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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
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KYRGYZSTAN

CONSTITUTION OF THE KYRGYZ REPUBLIC

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(Enacted by the Law of the Kyrgyz Republic of 5 May 2021)

Adopted
by referendum (popular
vote)
on 11 April 2021

We, the people of the Kyrgyz Republic,
on the basis of the right to determine their own destiny.
to ensure the rule of law, justice, and equity,
establishing the foundations of a genuine people's power.
Keeping faithful to the traditions of their ancestors, following the precepts of Manas the
Magnificent, to live in unity, peace, and harmony, in harmony with nature.
asserting the rights and interests of the people of the Kyrgyz Republic.
expressing an unwavering will to preserve and strengthen statehood.
Reaffirming the commitment to protect and respect human and civil rights and freedoms.
recognising universal human principles and values.
striving for social justice, economic well-being, education, science and spirituality.
honouring the memory of the heroes who gave their lives for the freedom of our people.
Conscious of our responsibility for our homeland to present and future generations, we
adopt this Constitution.

SECTION FIRST. BASICS OF THE CONSTITUTIONAL ORDER CHAPTER I. POLITICAL FOUNDATIONS OF THE CONSTITUTIONAL ORDER

Article 1

1. The Kyrgyz Republic (Kyrgyzstan) is an independent, sovereign, democratic, unitary, secular and social state governed by the rule of law.
2. The sovereignty of the Kyrgyz Republic is unlimited and extends over its entire territory.
3. The Kyrgyz Republic conducts its domestic and foreign policies independently.
4. The people of the Kyrgyz Republic are the bearer of sovereignty and the only source of state power.
5. The people of Kyrgyzstan are citizens of all ethnic groups in the Kyrgyz Republic.
6. The President and the Jogorku Kenesh are entitled to speak on behalf of the people of the Kyrgyz Republic.

Article 2

1. It is the sovereign right of the people of the Kyrgyz Republic to determine the foundations of the constitutional order.
2. In the Kyrgyz Republic, people's power shall be based on the principles of full power being vested in the people, protection of human and civil rights and freedoms, and free and meaningful access to the management of the affairs of the state and society.
3. Citizens of the Kyrgyz Republic exercise their power directly through elections and referendums (nationwide voting), as well as through the system of state bodies and local authorities on the basis of the Constitution and laws of the Kyrgyz Republic.

4. Elections and referendums are held on the basis of free, universal, equal and direct suffrage by secret ballot. Citizens of the Kyrgyz Republic who have reached 18 years of age have the right to vote.

5. Laws and other issues of national importance may be submitted to a referendum. The procedure for holding a referendum shall be laid down in constitutional law.

6. It is prohibited to influence the free choice of voters by using financial, administrative or other resources prohibited by law.

Article 3

1. The territory of the Kyrgyz Republic within its borders is integral and inviolable.

2. In order to organise state administration and local self-governance, the territory of the Kyrgyz Republic is divided into administrative-territorial units defined by law.

Article 4

State power in the Kyrgyz Republic is based on principles:

- The supremacy of the power of the people, represented and secured by a popularly elected President and Jogorku Kenesh;

- The division of it into legislative, executive and judicial branches and their coordinated functioning and interaction;

- openness of state bodies, local authorities and their officials and the exercise of their powers in the interests of the people;

- The separation of powers and functions between state and local government;

- Prohibiting state and municipal officials from engaging in acts (or omissions) that create conditions for corruption;

- The constitutional, legal and other responsibilities of state bodies, local authorities and their officials towards the people.

Article 5

1. The state and its organs serve the whole of society, not part of it.

2. Acts aimed at the forcible seizure and unlawful retention of state power, appropriation of the powers of state and local self-government bodies and their officials shall not be permitted.

The usurpation of state power is a particularly serious crime.

Article 6

1. This Constitution shall have supreme legal force and direct effect in the Kyrgyz Republic.

2. Constitutional laws, laws and other normative legal acts are adopted on the basis of the Constitution.

3. Universally recognised principles and norms of international law, as well as international treaties entered into force in accordance with the legislation of the Kyrgyz Republic, are an integral part of the legal system of the Kyrgyz Republic.

The procedure and conditions for the application of international treaties and generally recognised principles and norms of international law shall be determined by law.

4. Official publication of laws and other normative legal acts is a prerequisite for their entry into force.

5. A law or other normative legal act that imposes new obligations or aggravates liability shall not have retroactive effect.

Article 7

1. The People's Kurultai is a public representative assembly.

The People's Kurultai, as a deliberative, supervisory assembly, makes recommendations on the direction of social development.

2. The organisation and procedures for the activities of the People's Kurultai are determined by the Constitution and constitutional law.

Article 8

1. Political parties, trade unions and other public associations may be established in the Kyrgyz Republic to implement and protect human and civil rights, freedoms and interests.

2. Political parties contribute to the diverse expression of the political will of different social strata and groups in society.

3. It is prohibited in the Kyrgyz Republic:

1) Formation and functioning of party organisations in state and municipal institutions and organisations; performance of party work by state and municipal employees, except when such work is performed outside of official activities;

(2) Membership of military personnel, law enforcement officials and judges in political parties and their advocacy for a political party;

(3) The establishment of political parties on a religious and ethnic basis, and the pursuit of political goals by religious associations;

(4) The establishment of paramilitary units by citizens' associations;

5) The functioning of political parties, public and religious associations, their representations and branches whose activities are aimed at a violent change of the constitutional order, undermining national security, and inciting social, racial, inter-ethnic and religious discord.

4. Political parties, trade unions and other public associations shall ensure transparency of their financial and economic activities.

Article 9

1. In the Kyrgyz Republic no religion may be established as state religion or obligatory one.

2. Religion and all religious cults are separated from the state.

3. Interference by religious associations, clergymen and ministers of religion in the activities of public authorities shall be prohibited.

Article 10

1. The media shall be guaranteed the right to receive information from state and local government bodies and to disseminate it, and the right to freedom of expression.

2. Censorship is not allowed in the Kyrgyz Republic. The mass media are free and carry out their activities in accordance with the law.

3. Information security in the Kyrgyz Republic is protected by the state.

4. In order to protect the younger generation, activities that are contrary to the moral and ethical values and public conscience of the people of the Kyrgyz Republic may be restricted by law.

5. The list of activities to be restricted and the list of information to be restricted in access and dissemination shall be established by law.

Article 11

1. The Kyrgyz Republic has no goals of expansion, aggression, or military aims.

The Armed Forces of the Kyrgyz Republic are formed on the principles of self-defence and defensive sufficiency.

2. The right to wage war, with the exception of cases of aggression against the Kyrgyz Republic and other states bound by obligations of collective defence, shall not be recognised. Approval for each case of sending units of the Armed Forces of the Kyrgyz Republic outside the territory of the Kyrgyz Republic shall be adopted by the Jogorku Kenesh by a majority of at least two-thirds of the total number of deputies.

3. The use of the Armed Forces of the Kyrgyz Republic for domestic political purposes is prohibited.

4. The Kyrgyz Republic seeks to coexist with other states on the principles of harmony and justice, mutually beneficial cooperation, and the peaceful resolution of global and regional problems.

Article 12

A state of emergency, state of emergency and martial law is imposed in the Kyrgyz Republic in the cases and in the manner prescribed by the Constitution and laws.

Article 13

1. Kyrgyz is the state language of the Kyrgyz Republic.
The procedure for the use of the state language is determined by constitutional law.
2. Russian is used as the official language in the Kyrgyz Republic.
3. Representatives of all ethnic groups that make up the people of the Kyrgyz Republic shall be guaranteed the right to create conditions for the preservation, study and development of their native language.

Article 14

1. The Kyrgyz Republic has state symbols - Flag, Coat of Arms, Anthem. Their description and the procedure for their official use shall be established by law.
2. Bishkek is the capital of the Kyrgyz Republic.
The cities of Bishkek and Osh are cities of republican significance. The status of the cities of republican significance is determined by law.
3. the national currency unit of the Kyrgyz Republic is the som.

CHAPTER II. THE SOCIAL AND ECONOMIC FOUNDATIONS OF THE CONSTITUTIONAL ORDER

Article 15

1. Private, state, municipal and other forms of property are equally recognised and protected in the Kyrgyz Republic.
2. Property is inviolable. No one shall be arbitrarily deprived of his property. The right to inherit is guaranteed.
Property may only be expropriated against the owner's will by court order in accordance with the procedure prescribed by law.
The seizure of property for public and state needs, as defined by law, shall be effected by court order by providing fair and prior security for the value of the property and for losses incurred as a result of the seizure of the property.
(3) Transfer to state ownership of property owned by citizens and legal entities (nationalisation) is carried out on the basis of the law with compensation for the value of the property and other losses.
4. The Kyrgyz Republic protects the property of its citizens and legal entities, as well as its property located in foreign countries.
5. Monuments of historical and cultural heritage, architectural, archaeological objects and finds are state property and are specially protected by law.

Article 16

1. The land, its subsoil, air space, waters, forests, pastures, flora and fauna, and other natural resources are the exclusive property of the Kyrgyz Republic.

2. Land and natural resources are used as the basis of life and activity of the people of the Kyrgyz Republic; they are under the control and special protection of the state in order to maintain a unified ecological system and sustainable development.

3. Land, with the exception of pastures and forests, may be privately and municipally owned.

Land may not be privately owned by foreign nationals or legal entities with foreign participation.

4. Guarantees for the protection of landowners' rights are defined by law.

Article 17

1. The Kyrgyz Republic creates conditions for the development of various forms of economic activity and protects the interests of the national economy.

2. The areas of economic and social development of the Kyrgyz Republic are reflected in the national programmes.

3. The state shall guarantee the protection of investments and subjects of investment activities in the manner prescribed by law.

Article 18

1. The state budget of the Kyrgyz Republic consists of republican and local budgets and includes the state's revenues and expenditures.

2. There is a unified tax system on the territory of the Kyrgyz Republic. The Jogorku Kenesh has the right to establish taxes. Laws establishing new taxes and worsening the situation of taxpayers do not have retroactive force.

Article 19

1. The state is concerned with the welfare of the people and their social protection.

2. The Kyrgyz Republic provides support for socially vulnerable categories of citizens, labour protection and health care.

3. The Kyrgyz Republic is developing a system of social services, medical care, guarantees of state pensions, benefits and other guarantees of social protection.

Article 20

1. The family is the foundation of society. The family, fatherhood, motherhood and childhood are protected by society and the State.

2. Respecting and caring for their father and mother is a sacred duty of children.

3. Children are the most important value of the Kyrgyz Republic. The state creates conditions conducive to the diverse spiritual, moral, intellectual and physical development of children and their civic-patriotic upbringing.

CHAPTER III. THE SPIRITUAL AND CULTURAL FOUNDATIONS OF SOCIETY

Article 21

1. The state cares for the development of the culture of the people of Kyrgyzstan, preserving customs and traditions that do not infringe on human rights and freedoms.
2. Honouring elders and respecting the younger is a sacred tradition of the people.
3. The state protects the historical, material and spiritual heritage of the people of Kyrgyzstan.
4. The state ensures inter-ethnic and inter-confessional harmony.

Article 22

1. The development of society and the state relies on scientific research, modern technology and innovation.
2. The state supports all types and forms of education in educational organisations, irrespective of their form of ownership.
The state cares about every learner, the quality of teaching and the status of educators.
The state finances and provides material and technical support for the activities of state educational organisations.
3. The state shall promote science, scientific and creative development, scientific and technological achievements, discoveries, innovations and inventions.
The state finances and supports scientific institutions and organisations and implements a strategy for their development.
4. The state shall ensure the attestation of scientific and scientific-pedagogical personnel contributing to scientific and technological progress.
5. The National Academy of Sciences of the Kyrgyz Republic, based on the principles of continuity and scientific progress, coordinates directions in fundamental and applied sciences.

SECTION SECOND. HUMAN AND CIVIL RIGHTS, FREEDOMS AND DUTIES

CHAPTER I. GENERAL PRINCIPLES

Article 23

1. Human rights and freedoms are inalienable and belong to everyone from birth. They are recognised as absolute, inalienable and protected by law and by the courts against infringement by anyone.
Human rights and freedoms are among the highest values of the Kyrgyz Republic. They act directly and determine the meaning and content of the activities of all state bodies, local government bodies and their officials.
2. Human and civil rights and freedoms may be restricted by the Constitution and laws to protect national security, public order, public health and morals and to protect the rights and freedoms of others. Such restrictions may also be imposed taking into account the peculiarities of military or other state service. Restrictions imposed must be proportionate to the stated objectives.
3. The adoption of by-laws restricting human and civil rights and freedoms shall be prohibited.
4. Restrictions on human rights and freedoms may not be imposed by law for other purposes or to a greater extent than those provided for in the Constitution.
5. No restrictions shall be placed on constitutionally established human rights and freedoms.
6. The constitutional guarantees of prohibition shall not be subject to any limitation

Article 24

1. The Kyrgyz Republic shall ensure that all persons within its territory and subject to its jurisdiction enjoy protection of their rights and freedoms.

No one shall be subjected to discrimination on the grounds of sex, race, language, disability, ethnicity, religion, age, political or other opinion, education, origin, property or other status, or other circumstances.

Persons who have discriminated shall be held accountable in accordance with the law.

Special measures established by law and aimed at ensuring equal opportunities for different social groups in accordance with international obligations do not constitute discrimination.

2. In the Kyrgyz Republic, everyone is equal before the law and the courts.

3. In the Kyrgyz Republic, men and women have equal rights and freedoms and equal opportunities to exercise them.

CHAPTER II. INDIVIDUAL RIGHTS AND FREEDOMS**Article 25**

1. Everyone has the inalienable right to life. No one shall be deprived of his life or health. No one shall be arbitrarily deprived of life. The death penalty is prohibited.

2. Everyone shall have the right to defend his life and health and the life and health of others against unlawful encroachments within the limits of necessary defence.

Article 26

1. A family is established on the basis of the voluntary marriage of a man and a woman who have attained the legal age of marriage. Marriage is not permitted without the consent of the two persons entering into marriage. Marriage shall be registered by the state.

2. The care and upbringing of children is equally the right and duty of both father and mother. Children who are capable of work and have reached the age of majority are obliged to take care of their parents.

3. Spouses have equal rights and obligations in marriage and the family.

Article 27

1. Every child has the right to a standard of living adequate for his physical, mental, spiritual, moral and social development.

2. The principle of the best interests of the child applies in the Kyrgyz Republic.

3. It is the responsibility of each parent, guardian or caregiver to ensure that the living conditions necessary for the child's development are met.

4. The state takes care of, raises and educates orphans and children left without parental care up to the age of 18. At the same time, conditions are created for them to receive free primary, secondary and higher vocational education. They are entitled to social security.

Article 28

1. Slavery and trafficking in human beings shall not be tolerated in the Kyrgyz Republic.

2. The exploitation of child labour is prohibited.

3. Forced labour is prohibited, except in cases of war, natural disasters and other emergencies, as well as in the execution of a court order.

Engaging in military or alternative (non-military) service is not considered forced labour.

Article 29

1. Everyone has the right to privacy and to protection of honour and dignity.

Human dignity in the Kyrgyz Republic is absolute and inviolable.

2. No one may be prosecuted for disseminating information that defames or humiliates a person's honour and dignity.

3. Everyone shall have the right to privacy of correspondence, telephone and other conversations, postal, telegraphic, electronic and other communications. Restriction of these rights shall be allowed only in accordance with the law and on the basis of a court decision.

4. The collection, storage, use and dissemination of confidential information and information about a person's private life shall not be permitted without his or her consent, except as prescribed by law.

5. Everyone shall be guaranteed protection, including judicial protection, against the wrongful collection, storage and dissemination of confidential information and information about a person's private life, and also guaranteed the right to compensation for material and moral damage caused by unlawful actions.

Article 30

1. Everyone has the right to inviolability of the home and other objects in his possession or other right. No one may enter a home or other property against the will of the person using it.

2. Search, seizure, inspection and other actions, as well as entry by authorities into a dwelling and other property or other objects under property right, shall be permitted only on the basis of a court decision.

3. In exceptional cases provided for by law, searches, seizures, inspections and other actions, the entry of authorities into dwellings and other properties owned or otherwise, shall be permitted without a court decision. The lawfulness and validity of such actions shall be subject to review by a court.

4. The guarantees and restrictions set out in this article shall also apply to legal persons.

Article 31

1. Everyone has the right to freedom of movement, choice of place of stay and residence within the territory of the Kyrgyz Republic.

2. A citizen of the Kyrgyz Republic has the right to freely leave the Kyrgyz Republic and freely return. Restriction of the right to leave shall be allowed only on the basis of law.

The right of citizens of the Kyrgyz Republic to unimpeded return shall not be subject to any restrictions.

Article 32

1. Everyone has the right to freedom of thought and opinion.

2. Everyone shall have the right to freedom of expression, speech and the press.

3. no one shall be compelled to express his opinion or to retract it.

4. Propaganda of national, racial, religious hatred, gender and other social superiority calling for discrimination, hostility or violence is prohibited.

Article 33

1. Everyone shall have the right to freely seek, receive, store, use and disseminate information orally, in writing or by other means.

2. Everyone shall have the right to be familiarised with information about himself/herself at state and local government bodies, institutions and organisations.

3. Everyone shall have the right to receive information about the activities of state bodies, local self-government bodies and their officials, legal entities with the participation of state

bodies and local self-government bodies, as well as organizations financed from the national and local budgets.

4. Everyone shall be guaranteed access to information held by state and local self-government bodies and their officials. The procedure for the provision of information shall be defined by law.

Article 34

1. Everyone shall be guaranteed freedom of conscience and religion.
2. Everyone has the right to practise individually or in association with others any religion or to practise no religion at all.
3. Everyone has the right to freely choose and hold religious and other beliefs.
4. No one shall be compelled to express his religious or other beliefs or to deny them.

Article 35

Everyone shall have the right to State compensation for damage caused by unlawful acts (omissions) of State and local government bodies and their officials in the discharge of their official duties.

Article 36

Everyone has the right to freedom of association.

CHAPTER III. POLITICAL RIGHTS

Article 37

1. Citizens of the Kyrgyz Republic have the right to elect and be elected to state and local government bodies, as well as to participate in a referendum.
2. Citizens of the Kyrgyz Republic have the right to participate in the management of public and state affairs, either directly or through their representatives.
3. Citizens of the Kyrgyz Republic have equal rights, equal opportunities when entering public civil and municipal service, promotion in the manner prescribed by law.
4. Citizens of the Kyrgyz Republic have the right to participate in the discussion and adoption of laws and decisions of national and local importance.
5. Everyone shall have the right to appeal to public authorities, local self-government bodies and their officials, who shall be obliged to provide a substantiated response within the period prescribed by law.
6. Citizens have the right to participate in the formation of republican and local budgets and to receive information about the actual expenditure of funds from the budget.

Article 38

Citizens of the Kyrgyz Republic with other citizenship are not entitled to hold political and special state positions. This restriction may also be established by law for other public offices.

Article 39

1. Everyone has the right to freedom of peaceful assembly. No one shall be compelled to take part in an assembly.
2. In order to ensure a peaceful assembly, everyone has the right to submit a notification to the state or local authorities.

3. The organisers and participants of peaceful assemblies shall not be held liable for failure to give notice of a peaceful assembly, for failure to comply with the form, content and deadline for giving notice.

4. The organisation and conduct of peaceful assemblies shall be prescribed by law.

CHAPTER IV. ECONOMIC AND SOCIAL RIGHTS

Article 40

Everyone has the right to own, use and dispose of his property and the results of his activities.

Article 41

Everyone has the right to economic freedom, to freely use his abilities and his property for any economic activity not prohibited by law.

Article 42

1. Everyone has the right to freedom of work, to control his abilities to work, to choose his profession and occupation, to protection and working conditions that meet safety and hygiene requirements, and to receive wages not lower than the minimum subsistence level established by law.

2. Everyone has the right to rest.

3. maximum working hours, minimum weekly rest and paid annual leave, as well as other basic conditions for exercising the right to rest shall be defined by law.

4. Citizens shall have the right to strike. The procedure and conditions for strikes shall be defined by law.

Article 43

1. Everyone has the right to health care and health insurance. The conditions of health insurance shall be determined by law.

2. The state shall create the conditions for health care for everyone and take measures to develop state, municipal, private and other health care organisations.

The state creates the necessary conditions for health care workers and provides them with social protection.

3. Citizens are entitled to free use of the public health care network.

Medical care, including care at a discounted rate, is paid for by the state to the extent of the state guarantees provided by law.

4. Concealment by officials of facts and circumstances endangering human life and health shall entail liability established by law.

5. Citizens may pay for health care services on the grounds and according to the procedure prescribed by law.

Article 44

1. In the Kyrgyz Republic, in the manner and cases provided for by law, social security is guaranteed at the expense of the state in old age, in the event of illness, disability, loss of capacity to work, and loss of a breadwinner.

2. Pensions, social benefits and other social assistance ensure a standard of living not lower than the statutory minimum subsistence level.

3. The state shall ensure the functioning of a system of social protection for persons with disabilities based on the full and equal enjoyment of human and civil rights and freedoms, their

social inclusion without discrimination, the creation of an accessible environment for persons with disabilities and the improvement of their quality of life.

4. The state encourages voluntary social insurance, the creation of additional forms of social security and charitable activities.

5. The social activities of the state must not take the form of state patronage which restricts the economic freedom, activity and opportunities of the citizen to achieve economic wellbeing for himself and his family by himself.

Article 45

1. Everyone has the right to housing.

2. No one shall be arbitrarily deprived of his home.

3. State and local government bodies encourage housing construction and create conditions for the realisation of the right to housing.

4. Low-income and other needy persons shall be provided with housing from state, municipal and other housing funds or in social institutions on the grounds and in the manner prescribed by law.

Article 46

1. Everyone has the right to education.

2. basic general education is compulsory.

3. Everyone has the right to receive free pre-school, basic general, secondary general and primary vocational education in state educational organisations.

4. The state creates conditions for every citizen to learn the state language, the official language and one of the foreign languages, from pre-school education institutions to general secondary education.

5. The state creates equal conditions for the development of state, municipal, private and other forms of educational institutions.

6. The state shall create conditions for the development of physical education and sport.

7. The state shall promote the professional qualification of citizens in the manner prescribed by law.

Article 47

1. In the Kyrgyz Republic, young people are guaranteed the right to spiritual, cultural, moral and physical development.

2. The state shall ensure the implementation of youth policy aimed at creating the necessary conditions for the education and employment of young people, supporting young families and the free participation of young people in political, social, economic, cultural and other spheres of activity.

Article 48

1. Everyone shall be guaranteed freedom of scientific, technical, artistic and other types of creative work, teaching and learning for the purpose of self-realisation and personal development. Everyone shall have the right to engage in creative activity in accordance with his or her interests and abilities.

2. Everyone has the right to take part in cultural life and to have access to cultural goods.

3. The state shall create conditions for raising the legal culture and legal awareness of citizens.

4. intellectual property is protected by law.

Article 49

1. Everyone has the right to an ecological environment that is favourable to life and health.

2. Everyone has the right to compensation for damage to health or property caused by acts of nature management.

3. Everyone has a duty to protect and care for the natural environment, flora and fauna.

Article 50

Everyone is obliged to pay taxes and levies in the cases and in the manner prescribed by law.

CHAPTER V. CITIZENSHIP. RIGHTS AND DUTIES OF A CITIZEN

Article 51

1. Citizenship of the Kyrgyz Republic is a stable legal bond of an individual with the state, expressed in a set of their mutual rights and obligations.

2. No citizen may be deprived of his citizenship. Persons who are citizens of the Kyrgyz Republic shall be recognised as citizens of another state in accordance with the laws and international treaties to which the Kyrgyz Republic is a party.

3. Everyone who has proved his/her affiliation to the people of Kyrgyzstan has the right to acquire citizenship of the Kyrgyz Republic in a simplified procedure.

Kyrgyz people residing outside the Kyrgyz Republic, despite holding citizenship of another state, are entitled to acquire citizenship of the Kyrgyz Republic in a simplified procedure.

The procedure and conditions for acquiring citizenship of the Kyrgyz Republic are defined by law.

4. The passport of a citizen of the Kyrgyz Republic is the property of the state.

5. A citizen of the Kyrgyz Republic may not be deported or extradited to another state.

6. The Kyrgyz Republic guarantees its citizens protection and patronage outside its borders.

7. Foreign nationals or stateless persons who were previously citizens of the Kyrgyz Republic have the right to obtain a residence permit under a simplified procedure.

Article 52

1. Foreign citizens and stateless persons in the Kyrgyz Republic have the same rights and obligations as citizens of the Kyrgyz Republic, except in cases established by laws or international treaties to which the Kyrgyz Republic is a party that have entered into force in the manner prescribed by law.

2. The Kyrgyz Republic, in accordance with its international obligations, grants political asylum to foreign nationals and stateless persons persecuted on political grounds, as well as on grounds of violations of human rights and freedoms.

A person granted political asylum cannot be extradited to another state.

Article 53

1. It is the duty of every person to comply with the rules and norms of social conduct and to respect the interests of society. The exercise of one's rights and freedoms shall not violate the rights and freedoms of others.

2. Everyone has the right to carry out any acts and activities, except those prohibited by the Constitution and laws.

3. Everyone is obliged to comply with the Constitution and laws and to respect the rights, freedoms, honour and dignity of others.

Article 54

1. Defence of the Fatherland is a sacred duty and obligation of the citizens of the Kyrgyz Republic.

2. Citizens of the Kyrgyz Republic shall perform military service to the extent and under the conditions prescribed by law. The grounds and procedure of exemption from military service or its replacement by alternative service shall be established by law.

CHAPTER VI. GUARANTEES OF HUMAN AND CIVIL RIGHTS AND FREEDOMS**Article 55**

In the Kyrgyz Republic, human and civil rights and freedoms are recognised and guaranteed in accordance with universally recognised principles and norms of international law, as well as international treaties to which the Kyrgyz Republic is a party, which have entered into force in accordance with the procedure established by law.

Article 56

1. The state shall ensure the rights and freedoms of citizens in the manner laid down in the Constitution and laws.

2. In the Kyrgyz Republic, laws that abolish or diminish human rights and freedoms must not be adopted.

3. Restrictions concerning the physical and moral integrity of the person are only permissible on the basis of the law, by court sentence, as punishment for the offence committed.

4. No one shall be subjected to torture or other inhuman, cruel or degrading treatment or punishment.

5. Everyone deprived of his liberty shall be treated humanely and in a manner consistent with human dignity.

6. Medical, biological and psychological experiments on human beings without their voluntary consent, expressed and certified in an appropriate manner, are prohibited.

Article 57

1. Everyone shall be presumed innocent of committing a crime and/or misdemeanour until proven guilty according to the procedure prescribed by law and established by a court sentence that has entered into legal force. Violation of this principle shall constitute grounds for compensation of material and moral damage through judicial procedure.

2. No one is obliged to prove his innocence. Any doubts about guilt shall be interpreted in favour of the accused.

3. no one shall be convicted merely on the basis of his or her own confession of an offence.

4. The burden of proving guilt lies with the prosecutor. Evidence obtained in violation of the law cannot be used to support a conviction and a judgment.

5. No one shall be obliged to testify or give evidence against himself/herself, his/her spouse and close relatives, the circle of whom shall be defined by law.

Article 58

1. Everyone has the right to be tried by a jury in cases provided for by law.

2. Every convicted person has the right to seek pardon and commutation of the sentence.

3. no one should be held legally responsible twice for the same offence.

4. Every convicted person shall have the right to have his case heard by a higher court in accordance with the law.

5. Everyone has the right to appeal for the protection of his violated rights and freedoms to international human rights bodies in accordance with international treaties that have entered into force in the manner prescribed by law.

Article 59

1. Everyone has the right to liberty and security of person.

2. No one shall be deprived of his liberty merely on the ground of inability to fulfil a civil legal obligation.

3. No one shall be detained, imprisoned or deprived of his liberty except by order of a court and only on the grounds and in accordance with the procedure prescribed by law.

4. No one may be detained for more than 48 hours without a court order.

Every detained person must be brought promptly before the expiry of 48 hours from the moment of apprehension before a court to decide on the lawfulness and validity of his detention. If the reason for the detention is no longer valid, the person must be released immediately.

The law may set shorter periods of detention in individual cases.

5. Every detained person shall be informed without delay of the reasons for his detention and his rights shall be explained to him.

From the moment of detention, the person is provided with security, the opportunity to defend himself or herself, qualified legal assistance from a lawyer, and the right to a medical examination and the assistance of a doctor.

6. Everyone who is detained or imprisoned in contravention of the provisions of this article shall be entitled to reparation at the State's expense, subject to compensation in the manner and amount prescribed by law.

In the event of knowingly unlawful and unjustified detention and imprisonment, officials are criminally liable.

Article 60

1. A law which establishes or aggravates the liability of a person shall not have retroactive effect. No one shall be held liable for an act which was not an offence at the time it was committed. If, after the commission of the offence, the liability for it is remedied or mitigated, the new law shall apply.

2. The criminal law establishing liability does not apply by analogy.

Article 61

1. Everyone shall be guaranteed judicial protection of his rights and freedoms provided for in the Constitution, laws, international treaties to which the Kyrgyz Republic is a party, and generally recognised principles and norms of international law.

2. Everyone shall have the right to defend his rights and freedoms and to ensure the restoration of violated rights by all available means not prohibited by law.

3. The state shall ensure the development of extrajudicial and pre-trial methods, forms and means of protecting human and civil rights and freedoms.

Arbitral tribunals may be established for out-of-court settlement of disputes arising from civil relations. The procedure for the formation, powers and activities of arbitral tribunals shall be prescribed by law.

4. Everyone shall have the right to receive qualified legal assistance. In cases prescribed by law, legal aid shall be provided at the expense of the state.

Article 62

1. The state guarantees the publication of laws and other normative legal acts concerning human rights, freedoms and duties, which is a prerequisite for their application.

2. The rights and freedoms established by the Constitution are not exhaustive and shall not be construed to deny or diminish other universally recognised human and civil rights and freedoms.

Article 63

1. The adoption of laws restricting freedom of speech, the press and the media is prohibited.

2. The state guarantees everyone the protection of personal data.

Access to and receipt of citizens' personal data shall take place only in the cases provided for by law.

Article 64

The organisation and operation of the Bar as a self-governing professional association of lawyers, as well as the rights, duties and responsibilities of lawyers shall be determined by law.

Article 65

In the Kyrgyz Republic, folk customs and traditions that do not infringe on human rights and freedoms are supported by the state.

SECTION THREE. PUBLIC AUTHORITIES
CHAPTER I. PRESIDENT OF THE KYRGYZ REPUBLIC

Article 66

1. The President is the head of state, the highest official and head of the executive power of the Kyrgyz Republic.

2. The President ensures the unity of the people and state power.

3. The President is the guarantor of the Constitution and of human and civil rights and freedoms.

4. The President determines the main directions of domestic and foreign policy of the state. He ensures the unity of state power, coordination and interaction of state bodies.

5. The President represents the Kyrgyz Republic in domestic and international relations. Takes measures to protect the sovereignty and territorial integrity of the Kyrgyz Republic.

Article 67

1. The President is elected by the citizens of the Kyrgyz Republic for a period of 5 years.

2. the same person cannot be elected President for more than two terms.

Article 68

1. A citizen of the Kyrgyz Republic who has reached the age of 35, speaks the state language and has resided in the republic for at least 15 years in total may be elected President.

2. There is no limit to the number of candidates for the office of president. A person who has presented a national development programme and collected at least 30,000 signatures of voters may be registered as a presidential candidate.

The procedure for the election of the President is determined by constitutional law.

Article 69

1. The President shall take the oath of office to the people of the Kyrgyz Republic.

2. The powers of the President shall terminate upon the assumption of office by the newly elected President.

3. The president shall suspend his membership in a political party for the duration of his term of office and shall cease all activities related to the activities of political parties.

Article 70

1. President:

1) determines the structure and composition of the Cabinet of Ministers;

2) with the consent of the Jogorku Kenesh, appoints the Chairman of the Cabinet of Ministers, his deputies and other members of the Cabinet of Ministers;

3) accepts petitions for the resignation of the Chairman of the Cabinet of Ministers, his deputies and other members, the decision on their resignation;

4) on his own initiative or on the proposal of the Jogorku Kenesh or the People's Kurultai, within the framework of the law, dismisses members of the Cabinet of Ministers and heads of other executive authorities;

5) appoints and dismisses the heads of other executive authorities;

6) appoints and dismisses heads of local state administrations;

7) form the Presidential Administration;

8) forms and chairs the Security Council;

9) appoints and dismisses the Secretary of State;

10) appoints and dismisses the Ombudsman for Children's Rights.

2. President:

1) decides to appoint a referendum on its own initiative or on the initiative of at least 300,000 voters, or on the initiative of the majority of the total number of deputies of the Jogorku Kenesh;

2) appoint elections to the Jogorku Kenesh in cases stipulated by the Constitution; decide on the appointment of early elections to the Jogorku Kenesh in the manner and cases stipulated by the Constitution;

3) appoint elections to local councils; dissolve local councils in the manner and cases prescribed by law; appoint early elections to local councils.

3. President:

1) Introduces draft laws to the Jogorku Kenesh;

2) Signs and promulgates laws; returns laws with objections to the Jogorku Kenesh;

(3) Addresses the people, the Jogorku Kenesh and the People's Kurultai with annual messages on the situation in the country and the main directions of domestic and foreign policy;

4) submit annual information on its activities to the Jogorku Kenesh;

5) has the right to call an extraordinary meeting of the Jogorku Kenesh as necessary and determine the issues to be considered;

6) has the right to speak at meetings of the Jogorku Kenesh and the People's Kurultai.

4. President:

1) submit candidates to the Jogorku Kenesh for election as judges of the Constitutional Court and the Supreme Court as proposed by the Council for Justice;

2) submit to the Jogorku Kenesh candidates for dismissal of judges of the Constitutional Court and the Supreme Court on the proposal of the Council of Judges in cases stipulated by this Constitution and the constitutional law;

(3) appoint local court judges on the proposal of the Justice Council;

4) dismiss local court judges on the proposal of the Council of Judges in cases provided for in the Constitution and constitutional law;

5) on the proposal of the Council of Judges, from among the judges of the Constitutional Court and the Supreme Court and with the consent of the Jogorku Kenesh, appoints the chairpersons of the Constitutional Court and the Supreme Court for a period of 5 years; dismisses the chairpersons of the Constitutional Court and the Supreme Court in the manner prescribed by the Constitution and constitutional law;

(6) on the proposal of the Presidents of the Constitutional Court and the Supreme Court, appoints from among the judges of the Constitutional Court and the Supreme Court the deputy presidents of the Constitutional Court and the Supreme Court for a period of 5 years.

5. President:

1) appoints, with the consent of the Jogorku Kenesh, the Prosecutor General; in cases provided for by law, dismisses the Prosecutor General with the consent of at least half of the total number of deputies of the Jogorku Kenesh; appoints and dismisses his deputies on the proposal of the Prosecutor General;

2) submits to the Jogorku Kenesh a candidate for election to the position of Chairman of the National Bank; on the proposal of the Chairman of the National Bank, appoints deputy chairmen and members of the Board of the National Bank, in cases stipulated by law, dismisses them from their positions;

3) submit nominations to the Jogorku Kenesh for the election and dismissal of half of the members of the Central Commission for Elections and Referendums;

4) submit to the Jogorku Kenesh for election and dismissal of one third of the members of the Accounts Chamber;

5) appoints the Chairman of the Accounting Chamber from among the members of the Accounting Chamber elected by Jogorku Kenesh and dismisses him in cases provided by law.

6. President:

1) represents the Kyrgyz Republic at home and abroad;

2) negotiate and sign international treaties; may delegate such powers to other officials;

(3) Signs instruments of ratification and accession to international treaties;

4) appoints heads of diplomatic missions of the Kyrgyz Republic in foreign countries and permanent representatives in international organisations; recalls them; accepts credentials and letters of recall of heads of diplomatic missions of foreign countries.

7. The President decides on the acceptance and renunciation of citizenship of the Kyrgyz Republic.

8. The President is the Commander-in-Chief of the Armed Forces of the Kyrgyz Republic and determines, appoints and dismisses the highest command staff of the Armed Forces of the Kyrgyz Republic.

9. President:

1) in cases provided for by constitutional law, warn of the proclamation of a state of emergency and, if necessary, introduce it in certain localities without prior announcement and immediately inform the Jogorku Kenesh;

2) declare general or partial mobilisation; declare a state of war in case of aggression or imminent threat of aggression against the Kyrgyz Republic and immediately submit this issue to the Jogorku Kenesh;

3) declares martial law in the interests of the protection of the country and the security of its citizens and immediately submits the matter to the Jogorku Kenesh.

10. President:

1) awards state awards, state prizes and honorary titles of the Kyrgyz Republic;

2) confer the highest military ranks, diplomatic ranks and other special ranks;

(3) carries out a pardon.

11. The President shall exercise other powers as prescribed by the Constitution and laws.

Article 71

The President exercises his powers by adopting decrees and orders that are binding on the entire territory of the Kyrgyz Republic.

Article 72

1. The powers of the President may be terminated prematurely upon his resignation at his request, his removal from office in the manner prescribed by the Constitution, as well as in the event of his inability to exercise his powers due to illness or in the event of his death.

2. If the President is unable to carry out his duties due to illness, the Jogorku Kenesh shall, on the basis of a conclusion of a state medical commission established by it, decide on the early release of the President from office by at least two-thirds of the votes of the total number of deputies of the Jogorku Kenesh.

Article 73

1. The President may be prosecuted following his removal from office.

2. The President may be removed from office on the following grounds:

- for violating the Constitution and laws;

- for unlawful interference in the powers of the Jogorku Kenesh and in the activities of the judiciary.

3. The decision of the Jogorku Kenesh to bring charges against the President to remove him from office must be taken by a two-thirds vote of the total number of deputies of the Jogorku Kenesh on the initiative of at least half of the total number of deputies with the conclusion of a special commission formed by the Jogorku Kenesh, which is sent to the Prosecutor General's Office and the Constitutional Court.

4. The President may be removed from office on the basis of charges brought by the Jogorku Kenesh, confirmed by the conclusion of the Prosecutor General that there are elements of crime in the President's actions, and the conclusion of the Constitutional Court that the established procedure for bringing charges has been followed.

5. The decision of the Jogorku Kenesh to dismiss the President must be adopted by a majority of at least two thirds of the total number of deputies of the Jogorku Kenesh no later than three months after the accusation against the President. If the Jogorku Kenesh fails to take a decision within this period of time, the accusation is considered to have been rejected.

Article 74

1. In the event of the early termination of the President's powers for reasons specified in the Constitution, his powers shall be exercised by the Jogorku Kenesh Torag until a new President is elected.

2. In the event that the President of the Jogorku Kenesh is unable to exercise the powers of the President, the Chairman of the Cabinet of Ministers shall exercise the powers of the President.

3. In the case of the inability to exercise the powers of the President, the Speaker of the Jogorku Kenesh and the Chairperson of the Cabinet of Ministers, the exercise of the powers of the President shall be determined by constitutional law.

Article 75

1. All former presidents, except those removed from office in the manner prescribed by the Constitution, have the status of ex-president of the Kyrgyz Republic.

2. The status of the ex-president is established by law.

II CHAPTER. THE LEGISLATURE OF THE KYRGYZ REPUBLIC**Article 76**

1. The Jogorku Kenesh, the Parliament of the Kyrgyz Republic, is the highest representative body exercising legislative power and control functions within its authority.

2. The Jogorku Kenesh consists of 90 deputies and is elected for a 5-year term.

A citizen of the Kyrgyz Republic who is 25 years old on election day and has the right to vote may be elected deputy of the Jogorku Kenesh.

The procedure for electing deputies to the Jogorku Kenesh is determined by constitutional law.

3. A deputy of the Jogorku Kenesh may be recalled in the manner and cases provided for by constitutional law.

4. Deputies of the Jogorku Kenesh may unite in factions and deputy groups.

Article 77

1. The Jogorku Kenesh meets for its first session no later than 15 days after the determination of the election results.

2. The first session of the Jogorku Kenesh is opened by the oldest deputy of the Jogorku Kenesh.

3. From the date of the first meeting of the Jogorku Kenesh, the powers of deputies of the previous Jogorku Kenesh are terminated.

4. The powers of newly elected deputies of the Jogorku Kenesh begin from the day they take the oath.

Article 78

1. A deputy of the Jogorku Kenesh may not be prosecuted for his judgments expressed in connection with his parliamentary activities or for voting results in the Jogorku Kenesh. A deputy may be held criminally liable only with the consent of the majority of the total number of deputies of the Jogorku Kenesh, unless he or she has been caught in the act of committing a crime.

2. A deputy of the Jogorku Kenesh may not combine parliamentary activity with other state or municipal service. He may not engage in entrepreneurial activities or be a member of a body or supervisory board of a commercial organisation.

A deputy of the Jogorku Kenesh may engage in scientific, pedagogical and other creative activities.

Article 79

1. The powers of a deputy of the Jogorku Kenesh terminate simultaneously with the termination of the relevant convocation of the Jogorku Kenesh.

2. The powers of a deputy of the Jogorku Kenesh shall be terminated prematurely in the following cases:

- 1) he has submitted a written declaration of resignation;
- 2) the renunciation of citizenship, acceptance of another state's citizenship;
- 3) withdrawal of the deputy's mandate;
- 4) transferring to another job or not leaving a job incompatible with the performance of parliamentary duties;
- 5) the invalidation of an election;
- 6) leaving the Kyrgyz Republic for permanent residence;
- 7) the deputy has been declared incapacitated by a court;
- 8) the entry into force of a court conviction against him;
- 9) unexcused absence from Jogorku Kenesh meetings for 10 working days during one session;
- 10) the entry into force of a court decision declaring him or her missing or dead;
- 11) the death of the deputy.

3. Early termination of the powers of a deputy of the Jogorku Kenesh on the above grounds is carried out by a decision of the Central Commission for Elections and Referendums, adopted no later than 30 calendar days from the date the grounds arose.

Article 80

1. Jogorku Kenesh:

(1) Amend and supplement this Constitution in accordance with the procedure laid down in the Constitution;

- 2) passes laws;
- 3) provides official interpretation of laws;
- 4) ratify and denounce international treaties in the manner prescribed by law;
- 5) decides on the change of state borders of the Kyrgyz Republic;
- 6) consents to the appointment of the Chairman of the Cabinet of Ministers, his deputies and members of the Cabinet of Ministers;
- 7) approve the republican budget;
- 8) hears the annual report of the Cabinet of Ministers on the execution of the republican budget;

9) considers issues of the administrative-territorial structure of the Kyrgyz Republic;

10) issue acts of amnesty.

2. Jogorku Kenesh:

- 1) call for the election of the President;
- 2) make proposals to the President regarding the holding of a referendum in accordance with the procedure laid down in the Constitution.

3. the Jogorku Kenesh:

1) on the proposal of the Council for Justice, upon the proposal of the President, elect the judges of the Supreme Court and the Constitutional Court by at least half of the votes of the total number of deputies of the Jogorku Kenesh; in cases provided for in the Constitution and constitutional law, dismiss them upon the proposal of the President;

2) by at least half of the votes of the total number of deputies of the Jogorku Kenesh, gives its consent to the candidates nominated by the President to appoint the chairpersons of the Constitutional Court and the Supreme Court from among their judges for a period of 5 years;

3) agree to the dismissal of the chairpersons of the Constitutional Court and the Supreme Court upon the proposal of the President on the basis of a proposal by the Council of Judges in cases provided for by constitutional law;

4) approve the composition of the Council for Justice as prescribed by constitutional law;

5) elects, on the proposal of the President, the chairman of the National Bank; dismisses him from office in the cases provided for by law;

6) elect the members of the Central Commission for Elections and Referendums: one half at the proposal of the President, the other half on their own initiative, and dismiss them in cases provided by law;

7) elect the members of the Court of Accounts: one third of the members upon the proposal of the President, two thirds on their own initiative; dismiss them from office in cases provided for by law;

8) elects, in cases prescribed by law, dismisses the Akyikatchi (Ombudsman); consents to his prosecution;

9) elects, in cases provided for by law, dismisses his deputies on the proposal of the Akyikatchi (Ombudsman) and gives consent for their prosecution;

10) on the proposal of the President, give consent to the appointment, release and prosecution of the Prosecutor General by not less than half of the votes of the total number of deputies of the Jogorku Kenesh;

11) approve, by a majority of at least two thirds of the total number of deputies of the Jogorku Kenesh, the initiative of one third of the total number of deputies of the Jogorku Kenesh to dismiss the Prosecutor General in cases provided for by law.

4. Jogorku Kenesh:

(1) Declare a state of emergency in the manner and cases provided for by constitutional law; approve or revoke presidential decrees in this regard;

2) decides on questions of war and peace, martial law and declaration of state of war; approves or revokes presidential decrees in these matters;

3) Decide on the possibility of using the Armed Forces of the Kyrgyz Republic outside its borders when necessary to fulfil interstate treaty obligations for the maintenance of peace and security;

4) establishes military ranks, diplomatic ranks and other special ranks of the Kyrgyz Republic;

5) establishes state awards, state prizes and honorary titles of the Kyrgyz Republic.

5. Jogorku Kenesh:

1) hears the annual messages, information from the President and speeches by representatives of foreign states and international organisations;

(2) Hear the annual reports of the Akyikatchy (Ombudsman) and the Chairman of the Central Commission for Elections and Referendums;

3) hears the annual reports of the Prosecutor General, the Chairpersons of the National Bank and the Court of Audit.

6. The Jogorku Kenesh shall, in accordance with the procedure provided for in the Constitution, bring charges against the President; decide on the removal of the President from office.

7. The Jogorku Kenesh exercises other powers stipulated by the Constitution and laws of the Kyrgyz Republic.

Article 81

1. The Jogorku Kenesh elects from among its members the Speaker of the Jogorku Kenesh and his deputies.

2. the Speaker of the Jogorku Kenesh:

1) presides over meetings of the Jogorku Kenesh;

2) provides general guidance for the preparation of issues to be considered at Jogorku Kenesh meetings;

3) Signs acts adopted by the Jogorku Kenesh;

4) represent the Jogorku Kenesh in the Kyrgyz Republic and abroad, ensure interaction of the Jogorku Kenesh with the President, the People's Kurultai, state executive authorities, the judiciary and local self-government;

5) exercises general management and control over the activities of the Office of the Jogorku Kenesh;

6) exercise other powers to organise the activities of the Jogorku Kenesh, as provided by the Regulations of the Jogorku Kenesh.

3. The Speaker of the Jogorku Kenesh is elected by secret ballot by a majority vote of the total number of deputies of the Jogorku Kenesh.

The Speaker of the Jogorku Kenesh reports annually to the Jogorku Kenesh.

The Speaker of the Jogorku Kenesh may be recalled by a decision of the Jogorku Kenesh taken by a majority vote of the total number of deputies.

Article 82

1. The Jogorku Kenesh forms committees, as well as temporary commissions, from among the deputies; forms their compositions.

2. Committees of the Jogorku Kenesh prepare and carry out preliminary consideration of issues within the competence of the Jogorku Kenesh, control the implementation of laws and decisions adopted by the Jogorku Kenesh.

3. Laws, normative legal acts of the Jogorku Kenesh are adopted after preliminary consideration of their drafts by the relevant committees of the Jogorku Kenesh.

4. The appointment and dismissal of heads of state bodies within the powers of the Jogorku Kenesh shall be carried out at a meeting of the Jogorku Kenesh with the opinion of the relevant committees of the Jogorku Kenesh.

Article 83

1. Sessions of the Jogorku Kenesh take the form of meetings and are held from the first working day of September to the last working day of June of the following year.

2. Meetings of the Jogorku Kenesh shall be held in public unless the nature of the matters under consideration requires a closed session.

3. Extraordinary sessions of the Jogorku Kenesh are convened by the President, the Torag of the Jogorku Kenesh and at the initiative of at least one third of the deputies of the Jogorku Kenesh.

4. A meeting of the Jogorku Kenesh is legally competent if a majority of the total number of deputies of the Jogorku Kenesh is present.

5. Decisions of the Jogorku Kenesh are taken at sessions by personal vote of deputies.

Article 84

1. The Jogorku Kenesh may decide to dissolve itself. The decision to self-dissolve is taken on the initiative of one third of the total number of deputies of the Jogorku Kenesh by a majority of at least two thirds of votes.

2. The President shall call early elections within five days of the dissolution of the Jogorku Kenesh.

Article 85

The right of legislative initiative belongs to:

- 1) To 10,000 voters (popular initiative);
- 2) To the President;
- 3) Deputies of the Jogorku Kenesh;
- 4) the Chairman of the Cabinet of Ministers;
- 5) to the Supreme Court on matters within its competence;
- 6) The People's Qurultai;
- 7) to the Prosecutor General on matters within his competence.

Article 86

1. Bills are submitted to the Jogorku Kenesh.
2. Bills identified as urgent by the President and the Chairperson of the Cabinet of Ministers are considered by the Jogorku Kenesh on an emergency basis.
3. Draft laws providing for an increase in expenditures covered by the state budget are adopted by the Jogorku Kenesh after the Cabinet of Ministers determines the source of funding.
4. Laws are adopted by the Jogorku Kenesh in three readings.
Laws, decisions of the Jogorku Kenesh are adopted by a majority of the total number of deputies, unless otherwise stipulated in the Constitution.
5. Constitutional laws, laws on changing the state border are adopted by the Jogorku Kenesh in at least three readings by a majority of at least two thirds of the total number of deputies of the Jogorku Kenesh.

Article 87

1. A law adopted by the Jogorku Kenesh is sent to the President for signature within 14 working days.
2. The President shall, no later than one month after receipt of the law, sign it or return it with his objections to the Jogorku Kenesh for reconsideration.
If, upon reconsideration, a law returned with objections is approved in a previously adopted version by a majority of at least two thirds of the total number of Jogorku Kenesh deputies, such a law shall be signed by the President within 14 working days of its receipt.

Article 88

The law shall enter into force 10 days after its official publication in the official gazette, unless a different deadline is stipulated in the law itself or in the law on the procedure for enacting it.

CHAPTER III. EXECUTIVE BRANCH OF THE KYRGYZ REPUBLIC**Article 89**

- Executive power in the Kyrgyz Republic is exercised by the President.
2. The structure and composition of the Cabinet of Ministers is determined by the President. The Chairman of the Cabinet of Ministers is the head of the Presidential Administration.
 3. The President directs the activities of the executive branch on the basis of constitutional law, issues instructions to the Cabinet of Ministers and its subordinate bodies, supervises the execution of its instructions, cancels acts of the Cabinet of Ministers and its subordinate bodies and suspends members of the Cabinet of Ministers from office.
 4. The President presides over meetings of the Cabinet of Ministers.
 5. The President is personally responsible for the performance of the Cabinet of Ministers and the executive branch.
 6. If the Jogorku Kenesh finds the report on the execution of the republican budget unsatisfactory, the responsibility of the members of the Cabinet of Ministers is reviewed by the President.

Article 90

1. The Cabinet of Ministers consists of the President, Vice-Presidents and other members of the Cabinet of Ministers.
The Chairman of the Cabinet of Ministers, his deputies and the members of the Cabinet of Ministers are appointed by the President with the consent of the Jogorku Kenesh.
2. The Chairman of the Cabinet of Ministers shall organise the activities of the Cabinet of Ministers in accordance with the Constitution, constitutional law and presidential decrees.
The Chairman of the Cabinet of Ministers is responsible to the President for the activities of the Cabinet of Ministers.

Article 91

1. Cabinet of Ministers:
 - (1) Enforce the Constitution and laws;
 - 2) implements the main directions of the state's domestic and foreign policy;
 - 3) implements measures to ensure the rule of law, the rights and freedoms of citizens, the protection of public order and the fight against crime;
 - 4) ensures the implementation of measures to protect the sovereignty and territorial integrity of the state, protect the constitutional order, as well as measures to strengthen defence capacity, national security and the rule of law;
 - 5) ensure the implementation of financial, price, tariff, investment and taxation policies;
 - 6) develops the republican budget and ensures its implementation;
 - 7) take measures to ensure equal conditions for the development and protection of all forms of property and the management of public property;
 - (8) Ensures a unified state policy in the socio-economic and cultural spheres;
 - 9) develops and implements nationwide programmes for economic, social, scientific, technological, spiritual and cultural development;
 - 10) ensures the implementation of foreign economic activities;
 - 11) ensures effective interaction with civil society;
 - 12) exercise the other powers reserved to it by the Constitution and laws.
2. The organisation and procedures of the Cabinet of Ministers shall be determined by constitutional law.

Article 92

1. The President has the right, on his own initiative, to dismiss the current Cabinet of Ministers or a member thereof.
2. Members of the Cabinet of Ministers have the right to submit a resignation. The resignation is accepted or rejected by the President.

The resignation of the President of the Cabinet of Ministers does not entail the resignation of the entire Cabinet of Ministers.
3. Until a new Cabinet of Ministers is appointed, the current Cabinet of Ministers shall continue to perform its duties.
4. The inauguration of the elected President entails the resignation of the entire Cabinet of Ministers.

Article 93

1. the executive power in the territory of the respective administrative-territorial unit is exercised by the local state administration.
2. the organisation and activities of the local public administration are defined by law.
3. local public administrations operate on the basis of the Constitution, laws, and statutory acts of the President and the Cabinet of Ministers.
4. Decisions of the local public administration, taken within its competence, shall be binding in the respective territory.

CHAPTER IV. THE JUDICIARY OF THE KYRGYZ REPUBLIC

Article 94

1. Justice in the Kyrgyz Republic is administered only by the courts.

In the manner and cases prescribed by law, citizens of the Kyrgyz Republic have the right to participate in the administration of justice.
2. Judicial power shall be exercised through constitutional, civil, criminal, administrative and other forms of judicial proceedings provided for by law.

3. The judicial system of the Kyrgyz Republic is established by the Constitution and laws; it consists of the Constitutional Court, the Supreme Court and local courts.

Specialised courts may be established by law.

The creation of emergency courts is not permitted.

4. The procedure for the organisation and operation of the courts shall be determined by constitutional law.

Article 95

1. Judges are independent and subject only to the Constitution and the law.

2. A judge shall have the right to inviolability and shall not be detained or imprisoned, searched or searched personally, except when caught in the act of committing a crime.

3. no one has the right to ask a judge to report on a particular case.

All interference in the administration of justice shall be prohibited. Persons guilty of interfering with a judge shall be held liable in accordance with the law.

4. A judge shall be provided with social, material and other guarantees of his independence according to his status.

5. A judge of the Constitutional Court may be a citizen of the Kyrgyz Republic not younger than 40 years of age and not older than 70 years, who has a higher legal education and at least 15 years of experience in the legal profession.

A judge of the Supreme Court may be a citizen of the Kyrgyz Republic not younger than 40 years of age and not older than 70 years, who has a higher legal education and at least 15 years of experience in the legal profession, including not less than 5 years as a judge.

6. Judges of the Constitutional Court and the Supreme Court are elected until the age limit is reached.

7. The Chairpersons of the Constitutional Court and the Supreme Court are appointed by the President on the proposal of the Council of Judges and with the consent of the Jogorku Kenesh from among the judges of the Constitutional Court and the Supreme Court for a period of 5 years.

The Deputy Presidents of the Constitutional Court and the Supreme Court are appointed by the President on the proposal of the President of the Constitutional Court and the Supreme Court for a period of 5 years.

8. A local court judge may be a citizen of the Kyrgyz Republic not younger than 30 years of age and not older than 65 years of age, who has a higher legal education and at least 5 years of experience in the legal profession.

Local court judges are appointed by the President upon the proposal of the Council for Justice for an initial period of 5 years and thereafter until reaching the age limit. The procedure for the nomination and appointment of local court judges is determined by constitutional law.

The President of the Supreme Court appoints the presidents of the local courts and their deputies from among the judges of the local courts for a period of 5 years.

9. The status of judges of the Kyrgyz Republic is determined by constitutional law, which may establish additional requirements for candidate judges and certain restrictions for judges of the Constitutional Court, the Supreme Court and local courts.

Article 96

1. Judges of all courts of the Kyrgyz Republic shall hold office and retain their powers as long as their conduct is impeccable. Violation of the requirements of impeccable conduct of a judge shall be grounds for holding the judge liable in accordance with the procedure determined by constitutional law.

2. In the event of a breach of the requirements of impeccability, a local court judge shall be dismissed from office on the proposal of the Council of Judges, in accordance with constitutional law.

Judges of the Constitutional Court and the Supreme Court may be dismissed by the Jogorku Kenesh on the above grounds by a majority of at least two thirds of the total number of deputies of the Jogorku Kenesh upon the proposal of the President, except in cases specified in the Constitution.

The dismissal of local court judges in cases specified in the Constitution is done by the President upon the proposal of the Council of Judges.

A person who has been dismissed from the post of judge due to a breach of the requirements of impeccability shall not be entitled to hold further judicial posts and positions in law enforcement bodies as prescribed by law and shall not be entitled to enjoy the privileges established for judges.

3. The powers of a judge shall be terminated, on the proposal of the Council of Judges, by the body that appointed him/her pursuant to the constitutional law, from the date on which the following grounds occur:

- the judge's death;
- reaching the age limit;
- voluntary resignation or transfer to another job;
- he has been declared dead or missing;
- recognition as legally incompetent;
- relinquishing or acquiring the citizenship of another state;
- in other cases that do not involve a breach of the requirements for impeccable conduct.

4. Suspension, criminal and other liability of judges is allowed with the consent of the Council of Judges, according to the procedure determined by constitutional law.

5. The selection of candidates for the positions of local court judges shall be made by the Justice Council in accordance with the procedure determined by constitutional law.

6. The transfer (rotation) of a local court judge is carried out by the President upon the proposal of the President of the Supreme Court in the manner and cases determined by constitutional law.

7. The Council for Justice shall be composed of judges, comprising not less than two thirds of its members, representatives of the President, the Jogorku Kenesh, the People's Kurultai and the legal community, comprising one third of its members.

8. The organisation and activities of the Council for Justice, its powers and formation procedure shall be determined by constitutional law.

Article 97

1. The Constitutional Court is the highest judicial authority exercising constitutional review through constitutional litigation in order to protect the foundations of the constitutional order, fundamental human and civil rights and freedoms, and to ensure the supremacy and direct operation of the Constitution.

2. The Constitutional Court:

- 1) provides official interpretation of the Constitution;
- 2) adjudicate cases on the conformity of laws and other normative legal acts of the Kyrgyz Republic with the Constitution;
- 3) give an opinion on the constitutionality of international treaties to which the Kyrgyz Republic is a party that have not entered into force;
- 4) resolves disputes over competence between the branches of government;
- 5) give an opinion on a draft law amending and supplementing this Constitution;
- 6) give an opinion on the observance of the prescribed procedure for bringing charges against the President.

3. Everyone has the right to challenge the constitutionality of a law and other normative legal acts if he considers that they violate the rights and freedoms recognised by the Constitution.

4. The decision of the Constitutional Court is final and not subject to appeal.

5. A determination by the Constitutional Court of the unconstitutionality of laws or their provisions shall annul them in the territory of the Kyrgyz Republic, and shall also annul other normative legal acts based on laws or their provisions declared unconstitutional, except for court decisions.

A determination by the Constitutional Court of the unconstitutionality of sub-legislative acts or parts thereof shall invalidate them in the territory of the Kyrgyz Republic.

6. Judicial decisions based on provisions of laws found to be unconstitutional shall be reviewed by the court on a case-by-case basis following complaints by citizens whose rights and freedoms have been affected.

7. The composition and formation of the Constitutional Court, as well as the procedure for conducting constitutional proceedings shall be determined by constitutional law.

Article 98

1. The Supreme Court of the Kyrgyz Republic is the highest judicial authority.
2. The Supreme Court shall review court decisions on appeals of participants of judicial proceedings in civil, criminal, economic, administrative and other cases according to the procedure defined by law.
3. The Plenum of the Supreme Court gives explanations on issues of judicial practice, which are binding for all courts and judges of the Kyrgyz Republic.
4. Decisions of the Supreme Court are final and not subject to appeal.

Article 99

1. The state shall provide funding and adequate conditions for the functioning of the courts and the work of judges.
Courts are financed from the national budget and should be able to administer justice fully and independently.
2. the budget of the judiciary is formed independently by the judiciary and is included in the national budget.

Article 100

1. The hearing of cases in all courts shall be public. A hearing in camera is allowed only in the cases provided for by law. The decision of the court shall be announced in public.
2. No proceedings in absentia shall be allowed before the courts, except as provided by law.
3. Judicial proceedings shall be conducted on the basis of equality of arms and the adversarial principle.
4. The annulment, modification or suspension of a court decision shall be effected by the court in accordance with the procedure prescribed by law.
5. The procedural rights of participants in court proceedings, as well as the rights of persons whose rights and interests have been affected by court decisions, including the right to appeal against decisions and sentences, as well as the procedure for exercising them shall be determined by law.

Article 101

1. Decisions of the courts of the Kyrgyz Republic that have come into force are binding on all state bodies, local self-government bodies, legal entities, public associations, officials and individuals, and are enforceable throughout the republic.
2. The court shall supervise the enforcement of judgments and private rulings issued by it. Failure to enforce, improperly enforcing or obstructing the enforcement of court decisions shall entail liability as prescribed by law.

Article 102

1. The court may not apply a normative legal act that contradicts the Constitution.
2. If the constitutionality of a law or other normative legal act on which the decision of the case depends has been questioned in any court of law, the court shall submit a request to the Constitutional Court.

Article 103

1. Judicial self-governance shall operate to deal with the internal operation of the courts.
2. The bodies of judicial self-governance in the Kyrgyz Republic are the Congress of Judges, the Council of Judges and the Assembly of Judges.
The Congress of Judges is the supreme body of judicial self-government.
The Council of Judges is an elected body of judicial self-government, which operates between the Congresses of Judges and protects the rights and legitimate interests of judges, considers matters of bringing judges to disciplinary responsibility, controls the formation and execution of the budget of the courts, organizes training and professional development of judges.
The assembly of judges is the primary body of judicial self-government.
3. The organisation and procedures of the judicial self-governing bodies shall be defined by law.

Article 104

Justice is rendered free of charge in cases prescribed by law and in any case where those involved in the proceedings show that they do not have sufficient means to conduct them.

CHAPTER V. THE STATE AUTHORITIES OF THE KYRGYZ REPUBLIC WITH SPECIAL STATUS

Article 105

The prosecutor's office of the Kyrgyz Republic supervises the precise and uniform implementation of laws and other normative legal acts.

The procuratorial authorities conduct criminal prosecutions, participate in court proceedings, supervise the execution of court decisions and exercise other powers provided for in constitutional law.

Article 106

The National Bank supervises the banking system of the Kyrgyz Republic, determines and conducts monetary policy in the Kyrgyz Republic, develops and implements a unified currency policy, has the exclusive right to issue banknotes and implements various forms and principles of bank financing.

Article 107

The Central Commission for Elections and Referenda ensures the preparation and conduct of elections and referenda in the Kyrgyz Republic.

Article 108

The Audit Chamber audits the execution of national and local budgets, extra-budgetary funds and the use of state and municipal property.

Article 109

Parliamentary control over the observance of human and civil rights and freedoms in the Kyrgyz Republic is exercised by the Akyikatchy (Ombudsman).

Article 110

The organisation and procedures of the state bodies referred to in this section, as well as the guarantees of their independence, shall be determined by constitutional laws.

SECTION FOUR. LOCAL SELF-GOVERNMENT**Article 111**

1. Local self-government is a constitutionally guaranteed right and real opportunity for local communities to independently decide issues of local significance in their own interests and under their own responsibility.

2. Local self-governance in the Kyrgyz Republic is carried out by local communities on the territory of the respective administrative-territorial unit.

3. local self-government is exercised by local communities of citizens directly or through local authorities.

4. Local government is financed from the relevant local budget as well as from the national budget.

5. The state guarantees the independence of local authorities in the formation and execution of local budgets.

The formation and execution of the local budget is carried out in accordance with the principles of transparency, public participation and local government accountability to the local community.

Article 112

1. local government bodies are made up of representative bodies and executive bodies.

2. The executive bodies of local government and their heads are accountable for their activities to the representative bodies.

Article 113

1. Deputies of local councils shall be elected by citizens residing in the respective administrative-territorial unit in the manner prescribed by law with equal opportunities.

2. The powers and organisation of activities of the executive bodies of local government shall be determined in the manner prescribed by law.

3. local councils in accordance with the law:

1) approve local budgets and monitor their implementation;

2) approve programmes for the socio-economic development and social protection of the local community;

3) resolve other issues of local importance in cases provided for by laws.

Article 114

1. State bodies may not interfere with the powers of local authorities, except in cases provided for by law.

2. State powers may be delegated to local self-government bodies upon transfer of material, financial and other means necessary for their implementation. State powers may be delegated to local self-government bodies on the basis of laws and other regulatory legal acts. Local self-government bodies shall be accountable to the state bodies with regard to the powers delegated to them.

3. Local authorities are accountable to the state and its organs for the implementation of laws, and to the local community for the results of their work.

4. local authorities are guaranteed judicial protection for the reimbursement of additional local budget expenditures arising from decisions of public authorities.

Article 115

1. Citizens in the Kyrgyz Republic have the right to establish aksakal courts.
2. The aksakal courts shall, in accordance with their statutory powers, hear cases with a view to reconciling the parties and rendering just decisions that are not contrary to the law.
3. The decisions of the aksakal courts may be appealed against according to the procedure established by law.
4. The activities of the aksakal courts are financed from the local budget.
5. The procedure for the establishment of aksakal courts, their powers and activities shall be defined by law.

SECTION FIFTH. PROCEDURE FOR ADOPTING, AMENDING AND SUPPLEMENTING THE CONSTITUTION

Article 116

1. The Constitution may be adopted on the initiative of at least 300,000 voters or the President or two-thirds of the total number of deputies of the Jogorku Kenesh in a referendum appointed by the President.

2. Amendments and additions to the provisions of the first, second and fifth sections of the Constitution may be adopted at the initiative of at least 300,000 voters or the President or two thirds of the total number of deputies of the Jogorku Kenesh in a referendum appointed by the President.

Amendments and additions to the provisions of the third and fourth sections of the Constitution are adopted by the Jogorku Kenesh at the initiative of the President or two-thirds of the total number of deputies of the Jogorku Kenesh.

The Jogorku Kenesh adopts a law on amendments and additions to the Constitution no later than six months from the date the draft law is submitted to the Jogorku Kenesh.

A law amending the Constitution is adopted by the Jogorku Kenesh by a majority of at least two thirds of the total number of deputies of the Jogorku Kenesh after at least three readings, with a break of two months between readings.

4. The Constitutional Court of the Kyrgyz Republic shall issue an opinion to amend and supplement the Constitution.

5. The adoption of the Constitution and the amendment of the Constitution during a state of emergency or martial law shall be prohibited.

6. The Act on the adoption of the Constitution, amendments to the Constitution shall be signed by the President.

7. Amendments and additions to the Constitution may provide for the adoption of a new version of the Constitution.

President of the Kyrgyz Republic

S.N. Zhaparov