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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

KYRGYZ REPUBLIC

DRAFT LAW
ON INTRODUCTION OF AMENDMENTS AND CHANGES
TO THE CONSTITUTION

COMPARATIVE TABLE

Comparative table to the draft Law of the Kyrgyz Republic “On introduction of amendments and changes to the Constitution of the Kyrgyz Republic”

Current wording	Proposed wording
	<p>Article 1. The following changes and amendments shall be introduced in the Constitution of the Kyrgyz Republic adopted at the referendum (popular vote) of the Kyrgyz Republic on June 27, 2010:</p>
<p>Article 1.</p> <p>1. The Kyrgyz Republic (Kyrgyzstan) is a sovereign, democratic, secular, unitary and social state governed by the rule of law.</p> <p>2. The Kyrgyz Republic enjoys the plenitude of the state power on its territory and implements its internal and external policy independently.</p>	<p>Article 1.</p> <p>1. The Kyrgyz Republic (Kyrgyzstan) is a sovereign, democratic, secular, unitary and social state governed by the rule of law, having the following highest values:</p> <ul style="list-style-type: none"> 1) the human being, his / her life, pursuit of happiness, health, rights and freedoms, love for the motherland, security, education, honor and dignity; 2) Independence, state sovereignty, national interests of the Kyrgyz Republic; 3) territorial integrity of the Kyrgyz Republic; 4) unity of the people of Kyrgyzstan, peace and accord in the country; 5) justice, the rule of law and equality before the law; 6) preservation and development of language and national culture, careful attitude to history; 7) morality, family, childhood, fatherhood, motherhood, care for parents, respect to older persons, combination of traditions and progress; 8) establishment of favorable economic, social and other conditions for the harmonious development of a person; 9) friendly environment. <p>2. The Kyrgyz Republic enjoys the plenitude of the state power on its territory</p>

	<p>and implements its internal and external policy independently.</p> <p>3. The highest values create the basis of laws and other normative regulatory acts of the Kyrgyz Republic and are the essence and content of the work of all state agencies, local self - government bodies, officials thereof and also require that citizens and legal entities contribute to the protection and promotion of these values.</p> <p>4. No ideology can be aimed at undermining the highest values of the Kyrgyz Republic.</p>
<p>Article 6.</p> <p>1. The Constitution shall have the supreme legal force and direct application in the Kyrgyz Republic.</p> <p>2. The Constitution shall serve the basis for the adoption of constitutional laws, laws as well as other regulatory legal acts.</p> <p>3. International treaties to which the Kyrgyz Republic is a party that have entered into force under the established legal procedure and also the universally recognized principles and norms of international law shall be the constituent part of the legal system of the Kyrgyz Republic.</p> <p>The provisions of international treaties on human rights shall have direct action and be of priority in respect of provisions of other international treaties.</p> <p>4. Official publication of laws and other regulatory legal acts shall be considered as mandatory precondition for their enactment.</p> <p>5. A law or any other regulatory legal act which establishes new obligations or which aggravates responsibility shall have no retroactive force.</p>	<p>Article 6.</p> <p>1. The Constitution shall have the supreme legal force and direct application in the Kyrgyz Republic.</p> <p>2. The Constitution shall serve the basis for the adoption of constitutional laws, laws as well as other regulatory legal acts.</p> <p>3. International treaties to which the Kyrgyz Republic is a party that have entered into force under the established legal procedure and also the universally recognized principles and norms of international law shall be the constituent part of the legal system of the Kyrgyz Republic.</p> <p>The procedure and modalities of application of international treaties as well as universally recognized principles and norms of the international law shall be defined in the law.</p> <p>4. Official publication of laws and other regulatory legal acts shall be considered as mandatory precondition for their enactment.</p> <p>5. A law or any other regulatory legal act which establishes new obligations or which aggravates responsibility shall have no retroactive force.</p>
<p>Article 16.</p> <p>1. Fundamental human rights and freedoms are inalienable and belong to each person from birth.</p> <p>Human rights and freedoms are of superior value. They act directly and define the meaning and the content of the activity of legislative, executive power and self - governance bodies.</p> <p>2. The Kyrgyz Republic shall respect and ensure human rights and freedoms to</p>	<p>Article 16.</p> <p>1. Fundamental human rights and freedoms are inalienable and belong to each person from birth.</p> <p>Human rights and freedoms belong to the superior values of the Kyrgyz Republic. They act directly; define the essence and contents of activity of all state agencies, local self – governance bodies and officials thereof.</p> <p>2. The Kyrgyz Republic shall respect and ensure human rights and freedoms to</p>

<p>all persons on its territory and under its jurisdiction.</p> <p>No one may be subject to discrimination on the basis of sex, race, language, disability, ethnicity, belief, age, political and other convictions, education, background, proprietary and other status as well as other circumstances.</p> <p>Special measures defined by law and aimed at <u>ensuring</u> equal opportunities for various social groups in accordance with international commitments shall not be considered as discrimination.</p> <p>3. In the Kyrgyz Republic everyone shall be equal before the law and the courts.</p> <p>4. In the Kyrgyz Republic men and women shall have equal rights and freedoms and equal opportunities for their realization.</p> <p>5. The principle of ensuring best interests of a child shall be effective in the Kyrgyz Republic.</p>	<p>all persons on its territory and under its jurisdiction.</p> <p>No one may be subject to discrimination on the basis of sex, race, language, disability, ethnicity, belief, age, political and other convictions, education, background, proprietary and other status as well as other circumstances.</p> <p>Special measures defined by law and aimed at ensuring the highest values of the Kyrgyz Republic as well as equal opportunities for various social groups in accordance with international commitments shall not be considered as discrimination.</p> <p>3. In the Kyrgyz Republic everyone shall be equal before the law and the courts.</p> <p>4. In the Kyrgyz Republic men and women shall have equal rights and freedoms and equal opportunities for their realization.</p> <p>5. The principle of ensuring best interests of a child shall be effective in the Kyrgyz Republic.</p>
<p>Article 20.</p> <p>1. The laws that deny or derogate human and civil rights and freedoms shall not be adopted in the Kyrgyz Republic.</p> <p>2. Human and civil rights and freedoms may be limited by the Constitution and laws for the purposes of protecting national security, public order, health and morale of the population as well as rights and freedoms of other persons. The introduced limitations should be commensurate to the declared objectives.</p> <p>The adoption of by-law regulatory acts which limit human and civil rights and freedoms is prohibited.</p> <p>3. A law may not impose the limitation of rights and freedoms with other objective and to a greater extent than it is envisaged in the Constitution.</p> <p>4. The following guarantees of prohibition established by the present Constitution shall not be subject to any limitations:</p> <p>1) On application of death penalty, torture and other inhuman, cruel and degrading forms of treatment or punishment;</p> <p>2) On conducting of medical, biological or psychological experiments on people without their duly expressed and verified voluntary consent;</p> <p>3) On slavery and human trafficking;</p>	<p>Article 20.</p> <p>1. The laws that deny or derogate human and civil rights and freedoms shall not be adopted in the Kyrgyz Republic.</p> <p>2. Human and civil rights and freedoms may be limited by the Constitution and laws for the purposes of protecting national security, public order, health and morale of the population as well as rights and freedoms of other persons. Such limitations can be also introduced in view of specific modalities of military or other civil service. The introduced limitations should be commensurate to the declared objectives.</p> <p>The adoption of by-law regulatory acts which limit human and civil rights and freedoms is prohibited.</p> <p>3. A law may not impose the limitation of rights and freedoms with other objective and to a greater extent than it is envisaged in the Constitution.</p> <p>4. The following guarantees of prohibition established by the present Constitution shall not be subject to any limitations:</p> <p>1) On application of death penalty, torture and other inhuman, cruel and degrading forms of treatment or punishment;</p> <p>2) On conducting of medical, biological or psychological experiments on people without their duly expressed and verified voluntary consent;</p>

<p>4) On exploitation of child labor;</p> <p><u>5) On deprivation of liberty on the basis of failure to meet civil and legal obligation;</u></p> <p>6) On criminal prosecution for the dissemination of information which encroaches on honor and dignity of a person;</p> <p>7) On coercion to express opinions, religious or other beliefs or denial thereof;</p> <p>8) On coercion to participate in a peaceful assembly;</p> <p>9) On coercion to determine and state one’s ethnicity;</p> <p>10) On arbitrary deprivation of housing.</p> <p>5. The following rights established in the present Constitution, shall not be subject to any limitation whatsoever:</p> <p>1) That of each detained person to human treatment and respect of human dignity;</p> <p>2) That of appeal to pardon or alleviation of punishment;</p> <p>3) That of repeated consideration of the case by a higher court;</p> <p>4) That of freedom of thought and opinion;</p> <p>5) That of freedom of choice and possessing religious or other beliefs;</p> <p>6) That of freedom to determine and state one’s ethnicity;</p> <p>7) That of compensation by their state of harm caused by illegal actions of state authorities, local self – governance bodies and officials thereof in their official capacity;</p> <p>8) That of judicial protection;</p> <p>9) That of free basic general and secondary general education in state educational establishments;</p> <p>10) That of a citizen to unimpeded return to the Kyrgyz Republic.</p>	<p>3) On slavery and human trafficking;</p> <p>4) On exploitation of child labor;</p> <p>5) On deprivation of freedom solely for the inability of a person to meet the contractual obligation;</p> <p>6) On criminal prosecution for the dissemination of information which encroaches on honor and dignity of a person;</p> <p>7) On coercion to express opinions, religious or other beliefs or denial thereof;</p> <p>8) On coercion to participate in a peaceful assembly;</p> <p>9) On coercion to determine and state one’s ethnicity;</p> <p>10) On arbitrary deprivation of housing.</p> <p>5. The following rights established in the present Constitution, shall not be subject to any limitation whatsoever:</p> <p>1) That of each detained person to human treatment and respect of human dignity;</p> <p>2) That of appeal to pardon or alleviation of punishment;</p> <p>3) That of repeated consideration of the case by a higher court;</p> <p>4) That of freedom of thought and opinion;</p> <p>5) That of freedom of choice and possessing religious or other beliefs;</p> <p>6) That of freedom to determine and state one’s ethnicity;</p> <p>7) That of compensation by their state of harm caused by illegal actions of state authorities, local self – governance bodies and officials thereof in their official capacity;</p> <p>8) That of judicial protection;</p> <p>9) That of free basic general and secondary general education in state educational establishments;</p> <p>10) That of a citizen to unimpeded return to the Kyrgyz Republic.</p>
<p>Article 24.</p> <p>1. Everyone shall have the right to freedom and personal immunity.</p> <p>2. No one may be deprived of freedom solely on the grounds of failure to</p>	<p>Article 24.</p> <p>1. Everyone shall have the right to freedom and personal immunity.</p> <p>2. No one may be deprived of freedom solely for his / her inability to meet</p>

<p><i>meet civil legal obligation.</i></p> <p>3. No one may be arrested, kept in custody or be deprived of freedom except by court decision and solely on the basis of and in accordance with the procedures established by the law.</p> <p>4. No one may be detained in custody for more than 48 hours without the court ruling.</p> <p>Any detained person should be promptly or in any case until expiration of 48 hours since the moment of detention should be delivered to court in order to decide the issue on the legality of his/her detention.</p> <p>In certain cases the law may provide for shorter terms of detention.</p> <p>Any detained person has the right to review the legality of detention in accordance with the rules and periodicity established by law. In the event that the grounds for detention cease to be valid, such person should be immediately released.</p> <p>5. Any detained person shall be informed urgently of the grounds for his / her detention, have rights explained and ensured, including the right of medical inspection and assistance from the doctor.</p> <p>Since the moment of actual detention a person should be kept safe, such person shall be granted an opportunity to protect himself/herself personally, enjoy qualified legal aid from a lawyer as well as have an attorney.</p>	<p>a contractual obligation;</p> <p>3. No one may be arrested, kept in custody or be deprived of freedom except by court decision and solely on the basis of and in accordance with the procedures established by the law.</p> <p>4. No one may be detained in custody for more than 48 hours without the court ruling.</p> <p>Any detained person should be promptly or in any case until expiration of 48 hours since the moment of detention should be delivered to court in order to decide the issue on the legality of his/her detention.</p> <p>In certain cases the law may provide for shorter terms of detention.</p> <p>Any detained person has the right to review the legality of detention in accordance with the rules and periodicity established by law. In the event that the grounds for detention cease to be valid, such person should be immediately released.</p> <p>5. Any detained person shall be informed urgently of the grounds for his / her detention, have rights explained and ensured, including the right of medical inspection and assistance from the doctor.</p> <p>Since the moment of actual detention a person should be kept safe, such person shall be granted an opportunity to protect himself/herself personally, enjoy qualified legal aid from a lawyer as well as have an attorney.</p>
<p>Article 26.</p> <p>1. Everyone shall be presumed innocent of committing a crime until found guilty in accordance with the law and his/her guilt was ascertained by a court verdict having entered into force. The violation of this principle shall serve a basis for the compensation of material and moral damage through a court.</p> <p>2. No one should prove his/her innocence. Any doubts in respect of culpability shall be interpreted for the benefit of the accused.</p> <p>3. No one shall be convicted of a crime solely on the basis of his/her own confession in having committed an offense.</p> <p>4. The burden of proof of guilt in criminal case shall be on the accuser.</p> <p>Evidence obtained in violation of the law shall not be used for the justification of the accusation and delivery of court verdict.</p>	<p>Article 26.</p> <p>1. Everyone shall be presumed innocent of committing a crime until found guilty in accordance with the law and his / her guilt was ascertained by a court verdict having entered into force. The violation of this principle shall serve a basis for the compensation of material and moral damage through a court.</p> <p>2. No one should prove his / her innocence. Any doubts in respect of culpability shall be interpreted for the benefit of the accused.</p> <p>3. No one shall be convicted of a crime solely on the basis of his/her own confession in having committed an offense.</p> <p>4. The burden of proof of guilt in criminal case shall be on the accuser.</p> <p>Evidence obtained in violation of the law shall not be used for the justification of the accusation and delivery of court verdict.</p>

<p>5. No one shall be obliged to testify against themselves, his/her spouse or close relatives as determined by law. The law may provide for other cases in which they are relieved from the obligation to testify.</p> <p>6. Everyone shall have the right to have their case examined by a court with the participation of jurors in cases stipulated by law.</p>	<p>5. No one shall be obliged to testify against themselves, his/her spouse or close relatives as determined by law. The law may provide for other cases in which they are relieved from the obligation to testify.</p> <p>6. Everyone shall have the right to have their case examined by a court with the participation of jurors in cases stipulated by law.</p> <p>7. The right to release from criminal liability for expiration of the time limit of the committed crime may be envisaged in the law. Periods of limitation in bringing to criminal liability shall be applied only by court. In all cases of having committed a crime the investigation of the criminal case should be completed with referral thereof to court irrespective of expiration of the periods of limitation.</p>
<p>Article 36.</p> <p>1. Family shall be the foundation of the society. Family, paternity, maternity and childhood shall be the subject of care of the entire society and preferential protection by law.</p> <p>2. Each child shall have the right to the level of life, necessary for his/her physical, mental, spiritual, moral and social development.</p> <p>3. The responsibility for ensuring living conditions necessary for the development of a child shall be borne by each of the parents or other persons rearing a child within their capacity and financial possibilities.</p> <p>4. The state shall ensure the maintenance, upbringing and education to child orphans and children deprived of parental care.</p> <p><u>5. Persons reaching the age of consent shall have the right to marry and create a family. No marriage may be entered into without voluntary and mutual consent of the couple. The marriage shall be registered by the state.</u></p>	<p>Article 36.</p> <p>1. Family shall be the foundation of the society. Family, paternity, maternity and childhood shall be the subject of care of the entire society and preferential protection by law.</p> <p>2. Each child shall have the right to the level of life, necessary for his/her physical, mental, spiritual, moral and social development.</p> <p>3. The responsibility for ensuring living conditions necessary for the development of a child shall be borne by each of the parents or other persons rearing a child within their capacity and financial possibilities.</p> <p>4. The state shall ensure the maintenance, upbringing and education to child orphans and children deprived of parental care.</p> <p>5. A family is created upon voluntary union of a man and a woman who reached the age of consent and entry into marriage. No marriage shall be entered into without mutual consent of persons desiring to marry. The marriage shall be registered by the state.</p> <p>The spouses shall have equal rights and obligations in marriage and family.</p>
<p>Article 41.</p> <p>1. Everyone shall have the right to appeal to state authorities, local self - governance bodies as well as officials thereof; these officials should provide a substantiated answer within the deadlines envisaged in the law.</p>	<p>Article 41.</p> <p>1. Everyone shall have the right to appeal to state authorities, local self - governance bodies as well as officials thereof; these officials should provide a substantiated answer within the deadlines envisaged in the law.</p>

<p>2. Everyone shall have the right to apply in accordance with international treaties to international human rights bodies seeking protection of violated rights and freedoms. In the event that these bodies confirm the violation of human rights and freedoms, the Kyrgyz Republic shall take measures to their restoration and/or compensation of damage.</p>	<p>2. Everyone shall have the right to apply in accordance with international treaties to international human rights bodies seeking protection of violated rights and freedoms.</p>
<p>Article 50.</p> <p>1. A citizen shall have rights and bear duties resulting from his/her citizenship.</p> <p>2. <u>No one may be deprived of his/her citizenship and denied the right to change his/her citizenship.</u> Persons who are citizens of the Kyrgyz Republic shall enjoy recognition of affiliation to the citizenship of another state in accordance with the law and international treaties to which the Kyrgyz Republic is a party.</p> <p>3. The Kyrgyz people living outside the Kyrgyz Republic shall have the right, regardless of their citizenship of another State, to acquire citizenship of the Kyrgyz Republic under a simplified procedure.</p> <p>The procedure and conditions for granting citizenship of the Kyrgyz Republic shall be defined by law.</p> <p>4. A citizen may not be expelled beyond the borders of the republic or extradited to another State.</p> <p>5. The Kyrgyz Republic shall guarantee its citizens defense and protection beyond its borders.</p>	<p>Article 50.</p> <p>1. A citizen shall have rights and bear duties resulting from his/her citizenship.</p> <p>2. No one may be deprived of his/her citizenship and denied the right to change his/her citizenship otherwise than in cases and according to procedures established by the constitutional law. Persons who are citizens of the Kyrgyz Republic shall enjoy recognition of affiliation to the citizenship of another state in accordance with the law and international treaties to which the Kyrgyz Republic is a party.</p> <p>3. The Kyrgyz people living outside the Kyrgyz Republic shall have the right, regardless of their citizenship of another State, to acquire citizenship of the Kyrgyz Republic under a simplified procedure.</p> <p>The procedure and conditions for granting citizenship of the Kyrgyz Republic shall be defined by law.</p> <p>4. A citizen may not be expelled beyond the borders of the republic or extradited to another State.</p> <p>5. The Kyrgyz Republic shall guarantee its citizens defense and protection beyond its borders.</p>
<p>Article 64.</p> <p>1. The President:</p> <p>1) shall call the elections to the Jogorku Kenesh in cases provided for in the present Constitution; shall make decision on calling early elections to the Jogorku Kenesh in cases and pursuant the procedures envisaged in the present Constitution;</p> <p>2) shall call elections to local keneshes (parliaments), in accordance with procedure and in cases provided in the law shall dismiss local keneshes.</p> <p>2. The President:</p>	<p>Article 64.</p> <p>1. The President:</p> <p>1) shall call the elections to the Jogorku Kenesh in cases provided for in the present Constitution; shall make decision on calling early elections to the Jogorku Kenesh in cases and pursuant the procedures envisaged in the present Constitution;</p> <p>2) shall call elections to local keneshes (parliaments), in accordance with procedure and in cases provided in the law shall dismiss local keneshes.</p> <p>2. The President:</p>

<p>1) shall sign and promulgate laws; shall return laws with his objections to the Jogorku Kenesh;</p> <p>2) shall have the right to convene an extraordinary sitting of the Jogorku Kenesh and define the issues for consideration thereof;</p> <p>3) shall have the right to address at the sittings of the Jogorku Kenesh.</p> <p>3. The President:</p> <p>1) at the proposal of the Council on selection of Judges, shall submit to the Jogorku Kenesh candidates for election as judges of the Supreme Court;</p> <p>2) <u>at the proposal of the Council of Judges</u> shall submit to the Jogorku Kenesh the judges to be dismissed from the membership in the Supreme Court;</p> <p>3) shall appoint local court judges at the proposal of the Council on selection of Judges;</p> <p>4) shall dismiss local court judges at the proposal of the <u>Council of Judges</u> in cases envisaged in the constitutional law.</p> <p>4. The President:</p> <p>1) shall appoint with the consent of the Jogorku Kenesh the Prosecutor General; in cases envisaged in the law, shall dismiss the Prosecutor General from office with the <i>consent of not less than one third</i> of the total number of the deputies of the Jogorku Kenesh or at the initiative of one third of the total number of the deputies of the Jogorku Kenesh approved by the two thirds of the deputies of the Jogorku Kenesh; at the proposal of the Prosecutor General shall appoint and dismiss the deputies of the Prosecutor General;</p> <p>2) shall appoint and dismiss from office the members of the Government in charge of state agencies dealing with the issues of defense and national security as well as their deputies.</p> <p>5. The President:</p> <p>1) shall submit to the Jogorku Kenesh the candidates to be elected to the position of the Chairperson of the National Bank; at the proposal of the Chairperson of the National Bank shall appoint deputy chairmen and members</p>	<p>1) shall sign and promulgate laws; shall return laws with his objections to the Jogorku Kenesh;</p> <p>2) shall have the right to convene an extraordinary sitting of the Jogorku Kenesh and define the issues for consideration thereof;</p> <p>3) shall have the right to address at the sittings of the Jogorku Kenesh.</p> <p>3. The President:</p> <p>1) at the proposal of the Council on selection of Judges, shall submit to the Jogorku Kenesh candidates for election as judges of the Supreme Court and the Constitutional Chamber;</p> <p>2) shall submit to the Jogorku Kenesh the judges to be dismissed from the membership in the Supreme Court and the Constitutional Chamber upon proposal of the disciplinary commission with the Council of judges or the Council of judges in cases envisaged in this Constitution and the constitutional law;</p> <p>3) shall appoint local court judges at the proposal of the Council on selection of Judges;</p> <p>4) shall dismiss local court judges at the proposal of the disciplinary commission with the Council of judges or the Council of judges in cases envisaged in this Constitution and the constitutional law .</p> <p>4. The President:</p> <p>1) 1) shall appoint with the consent of the Jogorku Kenesh the Prosecutor General; in cases envisaged in the law, shall dismiss the Prosecutor General from office with the consent of not less than one half of the total number of the deputies of the Jogorku Kenesh or at the initiative of one third of the total number of the deputies of the Jogorku Kenesh approved by the two thirds of the deputies of the Jogorku Kenesh; at the proposal of the Prosecutor General shall appoint and dismiss the deputies of the Prosecutor General;</p> <p>2) shall appoint and dismiss from office the members of the Government in charge of state agencies dealing with the issues of defense and national security as well as their deputies.</p> <p>5. The President:</p> <p>1) shall submit to the Jogorku Kenesh the candidates to be elected to the</p>
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<p>of the Board of the National Bank; in cases envisaged in the law shall dismiss them from office;</p> <p>2) shall nominate to the Jogorku Kenesh the candidates to form one third of the members of the Central Commission on elections and referenda for election and dismissal;</p> <p>3) shall nominate to the Jogorku Kenesh the candidates to form one third of the members of the Chamber of Accounts for election and dismissal;</p> <p>4) shall appoint the Chairperson of the Chamber of Accounts from among the members of the Chamber of Accounts elected by the Jogorku Kenesh and dismisses the Chairperson in cases envisaged in the law.</p> <p>6. The President:</p> <p>1) shall represent the Kyrgyz Republic inside and outside the country;</p> <p>2) shall conduct negotiations and sign upon consent of the Prime Minister international treaties; shall have the right to assign these powers to the Prime-minister, members of the Government as well as other officials;</p> <p>3) shall sign instruments of ratification and instruments of accession;</p> <p>4) shall appoint, upon consent of the Prime minister, diplomatic representatives of the Kyrgyz Republic in foreign States and permanent representatives in international organizations and shall recall them; shall accept the credentials and letters of recall of the heads of diplomatic missions of foreign States.</p> <p>7. The President shall decide upon the issues of naturalization and denunciation of citizenship in the Kyrgyz Republic.</p> <p>8. The President shall be the Commander in Chief of the Armed Forces of the Kyrgyz Republic, shall define, appoint and dismiss the highest commanders of the Armed Forces of the Kyrgyz Republic.</p> <p>9. The President:</p> <p>1) shall chair the Council of Defense which is established in accordance with the law;</p> <p>2) shall give warning, on grounds specified by constitutional law, of the possibility of introducing a state of emergency, and where necessary shall introduce a state of emergency in individual localities without prior declaration, providing prompt notification to the Jogorku Kenesh;</p>	<p>position of the Chairperson of the National Bank; at the proposal of the Chairperson of the National Bank shall appoint deputy chairmen and members of the Board of the National Bank; in cases envisaged in the law shall dismiss them from office;</p> <p>2) shall nominate to the Jogorku Kenesh the candidates to form one third of the members of the Central Commission on elections and referenda for election and dismissal;</p> <p>3) shall nominate to the Jogorku Kenesh the candidates to form one third of the members of the Chamber of Accounts for election and dismissal;</p> <p>4) shall appoint the Chairperson of the Chamber of Accounts from among the members of the Chamber of Accounts elected by the Jogorku Kenesh and dismisses the Chairperson in cases envisaged in the law.</p> <p>6. The President:</p> <p>1) shall represent the Kyrgyz Republic inside and outside the country;</p> <p>2) shall conduct negotiations and sign upon consent of the Prime Minister international treaties; shall have the right to assign these powers to the Prime-minister, members of the Government as well as other officials;</p> <p>3) shall sign instruments of ratification and instruments of accession;</p> <p>4) shall appoint, upon consent of the Prime minister, diplomatic representatives of the Kyrgyz Republic in foreign States and permanent representatives in international organizations and shall recall them; shall accept the credentials and letters of recall of the heads of diplomatic missions of foreign States.</p> <p>7. The President shall decide upon the issues of naturalization and denunciation of citizenship in the Kyrgyz Republic.</p> <p>8. The President shall be the Commander in Chief of the Armed Forces of the Kyrgyz Republic, shall define, appoint and dismiss the highest commanders of the Armed Forces of the Kyrgyz Republic.</p> <p>9. The President:</p> <p>1) shall chair the Security council which is established in accordance with the law;</p> <p>2) shall give warning, on grounds specified by constitutional law, of the possibility of introducing a state of emergency, and where necessary shall</p>
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<p>3) shall declare general or partial mobilization; shall announce a state of war in the event of aggression to the Kyrgyz Republic and shall promptly submit this issue for consideration by the Jogorku Kenesh;</p> <p>4) shall declare martial law in the interests of the defense of the country and the safety of its citizens and shall promptly submit this issue for consideration by the Jogorku Kenesh.</p> <p>10. The President:</p> <p>1) shall confer state awards of the Kyrgyz Republic;</p> <p>2) shall confer honorary titles of the Kyrgyz Republic;</p> <p>3) shall confer the highest military ranks, diplomatic ranks and other special titles;</p> <p>4) shall grant pardons;</p> <p>5) shall define the structure of his/her apparatus, shall approve the regulations thereof and appoint the head thereof.</p> <p>11. The President shall exercise other powers envisaged in the present Constitution.</p>	<p>introduce a state of emergency in individual localities without prior declaration, providing prompt notification to the Jogorku Kenesh;</p> <p>3) shall declare general or partial mobilization; shall announce a state of war in the event of aggression to the Kyrgyz Republic and shall promptly submit this issue for consideration by the Jogorku Kenesh;</p> <p>4) shall declare martial law in the interests of the defense of the country and the safety of its citizens and shall promptly submit this issue for consideration by the Jogorku Kenesh.</p> <p>10. The President:</p> <p>1) shall confer state awards of the Kyrgyz Republic;</p> <p>2) shall confer honorary titles of the Kyrgyz Republic;</p> <p>3) shall confer the highest military ranks, diplomatic ranks and other special titles;</p> <p>4) shall grant pardons;</p> <p>5) shall define the structure of his/her apparatus, shall approve the regulations thereof and appoint the head thereof.</p> <p>11. The President shall exercise other powers envisaged in the present Constitution.</p>
<p>Article 68.</p> <p>1. In case of early termination of powers by the President on the grounds envisaged in the present Constitution, his/her powers shall be exercised by the Toraga [Speaker] of the Jogorku Kenesh until new President is elected. In case of inability of the Toraga to exercise the powers of the President, then such powers shall be exercised by the Prime minister.</p> <p>Early presidential elections are conducted within three months period since the termination of powers of the President.</p> <p>2. Officials exercising the powers of the President shall not have the right to call <u>early elections of the Jogorku Kenesh or dismiss the Government.</u></p>	<p>Article 68.</p> <p>1. In case of early termination of powers by the President on the grounds envisaged in the present Constitution, his/her powers shall be exercised by the Toraga [Speaker] of the Jogorku Kenesh until new President is elected. In case of inability of the Toraga to exercise the powers of the President, then such powers shall be exercised by the Prime minister.</p> <p>Early presidential elections are conducted within three months period since the termination of powers of the President.</p> <p>2. Officials exercising the powers of the President shall not have the right to call early elections of the Jogorku Kenesh, dismiss the Government or be a candidate to the position of the President at early Presidential elections.</p>
<p>Article 70.</p> <p>1. The Jogorku Kenesh (the Parliament) of the Kyrgyz Republic shall be the</p>	<p>Article 70.</p> <p>1. The Jogorku Kenesh (the Parliament) of the Kyrgyz Republic shall be the</p>

<p>highest representative body exercising legislative power and oversight functions within the limits of its competence.</p> <p>2. The Jogorku Kenesh shall consist of 120 deputies elected for a five year term on the basis of proportional representation.</p> <p>As a result of elections a political party may not be granted more than 65 deputy mandates in the Parliament.</p> <p>Any citizen of the Kyrgyz Republic who has reached 21 years of age as of the election day and who possesses the electoral right, may be elected as a Deputy of the Jogorku Kenesh.</p> <p>The procedure of electing the deputies to the Jogorku Kenesh including the establishment of an electoral threshold for passing to the Parliament, shall be defined in the constitutional law.</p> <p>3. The deputies of the Jogorku Kenesh shall form factions.</p> <p>The faction or a coalition of factions, which has officially announced the creation of coalition of factions in the Jogorku Kenesh and which has over one half of the deputies mandates, shall be considered as parliamentary majority.</p> <p>The faction or factions which are not part of the parliamentary majority and which have announced their opposition <u>to the latter</u>, shall be considered as parliamentary opposition.</p>	<p>highest representative body exercising legislative power and oversight functions within the limits of its competence.</p> <p>2. The Jogorku Kenesh shall consist of 120 deputies elected for a five year term on the basis of proportional representation.</p> <p>As a result of elections a political party may not be granted more than 65 deputy mandates in the Parliament.</p> <p>Any citizen of the Kyrgyz Republic who has reached 21 years of age as of the election day and who possesses the electoral right, may be elected as a Deputy of the Jogorku Kenesh.</p> <p>The procedure of electing the deputies to the Jogorku Kenesh including the establishment of an electoral threshold for passing to the Parliament, shall be defined in the constitutional law.</p> <p>3. The deputies of the Jogorku Kenesh shall form factions.</p> <p>The faction or a coalition of factions, which has officially announced the creation of coalition of factions in the Jogorku Kenesh and which has over one half of the deputies mandates, shall be considered as parliamentary majority.</p> <p>The faction or factions which are not part of the parliamentary majority and which have announced their opposition to the latter, shall be considered as parliamentary opposition.</p> <p>The decision on withdrawal from the coalition of the parliamentary majority shall be made by a faction by at least two thirds of votes of the total number of faction members. The decision of the faction shall be in the form of resolution of the faction and shall be signed by each faction member who voted for the withdrawal.</p>
<p>Article 72.</p> <p>1. A deputy of the Jogorku Kenesh may not be prosecuted for opinions expressed in the course of their activities as a deputy or for the outcome of voting in the Jogorku Kenesh. The institution of criminal proceedings against a deputy shall be permitted with the consent of the majority of the total number of the deputies of the Jogorku Kenesh except where grave offences have been committed.</p> <p>2. A deputy of the Jogorku Kenesh may not combine the activity of the</p>	<p>Article 72.</p> <p>1. A deputy of the Jogorku Kenesh may not be prosecuted for opinions expressed in the course of their activities as a deputy or for the outcome of voting in the Jogorku Kenesh. The institution of criminal proceedings against a deputy shall be permitted with the consent of the majority of the total number of the deputies of the Jogorku Kenesh except where grave offences have been committed.</p> <p>2. Except for cases envisaged in part 3 of the present article, a deputy of</p>

<p><i>deputy with another position in the civil</i> and municipal service, may not be engaged in entrepreneurial activity and may not be a member of the governing body or supervisory council of a commercial organization.</p> <p>A deputy of the Jogorku Kenesh shall have the right to engage in scientific, teaching or other creative activity.</p>	<p>the Jogorku Kenesh may not combine the activity of the deputy with another position in the civil and municipal service, may not be engaged in entrepreneurial activity and may not be a member of the governing body or supervisory council of a commercial organization.</p> <p>A deputy of the Jogorku Kenesh shall have the right to engage in scientific, teaching or other creative activity.</p> <p>3. A deputy of the Jogorku Kenesh may be appointed to the position of the Prime minister or vice prime minister retaining the mandate and the right to vote at the plenary sessions of the Jogorku Kenesh. The procedure of implementation and limitation of other powers of a deputy appointed to the position of the Prime minister or vice prime minister shall be defined in the legislation. Resignation, relieving from duty or termination of performing the functions of the Prime minister or vice prime minister shall result in the full restoration of the powers of a deputy.</p>
<p>Article 74.</p> <p>1. The Jogorku Kenesh:</p> <ol style="list-style-type: none">1) shall adopt the law on appointing a referendum;2) shall call for presidential elections. <p>2. The Jogorku Kenesh:</p> <ol style="list-style-type: none">1) shall introduce changes to the present Constitution;2) shall adopt laws;3) shall ratify and denunciate international treaties pursuant the procedures envisaged by law;4) shall solve the issues of alteration of the state borders of the Kyrgyz Republic;5) shall approve the republican budget and the report on its execution;6) shall decide on matters of administrative and territorial structure of the Kyrgyz Republic;7) shall issue amnesty acts. <p>3. The Jogorku Kenesh:</p> <ol style="list-style-type: none">1) shall approve the program of the activity of the Government, defines the	<p>Article 74.</p> <p>1. The Jogorku Kenesh:</p> <ol style="list-style-type: none">1) shall adopt the law on appointing a referendum;2) shall call for presidential elections. <p>2. The Jogorku Kenesh:</p> <ol style="list-style-type: none">1) shall introduce changes to the present Constitution;2) shall adopt laws;3) shall ratify and denunciate international treaties pursuant the procedures envisaged by law;4) shall solve the issues of alteration of the state borders of the Kyrgyz Republic;5) shall approve the republican budget and the report on its execution;6) shall decide on matters of administrative and territorial structure of the Kyrgyz Republic;7) shall issue amnesty acts. <p>3. The Jogorku Kenesh:</p> <ol style="list-style-type: none">1) shall approve the program of the activity of the Government, defines the

<p>structure and composition of the Government except for the members heading state agencies in charge of issues of defense and national security;</p> <p>2) shall approve nationwide development programs submitted by the Government;</p> <p>3) shall make decision upon the confidence in the Government;</p> <p>4) shall make decision on expressing no confidence in the Government.</p> <p>4. The Jogorku Kenesh:</p> <p>1) upon submission of the President shall elect the judges of the Supreme Court; in cases envisaged by the constitutional law shall dismiss them upon submission of the President;</p> <p>2) shall approve the composition of the Council on selection of Judges in accordance with the procedure envisaged in the law;</p> <p>3) upon submission of the President shall elect the Chairperson of the National Bank and shall dismiss him/her in cases envisaged in the law;</p> <p>4) shall elect members of the Central Commission on elections and referenda; one third of its members to be nominated by the President, one third by the Parliamentary majority and one third by the Parliamentary opposition; shall dismiss them in cases provided for by the law;</p> <p>5) shall elect the members of the Chamber of Accounts; one third of its members to be nominated by the President; one third by the Parliamentary majority and one third by the Parliamentary opposition; dismiss them in cases provided for by the law;</p> <p>6) shall elect and in cases provided for in the law shall dismiss the Ombudsman (Akiykatchy); shall give consent for criminal proceedings against him/her;</p> <p>7) shall elect and in cases provided for in the law shall dismiss deputies of the Ombudsman (Akiykatchy) upon submission of the Ombudsman (Akiykatchy); shall give consent for criminal proceedings against them;</p> <p>8) shall approve the appointment of the Prosecutor General; shall approve criminal proceedings against the Prosecutor General; shall give consent for dismissal the Prosecutor General from office by not less than one third of the total number of deputies of the Jogorku Kenesh;</p>	<p>structure and composition of the Government except for the members heading state agencies in charge of issues of defense and national security;</p> <p>2) shall approve nationwide development programs submitted by the Government;</p> <p>3) shall make decision upon the confidence in the Government;</p> <p>4) shall make decision on expressing no confidence in the Government.</p> <p>4. The Jogorku Kenesh:</p> <p>1) upon submission of the President shall elect the judges of the Supreme Court and the Constitutional Chamber; in cases envisaged by this Constitution and the constitutional law shall dismiss them upon submission of the President;</p> <p>2) shall approve the composition of the Council on selection of Judges in accordance with the procedure envisaged in the law;</p> <p>3) upon submission of the President shall elect the Chairperson of the National Bank and shall dismiss him/her in cases envisaged in the law;</p> <p>4) shall elect members of the Central Commission on elections and referenda; one third of its members to be nominated by the President, one third by the Parliamentary majority and one third by the Parliamentary opposition; shall dismiss them in cases provided for by the law;</p> <p>5) shall elect the members of the Chamber of Accounts; one third of its members to be nominated by the President; one third by the Parliamentary majority and one third by the Parliamentary opposition; dismiss them in cases provided for by the law;</p> <p>6) shall elect and in cases provided for in the law shall dismiss the Ombudsman (Akiykatchy); shall give consent for criminal proceedings against him/her;</p> <p>7) shall elect and in cases provided for in the law shall dismiss deputies of the Ombudsman (Akiykatchy) upon submission of the Ombudsman (Akiykatchy); shall give consent for criminal proceedings against them;</p> <p>8) shall approve the appointment of the Prosecutor General; shall approve criminal proceedings against the Prosecutor General; shall give consent for dismissal the Prosecutor General from office by the majority of at least one half of the total number of deputies of the Jogorku Kenesh;</p>
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<p>9) shall approve by the majority of not less than two thirds of votes of the total number of the deputies of the Jogorku Kenesh the initiative of one third of the total number of the deputies of the Jogorku Kenesh on dismissal of the Prosecutor General from office in cases provided for in the law.</p> <p>5. The Jogorku Kenesh:</p> <p>1) shall introduce the state of emergency in cases and in accordance with procedure envisaged in the constitutional law, shall approve or repeal Presidential decrees on this matter;</p> <p>2) shall decide on matters of war and peace; imposition of the martial law; declaring state of war as well as approval of repealing Presidential decrees on this matter;</p> <p>3) shall decide on matters concerning the possibility of using the Armed Forces of the Kyrgyz Republic outside its borders in case of necessity to fulfill international treaty obligations in support of peace and security;</p> <p>4) shall establish military ranks, diplomatic ranks and other special titles of the Kyrgyz Republic;</p> <p>5) shall establish state awards and honorary titles of the Kyrgyz Republic.</p> <p>6. The Jogorku Kenesh:</p> <p>1) shall hear addresses of the President, the representatives of foreign States and international organizations;</p> <p>2) shall hear annual statement of the Ombudsman (Akiykatchy);</p> <p>3) shall hear annual reports of the Prime Minister, the Prosecutor General, the Chairperson of the National Bank and the Chairperson of the Chamber of Accounts.</p> <p>7. The Jogorku Kenesh shall bring charges against the President and shall make the decision on his/her impeachment in accordance with the procedures envisaged in the present Constitution.</p> <p>8. The hearing of annual reports and statements of officials specified in the present Article shall be conducted in accordance with the provisions of the present Constitution and laws on the autonomy and independence of the state authorities and their officials.</p> <p>9. The Jogorku Kenesh shall exercise other powers provided for in the present</p>	<p>9) shall approve by the majority of not less than two thirds of votes of the total number of the deputies of the Jogorku Kenesh the initiative of one third of the total number of the deputies of the Jogorku Kenesh on dismissal of the Prosecutor General from office in cases provided for in the law.</p> <p>5. The Jogorku Kenesh:</p> <p>1) shall introduce the state of emergency in cases and in accordance with procedure envisaged in the constitutional law, shall approve or repeal Presidential decrees on this matter;</p> <p>2) shall decide on matters of war and peace; imposition of the martial law; declaring state of war as well as approval of repealing Presidential decrees on this matter;</p> <p>3) shall decide on matters concerning the possibility of using the Armed Forces of the Kyrgyz Republic outside its borders in case of necessity to fulfill international treaty obligations in support of peace and security;</p> <p>4) shall establish military ranks, diplomatic ranks and other special titles of the Kyrgyz Republic;</p> <p>5) shall establish state awards and honorary titles of the Kyrgyz Republic.</p> <p>6. The Jogorku Kenesh:</p> <p>1) shall hear addresses of the President, the representatives of foreign States and international organizations;</p> <p>2) shall hear annual statement of the Ombudsman (Akiykatchy);</p> <p>3) shall hear annual reports of the Prime Minister, the Prosecutor General, the Chairperson of the National Bank and the Chairperson of the Chamber of Accounts.</p> <p>7. The Jogorku Kenesh shall bring charges against the President and shall make the decision on his/her impeachment in accordance with the procedures envisaged in the present Constitution.</p> <p>8. The hearing of annual reports and statements of officials specified in the present Article shall be conducted in accordance with the provisions of the present Constitution and laws on the autonomy and independence of the state authorities and their officials.</p> <p>9. The Jogorku Kenesh shall exercise other powers provided for in the present</p>
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<p>Constitution.</p>	<p>Constitution.</p>
<p>Article 75.</p> <p>1. The Jogorku Kenesh shall elect from among its members the Toraga [Speaker] of the Jogorku Kenesh and his/her deputies.</p> <p>The deputies of the Toraga of the Jogorku Kenesh shall be elected in the number and in accordance with the procedures to ensure that they are elected from the deputies of the Jogorku Kenesh which are part of the parliamentary opposition.</p> <p>2. The Toraga of the Jogorku Kenesh:</p> <ol style="list-style-type: none"> 1) shall conduct the sittings of the Jogorku Kenesh; 2) shall perform the overall guidance in preparation of issues to considered at the sittings of the Jogorku Kenesh; 3) shall sign acts adopted by the Jogorku Kenesh; 4) shall represent the Jogorku Kenesh in the Kyrgyz Republic and outside its borders, shall ensure interaction of the Jogorku Kenesh with the President, the Government, the judicial branch and local self - government bodies; 5) shall exercise general management and oversight over the activity of the Administration of the Jogorku Kenesh; 6) shall exercise other powers related to the organization of the activity of the Jogorku Kenesh entrusted to him/her under the Rules of Procedure of the Jogorku Kenesh. <p>3. The Toraga of the Jogorku Kenesh shall be elected by secret ballot by majority of the total number of deputies of the Jogorku Kenesh.</p> <p>The Toraga of the Jogorku Kenesh shall be accountable to the Jogorku Kenesh and may be dismissed from office by decision adopted by a majority of not less than two thirds of the total number of deputies of the Jogorku Kenesh.</p>	<p>Article 75.</p> <p>1. The Jogorku Kenesh shall elect from among its members the Toraga [Speaker] of the Jogorku Kenesh and his/her deputies.</p> <p>The deputies of the Toraga of the Jogorku Kenesh shall be elected in the number and in accordance with the procedures to ensure that they are elected from the deputies of the Jogorku Kenesh which are part of the parliamentary opposition.</p> <p>2. The Toraga of the Jogorku Kenesh:</p> <ol style="list-style-type: none"> 1) shall conduct the sittings of the Jogorku Kenesh; 2) shall perform the overall guidance in preparation of issues to considered at the sittings of the Jogorku Kenesh; 3) shall sign acts adopted by the Jogorku Kenesh; 4) shall represent the Jogorku Kenesh in the Kyrgyz Republic and outside its borders, shall ensure interaction of the Jogorku Kenesh with the President, the Government, the judicial branch and local self - government bodies; 5) shall exercise general management and oversight over the activity of the Administration of the Jogorku Kenesh; 6) shall exercise other powers related to the organization of the activity of the Jogorku Kenesh entrusted to him/her under the Rules of Procedure of the Jogorku Kenesh. <p>3. The Toraga of the Jogorku Kenesh shall be elected by secret ballot by majority of the total number of deputies of the Jogorku Kenesh.</p> <p>The Toraga of the Jogorku Kenesh shall be accountable to the Jogorku Kenesh and may be dismissed from office by decision adopted by a majority of not less than two thirds of the total number of deputies of the Jogorku Kenesh.</p> <p>In the event that the coalition of factions loses the status of the parliamentary majority, the Toraga of the Jogorku Kenesh shall resign.</p>
<p>Article 80.</p>	<p>Article 80.</p>

<p>1. Bills shall be submitted to the Jogorku Kenesh.</p> <p>2. The bills which were defined by the Government as urgent shall be considered by the Jogorku Kenesh as a matter of priority.</p> <p>3. Bills that provide for increased expenditures to be covered from the state budget may be adopted by the Jogorku Kenesh <u>after the Government has determined the source of funding.</u></p> <p>4. The laws are passed by the Jogorku Kenesh in three readings.</p> <p>The laws and decisions shall be adopted by the Jogorku Kenesh by the majority of deputies in attendance but not less than 50 votes of the deputies of the Jogorku Kenesh unless the present Constitution provides otherwise.</p> <p>5. Constitutional laws and laws altering state borders shall be adopted by the Jogorku Kenesh after not less than in three readings by not less than two-thirds of the total number of deputies of the Jogorku Kenesh.</p> <p>6. The adoption of constitutional law and law altering state borders shall be prohibited during the state of emergency and martial law.</p>	<p>1. Bills shall be submitted to the Jogorku Kenesh.</p> <p>2. The bills which were defined by the Government as urgent shall be considered by the Jogorku Kenesh as a matter of priority.</p> <p>3. Bills that provide for increased expenditures to be covered from the state budget may be adopted by the Jogorku Kenesh only after the consent of the Government and after the Government has determined the source of funding.</p> <p>4. The laws are passed by the Jogorku Kenesh in three readings.</p> <p>The laws and decisions shall be adopted by the Jogorku Kenesh by the majority of deputies in attendance but not less than 50 votes of the deputies of the Jogorku Kenesh unless the present Constitution provides otherwise.</p> <p>5. Constitutional laws and laws altering state borders shall be adopted by the Jogorku Kenesh after not less than in three readings by not less than two-thirds of the total number of deputies of the Jogorku Kenesh.</p> <p>6. The adoption of constitutional law and law altering state borders shall be prohibited during the state of emergency and martial law.</p>
<p>Article 81.</p> <p>1. A law adopted by the Jogorku Kenesh shall be sent within 14 days to the President for signature.</p> <p>2. The President not later than one month after the receipt of the law, shall sign it or return it with his objections to the Jogorku Kenesh for re-examination. <u>The laws on the republican budget and taxes shall be subject to mandatory signature.</u></p> <p>3. In the event that upon re-examination a constitutional law or a law shall be approved in its previous version by not less than two thirds of the total number of deputies of the Jogorku Kenesh, such law shall be signed by the President within 14 days since the date of receipt. In the event of failure to sign constitutional law or a law approved in its earlier version within the stipulated period of time, such law shall be signed by the Toraga of the Jogorku Kenesh not later than 10 days and shall be subject to publication.</p>	<p>Article 81.</p> <p>1. A law adopted by the Jogorku Kenesh shall be sent within 14 days to the President for signature.</p> <p>2. The President not later than one month after the receipt of the law, shall sign it or return it with his objections to the Jogorku Kenesh for re-examination. The laws on the republican budget and taxes shall be subject to mandatory signature except for requests of the Prime minister to return such laws without signing.</p> <p>3. In the event that upon re-examination a constitutional law or a law shall be approved in its previous version by not less than two thirds of the total number of deputies of the Jogorku Kenesh, such law shall be signed by the President within 14 days since the date of receipt. In the event of failure to sign constitutional law or a law approved in its earlier version within the stipulated period of time, such law shall be signed by the Toraga of the Jogorku Kenesh not later than 10 days and shall be subject to publication.</p>
<p>Article 84.</p>	<p>Article 84.</p>

<p>1. The faction which has more than one half of deputies' mandates, or a coalition of factions with its participation within 15 days since the date of the first sitting of the Jogorku Kenesh of new convocation shall nominate a candidate for the office of the Prime Minister.</p> <p>The candidate for the office of the Prime Minister shall submit to the Jogorku Kenesh the program, structure and composition of the Government.</p> <p>2. In the event that before expiration of the above time period the Jogorku Kenesh fails to approve the program, define the structure and composition of the Government or in case based on the results of the elections neither party shall get more than one half of deputies' mandates, then the President shall propose to one of factions to create parliamentary majority within 15 working days and nominate the candidate for the office of the Prime minister.</p> <p>The candidate for the office of the Prime Minister shall submit to the Jogorku Kenesh the program, structure and composition of the Government before expiration of the above time period.</p> <p>3. In the event that before expiration of the above time period the Jogorku Kenesh fails to approve the program, define the structure and composition of the Government then the President shall propose to the second faction to create parliamentary majority within 15 working days and nominate the candidate for the office of the Prime minister.</p> <p>The candidate for the office of the Prime Minister shall submit to the Jogorku Kenesh the program, structure and composition of the Government before expiration of the above time period.</p> <p>4. In the event that before expiration of the above time period the Jogorku Kenesh fails to approve the program, define the structure and composition of the Government, then the factions at their own initiative shall create parliamentary majority within 15 working days and nominate the candidate for the office of the Prime minister.</p> <p>The candidate for the office of the Prime Minister shall submit to the Jogorku Kenesh the program, structure and composition of the Government before expiration of the above time period.</p> <p>5. The President within 3 days period shall issue a decree on the appointment of the Prime minister and other members of the Government.</p>	<p>1. The faction which has more than one half of deputies' mandates, or a coalition of factions with its participation within 25 days since the date of the first sitting of the Jogorku Kenesh of new convocation shall nominate a candidate for the office of the Prime Minister.</p> <p>The candidate for the office of the Prime Minister shall submit to the Jogorku Kenesh the program, structure and composition of the Government.</p> <p>2. In the event that before expiration of the above time period the Jogorku Kenesh fails to approve the program, define the structure and composition of the Government or in case based on the results of the elections neither party shall get more than one half of deputies' mandates, then the President shall propose to one of factions to create parliamentary majority within 15 working days and nominate the candidate for the office of the Prime minister.</p> <p>The candidate for the office of the Prime Minister shall submit to the Jogorku Kenesh the program, structure and composition of the Government before expiration of the above time period.</p> <p>3. In the event that before expiration of the above time period the Jogorku Kenesh fails to approve the program, define the structure and composition of the Government then the President shall propose to the second faction to create parliamentary majority within 15 working days and nominate the candidate for the office of the Prime minister.</p> <p>The candidate for the office of the Prime Minister shall submit to the Jogorku Kenesh the program, structure and composition of the Government before expiration of the above time period.</p> <p>4. In the event that before expiration of the above time period the Jogorku Kenesh fails to approve the program, define the structure and composition of the Government, then the factions at their own initiative shall create parliamentary majority within 15 working days and nominate the candidate for the office of the Prime minister.</p> <p>The candidate for the office of the Prime Minister shall submit to the Jogorku Kenesh the program, structure and composition of the Government before expiration of the above time period.</p> <p>5. The President within 3 days period shall issue a decree on the appointment of the Prime minister and other members of the Government.</p>
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<p>In the event that the President fails to issue the decree on appointment of the Prime minister and members of the Government within the above time period, they shall be deemed appointed.</p> <p>6. In the event of failure to approve the program, define the structure and composition of the Government in accordance with the procedures envisaged in the present Constitution, the President shall call for early elections to the Jogorku Kenesh. In such case the Government shall exercise its functions until the new convocation of the Jogorku Kenesh forms a new Government pursuant the procedures envisaged in the present Constitution.</p> <p>7. In the event that a coalition of factions loses the status of the parliamentary majority, the Government shall be created in accordance with procedures and within the time periods envisaged in the present article. Before the formation of the new composition of the Government the Prime minister and the members of the Government shall continue to exercise their duties.</p>	<p>In the event that the President fails to issue the decree on appointment of the Prime minister and members of the Government within the above time period, they shall be deemed appointed.</p> <p>6. In the event of failure to approve the program, define the structure and composition of the Government in accordance with the procedures envisaged in the present Constitution, the President shall call for early elections to the Jogorku Kenesh. In such case the Government shall exercise its functions until the new convocation of the Jogorku Kenesh forms a new Government pursuant the procedures envisaged in the present Constitution.</p> <p>7. In the event that a coalition of factions loses the status of the parliamentary majority, the Government shall be created in accordance with procedures and within the time periods envisaged in the present article. Before the formation of the new composition of the Government the Prime minister and the members of the Government shall continue to exercise their duties.</p>
<p>Article 85.</p> <p>1. The Government shall be responsible and accountable to the Jogorku Kenesh within the limits stipulated in the present Constitution.</p> <p>2. The Prime Minister shall present an annual report on the work of the Government to the Jogorku Kenesh.</p> <p>3. The Jogorku Kenesh may consider the issue of no confidence in the Government at the initiative of one-third of the total number of deputies of the Jogorku Kenesh.</p> <p>4. The resolution on no confidence in the Government shall be adopted by the majority of the total number of deputies of the Jogorku Kenesh.</p> <p>5. The issue of no confidence in the Government may not be considered by the Jogorku Kenesh the six months prior to the next presidential elections.</p> <p>6. Following the expression of no confidence in the Government, the President shall be entitled to either take a decision on the dismissal of the Government or disagree with the decision of the Jogorku Kenesh.</p> <p>7. In the event that within three months the Jogorku Kenesh repeatedly adopts the decision expressing no confidence in the Government, the President shall dismiss the Government.</p>	<p>Article 85.</p> <p>1. The Government shall be responsible and accountable to the Jogorku Kenesh within the limits stipulated in the present Constitution.</p> <p>2. The Prime Minister shall present an annual report on the work of the Government to the Jogorku Kenesh.</p> <p>3. The Jogorku Kenesh may consider the issue of no confidence in the Government at the initiative of one-third of the total number of deputies of the Jogorku Kenesh.</p> <p>4. The resolution on no confidence in the Government shall be adopted by at least two thirds of votes of the total number of deputies of the Jogorku Kenesh.</p> <p>5. The issue of no confidence in the Government may not be considered by the Jogorku Kenesh the six months prior to the next presidential elections.</p> <p>6. Following the expression of no confidence in the Government, the President shall be entitled to either take a decision on the dismissal of the Government or disagree with the decision of the Jogorku Kenesh.</p> <p>7. In the event that within three months the Jogorku Kenesh repeatedly adopts the decision expressing no confidence in the Government, the President shall</p>

	dismiss the Government.
<p>Article 86.</p> <p>1. Not more than once a year the Prime Minister may ask the Jogorku Kenesh for a vote of confidence in the Government. Should the Jogorku Kenesh refuse to express confidence in the Government, within five working days the President shall either take the decision to dismiss the Government or to call early elections to Jogorku Kenesh.</p> <p>2. In the event of dismissal, the Government shall continue to exercise its powers until the formation of the new composition of the Government in accordance with the procedures and within the time period envisaged in the present Constitution.</p>	<p>Article 86.</p> <p>1. The Prime minister may ask the Jogorku Kenesh for vote of confidence in the Government. Should the Jogorku Kenesh refuse to express confidence in the Government, within five working days the President shall either take the decision to dismiss the Government or to call early elections to Jogorku Kenesh.</p> <p>2. In the event of dismissal, the Government shall continue to exercise its powers until the formation of the new composition of the Government in accordance with the procedures and within the time period envisaged in the present Constitution.</p>
<p>Article 87.</p> <p>1. The Prime Minister, the Government or an individual member of the Government shall have the right to submit the resignation, which shall be accepted or rejected by the President.</p> <p>2. Acceptance of the resignation of the Prime Minister shall result in the resignation of the Government.</p> <p>3. Before the formation of the Government the Prime minister and the members of the Government shall continue to perform their duties.</p> <p>4. In the event of resignation of the Government, the new composition of the Government shall be formed in accordance with the procedures and within the time period envisaged in the present Constitution. The countdown of time for the President to submit the candidate for the appointment to the office of the Prime minister shall commence since the day of acceptance of the resignation of the Prime minister or the Government by the President.</p> <p>5. In the event of resignation or dismissal of a member of the Government the Prime minister within 5 working days shall submit to the President the candidate to the vacant position of the member of the Government approved by the Jogorku Kenesh.</p>	<p>Article 87.</p> <p>1. The Government shall resign since the first sitting of the Jogorku Kenesh of the new convocation.</p> <p>The loss of the status of the parliamentary majority by a coalition of factions shall cause the resignation of the Government.</p> <p>The Prime Minister, the Government or an individual member of the Government shall have the right to submit the resignation, which shall be accepted or rejected by the President.</p> <p>2. Acceptance of the resignation of the Prime Minister shall result in the resignation of the Government.</p> <p>3. Before the formation of the Government the Prime minister and the members of the Government shall continue to perform their duties.</p> <p>4. In the event of resignation of the Government, the new composition of the Government shall be formed in accordance with the procedures and within the time period envisaged in the present Constitution. The countdown of time for the President to submit the candidate for the appointment to the office of the Prime minister shall commence since the day of acceptance of the resignation of the Prime minister or the Government by the President.</p> <p>5. A member of the Government, with the exception of members of the Government heading state agencies in charge of issues of defense and national security, may be dismissed upon submission of the Prime</p>

	<p>minister. In the event that within 5 working days since the day of receipt of such submission the President does not issue a decree on the dismissal of the member of the Government, the Prime minister upon consultation with the faction leaders of the parliamentary majority shall have the right to dismiss the member of the Government by his own decision.</p> <p>In case of resignation or dismissal of a member of the Government the Prime minister shall within 5 working days submit to the Jogorku Kenesh the candidate for the vacant position. The candidate approved by the Jogorku Kenesh shall be appointed by the President to the relevant position of the member of the Government. In the event that within 3 working days since the receipt of the decision of the Jogorku Kenesh to approve the candidate the President fails to issue a decree on the appointment of the member of the Government, such member shall be deemed appointed.</p>
<p>Article 89. The Prime minister:</p> <ol style="list-style-type: none"> 1) shall manage the work of the Government, bear personal responsibility for its performance towards the Jogorku Kenesh; 2) shall ensure the implementation of the Constitution and laws by all agencies of the executive power; 3) shall conduct negotiations and sign international treaties; 4) shall conduct the meetings of the Government; 5) shall sign the resolutions and orders of the Government; ensures their implementation; 6) shall appoint and dismiss the heads of administrative agencies; 7) shall appoint and dismiss the heads of local public administrations upon proposals of local keneshes in accordance with the procedures of the law; 8) shall exercise other powers envisaged in the present Constitution and laws. 	<p>Article 89. The Prime minister:</p> <ol style="list-style-type: none"> 1) shall manage the work of the Government, bear personal responsibility for its performance towards the Jogorku Kenesh; 2) shall ensure the implementation of the Constitution and laws by all agencies of the executive power; 3) shall conduct negotiations and sign international treaties; 4) shall conduct the meetings of the Government; 5) shall sign the resolutions and orders of the Government; ensures their implementation; 6) shall appoint and dismiss the heads of administrative agencies; 7) shall appoint and dismiss the heads of local public administrations; 8) shall exercise other powers envisaged in the present Constitution and laws.
<p>Article 93. 1. Justice in the Kyrgyz Republic shall be administered only by a court. In cases and under the procedures envisaged in the law, the citizens of the</p>	<p>Article 93. 1. Justice in the Kyrgyz Republic shall be administered only by a court. In cases and under the procedures envisaged in the law, the citizens of the</p>

<p>Kyrgyz Republic shall have the right to participate in the administration of justice.</p> <p>2. Judicial power shall be exercised by means of constitutional, civil, criminal, administrative and other forms of legal proceedings.</p> <p>3. The judicial system of the Kyrgyz Republic shall be defined in the Constitution and laws and shall consist of the Supreme Court and local courts.</p> <p>The Constitutional Chamber shall act as part of the Supreme Court.</p> <p>Specialized courts may be established by the law.</p> <p>Creation of extraordinary courts shall not be permitted.</p> <p>4. The organization and procedures of courts shall be defined by law.</p>	<p>Kyrgyz Republic shall have the right to participate in the administration of justice.</p> <p>2. Judicial power shall be exercised by means of constitutional, civil, criminal, administrative and other forms of legal proceedings.</p> <p>3. The judicial system of the Kyrgyz Republic shall be defined in the Constitution and laws and shall consist of the Supreme Court and local courts as well as the Constitutional Chamber which exercises the constitutional control.</p> <p>Specialized courts may be established by the law.</p> <p>Creation of extraordinary courts shall not be permitted.</p> <p>4. The organization and procedures of courts shall be defined by the legislation.</p>
<p>Article 94.</p> <p>1. Judges shall be independent and subordinate only to the Constitution and laws.</p> <p>2. A judge shall enjoy the right of immunity and may not be detained or arrested, subjected to search or personal inspection, except for cases when he/she is caught in the act.</p> <p>3. No one shall have the right to demand a report from a judge on a given court case.</p> <p>Any interference in the administration of justice shall be prohibited. Persons found guilty of influencing upon a judge shall be liable in accordance with the law.</p> <p>4. A judge shall be provided with social, material and other guarantees of his independence in accordance with his/her status.</p> <p>5. Any citizen of the Kyrgyz Republic who is not younger than 40 years of age and not older than 70 years of age and has a higher legal education and not less than 10 years of experience in the legal profession may be a judge in the Supreme Court.</p> <p>6. Judges of the Supreme Court shall be elected until they reach the age limit.</p> <p>7. The judges of the Supreme Court shall elect from amongst them the Chairperson of the Supreme Court and his/her deputies for the term of three</p>	<p>Article 94.</p> <p>1. Judges shall be independent and subordinate only to the Constitution and laws.</p> <p>2. A judge shall enjoy the right of immunity and may not be detained or arrested, subjected to search or personal inspection, except for cases when he/she is caught in the act.</p> <p>3. No one shall have the right to demand a report from a judge on a given court case.</p> <p>Any interference in the administration of justice shall be prohibited. Persons found guilty of influencing upon a judge shall be liable in accordance with the law.</p> <p>4. A judge shall be provided with social, material and other guarantees of his independence in accordance with his/her status.</p> <p>5. Any citizen of the Kyrgyz Republic who is not younger than 40 years of age and not older than 70 years of age and has a higher legal education and not less than 10 years of experience in the legal profession may be a judge in the Supreme Court.</p> <p>6. Judges of the Supreme Court shall be elected until they reach the age limit.</p> <p>7. The judges of the Supreme Court shall elect from amongst them the Chairperson of the Supreme Court and his/her deputies for the term of three</p>

<p>years. One and the same person may not be elected Chairperson of the Supreme Court or deputy chairperson for two consecutive terms. The procedure of electing and dismissing of the Chairperson of the Supreme Court and his/her deputies shall be defined by law. 8. Any citizen of the Kyrgyz Republic who is not younger than 30 years of age and not older than 65 years of age, has higher legal education and not less than 5 years of experience in the legal profession may be a judge in a local court. Judges of local courts shall be appointed by the President upon submission of the Council on selection of judges for an initial term of 5 years and, for subsequent terms, until they reach the age limit. The procedure of nomination and appointment of judges shall be defined in the constitutional law. The assembly of judges of a local court shall elect from among them the chairperson and deputy chairperson of court for the term of three years. One and the same person may not be elected the chairperson or deputy chairperson of a local court for two consecutive terms in one and the same court. 9. The status of judges of the Kyrgyz Republic shall be defined by the constitutional law, which may impose additional requirements towards the candidates to the positions of judges of the Supreme Court and local courts.</p>	<p>years. One and the same person may not be elected Chairperson of the Supreme Court or deputy chairperson for two consecutive terms. The procedure of electing and dismissing of the Chairperson of the Supreme Court and his/her deputies shall be defined by law. 8. Any citizen of the Kyrgyz Republic who is not younger than 30 years of age and not older than 65 years of age, has higher legal education and not less than 5 years of experience in the legal profession may be a judge in a local court. Judges of local courts shall be appointed by the President upon submission of the Council on selection of judges for an initial term of 5 years and, for subsequent terms, until they reach the age limit. The procedure of nomination and appointment of judges shall be defined in the constitutional law. The assembly of judges of a local court shall elect from among them the chairperson and deputy chairperson of court for the term of three years. One and the same person may not be elected the chairperson or deputy chairperson of a local court for two consecutive terms in one and the same court. 8-1. A person running for the position of a judge should make a written statement denying his / her right to privacy of correspondence, telephone and other negotiations, postal, cable and other messages for the period of his / her being in the office of a judge. Failure to make such a statement shall result in the denial of the right to be appointed or elected to the position of a judge. The procedure and limits of tapping and recording of negotiations, examination of correspondence, as well as use and guarantees of safety of such information as well as information of the private life of a judge shall be determined in the constitutional law. 9. The status of judges of the Kyrgyz Republic shall be defined by the constitutional law, which may impose additional requirements towards the candidates to the positions of judges of the Supreme Court and local courts.</p>
<p>Article 95. 1. Judges of all courts of the Kyrgyz Republic shall hold their posts and retain</p>	<p>Article 95. 1. Judges of all courts of the Kyrgyz Republic shall hold their posts and retain</p>

their prerogatives as long as their conduct is irreproachable. The violation of the requirements of irreproachability of the conduct of judges shall serve the basis for bringing such judge to account in accordance with the procedure envisaged in the constitutional law.

~~2. Judges of the Supreme Court may be dismissed early from their office by the majority of not less than two-thirds of the total number of deputies of the Jogorku Kenesh upon submission of the President based on the proposal of the Council of judges.~~

~~3. In the event of death of a judge or him being declared dead or missing, legally incapable, loss of citizenship, withdrawal from citizenship or acquisition of another citizenship, the powers of the judge shall be terminated by the body which elected or appointed him, from the date of emergence of grounds in accordance with the constitutional law.~~

~~4. Selection of candidates for the position local court judge, submissions for their nomination and transfer (rotation) shall be done by the Council on selection of judges in accordance with the procedure envisaged in the constitutional law.~~

~~5. The removal and dismissal from office of judges in local courts shall be carried out by the President upon submission of the Council of Judges in cases and in accordance with the procedure set forth in the constitutional law.~~

~~6. Administrative and criminal action against judges of all courts of the Kyrgyz Republic may be brought in a judicial proceeding upon the consent of the Council of Judges in accordance with the procedures envisaged in the constitutional law.~~

7. The Council on selection of judges is composed of judges and representatives of the civil society.

The Council of Judges, the parliamentary majority and the parliamentary opposition correspondingly shall elect one third of the composition of the Council on selection of judges.

8. The organization and procedure of the Council on selection of judges, its powers and rules of formation shall be defined by the law.

their prerogatives as long as their conduct is irreproachable. The violation of the requirements of irreproachability of the conduct of judges shall serve the basis for bringing such judge to account in accordance with the procedure envisaged in the constitutional law.

2. In the event that a judge violates the requirement of irreproachability, such judge shall be dismissed upon proposal of the disciplinary commission with the Council of judges in accordance with the constitutional law.

On the grounds stated above, judges of the Supreme Court and the Constitutional Chamber may be early dismissed from their positions by the Jogorku Kenesh by the majority of at least two thirds of votes from the total number of deputies of the Jogorku Kenesh upon submission of the President except for cases stated in part 3 of this Article. The judges of local courts are dismissed by the President.

A person dismissed from the position of a judge due to violation of the requirements of irreproachability, shall have no right to take positions in the civil service and shall be deprived from the entitlement to benefits granted to judges and former judges.

3. In the event of death of a judge, reaching the age limit, retirement or transfer to another position, being declared dead or missing, legally incapable, loss of citizenship, withdrawal from citizenship or acquisition of another citizenship, as well as in other cases not related to the violation of irreproachability requirement, the powers of the judge shall be subject to early termination upon proposal of the Council of judges by the body which elected or appointed such judge, since the day of grounds for that in accordance with the constitutional law. Judges of the Supreme Court and the Constitutional Chamber shall be dismissed from their positions by the decision of the Jogorku Kenesh adopted by the majority of those present but no less than 50 votes of the deputies.

4. Suspension from office, administrative and criminal action in court are allowed upon consent of the disciplinary commission with the Council of judges in accordance with the procedures set in the constitutional law.

5. The selection of candidates to the positions of judges of local courts shall be made by the Council on selection of judges in accordance with

	<p>the procedures envisaged in the constitutional law.</p> <p>6. The transfer (rotation) of judges of local courts shall be performed by the President upon submission of the Council of judges in accordance with the procedures and in cases envisaged in the constitutional law.</p> <p>7. The Council on selection of judges is composed of judges and representatives of the civil society.</p> <p>The Council of Judges, the parliamentary majority and the parliamentary opposition correspondingly shall elect one third of the composition of the Council on selection of judges.</p> <p>8. The organization and procedure of the Council on selection of judges, its powers and rules of formation shall be defined by the law.</p> <p>9. The disciplinary commission with the Council of judges shall be formed by the President, the Jogorku Kenesh and the Council of judges, each submitting one third of candidates for membership. Calling of the first sitting of the disciplinary commission shall be effected by the chairperson of the Council of judges after at least two thirds of its members are appointed. In the event that the disciplinary commission with the Council of judges fails to have its first sitting within 10 working days, then the organization of such meeting shall be done by the President. The total number of members, requirements to the candidates to membership in the disciplinary commission with the Council of judges as well as other organizational issues of the commission shall be defined in the law.</p>
<p>Article 96.</p> <p>1. The Supreme Court shall be the highest body of judicial power in respect of civil, criminal, administrative as well as other cases; it shall revise the rulings of local courts upon appeals of the participants in the judicial process in accordance with procedures established by the law.</p> <p>2. The Plenum of the Supreme Court composed of the Chairperson and collegium of the Supreme Court shall give explanations on issues of court practice.</p> <p>3. The rulings of the Supreme Court shall be final and not subject to appeal.</p>	<p>Article 96.</p> <p>1. The Supreme Court shall be the highest body of judicial power in respect of civil, criminal, administrative as well as other cases; it shall revise the rulings of courts upon appeals of the participants in the judicial process in accordance with procedures established by the law.</p> <p>2. The Plenum of the Supreme Court shall give explanations on issues of court practice, such explanations shall be mandatory for all courts and judges of the Kyrgyz Republic.</p>
<p>Article 97.</p>	<p>Article 97.</p>

<p>1. The Constitutional Chamber of the Supreme Court shall be a body which shall perform constitutional oversight.</p> <p>2. Any citizen of the Kyrgyz Republic who is not younger than 40 years of age and not older than 70 years of age, has higher legal education and not less than 15 years of experience in legal profession may be the judge of the Constitutional Chamber of the Supreme Court.</p> <p>3. The judges of the Constitutional Chamber of the Supreme Court shall elect the chairperson and deputy chairperson from amongst them for the term of 3 years.</p> <p>4. One and the same person may not be elected the chairperson or deputy chairperson of the Constitutional Chamber of the Supreme Court for two consecutive terms.</p> <p>5. The judges of the Constitutional Chamber of the Supreme court may be subject to <i>early dismissal</i> from their posts by the Jogorku Kenesh by the <i>majority of not less than two thirds of votes of the total number of the deputies of the Jogorku Kenesh upon submission of the President on the basis of proposal of the Council of judges.</i></p> <p>6. The Constitutional Chamber of the Supreme Court:</p> <p>1) shall declare unconstitutional laws and other regulatory legal acts in the event that they contradict the Constitution;</p> <p>2) shall conclude on the constitutionality of international treaties not entered into force and to which the Kyrgyz Republic is a party;</p> <p>3) shall conclude on the draft law on changes to the present Constitution.</p> <p>7. Everyone shall have the right to challenge the constitutionality of a law or another regulatory legal act in case he/she believes that these acts violate rights and freedoms recognized in the Constitution.</p> <p>8. The ruling of the Constitutional Chamber of the Supreme Court shall be final and shall be not subject to appeal.</p> <p>9. In the event that the Constitutional Chamber of the Supreme Court determines unconstitutionality of laws or provisions thereof, such laws shall be repealed on the territory of the Kyrgyz Republic, the same applies to other regulatory legal acts based on such laws and provisions thereof declared</p>	<p>1. The Constitutional Chamber shall be the body which shall perform constitutional oversight.</p> <p>2. Any citizen of the Kyrgyz Republic who is not younger than 40 years of age and not older than 70 years of age, has higher legal education and not less than 15 years of experience in legal profession may be the judge of the Constitutional Chamber.</p> <p>3. The judges of the Constitutional Chamber of shall elect the chairperson and deputy chairperson from amongst them for the term of 3 years.</p> <p>4. One and the same person may not be elected the chairperson or deputy chairperson of the Constitutional Chamber of the Supreme Court for two consecutive terms.</p> <p>5. (Shall be null and void)</p> <p>6. The Constitutional Chamber:</p> <p>1) shall declare unconstitutional laws and other regulatory legal acts in the event that they contradict the Constitution;</p> <p>2) shall conclude on the constitutionality of international treaties not entered into force and to which the Kyrgyz Republic is a party;</p> <p>3) shall conclude on the draft law on changes to the present Constitution.</p> <p>7. Everyone shall have the right to challenge the constitutionality of a law or another regulatory legal act in case he/she believes that these acts violate his / her rights and freedoms recognized in the Constitution.</p> <p>8. The Constitutional Chamber shall make a decision on unconstitutionality of a law on the basis of an adopted preliminary conclusion on the existence of contradictions to the Constitution.</p> <p>9. The preliminary conclusion of the Constitutional Chamber on the existence of contradictions to the Constitution in the law shall be sent to the President and the Jogorku Kenesh for consideration.</p> <p>In the event that the President and the Jogorku Kenesh within 3 months'</p>
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unconstitutional with the exception of court rulings.
 40. Court rulings based on provisions of laws declared unconstitutional, shall be revised by courts in each concrete case upon appeals of citizens whose rights and freedoms were affected.

~~11. The composition and the procedures of formation of the Constitutional Chamber of the Supreme Court, election and dismissal of chairpersons, deputy chairpersons of the Constitutional Chamber as well as the procedure of administering constitutional justice shall be defined in the constitutional law.~~

period since the receipt of the preliminary conclusion express their agreement with the existence of contradictions to the Constitution in the law or fail to express their position on the preliminary conclusion, then the decision on the unconstitutionality of a law or its provisions shall be adopted by the majority of at least one half of votes of the full composition of judges of the Constitutional Chamber.

In the event that the President or the Jogorku Kenesh within 3 months' period express their disagreement with the preliminary conclusion in full or in part I terms of existence of contradictions to the Constitution in the law, then the decision on the unconstitutionality of this law or provisions thereof shall be adopted by the majority of at least two thirds of votes of the full composition of judges of the Constitutional Chamber.

In the event that the President and the Jogorku Kenesh within 3 months' period express their common position on disagreement with the preliminary conclusion in full or in part in terms of existence of contradictions to the Constitution in the law, then the decision on the unconstitutionality of this law or provisions thereof shall be adopted by the majority of at least three fourths of votes of the full composition of judges of the Constitutional Chamber.

In the event that the decision on the unconstitutionality of a law or provisions thereof is voted by less judges of the Constitutional Chamber than established in the present part, then the preliminary conclusion shall lose its force.

10. The decision of the Constitutional Chamber shall be final and not subject to appeal.

The decision of the Constitutional Chamber on the unconstitutionality of laws or provisions thereof, upon entry into legal force shall repeal such laws on the territory of the Kyrgyz Republic, the same applies to other regulatory legal acts based on such laws and provisions thereof declared unconstitutional with the exception of court rulings.

Court rulings based on provisions of laws declared unconstitutional, shall be revised by courts in each concrete case upon appeals of citizens whose rights and freedoms were affected.

	<p>11. (shall be null and void – these provisions are reflected in part 4 of Article 93).</p>
<p>Article 102. 1. Judicial self - regulation shall be used to resolve internal issues concerning the activities of judges. 2. The bodies of judicial self – regulation in the Kyrgyz Republic shall be the Congress of judges, the Council of judges and the assembly of judges. The Congress of judges shall be the superior body of judicial self – regulation. The Council of judges shall be the elected body of judicial self – regulation which shall perform its functions between the Congresses of judges, shall protect rights and legal interests of judges, shall oversee over the formulation and execution of the budgets of courts, organization of training and retraining of judges, shall consider issues of disciplinary proceedings against judges. The assembly of judges shall be the primary body of judicial self – regulation. 3. The organization and procedures of judicial self – regulation bodies shall be defined in the law.</p>	<p>Article 102. 1. Judicial self – regulation shall be used to resolve internal issues concerning the activities of judges. 2. The bodies of judicial self – regulation in the Kyrgyz Republic shall be the Congress of judges, the Council of judges and the assembly of judges. The Congress of judges shall be the superior body of judicial self – regulation. The Council of judges shall be the elected body of judicial self – regulation which shall perform its functions between the Congresses of judges, shall protect rights and legal interests of judges, shall oversee over the formulation and execution of the budgets of courts, organization of training and retraining of judges. The assembly of judges shall be the primary body of judicial self – regulation. 3. The organization and procedures of judicial self – regulation bodies shall be defined in the law.</p>
<p>Article 104. The office of the Prosecutor shall comprise a unified system with the following competencies: 1) Supervision over accurate and uniform implementation of laws by <u>executive power agencies</u>, local self – governance bodies as well as officials thereof; 2) Supervision over the observance of laws by agencies conducting retrieval and operative activity and investigation; 3) Supervision over the observance of laws in the execution of court rulings on criminal cases, as well as in the application of coercive measures related to the limitation of personal freedom of citizens; 4) Representation of the interests of citizens or the state in court in cases envisaged in the law; 5) Maintenance of the government case in court; 6) Criminal prosecution in respect of officials of state authorities.</p>	<p>Article 104 The office of the Prosecutor shall comprise a unified system with the following competencies: 1) Supervision over accurate and uniform implementation of laws by executive power agencies, other state institutions listed in the constitutional law, local self – governance bodies as well as officials thereof; 2) Supervision over the observance of laws by agencies conducting retrieval and operative activity and investigation; 3) Supervision over the observance of laws in the execution of court rulings on criminal cases, as well as in the application of coercive measures related to the limitation of personal freedom of citizens; 4) Representation of the interests of citizens or the state in court in cases envisaged in the law; 5) Maintenance of the government case in court;</p>

	<p>6) Initiation of criminal cases in respect of official of state authorities listed in the constitutional law, with the referral of the case for investigation to relevant institutions as well as criminal prosecution of persons having the military status.</p>
	<p>Article 2.</p> <p>1. The present law shall be subject to the signature of the President of the Kyrgyz Republic and shall enter into force since the day of its official publication.</p> <p>2. The official text of the Constitution of the Kyrgyz Republic shall be published by the President of the Kyrgyz Republic not later than 14 days after the Law enters into force. The controversies between the texts in the state and official languages which were the result of the publication of the text of the Constitution of the Kyrgyz Republic in 2010 after the referendum of June 27, 2010, shall be eliminated in accordance with the rules contained in parts 3 and 4 of article 6 of the Law of the Kyrgyz Republic “On normative and legal acts of the Kyrgyz Republic”.</p> <p>3. Laws and other normative regulatory acts which were in force on the territory of the Kyrgyz Republic before the entry into force of the present law, shall be applied to the extent that they do not contradict the Constitution of the Kyrgyz Republic in the version of the present law.</p> <p>4. The norms of the Constitution in the version of the present Law and related to the powers and the status of acting President of the Kyrgyz Republic and deputies of the Jogorku Kenesh of the Kyrgyz Republic as well as the Prime minister of the Kyrgyz Republic shall act directly and be applied without preliminary legislative regulation.</p> <p>5. Part 7 of article 26 of the Constitution in the version of the present Law on exclusive competence of courts for the application of time limits for the initiation of criminal proceedings shall not have a retroactive force except for cases envisaged in part 6 of the present article.</p> <p>6. Time limits shall not be applied in respect of persons who committed crimes in officio in preparation to the development and exploration of “Kumtor” gold deposit as well as crimes against the interests of the service at non - governmental enterprises and organizations engaged in the development of the “Kumtor” deposit.</p>

	<p>Such persons shall be brought to criminal liability irrespective of time of commitment of criminal offences except for persons in respect of whom there are judicial acts on application of time limits which entered into legal force.</p> <p>7. The President of the Kyrgyz Republic and the Jogorku Kenesh of the Kyrgyz Republic shall retain their powers upon the expiration of their term and shall enjoy them in view of the provisions of the present Law since the date of its entry into force.</p> <p>8. The Toraga, deputies of the Toraga of the Jogorku Kenesh, other officials elected or appointed by the Jogorku Kenesh, the members of the Government of the Kyrgyz Republic, the Prosecutor General of the Kyrgyz Republic, the Chairperson of the Chamber of Accounts of the Kyrgyz Republic, the Chairperson of the National Bank of the Kyrgyz Republic, appointed by the President of the Kyrgyz Republic shall retain their powers until expiration of the term of their election or appointment or until other circumstances envisaged in the law which result in their dismissal.</p> <p>9. The Chairpersons, deputy Chairpersons of the Supreme Court, the Constitutional Chamber of the Supreme Court as well as local courts, elected or appointed in accordance with the provisions of the law adopted for the implementation of the Constitution of the Kyrgyz Republic dated June 27, 2010 shall retain their powers until expiration of the term of their election or appointment or until other circumstances envisaged in the law which result in their dismissal provided they within one month's period comply with the requirements of part 8-1 of article 94 of the Constitution of the Kyrgyz Republic in the version of this law.</p> <p>The President of the Kyrgyz Republic</p>
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