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THE LAW OF THE KYRGYZ REPUBLIC
ON ELECTION COMMISSIONS TO CONDUCT ELECTIONS
AND REFERENDA
IN THE KYRGYZ REPUBLIC

THE LAW OF THE KYRGYZ REPUBLIC
«On Election Commissions to Conduct Elections and Referenda in the Kyrgyz Republic»

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Chapter I. General Provisions

Article 1. Key Definitions used in the Present Law

The following terms and definitions are used in the present Law:

Near of kin – spouse, parents, children, adoptive parents, adopted children, full and half blood siblings, grandfather, grandmother, grandchildren;

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 conduction of elections, referenda in the Kyrgyz Republic to ensure that electoral rights of the Kyrgyz Republic citizens are implemented and protected;

Electoral Legislation – The Constitution of the Kyrgyz Republic, the Constitutional Law of the Kyrgyz Republic «On Election of the Kyrgyz Republic President and Jogorku Kenesh», the Constitutional Law of the Kyrgyz Republic «On Referenda in the Kyrgyz Republic», the Law of the Kyrgyz Republic «On Election to Local Self-Governments in the Kyrgyz Republic», the present Law and Central Commission's Decrees on conducting elections and referenda in the Kyrgyz Republic.

Election Information Support – informing constituents, referendum participants and pre-election campaign ensuring conscious expression of the citizens' will, publicity of elections and referenda;

Initiative Group – the group of referendum participants campaigning for signatures collection in favor or against referendum;

Candidate – individual nominated according to the procedure specified by the law as an applicant to fill through the election the vacant position in the state authority or in the local self-government;

International Observer – individual representing foreign or international organization which acquires the right to observe the preparation and conduct of elections, referenda in the Kyrgyz Republic pursuant to the procedure established by the law;

Observer – individual, assigned by non-profit organization, to observe the process of voting, counting the votes, drawing the voting results and summarizing the results of elections, referenda pursuant to the procedure established by the law;

Representative of candidate, political party – representative with consultative capacity in election commissions, authorized representative, agent representing registered candidate, political party that had nominated the list of candidates;

The Territorial or Precinct Election Commission Reserve (hereinafter – Reserve) – potential candidates to be nominated as members of respective election commission;

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IT System Administrator – a professional of respective election commission which maintains the integrated record keeping system of constituents and referendum participants as well as the maintenance of the complex automated information system GAS "Shailoo" in the respective election commission;

Special Representative – a civil servant of the administration Office of Central Election Commission;

Territorial Election Commissions on Conducting Elections and Referenda– Bishkek, Osh city election commissions, rayon election commissions on elections and referenda conducting;

Technical Equipment – booths, ballot boxes and official stamps of election commissions.

Article 2. The Election Commission System

The following constitute the integrated election commissions system in the Kyrgyz Republic:

- 1) The Central Election Commission on elections and referenda conduct in the Kyrgyz Republic (hereinafter – Central Election Commission);
- 2) The Territorial Election Commissions on conducting elections and referenda (hereinafter – Territorial Election Commissions);
- 3) The Precinct Election Commissions on conducting elections and referenda (hereinafter – Precinct Election Commissions).

Article 3. Election Commissions Activity Legal Framework

The activities of the Election Commission are governed by the Constitution of the Kyrgyz Republic, Constitutional Law of the Kyrgyz Republic «On Election of the President of the Kyrgyz Republic and Deputies of the Jogorku Kenesh of the Kyrgyz Republic», Constitutional Law of the Kyrgyz Republic «On Referenda in the Kyrgyz Republic», the Law of the Kyrgyz Republic «On elections to local self-governance authorities of the Kyrgyz Republic», the present Law and other legal regulatory statutes of the Kyrgyz Republic.

Article 4. Election Commissions Principles and Fundamental Guarantees

1. Election commissions carry out their activity pursuant to the following principles:
 - 1) legality;
 - 2) transparency;
 - 3) openness;
 - 4) independence;
 - 5) collegiality;
 - 6) equity.
2. State authorities, local self-governance authorities, non-commercial organizations, political parties, other legal entities or individuals are prohibited to interfere with the activity of election commissions.

3. The state authorities, institutions and enterprises, local self-governments as well as their officials are bound to provide support to election commissions to exercise their authorities – to provide essential equipment, vehicles, premises equipped with telephones including facilities for storing technological equipment, election documents prior to their transfer to the higher ranking election commission or to the archive office as well as to ensure their safety and security; to provide essential information and materials, to immediately respond to election commissions appeals related to elections and referenda preparation and conduct and if needed to additionally explore certain issue or conduct inspection within 3 days, and immediately on the polling day or on the day following the polling day.
4. Political parties, non-profit making organizations, mass media and other legal entities are bound to provide to election commissions necessary information and materials related to the preparation and conduct of elections and referenda within 2 working days in the course of preparation of elections, referenda and respond immediately on the polling day or on the day following the polling day.
5. In case of non fulfillment or inappropriate fulfillment as well as infringement of the established deadlines the officials of the authorities and organizations specified in Para 3, 4 of the present Article bear responsibility in accordance with the law.

Chapter II. Central Election Commission

Article 5. Central Election Commission Status

1. Central Election Commission is the standing state authority which ensures preparation and conduct of elections and referenda in the Kyrgyz Republic and manages the election commissions system.
2. Central Election Commission is a legal entity, has its own budget, special fund, official letterhead and a stamp with the image of the state emblem.
3. Central Election Commission is based in a separate administrative building located in Bishkek, the capital of the Kyrgyz Republic.

Article 6. Central Election Commission Formation Procedure and Tenure

1. Central Election Commission is formed for a period of five years and consists of twenty members.
2. The President of the Kyrgyz Republic (hereinafter President), parliamentary majority and parliamentary opposition propose for the consideration of Jogorku Kenesh of the Kyrgyz Republic (hereinafter – Jogorku Kenesh) one third of nominees for membership in Central Election Commission and makes sure that nominating entity proposes nominees of one gender in the proportion of no more than fifty percent.
3. Jogorku Kenesh elects members of the Central Election Commission: one third of members – nominated by the President, one third – by the parliamentary majority and one third - by the parliamentary opposition.
4. The Central Election Commission tenure is terminated as from the day of the first legally qualified meeting of new members of the Central Election Commission.

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5. If the tenure of the Central Election Commission expires during the Presidential or Jogorku Kenesh election campaign, or referendum campaign the term of power is extended until the end of the election or referendum campaign in question.
6. The Central Election Commission activity shall not be suspended due to Jogorku Kenesh disbandment, changes in Jogorku Kenesh coalitions' and factions' members or due to termination or preterm termination of Presidential power.

Article 7. Central Election Commission Objectives

The Central Election Commission Objectives are:

- 1) to ensure observance of electoral rights and right of the Kyrgyz Republic citizens to participate in referenda on the territory of the Kyrgyz Republic;
- 2) to ensure unified implementation of the electoral legislation;
- 3) to ensure observance of equal legal conditions for candidates, political parties;
- 4) to organize the integrated record keeping system of constituents and referendum participants;
- 5) to arrange preparation and conduct of Presidential elections, Jogorku Kenesh deputies, local councils deputies, the heads of executive authorities of local self-governments and referenda;
- 6) to promote the election system, increase awareness and train constituents, referendum participants and other election process actors.

Article 8. Central Election Commission Authorities

1. The Central Election Commission:
 - 1) Oversees the implementation of the electoral legislation;
 - 2) Within the scope of its authorities issues decrees, instructions, regulations and other statutes and oversees their implementation;
 - 3) Establishes and organizes the integrated system for record keeping of constituents and referendum participants;
 - 4) Selects and approves members of territorial election commissions and publishes their membership lists in mass media;
 - 5) Selects and maintains the reserves;
 - 6) Coordinates the activity of lower ranking election commissions including their formation, maintenance, update and verification of the list of constituents, referendum participants;

- 7) Provides to lower ranking election commission legal, organization and methodological and technical assistance;
- 8) Arranges preparation and conduct of elections, referenda, repeated election, repeated polling, repeat voting pursuant to the procedures established by the electoral legislation;
- 9) Elaborates and approves the preliminary estimate of expenditures for preparation and conduct of elections and referenda;
- 10) Undertakes measures to organize financing of preparation and conducting of elections and referenda, allocates the funds disbursed from the budget to financially support the preparation and conduct of elections, referenda, oversees the earmarked use of such funds;
- 11) Establishes a special fund and identifies the procedure of its use;
- 12) Establishes forms of financial reporting for lower ranking election commissions, candidates and political parties;
- 13) Establishes forms, degree of protection, procedure of drafting and approves the text of election documents;
- 14) Ensures drafting of election documents and their delivery to lower ranking election commissions;
- 15) Identifies the deadlines, procedure of storing and transfer of election documents to the archive;
- 16) Develops and approves standard requirements for technical equipment and oversees their compliance;
- 17) Registers candidates for the post of President, lists of nominees for Jogorku Kenesh deputies, their representatives and initiative groups, issues IDs of standard pattern;
- 18) Carries out accreditation of international observers, foreign and local mass media;
- 19) Coordinates the activity of state authorities and local self-governance authorities on issues related to preparation and conduct of elections and referenda;
- 20) Informs the constituents, referendum participants on the course of election campaign, referendum campaign, electoral legislation and performance of election commission;
- 21) Summarizes the results of referenda, elections of the President, Jogorku Kenesh deputies, referenda, local councils deputies, the heads of executive authorities of local self-governments of respective territories in cases and order identified by the Law of the Kyrgyz Republic «On elections to local self-governance authorities of the Kyrgyz Republic» and ensures their official publication in mass media;
- 22) Registers the elected nominees for the President, elected deputy candidates for Jogorku Kenesh and presents the award pin and the ID of a standard pattern;
- 23) Considers grievances about decisions, actions (inactions) of election commissions,

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conduct inspections and issues resolutions on them within the deadline established by the electoral legislation;

- 24) Explores the practice of preparation and conduct of elections, referenda and submits proposals to Jogorku Kenesh on improvement of electoral legislation;
 - 25) Develops training and information programs and conducts on a regular basis training of election commission members, of the reserve and conducts training for other election process actors.
2. The Central Election Commission is eligible:
- 1) To request from respective state authorities, local self-governance authorities, state and municipal institutions and enterprises registration and record keeping of the citizens of the Kyrgyz Republic;
 - 2) To impose administrative penalties in cases and order established by the law;
 - 3) To apply to law enforcement authorities with the proposal to conduct appropriate inspection and prevent violations of the present Law and electoral legislation;
 - 4) To cancel registration of candidate, list of candidates, initiative group, in cases and order established by the electoral legislation;
 - 5) To cancel decision of election commissions in case of violation of the electoral legislation;
 - 6) To recall accreditation of international observers and mass media;
 - 7) To employ additional staff members (professionals) based on employment contracts to perform activities related to preparation and conduct of elections, referenda whereas the amount of their pay is identified by the estimated expenditures of Central Election Commission;
 - 8) To manage international cooperation.
3. The Central Election Commission exercised other authorities as specified in the electoral legislation.

Article 9. The Procedure of Electing Central Election Commission Chairman and Two Deputy Chairmen

1. Central Election Commission members at their first meeting elect the chairman and two deputy chairmen out of members of Central Election Commission through open ballot.
2. Each nominating entity of Central Election Commission can nominate one candidate to fill the position of the Chairman.
3. The candidate scoring the highest number of votes of Central Election Commission members who took part in the ballot is considered the elected Chairman of Central Election Commission.
4. Deputy Chairmen are nominated out of other two candidates of nominating entities.

5. The Central Election Commission Chairman and its two Deputies are civil servants and carry out their functions on a permanent basis.
6. In case of preterm termination of the Central Election Commission Chairman and Deputy Chairmen the vacancy is filled according to the election procedure.

Article 10. Central Election Commission Administration Office

1. The Central Election Commission administration office is providing organizational and methodological, information-analytical and logistical and technical support to the Central Election Commission activity.
2. The Head of Central Election Commission is responsible for the management of the Central Election Commission Office.
3. The Central Election Commission has its own standing special representative and IT system administrator in each territorial election commission which provide coordination, organization-methodological and logistical and technical support to the operation of territorial election commission as well as providing support to record keeping, update and verification of the list of constituents, referendum participants.
4. Special representative and IT system administrator are staff members of the Central Election Commission Office appointed by the Central Election Commission Chairman in their respective territorial election commission. The Regulation on the performance of the special representative and IT system administrator of territorial election commission is approved through Central Election Commission Decree.
5. The Central Election Commission office staff members are civil servants.
6. The organizational structure and number of staff members of Central Election Commission office is approved by the Central Election Commission Chairman.

Article 11. Central Election Commission Training Center

1. The training center is the Central Election Commission structural subdivision which provides training in terms of electoral legislation to the office staff members and election commissions' members.
2. The training center operation is financed from funds disbursed from the Central Election Commission budget as well as from special fund and other financing sources not contradicting the legislation.
3. The training center can also provide training of other election process actors based on agreements (political parties' members and their representatives, candidates, mass media, observers, etc.).
4. The Regulation on the Training Center activity is approved through the Central Election Commission Decree.

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Article 12. Integrated System for Record Keeping of Constituents and Referendum Participants

1. The integrated system for record keeping of constituents and referendum participants (hereinafter – integrated system for constituents record keeping) is established by the Central Election Commission based on data registration and record keeping of citizens of the Kyrgyz Republic presented by local self-governments, state registration service, National Statistics Committee, civil status registry offices and other authorities and institutions which keep different forms of registration and keeping records of citizens of the Kyrgyz Republic.
2. The Central Election Commission keeps and systematically updates data on constituents, referendum participants and maintains the integrated record keeping system of constituents.
3. The Regulation on the procedure of establishing, maintaining and updating the integrated record keeping system of constituents and referendum participants is approved by the Central Election Commission's Decree.

Chapter III. Central Election Commission Members

Article 13. Central Election Commission Member's Performance Status and Fundamental Guarantees

1. The Central Election Commission member can be a citizen of the Kyrgyz Republic, who reached the age of 25 years old and possess electoral right except for individuals listed in para 3 and 4 of the present Article.
2. The Jogorku Kenesh Toraga (Speaker) issues to the Central Election Commission members ID of a standard pattern.
3. The Central Election Commission members cannot be:
 - 1) Jogorku Kenesh Deputy, local council deputy;
 - 2) Official of state authority or local self-government;
 - 3) Judge, military man, law enforcement or fiscal authority officer;
 - 4) Candidate, representative of candidate or political party;
 - 5) Member of another election commission;
 - 6) Person whose previous convictions were not dropped or redeemed pursuant to procedures established by the law.
4. Next of kin cannot be elected as members of Central Election Commission.
5. Central Election Commission member is bound to suspend his/her activities in political parties during the period of exercising his/her authorities.
6. Central Election Commission members regardless of changes in factions' coalitions in Jogorku Kenesh will keep their authorities until their expiration.
7. Central Election Commission members except for the Chairman and Deputy Chairmen fulfill their authorities pro bono (on a voluntary basis) while staying in-service of their main jobs.

8. Central Election Commission members during the fulfillment of their authorities cannot be transferred to another job without their consent or dismissed on the initiative of their administration (employer).
9. Central Election Commission members who are temporarily exonerated from their functions on their main jobs for the period of elections, referenda preparation and conduct are provided paid leave of one working week and approved amount of pay from the republican budget funds disbursed for preparation and conduct of elections and referenda.
10. Central Election Commission members are guaranteed the reimbursement of all expenditures related to fulfillment of the Central Election Commission member's authorities and are paid rewards and bonuses from the funds disbursed for conduct of elections and referenda according to the procedure established by the electoral legislation.
11. Central Election Commission members, during the preparation and conduct of elections and referenda cannot be prosecuted, detained or arrested without the consent of Jogorku Kenesh except for cases of being caught in action. The Prosecutor General of the Kyrgyz Republic is authorized to file criminal proceedings against the Central Election Committee member.
12. Central Election Commission members cannot be persecuted for their opinion or proposal made on certain issue. The pressure made on the Central Election Commission members and staff members with the purpose of preventing them from fulfilling their authorities and official duties or making decisions in someone's favor, violent acts, insults, as well as slander and distribution of wrong information on fulfillment of their authorities and official duties entail responsibility specified in the law.
13. Central Election Commission members are provided with conditions to work in the commission, with premises, vehicles and communication devices for the period of working in the commission.
14. Healthcare and everyday services to Central Election Commission members is recognized as providing services to members of the Kyrgyz Republic Government.

Article 14. Authorities of Central Election Commission Members

1. Central Election Commission Members:
 - 1) make proposals on the Agenda of Central Election Commission meetings, as well as proposals, comments and amendments to issues under discussion, provide statements and participate in debates pertaining all issues under discussion;
 - 2) are eligible to require voting on any issues within the scope of authorities of Central Election Commission and issues considered at meetings;
 - 3) are entitled to have a special opinion in case of disagreement with the decision made at the Central Election Commission meeting and require its addressing;
 - 4) accept representatives of state authorities and local self-governments, political parties, non-profit making organizations, mass media, constituents and citizens;
 - 5) on behalf of Central Election Commission oversee the performance of lower ranking election commissions, address complaints pertaining decisions, actions (inactions) of lower

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ranking commissions, report to the Central Election Commission on inspection findings;

6) take part in drafting legal regulations and other statutes concerning preparation and conduction of elections, referenda and other issues within the authorities of Central election Commission;

7) read documents and materials of Central Election Commission and lower ranking election commissions immediately related to elections, referenda, receives copies of such documents and materials (except for the documents and materials containing confidential information qualified as such according to the procedure specified by the law);

8) are eligible to attend the open Jogorku Kenesh meetings;

9) fulfill other authorities as specified by the law.

2. Central Election Commission members are liable:

1) to attend all meetings and deliberations of Central Election Committee;

2) to inform in advance the Central Election Commission Chairman on impossibility to attend the Central Election Commission meetings due to good reason;

3) to perform assignments of Central Election Commission.

Article 15. The Central Election Commission Chairman and Deputy Chairman Authorities

1. The Chairman of Central Election Commission:

1) represents Central Election Commission in state authorities and local self-governance authorities, non-commercial and international organizations;

2) organizes the activity of Central Election Commission;

3) calls and chairs the Central Election Commission's meetings;

4) issues orders and instructions on issues pertaining his/her authorities;

5) signs decrees and other documents of Central Election Commission;

6) oversees the execution of Central Election Commission decisions;

7) distributes obligations and duties among the Deputy Chairmen and Central Election Commission's members;

8) fulfills general management of Central Election Commission's Office;

9) approves the staff numbers, its structure and estimated expenditures of Central Election Commission Office and lower ranking election commission;

10) employs and dismisses the staff members of Central Election Commission Office and contract employees;

- 11) addresses issues related to financial and technical and logistical support to election commissions operation;
 - 12) informs the Central Election Commission members on all proposals, applications and complaints received by the Central Election Commission and arranges procedures for their consideration;
 - 13) fulfills other authorities specified by the law.
2. During the period of Chairman's absence his/her authorities are exercised by one of the Central Election Commission Deputy Chairman.

Article 16. Central Election Commission Members Tenure Termination Procedure

1. A Central Election Commission member is dismissed prior to the expiration date of his/her authorities in cases of:
 - 1) Submission of resignation application;
 - 2) Withdrawal or loss of citizenship of the Kyrgyz Republic as well as acquisition of citizenship of another state;
 - 3) Leaving the Kyrgyz Republic for permanent residency abroad;
 - 4) Judge conviction with regard to him becoming res judicata;
 - 5) Court ruling recognizes which becomes res judicata that a person is incapable, with limited capabilities, missing or deceased;
 - 6) Death;
 - 7) Regular non fulfillment of his/her duties and assignments in presentation of the Central Election Commission;
 - 8) Grounds specified in para two of the present article.
2. The Central Election Commission member is deemed dismissed from duties of Central Election Commission member without the Jogorku Kenesh decision in cases of his/her registration as a candidate for the President, as a nominated member of Jogorku Kenesh, as a deputy to local councils, as the head of local self-governments or their representative. In the specified cases the Central Election Commission member is liable to step down within ten days timeframe.
3. In case of preterm termination of the Central Election Commission member's authorities the vacant position is filled through election.

Chapter IV. Central Election Commission Decisions

Article 17. Central Election Commission Activity Organization

1. The Central Election Commission carries out its activities on the basis of collegiality, publicity and transparency through open and free discussions and addressing issues within its authorities.
2. The Central Election Commission is authorized to proceed to the work if its composition is formulated for not less than two third of the approved number of Central Election Commission members. The Central Election Commission term of powers enters into force from the day of its first meeting.
3. The Central Election Commission Regulation (Rule of proceedings) governs internal issues of organization and operation.

Article 18. Central Election Commission Meetings

1. Jogorku Kenesh Toraga (Speaker) calls the first meeting of Central Election Commission no later than 5 days after electing the Central Election Commission members.
2. The oldest member of Central Election Commission opens and leads the first meeting of Central Election Commission.
3. The Chairman calls the Central Election Commission meeting (hereinafter – meeting) as well as on the request of no less than one third of Central Election Commission members.
4. During the period of preparation and conduct of elections, referenda the meetings are called no less than once in a fortnight.
5. The meeting is legally authorized if the majority of approved members of Central Election Commission took part in it. Minutes are recorded during the meeting.
6. Meetings are called on the venue of Central Election Commission permanent location. The Central Election Commission is entitled to make decisions on conducting field meetings.
7. The representatives of state authorities, local self-governments, candidates, political party, non-profit making organizations, mass media, candidates, initiative groups members, observers, international observers are entitled to participate at the meeting.
8. The stakeholders' representatives are entitled to participate at the meeting to address proposals, applications and complaints.

Article 19. Central Election Commission Decision Making Procedure

1. The Central Election Commission decisions are passed by Central Election Commission members in due procedure specified by the present Law.

2. The Central Election Commission takes decisions on issues concerning approval on the Central Election Commission regulation, financial support to preparation and conduct of elections, referenda, registration of candidates, list of candidates, initiative group, on results of elections, referenda, concerning recognition of elections or referenda as failed or invalid, conduct of repeat ballot or repeat elections, canceling decisions of lower ranking election commissions, decision to disband the lower ranking election commissions are made through two third of votes from the approved number of Central Election Commission members.
3. The Central Election Commission decisions on other issues are taken by the majority of votes from the approved number of Central Election Commission members. The ballot results on all issues announced by the chairing person are recorded in the meeting's minutes.
4. The Central Election Commission on the request of any member is bound to conduct a ballot on any issues within its competence and address it at meetings in accordance with the approved agenda.
5. The Central Election Commission minutes on results of elections, referenda are signed by all Central Election Commission members attending the meeting.
6. Central Election Commission members attending a meeting are not entitled to abstain from voting.
7. The Central Election Commission member which disagrees with the decision made by the Central Election Commission is entitled to express his/her special opinion in writing which the Central Election Commission is liable to consider, considerations will be recorded and attached.
8. The Central Election Commission decisions enter into force from the day of their adoption. The Central Election Commission decisions are published within 24 hours and posted at the official website of the Central Election Commission.
9. The Central Election Commission informs the applicant or stakeholders' representatives on the decision passed at the meeting pursuant to the terms and procedures specified by the law; provides the certified copy of the decision according to their request.
10. The Central Election Commission decisions made within its authorities are mandatory for state authorities, local self-governments, government and municipal institutions and enterprises, candidates, political parties, non-commercial organizations, officials, initiative group members, constituents, referendum participants as well as lower ranking election commissions.
11. The Central Election Commission decisions contradicting the Constitution, legislation or decisions passed exceeding the approved authorities can be canceled by the Central Election Commission or through judicial procedures.

Chapter V. Territorial and Precinct Election Commissions

Article 20. Territorial and Precinct Election Commissions and their Formation Procedure

1. Territorial, precinct election commission are elected for two years and two third of their members are political parties representatives and one third – representatives of respective local self-governance authorities and represented by no more than seventy percent of members of the same gender from each nominating entity.
2. The territorial, precinct election commissions' members should not include more than one representative of each political party.
3. The territorial, precinct election commissions authorities are terminated from the day of legally authorized meeting of new members of respective election commission.
4. In case the term of powers of the territorial, precinct election commissions expires during the election campaign of the President or Jogorku Kenesh deputies, local councils deputies, heads of local self-governments, referendum campaign, the term of its powers is extended until the end of the election or referendum campaign in question.
5. Territorial Election Commission is formed by the Central Election Commission through drawing procedure with members not less than eleven from the reserve of respective territorial election commission accounting for requirements set forth in Para one and two of the present article.
6. Precinct Election Commission is formed through drawing and members should not be less than seven from the reserve of respective precinct election commission accounting for the requirements of Para one and two of the present Article.
7. The reserve is formed for the period of five years out of representatives of political parties and representative authorities of local self-governments in the numbers not less than approved number of members of respective election commission from each nominating entity. The Regulation on the procedure of forming and maintaining the reserve is approved through the Central Election Commission decree.
8. The number of Precinct Election Commission members is identified based on the number of constituents at the respective election district:
 - from 0 to 500 constituents – seven members of Precinct Election Commission;
 - from 501 to 1200 constituents – nine members of Precinct Election Commission;
 - from 1201 to 2000 constituents – eleven members of Precinct Election Commission.
9. The Chairman of higher ranking election commission calls the first meeting of respective election commission no later than three days after its formation. The oldest member of respective election commission opens and leads the first meeting. The respective election commission members at their first meeting elect the Chairman and the Secretary out of its members. The heads of state authorities and local self-governments, state and municipal institutions and enterprises are not eligible to be elected as the respective election commission Chairman and Secretary. The vacant positions of the Chairman and the Secretary are filled according to the election procedure.

10. The higher ranking election commission approves members of election commission out of nominated candidates.
11. Members and address of territorial, precinct election commissions are published by the higher ranking election commission in mass media no later than three calendar days from the day of its formation and posted at the official website of Central Election Commission.
12. The territorial, precinct election commission term of powers enters into force from the day of its first meeting and terminates after the first legally authorized meeting of new territorial, precinct election commission members.
13. In case the territorial, precinct election commission member retires the vacant position is filled no later than three days after such a member leaves accounting for requirements I set forth in Para one and two of the present Article from the reserve according to order of priority and through the drawing when forming the respective election commission.
14. In case of non nomination by political parties of the required number of representatives as the reserve of respective election commission then additional election commission members are taken out of the reserve of respective election commissions by members of representative local self-governments.
15. The precinct election commission abroad of the Kyrgyz Republic to conduct elections of the President, Jogorku Kenesh deputies, referenda are accountable to the Central Election Commission and formed no later than fifty five days prior to the polling day of the leadership of diplomatic residency offices or consular institutions of the Kyrgyz Republic on the territory of the country of their residency and two third of members are represented by political parties representatives and one third of representatives of diplomatic residency offices, consular institutions of the Kyrgyz Republic.
16. In case of non nomination of candidates by political parties as members of precinct election commission thirty days prior to the polling date the precinct election commission abroad of the Kyrgyz Republic is formed according to the procedure specified by the Central Election Commission.

Article 21. Territorial Election Commission Authorities

The territorial election commission:

- 1) Oversees the implementation of the provisions of the present and electoral legislation and also ensures their unified implementation;
- 2) Organizes preparation and conduct of elections, referenda, repeat elections, revoting and repeat ballot on the respective territory;
- 3) Designs and approves the layout of polling districts, publishes lists of polling districts specifying their borders;
- 4) Forms and approves precinct election commissions and publishes their location in mass media;
- 5) Informs the population on addresses and telephone numbers of precinct election commission;
- 6) Organizes the operation of precinct election commissions in terms of preparation and conduct of elections, referenda on the respective territory and receives feedback from the precinct election commissions on issues related to preparation and conduct of elections, referenda;
- 7) Provides legal, organizational and methodological as well as technical and logistical

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- support to precinct election commissions;
- 8) Oversees the provision of premises, vehicles, communication equipment to precinct election commissions, addresses other issues of logistical and technical support to elections, referenda;
- 9) creates, keeps records, updates and verifies the lists of constituents, referendum participants;
- 10) oversees the submission procedure of the list of constituents, referendum participants for overall introduction and review;
- 11) distributes the public funds disbursed for preparation and conduction of elections, referenda, distributes such funds among precinct election commissions and oversees the earmarked use of such funds;
- 12) ensures compliance with equal legal conditions of pre-election activity for all candidates;
- 13) is entitled to attend the meetings to nominate candidates as local councils deputies;
- 14) registers candidates as local councils deputies, heads of executive authorities of local self-governments, lists of candidates and their representatives and issues the ID papers of approved standard pattern;
- 15) organizes meetings of candidates, political parties with the constituents;
- 16) organizes delivery of election and other documents to precinct election commissions;
- 17) recognizes ballot results on individual polling stations as invalid in cases and order specified by the electoral legislation;
- 18) identifies ballot returns and election results of the heads of executive authorities of local self-governments, deputies of local councils on respective territories in cases and order specified by the Law of the Kyrgyz Republic «On election of local councils deputies of the Kyrgyz Republic and heads of executive authorities of local self-governments of the Kyrgyz Republic »;
- 19) identifies ballot returns during the election of the President, Jogorku Kenesh deputies, referenda;
- 20) passes the minutes on ballot returns and results of respective elections to the Central Election Commission;
- 21) registers the elected deputies of local councils, the heads of executive authorities of local self-governments and issue them the ID papers of the standard pattern;
- 22) considers complaints and applications with regard to decisions and actions (inaction) of precinct election commissions, makes decision on them;
- 23) ensures transfer of documents related to preparation and conduction of elections, referenda to the archive or the Central Election Commission;
- 24) Provides financial report on budget funds received and spent for preparation and conduction of elections, referenda;
- 25) If needed employs additional employees based on employment contracts to perform activities related to preparation and conduction of elections, referenda;
- 26) Exercises other authorities in accordance with the present Law and electoral legislation.

Article 22. Precinct Election Commission's Authorities

The Precinct Election Commission:

- 1) Informs the public about the address and telephone numbers if the Precinct Election Commission, about working hours, on the ballot's date and venue includes as well the constituents, referendum participants in the list;
- 2) Ensures access of constituents and referendum participants to the list of constituents, referendum participants for introduction and verification;
- 3) Accepts and considers applications on mistakes and errors in the list of constituents,

- referendum participants, addresses the issue of making appropriate changes in them;
- 4) Updates and verifies the list of constituents, referendum participants on the respective territories;
 - 5) Oversees the compliance with the rules of displaying propaganda and campaign materials on the territory of polling station;
 - 6) Organizes the ballot at the polling station on the day of election, referendum;
 - 7) Counts the votes and identifies the ballot returns at the polling station;
 - 8) Ensures transfer of documents related to preparation and conduction of elections, referenda to the higher ranking election commission or to the archive;
 - 9) Considers applications and complaints related to violation of the electoral legislation within their competence and passes decisions on them;
 - 10) If needed employs associate staff members based on employment contracts to perform activities related to preparation and conduct of elections, referenda;
 - 11) Ensures safety and security of material values and property;
 - 12) Provides financial report on budget funds received and spent for preparation and conduct of elections, referenda;
 - 13) Exercises other authorities in accordance with the present Law and electoral legislation.

Article 23. Territorial, Precinct Election Commission Status

1. The Territorial, Precinct Election Commission Members cannot be:
 - 1) Deputy of Jogorku Kenesh, Deputy of Local Council;
 - 2) Official of state authorities and local self-governance authorities;
 - 3) Judge, officer of law enforcement and fiscal authority, military officer;
 - 4) Candidate, candidate or the political party representative;
 - 5) Election commission member;
 - 6) Person whose previous conviction was not dropped or redeemed according to the procedure specified by law.
2. The next of kin cannot be elected as members of the same territorial, precinct election commission.
3. The territorial, precinct election commission members operate on a voluntary basis while staying in service of their main job.
4. The territorial, precinct election commission member for the period of preparation, conduct of elections, referenda is discharged from his/her functions on their main job.
5. The territorial, precinct election commission members temporarily discharged from his/her main job for the period of preparation and conduct of elections, referenda are provided incentive paid leave of one working week as well as approved amount of remuneration from the republican budget funds designed for preparation and conduct of elections, referenda.
6. The territorial, precinct election commission members are paid rewards and bonuses not less than thirty times amount from the approved by the legislation specified rate;

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7. The territorial, precinct election commission members for the period of elections, referenda preparation and conduction cannot be prosecuted, detained or arrested, cannot be subject to administrative penalties charged through judicial proceedings without the consent of higher ranking election commission except for the cases of being caught in action.
8. The territorial, precinct election commission members for the period of elections, referenda conduct and within 6 months after the end of elections, referenda cannot be dismissed according to the administration (employer) initiative or without his/her consent be transferred to another job.
9. The territorial, precinct election commission member:
 - 1) Is notified about meetings in advance;
 - 2) Makes proposals on issues within the authorities of respective election commission;
 - 3) Is eligible to request conduct of ballot and receive responses on raised issues;
 - 4) Is eligible to familiarize with documents and materials of respective and lower ranking election commissions and receive their copies (except for the list of constituents, ballot papers) and request certified copies;
 - 5) Is entitled to appeal actions (inactions) of election commission in the respective higher ranking election commission;
 - 6) Is entitled to check the presented ID papers of the constituent, referendum participants and appropriateness of the ballot receipt;
 - 7) Is not eligible to abstain from voting at the meeting.
10. The territorial, precinct election commission member is dismissed prior to the expiration of tenure based on the decision of higher ranking election commission in cases of:
 - 1) Submission of resignation application;
 - 2) Leaving the Kyrgyz Republic for permanent residency;
 - 3) Withdrawal from citizenship or loss of citizenship of the Kyrgyz Republic;
 - 4) Enforcement of court conviction judgment against such a member;
 - 5) Enforcement of a court decision to recognize such a member incapable, partially incapable, deceased or announcing him/her a missing person;
 - 6) Death;
 - 7) Emerging grounds specified in Para one of the present article;
 - 8) Recognizing based on presentation of respective election commission and through the decision of higher ranking election commission the election commission member as regularly dismissing his/her duties and assignments;
 - 9) In case of disbanding the territorial, precinct election commission.

Article 24. The Territorial and Precinct Election Commission Activity Organization

1. The Territorial, Precinct Election Commission performs its activity based on collegiality, publicity, transparency.
2. The Territorial, Precinct Election Commission is entitled to proceed to work if their composition is formulated for not less than two third of the established number of members.
3. The Territorial, Precinct Election Commission activity organization issues are identified by the present Law and electoral legislation.

4. The Territorial, Precinct Election Commission meetings (hereinafter – meeting) are called by the Chairman and also on the request of not less than one third of the approved number of members of respective election commission. The meetings are called not less than once in a fortnight during the elections, referenda preparation and conduct.
5. Meetings are recognized as legally competent in case the majority of the approved number of members of respective election commission participates at the meeting.
6. The Territorial, Precinct Election Commission decisions on issues related to providing financial support to preparation and conduct of elections, referenda, on canceling the registration of candidates, list of candidates, on ballot returns or election results, on recognizing the election as invalid, conduct of the repeat ballot, re-voting, or repeat elections, on canceling the decision of precinct election commission are passed at the meeting by not less than two third of the approved number of members of Territorial Election Commission.
7. The Precinct Election Commission decisions on issues related to providing financial support to preparation and conduct of elections, referenda, on ballot returns at the polling station are passed at the meeting by not less than two third of the approved number of members of the Precinct Election Commission.
8. The Territorial, Precinct Election Commission decisions on other issues are passed at meetings by the majority of votes of the approved number of members in the respective election commission.
9. The Territorial, Precinct Election Commission decisions are signed by the Election Commission Chairman and Secretary.
10. The Territorial, Precinct Election Commission member disagreeing with the decision is eligible to express his/her special opinion in writing which should be recorded in the meeting's minutes, should be attached to it and the Chairman must report to the higher ranking election commission within two days, immediately on the ballot day and the day following the ballot day.

Article 25. The Territorial, Precinct Election Commission Disbanding Procedure

1. The Territorial, Precinct Election Commission can be disbanded by the higher ranking election commission in cases where:
 - 1) the election commission violates the electoral rights of citizens which entails recognition by the higher ranking election commission or by the court the ballots returns or election, referendum results as invalid on respective territory;
 - 2) the election commission does not implement the court decisions or decisions of higher ranking election commission passed pursuant to the requirements of the law;
 - 3) the provisions of Article 20 of the present Law are violated.

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2. The respective higher ranking election commission, as well as the candidate, political party are eligible to appeal with the application to disband the territorial, precinct election commission. The application to disband the territorial, precinct election commissions can be submitted not later than ten calendar days in advance prior to the ballot day or in case of repeat ballot – during the period after identifying the ballot returns at the specific polling station but no later than seven calendar days in advance prior to the day of repeat ballot.
3. The application to disband the territorial, precinct election commission is accepted for consideration immediately and the decision on it should be passed not later than in two calendar days from the day of application submission.
4. In case of making a decision to disband the territorial, precinct election commission the higher ranking election commission elects new members of territorial, precinct election commission out of candidates included in the reserve of respective territorial, precinct election commission in accordance with the provisions of Article 20 of the present Law.
5. The Territorial, Precinct Election Commission new members should be elected no later than in three calendar days after making a decision to disband.
6. The Territorial, Precinct Election Commission disbanding does not entail the termination of tenure of the candidate or the political party.

Chapter VI. Concluding Provisions

Article 26. Election Commissions Activity Financial Support

1. The Central Election Commission budget is indicated by a separate item line in the republican budget for the coming financial year.
2. The allocations for preparation and conduct of the next elections, referenda are designed by a separate item line in the republican budget for the next financial year.
3. The election commissions' expenditures for preparation and conduct of elections, referenda are covered through the republican budget funds. The funds for conduct of elections, referenda are transferred by the Central Treasury of the Ministry of Finance to the account of the Central Election Commission no later than ten calendar days from the approved date of elections, referenda and distributed among the lower ranking election commissions.
4. It is prohibited to finance the elections, referenda by foreign states, foreign state authorities, institutions or enterprises, other foreign legal entities, and their affiliates or representative offices, foreign citizens, international organizations registered in the Kyrgyz Republic, by legal entities the actors of which are foreign legal entities and citizens except for financing the programs to improve electoral legislation, scientific-research programs, information, educational programs to increase legal awareness of constituents, referendum participants as well as technical support to elections, referenda.
5. Financial support to activities of state programs related to promotion of election system including introduction of new election technologies, automation equipment, legal training of constituents, referendum participants and staff members of Central Election Commission office, election commission members, the reserve is built through the funds disbursed from the republican budget, the Central Election Commission special fund and other financing sources not prohibited by the law.

6. The following election commission's expenditures are financed through the republican budget:
 - 1) remuneration and rewards of election commissions members, the Central Election Commission office staff members as well as payments to citizens involved in the work of election commissions based on employment contracts;
 - 2) production of printed materials and carrying out of publishing activities (the Central Election Commission bulletin);
 - 3) purchase, delivery and installation of equipments (including the technological), other material values required to support elections, referenda and election commissions authorities;
 - 4) establishment of communication with the election commissions (telephone, fax, post mail, e-mails) transport expenditures related to preparation and conduction of elections, referenda;
 - 5) delivery, storing of election documents, preparation of such documents to transfer to the archive or for destruction;
 - 6) publication of the lists of polling stations, polling districts specifying their borders, addresses, members of territorial and precinct election commissions;
 - 7) publication of list of constituents, referendum participants and notifications on their inclusion in the integrated constituents record keeping system;
 - 8) creation and promotion of integrated system of record keeping of constituents, referendum participants;
 - 9) travel expenses and reimbursement of travel expenditures of election commission members in order to implement activities to organize and conduct elections, referenda;
 - 10) procurement of free air, free printing space to candidates, political parties which nominated the list of candidates;
 - 11) publication of election commissions information in mass media;
 - 12) conduct of continuous and systematic training of the Central Election Commission Office staff members, members of elections commissions and the reserve members;
 - 13) and for other purposes related to conduction of elections, referenda as well as to ensure authorities and operation of election commissions.
6. The election commissions spend their funds for preparation and conduction of elections, referenda within the disbursed funds in accordance with the approved estimated expenditures. The higher ranking election commission can cover expenses of lower ranking election commissions in a centralized mode.
7. The precinct election commission presents to the territorial election commission the financial report on received spent republican budget funds no later than in seven calendar days after the ballot day.

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8. The Territorial Election Commission presents to the Central election Commission the report the ballot day.
9. The Financial Report of the Central Election Commission, of lower ranking election commissions on spent republican budget funds to prepare and conduct elections, referenda is published in mass media, in the bulletin and web-site of the Central Election Commission no later than in three days from the day of publishing election, referenda results.
10. The election commissions Chairmen are responsible for administration of funds and for conformity of financial documents to election commission's decisions with regard to financial issues and presenting financial reports in due time and order as specified by the present Law.

Article 27. Entry into force of the Present Law

1. The present Law is enacted from the day of official publication.
2. The following laws are to be recognized as null and void:
 - The Law of the Kyrgyz Republic «On Central Commission on Conducting Elections and Referenda in the Kyrgyz Republic» (published in the newspaper «Erkin Too» dated 14 March 1997, N 14);
 - The Law «On making amendments and supplements to the Law of the Kyrgyz Republic «On Central Commission on Conducting Elections and Referenda in the Kyrgyz Republic » as of 1 March, 2004, N 15, 8 October, 2004, N 180, 6 January, 2005, N 4, 8 August, 2006, N 164, 4 June, 2007, N 77, 18 July, 2008, N 145, 28 July, 2008, N 178, 29 December, 2008, N 278;
 - Decrees of the Kyrgyz Republic as of 21 April, 2010, ВП N 19, 17 May, 2010, ВП N 37;
3. The reserves of territorial, precinct election commission are formed from the moment of the present Law will enter into force.

President of the Kyrgyz Republic