) at elections of Gengesh members, make a decision to conduct repeat voting and organize it;
- 18) at elections of Gengesh members conduct repeat elections;
- 19) conduct elections of a Gengesh member who left;
- 20) examine statements and complaints about decisions and actions of polling station election commissions;
- 21) ensure the storage of electoral documents under the established procedure;
- 22) exercise other powers as established by this Code.

Article 37. Powers of a Polling Station Election Commission

A polling station election commission shall:

- 1) inform voters of election, a referendum day, place and time of voting;
- 2) compile a voter list for a polling station;
- 3) familiarize voters with the voters list, receive and examine complaints about inaccuracies in the list and decide whether to make corresponding amendments in it;
- 4) ensure the preparation of the premises for voting and the readiness of the ballot boxes;
- 5) organize the voting at the polling station as well as early voting, voting outside the polling station on the day of elections, a referendum;
- 6) count votes at the polling station and draw up the election, referendum results;
- 7) examine statements and complaints about the preparation of elections, a referendum and the organization of voting;
- 8) exercise other powers established by this Code.

Chapter IV. CONSTITUENCIES AND POLLING STATIONS

Article 38. Formation of Constituencies

1. At elections for the post of the President of Turkmenistan the territory of Turkmenistan shall form one constituency.
2. At elections of deputies of the Mejlis of Turkmenistan 125 constituencies shall be formed in Turkmenistan with approximately equal number of voters.

3. At elections of velayat halk maslahaty members, 40 constituencies shall be formed and at elections of etrap, municipal halk maslahaty members – 20 constituencies with approximately equal number of voters on the respective territory.

4. At elections of members of Gengeshes 5–15 constituencies shall be formed on the respective territory with approximately equal number of voters. On the territory with number of voters up to 1000, 5-6 constituencies shall be formed, from 1001 to 2000 voters – 7-8, from 2001 to 4000 voters – 9-11, over 4000 voters – 12-15 constituencies. The number of constituencies shall be determined by the respective Gengesh within the established norm.

5. The constituencies shall be formed by the relevant election commissions no later than sixty days prior to elections. The names of constituencies also shall be determined at elections of deputies of the Mejlis of Turkmenistan. Lists of constituencies with the indication of their boundaries shall be made known to the general public.

6. The constituencies shall be formed by the relevant election commissions no later than sixteen seventeen days prior to elections. At elections of deputies of the Mejlis of Turkmenistan the name of the constituencies also shall be determined. Publication of lists of election constituencies with the indication of their boundaries shall be made public.

Article 39. Polling Stations

1. For the conduct of voting at elections, a referendum, the territory of a city, town, small town and village shall be divided into polling stations.

2. Polling stations shall be formed by the election commission of the respective etraps, cities and towns in consecutive order. Electoral precincts shall be formed in an order that is convenient for the participation of voters in voting.

3. In military units, remote areas and areas that are difficult of access, sanatoriums and rest homes, stationary establishments for medical treatment, places where persons are held under criminal procedural or administrative measure or restraint polling stations may be formed at request of the heads of these establishments.

4. As advised by the Ministry of Foreign Affairs of Turkmenistan, voting stations under the diplomatic representative offices of Turkmenistan may be formed by the Central Election Commission, which shall make part of polling stations of etraps or cities in the territory of Turkmenistan determined by the Central Election Commission.

Article 40. Procedure for Formation of Polling Stations

1. Polling stations shall be formed no later than forty five days prior to elections, a referendum. In military units, remote areas and areas that are difficult of access, sanatoriums and rest homes, stationary establishments for medical treatment, places where persons are held under criminal procedural or administrative measure or restraint polling stations may be formed no later than five days prior to elections, a referendum.

2. Polling stations shall be formed with number of voters from twenty to two thousand voters; in some cases, polling stations may be formed with number of voters less than twenty.

3. Election commissions of etraps, cities and towns, cities and towns inside etraps, of small towns, gengeshliks shall promulgate the information about the boundaries of each polling station with the indication of the location of the polling station election commission and the voting premises.

Chapter V. VOTER LISTS

Article 41. Voter Lists and the Procedure for Their Compilation

1. A voter list shall be compiled for each polling station commission and signed by the chair and secretary of the polling station election commission. The polling station election commission may recruit representatives of the public to participate in compilation of the list.

The voter lists shall be compiled separately for each constituency should more than one constituency locate within the boundaries of a polling station.

2. Local executive authorities and local self-governance bodies shall submit to the polling station election commissions the information regarding voters who reside on the respective territory necessary for compilation of voter lists.

3. Lists of military voters in military units and also of members of the families of military personnel and of other voters, if they reside within military units, shall be compiled on the basis of data provided by commanders of military units. Military personnel residing outside military units shall be included in the voter list for their place of residence according to the standard procedure.

4. Voter lists at sanatoriums and rest homes, stationary establishments for medical treatment, places where persons are held under criminal procedural or administrative measure or restraint shall be compiled on the basis of data provided by the heads of such establishments. In these cases in the voters list shall be included persons who reside in the territory of the respective polling station.

5. In voting stations formed under diplomatic representative offices of Turkmenistan, the citizens of Turkmenistan who are currently abroad shall be included in the voters list.

6. Voters' surnames shall be indicated in the voter list in an order that is convenient for the organization of voting.

Article 42. Procedure for Including Citizens in Voter Lists

1. Citizens of Turkmenistan who have attained eighteen years of age by election, referendum day, residing permanently or mainly (no less than three months prior to election, a referendum day) in the territory of a given polling station and entitled to participate in voting shall be included in the voter list.

2. A citizen of Turkmenistan who has voting rights but due to some reason not included in the voters lists shall be included in an additional voter list by the relevant polling station election commission.

3. Each voter may be included in a voter list at only one polling station.

Article 43. Familiarization of Citizens with Voter Lists

1. Voter lists shall be provided for public familiarization at the polling stations no later than fifteen days prior to elections, a referendum and at sanatoriums and rest homes, stationary establishments for medical treatment, places where persons are held under criminal procedural or administrative measure or restraint – no later than five days prior to elections, a referendum.

2. Every citizen shall have the right to appeal against non-inclusion, incorrect inclusion in a list or exclusion from a list and also against inaccuracies in the voter's details as they appear on the list. An appeal regarding these issues shall be considered by the polling station election commission, which shall be obliged to consider the appeal within two days, and on the eve of or on the day of elections, a referendum, immediately, and make all necessary corrections to the list or provide the appellant with a copy of its reasoned decision to deny the appeal.

CHAPTER VI. NOMINATION AND REGISTRATION OF CANDIDATES

Article 44. Procedure for Nomination of Candidates

1. In accordance with the Constitution of Turkmenistan, the right to nominate candidates shall pertain to political parties, registered before the day of calling elections and, also, to groups of citizens.

2. A citizen of Turkmenistan who was born in Turkmenistan, is no younger than forty years, speaks the state language, and who has been permanently residing and working in Turkmenistan for the past fifteen years may be nominated as a candidate for the post of the President of Turkmenistan.

Citizens of Turkmenistan who have attained twenty five years of age by the election day and have permanently resided in Turkmenistan for the past ten years may be nominated as candidates for deputy of the Mejlis of Turkmenistan.

Citizens of Turkmenistan who have attained twenty one years of age by election day and reside on the respective territory may be nominated as candidates to halk maslahaty or Gengesh.

A person with a conviction that by the time of nomination has not been exculpated or pardoned under the procedure as established by law may not be nominated as a candidate.

3. Nomination of candidates shall commence sixty days and end thirty days prior to elections.

3.1 The relevant election commissions shall be informed on the issue of conducting meetings, gatherings regarding the nomination of candidates previously.

4. If a person who is deputy of the Mejlis of Turkmenistan, was nominated as a candidate for the post of the President of Turkmenistan, this person shall inform the Central Election Commission in a written form on withdrawal of his/her candidacy or his/her intention to terminate exercising his/her powers as deputy in case of election of the President of Turkmenistan.

If a person, whose office, according to the laws of Turkmenistan, is inconsistent with the exercise of powers of deputy of the Mejlis of Turkmenistan, a member of halk maslahaty,

Gengesh, is nominated, this person shall inform in a written form the relevant election commission of his/her intention to leave office if he/she is elected.

5. Candidate shall inform in a written form the relevant election commission of his/her consent.

Article 45. Procedure of Nomination of Candidates by Political Parties

1. Candidates for the post of the President of Turkmenistan shall be nominated by political parties at sessions (meetings, conferences, general meetings, gatherings) of their central bodies.

Political parties, shall nominate candidates for deputies of the Mejlis of Turkmenistan at sessions (meetings, conferences, general meetings, gatherings) of their central, velayat, etrap and municipal bodies.

Nomination of candidates for members of halk maslahaty shall be conducted at meetings of velayat, etrap, municipal bodies of political parties.

Nomination of candidates for members of Gengesh shall be conducted at meetings of etrap, municipal bodies of political parties and at meetings of their primary organizations.

2. At meetings and gatherings of political parties and at meetings of their primary organizations an unlimited number of candidates may be discussed. All participants of the session, gathering shall have the right to nominate candidates, discuss them, support or deny them, nominate for discussion themselves as candidates.

3. Political parties independently or jointly may nominate only one candidate for the post of the President of Turkmenistan.

At meetings of the respective bodies of political parties or at a joint session of the respective bodies several candidates for deputy of the Mejlis of Turkmenistan, members of halk maslahaty, Gengesh may be nominated, but only one candidate for each constituency.

Political parties that jointly nominated a candidate in one constituency shall not have the right of subsequent independent nomination of a candidate in this constituency.

4. A candidate shall be considered nominated if more than a half of participants of the meeting of political party, meeting of their primary organizations voted for him/her.

5. A decision to nominate a candidate shall be adopted by open or secret ballot. The procedure for voting and other procedural matters shall be determined by participants of the meeting, gathering.

6. A decision of meeting of the body of political party or a joint session of several bodies, meeting of their primary organizations shall be submitted to the relevant election commission within a two-day period but no later than on the first working day after the expiry of the nomination period.

Article 46. Nomination of Candidates for the Post of the President of Turkmenistan by Groups of Citizens

1. When a candidate for the post of the President of Turkmenistan is nominated by groups of citizens, he/she shall be supported by no less than ten thousand signatures of voters, with each of

no less than one third of etraps, cities and towns with the rights of etraps of Turkmenistan providing at least three hundred signatures.

2. The collection of signatures shall be organized by the initiative group of a nominated candidate.

An initiative group shall comprise no less than fifty citizens of Turkmenistan who have the right to vote.

3. The Central Election Commission, no later than within three days from the day of receiving an application concerning the registration of an initiative group signed by its head and members with the indication of their last name, first name, patronymic name, birth date, place of residence, as well as location of the group, shall register this group and provide each member with an appropriate identification document.

An application for registration of an initiative group may be submitted seventy five days prior the election day.

4. Signatures may be collected only among citizens of Turkmenistan who have the right to vote. The collection of signatures shall be carried out at places of work, service, study and residence, at pre-election events, as well as in other places where the collection of signatures is not prohibited.

Participation of the administration of legal entities or their branches and representative offices in the collection of signatures, as well as coercion in the process of signature collection and payment of rewards to voters for putting their signatures or obstruction of the collection of signatures shall not be permitted. Flagrant or repeat violation of these rules shall be the basis for the Central Election Commission or a court of law to recognize the collected signatures invalid, and/or to refuse to register a candidate.

5. The right to collect signatures of voters shall pertain to a member of the initiative group of a nominated candidate.

6. Each signature sheet in support of a candidate for the post of the President of Turkmenistan shall specify the following information: last name, first name, patronymic name, birth date, place of employment, and position (occupation) of the candidate.

7. A voter, signing the signature sheet, shall indicate the following information: his/her last name, first name, patronymic name, place of residence, birth year (at the age of eighteen – day and month of birth as well), and date of signature. A voter may sign for only one candidate.

8. Each signature sheet shall include information that this person collected signatures personally and that the data are credible, while the last name, first name and patronymic name of the person who collected signatures, the number of their passport or any other equivalent identity document, personal signature and the name of the village, city, town or small town where the collection of signatures took place shall also be provided.

9. Signature sheet forms shall be made as prescribed by the Central Election Commission and issued by this Commission within two days following the official request of the initiative group to its representative.

10. Members of the initiative group, engaged in collecting signatures shall submit completed signature sheets to the election commission of the relevant etrap, city and town. This election commission, within five days, shall verify the authenticity of signatures on the signature sheets that shall be returned to the member of the initiative group who submitted them with a verification report attached therewith.

Election commission of an etrap, city and town shall carry out the verification of signatures with the help of appropriate services and specialists. All signatures or a part of them selected randomly (lottery) may be subject to verification.

The initiative group shall gather and submit stitched and numbered signature sheets in support of its candidate for the post of the President of Turkmenistan to the Central Election Commission no later than thirty days prior to election day. When receiving signature sheets, the Central Election Commission shall affix its seal to all pages of each signature sheet and issue a certificate concerning acceptance of signature sheets indicating the number of signatures of voters, and date and time of acceptance. Representatives of the Central Election Commission and the initiative group shall affix their signatures in the certificate.

11. If the verification establishes that more than two percent of signatures that were collected are inauthentic, the candidate shall be denied registration.

12. Inauthentic signatures shall be:

- fictitious signatures (affixed on behalf of non-existent persons);
- signatures affixed on behalf of different persons by one person or by one person on behalf of another person;
- signatures of persons who do not have the right to vote;
- signatures of voters who indicated data that did not correspond to reality on the signature sheet;
- signatures of voters collected prior to the date set for nomination of candidates;
- signatures of voters who did not indicate all data as established by this Code;
- signatures of voters who do not reside in the relevant area;
- signatures of voters where their data are not handwritten or written in pencil, and also signatures that were not dated by voters themselves;
- all signatures of voters on a signature sheet if signatures were collected by someone other than a member of the initiative group or if a signature sheet was not signed by a member of the initiative group or signed by some other member of the initiative group who did not collect these signatures;

13. All candidates shall be notified every time that signature verification takes place. All candidates or representatives of their initiative groups shall have the right to be present at the signature verification process. Signatures contained in signature sheets that were excluded (crossed out) by nominated candidates and representatives of the initiative group prior to the submission of these signature sheets to the election commission shall not be subject to verification and registration, if a special note about it has been made.

14. In case of a failure to comply with the requirements provided for by this article signature sheets shall be deemed invalid.

Article 47. Nomination of Candidates for Deputy of the Mejlis of Turkmenistan, Member of Halk Maslahaty, Gengesh by Groups of Citizens

1. Meeting of a group of citizens for nomination of candidates for deputy of the Mejlis of Turkmenistan, member of velayat halk maslahaty shall be considered quorate if attended by no less than two hundred voters residing in the territory of the respective constituency, for nomination of candidates for members of etrap, municipal halk maslahaty – if attended by no less than one hundred voters residing in the territory of the respective constituency, and for nomination of candidates for Gengesh – no less than fifty voters residing in the territory of the respective constituency.

Each voter may participate only in one meeting of a group of citizens, this rule shall apply to the meetings of citizens for nomination of candidates to the representative bodies of the same level.

Participants of the meeting shall be subject to registration. Lists for the registration of participants of a meeting of citizens shall include the surname, first name, patronymic, date of birth and place of residence of each of them. Each voter shall sign the registration list.

2. At meetings an unlimited number of candidates may be discussed. All participants of the meeting shall have the right to nominate candidates, discuss them, support or deny them, nominate for discussion themselves as candidates.

3. Only one candidate for deputy of Mejlis of Turkmenistan, member of halk maslahaty, Gengesh may be nominated at each meeting of the group of citizens for nomination of a candidate to respective constituency.

4. A candidate shall be considered nominated if more than a half of participants of the meeting of the group of citizens voted for him/her.

A decision to nominate a candidate shall be adopted by open or secret ballot. The procedure for voting and other procedural matters shall be determined by participants of the meeting.

Minutes of the meeting shall be drawn up regarding the nomination of the candidate for deputy of the Mejlis of Turkmenistan, member of halk maslahaty, Gengesh. The minutes with the list of participants of the meeting attached shall be submitted to the relevant election commission of the constituency, etrap, cities and towns, cities and towns inside etraps, of small towns, gengeshliks within a two-day period, but no later than on the first working day after the expiry of the nomination period. The candidate shall be informed of the decision about his/her nomination within the same period.

Article 48. Registration of Candidates

1. Candidates for the post of the President of Turkmenistan shall be registered by the Central Election Commission, for deputy of the Mejlis of Turkmenistan - by election commission of respective constituency, for members of halk maslahaty – by election commission of respective velayat, etrap, cities and towns, for members of Gengesh – by election commissions of cities and towns inside etraps, of small towns, gengeshliks. The registration shall commence fifty days and end twenty five days prior to election day.
2. The decision about the registration of candidates shall be made if there are minutes of the meetings, gatherings regarding the nomination of candidates, initiative groups' signature sheets and applications of the nominated candidates about their consent to stand for election.
3. The Central Election Commission, election commissions of constituencies, velayats, etraps, cities, towns, cities and towns inside etraps, of small towns, gengeshliks shall draw up reports on the registration of candidates that together with applications of the candidates about their consent to stand for election shall be stored in the relevant election commission.
4. Election commission shall be obliged to register all candidates nominated in compliance with this Code. The denial of registration may be appealed in the higher election commission or a court of law within a three-day period. A complaint shall be reviewed no later than within a three-day period.
5. Every person nominated as a candidate may be registered only in one constituency. A candidate shall be provided with an appropriate identification document.
6. Candidates who are members of any election commission or who are observers shall be considered as excluded from the members of the commission or as observers who terminated the exercise of powers of observers from the moment of their registration.
7. No later than on the fifth day after registration of candidates the relevant election commission shall publish a statement about the registration of candidates indicating the name, surname, patronymic name, year of birth, position occupied (occupation), and the place of residence of each candidate.

Article 49. Withdrawal of Candidacy by a Candidate

1. Candidates, at any time before the elections, may withdraw their candidacy by submitting a written application to the election commission that registered them as candidates.
2. The relevant election commission shall inform voters about the withdrawal of candidacy by a candidate.

Article 50. Procedure for Nomination of a Candidate in lieu of the Candidate Who Left

1. If persons cease to be candidates after the expiry of the term for nominating candidates or if there is only one or no candidate, the relevant election commission shall invite political parties and voters of the constituency to nominate new candidates.

2. If persons cease to be candidates less than twenty days prior to election day, the elections in the relevant constituency shall be conducted within two months after the called elections.
3. The nomination of candidates in place of those who left shall be conducted under the procedure as established by this Code.

Chapter VII. GUARANTEES OF ACTIVITIES OF CANDIDATES

Article 51. Rights of Candidates

1. From the moment of their registration candidates shall have the equal rights to appear at pre-election meetings, gatherings, in the mass media.
2. Local executive authorities and local self-governance bodies, officials of establishments, enterprises and organizations shall be obliged to render assistance to candidates in gathering necessary information regarding the elections.
3. According to the laws of Turkmenistan, candidates, based on the decision of the relevant election commission, may be released from their job or duties during the election campaign whilst retaining an average wage.
4. The use by candidates of their official position to conduct their election campaign shall not be permitted.

Article 52. Persons Authorized by Candidates

1. Every candidate for the post of the President of Turkmenistan may have up to three persons authorized by them in each etrap, cities and towns with the rights of etrap, for deputy of the Mejlis of Turkmenistan, member of halk maslahaty - up to five persons authorized by them and for Gengesh – up to three persons. They shall assist them in conducting the election campaign and campaign for their election, and shall represent their interests in relations with state authorities and local self-governance bodies, political parties, public associations, voters and also before election commissions.
2. After registration a candidate shall appoint authorized persons at his/her own discretion and notify the relevant election commission of them for the purpose of their registration. After registration of the authorized persons they shall be provided with identification documents. A candidate shall have the right to replace his/her authorized persons at any time before the elections. An authorized person also shall have the right to terminate voluntarily his/her powers.
3. A member of the election commission shall not be an authorized person.
4. The powers of authorized persons shall terminate after tabulation.

Chapter VIII. ISSUES OF REFERENDUM

Article 53. Issues of a Public Referendum

1. Public referendum shall be conducted on the whole territory of Turkmenistan.
2. The following issues may be put to a public referendum:

- 1) on adoption of a law;
 - 2) on amendment or cancellation of an acting law or its specific provisions;
 - 3) on adoption of a decision that shall predetermine the main content of laws and other regulatory and legal acts.
3. Issues of the state borders of Turkmenistan and its administrative and territorial units' boundaries; provision of defence and security of Turkmenistan; adoption of emergency and urgent measures on protection of public order, protection of health and safety of people; issues related to nomination of officials and relieving them of post; issues related to fulfilment of commitments following from international treaties of Turkmenistan shall not be put to a public referendum.

Article 54. Issues of a Local Referendum

1. Local referendum shall be conducted in the territory of the respective cities and towns inside etraps, of small towns or gengeshliks.
2. The following issues may be put to a local referendum:
 - 1) on change or cancellation of a decision of Gengesh;
 - 2) on adoption of a decision on other most important issues of local significance.
3. Issues of the boundaries of cities and towns inside etraps, of small towns, gengeshliks or villages; adoption of emergency and urgent measures on protection of public order, protection of health and safety of people; issues related to nomination of Gengeshes officials and relieving them of post shall not be put to a local referendum.

Article 55. Initiative to Conduct a Referendum

1. Initiative to conduct a public referendum shall pertain to the Mejlis of Turkmenistan, citizens of Turkmenistan.

Initiative to conduct a local referendum shall pertain to Gengeshes, people who reside within the respective administrative and territorial unit.

2. The decision to conduct a public referendum shall be initiated by no less than two thirds of the established number of deputies of the Mejlis of Turkmenistan or no less than two hundred and fifty thousand citizens of Turkmenistan who have the right to vote.

The decision to conduct a local referendum shall be initiated by Gengesh or no less than one fourth of the citizens of Turkmenistan who have the right to vote and reside in the territory of the respective administrative and territorial unit.

Article 56. Initiative of Citizens to Conduct a Referendum

1. The initiative about a public referendum, if citizens bring it up, shall be supported by no less than two hundred and fifty thousand signatures of the citizens of Turkmenistan who have the right to vote.

The initiative about a local referendum, if citizens bring it up, shall be supported by no less than one fourth of the citizens of Turkmenistan who reside in that territory and have the right to vote.

2. Collection of signatures shall be organized by an initiative group.

Composition of the initiative group that proposes conducting a public referendum shall comprise no less than one hundred citizens of Turkmenistan who have the right to vote, and composition of the initiative group that proposes conducting a local referendum – no less than ten.

3. The Central Election Commission shall register an issue to be put to public referendum and an initiative group within ten days after receiving an application form on registration of an initiative group, signed by a head and members of the initiative group and indicating their last names, first names, patronymic names, birth year, places of residence, as well as the place of location of the group, and provide each member of the group with identification document.

Election commissions of cities and towns inside etraps, of small towns, gengeshliks shall register an issue to be put to local referendum, and an initiative group in accordance with the procedure as established by the item 1 of this part and provide each member of the group with identification document.

4. Information on the procedure of registration of an initiative group, issue to be put to referendum, and address which signature sheets should be delivered to shall be made known to the general public via the mass media.

5. In case of breach of requirements as established by this Code, the registration of the issue to be put to referendum and an initiative group may be denied.

6. Denial of registration may be appealed by the initiative group of referendum in a court of law.

Article 57. Procedure and Time Limits for Collection of Signatures

1. The right to collect signatures of citizens shall pertain to a member of the initiative group.

2. Signatures may be collected only among citizens of Turkmenistan who have the right to vote. The collection of signatures shall be carried out at places of work, service, study and residence, at pre-referendum events, as well as in other places where the collection of signatures is not prohibited.

Participation of the administration of legal entities or their branches and representative offices in the collection of signatures, as well as coercion in the process of signature collection and payment of rewards to voters for putting their signatures or obstruction of the collection of signatures shall not be permitted. Flagrant or repeat violation of these rules shall be the basis for the election commission that registered the initiative group or a court of law to recognize the collected signatures invalid.

3. Each signature sheet in support of the initiative shall specify the issue to be put to referendum.

4. A citizen, signing the signature sheet, shall indicate the following information: his/her last name, first name, patronymic name, place of residence, birth year (at the age of eighteen – day and month of birth as well), and date of signature.

A citizen shall have the right to sign the signature sheet only once.

5. Each signature sheet shall include information that this person collected signatures personally and that the data are credible, while the last name, first name and patronymic name of the person who collected signatures, the number of his/her passport or any other equivalent identity document, personal signature and the name of the city, town, small town, village, where the collection of signatures took place shall also be provided.

6. A form of a signature sheet shall be approved by the Central Election Commission.

Signature sheet forms for a public referendum shall be produced and issued by the Central Election Commission within two days following the official request of the initiative group to its representative.

Signature sheet forms for a local referendum shall be produced and issued by the election commissions of cities and towns inside etraps, of small towns, gengeshliks within two days following the official request of the initiative group to its representative.

7. Members of the initiative group, engaged in collecting signatures shall submit completed signature sheets to the relevant election commission. This election commission, within five days, shall verify the authenticity of signatures on the signature sheets that shall be returned to the person who submitted them with a verification report attached therewith.

The election commission shall carry out the verification of signatures with the help of appropriate services and specialists. All signatures or a part of them selected randomly (lottery) may be subject to verification.

8. If the verification establishes that more than two percent of signatures that were collected are inauthentic, the issue of conducting referendum shall not be considered.

9. Inauthentic signatures shall be:

- fictitious signatures (affixed on behalf of non-existent persons);
- signatures affixed on behalf of different persons by one person or by one person on behalf of another person;
- signatures of persons who do not have the right to vote;
- signatures of persons who indicated data that did not correspond to reality on the signature sheet;
- signatures of persons who did not indicate all data as established by this Code;
- signatures of persons who do not reside in the relevant area;
- signatures of persons where their data are not handwritten or written in pencil, and also signatures that were not dated by persons themselves;
- all signatures of persons on a signature sheet if signatures were collected by someone other than a member of the initiative group or if a signature sheet was not signed by a member of the

initiative group or signed by some other member of the initiative group who did not collect these signatures;

10. The initiative group shall be notified every time that signature verification takes place. Members of initiative groups may be present at the signature verification process. Signatures contained in signature sheets that were excluded (crossed out) by representatives of the initiative group prior to the submission of these signature sheets to the election commission shall not be subject to verification and registration, if a special note about it has been made.

11. In case of a failure to comply with the requirements provided for by this article signature sheets shall be deemed invalid.

12. The total time limit for collection of signatures on the issue of conducting a public referendum shall not exceed three months, and on the issue of conducting a local referendum – two months from the day of registration of the initiative group.

Article 58. Submitting Signature Sheets and Final Minutes of Meeting on the Results of Collection of Signatures

1. The initiative group of a public referendum shall gather and submit stitched and numbered signature sheets to the Central Election Commission no later than three months from the day of its registration. When receiving signature sheets, the Central Election Commission shall affix its seal to all pages of each signature sheet and issue a certificate concerning acceptance of signature sheets indicating the number of signatures of voters, and date and time of acceptance. Representatives of the Central Election Commission and the initiative group shall affix their signatures in the certificate.

The initiative group of a local referendum under the procedure as established by the item 1 of this part shall gather and submit stitched and numbered signature sheets to the relevant election commissions of cities and towns inside etraps, of small towns, gengeshliks no later than two months from the day of its registration.

2. A proposal on conducting a public referendum and the final minutes of the meeting of the Central Election Commission on the results of collection of signatures shall be submitted to the Mejlis of Turkmenistan within ten days from receiving documents from the initiative group.

A proposal on conducting a local referendum and the final minutes of the meeting of the relevant election commissions of cities and towns inside etraps, of small towns, gengeshliks on the results of collection of signatures shall be submitted to the respective Gengesh within ten days from receiving documents from the initiative group.

Article 59. Adoption of a Decision to Conduct a Referendum

1. Issue to conduct the respective referendum shall be considered at a meeting of the Mejlis of Turkmenistan, Gengesh.

2. Mejlis of Turkmenistan, Gengesh upon the initiative to conduct the respective referendum shall adopt one of the following decisions:

- on conducting a referendum and measures of its provision;

- on necessity to adopt a law or other decision without conducting a referendum;
- 3. Mejlis of Turkmenistan, Gengesh shall have the right to reject the initiative on conducting a referendum in case of breach of provisions of this Code by the initiative group.
- 4. The decision on conducting a public referendum shall be adopted if no less than two thirds of the established number of deputies of the Mejlis of Turkmenistan voted for it, and for the local referendum – no less than two thirds of the established number of members of the respective Gengesh.
- 5. The decision on conducting a referendum shall specify a registered formulation of the issue to be put to referendum for its subsequent inclusion in the voting paper.
- 6. The decision on conducting a referendum, draft law, text of the project of other decision put to the vote shall be published in the mass media within ten days from the adoption of a decision on conducting a referendum.

Article 60. Time Limits of Conducting a Referendum

- 1. Public referendum shall be conducted no sooner than two months and no later than four months from the moment of the adoption of a decision on its calling by the Mejlis of Turkmenistan; and a local referendum – no sooner than two months and no later than three months after the adoption of a decision by the relevant Gengesh.
- 2. In exceptional cases the Mejlis of Turkmenistan, Gengesh may set other time limits for the conducting a referendum.

Chapter IX. INFORMATION PROVISION FOR ELECTIONS AND REFERENDA

Article 61. Informing of Voters

- 1. Information provision for elections and referenda shall include informing of voters and election campaign.
- 2. Informing of voters shall be conducted by election commissions, state authorities, local self-governance bodies, the mass media, physical persons and legal entities in accordance with this Code and other regulatory legal acts of Turkmenistan.
- 3. The content of information materials placed in the mass media or disseminated in any other way shall be objective, reliable, shall not violate the principle of equality of candidates; preference to any candidate shall not be permitted.

Article 62. Conduct of Pre-election, Pre-referendum Campaign

- 1. When conducting elections, referenda, free campaigning shall be provided for political parties, public associations, citizens of Turkmenistan, candidates, persons authorized by candidates, initiative groups in accordance with the laws of Turkmenistan.
- 2. Political parties, public associations, citizens of Turkmenistan, candidates, persons authorized by candidates, initiative groups may, by forms and methods not prohibited by law, campaign for the active participation of citizens in elections, a referendum, freely and comprehensively discuss

election programmes of candidates, their political, business, personal qualities, issues put to referendum, at their meetings, gatherings, in the mass media.

3. The following actions performed during the election campaign shall be deemed as pre-election, pre-referendum agitation:

- 1) calls to vote for a particular candidate, for a particular issue to be put to referendum;
- 2) prediction of possible consequences of election of a candidate, results of the adoption of a decision regarding the issue of referendum;
- 3) dissemination of information containing authentic data about a certain candidate, issue to be put to referendum.

4. Candidates, initiative groups shall be guaranteed equal conditions of access to the mass media.

5. Campaigning when conducting elections, a referendum may be carried out:

- 1) via the mass media;
- 2) via conducting of mass events (meetings and gatherings with voters, public debates and discussions);
- 3) via publication and dissemination of campaigning materials;
- 4) using other forms not prohibited by law.

6. A candidate may independently define a form and character of his/her campaigning via the mass media.

7. Members of election commissions, observers, judges, members and representatives of charitable organizations, religious organizations, employees of law enforcement bodies, except when the said persons are registered as candidates or as persons authorized by candidates shall not have the right to participate in election, referendum campaigning and publish or distribute any campaigning materials. Neither persons younger than eighteen years, nor foreign citizens, foreign states and organizations, international organizations and international public movements may participate in election campaigning.

8. Officials of state authorities and local self-governance bodies shall not have the right to conduct campaigning when performing their employment or official duties and use resources of state authorities or local self-governance bodies to campaign.

Article 63. Time Limits of Election, Referendum campaigning

1. Election, referendum campaigning shall commence from the day of the registration of a candidate, issue to be put to referendum and terminate twenty four hours prior to election, a referendum day.

2. When conducting repeat voting, election campaign shall recommence from the moment of the adoption of a decision to call repeat voting and terminate twenty four hours prior to the day of repeat voting.

3. Printed campaign materials (leaflets, posters and so on) that were placed outside the premises of election commissions earlier shall be kept intact on the voting day.

Article 64. Conduct of Election Campaigning on TV and Radio

1. Candidates, initiative groups of referendum shall have the right to free broadcasting time on state TV and radio channels. The indicated broadcasting time shall be from 7 p.m. to 11 p.m. except for the time assigned for official information programmes.

2. The total volume of free broadcasting time shall be no less than one hour. The specified free broadcasting time shall be distributed among candidates on an equal basis.

Candidates may not use free broadcasting time to campaign for other candidates.

3. No less than one third of the total volume of free broadcasting time shall be allocated for candidates to conduct joint discussions, “round table” meetings and other similar campaigning events. In joint campaigning events on TV or radio channels, candidates may participate only personally. A refusal to participate in a joint campaigning event shall not entail additional free broadcasting time for the candidate who refused to participate in such an event.

If a candidate could not participate in a joint campaigning event due to valid reasons, he/she along with other candidates who did not participate in a joint campaigning event may use the broadcasting time they are entitled to.

4. It shall be prohibited to interrupt presentations made by candidates and to make any comments thereto.

5. The procedure for election campaigning on TV or radio channels shall be established by the Central Election Commission in consultation with the authorized state body of Turkmenistan.

Article 65. Conduct of Election Campaigning Via Print Media

1. Periodical print media, with the exception of those established by state authorities and local self-governance bodies for publication of official statements and materials, regulatory and legal and other acts, shall allocate, on an equal basis, free print space for materials provided by candidates, initiative groups of referendum.

As for the specialized print media (children’s, technical, scientific and others), it shall be allowed to refuse to publish any campaigning materials on the condition of complete non-participation in an election campaign.

2. The print media which provided print space to some candidates shall provide print space to other candidates on the same conditions.

3. The procedure for election campaigning in the print media shall be established by the Central Election Commission in consultation with the relevant agency of Turkmenistan.

Article 66. Election Campaign Via the Conduct of Mass Events

1. Political parties, groups of citizens that nominated candidates, initiative groups of referendum shall organize meetings of candidates, members of initiative groups of referendum with voters.

2. Candidates, initiative groups of referendum shall conduct meetings with voters in a form that is convenient for voters.
3. Voters shall be informed in advance of the time and place of meetings.
4. State authorities and local self-governance bodies shall render assistance to candidates, initiative groups of referendum in organizing meetings with voters and ensure safety when conducting these events.

Article 67. Placement of Campaigning Materials

1. Within ten calendar days from the day of calling elections, a referendum, local executive authorities and local self-governance bodies shall provide special places in the territory of each polling station for the placement of campaigning materials. Candidates shall be provided with equal conditions for the placement of such materials.
2. Placement of such materials on monuments, obelisks and buildings with historical, cultural or architectural value, as well as at the premises of election commissions, at the entrances to election commissions and in the premises for voting shall be prohibited.

Article 68. Inadmissibility to Abuse the Right to Conduct Election Campaigns

1. Election commissions shall control the observance of the established procedure for conducting election campaigns.
2. In conducting election campaigns, the following shall not be permitted:
 - 1) campaigns that give rise to social, religious, racial and ethnic hatred and animosity;
 - 2) calls to seize power, forcibly change the constitutional order and violate the integrity of the state; and
 - 3) other forms of abusing the right to conduct election campaigns.
3. From the moment the elections, a referendum are called, candidates, their close relatives and persons authorized by candidates shall be prohibited from bribing voters, paying them money, presenting them with gifts or other material values, carrying out privileged sales of goods, distributing any free goods, except for print campaigning materials, as well as from rendering services for free or on a privileged basis.
4. From the moment the elections, a referendum are called, and prior to the publication of their results, candidates, their close relatives and persons authorized by candidates shall not be engaged in charitable activities.
5. Dissemination of information based on the data that are deliberately false and humiliate the honour, dignity or business reputation of candidates shall not be permitted.

The mass media which allowed such publications shall be obliged, upon a candidate's request, to publish a refutation or provide explanation for a given article or speech that is not compliant with the true facts or distorts them. Refutations or explanations shall be published in a special section or in the same section and with the same font size that was used for the information to which a

response is provided; in periodical publications – in the next issue, and refutations or explanations regarding presentations on television or radio – in the next programme after the refutation or explanation was received.

6. In case item 5 of this article is violated, election commissions, voters, initiative groups, candidates, as well as persons authorized by candidates and the mass media have the right to submit a complaint to a court of law.

7. In case a candidate, an initiative group fail to meet the requirements as established by this Code, the election commission that registered the candidate, the initiative group shall have the right to issue a warning to the candidate, the initiative group and in case the same candidate, the initiative group fail to comply with the above-mentioned requirements on a repeated basis – cancel the registration of the candidate, the initiative group.

Chapter X. PROCEDURE FOR VOTING AND TABULATION OF ELECTIONS, REFERENDUM

Article 69. Time and Place of Voting

1. Voting at elections, a referendum shall be conducted from 7 a.m. until 7 p.m.
2. The polling station election commission shall inform voters of the time and place of voting no later than fifteen days prior to elections, a referendum.

Article 70. Voting Paper

1. All candidates registered in a given constituency shall be included in the voting paper with the indication of the surname (in alphabetical order), name, patronymic name, position occupied (occupation), and the place of employment and residence of the candidate.

Text of the voting paper for a public referendum shall be approved by the Central Election Commission, for a local referendum – by election commissions of cities and towns inside etraps, of small towns, gengeshlik no later than thirty days prior to election day.

Text of the voting paper shall comprise the issue to be put to referendum and options of an answer of the participant of referendum “for” or “against” depending on how the issue was posed.

2. Voting papers shall be printed in the official language but by a decision of the relevant election commission of etraps, cities and towns they may be printed in other language used by the majority of voters of the polling station.

The total number of voting papers shall be equal to the number of voters included in the voters’ lists. The number of spare voting papers shall not exceed two percent of the total number of voting papers.

3. A polling station shall be provided with voting papers no later than five days prior to election, a referendum day.

4. Voting papers are strictly accountable documents. The procedure for their production, delivery and reporting with regards to them shall be established by the Central Election Commission.
5. According to request by a polling station election commission, voting papers for early voting may be delivered to the polling station by the relevant election commission ten days prior to elections, a referendum.
6. Voting papers shall be signed by the chair and secretary of the polling station election commission and sealed by the seal of the polling station.
7. The polling station election commission is responsible for the preservation of voting papers.

Article 71. Organization of Voting

1. Voting shall be conducted in specially designated premises which shall be furnished with sufficient polling booths, writing materials (except for pencils) and specific places for issuing voting papers, and in which ballot boxes shall be set up in such a manner that the voter is obliged to pass through a polling booth in order to reach the ballot boxes and members of the polling station election commission and observes are able to see them.
2. Before the beginning of voting on election, a referendum day, ballot boxes shall be checked and sealed by the chair of the polling station election commission with the participation of members of the commission.
3. Polling station election commissions shall be responsible for the organization of voting, ensuring the secrecy of the expression of will by voters, equipment of the premises and maintenance of necessary order in them.

Article 72. Conduct of Voting

1. Each voter shall vote in person; voting on behalf of others shall not be permitted. Voting papers shall be issued by the polling station election commission on the basis of the voter list upon presentation of a passport or another identification document.

A voter who has received a voting paper shall put his/her signature in the voter list.

2. A voting paper shall be completed by the voter in a polling booth. It shall be forbidden for anyone whatsoever to be present when the voting paper is being completed other than the voter. A voter who is unable to complete the voting paper by himself/herself shall have the right to invite into the polling booth another person of his/her own choice but excluding members of the election commission, observers and persons authorized by the candidates, members of initiative groups.

3. At elections the voter shall mark on the voting paper in a designated place the surname of the candidate for whom he/she is voting.

At referendum the voter shall mark on the voting paper in a designated place one of the answers “for” or “against”.

4. The voter shall drop the completed and folded voting paper in the ballot box.

5. At request of the voter a new voting paper may be issued to him/her instead of the spoiled voting paper. The spoiled voting paper shall be counted, cancelled and kept separately.

Article 73. Procedure for Early Voting

1. A voter who is unable to be at the place of residence on election, a referendum day shall have the right to vote early at the polling station.
2. Early voting may be conducted at the polling station no sooner than ten days prior to elections.
3. Early voting shall be conducted under the procedure as established by this Code.
4. Early voting shall be conducted if no less than two members of the polling station election commission participate in it.
5. A completed voting paper shall be dropped into a previously sealed ballot box.

Article 74. Procedure for Voting Outside the Polling Station

1. The polling station election commission shall be obliged to ensure the possibility to participate in voting for voters who are included on the voters list for a given polling station but are unable, due to valid reasons (health, disability), to come to the polling station.
2. Voting outside the polling station shall be conducted only on election, a referendum day on the basis of a written or oral statement of a voter. The polling station election commission shall register all submitted statements and requests on a special list.
3. When a written statement or oral request is registered, the time of their submission, the surname, name and patronymic name of the voter who expressed his/her desire to vote outside the polling station, his/her place of residence, and the surname, name, patronymic name and the signature of the member of the commission who accepted the statement or request shall be indicated on the list. If a statement is passed through another person, the surname, name, patronymic name and the place of residence of this person shall be additionally indicated on the list.

When commission members arrive at the voter's, the oral statement shall be confirmed by the written statement.

The statement shall include the reason why the voter is unable to come to the polling station.

4. Written or oral statements shall be submitted on election, a referendum day no later than six hours prior to the termination of voting.
5. The polling station election commission may find that the reason why the voter is unable to come to the polling station is invalid and based on this fact may not permit the voter to vote outside the polling station. The commission shall immediately inform the voter of the decision to refuse the conduct of voting outside the polling station.
6. Voting outside the polling station may be conducted when no less than two members of the polling station election commission participate in it. They shall have a ballot box that has been previously sealed, an extract from the general list of voters certified by the chair or secretary of

the commission regarding the voter who submitted a written or oral statement, necessary number of voting papers, writing materials.

7. Voting outside the polling station shall be conducted under the procedure as established by this Code.

8. Members of the polling station election commission who conduct the voting outside the polling station shall have the right to issue voting papers only to the voters whose statements have been registered.

9. Concerning the voting outside the polling station a mark "Outside the polling station" shall be made on the general list of voters.

10. If the voter who submitted a written or oral statement regarding the voting outside the polling station arrived at the polling station after members of the polling station election commission had been sent to him/her, the polling station election commission shall not have the right to issue to the voter a voting paper until the members who had been sent to the voter return to the polling station and the fact is established that the voter has not voted outside the polling station.

Article 75. Count of Votes at a Polling Station

1. Ballot boxes, including those for voting outside the polling station and early voting shall be opened by the polling station election commission after the chair of the commission has declared that voting is finished. The opening of ballot boxes before voting is finished shall be prohibited. Before the ballot boxes are opened all unused voting papers shall be counted and cancelled by the polling station election commission.

2. At polling stations formed in military units, remote areas and areas that are difficult of access, sanatoriums and rest homes, stationary establishments for medical treatment, places where persons are held under criminal procedural or administrative measure or restraint, diplomatic representative offices of Turkmenistan the precinct election commission may declare voting as finished at any time if all voters on the list of voters have voted and start the vote counting before the set time.

3. Counting of votes at the polling station shall be conducted separately for each candidate of each constituency.

Counting of votes at referendum shall be conducted separately for each issue.

4. At election on the basis of the voter list, the precinct election commission shall determine the total number of voters in each constituency and the number of voters who received voting papers. On the basis of the voting papers found in the ballot boxes, the commission shall determine the total number of voters in the constituency who participated in voting, including those who voted early and those who voted outside the polling station; the number of votes cast for each candidate; the number of voting papers deemed invalid; the number of cancelled voting papers.

5. At referendum on the basis of the voter list, the precinct election commission shall determine the total number of voters in each precinct and the number of voters who received voting papers.

On the basis of the voting papers found in the ballot boxes, the commission shall determine the total number of voters who participated in voting, including those who voted early and those who voted outside the polling station; for each particular issue put to referendum the number of votes cast “for” and the number of votes cast “against”; the number of voting papers deemed invalid; the number of cancelled voting papers.

6. Non-standard voting papers or voting papers on which more than one candidate (surname) is marked or no candidates (surnames) are marked and where a vote is cast for a candidate who ceased to be a candidate prior to election day or an additional surname is written shall be deemed invalid.

Non-standard voting papers or voting papers at a referendum on which more than one mark is made, or no mark is made shall be deemed invalid.

Where doubts arise about the validity of a voting paper the issue shall be resolved by the precinct election commission through voting.

7. The results of the vote count shall be considered at a meeting of the precinct election commission and entered into minutes compiled for each constituency at election and compiled for each polling station election commission at a referendum. The minutes shall be signed by the chair, deputy chair, secretary and members of the commission and proclaimed by the chair of the polling station election commission or the deputy chair, then immediately forwarded to the relevant higher election commission. Dissenting opinions of members of the commission, complaints and appeals received by the commission concerning violations committed in the course of voting or counting of votes shall be attached to the minutes.

The copy of the minutes shall be made available to the public by displaying it in the premises of the polling station. A candidate or the person authorized by the candidate, an observer, a representative of the initiative group of referendum shall have the right to receive an attested copy of the minutes of the election commission.

Article 76. Establishing the Election, Referendum Results

1. Central Election Commission, election commissions of velayats, etraps, cities, towns, cities and towns inside etraps, of small towns, gengeshliks shall establish at their meeting results of the elections in each constituency, based on the minutes by the precinct election commissions.

Election commissions of respective etraps, cities and towns shall establish at their meeting results of the public referendum, based on the minutes by the precinct election commissions.

Election commissions of respective cities and towns inside etraps, gengeshliks shall establish at their meeting results of the local referendum, based on the minutes by the precinct election commissions.

2. At elections the relevant election commission shall draw up minutes on the election results for each constituency, at referendum – on the referendum results on the respective administrative territory that shall be signed by the chair, deputy chair, secretary and members of the commission. The election, referendum results shall be promulgated by the election commission after the minutes were drawn up. Copies of the minutes shall be made known to the public by

displaying them in the premises of election commission. A candidate or the person authorized by the candidate, an observer, a representative of the initiative group of referendum shall have the right to receive an attested copy of the minutes of the election commission.

3. A candidate who has received in elections more than a half of the votes of voters who participated in voting shall be deemed to have been elected.

The issue put to referendum that has received more than a half of the votes of voters who participated in voting shall be deemed to have been accepted.

4. The election commission of velayat shall draw up minutes on the election, referendum results in velayats, based on the minutes by the election commissions of etraps, cities and towns. A candidate or the person authorized by the candidate, an observer, a representative of the initiative group of referendum shall have the right to receive an attested copy of the minutes of the election commission of velayat.

5. The Central Election Commission, based on the minutes of the election commissions of velayats, etraps, cities and towns, of constituencies, shall summarize the election, referendum results in Turkmenistan no later than on the seventh day after elections, a referendum and draw up the minutes.

The minutes of the Central Election Commission shall be signed by the chair, deputy chair, secretary and members of the Commission. The election, public referendum results shall be promulgated by the Central Election Commission after the minutes were drawn up. Copies of the minutes shall be made known to the public by displaying them in the premises of the Central Election Commission. A candidate, chair of the initiative group of the public referendum shall have the right to receive an attested copy of the minutes of the Central Election Commission.

6. The Central Election Commission and election commissions of cities and towns inside etraps, of small towns, gengeshliks at a local referendum may deem elections, the referendum in some polling stations or constituencies invalid due to breaches of this Code during elections, the referendum or vote counting if they influenced the election results. A complaint about a breach shall be submitted by the relevant body of political party, public association, a candidate, and the initiative group of referendum no later than two days after election, a referendum day. The Central Election Commission, election commissions of cities and towns inside etraps, of small towns, gengeshliks shall review the complaint within three days.

Article 77. Registration of Elected Candidates

The relevant election commission shall register the President-elect of Turkmenistan, elected deputies of the Mejlis of Turkmenistan, members of halk maslahaty, Gengesh.

Article 78. Announcing the Elections, Referendum Results

1. The relevant election commissions shall make known to the general public the information about the election, referendum results no later than on the seventh day after elections, a referendum.

2. The announcement on the election, referendum results shall contain: the total number of citizens included into voter lists; the number of voters who participated in voting; the number of votes cast for each candidate; for each particular issue put to referendum the number of votes cast “for” and the number of votes cast “against”; the number of voting papers deemed invalid; as well as surnames, names, patronymic names, places of employment, positions occupied (occupations), places of residence of elected candidates; decisions adopted by the referendum.

Chapter XI. REPEAT VOTING. CONDUCT OF REPEAT ELECTIONS.

Article 79. Repeat Voting

1. Where three or more candidates stood for elections in a constituency and none of them has been elected, the relevant election commission shall adopt a decision to conduct repeat voting in a constituency between the two candidates who have received the largest number of votes within a two-week period after the general elections.

2. At a public referendum the Central Election Commission shall have the right to adopt a decision to conduct within a two-week period after the day of the referendum repeat voting in the precincts where breaches, which could influence the results of the referendum, have been revealed or conduct repeat voting within two months in the territory of Turkmenistan.

When conducting a local referendum, election commissions of cities and towns inside etraps, of small towns, gengeshliks shall have the right to adopt a decision to conduct within a two-week period after the referendum repeat voting in the precincts where breaches, which could influence the results of the referendum, have been revealed or conduct repeat voting within a month on the relevant territory.

The polling station election commissions shall inform the respective voters of this decision.

3. The repeat voting shall be conducted in accordance with this Code.

4. The candidate who has received the larger number of votes from voters who participated in the repeat voting compared to the other candidate shall be deemed to have been elected.

5. Where one of the candidates ceases to be a candidate for any reason, the repeat voting shall be conducted with respect to the one remaining candidate. He/She shall be deemed elected if he/she receives more than a half of the votes of voters who participated in the voting.

Article 80. Conduct of Repeat Elections

1. Where no more than two candidates stood for elections in a constituency and none of them has been elected or the elections have been declared invalid, or repeat voting has failed to determine an elected candidate, a decision shall be adopted to conduct a repeat election no later than within three weeks after the general elections.

Repeat elections for the post of the President of Turkmenistan, deputies of the Mejlis of Turkmenistan shall be called by the Mejlis of Turkmenistan.

Repeat elections of members of velayat, etrap, municipal halk maslahaty shall be called by the relevant election commission of velayat, etrap, city and town.

Repeat elections of members of Gengeshes shall be called by the relevant election commissions of cities and towns within etrap, of small towns, gengeshliks.

2. Voters shall be informed of the conduct of repeat elections.
3. When conducting repeat elections a decision may be adopted that the election be conducted by newly constituted polling station election commissions.
4. Repeat elections shall be conducted on the basis of the voter lists compiled for the conduct of the general elections.
5. Repeat elections shall be conducted within three months after the general elections in accordance with this Code.

Chapter XII. RECOGNITION OF THE POWERS

Article 81. Procedure of Assuming the Office of the President-elect of Turkmenistan

The procedure of assuming the office of the President-elect of Turkmenistan shall be determined by the Law of Turkmenistan “On the President of Turkmenistan.”

Article 82. Recognition of the Powers of Elected Deputies of the Mejlis of Turkmenistan, Members of Halk Maslahaty and Gengeshes

The issue of recognition of the powers of elected deputies of the Mejlis of Turkmenistan, members of halk maslahaty and Gengeshes shall be considered accordingly at a session of the Mejlis of Turkmenistan, at a meeting of velayat, etrap and municipal halk maslahaty and Gengesh.

Chapter XIII. DECISIONS ON THE REFERENDUM RESULTS

Article 83. Putting into Force Decisions adopted as a Result of Referendum

1. Decisions adopted as a result of a public referendum shall come into force after ten days of their official publication.
2. The decision adopted as a result of a local referendum shall come into force from the day of its promulgation.

Article 84. Obligation of Decisions on Referendum Results

1. The decision adopted as a result of a referendum shall be definitive.
2. Decisions adopted as a result of a referendum may be cancelled or amended only by a referendum.

Chapter XIV. CONDUCT OF ELECTIONS OF DEPUTY OF THE MEJLIS OF TURKMENISTAN, A HALK MASLAKHATY AND GENGESH MEMBER WHO LEFT

Article 85. Conduct of Elections of Deputy of the Mejlis of Turkmenistan, a Halk Maslahaty, Gengesh member Who Left

1. Where deputy of the Mejlis of Turkmenistan, a member of a halk maslahaty and Gengesh leaves before the expiry of his/her term, a new election shall be conducted in the respective constituency.

The Mejlis of Turkmenistan in accordance with Article 4 of this Code, shall call elections.

Chapter XV. CONDUCT OF EARLY ELECTIONS. CONDUCT OF ELECTIONS IN CONNECTION WITH A CHANGE OF THE ADMINISTRATIVE AND TERRITORIAL SYSTEM

Article 86. Conduct of Early Elections

1. If the President of Turkmenistan shall not be able to perform his/her duties for either reasons, the Mejlis of Turkmenistan in accordance with the Constitution of Turkmenistan, shall call new elections for the post of the President of Turkmenistan on the day of transfer of the powers of the President of Turkmenistan to the acting President of Turkmenistan. The elections shall be conducted no later than 60 days from the day of transfer of the powers.

2. In connection with early dissolution of the Mejlis of Turkmenistan, elections of deputies of the Mejlis of Turkmenistan shall be called by the Central Election Commission of Turkmenistan.

In connection with early dissolution of the halk maslahaty, Gengesh, elections of members of halk maslahaty, Gengesh shall be called by the Mejlis of Turkmenistan.

3. Elections shall be conducted in accordance with this Code.

Article 87. Conduct of Elections in Connection with a Change of the Administrative and Territorial System

1. If as a result of a change of the administrative and territorial system activities of the respective halk maslahaty, Gengesh is impossible because the number of its members does not correspond to the requirements of the laws of Turkmenistan, within three months from the day of a change of the administrative and territorial system, the new elections of members of the relevant halk maslahaty and Gengesh shall be conducted.

2. The Mejlis of Turkmenistan shall call elections of members of halk maslahaty, Gengesh no later than within one month from the day of the change of administrative and territorial system.

3. Elections shall be conducted in accordance with this Code.

Chapter XVI. FUNDING OF ELECTIONS, REFERENDA

Article 88. Funding of Elections, Referenda

1. The preparation and conduct of elections, a public referendum shall be funded by the State budget of Turkmenistan.

The preparation and conduct of a local referendum shall be funded by the budget of the relevant Gengesh.

The procedure for funding elections shall be determined by the Central Election Commission in consultation with the Ministry of Finance of Turkmenistan.

2. State authorities and local self-governance bodies, physical persons and legal entities of Turkmenistan as well as foreign states, foreign state agencies, establishments and enterprises, other foreign legal entities, their branches and representation offices, foreign citizens, international organizations, legal entities registered in Turkmenistan the members of which are foreign physical persons and legal entities shall not fund elections, referenda in any form.

Funding of programmes for the improvement of election legislation, information, educational, scientific and research programmes, programmes of technical preparation for elections, referenda and enhancing legal awareness among voters shall not be deemed the funding of elections, referenda.

3. The following expenses shall be funded from the State budget of Turkmenistan and the budget of Gengesh:

- 1) production of print materials and publishing activities;
- 2) acquisition, delivery and installation of equipment, other material values necessary for ensuring elections, a referendum and activities of election commissions;
- 3) providing for the means of communication with election commissions (telephone, fax, postal, and electronic) and transport expenses connected with the preparation and conduct of elections, a referendum;
- 4) delivery and storage of election documentation, its preparation for transfer to the archive or destruction;
- 5) publication of lists of election constituencies and polling stations with the indication of their boundaries, seat and composition of polling stations election commissions;
- 6) free broadcasting time, free print space to candidates, initiative groups of referendum;
- 7) publication of announcements of election commissions in the mass media;
- 8) catering on election, a referendum day for members of election commissions (meal per diem rate per person);
- 9) other expenses connected with the preparation and conduct of elections, a referendum and the ensuring activities of election commissions.

4. Election commissions shall spend funds allocated for the preparation and conduct of elections, a referendum according to the approved estimate of expenses. A higher election commission may pay for expenses of subordinated election commissions through a centralized procedure.

5. Election commissions of etraps, cities, towns shall submit to the election commission of the velayat a report on the spending of funds within fifteen days after election, a public referendum

day. Election commissions of velayats shall submit to the Central Election Commission a report on the spending of funds within one month after election, a public referendum day.

6. The Central Election Commission shall submit to the Cabinet of Ministers of Turkmenistan and the Ministry of Finance of Turkmenistan a financial report on the spending of funds by election commissions that have been allocated from the State budget of Turkmenistan for the preparation and conduct of elections, public referendum.

Election commissions of cities and towns inside etraps, of small towns, gengeshliks shall submit to the relevant Gengesh a financial report on the spending of funds that have been allocated from the budget of Gengesh for the preparation and conduct of a local referendum.

7. The chairs of election commissions shall deal with the funds allocated and bear responsibility for the compliance of financial documents with the decisions of the election commissions on financial matters.

Article 89. Control Over Spending of Funds Allocated For the Preparation and Conduct of Elections, Referenda

1. To exercise control over targeted spending of funds allocated from the State budget of Turkmenistan, budget of Gengesh for election commissions, an auditing group, comprised of no more than seven members, shall be established under the Central Election Commission, relevant Gengesh within fifteen days from the day of the official publication of the decision about the calling of elections, referenda.

The procedure for the organization and activities of the auditing group shall be determined by the Central Election Commission.

2. Specialists from the apparatus of the Central Election Commission, relevant Gengesh, financial, law enforcement and other state agencies may be invited into the auditing group. Relevant agencies shall be obliged to place specialists at the disposal of the Central Election Commission, Gengesh upon their request.

3. Organizational, legal and logistical support of the auditing group activities shall be provided by the Central Election Commission, relevant Gengesh.

4. Under the decision of the Central Election Commission, relevant Gengesh the auditing group shall:

1) audit financial reports of election commissions;

2) receive from candidates, election commissions, state agencies, physical persons and legal entities information regarding all matters within its competence. Responses to requests of the auditing group and materials requested by it shall be provided within a three-day period, and if it is five or less days prior to the voting day and on the voting day – immediately;

3) control the observance of the established procedure for funding election, referendum campaigning and implementing other events directly connected with the conduct of election campaign;

- 4) draw up documents on financial violations when funding elections, referenda;
- 5) raise issues before the Central Election Commission, relevant Gengesh concerning the application of liability measures to candidates, initiative groups of referendum, physical persons and legal entities for violations made when funding election campaign;
- 6) invite experts to conduct audits, prepare expert reports, assessments and peer reviews.

Chapter XVII. FINAL PROVISIONS

Article 90. Appeal of Decisions of Election Commissions and (or) Actions (Inaction) of Their Officials

1. Decisions of election commissions and (or) actions (inaction), their officials that violate the voting rights of citizens, requirements of this Code, other regulatory and legislative acts of Turkmenistan may be appealed in a higher election commission.
2. Voters, candidates, persons authorized by candidates, observers, initiative groups and representatives of the mass media as well as election commissions may lodge a complaint. A complaint shall be motivated and presented together with the evidence on which it is based.

A complaint on behalf of an election commission shall be submitted under the decision of the relevant election commission that should be attached to the complaint.

3. Complaints received during the preparation of elections, a referendum shall be reviewed by election commissions within three days from receipt of a complaint and on the day before election, a referendum or on election, a referendum day – immediately.

In cases where the facts contained in the complaints received during the preparation of elections, a referendum require additional verification, they shall be reviewed no later than within five days.

4. Voting results may be appealed within three days after their drawing up.

The election, referendum results may be appealed within three days after tabulation.

5. Interested parties, persons or their representatives whose actions (inaction) should be appealed shall be notified of the day and place of a meeting of the election commission for reviewing complaints. The specified persons may give explanations and present evidence on the merits of the issue. A higher election commission may cancel the decision of a subordinate election commission and decide on the merits of the complaint.

Article 91. Appeal of Decisions and (or) Actions (Inaction) of State Authorities and Self-Governance Bodies, Their Officials and Participants of the Electoral Process, a Referendum in a Court of Law

1. Decisions and (or) actions (inaction) of state authorities and local self-governance bodies, other agencies, their officials and other participants of the electoral process, a referendum that violate the voting rights of citizens, as well as actions of candidates and persons authorized by candidates, initiative groups that violate the requirements of this Code may be appealed in court.

2. Courts shall be obliged to organize their work (including on days-off) in such a way as to ensure timely consideration of complaints.

3. Voters, candidates, persons authorized by candidates, observers, initiative groups and representatives of the mass media as well as election commissions may lodge a complaint. A complaint shall be motivated and presented together with the evidence on which it is based.

A complaint on behalf of an election commission shall be submitted under the decision of the relevant election commission that should be attached to the complaint.

4. Should a court accept a complaint for consideration while the citizen or other participants in the electoral process file a similar complaint with an election commission, the election commission shall suspend the consideration of this complaint until the court's decision enters into legal force. The court shall notify the relevant election commission of the received complaint.

5. Complaints received during the preparation of elections, a referendum shall be considered by court within three days from receipt of a complaint and on the day before election, a referendum and on election, a referendum day – immediately.

In cases where the facts contained in the complaints received during the preparation of elections, a referendum require additional verification, they shall be reviewed within five days.

6. A failure to appear in court by a claimant, actions (inaction) of whom are appealed, their representatives, as well as representatives of relevant election commissions, initiative groups, state authorities or local self-governance bodies, other interested parties, which were properly informed of the time and place of a court session, shall not be an impediment for the consideration and resolution of the case.

7. Voting results may be appealed in court within three days after a complaint about the voting results has been considered by the relevant higher election commission.

8. In cases stipulated by this Code, other regulatory and legislative acts of Turkmenistan, a court may cancel a decision of the relevant election commission.

In case an election commission's decision is cancelled by a court, a new decision on the merits of the issue shall be adopted by the election commission whose decision was cancelled, or by a higher election commission on the basis of the court's decision.

9. Decisions and (or) actions (inaction) of the Central Election Commission, its officials may be appealed in the Supreme Court of Turkmenistan.

Article 92. Liability for Violation of Voting Rights of Citizens

According to the laws of Turkmenistan, liability for violation of the voting rights of citizens shall be imposed on persons who:

1) obstruct by means of violence, deceit, threats, forgery or in any other way free exercise by citizens of Turkmenistan of their right to elect and be elected or violate the secrecy of voting, the rights of citizens to familiarize themselves with the voter lists, or who bribe voters;

- 2) abuse their official or employment position or violate the rules for funding elections, a referendum including persons who detain the transfer of funds to election commissions, or those who issue voting papers to citizens for the purposes of voting for somebody else, or those having forged electoral documents, who knowingly drew up and issued forged documents, conducted incorrect vote counting, or knowingly established incorrect voting results and an incorrect elections', referendum's outcome, as well as those who failed to present or publish information on the voting results or an elections', referendum's outcome in violation of their responsibilities;
- 3) spread deliberately false information on candidates or commit other actions damaging the honour and dignity of candidates, their close relatives and persons authorized by candidates or violating the rights of voters, candidates, persons authorized by candidates, initiative groups of referendum, members of election commissions, observers, representatives of the mass media;
- 4) obstruct the exercise of the voting rights at the polling stations or violate the rules of election campaigning, including those who campaign on election, a referendum day or impede or interfere illegally in the work of election commissions connected with the performance of their obligations, or who illegally took out voting papers from the voting premises.

(Translated from the state language of Turkmenistan)

THE LAW “ON APPROVAL THE ELECTORAL CODE OF TURKMENISTAN”

Article 1. To approve the Electoral Code of Turkmenistan.

Article 2. The Electoral Code of Turkmenistan shall come into force as of July 1, 2013.

Article 3. From the date when this Code becomes effective the following shall be deemed invalid:

1) In the Law of Turkmenistan “On approval of the laws of Turkmenistan and putting into force” adopted on October 25, 2005 (Türkmenistanyň Halk Maslahatynyň resmi namalarynyň Ýygındysy, 2005 ý., HM-85):

- Article 1;

- Articles 2 and 3 in the part of the Laws of Turkmenistan “On the Election of Deputies of the Mejlis of Turkmenistan” and “On the Elections of the Members of Gengeshes”;

2) The Law of Turkmenistan “On the Election of Deputies of the Mejlis of Turkmenistan” adopted on October 25, 2005 (Türkmenistanyň Halk Maslahatynyň resmi namalarynyň Ýygındysy, 2005 ý., HM-83);

3) The Law of Turkmenistan “On the Election of Deputies of the Mejlis of Turkmenistan” (new edition) adopted on October 10, 2008 (Vedomosti of the Mejlis of Turkmenistan, 2008, N 4, p. 42);

4) The Law of Turkmenistan “On the Election of the President of Turkmenistan” adopted on May 21, 2011 (Vedomosti of the Mejlis of Turkmenistan, 2011, N 2, p. 37);

5) The Law of Turkmenistan “On the Central Election and Referendum Commission in Turkmenistan” adopted on May 21, 2011 (Vedomosti of the Mejlis of Turkmenistan, 2011, N 2, p. 38);

6) The Law of Turkmenistan “On the Election of Members of Halk Maslahaty and Gengeshes” adopted on March 31, 2012 (Vedomosti of the Mejlis of Turkmenistan, 2012, N 1, p. 42);

7) The Law of Turkmenistan “On Referendum” adopted on August 4, 2012 (Vedomosti of the Mejlis of Turkmenistan, 2012, N 3, p. 63);

8) The Law of Turkmenistan “On amending the Law of Turkmenistan “On the Election of Deputies of the Mejlis of Turkmenistan” adopted on August 4, 2012 (Vedomosti of the Mejlis of Turkmenistan, 2012, N 3, p. 64).

5) The Law of Turkmenistan “On Guarantees of the Voting Rights of the Citizens of Turkmenistan” adopted on October 19, 2012 (Vedomosti of the Mejlis of Turkmenistan, 2012, N 4, p. 95).

President of Turkmenistan

Gurbanguly BERDIMUHAMEDOV

City of Ashgabat, May 4, 2013