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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**DECREE OF THE PROVISIONAL GOVERNMENT
OF THE KYRGYZ REPUBLIC ¹**

**ON THE REFERENDUM (NATION WIDE VOTE)
ON ADOPTION OF THE NEW CONSTITUTION
OF THE KYRGYZ REPUBLIC**

¹ Unofficial translation from Russian was done by the EU-UNDP Project on support to the constitutional and parliamentary reform

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1. On April 7, 2010 the popular revolution swept away the regime of antipopular president. The unique opportunity for the establishment of a truly democratic order has emerged in the country.
2. The necessity to adopt new Constitution creating the conditions for stabilization of social, political and economic situation in the country and further development of democracy is more than evident.
3. The Provisional Government of the Kyrgyz Republic is convinced that the new Constitution will draw a line for the tradition of authoritarian transformation of the state power.
4. In order to elicit the will of the population of Kyrgyzstan, which is the bearer of sovereignty and the only source of state power, in accordance with the Decree No 1 dated April 7, 2010, the Provisional Government of the Kyrgyz Republic hereby adopts the following Decree:
 - a. To call the referendum (nation wide vote) on the entire territory of the Kyrgyz Republic on Sunday, June 27, 2010.
 - b. To submit for approval of the citizens of the Kyrgyz Republic during the referendum the draft Constitution of the Kyrgyz Republic and the Law of the Kyrgyz Republic "On enactment of the Constitution of the Kyrgyz Republic" (attached).
 - c. To approve the following wording of the question to be included in the ballot paper for voting:
5. "Adopt the Constitution of the Kyrgyz Republic and the Law of the Kyrgyz Republic "On enactment of the Constitution of the Kyrgyz Republic", which were submitted for the referendum (nation wide vote) as drafts by the Provisional Government

YES _____

 NO _____

(mark as appropriate in the square based on your preferred choice)".

- d. The Central Commission on elections and referenda of the Kyrgyz Republic, the Ministry of finance of the Kyrgyz Republic and the Ministry of internal affairs of the Kyrgyz Republic shall:
 - solve the issues of organizational, material and financial support to the referendum as well as other issues resulting from this Decree;
 - during the preparation and conducting of the referendum ensure public order, observance of the Constitution and laws of the Kyrgyz Republic.
- e. The Central Commission on elections and referenda of the Kyrgyz Republic in close cooperation with the executive power agencies and local self governance bodies shall ensure organized referendum, oversight over the compliance with the legislation as well as shall systematically inform the public on the process of its preparation and conduct.
- f. It is hereby established that the Constitution of the Kyrgyz Republic adopted at the referendum (nation wide vote) shall have the highest legal force and shall be not subject to any approval whatsoever.