

COMPARATIVE CHART ON THE PROPOSED CONSTITUTIONAL AMENDMENTS

Current wording of the Constitution of the Kyrgyz Republic	Proposed amendments after incorporated suggestions and comments following public discussions
	<p>Article 1</p> <p>To introduce the following changes into the Constitution of the Kyrgyz Republic passed through the referendum on 27 June 2010:</p>
<p>Preamble</p> <p>We, the people of Kyrgyzstan,</p> <ul style="list-style-type: none"> - Paying tribute to the memory of heroes who rendered life for freedom of the people; - Confirming adherence to the goal to build free and democratic state based on respect and protection of human rights; - Expressing unshakable faith and firm will to develop and enhance the Kyrgyz statehood, protect state sovereignty and unity of the people; - Aspiring to root the rule of law as well as ensure social justice, economic welfare and spiritual development of the people; - Acting on behest of our ancestors to live in peace and accord, in harmony with nature, hereby adopt the given Constitution. 	<p>Preamble</p> <p>We, the people of Kyrgyzstan,</p> <ul style="list-style-type: none"> - Paying the tribute to the memory of heroes who rendered life for freedom of the people; - Confirming adherence to build free, independent and democratic state, where a man, his life, health, rights and freedoms are superior values; - Expressing unshakable faith into future of the country and firm will to develop and enhance the Kyrgyz statehood, protect state sovereignty and unity of the people, develop its language and culture; - Aspiring to root the rule of law as well as ensure social justice, economic welfare and spiritual development of the people; - Acting on behest of our ancestors to live in peace and accord, in harmony with nature, hereby adopt the given Constitution.
<p>Article 6</p> <p>1. The Constitution shall have 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 and other regulatory legal acts.</p>	<p>Article 6</p> <p>1. The Constitution shall have 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 and 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>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 order and conditions of application of international treaties and universally recognized principles and norms of international law shall be determined by the laws.</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 style="text-align: center;">Chapter I Fundamental rights and freedoms</p>	<p style="text-align: center;">Chapter I General provisions</p>
<p style="text-align: center;">Article 16</p> <p>1. 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 all persons on its territory and under its jurisdiction.</p> <p>No one may be subject to discrimination on the basis of sex,</p>	<p style="text-align: center;">Article 16</p> <p>1. Human rights and freedoms are inalienable and belong to each person from birth.</p> <p>Human rights and freedoms are among superior values of the Kyrgyz Republic. They act directly and define the meaning and the content of the activity of all government agencies, self governance bodies and their officials.</p> <p>2. The Kyrgyz Republic shall respect and ensure human rights and freedoms to all persons on its territory and under its jurisdiction.</p> <p>No one may be subject to discrimination on the basis of sex, race,</p>

<p>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 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>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 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</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 introduced also in view of specifics of military and other public 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</p>

<p>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>4) On exploitation of child labor;</p> <p>5) On deprivation of liberty on the basis of failure to meet civil and legal 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,</p>	<p>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>4) On exploitation of child labor;</p> <p>5) On deprivation of liberty only on the basis of that a person is unable to meet contract liability;</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>shall not be subject to any limitation whatsoever:</p> <ol style="list-style-type: none"> 1) That of each detained person to human treatment and respect of human dignity; 2) That of appeal to pardon or alleviation of punishment; 3) That of repeated consideration of the case by a higher court; 4) That of freedom of thought and opinion; 5) That of freedom of choice and possessing religious or other beliefs; 6) That of freedom to determine and state one's ethnicity; 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; 8) That of judicial protection; 9) That of free basic general and secondary general education in state educational establishments; 10) That of a citizen to unimpeded return to the Kyrgyz Republic. 	<ol style="list-style-type: none"> 1) That of each detained person to human treatment and respect of human dignity; 2) That of appeal to pardon or alleviation of punishment; 3) That of repeated consideration of the case by a higher court; 4) That of freedom of thought and opinion; 5) That of freedom of choice and possessing religious or other beliefs; 6) That of freedom to determine and state one's ethnicity; 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; 8) That of judicial protection; 9) That of free basic general and secondary general education in state educational establishments; 10) That of a citizen to unimpeded return to the Kyrgyz Republic.
<p>Article 24</p> <ol style="list-style-type: none"> 1. Everyone shall have the right to freedom and personal immunity. 2. No one may be deprived of freedom solely on the grounds of failure to meet civil legal obligation. 	<p>Article 24</p> <ol style="list-style-type: none"> 1. Everyone shall have the right to freedom and personal immunity. 2. No one may be deprived of freedom solely on the grounds of failure to meet any contract obligation.

<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>Anyone 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 lay 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 ceases 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 examination 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>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>Anyone 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 lay 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 ceases 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 examination 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</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</p>

<p>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. 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>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. 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>7. The right to exemption from criminal liability for committed crimes for which the statute of limitation is expired may be determined by the law. No statute of limitation will be applied for genocide and ecocide crimes.</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</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>care.</p> <p>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.</p>	<p>5. Family is created on the basis of the voluntary union of a man and a woman who have reached the age and registered their marriage. No marriage may be entered without mutual consent of any side in marriage. The marriage shall be registered by the state.</p> <p>Spouses have equal rights and obligations in 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>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 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>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.</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. 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>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 order set forth 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</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>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 (councils), in accordance with procedure and in cases provided in the law shall dismiss local keneshes.</p> <p>2. The President:</p> <p>2) shall have the right to convene an extraordinary sitting of the</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 (councils), in accordance with procedure and in cases provided in the law shall dismiss local keneshes.</p> <p>2. The President:</p> <p>2) shall have the right to convene an extraordinary sitting of the</p>

Jogorku Kenesh and define the issues for consideration thereof;
3) shall have the right to address at the sittings of the Jogorku Kenesh.

3. The President:

1) shall submit to the Jogorku Kenesh candidates for election as judges of the Supreme Court at the proposal of the Council on Selection of Judges;

2) shall submit suggestion to the Jogorku Kenesh on dismissal of Supreme Court judges ~~at the recommendation of the Council of Judges~~;

3) shall appoint local court judges at the suggestion of the Council on Selection of Judges;

4) shall dismiss local court judges at the suggestion of the ~~Council of Judges in cases envisaged in the constitutional law.~~

4. The President:

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 third~~ 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 votes of the deputies of the Jogorku Kenesh; at the proposal of the Prosecutor General shall appoint and dismiss the deputies of the Prosecutor General;

2) shall appoint and dismiss members of the Government in charge of state agencies dealing with the issues of defense and national security as well as their deputies.

5. The President:

Jogorku Kenesh and define the issues for consideration thereof;
3) shall have the right to address at the sittings of the Jogorku Kenesh.

3. The President:

1) shall submit to the Jogorku Kenesh candidates for election as judges of the Supreme Court and **Constitutional Chamber of the Supreme Court** at the proposal of the Council on Selection of Judges;

2) shall submit suggestion to the Jogorku Kenesh to dismiss judges of the Supreme Court and **Constitutional Chamber of the Supreme Court at the recommendation of the disciplinary commission at the Council of Judges in cases foreseen by the present Constitution and the constitutional law**;

3) shall appoint local court judges at the suggestion of the Council on Selection of Judges;

4) shall dismiss local court judges at the suggestion of the **disciplinary commission at the Council of Judges in cases foreseen by the present Constitution and the constitutional law.**

4. The President:

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 votes 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;

2) shall appoint and dismiss members of the Government in charge of state agencies dealing with the issues of defense and national security as well as their deputies.

<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 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 Election Commission 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</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 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 Election Commission 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</p>
---	---

shall recall them; shall accept the credentials and letters of recall of the heads of diplomatic missions of foreign states.

7. The President shall decide upon the issues of naturalization and denunciation of citizenship in the Kyrgyz Republic.

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.

9. The President:

1) shall chair the **Defense** Council which is established in accordance with the law;

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;

3) shall declare general or partial military mobilization; shall announce a state of war in the event of aggression or threat of aggression to the Kyrgyz Republic and shall promptly submit this issue for consideration by the Jogorku Kenesh;

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.

10. The President:

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.

7. The President shall decide upon the issues of naturalization and denunciation of citizenship in the Kyrgyz Republic.

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.

9. The President:

1) shall chair the **Security** Council which is established in accordance with the law;

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;

3) shall declare general or partial military mobilization; shall announce a state of war in the event of aggression or threat of aggression to the Kyrgyz Republic and shall promptly submit this issue for consideration by the Jogorku Kenesh;

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.

10. The President:

<p>1) shall confer state awards of the Kyrgyz Republic; 2) shall confer honorary titles of the Kyrgyz Republic; 3) shall confer the highest military ranks, diplomatic ranks and other special titles; 4) shall grant pardons; 5) shall define the structure of his/her executive office, shall approve the regulations thereof and appoint the head thereof. 11. The President shall exercise other powers envisaged in the present Constitution.</p>	<p>1) shall confer state awards of the Kyrgyz Republic; 2) shall confer honorary titles of the Kyrgyz Republic; 3) shall confer the highest military ranks, diplomatic ranks and other special titles; 4) shall grant pardons; 5) shall define the structure of his/her executive office, shall approve the regulations thereof and appoint the head thereof. 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 performed by the Toraga [Speaker] of the Jogorku Kenesh until new President is elected. In case of inability of the Toraga to perform duties of the President, then such powers shall be exercised by the Prime Minister. Early presidential elections are conducted within three months period since the termination of powers of the President.</p> <p>2. Officials performing presidential duties temporarily shall not have the right to call early elections of the Jogorku Kenesh or dismiss the Government.</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 performed by the Toraga [Speaker] of the Jogorku Kenesh until new President is elected. In case of inability of the Toraga to perform duties of the President, then such powers shall be exercised by the Prime Minister or an official acting as Prime Minister. Early presidential elections are conducted within three months period since the termination of powers of the President.</p> <p>2. Officials performing presidential duties temporarily shall not have the right to call early elections of the Jogorku Kenesh, dismiss the Government, run in snap presidential elections.</p>
<p>Article 70</p> <p>1. The Jogorku Kenesh - the Parliament of the Kyrgyz Republic - shall be the highest representative body exercising legislative power and oversight functions within the limits of its competence. 2. The Jogorku Kenesh shall consist of 120 deputies elected for a</p>	<p>Article 70</p> <p>1. The Jogorku Kenesh - the Parliament of the Kyrgyz Republic - shall be the highest representative body exercising legislative power and oversight functions within the limits of its competence. 2. The Jogorku Kenesh shall consist of 120 deputies elected for a</p>

<p>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>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>A faction will make a decision to exit the coalition of factions of parliamentary majority by no less than two thirds of votes of total number of faction members. Such decision of the faction will be formalized as a decree and be signed by each faction member who has voted for withdrawal.</p>
<p>Article 72</p> <p>1. A deputy of the Jogorku Kenesh may not be prosecuted for</p>	<p>Article 72</p> <p>1. A deputy of the Jogorku Kenesh may not be prosecuted for</p>

<p>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 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>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 by the part 3 of the given Article, a deputy of 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 as Prime Minister of First Vice Prime Minister with retention of the deputy mandate and voting right at the plenary sessions of the Jogorku Kenesh. The order and conditions of exercise and limitations of other powers of the deputy who has been appointed as the Prime Minister or the First Vice Prime Minister shall be determined by the laws.</p> <p>Resignation, dismissal and termination of powers of the Prime Minister or First Vice Prime Minister will lead to reinstatement of powers of a deputy in full.</p>
<p>Article 74</p> <p>1. The Jogorku Kenesh:</p> <p>1) shall adopt the law calling a referendum;</p>	<p>Article 74</p> <p>1. The Jogorku Kenesh:</p> <p>1) shall adopt the law calling a referendum;</p>

<p>2) shall call for presidential elections.</p> <p>2. The Jogorku Kenesh:</p> <p>1) shall introduce changes to the present Constitution;</p> <p>2) shall adopt laws;</p> <p>3) shall ratify and denunciate international treaties pursuant the procedures envisaged by law;</p> <p>4) shall solve the issues of alteration of the state borders of the Kyrgyz Republic;</p> <p>5) shall approve the national budget and the report on its execution;</p> <p>6) shall decide on matters of administrative and territorial structure of the Kyrgyz Republic;</p> <p>7) shall issue amnesty acts.</p> <p>3. The Jogorku Kenesh:</p> <p>1) shall approve the program of the activity of the Government, define the 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 nation wide development programs submitted by the Government;</p> <p>3) shall make decision upon the confidence in the Government;</p>	<p>2) shall call for presidential elections.</p> <p>2. The Jogorku Kenesh:</p> <p>1) shall introduce changes to the present Constitution;</p> <p>2) shall adopt laws;</p> <p>3) shall ratify and denunciate international treaties pursuant the procedures envisaged by law;</p> <p>4) shall solve the issues of alteration of the state borders of the Kyrgyz Republic;</p> <p>5) shall approve the national budget and the report on its execution;</p> <p>6) shall decide on matters of administrative and territorial structure of the Kyrgyz Republic;</p> <p>7) shall issue amnesty acts.</p> <p>3. The Jogorku Kenesh:</p> <p>1) shall approve the program of the activity of the Government, define the 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 nation wide development programs submitted by the Government;</p> <p>3) shall make decision upon the confidence in the Government;</p>
--	--

4) shall make decision on expressing no confidence in the Government.

4. The Jogorku Kenesh:

1) shall elect the judges of the Supreme Court at the suggestion of the President; in cases envisaged by the constitutional law shall dismiss them at the recommendation of the President;

2) shall approve the composition of the Council on Selection of Judges in accordance with the procedure envisaged in the law;

3) shall elect the Chairperson of the National Bank at the suggestion of the President; shall dismiss him/her in cases envisaged in the law;

4) shall elect members of the Central Election Commission: 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 foreseen by the law;

5) shall elect 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 foreseen by the law;

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;

7) shall elect and in cases provided for in the law shall dismiss deputies of the Ombudsman (Akiykatchy) at the suggestion of the Ombudsman (Akiykatchy); shall give consent for criminal proceedings against them;

8) shall approve the appointment of the Prosecutor General; shall approve criminal proceedings

against the Prosecutor General; shall give consent for dismissal of the Prosecutor General by

~~no less than one third~~ of votes of the total number of deputies;

4) shall make decision on expressing no confidence in the Government.

4. The Jogorku Kenesh:

1) shall elect the judges of the Supreme Court and the **Constitutional Chamber of the Supreme Court** at the suggestion of the President; in cases envisaged by the **given Constitution** and the constitutional law shall dismiss them at the recommendation of the President;

2) shall approve the composition of the Council on Selection of Judges in accordance with the procedure envisaged in the law;

3) shall elect the Chairperson of the National Bank at the suggestion of the President; shall dismiss him/her in cases envisaged in the law;

4) shall elect members of the Central Election Commission: 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;

5) shall elect 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 foreseen by the law;

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;

7) shall elect and in cases provided for in the law shall dismiss deputies of the Ombudsman (Akiykatchy) at the suggestion of the Ombudsman (Akiykatchy); shall give consent for criminal proceedings against them;

8) at the suggestion of the President, shall approve the appointment of the Prosecutor General; shall approve criminal proceedings

against the Prosecutor General; shall give consent for dismissal of

<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 cancel 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 or abolishment of 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 report of the Ombudsman (Akiykatchy);</p>	<p>the Prosecutor General by no less than one half of votes of the total number of deputies;</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 cancel 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 or abolishment of 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>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 Constitution.</p>	<p>2) shall hear annual report 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 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>	<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> <p>1) shall conduct the sittings of the Jogorku Kenesh;</p>

<p>1) shall conduct the sittings of the Jogorku Kenesh;</p> <p>2) shall perform the overall guidance in preparation of issues to considered at the sittings of the Jogorku Kenesh;</p> <p>3) shall sign acts adopted by the Jogorku Kenesh;</p> <p>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;</p> <p>5) shall exercise general management and oversight over the activity of the Administration of the Jogorku Kenesh;</p> <p>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> <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>2) shall perform the overall guidance in preparation of issues to considered at the sittings of the Jogorku Kenesh;</p> <p>3) shall sign acts adopted by the Jogorku Kenesh;</p> <p>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;</p> <p>5) shall exercise general management and oversight over the activity of the Administration of the Jogorku Kenesh;</p> <p>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> <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>Loss of the parliamentary majority status by the coalition of factions will require confirmation of powers of the Speaker by the majority of votes of the total number of deputies of the Jogorku Kenesh.</p>
<p>Article 81</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 national budget and taxes shall be subject to mandatory signature.</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>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 national budget and taxes shall be subject to mandatory signature, except for cases when the Prime Minister requests to return such laws without being signed.</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>1. The faction which has more than one half of deputies' mandates, or a coalition of factions with its participation within 15 working 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</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 25 working 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</p>

propose to one of factions to create parliamentary majority within ~~15~~ working days and nominate the candidate for the office of the Prime Minister.

The candidate for the Prime Minister shall submit to the Jogorku Kenesh the program, structure and composition of the Government before expiration of the above time period.

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 Prime Minister.

The candidate for the Prime Minister shall submit to the Jogorku Kenesh the program, structure and composition of the Government before expiration of the above time period.

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 Prime Minister.

The candidate for the Prime Minister shall submit to the Jogorku Kenesh the program, structure and composition of the Government before expiration of the above time period.

5. The President within 3 days period shall issue a decree on the appointment of the Prime Minister and other members of the Government.

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.

6. In the event of failure to approve the program, define the

of deputies' mandates, then the President shall propose to one of factions to create parliamentary majority within 25 working days and nominate the candidate for the office of the Prime Minister.

The candidate for the Prime Minister shall submit to the Jogorku Kenesh the program, structure and composition of the Government before expiration of the above time period.

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 Prime Minister.

The candidate for the Prime Minister shall submit to the Jogorku Kenesh the program, structure and composition of the Government before expiration of the above time period.

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 Prime Minister.

The candidate for the Prime Minister shall submit to the Jogorku Kenesh the program, structure and composition of the Government before expiration of the above time period.

5. The President within 3 days period shall issue a decree on the appointment of the Prime Minister and other members of the Government.

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.

6. In the event of failure to approve the program, define the

<p>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. The Prime Minister and the members of the Government shall continue to exercise their duties until formation of a new government.</p>	<p>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. Loss of the parliamentary majority status by the coalition of factions will lead to resignation of the government and formation of the new government in the order and within the time period envisaged in the present article. The Prime Minister and the members of the Government shall continue to exercise their duties until formation of a new government.</p>
<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. Not more than twice 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 87</p> <p>1. The Prime Minister, the Government or an individual member of the Government shall have the right to tender resignation, which shall be accepted or rejected by the President.</p>	<p>Article 87</p> <p>1. Since the first day of session of the Jogorku Kenesh of the new convocation the government is considered as resigned.</p> <p>The Prime Minister, the Government or an individual member of the Government shall have</p>

2. Acceptance of the resignation of the Prime Minister shall result in the resignation of the Government.

3. Before the formation of the Government the Prime Minister and the members of the Government shall continue to perform their duties.

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 count down of time for the President to submit the candidate for the Prime Minister shall commence since the day of acceptance of the resignation of the

Prime Minister or the Government by the President.

~~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.~~

the right to tender resignation, which shall be accepted or rejected by the President.

2. Acceptance of the resignation of the Prime Minister shall result in the resignation of the Government.

3. Before the formation of the Government the Prime Minister and the members of the Government shall continue to perform their duties.

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 count down of time for the President to submit the candidate for the Prime Minister shall commence since the day of acceptance of the resignation of the

Prime Minister or the Government by the President.

5. A government member, except for heads of agencies responsible for defense and national security, may be dismissed from position at suggestion of the Prime Minister. In case the President does not issue an order on dismissal of the given government member within 5 working days, the Prime Minister has right to dismiss the government member upon consultations with leader of the parliamentary majority factions.

In case of resignation or dismissal of a government member, the Prime Minister will submit nomination for a vacant position to the Jogorku Kenesh within 5 working days. Once a nominee will be confirmed by the Jogorku Kenesh, the President will appoint the candidate for a respective position. In case the President does not issue an appointment order for a

	candidate within 3 working days after approval of the Jogorku Kenesh, a candidate will be considered as appointed.
<p>Article 89</p> <p>The Prime minister:</p> <p>1) shall manage the work of the Government, bear personal responsibility for its performance in front of the Jogorku Kenesh;</p> <p>2) shall ensure the implementation of the Constitution and laws by all agencies of the executive power;</p> <p>3) shall conduct negotiations and sign international treaties;</p> <p>4) shall conduct the meetings of the Government;</p> <p>5) shall sign the resolutions and orders of the Government; ensures their implementation;</p> <p>6) shall appoint and dismiss the heads of administrative agencies;</p> <p>7) shall appoint and dismiss the heads of local state administrations at the suggestion of local keneshes (councils) in accordance with the procedures of the law;</p> <p>8) shall perform other duties envisaged in the present Constitution and laws.</p>	<p>Article 89</p> <p>The Prime minister:</p> <p>1) shall manage the work of the Government, bear personal responsibility for its performance in front of the Jogorku Kenesh;</p> <p>2) shall ensure the implementation of the Constitution and laws by all agencies of the executive power;</p> <p>3) shall conduct negotiations and sign international treaties;</p> <p>4) shall conduct the meetings of the Government;</p> <p>5) shall sign the resolutions and orders of the Government; ensures their implementation;</p> <p>6) shall appoint and dismiss the heads of administrative agencies;</p> <p>7) shall appoint and dismiss the heads of local state administrations;</p> <p>8) shall perform other duties envisaged in the present Constitution and laws.</p>
<p>Article 94</p> <p>1. Judges shall be independent and subordinate only to the Constitution and laws.</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 years.</p> <p>One and the same person may not be elected Chairperson of the Supreme Court or deputy chairperson for two consecutive terms.</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 years.</p> <p>One and the same person may not be elected Chairperson of the Supreme Court or deputy chairperson for two consecutive terms.</p>
--	--

<p>The procedure of electing and dismissing of the Chairperson of the Supreme Court and his/her deputies shall be defined by law.</p> <p>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.</p> <p>Judges of local courts shall be appointed by the President upon submission of the Council on</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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>The procedure of electing and dismissing of the Chairperson</p> <p>o8. 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.</p> <p>Judges of local courts shall be appointed by the President upon submission of the Council on</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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 and certain restrictions for judges of the Supreme Court, Constitutional Chamber of the Supreme Court and local courts.</p>
Article 95	Article 95

1. Judges of all courts of the Kyrgyz Republic shall hold their posts and retain 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 ahead of term by the majority of votes of no less than two-thirds of the total number of deputies of the Jogorku Kenesh at the suggestion of the President based on the recommendation 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, refusal 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 of local court judge, suggestion on 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.~~

1. Judges of all courts of the Kyrgyz Republic shall hold their posts and retain 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 case of violation of requirements of irreproachability of the conduct of judges, a judge will be dismissed at the recommendation of the disciplinary commission at the Council of Judges in line with the constitutional law.

For the above mentioned reasons, the Supreme Court judges can be dismissed ahead of term by no less than two third of votes of the Jogorku Kenesh deputies at the suggestion of the President, except for cases mentioned in the part 3 of the given article. Judges of local courts will be dismissed by the President.

The judge dismissed over violation of requirements of irreproachability of the conduct has no right to hold public and municipal posts envisaged by the law in future and will be deprived of privileges granted to judges and former judges.

3. In the event of death of the judge, achievement of the age limit, resignation or transfer to another post, him/her being declared dead or missing, legally incapable, loss of citizenship, refusal from citizenship, acquisition of another citizenship and other cases not related with violation of requirements of irreproachability of the conduct, powers of the judge will be terminated ahead of term at the suggestion of the Council of Judges by the body which elected or appointed the judge from the date of emergence of grounds in accordance with the constitutional law. Supreme Court judges will be dismissed from their positions by the majority of votes of present Jokorku

<p>5. Local court judges will be dismissed by the President at the suggestion of the Council of Judges in cases and order envisaged by the constitutional law.</p> <p>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.</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>Kenesh deputies, but not less than 50 votes of deputies.</p> <p>4. Temporary dismissal, criminal and administration prosecution of judges by court is possible with approval of the disciplinary commission at the Council of Judges in the order set forth by the constitutional law.</p> <p>5. Candidates for judge positions in local courts will be selected by the Council on Selection of Judges in the order envisaged by the constitutional law.</p> <p>6. Transfer (rotation) of local court judges will be made by the President at the suggestion of the Council of Judges in the order and cases envisaged by 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 at the Council of Judges will be formed by the President, Parliament and Council of Judges by one third part each. The chairperson of the Council of Judges will be responsible for the conduct of the first meeting of the disciplinary commission upon formation of the two third part of the commission. In case the first meeting of the disciplinary commission is not held within 10 working days, the President will conduct its meeting. The overall number of members, requirements for members of the disciplinary commission and other organizational issues will be determined by the law.</p>
Article 96	Article 96

<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 court 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 the panel 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>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 court 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 gives explanations on issues of court practice, which are binding for all courts and judges of the Kyrgyz Republic.</p> <p>3. The rulings of the Supreme Court shall be final and not subject to appeal.</p>
<p>Article 102</p> <p>1. Judicial self regulation shall be used to resolve internal issues concerning the activities of judges.</p> <p>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.</p> <p>The Congress of judges shall be the superior body of judicial self regulation.</p> <p>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 re-training of judges, shall consider issues of disciplinary proceedings against judges.</p>	<p>Article 102</p> <p>1. Judicial self regulation shall be used to resolve internal issues concerning the activities of judges.</p> <p>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.</p> <p>The Congress of judges shall be the superior body of judicial self regulation.</p> <p>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 re-training of judges.</p> <p>The assembly of judges shall be the primary body of judicial self regulation.</p>

<p>The assembly of judges shall be the primary body of judicial self regulation.</p> <p>3. The organization and procedures of judicial self regulation bodies shall be defined in the law.</p>	<p>3. The organization and procedures of judicial self regulation bodies shall be defined in the law.</p>
<p>Article 104</p> <p>The office of the Prosecutor shall comprise a unified system with the following competencies:</p> <p>1) Oversight over accurate and uniform execution of laws by executive agencies, local self governance bodies as well as officials thereof;</p> <p>2) Supervision over the observance of laws by agencies conducting retrieval and operative activity and investigation;</p> <p>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;</p> <p>4) Representation of the interests of citizens or the state in court in cases envisaged in the law;</p> <p>5) Public prosecution in court;</p> <p>6) Criminal prosecution in respect of officials of state bodies.</p>	<p>Article 104</p> <p>The office of the Prosecutor shall comprise a unified system with the following competencies:</p> <p>1) Oversight over accurate and uniform execution of laws by executive agencies, other state bodies the list of which will be determined by the constitutional law, local self governance bodies and officials thereof;</p> <p>2) Supervision over the observance of laws by agencies conducting retrieval and operative activity and investigation;</p> <p>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;</p> <p>4) Representation of the interests of citizens or the state in court in cases envisaged in the law;</p> <p>5) Public prosecution in court;</p> <p>6) Launch of criminal probes against officials of state bodies (list of such bodies will be determined by the constitutional law) and forwarding cases for investigative to respective authorities, criminal prosecution of persons having military status.</p>
	<p>Article 2</p>

1. The given law will be signed by the President of the Kyrgyz Republic and will enter into force 15 days after its official publication, except for provisions regarding amendments of the Articles 70, 72, 75, 81, and 87 of the Constitution of the Kyrgyz Republic that will enter into force since 1 December 2017.

2. The official text of the Constitution of the Kyrgyz Republic upon changes introduced by the given law will be published by the President of the Kyrgyz Republic no later than 14 days after the given law enters into force. The discrepancies between the texts in Kyrgyz and official languages present in the Constitution of the Kyrgyz Republic adopted through the referendum of 27 June 2010 will be addressed in accordance with the rules set forth by the parts 3 and 4 of the Article 6 of the Kyrgyz Republic on Regulatory Acts of the Kyrgyz Republic of 20 July 2009 No. 241 in the wording of the law of the Kyrgyz Republic on introduction of amendments and additions to the law on regulatory acts of the Kyrgyz Republic of 11 July 2013 No. 131.

3. Laws and other regulatory acts that were effective in the Kyrgyz Republic before the given law has entered into force will be applied in a way that will not conflict with the wording of the Constitution envisaged by the given law.

4. Except for cases envisaged in the part 7 of the Article 26 of the Constitution of the Kyrgyz Republic, the period of limitation for criminal prosecution won't apply to officials who committed crimes in connection with preparation for development and development of the Kumtor gold mine, as well crimes damaging interests of Kumtor mine related organizations and ventures.

Such officials will be subject to criminal prosecution and trial regardless of time of their crimes, except for cases when the rulings on statute of limitations have entered into force.

5. The President of the Kyrgyz Republic and the Jogorku Kenesh of the Kyrgyz Republic will retain their powers until expiry

of their terms and will perform their duties in line with the given law since the day of its entry into force.

6. The Speaker, Vice Speaker of the Kyrgyz Republic, other officials elected and appointed by the Jogorku Kenesh of the Kyrgyz Republic, as well as members of the Government of the Kyrgyz Republic, Prosecutor General of the Kyrgyz Republic, Chairperson of the Accounts of Chamber of the Kyrgyz Republic appointed by the President of the Kyrgyz Republic, Chairman and Vice Chairmen of the Central Election Commission will retain their powers until expiry of their term or until other circumstances foreseen by the laws that will lead to their dismissal.

7. Chairpersons, vice chairperson and judges of the Supreme Court, Constitutional Chamber of the Supreme Court of the Kyrgyz Republic, as well as local courts elected and appointed in line with the provisions of the legislation that was adopted to execute the Constitution of the Kyrgyz Republic of 27 June 2010 will retain their powers until expiry of their terms until other circumstances foreseen by the constitutional law that will lead to their dismissal.