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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**(VENICE COMMISSION)**

**LAW OF THE KYRGYZ REPUBLIC**  
**ON ELECTIONS TO LOCAL GOVERNMENTS**

**Law of the Kyrgyz Republic  
On Elections to Local Governments**

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## CHAPTER 1. GENERAL PROVISIONS

### Article 1. Regulated by the Law relationships

The law defines election rights of citizens of The Kyrgyz Republic and their guarantees, regulated relationships connected with preparation and conducting of elections of deputies of local keneshes, and in cases established by the legislation - heads of executive bodies of governments.

### Article 2. Key Definitions used in the Present Law

The following terms and definitions are used in the present Law  
**campaigning materials** - printed, audio, visual and other materials with campaigning features, and intended for mass distribution, publicly available in the course of an election campaign;

**active electoral right of citizens** – the right of citizens of the Kyrgyz Republic to elect deputies of local keneshes, heads of executive bodies of local governments;

**Next of kin** – a spouse, parents, children, adoptive parents, adopted children full and half blood siblings, grandparents, grandchildren;

**Guarantees of electoral rights of citizens** - organizational, legal, informational and other means ensuring electoral rights of citizens of the Kyrgyz Republic;

**Chapter of an aiyl okmotu** – chapter of an executive body of a local government of an aiyl ;

**Chapter of an executive body of a local government** – an official of a local government, being a leader of an executive body of a local government;

**Group of voters** – two or more voters, being members of a certain local community and united based on common interests to participate in elections of deputies of a relevant kenesh;

**Certifying a voter's identity document** – passport (ID – card) of a citizen of the Kyrgyz Republic or replacing it document. Replacing a passport document includes: an active military service officer's certificate, pensioner's certificate;

**Single mandate elections constituency** - elections constituency, covering the entire territory of an administrative-territorial unit, in which elections of deputies to local kenesh based on a proportional system, heads of executive bodies of local governments;

**Voter** - local community member, enjoying active suffrage and included into the lists of voters of a relative administrative –territorial unit;

**Election documents** – the list of constituents, ballots: valid, invalid, not used (cancelled), wasted (filled with errors), as well as ballots issued to constituents for early voting and absentee ballots, election commission minutes, their resolutions on election related issues, registration papers of candidates, of referendum's initiative groups, election results summary tables, election constituencies and districts lists and layouts;

**Election commissions** – collegial bodies organizing the preparation and conduct of elections in the Kyrgyz Republic, ensuring that electoral rights of the Kyrgyz Republic citizen are implemented and protected;

**Electoral legislation** – the Constitution of the Kyrgyz Republic, constitutional law of the Kyrgyz Republic “On elections of the President of the Kyrgyz Republic and deputies of Jogorku Kenesh of the Kyrgyz Republic”, constitutional law of the Kyrgyz Republic “On referenda of the Kyrgyz Republic”, Law of the Kyrgyz Republic “On election commissions of the Kyrgyz Republic”, Law of the Kyrgyz Republic “On elections to bodies of local governments of the Kyrgyz Republic”, this Law and resolutions of the Central commission for conducting of elections and referenda of the Kyrgyz Republic (hereinafter - Central Elections Commission).

**Election rights of citizens (suffrage)** – rights of citizens of the Kyrgyz Republic to elect and be elected to deputies of local keneshes or heads of executive bodies of local governments, including the right to participate in nomination of candidates, election campaigning, observation over conducting of elections, work of election commissions, including determination of voting results and determination of elections results, as well as other election activities;

**Election Information Support** – informing of voters and election campaigns, promoting a conscious expression of the citizen’s will, transparency of elections;

**Executive body of a local government (city council, aiyl okmotu)** – a local government body established to enable preparation and enforcement of decisions of a city kenesh or aiyl kenesh accordingly, as well as performing other authorities specified by laws and decisions of local keneshes;

**Candidate** – individual nominated according to the procedure specified by the Law as a candidate for filling in via elections a position of a local kenesh deputy or head of an executive body of a local government;

**International observer** – individual representing foreign or international organization who acquires the right to carry out an observation over preparation and conduct of elections in the Kyrgyz Republic pursuant to the procedure established by the law;

**Local kenesh** – a representative body of a local government, elected directly by a local community of a relevant district (district kenesh), city (city kenesh), aiyl (aiyl kenesh);

**Local community** – citizens of the Kyrgyz Republic, permanently residing on a territory of a relevant administrative and territorial unit (aiyl, city, district), united with common interests in independent resolution of local significance matters taking responsibility for that;

**Multi-mandate elections constituency** - elections constituency, in which several deputies are elected, and for each of them voters vote personally;

**City mayor**– head of an executive body of a city local government – city council;

**observer** – individual, assigned by a non-profit making organization to carry out observation over conduct of voting, counting of votes, determination of voting results and determination of elections results pursuant to the procedure established by Law ;

**Passive elections rights of citizens** – rights of citizens of the Kyrgyz Republic to be elected as a deputy of a local kenesh or as a head of an executive body of a local government;

**Permanent place of residence** - a place of residence of a citizen on the territory of the Kyrgyz Republic, confirmed with a registration mark of a registration body in the document confirming the identity of a person;

**Election campaign** - activity of citizens of the Kyrgyz Republic, candidates, authorized representatives and trusted persons of candidates, political parties, groups of voters aimed at preparation and dissemination of information during an election campaign periods, designated

to urge and encourage voters to vote for certain candidates (list of candidates) or against them;

**Representative of a candidate, political party, group of voters** – a representative with the right of a consultative vote in election commissions, authorized representative, trusted person, representing a registered candidate, political party, group of voters, nominated list of candidates;

**List of voters** - list of citizens of the Kyrgyz Republic, enjoying active elections rights on the day of voting, compiled by a relevant election commission ;

**List of voters, who voted earlier** - list of voters, compiled by relevant territorial election commissions 9-1 days prior to the day of voting, which includes information about the voters who voted earlier based on a justified written application and submitting relevant documents specified by the Law;

**List of candidates** – registered by an election commission single mandate list of candidates, nominated by a political party, group of voters during elections based on a proportional system;

**Charter of aiyl, city** – main normative and legal act of a relevant aiyl or city, regulating the issues of organization and activity of local governments and their relationships with a local community;

**Local community member** – a citizen of the Kyrgyz Republic, permanently residing on the territory of a relevant aiyl, city, district and connected with a local community with common interests and resolution of issues of local significance.

### **Article 3. Election rights of members of local communities**

1. Right to elect deputies of local keneshes and in cases established by the legislation, - heads of executive bodies of local governments enjoy citizens of the Kyrgyz Republic, who reached 18 years old, being local communities' members of a relevant administrative-territorial unit, in which elections are conducted.

2. Members of local communities directly elect deputies of relevant local keneshes. In the established by the legislation cases heads of executive bodies of local governments also are directly elected by members of relevant of local communities.

3. Members of local communities participate in elections of bodies of local governments on equal terms: each voter has one vote.

4. Right to be elected a deputy of a local kenesh belongs to a member of a local community of a relevant administrative-territorial unit, who reached 18 years old.

5. Right to be elected a head of an executive body of a local government belongs to a citizen of the Kyrgyz Republic who:

1) at the moment of conducting elections reached 25 years old and are not older than 65 years old;

2) have higher education and work experience in state or municipal service, or work experience in state and municipal companies and учреждениях of not less than two years or total work experience of not less than three years.

6. Do not have rights to elect and be elected by citizens, acknowledged by the court as incapable and being imprisoned.

7. Do not have rights to be elected as deputies of local keneshes or heads of executive bodies of local governments, persons whose convictions are not expunged or cancelled pursuant to the specified by the law order.

8. Active military service officers of military units dislocated on the territory of a relevant administrative-territorial unit, where the elections are conducted, alternative military service persons servicing outside the place of their permanent residence, as well as full-time students and post graduate students who are not members of a relevant local community do not participate in local government elections in a place of their actual staying (service, training).

9. Citizens of the Kyrgyz Republic kept in detention centers (with an exception for persons who are convicted) and in temporary detention centers have the right to vote in places of their temporary staying according to a general procedure under condition they permanently reside on the territory of the administrative-territorial unit. The assignment voters' procedure to a certain precinct is determined by a relevant territorial election commission

#### **Article 4. Obligatoriness and periodicity of elections**

1. Term of authorities of deputies of local keneshes и heads of executive bodies of local governments is established by the legislation of the Kyrgyz Republic on local governance.
2. Elections deputies of local keneshes in cases established by the legislation on local governance - heads of executive bodies of local governments are obligatory and shall be conducted periodically within the timeframes and according to the procedure established by the Law and legislation on local governance.
3. Elections shall not be conducted during the state of emergency and state of martial law introduced on the territory of the Kyrgyz Republic or its part.

#### **Article 5. Organization of elections to local governments**

1. Preparation and conducting of elections to local governments is carried out by:
  - Central Elections and Referendum commission (hereinafter - Central Elections Commission);
  - Bishkek, Osh city Election commissions, district Election commissions (hereinafter – territorial Election commissions);
  - precinct election commissions.
2. Legal status, organization and procedure of activity, as well as guarantees of independence of election commissions are established by the Constitution of the Kyrgyz Republic, legislation on election commissions and other normative and legal acts.

#### **Article 6. Transparency in elections process**

1. Activity of election commissions shall be carried out transparently and openly.
2. Members of superior election commissions, candidates, representatives of candidates, representatives of political parties, groups of voters, who nominated a list of candidates, or candidates from the list, as well as observers, international observers, representatives of mass media can be present at election commission meetings.

3. The informational computer system is used for observation over the course and results of voting via a transfer of data of protocols from subordinate election commissions to superior election commissions. The data on the course and results of voting, received via the state informational computer system is preliminary information which does not have legal significance. The procedure for use of state informational computer system is determined by the Central Elections Commission.

### **Article 7. Observers**

1. Non-profit main organization can assign observers. Observer obtains the established by the constitutional law rights and obligations of an observer after receipt of an application from the sending organization by a relevant elections commission with specification of a full name, place of residence of an observer, numbers of precinct, name of election commissions, where they are sent to, as well as a record on absence of limitations established by item 2 of the article. The document is valid upon submitting of a passport or a replacing it document. Preliminary notification about observer' s sending is not required.
2. Citizens of the Kyrgyz Republic, enjoying active electoral right can be observers.

Deputies of Jogorku Kenesh, local keneshes deputies, state bodies and local governments' officials, local governments, members of election commissions, representatives of candidates, political parties, judges, prosecutors, law enforcement bodies officers, active military service officers shall not be observers.

3. Observer has the right to:

- 1) get familiarized with lists of voters, located at the election commission, registry of applications with a request to vote outside the premises for voting;

- 2) be in the premises for voting any time on the voting day;

- 3) be present during voting of voters outside the premises for voting;

- 4) carry out observation over the established by the constitutional Law organization and procedure of voting, including observation over issue ballots; observation over counting of number of voters, included into the list of voters, issued to voters election ballots, cancelled election ballots; observe over counting of votes of voters at a distance and under conditions enabling their observation of the content of election ballots; get familiarized with filled in and not filled in election ballots during counting of votes of voters; carry out observation over filling in of election commission protocols on the results voting and other documents;

- 5) apply to a chairperson of a precinct election commission, where he/she was sent to and in case of his/her absence – to a replacing him/her person with suggestions and comments on the issues of organization of voting;

- 6) get familiarized with a protocol of an election commission, to which he/she was sent to;

- 7) receive copies of an election commission protocol with attached to it documents;

- 8) appeal decisions and (or) actions (failure to act) of an election commission, he/she was sent to according to the procedure established by the constitutional Law;

9) be present during repeat counting of votes of voters in relevant election commissions;

10) wear breast signs not containing characteristics of election campaigning, specifying his/her status, full name, name of an organization which sent an observer to an election commission.

4. Observer does not have the right to:

- 1) issue election ballots to voters;
- 2) sign instead of a voter upon his/her request for receipt of election ballots;
- 3) fill in a ballot upon a voter's request;
- 4) undertake actions, violating voting secrecy;
- 5) directly participate in election commission members' counting of election ballots;
- 6) carry out actions, hampering the work of an election commission;
- 7) carry out campaigning among voters;
- 8) participate in taking decisions of a relevant election commission.

5. Activity of observers is regulated by the election legislation.

#### **Article 8. International Observers**

1. International observers are accredited by the Central Election Commission upon an invitation sent by the President of the Kyrgyz Republic, Jogorku Kenesh of the Kyrgyz Republic, the Government of the Kyrgyz Republic, Central Election Commission after an official publication of a decision on appointment of elections. Offers for sending invitations can be made by international and national non-commercial organizations specializing in the issues of electoral legislation and elections, and in the area of human rights.
2. International observer term of authorities starts from the day of his/her accreditation by the Central Election Commission and ends on the day of official publication of the results of elections.
3. International observers can freely move and visit any precincts and election commissions.
4. International observers can:
  - 1) publicly express their opinion about electoral legislation, preparation and conducting of elections;
  - 2) conduct press conferences and appeal to representatives of mass media after completion of voting;
  - 3) make pictures and filming without violating secrecy of voting of voters;
  - 4) wear breast signs not containing election campaigning characteristics, specifying his/her status, name of an organization which they represent.

5. International observers cannot use their status for carrying out an activity not connected to observation over preparation and conducting of elections.
6. Central Elections Commission can recall accreditation of an international observer in case of his/her violation of the constitutional law, legislation of the Kyrgyz Republic.
7. Activity of international observers shall be regulated by the electoral legislation.

#### **Article 9. Representatives of mass media**

1. Mass media are accredited by the Central Election Commission after receipt of an application in a written form.
2. Representatives of mass media engaged in covering of elections preparation and conducting, are entitled to:
  - 1) attend the meetings of election commissions;
  - 2) get familiarized with a protocol of an election commission;
  - 3) receive copies of protocol and attached to it documents from an election commission;
  - 4) make pictures and filming and on the voting day – from the determined by a chairperson of a precinct election commission place without violating the secrecy of voting;
  - 5) wear breast signs not containing election campaigning characteristics, specifying his/her status, name of an organization which they represent.
3. Upon a request of a mass media representative an election commission shall certify a copy of the protocol on the voting results or results of elections.
4. The Central Elections Commission can recall accreditation of mass media in case of their violation of the constitutional law, legislation of the Kyrgyz Republic.
5. Activity of representatives of mass media during the period of preparation and conducting of elections is regulated by the electoral legislation.

#### **Article 10. Formation of electoral constituencies**

1. Depending on the system of elections single mandate and multi-mandate constituencies are formed based on the information about the number of registered on a relevant territory voters.
2. In formation of election constituencies the following requirements shall be met:
  - approximate equality of electoral constituencies according to the number of voters with an acceptable deviation from an average norm of representation of voters not exceeding 10% and in difficult for access and remote localities - not exceeding 15%;
  - elections constituencies make the single mandate territory, formation of an electoral constituency out of not having common bodies territories shall not be allowed.

The layout of electoral constituencies shall specify the borders of electoral constituencies, list of settlements (streets, houses), being a part of each electoral constituency, name, number and center of each electoral constituency, number of voters in each electoral

constituency.

3. In elections of deputies of local keneshes based on a proportional system and also in elections of heads of executive bodies of local governments the entire territory of a relevant administrative-territorial unit is the single mandate constituency.
4. In conducting elections of deputies of local keneshes based on multi-mandate election constituencies relevant territorial election commissions develop and adopt a layout of electoral constituencies with participation of representatives of local governments and with regard to specified by the article provisions not later than 50 calendar days before the voting day.
5. Relevant territorial election commission publishes a layout of electoral constituencies for election of deputies of local keneshes in mass media with specification of electoral constituencies' borders and addresses of election commissions during 5 calendar days from the day of approval of election constituencies.
6. In case of violation of the requirements set up in item 2 of the article changes in the layout of electoral constituencies, determination of their borders and places of location of election commissions shall be made by the Central Election Commission.

#### **Article 11. Formation of precincts**

1. For conducting of voting and counting of votes precincts shall be formed with regard to local and other conditions for the purposes of creation of maximum of conveniences for voters.
2. Precincts shall be formed by relevant territorial election commissions not later than 45 calendar days before voting based on a number of voters not exceeding 1500 of voters in each precinct. Coincidence of borders of election constituencies with precinct borders is not allowed.
3. Lists of precincts with a layout of their borders and addresses shall be published by a relevant election commission not later than 5 calendar days from the day of their formation.

#### **Article 12. Lists of voters in local governments election**

1. Formation of the main list of voters shall be made pursuant to the constitutional Law of the Kyrgyz Republic "On Elections of the President and Deputies of Jogorku Kenesh of the Kyrgyz Republic". All citizens of the Kyrgyz Republic, on the day of voting enjoying an active suffrage shall be included into a list of voters.
2. Comprising of a list of voters, formation and specification of information about the registered voters during the period between elections shall be made by the Central Election Commission. All state bodies and local governments shall render assistance and provide any available information about registered citizens upon a written request of election commissions.
3. In formation of a list of voters in local governments' elections relevant territorial election commission shall exclude persons specified in item 8 of article 3 of the Law from the main list of voters, formed in compliance with the constitutional Law of the Kyrgyz Republic "On Elections of the President and deputies of Jogorku Kenesh of the Kyrgyz Republic".
4. List of voters in elections of local governments shall be made in two copies in which information about voters is placed in an alphabetic order. Lists of voters for each precinct

shall be signed and stamped with seals of territorial election commissions and not later than 40 calendar days before the day of voting, each copy is sent to a relevant precinct election commission.

5. Lists of voters, submitted to a precinct election commission, shall be numbered, stringed and verified with a signature and stamp of a chairperson of the territorial election commission.
6. Territorial election commission shall bear responsibility for correctness, completeness and timeliness of transfer of lists of voters to a relevant precinct election commission.
7. Citizen's exclusion from a list of voters shall be made by a relevant territorial election commission only based on written information received from relevant bodies, which carry out registration (counting) of voters, or written application of a voter him/herself, confirmed with information specified in the passport shall not vote at the precinct. And the voter list shall specify the date of exclusion of a citizen from the list and the reason for such exclusion. This record shall be verified with a signature of the chairperson of a territorial election commission and can be appealed in the Central Election Commission or in court, which shall consider a claim pursuant to the procedure established by the constitutional law.
8. State bodies and local governments of the Kyrgyz Republic shall render necessary assistance to election commissions in resolution of an issue of inclusion or non-inclusion of citizens of the Kyrgyz Republic into lists of voters, errors in a list of voters.

### **Article 13. Familiarization with a list of voters.**

1. Precinct election commission shall place a list of voters for familiarization 40 days prior the voting day.
2. Precinct election commission shall send a notification about a voter inclusion into a list of voters not later than 30 days before the day of voting.
3. Voter has the right to get familiarized with a list and in case he/she is absent in the list of voters, disclosure of a mistake or inconsistency not later than 10 days prior to the day of voting, to inform in a written form about that a relevant precinct election commission.
4. 10 days prior to the day of voting a precinct election commission shall stop accepting voters' applications and transfer the received information together with the list to a territorial election commission.
5. Territorial election commission shall check information specified in applications, makes the final list of voters and not later than 3 days prior to the day of voting transfer lists of voters to a relevant precinct commission.
6. On the day of voting only voters of a community, included into the list of voters can vote.

### **Article 14. Funding of preparation and conducting of elections to local governments**

1. Election commissions expenditures for preparation and conducting of elections of deputies of local keneshes и elections heads of executive bodies local governments are covered out of funds of the republican budget and funds of election commissions. Funding procedure is specified by the budget legislation of the Kyrgyz Republic and the Law on election commissions of the Kyrgyz Republic.

2. It is prohibited for foreign states, foreign state bodies, establishments and companies, other foreign legal entities, their branches and representation officers, foreign citizens, international organizations registered in the Kyrgyz Republic legal entities the participants of which are foreign citizens and legal entities to fund elections with an exception for funding of programs aimed for improvement of the elections legislation, informational, educational, scientific and research programs, technical preparation of elections, upgrading legal culture of voters.

#### **Article 15. Election funds**

1. Citizens, from the moment of their nomination as candidates and until submitting documents for registration, establish their own election funds funding of election campaign. Political party, groups of voters, who nominated a list of candidates for funding of their election campaign establishes an elections fund within five calendar days after election commission registration of an authorized representative of a political party, group of voters on financial issues pursuant to the procedure established by article 18 of the Law. In case of an official refusal to register a candidate, list of candidates the received by an elections fund, funds shall be returned to organizations and persons who provided donations and made transfers.
2. In case of registration of a candidate or a list of candidates, political parties, groups of voters, who nominated a list of candidates, continue maintaining of open accounts of their own election funds for funding of election campaigning.

Candidates, running as a part of a list of candidates, shall not create their own election funds.

3. Election fund of a candidate, political party, groups of voters can be established out of the following funds:

- own funds of a candidate, political party, group of voters;
- voluntary donations of citizens and legal entities with an exception for persons specified in item 4 of the article.

The maximum amount of an election fund shall be established by the Law.

4. It is prohibited to make voluntary donations to election funds for:

- foreign states, foreign state bodies, establishments and companies, other foreign legal entities, their branches and representation officers, foreign citizens, international organizations registered in the Kyrgyz Republic legal entities the participants of which are foreign citizens and legal entities;

- persons without citizenship;
- state bodies and local governments;
- state and municipal establishments and companies;
- legal entities having a state or municipal share in the statutory capital, as well as enjoying preferences in payment of taxes, fees and other mandatory payments;
- military units, establishments and organizations;
- law enforcement bodies, courts;
- organizations engaged in charitable activity;
- religious organizations;
- anonymous donations.

5. It is prohibited for legal entities, individuals carrying out entrepreneurial activity without establishing of a legal entity and being in debt before the budget or social fund of the Kyrgyz Republic to contribute funds into an election fund of a candidate, political party, and group. Candidate, political party, group of voters does not bear responsibility in case of contributing funds in their election fund by the mentioned legal entities and individuals. In

case of receipt of funds from the mentioned legal entities and individuals into elections fund of a candidate, political party, groups of voters upon a written directive of an election commission banking or other institution shall transfer funds to a special fund of the Central Election Commission.

6. Funds received by an election fund of candidates, political parties, groups of voters shall be calculated based on a salary index established by the Kyrgyz Republic on the day of appointment of elections. Funds received in excess of the established amount are not subject to election fund acceptance and shall be returned to citizens and organizations. And the expenditures related to return of the specified funds shall be covered by contributed them citizens and organizations.
7. In case of conducting repeat voting the total maximum amount of all expenses of a candidate, political party, group of voters out of funds of an election fund can be increased in 1.5 times.
8. All constituting elections fund funds shall be transferred to a special account in banking or another institution. This account is opened by a candidate, political party, group of voters upon a decision of a relevant territorial election commission. Received by an election fund funds shall be accepted only in the national currency. Earnings for those accounts will not be accrued and not paid.
9. List of banking or other establishments, procedure for opening, maintaining of the specified accounts, accounting and reporting on election fund funds shall be established by Central Election Commission or upon its authorization by a territorial election commission upon approval of banking or other establishments.
10. Right to dispose election fund funds belongs to the established them candidate, political party, group of voters, their authorized representative.
11. The funds of election funds have a targeted use. They can be used only to cover expenses connected with conducting of election campaign.
12. The funds of election funds can be used for:
  - financial support of organizational and technical measures to register a candidate, list of candidates;
  - pre-election campaign;
  - payments to citizens for provided (delivered) by them experience (services), directly connected with conducting of election campaign;
  - payment of a fee for renting of premises, transportation means, business trip expenses, stationary, communication services and payment of other, expenses, directly connected with conducting of election campaign.
13. Citizens and legal entities can provide financial (material) support to the activity promoting election of a candidate, list of candidates only through election funds. It is prohibited for legal entities, their branches, representation officers and also individuals to provide free of charge execution or execution for unjustifiably reduced fees of work, deliver services, and sell goods directly or indirectly connected with elections.
14. It is prohibited for candidates, political parties, groups of voters to use funds for payment of work and services, conducting of election campaigning, carrying out other pre-election activities to use other than received by their election fund funds.

15. Banking or other establishments shall on a weekly basis and upon a requirement of the Central Election Commission within 24 hours submit information on receipt or spending of funds on a special account of a candidate, political party, groups of voters to a territorial election commission, which registered a candidate.
16. In case of a candidate's withdraw, recall of a list of candidates by a political party (group of voters) or cancellation (annulment) of registration of a candidate, list of candidates the received by an election fund funds are subject to an immediate return to the contributed them citizens and organizations. And the expenditures connected with return of the specified funds shall be covered out of donations made by the citizens' organizations.
17. Agreements (contracts) with citizens and legal entities on execution of certain works (services delivery), connected with a candidate's election campaign shall be concluded personally with a candidate or his/her authorized representative - authorized representative of a political party, group of voters. Agreements and contracts on payment out of special accounts of candidates, political parties, groups of voters cannot be concluded later than the day proceeding the voting day.

All financial operations, including settlements with individuals and legal entities using special accounts, shall terminate at 6 p.m. proceeding the day of voting. Settlements between a candidate (political party) and individuals and legal for execution of certain work (delivery of services) shall be made only in a non-cash procedure.

18. In conducting of repeat voting financial operations using special accounts of candidates with regard to whom repeat voting is conducted shall be renewed on the day of appointment of repeat voting and terminated at 6 p.m. the day preceding the day of repeat voting.
19. Not later than 10 calendar days after elections candidates, political parties, groups of voters shall submit report on the amounts and all sources of their fund and also all expenses to a relevant territorial election commission. Elections deposit, established by the Law, is returned to candidates, political parties, groups of voters, who received the necessary number of votes, after submitting of report on the amounts and all sources of their fund and also all expenses to Central Election Commission.
20. Remaining unspent funds of a special account are returned to a candidate, political party, group of voters.
21. Election funds, voluntary donations and transfers to the specified fund and also expenditures out of the specified taxation procedure is established by laws of the Kyrgyz Republic.

**Article 16. Control over spending of funds, allocated for conducting of elections, funds of election fund of candidates, political parties, groups of voters**

1. Control over the procedure of formation and spending of funds of election funds of candidates, political parties, groups of voters is carried out by relevant election commissions.
2. Audit group, consisting of not more than 7 persons is established under the Central Election Commission for control over targeted spending of funds allocated from the republican budget to election commissions for preparation and conducting of elections and also control over the sources of funding, proper accounting and use of funds of election fund of candidates, political parties, groups of voters, checking of financial reports of candidates, political parties, groups of voters. The audit group organization and activity procedure is specified by the Central Election Commission.

3. The audit group consists of head of audit group, his/her deputy, appointed to the audit group members of election commission, invited officials of law-enforcement, financial and other state bodies, organizations and establishments. Upon a request not later than 15 calendar days from the day of publication of a decision on appointment of elections the specified bodies, organizations and establishments shall send their officials into the disposal of the Central Election Commission.
4. During their work in an audit group invited officials are released from their work with preservation of their place of work (position), established salary and other payments at the main place of their work. The specified invited officials also can be paid reimbursement out of the funds allocated for preparation and conducting of elections.
5. Organizational, legal and logistical support of the audit group activity is provided by the Central Election Commission.
6. Upon a written directory of the Central Election Commission an audit group shall:
  - 1) check financial reports of candidates, political parties, groups of voters, subordinate election commissions;
  - 2) request and receive from candidates, political parties, groups of voters, election commissions' information about all the issues within its competence;
  - 3) control observance of the established order of funding of election campaigns, carries out other activities directly connected with conducting of election campaigns of candidates, political parties, groups of voters;
  - 4) apply to state bodies , organizations irrespective of a form of ownership, as well as to citizens on the issues assigned to an audit group competence, requests necessary information and materials, connected with financial support of elections. Responds to audit group requests and requested by it materials shall be provided within a three-day period, and if it is 5 or less prior to the day of voting and on the voting day - immediately;
  - 5) comply documents on financial volitions in the course of elections funding;
  - 6) ask relevant election commission questions about application of responsibility measures to candidates, political parties, groups of voters, and also citizens' legal entities for made by them violations in funding of election s of candidates, political parties;
  - 7) invite experts to make inspections, prepare conclusions and experts' assessments.

#### **Article 17. Status of candidates**

1. All candidates enjoy equal rights and bear equal responsibilities with an exception of cases specified by the Law.
2. Candidates having political, top administrative and special state positions, political municipal positions and also management positions in state, municipal companies, establishments, legal entities with a state (municipal) участия share, exceeding 30%, and their branches shall not use the advantage of their status or position.

In the Law the advantage of status or position shall mean:

Engagement of subordinates or persons being otherwise positionally dependent, state or municipal servants to carry out activities during working hours promoting nomination and

(or) election;

Use premises occupied by state bodies or local governments to carry out activities promoting nomination and (or) election in case other candidates cannot use the same premises on the same terms;

Use telephone, fax and other types of communication, information services, office equipment enabling functioning of state establishments and local governments to carry out activities promoting nomination and (or) election;

Free of charge or on beneficial terms use of vehicles being in state or municipal property to carry out activities promoting nomination and (or) election;

Conducting of election campaigns by public servants or municipal servants in the course of business trips;

Preferred access (if compared with other candidates) to mass information for the purpose of conducting of election campaigns

Observation of the mentioned restrictions shall not hamper elected officials' fulfillment of their responsibilities before voters.

3. Persons occupying political, top administrative and special state positions and their deputies, political municipal positions and their deputies, heads, deputy heads of law enforcement and fiscal bodies, their regional and district structural subdivisions, heads of state establishments, companies with state or municipal share in a statutory capital exceeding 30% shall be released from occupied positions if an election constituency for election of deputies of a local kenesh in which they run is in the area of influence of the relevant mentioned above bodies and establishments. This provision does not cover deputies of local kenesh.

The area of influence in this case is an administrative - territorial unit or part of its territory, which covers the activity and the service of the mentioned above bodies

4. Registered candidates, occupying state or municipal positions, not specified in item 3 of the article or candidates working in mass media, from the moment of registration and until determination of the elections results shall be released from performing their work, service responsibilities or performing position or service authorities shall be suspended.

Heads of bodies of state power, local governments, enterprises, establishments, organizations, commanders of military units and other relevant officials of bodies in which a registered candidate works or serves, within 3 calendar days from the moment of apply of a candidate upon application, report of a candidate shall release him/her from execution of position (service) responsibilities or suspend execution of official authorities with preserving an average salary of a relevant body, establishment, company, organization irrespective of a form of ownership.

Candidates or their authorized representatives, authorized representatives of political parties, groups of voters submit to an election commission a verified copy of relevant orders (resolutions) not later than 5 calendar days from the day of registration.

Election commission which carries out registration of candidates, lists of candidates, during registration shall notify a candidate, authorized representatives of a political party about existence of the mentioned above circumstances for a candidate.

5. During conducting of elections a registered candidate cannot be released from his/her job (position) upon an initiative of administration (employer) or without his/her consent transferred to another job (position).

The period of time of a registered candidate's participation in elections shall be included into the total labor record for the profession he/she worked before registration as a candidate.

6. Registered candidate cannot be brought to criminal responsibility, detained, arrested or subject to measures of administrative sanction imposed by a court before election commission official announcement of the elections results in mass media without approval of the Central Election Commission, with an exception of cases of detention on the locus delicti. Initiation of a criminal case is not a ground for a candidate's prohibition to enforce his/her right to be elected.
7. Registered candidate loses the rights and is released from an obligation connected with the status of a candidate, from the moment of official publication of results elections by an election commission in mass media and in case of an early withdrawal – from the moment of withdrawal. In case an election commission appoints repeat voting, registered candidates for whom a repeat voting is conducted, lose their status from the day of election commission's appointment of a repeat voting.

#### **Article 18. Authorized persons of candidates, political parties, groups of voters**

1. Candidate, political party, group of voters have the right to appoint their authorized persons.
2. Registration of trusted persons is carried out without any delay by an election commission, which registered a candidate, list of candidates based on a письменного application of a candidate, submission of a political party or a group of voters an application of a citizen him/herself on a consent to be trusted person. Election commission issues a trusted person a certificate of the established by the Central Election Commission format.
3. Deputies, Government officials, officials of the President office, Government office, Jogorku Kenesh, officials of the Government bodies and local governments, members of election commissions, judges, law enforcement bodies' officers, active military service officers, foreign citizens and persons without citizenship cannot be trusted persons.
4. Trusted persons act within the limits of authorities provided them by candidates, political parties, groups of voters.
5. Trusted persons can:
  - carry out in any allowed by the law forms and lawful methods campaigning and other activity, promoting election of a candidate, list of candidates, present their election program (pledges);
  - make presentations at pre-election meetings, meetings with voters, participate in pre-election debates and discussions;
  - receive necessary assistance from state bodies and local governments in conducting pre-election meetings and meetings with voters;
  - attend meetings of election commissions;
  - be present at precincts including the precincts established outside the territory of the Kyrgyz Republic in conducting of voting, counting of votes and summing up voting results;

- get familiarized with documents of election commissions and also protocol on the results of voting, results of elections;
  - appeal decisions and actions (failure to act) of election commissions and be present while considering claims and applications.
6. Trusted persons cannot:
- interfere into the work of election commissions;
  - sign for a voter upon his/her request in receiving ballots in the premises for voting as well as fill in instead of him/her election ballot in a booth, specially equipped place or room for secret voting;
  - carry out information TV and radio programs (broadcasts), participate in elections coverage via mass media if they are journalists, creative workers or officials of the mass media editorial officers.
7. Administration (employer) shall provide trusted persons a vocation without payment upon their request until the moment of termination of authorities of a trusted person.
8. Candidates, political parties, groups of voters, who appointed trusted persons, can any time recall them having notified an election commission about that, which annuls the issued to a trusted person certificate. Trusted person can any time upon his/her initiative can law down his/her authorities having returned to a relevant election commission issued to him/her certificate having informed about it appointed him/her candidate, political party, group of voters.
9. Authorities of trusted persons shall be terminated upon circumstances specified in item 8 of the article together with a loss of a status of appointed them registered candidate, political party, group of voters, nominated list of candidates.

**Article 19. Status of a representative of a candidate, political parties, group of voters with the right of an advisory vote in election commissions**

1. Candidate, political party, group of voters after registration can appoint their representative with the right of an advisory vote to a relevant territorial and precinct election commission having submitted an application and certifying the identity of a representative document to a relevant election commission
2. Authorities of a representative of a candidate, political parties group of voters with the right of an advisory vote shall start from the moment of his/her registration by a relevant election commission.
3. Any citizen of the Kyrgyz Republic who reached the age of 21 years old, enjoying suffrage and permanently residing on the territory of the Kyrgyz Republic can be a representative with the right of an advisory vote.
4. Deputies, Government officials, officers of the President, Government, Jogorku Kenesh, officials of bodies of state power and local governments, foreign citizens and persons without citizenship and also persons whose conviction was not punished or cancelled pursuant to the established by the law procedure cannot be a representative with the right of an advisory vote.
5. Appointed to one election commission representative with the right of an advisory vote cannot be at the same time a representative in another election commission.

6. Representative with the right of an advisory vote is issued a certificate of the established by the Central Election Commission format by a relevant election commission.

**Article 20. Authorities of a representative with the right of an advisory vote**

1. Representative with the right of an advisory vote can:
  - 1) get familiarized with documents and materials considered at a meeting of an election commission.
  - 2) make suggestions to agenda of election commission meetings on the issues within his/her competence and demand conducting voting on them;
  - 3) attend and participate in discussions at all election commission meetings;
  - 4) ask questions to other participants of election commission meetings pursuant to the agenda and receive responds per se;
  - 5) can get familiarized with documents and materials of the Central Election Commission and subordinate election commissions directly connected with elections and receive copies of the materials (with an exception for documents and materials, containing confidential information, referred as such pursuant to the procedure established by the law);
  - 6) participate in casting of lots conducted by election commissions in determining the procedure for providing broadcasting time for candidates, political parties, groups of voters;
  - 7) appeal actions (failure to act) of an election commission in the superior commission or court.
2. Representative with the right of an advisory vote can:
  - 1) Submit documents for registration of a candidate (list of candidates) to a territorial election commission;
  - 2) Receive confirmation in a written form (certificate) from an election commission on acceptance of documents for registration;
  - 3) Conduct campaigning, considers campaigning materials;
  - 4) Execute other authorities upon an order of a candidate, political party, group of voters.
3. Representative with the right of an advisory vote cannot:
  - 1) Participate in conducted by an election commission inspections, voting in taking decisions by a commission;
  - 2) Provide explanations and directions, make statements on behalf of an election commission;
  - 3) Make protocol on the results of elections;

- 4) Participate in voting in taking decisions, related to an authority of an election commission;
- 5) Sign decisions and protocol of an election commission.
- 6) Authorities of a representative with the right of an advisory vote can any time be terminated upon a decision of appointed them subjects and transferred to another person.
- 7) Authorities representative with the right of an advisory vote can also be terminated in case of cancellation of registration of appointed by them subjects.
- 8) Authorities of a representative with the right of an advisory vote are terminated after official publication of the results of elections.

In case of candidate, political party, group of voters, which registered the list of candidates appeal of the results voting, results of elections authorities of a representative with the right of an advisory vote shall be terminated after making of a final decisions per se by a court.

**Article 21. Authorized representatives of candidates, political parties, groups of voters**

1. Candidates, political party, groups of voters appoint authorized representatives, who represent relevant candidates, political parties, groups of voters on the issues connected with participation in elections, including financial issues.

Authorized representatives cannot be deputies of Jogorku Kenesh or local kenesh, Government officials, officials of the office of the President, Government, Jogorku Kenesh, officials of bodies of state power and local governments, members of election commissions, foreign citizens and persons without citizenship.

2. List of authorized representatives of a candidate, political party, group of voters is submitted to a relevant election commission with specification of authorities, full name, date of birth, passport or replacing it document series and number and date of its issue, address of a place of residence, main place of work or service, occupied position (in case of absence of the main place of work or service - occupation), telephone number of each authorized representative, and for an authorized representative of a candidate for financial issues also the right to sign financial documents. The specified submitted to an election commission list shall enclose a written consent of each of the mentioned persons to carry out the specified activity.
3. Relevant election commission within 2 calendar days from the day of receipt of necessary documents shall issue registration certificates to authorized representatives or takes a motivated decision on a refusal to register pursuant to the Law. Authorized representative of a candidate, political party, groups of voters are considered as appointed, obtain rights and obligations of an authorized representative after issue of registration certificated by an election commission.
4. Authorized representative:
  - 1) Submits to a relevant territorial election commission documents for registration of a candidate, list of candidates;
  - 2) Receives from an election commission a confirmation in a written form (certificate) on receipt of documents for registration;
  - 3) Carries out pre-election campaign, distributes campaigning materials;

- 4) Can participate in casting of lots conducted by an election commission in determination of the procedure for providing broadcasting time for candidates, political parties, groups of voters;
  - 5) Can attend meetings of election commissions on the issues, which are relevant to a candidate, political party, appointed authorized representative;
  - 6) Perform other authorities upon an order of a candidate, political party, group of voters.
5. Candidate, political party, group of voters can any time terminate authorities of an authorized representative, having informed in a written form an election commission, which registered a relevant authorized representative.
  5. The term of authorities of an authorized representatives of a candidate, political party, group of voters starts from a day of their registration by an election commission and expires from the moment of a loss of a status of a candidate, all candidates, nominated as a part of list of candidates by a political party, group of voters in the single mandate municipal constituency, but not later than a day from official publication of results of elections. The term of authorities of authorized representatives of a candidate, political party, group of voters on financial issues expires in 20 days after the day of establishing of the results of elections.

## **Chapter V. Informational support of elections**

### **Article 22. Informing of voters and conducting of election campaigning**

1. Informational support of elections includes informing of voters, pre-election campaigning and promotes conscious expressing of will of citizens and transparency of elections.
2. Informing of voters is carried out by bodies of state power, local governments, election commissions, mass media, legal entities and individuals pursuant to the Law and current legislation. Bodies of state power, local governments, election commissions bear responsibility for the timeliness and correctness of information provided to citizens.
3. Content of informational materials, placed in mass media or distributed otherwise shall be objective, reliable and shall not violate equality of candidates, political parties, groups of voters, they shall not be given preference to any candidate, political party, group of voters.
4. Publication (coverage) of results of public polls connected with elections is a type of informing of voters.
5. Publication (coverage) of results of public polls connected with elections mass media, citizens and organizations, making the publication (coverage) they shall specify an organization or an individual who conducted a poll, time of its conducting, number of the interviewed (sample), method of collecting of information, region of poll conducting, exact formulation of a question, statistical assessment of a possible error, person (persons), who requested conducting of a poll and paid for publication.
6. During the last five days prior to the day of voting, and also on the day of voting publication (coverage) of the results of polls, forecasts of the results elections and other studies connected with elections in mass media is prohibited.
7. Failure to fulfill the requirements of items 5, 6 of the article in publication (coverage) of the

results of polls shall lead to acknowledge of materials, containing such information, as campaigning ones and responsibility established by the current legislation.

8. Citizens of the Kyrgyz Republic, candidates, political parties, groups of voters shall be ensured free conducting of campaigning in conducting of elections by the state pursuant to the Law, laws of the Kyrgyz Republic.
9. Citizens of the Kyrgyz Republic, candidates, political parties, groups of voters can conduct campaigning for participation in elections, "for" or "against" any candidate, list of candidates, freely and comprehensively discuss pre-election programs of candidates, political parties or groups of voters.

Campaigning can be conducted at meetings, gatherings and via mass media. Forms and methods of conducting of campaigning shall comply with the legislation of the Kyrgyz Republic. Election commission shall ensure conducting of campaigning and meetings with voters.

For conducting of campaigning state bodies and local governments shall provide meeting all the requirements set up for conducting of meetings premises, provide place and space for placing campaigning materials out of the funds of the republican budget.

10. Election campaigning includes:

- appeals to vote for certain candidates, lists candidates or against them;
- expression of preferences to certain candidates, political parties, groups of voters;
- description of possible consequences of election or non-election of candidates, list of candidates;
- distribution of information with an explicit prevalence of information about certain candidates, political parties or groups of voters.

11. During election campaigning period citizens of the Kyrgyz Republic, political parties, not participating in elections, can conduct campaigning requiring funding only upon approval of candidates, political parties, groups of voters and out their election funds

12. Candidates, political parties, groups of voters shall be guaranteed equal conditions of access to mass media.

13. Campaigning in conducting of elections can be conducted:

- via mass media;
- via conducting of mass events (meetings and gathering with citizens, public debates and discussions, meetings, demonstrations, marches, public debates and discussions);
- via publication and distribution of printed, audio and other campaigning materials;
- using other not prohibited by the law forms.

14. Candidate, political party, group of voters can independently define a form and character of their campaigning via mass media.

15. Members of election commissions, observers, international observers, judges, members and representatives of religious, charitable organizations, individuals who did not reach 18 years old, foreign individuals and legal persons do not have the right to conduct

campaigning, publish and distribute any campaigning materials.

Officials of state bodies and local governments can conduct campaigning and distribute any campaigning materials outside work duty.

16. Conducting of election campaigning in foreign mass media distributed on the territory of the Kyrgyz Republic is prohibited. During period of conducting of elections rebroadcasting of foreign TV and radio programs shall be made in a recorded form. Local mass media which rebroadcast foreign mass media shall bear responsibility for damaging dignity and business reputation of candidates.
17. Journalists, other creative workers, as well as officials of editorial offices of mass media are prohibited to carry out information TV and radio programs, participate in covering elections via mass media if the specified persons are founders of the mass media, candidates or their representatives, pursuant the Law. The rule does not cover campaigning presentations of the specified persons when candidates use free of charge broadcasting time of the channels of state and local TV and radio organizations pursuant to the procedure established by article 23 of the Law.
18. Mass media the founders (co-founders) of which are bodies of state power and local governments or their subordinate establishments and companies which are financed entirely or partially out of funds of the republican or local budget and also mass media which enjoy advantage in payment of taxes and obligatory payments if compared with other mass media shall ensure equal opportunities for conducting election campaigning to candidates, political parties, groups of voters.
19. Mass media not under the jurisdiction of item 16 of the article can on a contract basis provide broadcasting time, printed media space to candidates, political parties, groups of voters pursuant to the instructions on the procedure for providing broadcasting time on the channels of TV and radio companies, printed media space in periodical printed publications adopted by the Central Election Commission.

The amount of payment for broadcasting time, publications in periodical publications shall be equal for all candidates, political parties and groups of voters.

20. In conducting of elections information about the amount and other payment conditions for broadcasting time, printed space shall be published by a relevant TV and radio broadcasting organization, editorial office of a printed media publication not later than 10 calendar days after official publication of a decision on appointment of elections and submitted to the Central Elections Commission.

### **Article 23. Timeframes for conducting of election campaigning**

1. Election campaign starts from the day of completion of the registration period of all candidates, lists of candidates and terminates 24 hours prior to voting.
2. In conducting of repeat voting an re-starts from the moment of taking a decision on appointment of a repeat voting and terminates 24 hours prior to repeat voting.
3. Campaigning with printed materials (leaflets, posters, billboards and other materials), earlier placed outside buildings and premises of election commissions are preserved in the same places on the voting day.

#### **Article 24. Conducting of election campaigning on TV and radio**

1. Candidates, political parties, groups of voters are entitled to be provided with free of charge broadcasting time on the channels of TV and radio organizations which broadcast on the territory where elections are conducted are subject to jurisdiction of item 18 article 22 of the Law. The specified broadcasting time shall be during prime time when TV and radio programs attract the biggest auditorium - from 8 pm till 10 pm.
2. The total volume of a free of charge broadcasting time allocated by the state TV and radio organization for conducting of campaigning during elections of deputies of local keneshes or heads of executive bodies of local governments shall be not less than an hour during working days. The specified free of charge broadcasting time is distributed among registered and attending the program candidates, political parties, groups of voters who nominated lists candidates on equal terms.

Candidates, political parties, groups of voters who nominated lists candidates do not have the right to use provided to them free of charge broadcasting time for conducting of election campaigning for other candidates, political parties or groups of voters.

3. Not less than a third of the total volume of the allocated free of charge broadcasting time is allocated for candidates, political parties, groups of voters who nominated lists candidates exclusively for conducting joint discussions, round tables and other similar campaigning events. All candidates, political parties, groups of voters shall have access to the use of the share of free of charge broadcasting time on equal terms.

In joint campaigning events on the channels of TV and radio organizations registered candidates can participate only personally, political parties and groups of voters – via their authorized representatives, trusted persons, political parties, groups of voters. Refusal to participate in a joint campaigning event does not entail an increase of the volume of free of charge broadcasting time for a refused to participate in a joint campaigning event registered candidate, political party or group of voters.

If a candidate, representative of a political party, representative of a group of voters could not participate in a joint campaigning event due to objective reasons they, alongside with other candidates, political parties, groups of voters who did not take part in a joint campaigning event are entitled to ask to use their broadcasting time.

4. TV and radio organizations subject to jurisdiction of item 18 of article 22 of the Law, depending on the level of elections shall reserve paid broadcasting time for conducting of campaigning by candidates, political parties and groups of voters. The specified broadcasting time shall be provided on contract conditions to a certain candidate, political party, group of voters for payment upon their request. The total volume of the reserved paid broadcasting time cannot be less than total volume of free of charge broadcasting time and the amount of payment shall be the same for all candidates, political parties, groups of voters. And each candidate, political party, group of voters can obtain a share of the total volume of the reserved broadcasting time which is calculated as a result of division of the volume by the number of candidates, political parties, groups of voters.
5. It is prohibited to interrupt presentations made by candidates, representatives of political parties, groups of voters and also to accompany them with some comments.
6. Regulation of the procedure of providing broadcasting time to candidates, political parties, groups of voters on channels of TV and radio organizations subject to jurisdiction of item of article 22 of the Law is established by the legislation of the Kyrgyz Republic.
7. TV and radio organizations respective of a form of ownership which provided to candidates,

political parties, groups of voters broadcasting time shall provide to other candidates, political parties, groups of voters broadcasting time on the same terms (same price, time of broadcasting, volume of time and other conditions).

8. Procedure, volume and time of TV and radio broadcasting designated for election campaigning is established by an election commissions upon approval of the leadership of TV and radio organizations and distributed guided by the principle of equality of candidates, political parties and groups of voters.

#### **Article 25. Conducting of election campaigning via printed mass media**

1. Periodical printed **mass media**, subject to jurisdiction of item 18 article 22 of the Law and distributed on the territory, on which elections are conducted, with an exception of publishing houses established by bodies of state power and local governments exclusively for publication of official statements and materials, normative and other acts shall on equal terms allocate free of charge printed space for materials, provided by candidates , political parties, groups of voters, who nominated registered lists candidates, in the amount of not less a page of A4 format. For specialized printed publications (children, technical, scientific and others) it is allowed to refuse to publish any campaigning materials under condition of entire non-participation in election campaign in any form.
2. Printed publishing houses of any form of property, which provided to candidates, political parties, groups of voters printed space shall provide to other candidates, political parties, groups of voters printed space on the same terms (same price, volume and other conditions).

#### **Article 26. Election campaign via conducting of mass events**

1. Bodies of state power, local governments shall render assistance to candidates, political parties, groups of voters in organization of gatherings and meetings with citizens, public debates and discussions, meetings, demonstrations and marches, ensure safety in conducting mass events.
2. Applications of candidates, political parties and groups of voters on allocation of premises being in state or municipal ownership for conducting of meetings with voters are considered by bodies of state power and local governments on the day of filing.

In case a candidate, political party, group of voters are refused and not provided premises for meetings with voters bodies of state power and local governments shall issue a written motivated decision on refusal.

In case the specified premises was provided for conducting of mass events only to one of candidates, political parties, group of voters a refusal to provide the same premises to another candidate, political party, group of voters is not allowed.

3. Upon an application of election commissions premises suitable for conducting of mass events and being in state or municipal ownership and being on a balance of state companies, establishments and organizations, are provided free of charge into disposal during the specified by election commission time for meetings of candidates, representatives of political parties or groups of voters, their trusted persons, authorized representatives with voters. And election commissions shall ensure equal opportunities for candidates, political parties, groups of voters in conducting of mass events.

**Article 27. Production and distribution of printed, audio and other campaigning materials**

1. Candidates, political parties, groups of voters can produce and distribute printed, audio and other campaigning materials pursuant to the procedure established by the legislation of the Kyrgyz Republic. It is prohibited to produce campaigning materials outside the territory of the Kyrgyz Republic. Samples of printed and other campaigning materials and their copies shall be provided to a relevant election commission, which registered a candidate, list of candidates.
2. All printed and other campaigning materials shall specify the name and address of an organization (full name and addresses of places of residence of persons), which produced campaigning materials, full name of a person (organization name), who placed an order for producing of campaigning materials, information on the circulation and date of their production, as well as a full name of a candidate, authorized representative of a political party, group of voters who paid for the order. Dissemination of campaigning materials, not containing the specified information, is prohibited.
3. Within 10 calendar days from the day of appointment of elections local governments shall provide special places on the territory of each polling station for campaigning materials' placement. Candidates, political parties, groups of voters shall be provided equal conditions for placement of such materials.
4. Placement of such materials is prohibited on monuments, obelisks and building have historical, cultural or architectural value, as well as premises of election commissions, at the entrances to them and in premises for voting.
5. Within 10 days after publication of the results of elections local governments shall enable cleaning of the territory of a polling station from campaigning materials using funds of a special fund of the Central Election Commission.
6. Informed about dissemination of false campaigning materials or campaigning materials, not containing information specified in item 2 of the article shall undertake measures to stop such an activity and can appeal to relevant law enforcement or other bodies with a request to stop unlawful campaigning activity and withdraw unlawful campaigning materials.
7. Candidates, political parties, groups of voters can use printed, audio, visual and other campaigning materials, produced prior to appointment of elections pursuant to the requirements of the article within the amount of expenses of the election fund of candidates, political parties, groups of voters.

**Article 28. Inadmissibility to violate the right to conduct election campaigns**

1. Election commissions control observation of the established procedure for conducting of election campaigns.
2. In conducting of election campaigns it is not allowed to violate freedom of mass media: propaganda of national, ethnic, race, religious hatred, gender or other social superiority, call on discrimination, caesura of power, violent change of the constitutional structure and integrity of the state, propaganda of war, use of photo and video materials with an image of state and political figures of other states and other forms of abuse of mass media freedom prohibited by the laws of the Kyrgyz Republic is prohibited.
3. From the moment of appointment of elections it is prohibited to bribe voters: make pay money to voters; present gifts and other material values to voters, conduct preference sale

of goods; free of charge distribute any goods with an exception for campaigning printed materials, badges and other symbols, render free of charge on beneficial terms services.

Payment for the work done within the framework of labor relationships formalized in a written form between a candidate, political party and an executor paid out of an election fund of a candidate, political party, groups of voters is not considered a bribe.

4. Candidates, their close relatives, representatives of candidates and political parties, representatives of groups of voters shall not carry out charitable activity including the one carried out outside the election constituency in which a candidate was nominated.
5. Candidates, their representatives, representatives of political parties and groups of voters, mass media, other persons when participating in pre-election campaigns shall not allow publications based on deliberately false information and damaging dignity, honor or business reputation of candidates, political parties and groups of voters. Mass media which allowed such publications upon a requirement of a candidate, political party, group of voters shall publish a refutation or provide explanation of an article or presentation, which is false or distorted. Relevant Refutations or explanations shall be published in a special rubric or in the same column with the same font as the information to which it responds to, in periodical publications – in the next issue and refutation or explanation to a TV or radio broadcasting – in the next from the date of receipt of a refutation or explanation issue.
6. Failure to provide an opportunity for a candidate, political party or group of voters to publish a refutation or explanation in protection of their reputation in mass media, which published the information which can damage reputation of candidate, political party, group of voters prior to the expiration of the election campaigning period can be a basis for imposing a responsibility on mass media by the court..
7. In case of candidate, political party, group of voters and their representatives, mass media' violation of items 2, 3 and 5 of the article election commissions, voters candidate, political party, group of voters, as well as their representatives, mass media can apply to law enforcement bodies, court with a request to stop unlawful campaigning activity and bring the guilty to responsibility pursuant to the procedure specified by the Law and current legislation.

Law enforcement bodies shall undertake measures to stop unlawful campaigning activity and immediately inform a relevant election commission on the disclosed facts and undertaken measures.

8. Law enforcement bodies shall render assistance to election commissions to prevent production of false or unlawful pre-election printed, audio, visual and other campaigning materials and their withdrawal and also identification of manufacturers of the specified materials and sources of their payment.
9. In case of a candidate, political party, group of voters' violation of the requirements, specified by articles 22-28 of the Law, a relevant election commission can issue a written reprimand to a candidate, political party or a group of voters with regard to violations. In case of a repeated of a candidate, political party, group of voters' violation of the mentioned above requirements the Central Elections Commission upon a petition of a relevant election commission filed with the Central Election Commission or upon his/her initiative can take a decision on cancellation of registration of a candidate, list of candidates, group of voters.

## **Chapter VI. Organization of voting and voting procedure**

### **Article 29. Premises for voting**

1. Premises for voting shall be provided free of charge for use by a precinct election commission, governmental agencies and by local governments.
2. Specially equipped voting booths, equipped with a lighting system and equipped with writing materials (a pen), except for pencils, and boxes for voting shall be placed in the premise for voting.

The lighting system should have an alternative source of power (lanterns and candles). When electricity supply gets cut off voting shall be suspended until the renewal of electricity supply (due to main (central) or alternate power source). In this case, in order to effectively monitor the work of a precinct election commission, observers, representatives candidates, political parties, groups of voters shall have the right to be at such a distance from voting boxes, voting booths, which provides for full viewing/coverage of procedures of the election commission, (and) performance of their functions.

3. The Election Commission shall equip a stand in the premise for voting on which informational materials about all candidates, political parties, groups of voters, who/which have registered lists of candidates shall be placed. The specified materials shall not have campaigning appeals. Samples of filled in ballots, which should not contain families of the candidates, registered in this elections constituency, the names of political parties и groups of voters, who have registered Candidates' List shall be placed on the stand.
4. Premises for voting shall be equipped in such a way, that the place where voting ballot papers, voting booths and voting boxes were fully viewed at the same time by members of the election commission, by the representatives of candidates, political parties, (and) observers.

### **Article 30. Voting (ballot) paper**

1. In order to participate in voting a voter receives a ballot, which is a strict accountability document, the degree of protection of which is determined by the Central Election Commission. The number of ballots cannot exceed the number of registered voters by more than 0.1 percent.

Special paper (paper with water marks or colored paper) or special dye shall be used for manufacturing of ballots. Ballot must be stitched with a thread in piles consisting maximum of 100 pieces, each ballot should have a numbered counterfoil, which remains in the election commission while the detachable part is issued to voters.

2. The text of the ballot is subject for approval by the respective territorial election commission not later than 20 calendar days prior to voting. The text of the ballot should be placed only on one side of the ballot.
3. Ballot contains the name of the body, in which the elections are held, the name and number of electoral constituency or an indication of a single mandate municipal elections constituency.

4. In the elections of deputies of a local kenesh (*council*) three election ballots shall be produced in which additionally the surnames, first names and patronymics of candidates should be indicated:

- 1) Female;
- 2) Male;
- 3) Male and female (mixed group).

Each voter shall receive three of the above indicated ballots for voting.

5. In the elections of deputies of a local kenesh under the proportional system the names of political parties, groups of voters shall be indicated additionally in the ballots in the sequence established by lot.
6. In the elections of heads of the executive bodies of local governments' last name, first name and patronymic of the candidate shall be indicated in addition in the sequence established by lot.
7. Names of political parties, groups of voters shall be filled out in the empty square field to the rights from those indicated in parts 4 - 6 of this article details of candidates. At the end of the candidates' list should be printed a line "against all candidates" ("Against all lists of candidates") with the empty square field located to the right from it.
8. Ballots shall be printed in the state and the official languages not later than 10 calendar days prior to the voting. Every ballot should contain an explanation of the procedure of its filling out and information on the manufacturer of the ballot form and the circulation.
9. After discarding (defective ballots) the printing house transfers the ballots based on the act of transfer to members of the Central Election Commission. After the transfer of the ballots, in the presence of at least 3 members of the Central Election Commission, with invitation of representatives of the printing house, mass media and law enforcement representatives the discarded and surplus ballots are destroyed, and an act about it must be drawn up, which must be signed by all parties present (at the procedure).
10. The Central Election Commission transfers the ballots to the territorial election commissions based on the act (and) in the presence of at least half the members of the territorial election commission, representatives of candidates, political parties, groups of voters, non-profit organizations and mass media.
11. Territorial Election Commission transfers the ballots to the Election precinct commissions under the act, in the presence of at least half the members of a precinct election commission, representatives of candidates, political parties, groups of voters, non-profit organizations and mass media.
12. Responsibility for proper transfer of the ballots shall be placed on chairperson of the relevant election commissions.
13. Transferring of ballots to a relevant territorial Election Commission shall be performed within 10 calendar days prior to the voting day, in case of repeated voting – within 5 calendar days prior to the voting, and the precinct Election Commission - 1.2 per days prior to the voting day. The number of transferred to a precinct election commission may not exceed the number of voters, included in the lists of voters for the voting [http://www.multitrans.ru/c/m.exe?a=110&t=3745125\\_2\\_1&sc=105](http://www.multitrans.ru/c/m.exe?a=110&t=3745125_2_1&sc=105) precinct by more than 0.1 percent.
14. In case of withdrawal of candidates, the lists of candidates after manufacturing the ballots the precinct Election Commission shall cross out in the ballots the data on of relevant

candidates from the list of candidates. Crossing out shall be done with a straight line along the line (field) with all data about the candidate, political party, groups of voters, with a ball point pen only. In this case, the crossing out line should be covering the empty square (field) in the side opposite to the line with data about a candidate (and) a political party.

15. The premises in which there is a special safe-deposit (locker), where the election documents, a seal of the respective election commission are stored shall be sealed and shall be handed over for guarding to the (security) of bodies of internal affairs. The safe-deposit (locker) must be inside polling station.
16. It shall be prohibited to take out from the premises of printing houses, election commissions, as well as to make copies and distribute ballots in violation of the requirements of this Law.

### **Article 31. Voting Procedure**

1. Voting on the elections day shall be held from 8 to 19 o'clock. The precinct Election Commission is obliged to inform voters about the time and place of voting not later than 10 calendar days prior to the voting through the mass media or otherwise, and in the course of early and re-voting - no later than 7 calendar days prior to the voting day.
2. On the day of elections at 7 am local election commission at its meeting in the premise for voting members based on the draw shall determine the commission members, who will:
  - perform registration of citizens in the List of voters;
  - Mark voters with a special ink and hand out ballots;
  - carry out control over the passage of voters in the voting booths for secret voting, and over putting the ballots in a folded form into boxes for voting;
  - Organize voting outside the premises for voting (with (by)) at least two members of a precinct election commission).
  - Chairperson and Secretary of a precinct election commission shall not participate in the draw.
3. Chairperson of a precinct election commission in the presence of members of the precinct election commission, representatives of candidates, political parties, groups of voters and observers shall open a sealed safe, which contains the list of voters of this precinct, ballots and a seal of the precinct election commission; shall pull list of voters out of the safe, read out the number voters included in the list of voters, allows the attending parties visually see the list of voters and then distribute it to members of the precinct election commission, who are responsible for registration of voters and filling out the list of voters as at the day of voting.
4. Chairperson of the precinct election commission shall demonstrate empty boxes which are sealed with a seal of the precinct election commission for voting for inspection by the members of the precinct election commission, as well as the observers, representative candidates, political parties, mass media. Then the chairperson of the precinct election commission shall put control lists in the sealed boxes for voting, in which the name of the constituency, the number of the polling station, the time of putting the control lists into boxes for voting, the names of a chairperson, secretary and other members of the precinct election commission with the right of deciding vote, the attending candidates, their representatives and observers, representatives of political parties, groups of voters shall be indicated. Control lists shall be signed by the above mentioned persons and certified with the stamp of the precinct election commission.

5. Chairperson of the precinct election commission shall announce the number of ballots received from the higher election commission. Members of the precinct election commission with the right of deciding vote in the presence of representatives of the candidates, political parties, groups of voters и observers shall calculate and announce the number of ballots, then the chairperson of the precinct election commission shall demonstrate them to visually familiarize the persons present and record the number of ballots, received by the precinct election commission from the higher election commission, in line 2 of the Protocol of the outcome of voting in its enlarged form.
6. After calculation of the ballots the chairperson of the precinct election commission shall hand over ballots in batched of 50-100 ballots based on the calculation list (statements) to the members of the precinct election commission, who sign the receipt thereof and shall be responsible for handing out ballots.
7. At the entrance of the premises for voting a member of the precinct election commission identified by draw shall check marking of voters. A voter who does not have marking shall be eligible to vote. In case marking is available the voter is not allowed to vote.
8. When issuing the ballot one member of a precinct election commission carries out registration of voters: checks documents of voters, enters their requisites in the list of (voters), where voters put their signatures (sign) for receipt of ballots, while the other is marking voters with visible ink and hands out a ballot.
9. Each voter must vote in person, voting for other voters shall not be allowed.
10. Ballots shall be handed out to voters included in the list of voters, upon presentation of a passport or identity document of the voter, and if the voter votes based on absentee ballot (it shall be done) also upon presenting the absentee ballot.
11. Serial number of the passport or identity document of the voter shall be entered upon receipt of the ballot for voting ....or in the supplementary list of voters. The voter checks the correctness of the entry made and signs (puts his/her signature) in....., or in a supplementary list of voters. In the case of conducting voting simultaneously based on several ballots the voter signs (puts his/her signature) for every ballot. Additional notes shall be made in the supplementary list in the case of voting based on absentee ballots.
12. At the election precincts established in settlements with a population of less than 500 voters, a voter shall have the right to vote in the absence of a passport or identity document, if he/she (his/her name) is in the list of voters and confirmation of the fact of his residence in the territory of the polling station by at least two members of the precinct election commission and permission of the Chairperson of the precinct election commission.  
  
In the case of voting without documents corresponding record shall be made in the list of voters, which shall be certified by signatures of the chairperson of the precinct election commission and by the members of the precinct election commission, who confirmed the residence of the voter in the territory of the precinct.
13. Ballot(s) shall be filled in by the voter in a specially equipped booth or other specially equipped place where no intrusion of others shall be allowed. A specially equipped booth or a specially equipped place must be established or manufactured to ensure the secrecy of the vote of the voter during filling in the ballot and control by the members of the election commission and observers over the actions of the voter.
14. In the elections of deputies of local kenesh (council) based on the proportional system the voter shall put a corresponding mark in the ballot in the box relating to the political party, group of voters, in whose favor the selection was made, or in the position (field) "against all".

In the elections of heads of the executive bodies of local governments based on the majority voted system a vote enters in each of the three ballots a mark in a box belonging to the candidate in whose favor the selection was made, or in the box "against all".

In the elections of heads of the executive bodies of local governments a voter puts a mark in a box belonging to the candidate in whose favor the selection was made, or in the box "against all".

15. In case if the voter thinks that during filling out of the ballot he/she made a mistake, he/she should apply to a member of a precinct election commission, which issued the ballot with a request to give him/her a new ballot instead of the defective (wasted) one. A member of a precinct election commission with the right of deciding vote shall hand out a new ballot, while making an appropriate record in the list of voters against the name of the voter. The defective (wasted) ballot shall be cancelled and an act about this cancellation shall be drawn up.
16. A voter who has no possibility to sign the receipt of a ballot, fill out a ballot, shall have the right to use for this purpose help of another voter who is not a member of the election commission, a candidate, a representative of a candidate, a political party, group of voters, (and) an observer. In this case, the voter shall orally notify the precinct election commission of his/her intention to take the help of another person.
17. The filled in and folded ballots shall be put by voters in a sealed (cored) boxes for voting. It is forbidden to take ballot from the premises for voting.
18. A chairperson of a precinct election commission shall watch for public order in the premises for voting. In cases of violation of public order in the voting premises the chairperson of the precinct election commission shall have the right to seek help applying to officers of law enforcement agencies to ensure public order in the voting premise, who, after restoration of public order shall leave premise for voting. Instructions of the Chair of the precinct election commission, issued within his/her job description, do not violate the rights of the election process, mandatory for everyone in the premise for voting.
19. In the absence of a Chairperson of a precinct election commission his/her powers shall be performed by a Secretary of the precinct election commission or a member of the Commission, authorized by the Election Commission.
20. A member of a precinct election commission shall be immediately suspended from participation in its work, and the observer and other persons shall be removed from the premise for voting, if they try to obstruct the work of the election commission or the exercise of their election rights by citizens of the Kyrgyz Republic, and violate the secrecy of voting. A decision on it shall be taken by the precinct election commission in writing. In doing so, the commission shall have the right to contact the appropriate authorities with the idea of bringing these persons to liability under legislation of the Kyrgyz Republic.
21. Candidates, representatives of candidates, political parties and groups of voters, who nominated the candidates and / or the lists of candidates, as well as other individuals and entities acting at the request of or on behalf of the above persons shall be prohibited to take actions aimed at ensuring the delivery of voters for participation in voting.
22. State bodies, local governments, governmental and municipal institutions and enterprises, as well as their officials are obliged to ensure public safety, smooth operation of public transport, communications, lighting and heating of premises for voting on the voting day.

**Article 32. Early voting procedure**

1. A voter who does not have an opportunity to attend on the voting day to the elections precinct in which he/she is included in the list of voters, shall have the right to vote early on the basis of a written statement of his absence from the territory of the corresponding administrative-territorial unit, in which the elections are held, or the country due to a trip abroad, and upon presentation of relevant documents (copies of travel documents, an air ticket, a visa in the passport) - by filling out the ballot inside the corresponding territorial election commission 9 -1 days prior to the voting day. The Electoral Commission is obliged to ensure the secrecy of voting, to exclude the possibility of distortion of the will of voters, safeguard of the ballot, record of a vote in determining results of voting and determining the results of the elections.
2. In the list of early voted voters, which should be drawn up/prepared by the relevant election commission the information about the voter who is going to vote early shall be included. The voter checks the correctness of the record, signs it and gets a ballot for voting and a blank (clean) envelope in the presence of at least two members of the election commission who have the right of deciding vote.
3. Ballot shall be filled in by a voter in a specially constructed booth or a special place, where presence of other persons shall not be allowed.
4. The ballot filled out by the early voted voter shall be put in an envelope and glued (sealed). Signatures of two members of the election commission, who certify with the stamp of the election commission, as well as the signature of the voter, who voted early shall be put on the site of gluing (sealing) on the envelope.
5. Sealed envelopes with ballots and the list of voters, who voted early, shall be stored by the secretary of the relevant election commission in the premises of the election commission until the transfer of all ballots to the precinct election commission.
6. On the day of voting the chairperson of a precinct election commission in the presence of members of the precinct election commission, observers, other persons prior to beginning of voting shall report on the number of voters, who voted early, demonstrate the sealed envelopes with the ballots the list of voters, who voted early certified by the signature of the Secretary and the stamp of the respective higher election commission for a visual review. After that, he opens one by one each of the envelopes, observing the secret will of the voter puts the ballots in a stationary box for voting. The (announced) number of voters, who voted early shall be entered prior to the beginning of voting is made in the Protocol of the results of voting in its enlarged form, while in the list of voters, who voted early, a mark "Voted early" shall be made.

**Article 33. Procedure for voting outside the premises for voting**

1. Voters who are included in the lists of voters, but for health reasons or disability cannot attend the voting precinct, voters who are on the voting day in hospitals, detention centers and detention centers, voters who temporarily reside in locations in remote and inaccessible districts on pastures for cattle grazing, and in exceptional cases, by decision of the relevant election commission, if they reside on the territory of the electoral constituency, which includes by the area of their dislocation or the places of their temporary residence shall vote at their place of stay. Precinct Election commission shall be obliged to ensure an opportunity to vote outside the premises for voting.
2. Voting outside the premises for voting shall be done only on the day of elections, and only on the basis of written statements or oral request of the voter (including the one transferred through assistance of other persons) regarding providing him/her with an opportunity to vote

outside the premises for voting. A statement (an application) of the voter may be made at any time after the establishing of a precinct election commission, but no later than one day before voting. The reason due to which the voter cannot arrive to the premises for voting, as well as the data of the voter shall be indicated in the statement (the application) to grant an opportunity to vote outside the premises for voting. When registering a request the time of its receipt and the signature of a member of the commission having the right of deciding vote, who had made the decision shall be indicated.

3. Precinct Election Commission should have the necessary quantity, but not more than three portable boxes for voting. Voting outdoors shall be arranged/conducted by members of the precinct election commission, which receives the necessary number of ballots under their signature on receipt, as well as pre-sealed (cored), portable boxes. Voting outside the voting premises shall be held in the presence of representatives of candidates, political parties, groups of voters, observers, (and) mass media.
4. Upon arrival of the commission members of the voter an oral request shall be confirmed by a written application of the voter. In the written application the voter shall mark the series and number of his/her passport or identity document and with his/her signature he/she shall certify the receipt of the ballot. Members of the commission by their signatures are certifying the fact of handing out of the ballot.
5. A ballot shall be filled in by a vote in a special place where presence of other individuals shall not be allowed. A special place must be selected to ensure the secrecy of vote when filling out the ballot by a vote and control on behalf of the members of the election commission and observers over the actions of the voter.
6. In a voter from whom the application (request) was received on providing him/her an opportunity to vote outside the voting premise arrived in the premise of a precinct election commission for voting after members of the precinct election commission were sent to him/her for conducting voting outside the voting premise for voting, a respective member of the precinct election commission shall have no right to give him/her a ballot in the voting premise until the members of the precinct election commission, organizing the voting outside the voting premises return, and until it is established that the above indicated voter had not voted outside the voting premises.
7. Passport or identity document number (of the voter, who voted outside the premises for voting, shall be entered in the list of voters, while in the corresponding column of the voters' list a record shall be made "Voted outside the premises for voting,"

**Article 34. Authorities of the election commissions on summing up the results and determining results of elections**

1. A precinct election commission shall count the votes, sum up the votes in the relevant elections precinct.
2. Corresponding territorial election commission on the basis of Protocol of the precinct election commissions shall determine the results of elections of deputies of local keneshes or heads of executive bodies of local governments for the respective territory.

**Article 35. Protocol of a precinct election commission on the outcome of voting.**

1. A precinct election commission shall draw up a Protocol of the outcome of voting in the corresponding elections precinct.
2. Protocol of the outcome of voting is a document of strict accountability, the level of protection, and shape of which is determined by the Central Election Commission.

Procedure of filling out of the Protocol of election commissions shall be regulated by the Regulations approved by the Central Election Commission.

**Article 36. Procedure for establishment of the results (outcomes) of voting by the precinct elections commissions**

1. Upon expiration of voting time a chairperson of a precinct election commission shall announce that only voters who are in the voting premise will get ballots and vote.
2. Counting of voters' votes shall be carried out openly and publicly exclusively by members of a precinct election commission at its meeting with the announcement and relevant registration in the Protocol in its enlarged form of the outcome of voting (which is posted at the place designated by the election commission) consistently all the results of actions performed on counting of ballots, counterfoils of ballots and votes of voters.

In the process of votes counting and the establishment of voting results representatives of the candidates, political parties, groups of voters, observers, representatives of mass media can take photographs, do filming, (and) video-shooting.

3. Counting of votes of voters begins immediately after the voting and is done without interruption until the establishment of the voting outcomes in the same premises where voting of voters was held. Place where directly the counting of votes is done must be equipped in such a way to ensure for access of all members of the precinct election commission. At the same time full visibility of actions of the precinct election commission members shall be provided for all persons present during the counting.

In case of combining elections of various levels in the first turn counting of votes relating to elections of a President, deputies of the Jogorku Kenesh (PMs), and then - deputies of local keneshes, heads of executive bodies of local governments shall be performed.

Members of the precinct election commission, except for the Chairperson and Secretary of a precinct election commission, during counting of votes shall be prohibited to use [http://www.multitran.ru/c/m.exe?t=4349892\\_2\\_1](http://www.multitran.ru/c/m.exe?t=4349892_2_1) writing implements (pens, pencils, paper).

4. Members of a precinct election commission, responsible for handing out ballots, shall calculate the remaining unused ballots, cancel them by cutting lower right-hand corner (at that no damage to the fields (squares) located to the right from the personal data of the registered candidates, lists of candidates) shall be allowed) and hand them in based on the work sheet to the Chairperson of the precinct election commission, about which an act shall be drawn up. All canceled ballots shall be counted and packed into a package which then shall be sealed with a stamp of the precinct election commission and the signatures of its members. All canceled ballots shall be counted and packed into a package which then shall be sealed with a stamp of the precinct election commission and the signatures of its members. A sign in writing "Canceled ballots" shall be made on the package indicating their number and the number of the polling station.

The number of all of canceled ballots, which is defined as the sum of the number of unused ballots and ballots, which were returned by voters due to errors/mistakes made during filling

them out (damaged) shall be announced and recorded in the Protocol of the outcome of voting in its enlarged form.

5. Prior to direct counting of votes members a precinct election commission, responsible for registration of voters, must make entries of the respective aggregate (summed-up) data into every page of voters' list.

After making the total data (per page), each page of the voters' list shall be signed by a member of a precinct election commission, which then adds them and sends to the chairperson of the precinct election commission. On the last page of the Voters' list Chairperson and Secretary of a precinct election commission shall write down the outcome data, defined as the amount of data on all the pages of the list of voters, certifying them with his signature and a stamp of the precinct election commission. After conducting work with the list of voters a chairperson of a precinct election commission shall offers the audience to see them. After this the list of voters shall be put in the safe.

6. A precinct election commission starts counting the ballots contained in portable voting boxes. Members of the precinct election commission, who conducted the voting outside the voting premises shall demonstrate the integrity of seals and stamps, open the portable voting boxes one by one, then take out the ballots and control lists with signatures of members of the precinct election commission, the persons who were present in the morning when the sealing of election boxes took place. The Chairperson of the precinct election commission shall demonstrate the control lists.

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

If it is determined that the portable ballot box for voting the number of ballots is bigger than the number of applications of voters, containing a mark of the number of the received ballots, all ballots available in the portable ballot box for the voting shall be recognized invalid by a decision of a precinct election commission and cancelled by cutting the lower right-hand corner, about which an act shall be drawn up, which is attached to the Protocol of the outcome of voting in which the surnames and initials of the members of the precinct election commission, arranging the conducting of voting outside the voting premises shall be indicated. These invalid ballots shall be packed and sealed separately, while the number of the polling stations and the inscription "Invalid ballots taken from the portable box for voting», box number and the number of ballots shall be written on the package.

7. Chairperson of a precinct election commission announces the start of counting ballots contained in a stationary box for voting. Chairperson of the precinct election commission demonstrates the integrity of the stamps (seals) and opens a box for voting. Members a precinct election commission shall take out ballots and take out control lists with signatures of members of the precinct election commission, other persons who were present in the morning when the voting boxes were sealed. Chairperson of the precinct election commission shall demonstrate the control list.
8. Members of the precinct election commission shall sort out ballots from portable and stationary boxes for voting, by votes cast for each of the candidates, lists of candidates, «Against all candidates» («Against all lists of candidates»), and at the same time put aside separately ballots of an unknown form and invalid ballots. When sorting ballot members of the precinct election commission announce the marks of voters contained in the ballots and provide the ballots for visual inspection to all those present at the counting process.
9. Representatives of candidates, political parties, groups of voters, observers shall have the right to get familiarized with the sorted out ballots under the control of members of the precinct election commission.

10. Then, the counting of votes based on the ballots of the established form shall be done separately for each candidate, the list of candidates and positions "against all". Counting of the sorted out ballots shall be performed aloud by shifting them one by one from one packet to another so that the persons present during the counting could hear or see the mark of a voter in a ballot. Simultaneous counting of ballots from different batches is not allowed.
11. Invalid ballots shall be counted and summed up separately. The ballots on which it is impossible to determine the will of the voter, as well as invalid ballots from a portable box for voting (if there was a fact of taking out of a number of ballots from a portable box exceeding the number of applications of voters, containing a mark regarding the number of received ballots) shall be considered invalid. Ballots that do not bear the protection symbol established by the Central election commission and which are not stamped by the stamp of the precinct election commission, and containing no other established marks shall be attributed to those invalid ones. Ballots in which the number of marks in favor of candidates exceeds the number of mandates for the elections constituency, and in case of elections under the proportional system - the number of marks in favor of the lists of candidates is more than one position shall be considered invalid.

In case of doubt, in recognition of a ballot as an invalid one the local election commission shall decide the issue by voting, at the same the reasons for its invalidity and the record confirmed by the signatures of the chairperson and the secretary of the precinct election commission shall be put on the reverse side of the ballot and certified with stamp of the commission.

12. Chairperson of a precinct election commission shall invite all those present at the counting of votes to get visually familiarized with the ballots under the control of members of the precinct election commission. At the request of a representative of a candidate, political party, group of voters or observers to recalculate votes the ballots shall be recalculated with the direct participation of a representative of a candidate, political party, group of voters or observers and with allowing for visual control by them. Recount of ballots shall be performed aloud.
13. After that check of controlled relationships of the data entered in the Protocol of the outcome of voting is performed. If the controlled figures do not match, the precinct election commission makes a decision on re-counting.
14. After the counting of votes a precinct election commission holds a mandatory final meeting, which examines complaints (statements) received about violations of the voting and counting of votes, decisions are made per each claim (a statement), after which members of the precinct election commission and the complainants who agree with decisions made by the local election commission decisions on complaints (statement) filed shall sign the Minutes (Protocol?) of the final meeting of the precinct election commission. In signing the protocol of the final meeting of the precinct election commission members of the precinct election commission who disagree with the content of the Minutes (Protocol?), may attach their particular view to it and a corresponding record about it shall be made in the Minutes (Protocol)

After drawing up a Report on the voting outcomes, the sorted ballots, (and) voter lists shall be packaged in individual packets, which indication of the number of the polling station and the number of ballots, the name of the voter lists. Packages are sealed and signed by members of the precinct election commission and added in a separate bag or box. The number of polling station and a list of documents contained inside are indicated on the bag or box. A bag or a box shall be sealed with putting signatures of the precinct election commission members. Packaging of ballots, voter lists, as well as folding them and adding into a bag or box shall be made in the presence of representatives of candidates, political parties, groups of voters, observers, who also provided an opportunity to put their signatures

on the bag or box. A package, bag or box can be opened only based on a decision of the higher election commission or court.

15. Report on the outcomes of voting shall be drawn up by election commissions in duplicate and signed by all members of the election commission present. A summary table of voting at an appropriate election precinct, a particular opinion of members of the election commission, as well as the received complaints (statements) and the decisions taken on them shall be attached to the Protocols (minutes).
16. After signing the Protocol on the voting outcomes the precinct election commission shall immediately announce the voting outcomes (results) in front of all the members of the Precinct Electoral Commission, representatives of candidates, political parties, groups of voters, observers, media representatives and others.
17. The first copy of the Protocol on the voting results after its signing alongside with the election documents, including ballots, voter lists, the complaints (applications), decisions taken and acts, drawn up by the precinct election commission shall be brought promptly to the higher election commission by a chairperson of the precinct election commission or by one of the members of the precinct election commission, accompanied by representatives of candidates, political parties and groups of voters who were present at the counting.
18. The second copy of the Protocol, as well as the stamp of the precinct election commission kept by the Secretary of the precinct election commission, who is responsible under the law for their reliability and safekeeping until the end of work of the commission.
19. The enlarged form of the Protocol on the voting outcomes (results) shall be posted for public inspection in the place designated by the precinct election commission, and stored until the end of operation of the precinct election commission..
20. Protocol of voting returns shall issue to each person present at the counting of votes a stamped copy (photocopy) of the Protocol on the voting results (outcomes).

**Article 37. Procedure for establishing the voting results by the territorial election commissions.**

1. The first copies of the Protocol of voting returns of the precinct election commissions with the election documents specified in Part 17 of Article 36 of this Act, shall be handed over based on an act immediately after signing by the members of the Precinct Electoral Commission to the territorial election commission, which shall sum up voting results in the respective territory.
2. Summing up the results of voting in the respective territory shall be done by the territorial election commission based on the protocols received directly from the local electoral commissions, by adding the data contained in them.

After preliminary checking the correctness of drawing up of the Protocols of the precinct election commissions on the voting results, the territorial election commission by adding data from all the district election commissions shall summarize the voting on the relevant territory.

According to voting results, the territorial election commission shall prepare a summary table and a Protocol in which it records data on the number of precinct election commissions, the number of received Protocols on the basis of which a Protocol on voting results, as well as summary data of the protocols of precinct election commissions shall be drawn up.

Prior to signing the Protocol of voting in the relevant territory the Election Commission shall conduct a mandatory final meeting, which examines complaints (applications) filed with the Commission relating to the conduct of voting, vote counting and tabulation by subordinate election commissions. The Election Commission shall make decisions per each application (statement), after which members of the election commission and the applicants, who agree with the Electoral Commission decisions on complaints (statement) filed shall sign the Protocol of the final meeting of the election commission. In signing the protocol of the final meeting of the Election Committee the election commission members who disagree with the contents of the Protocol, may attach to it a particular view, (and) a corresponding entry shall be made in the Protocol about it. After that, the territorial election commission shall sign the protocol on the voting in the respective territory.

3. Protocol on voting results shall be drawn up by election commissions in duplicate and signed by all members of the electoral commission present. A summary table of voting in the relevant territory, a particular opinion of members of the commission, and received complaints (statements and the decisions taken shall be attached to the Protocol.
4. The first copy of the Protocol of the territorial election commission immediately after signing with the first copy of the summary table shall be sent (delivered) to the Central Election Commission.

The second copy of the Protocol together with all the election documents shall be stored by the secretary of the territorial commission in a guarded room until transferring them to the archive.

5. The increased reporting form on the election results shall be posted for public inspection in the place designated by the territorial election commission, and stored until the end of work of the election commission.
6. Every person present at the counting of votes the Secretary of the Precinct Electoral Commission shall immediately after signing the protocol of vote returns shall be obliged to issue to such persons a stamped copy (photocopy) of the Protocol on the voting results.

### **Article 38. Procedure for determining the election results**

1. The election results shall be determined by the corresponding territorial election commission on the basis of the Protocols received directly from the local electoral commissions, and the Protocol specified in Part 3 of Article 37 of this Law. Corresponding territorial election commission shall hold a mandatory final meeting, which reviews all complaints (statements) received about violations in the preparation and conduct of elections and shall decide on each application (statement).
2. Corresponding territorial election commission shall prepare Protocol on election results, in which the data from the received the Protocols shall be entered, on the basis of which election results are determined, the data on the number of the number of directly subordinate (district) election commissions, as well as a summary table on summary data of the Protocols of the subordinate election commissions and the Protocol specified Part 3 of Article 37 of this Law. shall be included
3. The number of voters participating in elections, is determined by the number of voter signatures confirming the receipt of ballots.

The number of voters who participated in the voting is determined by the number of ballots of the approved form, drawn from the ballot boxes.

4. Territorial Electoral Commission shall declare the results of voting at a polling station as invalid:
  - a) If at the time of voting, counting, determination of results of voting irregularities occurred that disallowed for establishing with certainty the outcome of voting;
  - b) if at the time of voting, counting, determining the voting results irregularities occurred, which could affect the expression of will by the voters;
  - c) by decision of the Central Election Commission;
  - d) by a court decision.

In the event that the results of voting at a polling station are recognized invalid the election results are determined by voting results in the remaining precincts. In the event that the voting results at the election precinct(s) are recognized invalid, that affects the election results at this election precinct(s) re-voting (re-run) shall be carried out within two weeks from the date of appointment of the re-voting (re-run) by the respective election commission.

5. Violations of the provisions related to violations of the procedure of voting, counting, drawing up a report on the outcome of voting at a polling station, disallowing for reliable determining the number of votes received by each candidate or list of candidates are understood as the violations that do not allow to determine the results of voting with reliability.

Violations of the provisions affecting the expression of the will of voters during voting, counting and determination of results of voting at the polling station associated with the campaigning on the voting day, hindering the exercise of electoral rights of citizens, observing the voting, voting for other voters, interference in the electoral commissions, delivery (of voters) by vehicles by a candidate, close relatives of candidates, representatives of a candidate, political party to polling station, bribing of voters (vote buying) shall be attributed to (understood as) the violations that have affected the will of the voters.

6. Corresponding territorial election commission shall recognize the election results null and void:
  - a) If voting results at a part of the polling stations, covering more than one-third of total voter turnout is declared invalid;
  - b) based on a court decision.

#### **Article 39. Repeat elections**

1. If the elections are recognized invalid, void, no candidate (List of candidates) based on the results of voting has been elected, repeat elections shall be appointed. Repeat elections of deputies of local keneshes shall be appointed by the President of the Kyrgyz Republic, repeat elections of heads of executive bodies of local governments shall be appointed by the Central election commission within one month from the date of declaring the elections invalid, null and void and shall be held by the respective election commissions. Nomination and registration of candidates, candidate lists, and other actions, including the terms of the election actions for the elections shall be carried out in the manner prescribed by this Law and regulations of the Central Election Commission. Communication on the repeat election shall be published in the media within 7 calendar days after the decision on the appointment of repeated elections.
2. Candidates whose actions have led to the recognition of the election invalid cannot be nominated again in the case of holding re-election of candidates for elective office.

3. If the decisions, actions (failure to act) of officials of public authorities, local governments, election commissions became the ground for the recognition of the results and (or) election results invalid, a repeat election shall be held among the candidates, political parties, groups of voters participating in the elections and expressed their desire to take part in the repeat elections. became the ground for the recognition of the results and (or) election results invalid, a repeat election shall be held among the candidates, political parties, groups of voters participating in the elections and expressed their desire to take part in the repeat elections.

#### **Article 40. Publication of the results of voting and elections results**

1. Results of voting in each polling station, the territory covered by the activities of the election commission, election results for the electoral constituency in the volume of data contained in the Protocols of the relevant election commissions and directly subordinate election commissions, shall be presented to voters, candidates, candidate representatives, political parties, groups of voters, observers, international observers, representatives of the media upon request.
2. Election Commission which conducted the registration of candidates, the list of candidates, shall send general information about the election results to the media within one day after determining the election results.
3. The official publication of election results, as well as data on the number of votes received by each candidate, a list of candidates, the votes cast against all candidates, against all, the lists of candidates shall be performed by the Central Electoral Commission within two weeks from the date of determining the election results.
4. The Central Electoral Commission shall publish in mass media the data contained in the Protocols of directly subordinate election commissions on the voting results and on the basis of which the election results were determined in the relevant election commissions.

### **Chapter IX. Guarantees of freedom of elections.**

#### **Article 41. The activities of election commissions, state agencies to ensure the freedom of elections**

1. In preparation and conducting of elections election commissions, prosecutors, police shall ensure strict compliance with the Constitution, this Law and other laws of the Kyrgyz Republic.
2. Election day and the day preceding it is a working day for courts, prosecutors, law enforcement bodies, . For banking or other institutions serving the special accounts of the election funds of candidates, political parties and groups of voters the day before voting, is a working day.
3. Law enforcement bodies are obliged to provide assistance that would require election commission to ensure public order during voting on the territory of a precinct, as well as in the premises for voting in case of violation of public order, upon an invitation of a chairperson of the precinct election commission.
4. Decisions and (or) actions (failure to act) of state and other bodies, their officials and other participants in the electoral process, which violate the electoral rights of citizens, the requirements of this Act may be appealed at the prosecutor's office, police or court in accordance with the laws of the Kyrgyz Republic.

Law enforcement bodies shall consider applications and complaints from citizens relating to breaches of public order, as well as actions which provide for an administrative liability in accordance with the applicable law. Prosecuting authorities exercise general supervision over the observance of electoral legislation, as well as actions which provide for criminal liability in accordance with the applicable law.

5. Statements and complaints against decisions and (or) actions (failure to act) of state and other bodies, their officials and other electoral participants can be made by voters, candidates, political parties, voter groups, non profit organizations, their representatives and observers. A statement, complaint must be motivated and presented together with the evidence on which they are based.
6. Statements and complaints of voters, candidates, political parties and other participants in the electoral process, submitted during the preparation of elections are subject to review by prosecutors and law enforcement bodies within two days upon receipt of complaints, and on election day or the day before voting day - immediately. In cases where the facts contained in the statements, complaints received during the preparation of elections, require additional investigation, a decision on them shall be taken no later than within three days. A copy of the decision on the statement or complaint shall be sent by prosecutors and law enforcement bodies immediately to the appropriate election commission.
7. In case of a refusal to consider the statement or complaint prosecutors and law enforcement bodies are obliged to submit a copy of the decision during one day indicating the reasons for refusal.

**Article 42. Appeal of decisions and (or) actions (failure to act) of election commissions, which violate the electoral rights of the electoral process subjects.**

1. Decisions and (or) actions (failure to act) of election commissions and their officials, which violate electoral rights of election process subjects, can be appealed in the higher election commissions or in the court.
2. Complaints on decisions and (or) actions (failure to act) of election commissions violating electoral rights of citizens can be submitted by voters, candidates, political parties, groups of voters, non profit organizations, their representatives and observers as well as election commissions. The complaint shall be motivated and submitted with evidence on which it is based.
3. Complaint and/or statement on behalf of an election commission shall be submitted upon a decision of an election commission, which is subject for acceptance during the commission's meeting together with a complaint, signed by a Chairperson and duly verified by the stamp of the election commission.
4. During consideration of complaints (statements), as well as in any other cases, when issues on violation of electoral rights and electoral legislation are considered, interested parties, entities or their representatives shall be informed on the date, time and place of consideration. Indicated entities are entitled to present explanations and submit evidences on the essence of the investigated case.
5. Decisions and (or) actions (failure to act) of precinct election commissions, their officials violating electoral rights of subjects of the election process shall be appealed in a territorial election commission or in the court of the original jurisdiction; territorial election commissions – at the Central Election Commission or in the court of the original jurisdiction; court decision of the original jurisdiction at the Supreme Court of the Kyrgyz Republic. Decision taken by the Supreme Court is final and shall not be subject to any appeal.

6. Complaints, statements shall be submitted immediately from the moment when a subject of the election process has become aware of a violation of his/her voting rights, decision-making, an action (or failure to act), but not later than within 2 days.
7. Complaints, statements received during preparation of elections, subject for consideration by election commissions and courts, within three days from receipt of a complaint, and on the Election Day or the day before the voting day - immediately. In cases where the facts contained in the complaints, statements received during the preparation of elections require additional verification, a decision on them shall be taken no later than within five days. Decision in writing signed and stamped by the authority shall be immediately handed over to the claimant.
8. Complaints concerning the decisions taken shall be submitted within 3 - days after receiving the decision.
9. Superior election commission or a court leaves in force a decision taken by a subordinate election commission or court, or cancel and make a decision on the essence of the complaint.
10. Deadline for submitting complaints and statements is not subject for extension or renewal. After this period complaints are not accepted.

**Article 43. Appeals against decisions of election commissions, establishment of voting and election results.**

1. Voters, candidates and political parties, groups of voters, non-profit organizations, their representatives and observers may apply with complaints / statements on the decisions of election commissions, establishment of voting results and election results to.
2. Decisions of precinct election commissions on establishment of voting results are appealed in the territorial election commissions; territorial election commissions – in the Central Election Commission, the Central Election Commission - in the court of the original jurisdiction; decisions of the original jurisdiction courts – in the Supreme Court of the Kyrgyz Republic.
3. Complaints, applications shall be submitted within 3 days after establishment of the results of voting or election results.
4. Complaints / statements received are subject for consideration of election commissions and courts, within three days after receipt of a complaint. In cases where the facts contained in the complaints, applications, require additional investigation, a decision on them shall be taken no later than within five days. Decision in writing, signed and stamped by the Authority which took the decision shall be immediately communicated to the claimant.
5. Complaints on the decisions taken under Paragraph 4 of the present Article shall be submitted within 3 days after receipt of the decision.
6. In the cases established by this law and the laws of the Kyrgyz Republic, the court may cancel a decision of the Central Election Commission on establishment of election results.
7. The court decision comes into force from the date of its issuance and shall be binding to state authorities, local governments, non profit organizations, officials, election commissions and other participants of the election process.

A court decision shall be promptly communicated to the applicant, respondent or their

representatives, as well as to the Central Election Commission. Submission of a complaint for supervisory review in the manner and terms established by this Act suspends the execution of the Central Election Commission or a court of the original jurisdiction.

8. A complaint against the court's decision may be submitted within three days after the court decision.
9. Entered into force decision of a district (city) court shall be considered pursuant to the order of supervision within five calendar days after filing a complaint. Supervising complaint is brought to the Supreme Court of the Kyrgyz Republic, which has to invite a representative of the Central Election Commission.

Supervisory complaint to the court decision shall be submitted through an appropriate court that took the decision. Filing a complaint directly to the supervisory authority is not an obstacle for consideration of the complaint.

Resolution of the supervision authority shall come into force from the date of its issuance, considered as final and not subject for appeal.

10. Deadline for submitting complaints and statements is not subject for extension or renewal. After this period complaints are not accepted.

**Article 44. Grounds for cancellation of candidate's registration, list of candidates, cancellation and cancellation of a decision of an election commission on voting and election results.**

1. Registration of a candidate is cancelled by a corresponding election commission or court, in cases when allegations about candidate's concealing of information about his/her lack of passive electoral rights are confirmed, including information about his/her undropped or unredeemed in accordance with the law conviction, on entry into force of a court conviction against him, or withdrawal or loss of the Kyrgyz Republic citizenship, citizenship of another state, based on other grounds provided for in the applicable laws determining his/her lack of passive right, as well as in case of candidate's death.
2. Registration of the candidate shall be cancelled no later than 3 calendar days before the voting day in the following cases:
  - 1) filing a candidate statement on his candidacy withdrawal;
  - 2) political party's exclusion of some candidates from the list of elections candidates;
  - 3) If in financing of an election campaign a candidate , in addition to the election fund uses other funds which make up more than 0,5 percent of the total amount of funds transferred to the electoral fund of a candidate or if candidate exceeded expenditures from the election fund for more than 0,5 per cent of the maximum limit on all expenditures from the candidate's election fund;
  - 4) violation of registration rules specified in Article 48 and 57 of this Law, if a relevant complaint was filed within five days after candidates registration;
  - 5) confirmation of facts that a candidate, representatives of a candidate abuses the benefits of his/her powers or official position to elect a candidate or in case of candidates' involvement to his/her representatives' use of advantage of powers or official position in order to elect the candidate;

- 6) confirmation of facts on direct candidate's, representatives of candidate' involvement t, in violation of pre-election campaign rules;
  - 7) confirmation of facts that candidate, his representatives, as well as candidate's next of kin' bribed voters or candidate's involvement to bribing of voters.
3. Registration of a list of candidates is cancelled no later than 3 calendar days prior to the voting day in the following cases:
- 1) political party's withdrawal of a list of candidates and refusal to participate in elections;
  - 2) political party or group of voters' use of , other funds in addition to the election fund, which make up more than 0.5 percent of the total amount of funds transferred to the election fund of a political party, to finance its election campaign, or political party, group of voters' exceeding expenses from the election fund for more than 0.5 percent of the established limit of all expenditures from the election fund of a political party;
  - 3) violation of rules for registration of a list of candidates determined by this Law, if a relevant complaint was filed within 5 days after registration the list of candidates;
  - 4) confirmation of facts that the leadership of a political party abused the advantage of powers or g official position for the purpose of election of a list of candidates or in case of their involvement in the use of powers by representatives of political parties of the advantage of their powers or official position in order to elect its candidates' list;
  - 5) confirmation of facts of direct involvement of the leadership or executive body's officials, political party representatives' in violation of conducting of pre-election campaign rules;
  - 6) confirmation of facts of involvement of leadership, officials or representatives of an executive body, political party representatives in bribing of voters or their involvement in bribing of voters.
4. If, after determination of the results of elections of t heads of an executive body of local government, and prior to award of the mandate to an elected candidate, it is confirmed that a candidate does not have passive suffrage, as well as in case of a candidate's death , a decision on the result of election is cancelled by the Central Election Commission or by a court the election is declared as invalid.
- If, after determination of the results of elections of deputies of local parliament and prior to award of the mandate to an elected candidate from the list of candidates, the candidate confirmed that he/ she did not have passive suffrage, as well as in case of candidate's death, the decision to elect a candidate is cancelled by the Central Election Commission or the courts. In this case, the mandate is passed to the next candidate from the list of candidates of that political party, pursuant to the provisions of Article 65 of this Law.
5. Mentioned in this article grounds for cancellation of candidates' registration, list of candidates' registration, cancellation of a decision of an election commission on the voting, election results are exhaustive.

#### **Article 45. Responsibility for violation of citizens' electoral rights**

Criminal, administrative or other responsibility, in accordance with the laws of the Kyrgyz Republic, shall be applied to a person who:

1) by force, fraud, threats, or otherwise impeded the free citizen's of the Kyrgyz Republic exercise of the right to elect and be elected, or violated the secrecy of voting, or abused the rights of citizens to get familiarized with the list of voters, or forced citizens or prevented them to put signatures in support of a candidate as well as participated in forgery of signatures and data, or bribed voters;

2) tool advantage of his or her official position in order to get elected or failed to form timely and specify details of registered voters (voters' list) prior to communicating this information to a relevant election commission, or violated elections financing rules, including persons delaying transfer of funds to election commissions, or issued ballots to citizens to enable them to vote for other persons, or carried out forgery of electoral documents, prepared and issued false documents, who intentionally miscounted the votes or purposely established incorrect voting results or election results, failed to submit or failed to publish information on voting results, election results, despite of imposed on them duties;

3) spread deliberately false information about candidates, political parties or committed other actions discrediting the honor and dignity of candidates, next of kin relatives and representatives of candidates, political parties and their representatives, or violated the rights of election commissions members, observers, international observers and representatives of candidates, political parties, mass media, including the right to timely information and copies of election documents, unreasonably refused to register observers, international observers, candidates, lists of candidates, political parties, candidates' and political parties' representatives, media representatives, prevented exercise of election rights at polling stations, or violated the rules of pre-election campaigning, including campaigning on the day preceding the voting day on and the voting day, or prevented or unlawfully interfered into the work of election commissions related to their carrying out of duties, who took ballots out of premises for voting or failed to submit or failed to publish reports on spending of funds for preparation and conduct of elections, financial reports of candidates' and political parties' election funds, and financial reports on spending of allocated for elections budgetary funds , and employers who refused to provide established by the law leave to participate in elections.

### **CHAPTER 2. ELECTIONS OF DEPUTIES TO LOCAL KENESHES**

#### **§ 1. General provisions on elections of deputies to local keneshes**

##### **Article 46. Basic requirements for candidates to local keneshes**

1. Any citizen of the Kyrgyz Republic, who meets the relevant requirements established by items 4,6 and 7 of Article 3 of this Law can be elected a member of a local keneshes.
2. Deputies of local Kenesh are elected by citizens, being members of a local community of a relevant administrative territorial unit in which elections are conducted.

**Article 47. System of elections of deputies of local keneshes**

1. In the administrative-territorial units with population of five thousand and more, local elections are conducted under the proportional system.
2. In the administrative-territorial units with population under five thousand people, local elections are conducted under the majority voted system.
3. If elections under the proportional system elections will be declared as invalid or not taken place in accordance with this Law and repeat elections will also be declared as invalid or not taken place, than elections in the administrative-territorial units, referred to in item 1 of this Article shall be conducted under the majority voted system.

**Article 48. Appointment of elections of deputies to local keneshes**

1. Elections of local kenesh deputies are appointed by the President of the KR, not later than 60 calendar days prior to the elections day.
2. In the event of early dissolution of local keneshes, the President of the KR appoints the elections of deputies to local keneshes to be held at the same time. And the elections in this case are conducted within 45 calendar days from the date of an early dissolution of local keneshes. In this case, the terms of the election activities are reduced by a quarter.

**Article 49. Nomination of candidates to local keneshes**

1. Nomination of candidates to local keneshes shall start from the day of elections appointment and end 30 calendar days prior to the elections day.
2. The right to nominate candidates to deputies of local keneshes belongs to:
  - Political parties which came through official registration in judiciary bodies prior to day of appointment of elections,
  - Groups of voters being members of a relevant local community
  - Citizens through self-nomination (in elections in multi-mandate constituencies).
3. Political party or a group of voters has the right to nominate in each single mandate municipal constituency candidates in the number not less than twice exceeding the established for the local kenesh number of deputies' seats.
4. The decision to nominate candidates to deputies of local keneshes is taken by a secret ballot.
5. Candidates' nomination to local keneshes is made at a congress (conference) of a political party meeting (conference), meeting of its regional office, meetings of a group of voters. And a group of voters shall specify its the name of a group in its decision and in the formed list of candidates.
6. Political parties do not have the right to nominate individuals as candidates who are members of other political parties and who are not members of that political party (not a party member).
7. In formation of lists of candidates to local keneshes political parties, groups of voters shall observe gender parity via a mandatory alternation of men and women's names in the list.

8. Nomination of a candidate to a local kenesh through self-nomination can be made by filing of a statement on an intent to be a candidate to a corresponding territorial election commission.
9. List of candidates nominated by a political party, group of voters in the single mandate municipal election constituency or a multi-mandate constituency, shall be submitted a relevant territorial election commission in a written form by an authorized representative of a political party, group of voters within the timeframes specified in this Law.
10. Political party decision on nomination of a list of candidates in the single mandate constituency or a multi-mandate constituency shall be verified with the signature of the leader of a political party or its territorial branch of the party and duly sealed by a political party. Voters' group decision shall be signed by the head of the voters' group and verified with a signature of the executive secretary of the local apparatus of a local kenesh and stamped by the seal of a relevant local kenesh.
11. Decision of a political party, group of voters' on nomination of a list of candidates in the single mandate constituency or a multi-mandate constituency shall be accompanied by filled in by each included into the candidates' list candidate information forms in accordance with the requirements of this Law.

#### **Article 50. Election pledge**

1. Election pledge is established where elections are conducted under the proportional system.
2. Election pledge is returned to a political party and a group of voters after conducting of elections, if at least 15 percent of voters who participated in the vote voted for the list of a party or a group of voters. The remaining amount of the pledge is subject for transferring to a local budget.
3. Election pledge is established in the following amount:
  - to Bishkek, Osh city keneshes, district keneshes – fifty multiple of the established by the legislation calculated index;
  - to other city keneshes – twenty multiple of the established by the legislation calculated index;
  - to Aiyl (Village) keneshes specified in item 1 of Article 47 of this Law - ten multiple of the established by the legislation calculated index.

#### **Article 51. Filling of a vacant mandate of a deputy of a local kenesh**

1. In case of an early local kenesh deputy's discontinuation a upon a decision of a relevant territorial election commission his/her mandate is transferred to:
  - the next candidate who received the largest number of votes of those who participated in voting in a relevant multi-mandate constituency;
  - the following the dropped candidate individual in the list of the political party, group of, voters in elections under the proportional system.

2. Early discontinuation of a deputy for the purpose of the article implies the following:
  - a) Taking a decision by a local kenesh on termination of deputy's powers in cases and on the grounds established by the legislation on local government;
  - b) Acknowledgement of elections as invalid;
  - c) withdrawal or exclusion of a deputy from a political party, from which, in accordance with this Law, he/she was elected on the basis of submission of a statement by a relevant political party;
  - d) termination of activity of a political party, from which, in accordance with this Law the deputy was elected;
  - e) Recall of a deputy in accordance with the legislation on the status of deputies of a local kenesh.
3. In case in the list of a political party, group of voters there are no candidates left, the mandate remains vacant until the next elections to a relevant local kenesh.
4. In case there are no candidates left, the mandate remains vacant until the next elections.

## **§ 2. Elections according to the proportional system**

### **Article 52. Registration of a list of candidates to a deputy.**

1. In order to register the list of candidates authorized representatives of political parties, voters' groups shall submit, not later than 6 p.m. local time 40 calendar days prior to the elections day, shall submit the following to a corresponding territorial election commission:
  - Decision of a political party, group of voters on nomination of a list of candidates specifying the party name or group of voters name;
  - Filled in by each candidate included into the list of candidates statement with a consent to his/her inclusion into the list of candidates and provide a form with special information (biographical and other data), passport copies, a certificate from the place of employment or study;
  - Document certifying payment of an electoral pledge.
2. Relevant election commission shall issue a written confirmation of receipt of the documents specified in item 1 of this Article to an authorized representative.
3. Political parties, groups of voters which nominated lists of candidates, prior to registration and after checking of the submitted documents shall, provide to a respective territorial electoral commission an electoral pledge in the amount specified in article 49 of this Law taken out their election.
4. Corresponding territorial election commission within 10 calendar days from the date of documents acceptance shall check the list of candidates' nomination procedure compliance with the requirements of this Law and shall register the list of candidates or communicate a justified decision on registration refusal. In case an election a commission finds incompliance of a candidate's documents or candidates' list which is an obstacle for registration of the candidate or candidates list, within 24 hours after documents acceptance an election commission shall notify a political party, voters' group on these incompliances. Political party or voters' group may, within 48 hours after receipt of the notification, make

necessary changes and submit the revised documents to a relevant election commission.

5. It is not allowed to register the same person in more than one list of candidates.
6. Registration of a list of candidates ends 30 calendar days prior to elections.
7. If within the specified in this article periods, a constituency will not have a registered list of candidates, the elections are postponed for 25 calendar days for additional nomination of lists of candidates and carrying out subsequent election activities upon a decision of a relevant territorial election commission.
8. In case of taking a decision on candidate's or list of candidates' registration refusal re a corresponding territorial election commission shall, within 1 day from the moment of taking a decision issue a copy of the election commission decision to an authorized representative of a political party, voters' group, with specification of grounds for refusal.
9. Grounds for refusal may include:
  - 1) failure to provide documents required under this Law for registration of a list of candidates, as well as incompliance with the nomination procedures stipulated by the present Law;
  - 2) candidate's or candidates' in the list of a passive suffrage;
  - 3) the fact of registration of a candidate in the list of another political party, group of voters in the elections;
  - 4) political party or voters' group failure to establish its election fund a;
  - 5) Candidate's citizenship of another country.

If an authorized representative of a candidate, political party, group of voters failed to submit all the necessary for registration specified in this article documents, but presented them in addition, prior to expiration of the registration timeframe, a corresponding territorial election commission is obliged to register a candidate, a list of candidates.
9. The grounds for registration refusal under this article in respect to individual candidates included into the list of candidates may serve as a basis only for their exclusion from the certified list of candidates.
10. Decision on refusal to register a list of the candidates' can be appealed in the Central Election Commission or the court.
11. The Central Election Commission no later than on the fifth day after registration of a list of candidates shall publish in the press an announcement on registration of a list of candidates specifying the names of political parties, as well as full names, year of birth, position (occupation), and place of residence of the candidates included into the list of candidates from political parties.
12. Relevant territorial election commission within 2 calendar days after the registration shall issue candidates appropriate certificates of a candidate specifying a registration date.

**Article 53. Refusal to participate in elections, recall of a list of candidates' and exclusion from the list of candidates**

1. Candidate, included into a candidates' list is entitled, any time but not later than within three days prior to a voting day, to refuse participating in elections having submitted a written statement on that to a relevant territorial election commission. In this case, an election commission which registered a list of candidates shall take a decision on exclusion of a candidate from the relevant list of candidates.
2. Political party, group of voters' any time, but not later than within three calendar days prior to voting day, is entitled to withdraw its list of candidates and refuse to participate in elections or to exclude a candidate (s) from the list having submitted a written statement to a corresponding territorial election commission. In this case, an election commission which registered a list of candidates shall take a decision accordingly:
  - 1) to cancel the registration of a list of candidates;
  - 2) to exclude a candidate (s) from a corresponding list of candidates.
3. In the cases stipulated by part 1, item 2 of part 2 of this Article, the sequence of candidates in the list of candidates is changed. And instead of candidate excluded from the list of candidates' another candidate is included of the same gender as the excluded candidate.
4. In case of withdrawal of a list of candidates (a political party or group of voters' refusal to participate in elections), after ballots are printed precinct or relevant territorial election commissions strike a relevant political party or a group of voters data off the ballot . Striking off shall made with a straight line along the lines of all recorded related to political party, group of voters' data, and made only by a ballpoint pen. In this case, the line should be applied to cover an empty box opposite the data political party, group of voters' data.
5. In case of replacement in the list of a political party or a group of voters of any candidate or candidates, after printing of ballots precinct or relevant territorial election commissions making corresponding changes in the candidates' list of a political party or group of voters and publishes an announcement in the press about the changes.

**Article 54. Election fund of a political party, group of voters which nominated the list of candidates**

1. Political parties, groups of voters having nominated a list of candidates, form their election funds for financing of pre-election campaigns according to the procedure established by this Law.
2. Election funds may be established out of the following funds and also materials of campaigning and informational character, which are counted by a relevant territorial election commission:
  - a) own funds of a candidate included into the list of candidates, which cannot exceed the calculated index for more than 100 times;
  - b) own funds of a political party, a group of voters which cannot exceed the calculated index for more than 200 times;
  - c) donations of individuals, the amount of which cannot exceed the calculated index for more than 200 times;
  - e) contributions of legal entities, the amount of which cannot exceed the calculated index for more than 400 times.

The maximum amount of expenditures of a political party, group of voters which nominated a list of candidates' out of its election fund shall not exceed the calculated index for more than 5000 times.

#### **Article 55. Counting of votes and summing up of voting results**

1. A precinct election commission shall count the votes, sum up the results and make a protocol on the results of voting at a relevant precinct.
2. Protocols of precinct election commissions shall without delay be submitted to a relevant territorial election commission.

#### **Article 56. Determination and official publication the results of elections**

1. On the basis of protocols of precinct election commissions a corresponding territorial election commission establishes the number of votes cast for each list of candidates in a corresponding constituency via summing up the data they contain. . This number of votes is divided by a number of seats in a local kenesh. The obtained result is the first electoral quotient (a quota for obtaining one mandate).
2. The number of votes obtained by each list of candidates participating in distribution of seats, is divided by the first electoral quotient. The integer part of the obtained as a result of dividing of the number is the number of deputies' mandates, which a corresponding list of candidates receives.

If, after the activities carried out in accordance with the first item of this part, mandates remain undistributed, secondary distribution is applied. Undistributed mandates are transferred by one to the candidates lists, which have the biggest fractional part (remainder) of the number obtained by dividing, in accordance with the second item of this part. If fractional parts are equal preference shall be given to the list of candidates which received more votes. In case of equality of voters' number, the preference is given to a list of candidates which was registered earlier.

3. Distribution of deputies' mandates among the candidates from a list of candidates of political parties, groups of voters is made in accordance with the sequence of candidates' placement in the list, established during the list registration in a corresponding territorial election commission.
4. Corresponding territorial election commission shall make a protocol on distribution of deputies' mandates in a relevant constituency among political parties, groups of voters, pursuant to the established by the legislation protocol lines. Additionally, the Protocol shall include:
  - Names of political parties, groups of voters who participated in distribution of deputies' mandates;
  - Surname, family name and patronymic name of the elected deputies and a list of candidates in which a relevant person was included.
5. Official publication of the election results of deputies to local keneshes in mass media shall be made by a corresponding territorial election commission within ten days period from the date of establishment the election results.

6. If a court opened a criminal case against a candidate included into the list of elected candidates, and prior to determination of elections results had not made an appropriate judicial decision on the case, a corresponding territorial election commission shall suspend registration of the candidate elected as a deputy until legal sentencing of the criminal case.

#### **Article 57. Acknowledgement of elections as invalid**

Elections can be acknowledged as invalid if by the voting day no lists of candidates of political parties or voters' group had been registered, or political parties or groups of voters refused to participate in elections pursuant to Article 53 of this Law.

#### **Article 58. Repeat elections**

1. If elections of deputies to local keneshes were acknowledged as invalid pursuant to this Law, the President of the Kyrgyz Republic appoints repeat elections upon a proposal made by the Central Election Commission.
2. Repeat elections are conducted within the timeframes established by this Law. At the same time electoral activities timeframes are reduced by one third. The announcement on the repeat election shall be published in mass media no later than within 2 calendar days from the date of a relevant decision taken by the President of the Kyrgyz Republic.

#### **Article 59. Registration of deputies of a local kenesh, filling a vacant deputy's mandate**

1. Corresponding territorial election commission after signing of a protocol on the results of elections shall notify the elected candidate. The candidate who was elected as a deputy shall, within three days, submit a copy of the statement on his/her resignation from a position, which is incompatible with the status of a deputy of the local Kenesh, to an appropriate territorial election commission.

If an elected as a result of distribution of mandates from the candidates' list deputy, fails within a three days period to fulfil the requirement on resignation from a position incompatible with the status of a deputy of a local kenesh, his/her deputy's mandate is transferred to a candidate from the same list in accordance with his/her sequence in the list, with an exception for candidates nominated to represent gender, the whose deputy's mandate is transferred to the next candidate nominated based on quota.

2. Corresponding territorial election commission, after establishment of the results of elections and receipt of elected as deputies candidates' statements on resignation of a position incompatible with the status of a deputy of a local kenesh, , shall, within three days, register the elected deputies, and issue them a certificate and a badge of the standard pattern.
3. In case of an early dropping of a deputy elected as a result of distribution of deputies' mandates in the lists of candidates, his/her mandate shall be transferred in accordance with item 3 of Article 53 of the present Law upon a decision of a relevant territorial election commission.

In this article early dropping of a deputy implies:

- a) decision of a relevant local kenesh to terminate deputy's powers in cases and on the grounds established by the legislation on local government;
- b) acknowledgment of elections as invalid;

- c) withdrawal or expulsion of a deputy from a political party, from which, in accordance with this Law, he/she was elected on the basis of a nomination made by a relevant political party;
  - d) termination of activity of a political party, from which, in accordance with this Law a deputy was elected;
  - e) recall of a deputy in accordance with the legislation on the status of deputies of a local kenesh.
4. If there are no candidates left in the list of a political party, group of voters, a mandate remains vacant until the next elections to a relevant local kenesh.

### **§ 3. Elections in multi-mandate constituencies**

#### **Article 60. Electoral constituencies**

1. In order to conduct elections of deputies to local keneshes of administrative units referred to in item 2 of Article 47 of this Law, multi-mandate constituencies shall be established. The number of multi-mandate constituencies and the number of mandates in each of them is determined by a relevant election commissions in accordance with the requirements established by the legislation.
2. Multi-mandate constituencies are formed with an approximate equality of a number of voters per a mandate.

#### **Article 61. Nomination of candidates to deputies of local keneshes**

1. Nomination of candidates to deputies of local keneshes begins from the day of appointment of election and ends 30 calendar days prior to the elections day.
2. The right to nominate candidates to deputies of local keneshes belongs to political parties, groups of voters and citizens through self-nomination.
3. Political party, and group of voters are entitled to nominate candidates for each multi-mandate constituency, the number of which shall not exceed the number of mandates established in this constituency. Decision to nominate candidates to deputies of local keneshes is taken by secret vote.

When submitting documents to election commissions political parties, groups of voters shall be guided by requirements specified in Article 52 of this Law.

Nomination of candidates to local keneshes is made at a congress (conference) of a political party, meeting (conference) of its regional offices, meeting of a group of voters. Member of a relevant territorial election commission is entitled to be present at a congress (conference) of a political party, meeting (conference) of its regional offices, group of voters' meeting,.

Nomination of candidates to deputies of a local kenesh through a self-nomination procedure is made via filing of a statement an intent to run as a candidate to a relevant territorial election commission.

4. Protocols on candidates' nomination in multi-mandate constituencies shall be submitted to the relevant territorial election commissions.

5. Nobody can be nominated as a candidate in more than one constituency during the same elections.
6. If the number of nominated candidates was less than the established in a relevant constituency number of mandates or all nominated candidates withdrew or dropped prior to their registration a corresponding territorial election commission extends the timeframe for nomination of candidates but not more than by 20 calendar days.
7. In case of candidates' withdrawal after the expiration of the registration timeframe, the Central Election Commission, upon an application filed by a relevant election commission, by its decision prolongs the elections timeframe, but not more than by 40 calendar days.

#### **Article 62. Inclusion of candidates into the ballot**

Candidates to deputies of a local kenesh are free to determine independently in which of the stipulated by item 4 of Article 30 of this Law ballots, they are to be included. In this case, a candidate of the same gender is included only in one of the specified ballots: of a relevant gender or a mixed group.

#### **Article 63. Registration of candidates to local keneshes**

1. In order to be registered, candidates' authorized representatives shall, not later than 25 calendar days prior to elections, submit the documents referred to in item 1 of Article 52 of this Law (except for the electoral pledge), to a relevant election commission, accompanied by a statement for inclusion in one of three ballots under item 4 of Article 30 of this Law.
2. Corresponding territorial election commission within 5 calendar days from the date of documents acceptance, verifies the candidates' nomination procedure compliance with the requirements established by this Law and takes a decision on candidates' registration or issues a justified decision on registration refusal.
3. Registration of candidates to deputies of local keneshes ends 20 calendar days prior to the elections day.
4. Data on the registered candidates to deputies with details of the ballots, which include the candidates, shall be published by a corresponding territorial election commission in the mass media within 3 calendar days.

#### **Article 64. Counting of votes and summing up the results of a voting at a precinct**

1. A precinct election commission shall count the votes, sums up the results and make a protocol on the voting results at a relevant precinct.
2. Protocols of precinct election commissions shall without any delay be submitted to a corresponding territorial election commission.

#### **Article 65. Counting of votes and establishment of results of elections of deputies to local keneshes**

1. On the basis of protocols of precinct election commissions a corresponding territorial election commission carries out counting of votes cast in a corresponding electoral constituency for each candidate by summing up the data they contain.

2. The candidates are considered as elected (in accordance with the number of mandates), when they received the biggest number of votes of those who took part in the vote in a corresponding electoral constituency. In case of an equal number of votes received by candidates the elected is considered the candidate who registered earlier. If the candidates were registered on the same day, the issue is resolved by casting of lots.
3. Publication of the results of election of deputies of local keneshes in the mass media shall be made by relevant territorial election commissions, within 10 days period from the date of establishment of elections results.
4. After announcement of the results of elections on a relevant territory and receipt of statements from candidates on resignation from positions incompatible with the status of a deputy of a local kenesh corresponding territorial election commissions , within three days period shall register elected deputies. The relevant territorial election commissions issue to the elected deputies certificates on election of a deputy of a corresponding local kenesh of the established by the Central Election Commission pattern.
5. If the court decided to open a criminal case against a candidate with the biggest number of votes and prior to establishment of the results of elections had not take an appropriate judicial decision on the case, an election commission suspends registration of the elected candidate as a deputy until the adjudication of a criminal case.

### **CHAPTER 3. ELECTION OF HEADS OF EXECUTIVE BODIES OF LOCAL GOVERNMENT**

#### **Article 66. Election of heads of executive bodies of local government**

1. Elections of heads of executive bodies of local government are conducted only in cases where:
  - 1) The Charter of a respective aiyl (village) or city adopted, in full compliance with the legislation established, that the head of an executive body of local government is elected by the local community;
  - 2) The Charter was adopted and registered in the judiciary;
  - 3) The Charter of a city or aiyl (village) stipulates that elections of the head of an executive body of local government, pursuant to the prescribed by the law procedure is directed to the Prime Minister of the Kyrgyz Republic and the Central Election Commission.

#### **Article 67. Requirements set up for a candidate to the head of executive bodies of local government**

Any citizen of the Kyrgyz Republic who meets the relevant requirements established by items 5-7 of Article 3 of this Law can be elected as the head of executive bodies of local government.

#### **Article 68. Appointment of elections of heads of executive bodies of local government**

1. Elections of the head of an executive body of local government are appointed by the Central Election Commission not later than 60 calendar days prior to the day of elections.

2. In the event of an early termination of authorities of the head of an executive body of local government, by the Central Election Commission appoints a new date for elections, but no later than 15 days from the date of a vacancy. The election established by this Law activities timeframes, in this case, are reduced by one third.

**Article 69. Nomination of candidates for a position of the head of an executive body of local government**

1. Nomination of candidates is made based on a place of work, service, study or residence via a meeting of voters who have the right to elect to appropriate bodies of local government. Meeting of voters is valid if it is attended by at least 25. Procedural issues for conducting of voters' meeting are determined by the meeting itself. Candidate considered as nominated, if more than half of the participants voted for him/her.
2. Nomination of candidates from a political party is made at a congress (conference) of a political party or at a meeting (conference) of its regional (ayil, city, district) branch. At the congress (conference) of a political party, meeting (conference) of its regional offices, a member of a district or city election commission and a representative of the judiciary are entitled to be present.
3. Any citizen is entitled to nominate him/herself for a position of the head of an executive body of local government via submitting of a statement on an intent to run to an appropriate city or district election commission.
4. Any citizen of the Kyrgyz Republic, who replaced the head in the position of the head of an executive body of local government and who terminated the execution of the authorities of the head of local government in the event of resignation or due to expression to him/her of a distrust pursuant to the establishes by the law procedure shall not be nominated as a candidate for elections appointed in connection with the specified circumstances.
5. Nomination of candidates for a position of the head of an executive body of local government begins from the moment of appointment of the elections and ends 30 calendar days prior to the elections day.

**Article 70. Registration of candidates for a position of the head of an executive body of local government**

1. In order to be registered as a candidate to a position of the head of an executive body of local government a candidate or his/her authorized representative shall, no later than 30 calendar days prior to election, submit the following documents to a corresponding territorial election commission:
  - 1) a protocol with a decision of a congress (conference) of a political party or a meeting (conference) of its regional (ayil o, city, district) offices, meeting voters to nominate a candidate;
  - 2) a statement with a consent to be run as a candidate. The statement made by a candidate shall contain an obligation to terminate his/her activity that is incompatible with the status of an elected position, listed in item 3 of Article 15 of this Law individuals shall submit a decision of the superior body on their resignation from their positions;
  - 3) curriculum vitae of candidates with their names, family and patronymic names, date of birth, place of employment, position (occupation) and residence;
  - 4) a document confirming payment of the election pledge.

In case of self-nomination for registration a candidate shall submit a statement on an intent to run as a candidate, as well as documents specified in items 3 and 4 of Part 1 of this Article.

2. Candidate to the position of the head of an executive body of local government prior to registration and after verification of submitted documents shall contribute funds from his/her personal funds or funds from his/her election fund contributes to the special fund of a relevant territorial election committee an election pledge the amount of fifty multiple of the calculated index. The contributed electoral deposit is returned after the elections completion to a candidate if he/she is voted for by at least 15 percent of voters included into the lists of voters, established by the protocol of a corresponding territorial election commission. The remaining amount of the election pledge is transferred to the Republican budget.
3. Corresponding territorial election commission within 5 calendar days from the date of acceptance of documents, shall verifies the compliance of a procedure of nomination of a candidate to run for the position of the head of an executive body of local government with the provisions of this Law and shall take a decision on registration of a candidate or a justified decision to refuse registration.
4. Registration of candidates for a position of the head of an executive body of local government ends within 25 calendar days prior to election.
5. The information about included into the ballot candidates running for a position of the head of an executive body of local government are published by a corresponding territorial election commissions in mass media within 3 calendar days after approval of the text of the ballot.

**Article 71. Election fund of a candidate running for a position of the head of an executive body of local government**

1. Any candidate running for a position of the head of an executive body of local government has the rights to establish his/her own election fund for financing pre-election campaign pursuant to the established by the Law procedure.
2. Election funds may be established out of the following funds:
  - a) candidate's own funds, which cannot exceed the amount of the calculated index in more than 100 times;
  - b) funds allocated to a candidate by a political party, electoral bloc, which cannot exceed the amount of the calculated index in more than 200 times;
  - c) donations of an individual to the candidate's election fund, which cannot exceed the amount of the calculated index in more than 20 times;
  - d) donations of a legal entity to the candidate's election fund, which cannot exceed the amount of the calculated index in more than 150 times.

The maximum amount of expenditures of a candidate out of the electoral fund cannot exceed the amount of the calculated index in more than 1000 times.

**Article 72. Summing up and establishment of elections results of heads of an executive of local government**

1. The first copies of protocols on the results of vote at precinct election commissions after their signing by election commission members shall be immediately communicated to a corresponding territorial election commission. After a preliminary checking of correctness of compiling of protocols on the results of voting a corresponding territorial election commission by adding the data determines the results of voting and elections in the territory of a relevant city or aiyl.

Upon a request of an interested person a precinct election commission after signing of a protocol on the results of voting shall give or provide an opportunity to such person to make a copy of the protocol of the results of voting and also duly attest it.

2. The candidate running for a position of the head of an executive body of local government is considered as elected, if he or she was able to acquire more than a half of the votes of all voters who participated in the elections.
3. Official publication of the results of elections of heads of executive bodies of local government in mass media shall be made by relevant territorial election commissions, within ten days period from the date of elections.
4. After official publication of elections results a corresponding territorial election commission within 3 calendar days shall register the elected heads of executive bodies of local government and issue them certificates on their election of the established by the Central Election Commission pattern.

**Article 73. Re-vote**

1. If the ballot included more than two candidates for a position of the head of an executive body of local government, and none of them was elected, the Central Election Commission shall appoint the second vote for election of the head of an executive body of local government for the two candidates who obtained the biggest number of votes.
2. Re-voting is conducted not earlier than a two weeks period from the date of summing up the results of election in compliance with the requirements of this Law. Announcement on conducting of a re-vote is published by the Central Election Commission in mass media not later than three calendar days from the date of summing up of elections results.
3. If prior to conducting of a re- vote one of the candidates running for a position of the head of an executive body of local government dropped, upon a decision of the Central Election Commission the second candidate for a re-vote is acknowledged the candidate who received the biggest number of votes in general elections after the candidates, who was originally appointed for the re-vote. If there are no other candidates left, elections are conducted for one candidate.
4. In case of re- vote, the candidate is considered as elected, when he/she receives more than a half of votes of all voters who participated in the vote.

#### **Article 74. Repeat elections**

1. In the case of acknowledgement of elections as not taken place, invalid, and if in the ballot included one candidate for a position of the head of an executive body of local government and he or she was not elected, or if in case of the repeat voting, no candidate was elected, the Central Election Commission within two weeks period shall appoint repeat elections of the head of an executive body of local government.
2. Repeat elections are conducted pursuant to the procedure and within the timeframes established by this Law and other normative and legal acts.
3. Announcement on re-election shall be published in mass media, not later than within three calendar days after a relevant decision was taken.

#### **Article 75. Changing the way elections are conducted**

In cases of acknowledgement of re-elections as not taken place, invalid the Central Election Commission, upon a proposal of the Prime Minister, has the right not to appoint elections of the heads of an executive body of local government. In this case elections of the head of an executive body of local government is conducted by a relevant local kenesh in accordance with the rules established by the Law of the Kyrgyz Republic on Local Government.

### **Chapter V. Final Provisions**

#### **Article 76. Entry into force**

1. This Law shall come into force after its official publication.
2. The Government within a three months period shall:
  - Make proposals to the Jogorku Kenesh to bring its legislation into compliance with this Law;
  - Bring its decisions into compliance with this law.

#### **President of the Kyrgyz Republic**