**THE CONSTITUTION OF THE KYRGYZ REPUBLIC**

Accepted
by referendum (by popular vote)
April 11, 2021

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*(Implemented*[*By law*](http://cbd.minjust.gov.kg/act/view/ru-ru/112215?cl=ru-ru)*Of the Kyrgyz Republic dated May 5, 2021)*

We, the people of the Kyrgyz Republic,

based on the right to independently determine their own fate;

to ensure the rule of law, justice and equity;

affirming the foundations of genuine democracy;

keeping true to the traditions of our ancestors, following the precepts of Manas the Magnanimous, to live in unity, peace and harmony, in harmony with nature;

Affirming the rights and interests of the people of the Kyrgyz Republic;

Expressing its unwavering will to preserve and strengthen statehood;

Reaffirming our commitment to the protection and respect of human and civil rights and freedoms;

recognizing universal principles and values;

striving for social justice, economic well-being, development of education, science and spirituality;

honoring the memory of the heroes who gave their lives for the freedom of our people;

Realizing our responsibility for our Fatherland to present and future generations, we adopt this Constitution.

**SECTION ONE. FUNDAMENTALS OF THE CONSTITUTIONAL SYSTEM**

**CHAPTER I. POLITICAL FOUNDATIONS OF THE CONSTITUTIONAL ORDER**

**Article 1**

1. The Kyrgyz Republic (Kyrgyzstan) is an independent, sovereign, democratic, unitary, legal, secular and social state.

2. The sovereignty of the Kyrgyz Republic is not limited and extends to its entire territory.

3. The Kyrgyz Republic independently conducts domestic and foreign policy.

4. The people of the Kyrgyz Republic are the bearer of sovereignty and the sole source of State power.

5. The people of Kyrgyzstan are citizens of all ethnic groups of the Kyrgyz Republic.

6.The President and the Jogorku Kenesh may speak on behalf of the people of the Kyrgyz Republic.

**Article 2**

1. Independent determination of the foundations of the constitutional order is the sovereign right of the people of the Kyrgyz Republic.

2. In the Kyrgyz Republic, the rule of the people is based on the principles of full power belonging to the people, protection of human and civil rights and freedoms, and free and effective access to the management of State and society affairs.

3. Citizens of the Kyrgyz Republic exercise their power directly in elections and referendums (national voting), as well as through the system of state and local self-government bodies 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 the age of 18 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 is established by the constitutional law.

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

**Article 3**

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

2. For the purposes of organizing State administration and local self-government, the territory of the Kyrgyz Republic is divided into administrative-territorial units determined by law.

**Article 4**

State power in the Kyrgyz Republic is based on the following principles::

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

- its division into legislative, executive, and judicial branches, their coordinated functioning and interaction;

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

- delineation of powers and functions of state and local self-government bodies;

- prohibiting state and municipal officials from performing actions (omissions) that create conditions for corruption;

- constitutional, legal and other responsibilities of state bodies, local self-government bodies and their officials to the people.

**Article 5**

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

2. Actions aimed at forcible seizure and illegal retention of state power, appropriation of powers of state bodies, local self-government bodies, and their officials are not allowed.

Usurpation of State power is a particularly serious crime.

**Article 6**

1. This Constitution has the highest 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. Generally recognized principles and norms of international law, as well as international treaties that have 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 recognized principles and norms of international law are 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 establishes new obligations or aggravates liability is not retroactive.

**Article 7**

1. People's Kurultai - a public representative assembly.

The People's Kurultai, as an advisory and supervisory assembly, makes recommendations on areas of social development.

2. The organization and order of activity of the People's Kurultai are determined by the Constitution and the Constitutional law.

**Article 8**

1. Political parties, trade unions and other public associations may be established in the Kyrgyz Republic for the realization and protection of human and civil rights, freedoms and interests.

2. Political parties promote the diverse expression of the political will of various social strata and groups of society.

3. In the Kyrgyz Republic, it is prohibited to:

1) formation and functioning of party organizations in state and municipal institutions, organizations; implementation of party work by state and municipal employees, except for cases when such work is carried out outside of official activities;

2) membership of military personnel, law enforcement officers and judges in political parties, their speech in support of any political party;

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

4) creation of paramilitary groups by associations of citizens;

5) the functioning of political parties, public and religious associations, their representative offices and branches, whose activities are aimed at forcibly changing the constitutional order, undermining national security, inciting social, racial, interethnic and religious discord.

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

**Article 9**

1. In the Kyrgyz Republic, no religion may be established as a State or compulsory religion.

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

3.Interference of religious associations, clergymen and ministers of worship in the activities of State authorities is prohibited.

**Article 10**

1. Mass media are guaranteed the right to receive information from State and local self-government bodies, their dissemination, and the right to freedom of expression.

2. Censorship is not allowed in the Kyrgyz Republic. 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 consciousness of the people of the Kyrgyz Republic may be restricted by law.

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

**Article 11**

1. The Kyrgyz Republic has no expansion, aggression or military objectives.

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

2. The right to wage war, except in cases of aggression against the Kyrgyz Republic and other States bound by collective defense obligations, is not recognized. Permission for each case of departure of units of the Armed Forces of the Kyrgyz Republic outside the territory of the Kyrgyz Republic is 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 solving domestic political tasks is prohibited.

4. The Kyrgyz Republic strives for co-existence with other States on the principles of harmony and justice, mutually beneficial cooperation, and peaceful resolution of global and regional problems.

**Article 12**

A state of emergency, state of emergency and martial law in the Kyrgyz Republic are introduced in cases and in accordance with the procedure provided for by the Constitution and laws.

**Article 13**

1. Kyrgyz language - the official language of the Kyrgyz Republic.

The procedure for using the state language is determined by the constitutional law.

2. In the Kyrgyz Republic, Russian is used as the official language.

3. Representatives of all ethnic groups forming the people of the Kyrgyz Republic are 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 official use are established by law.

2. Bishkek is the capital of the Kyrgyz Republic.

The cities of Bishkek and Osh are cities of national significance. The status of cities of national significance is determined by law.

3. The national monetary unit of the Kyrgyz Republic is the som.

**CHAPTER II. SOCIO-ECONOMIC FOUNDATIONS OF THE CONSTITUTIONAL ORDER**

**Article 15**

1.Private, State, municipal and other forms of ownership are equally recognized and protected in the Kyrgyz Republic.

2. Property is inviolable. No one may be arbitrarily deprived of their property. The right of inheritance is guaranteed.

Seizure of property against the will of the owner is allowed only by a court decision in accordance with the procedure established by law.

Confiscation of property for public and state needs determined by law is carried out by a court decision by providing fair and preliminary security for compensation of the value of this property and losses caused as a result of alienation of property.

3. State ownership of property owned by individuals and legal entities (nationalization) is carried out on the basis of a law with compensation for the value of this property and other losses.

4. The Kyrgyz Republic protects the property of its citizens and legal entities, as well as its property located on the territory of foreign States.

5. Monuments of historical and cultural heritage, architectural and archaeological objects and finds are state property and are specially protected by law.

**Article 16**

1. 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; for the preservation of a unified ecological system and sustainable development, they are under the control and special protection of the state.

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

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

4. Guarantees for the protection of the rights of land owners are determined 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 directions of economic and social development of the Kyrgyz Republic are reflected in national programs.

3. The State guarantees the protection of investments and subjects of investment activity in accordance with the procedure established by law.

**Article 18**

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

2. There is a unified tax system on the territory of the Kyrgyz Republic. The right to establish taxes belongs to the Jogorku Kenesh. Laws that impose new taxes and worsen the situation of taxpayers are not retroactive.

**Article 19**

1. The State takes care of the welfare of the people and their social protection.

2. The Kyrgyz Republic provides support to socially vulnerable categories of citizens, labor and health protection.

3. The Kyrgyz Republic develops a system of social services, medical services, guarantees of state pensions, allowances 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. Respect and care for the father and mother is the sacred duty of children.

3. Children are the most important value of the Kyrgyz Republic. The State creates conditions that promote diverse spiritual, moral, intellectual and physical development of children, their civil and patriotic upbringing.

**CHAPTER III. SPIRITUAL AND CULTURAL FOUNDATIONS OF SOCIETY**

**Article 21**

1. The State takes care of the development of the culture of the Kyrgyz people, preserving customs and traditions that do not infringe on human rights and freedoms.

2. Honoring the elders and respecting the younger ones 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 interethnic and interfaith harmony.

**Article 22**

1. The development of society and the state is based on scientific research, modern technologies and innovations.

2. The State supports all types and forms of education in educational institutions, regardless of the form of ownership.

The state takes care of each student, the quality of training and improving the status of teachers.

The State finances and provides material and technical support for the activities of State educational organizations.

3. The State promotes the development of science, scientific and creative development, scientific and technological achievements, discoveries, innovations and inventions.

The state finances and supports scientific institutions and organizations, and implements their development strategy.

4. The State provides certification 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 the field of fundamental and applied sciences.

**SECTION TWO. HUMAN AND CIVIL RIGHTS, FREEDOMS AND OBLIGATIONS**

**CHAPTER I. GENERAL PRINCIPLES**

**Article 23**

1. Human rights and freedoms are inalienable and belong to everyone from birth. They are recognized as absolute, inalienable and protected by law and court from encroachments on the part of anyone.

Human rights and freedoms are among the highest values of the Kyrgyz Republic. They act directly, determine the meaning and content of the activities of all state bodies, local self-government bodies and their officials.

2. Human and civil rights and freedoms may be restricted by the Constitution and laws in order to protect national security, public order, protect public health and morals, and protect the rights and freedoms of others. Such restrictions may also be imposed taking into account the specifics of military or other public service. The restrictions imposed must be proportionate to the specified goals.

3. It is prohibited to adopt by-laws and regulations that restrict the rights and freedoms of a person and citizen.

4. The law may not impose restrictions on human rights and freedoms for other purposes and to a greater extent than is provided for in the Constitution.

5. Human rights and freedoms established by the Constitution are not subject to any restrictions.

6.The guarantees of prohibition established by the Constitution are not subject to any restrictions.

**Article 24**

1. The Kyrgyz Republic shall ensure the protection of their rights and freedoms to all persons located within its territory and under its jurisdiction.

No one may be discriminated against on the basis of gender, race, language, disability, ethnicity, religion, age, political or other beliefs, education, origin, property or other status, or other circumstances.

Persons who have committed discrimination are liable 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 court.

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

**CHAPTER II. PERSONAL RIGHTS AND FREEDOMS**

**Article 25**

1. Everyone has an inalienable right to life. Encroachment on human life and health is unacceptable. No one can be arbitrarily deprived of life. The death penalty is prohibited.

2. Everyone has the right to protect his own life and health, as well as the life and health of other persons, from unlawful encroachments within the limits of necessary defense.

**Article 26**

1. A family is formed on the basis of the voluntary marriage of a man and a woman who have reached the legal age of marriage. Marriage is not allowed without the consent of two persons entering into marriage. Marriage is registered by the state.

2. Care for children and their upbringing are equally the right and duty of both the father and the mother. Able-bodied, adult children are required to take care of their parents.

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

**Article 27**

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

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

3. Responsibility for ensuring the necessary living conditions for the child's development lies with each of the parents, guardians and guardians.

4. The State takes care of, educates 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 professional education. They are provided with social security.

**Article 28**

1. Slavery and human trafficking are prohibited in the Kyrgyz Republic.

2. The exploitation of child labor is prohibited.

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

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

**Article 29**

1. Everyone has the right to inviolability of private life, protection of honor and dignity.

Human dignity in the Kyrgyz Republic is absolutely and inviolable.

2. No one may be subjected to criminal prosecution for the dissemination of information discrediting or degrading the honor and dignity of the individual.

3. Everyone has the right to secrecy of correspondence, telephone and other conversations, postal, telegraph, electronic and other communications. Restriction of these rights is allowed only in accordance with the law and on the basis of a court decision.

4. It is not allowed to collect, store, use and distribute confidential information, information about a person's private life without their consent, except in cases established by law.

5. Everyone is guaranteed protection, including judicial protection, from illegal collection, storage, dissemination of confidential information and information about a person's private life, and the right to compensation for material and moral damage caused by illegal actions is guaranteed.

**Article 30**

1. Everyone has the right to inviolability of the home and other objects owned or otherwise entitled to it. No one may enter a dwelling or other object against the will of the person who uses it.

2. Conducting a search, seizure, inspection and performing other actions, as well as the entry of representatives of the authorities into the home and other objects owned or otherwise entitled, are allowed only on the basis of a court decision.

3. In exceptional cases provided for by law, a search, seizure, inspection and other actions, as well as the entry of government officials into a dwelling or other objects owned or otherwise entitled to property, shall be permitted without a court decision. The legality and validity of such actions are subject to review by the court.

4. The guarantees and restrictions set forth in this article also apply to legal entities.

**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 travel freely outside the Kyrgyz Republic and return without hindrance. Restrictions on the right to leave are allowed only on the basis of the law.

The right of citizens of the Kyrgyz Republic to return without hindrance is not subject to any restrictions.

**Article 32**

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

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

3. No one may be forced to express or reject their opinion.

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

**Article 33**

1. Everyone has the right to freely seek, receive, store, use and disseminate information orally, in writing or otherwise.

2. Everyone has the right to get acquainted with information about themselves in state bodies, local self-government bodies, institutions and organizations.

3. Everyone has 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 republican and local budgets.

4. Everyone is guaranteed access to information held by State bodies, local self-government bodies and their officials. The procedure for providing information is determined by law.

**Article 34**

1. Everyone is guaranteed freedom of conscience and religion.

2. Everyone has the right to profess, individually or jointly with others, any religion or not to profess any.

3. Everyone has the right to freely choose and hold religious and other beliefs.

4. No one may be forced to express or renounce their religious or other beliefs.

**Article 35**

Everyone has the right to compensation by the State for damage caused by illegal actions (inaction) of State bodies, local self-government bodies and their officials in the performance 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 vote and be elected to State and local self-government bodies, as well as to participate in referendums.

2. Citizens of the Kyrgyz Republic have the right to participate in managing the affairs of society and the State both directly and through their representatives.

3. Citizens of the Kyrgyz Republic have equal rights and equal opportunities when entering the state civil and municipal service, and advancing in positions in accordance with the procedure provided for 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 significance.

5. Everyone has the right to appeal to State authorities, local self-government bodies and their officials, who are obliged to provide a reasoned response within the time limit established by law.

6. Citizens have the right to participate in the formation of the national and local budgets, as well as to receive information about the actual funds spent from the budget.

**Article 38**

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

**Article 39**

1. Everyone has the right to freedom of peaceful assembly. No one can be forced to participate in the meeting.

2. In order to ensure the holding of a peaceful assembly, everyone has the right to submit a notification to State or local self-government bodies.

3. Organizers and participants of peaceful assemblies are not responsible for the absence of notification of a peaceful assembly, failure to comply with the form of notification, its content and deadlines for submission.

4. The organization and procedure for holding peaceful assemblies are determined by law.

**CHAPTER IV. ECONOMIC AND SOCIAL RIGHTS**

**Article 40**

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

**Article 41**

Everyone has the right to economic freedom, the free use of their abilities and their property for any economic activity that is not prohibited by law.

**Article 42**

1. Everyone has the right to freedom of work, to dispose of his or her abilities to work, to choose a profession and occupation, to work in safety and health conditions, and to receive remuneration not lower than the minimum subsistence level established by law.

2. Everyone has the right to rest.

3. The maximum duration of working hours, minimum weekly rest and paid annual leave, as well as other basic conditions for exercising the right to rest, are determined by law.

4. Citizens have the right to strike. The procedure and conditions for conducting strikes are determined by law.

**Article 43**

1. Everyone has the right to health protection and health insurance. The terms of health insurance are determined by law.

2. The State creates conditions for medical care for everyone and takes measures to develop state, municipal, private and other health organizations.

The State creates the necessary conditions for employees of medical organizations and ensures their social protection.

3. Citizens have the right to use the network of State healthcare organizations free of charge.

Medical care, including services on preferential terms, is provided at the expense of the State to the extent of State guarantees provided for by law.

4. Concealment by officials of facts and circumstances that pose a threat to the life and health of people entails liability established by law.

5. Paid medical care for citizens is allowed on the grounds and in accordance with the procedure established by law.

**Article 44**

1.In the Kyrgyz Republic, in accordance with the procedure and cases provided for by law, social security is guaranteed at the expense of the State in old age, in case of illness, disability, disability, loss of breadwinner.

2. A pension, social allowance and other social assistance shall ensure a standard of living not lower than the minimum subsistence level established by law.

3. The State shall ensure the functioning of the social protection system for persons with disabilities based on the full and equal exercise of human and civil rights and freedoms, their social integration 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. Social activities of the state should not take the form of state guardianship, which restricts the economic freedom, activity and opportunities of a citizen to achieve economic well-being for himself and his family.

**Article 45**

1. Everyone has the right to housing.

2. No one may be arbitrarily deprived of his or her home.

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

4. The poor and other persons in need are provided with housing from state, municipal and other housing funds or in social institutions on the grounds and in accordance with the procedure provided for by law.

**Article 46**

1. Everyone has the right to education.

2. Basic general education is mandatory.

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

4. The State creates conditions for teaching every citizen the state, official and one of the foreign languages, starting from pre-school 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 creates conditions for the development of physical culture and sports.

7. The State promotes professional development of citizens in accordance with the procedure provided for 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 a youth policy aimed at creating the necessary conditions for the education and employment of young people, support for young families, and free participation of young people in political, social, economic, cultural and other spheres of activity.

**Article 48**

1.For the purposes of self-realization and personal development, everyone is guaranteed the freedom of scientific, technical, artistic and other types of creativity, teaching and learning. Everyone has the right to engage in creative activities in accordance with their interests and abilities.

2. Everyone has the right to participate in cultural life and to have access to cultural values.

3. The State creates conditions for improving the legal culture and legal awareness of citizens.

4. Intellectual property is protected by law.

**Article 49**

1. Everyone has the right to a life-and health-friendly ecological environment.

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

3. Everyone is obliged to protect and take care of the surrounding natural environment, flora and fauna.

**Article 50**

Everyone is obliged to pay taxes and fees in cases and in accordance with the procedure provided for by law.

**CHAPTER V. CITIZENSHIP. RIGHTS AND OBLIGATIONS OF A CITIZEN**

**Article 51**

1. Citizenship of the Kyrgyz Republic is a stable legal relationship between a person and the state, expressed in the totality of their mutual rights and obligations.

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

3. Everyone who has proved their belonging to the people of Kyrgyzstan has the right to acquire citizenship of the Kyrgyz Republic in a simplified manner.

Kyrgyz people living outside the Kyrgyz Republic, despite having citizenship of another state, have the right to obtain citizenship of the Kyrgyz Republic in a simplified manner.

The procedure and conditions for acquiring citizenship of the Kyrgyz Republic are determined 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 expelled from the republic or extradited to another State.

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

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

**Article 52**

1. In the Kyrgyz Republic, foreign citizens and stateless persons have rights and obligations on an equal basis with citizens of the Kyrgyz Republic, except for cases established by laws or international treaties that have entered into force in accordance with the procedure established by law, to which the Kyrgyz Republic is a party.

2. The Kyrgyz Republic, in accordance with its international obligations, grants political asylum to foreign citizens and stateless persons who are persecuted for political reasons, as well as for violations of human rights and freedoms.

A person who has been granted political asylum cannot be extradited to another State.

**Article 53**

1. Compliance with the rules and norms of social behavior, respect for the interests of society is the duty of every person. The exercise of a person's rights and freedoms should not violate the rights and freedoms of others.

2. Everyone has the right to perform any actions and activities, except those prohibited by the Constitution and laws.

3. Everyone is obliged to observe the Constitution and laws, and to respect the rights, freedoms, honor and dignity of others.

**Article 54**

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

2. Citizens of the Kyrgyz Republic perform military service within the limits and under the conditions established by law. The grounds and procedure for exemption from military service or replacement by alternative service are 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 recognized and guaranteed in accordance with generally recognized principles and norms of international law, as well as international treaties that have entered into force in accordance with the procedure established by law, to which the Kyrgyz Republic is a party.

**Article 56**

1. The State guarantees the rights and freedoms of citizens in accordance with the procedure established by the Constitution and laws.

2. The Kyrgyz Republic should not adopt laws that abrogate or detract from human rights and freedoms.

3. Restrictions concerning the physical and moral integrity of the individual are permissible only on the basis of the law, by a court verdict, as a punishment for a committed crime.

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

5. Everyone deprived of liberty has the right to humane treatment that does not degrade human dignity.

6. Medical, biological, and psychological experiments on people are prohibited without their voluntary consent, expressed and duly certified.

**Article 57**

1. Everyone is considered innocent of committing a crime and/or misdemeanor until his guilt is proved in accordance with the procedure provided for by law and established by a court verdict that has entered into legal force. Violation of this principle is a ground for compensation of material damage and moral damage in court.

2. No one is required to prove their innocence. Any doubt of guilt is interpreted in favor of the accused.

3. No one may be convicted solely on the basis of his own confession to a crime.

4. The burden of proof of guilt rests with the prosecutor. Evidence obtained in violation of the law cannot be used to substantiate the charge and make a court decision.

5. No one is obliged to testify and give evidence against himself / herself, his / her spouse and close relatives, the circle of which is determined by law.

**Article 58**

1. Everyone has the right to have a case considered by a court with the participation of jurors in cases provided for by law.

2. Every convicted person has the right to request clemency and commutation of sentence.

3. No one should be legally liable twice for the same offense.

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

5. Everyone has the right to apply for protection of their violated rights and freedoms to international human rights bodies in accordance with international treaties that have entered into force in accordance with the procedure established by law.

**Article 59**

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

2.No one may be deprived of liberty solely on the ground that he is unable to fulfil any civil obligation.

3. No one may be detained, remanded in custody, or deprived of liberty except by a court decision and only on the grounds and in accordance with the procedure established by law.

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

Each detained person must be brought to court immediately before the expiration of 48 hours from the moment of detention to decide on the legality and validity of his detention. If the grounds on which the person was detained no longer apply, the person must be released immediately.

In some cases, the law may prescribe shorter periods of detention.

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

From the moment of detention, a person is provided with security, the opportunity to defend himself personally, to use qualified legal assistance from a lawyer, as well as the right to a medical examination and medical assistance.

6. Every person detained or detained in violation of the provisions of this article shall have the right to compensation for damages at the expense of the State, with payment of compensation in accordance with the procedure and amounts established by law.

In case of detection of knowingly illegal and unjustified detention and remand in custody, officials bear criminal responsibility.

**Article 60**

1. A law establishing or aggravating a person's liability is not retroactive. No one can be held responsible for actions that at the time of their commission were not recognized as an offense. If, after the commission of an offence, responsibility for it is eliminated or mitigated, the new law applies.

2. The criminal law establishing liability is not applied by analogy.

**Article 61**

1. Everyone is guaranteed judicial protection of his rights and freedoms stipulated by the Constitution, laws, international treaties to which the Kyrgyz Republic is a party, and generally recognized principles and norms of international law.

2. Everyone has the right to protect their rights and freedoms, as well as to ensure the restoration of violated rights by all available means not prohibited by law.

3. The State shall ensure the development of non-judicial and pre-judicial methods, forms and methods of protecting human and civil rights and freedoms.

Arbitration courts may be established for the out-of-court settlement of disputes arising from civil legal relations. The procedure for the formation, powers and activities of arbitration courts are determined by law.

4. Everyone has the right to receive qualified legal assistance. In cases stipulated by law, legal aid is 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 obligations, which is a prerequisite for their application.

2. The rights and freedoms established by the Constitution are not exhaustive and should not be interpreted as negating or diminishing other universally recognized human and civil rights and freedoms.

**Article 63**

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

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

Access to personal data of citizens and their receipt are carried out only in cases stipulated by law.

**Article 64**

The organization and procedure for the operation of the bar as a self-governing professional community of lawyers, as well as the rights, duties and responsibilities of lawyers are 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 heads 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, human and civil rights and freedoms.

4. The President determines the main directions of the state's domestic and foreign policy. 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 term of 5 years.

2. The same person may not 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 lived in the republic for a total of at least 15 years may be elected President.

2. The number of candidates for the post of President is not limited. A person who has submitted a national development program and collected at least 30 thousand signatures of voters can be registered as a presidential candidate.

The procedure for presidential elections is determined by the constitutional law.

**Article 69**

1. Upon assuming office, the President shall take the oath of office to the people of the Kyrgyz Republic.

2. The powers of the President are terminated from the moment the newly elected President takes office.

3. The President shall suspend his / her membership in a political party for the period of exercising his / her powers and terminate any actions related to the activities of political parties.

**Article 70**

1. The President:

1) determine 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 applications for the resignation of the Chairman of the Cabinet of Ministers, his deputies and other members, and decides on their resignation;

4) on its own initiative or taking into account the proposal of the Jogorku Kenesh, the People's Kurultai, within the framework of the law, dismiss 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) form and head the Security Council;

9) appoints and dismisses the Secretary of State;

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

2. The President:

1) make a decision on calling a referendum on its own initiative or on the initiative of at least 300 thousand 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; make a decision on calling early elections to the Jogorku Kenesh in the manner and cases stipulated by the Constitution;

3) appoints elections to local keneshes; carries out the dissolution of local keneshes in accordance with the procedure and cases stipulated by law; appoints early elections to local keneshes.

3. The President:

1) submit 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 state of affairs in the country and the main directions of the state's domestic and foreign policy;

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

5) has the right to convene an extraordinary meeting of the Jogorku Kenesh, if 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. The President:

1) submit to the Jogorku Kenesh candidates for election to the positions of judges of the Constitutional Court and the Supreme Court on the proposal of the Justice Affairs Council;

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) appoints judges of local courts on the proposal of the Justice Council;

4) dismiss judges of local courts on the proposal of the Council of Judges in cases stipulated by the Constitution and the 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, appoint the Chairmen of the Constitutional Court and the Supreme Court for a period of 5 years; dismiss the Chairmen of the Constitutional Court and the Supreme Court in accordance with the procedure provided for by the Constitution and;

6) on the proposal of the Chairmen of the Constitutional Court and the Supreme Court, appoint deputy Chairmen of the Constitutional Court and the Supreme Court from among the judges of the Constitutional Court and the Supreme Court for a term of 5 years.

5. The President:

1) appoint the Prosecutor General with the consent of the Jogorku Kenesh; in cases stipulated by law, dismiss the Prosecutor General with the consent of at least half of the total number of deputies of the Jogorku Kenesh; appoint and dismiss his deputies on the proposal of the Prosecutor General;

2) submit 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, appoint deputy Chairmen and members of the Board of the National Bank, and in cases stipulated by law, dismiss them from office;

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

4) submit to the Jogorku Kenesh the candidacies of one third of the members of the Accounting Chamber for election and dismissal from office;

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

6. The President:

1) represents the Kyrgyz Republic inside and outside the country;

2) conducts negotiations and signs international agreements; has the right to transfer these powers to other officials;

3) sign instruments of ratification and accession to international treaties;

4) appoints heads of diplomatic missions of the Kyrgyz Republic in foreign states and permanent representatives in international organizations; revokes them; accepts credentials and letters of recall of heads of diplomatic missions of foreign states.

7. The President decides on the issues of accepting and renouncing citizenship of the Kyrgyz Republic.

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

9. The President:

1) in cases stipulated by the constitutional law, warn about the introduction of a state of emergency, and if necessary, introduce it in certain localities without prior announcement, which is immediately reported to the Jogorku Kenesh;

2) declares general or partial mobilization; declares a state of war in the event of aggression or an immediate threat of aggression against the Kyrgyz Republic and immediately submits this issue to the Jogorku Kenesh for consideration;

3) declares martial law in the interests of protecting the country and the security of its citizens and immediately submits this issue to the Jogorku Kenesh for consideration.

10. The President:

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

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

3) grant a pardon.

11. The President exercises other powers stipulated 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 if he resigns at his request, is removed from office in accordance with the procedure provided for in the Constitution, as well as if he is unable to exercise his powers due to illness or in the event of his death.

2. If the President is unable to perform his duties due to illness, the Jogorku Kenesh, based on the conclusion of the State medical commission established by him, decides on the early dismissal of the President from office by at least two-thirds of the total number of deputies of the Jogorku Kenesh.

**Article 73**

1. The President may be held criminally liable after being dismissed from office.

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

- for violating the Constitution and laws;

- for illegal interference with the powers of the Jogorku Kenesh, the activities of judicial authorities.

3. The decision of the Jogorku Kenesh to bring charges against the President for removal from office must be adopted by two-thirds of the total number of deputies of the Jogorku Kenesh on the initiative of at least half of the total number of deputies, subject to 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 dismissed from office on the basis of an accusation brought by the Jogorku Kenesh, confirmed by the conclusion of the Prosecutor General on the presence of signs of a crime in the President's actions, and the conclusion of the Constitutional Court on compliance with the established procedure for bringing charges.

5. The decision of the Jogorku Kenesh to remove the President from office must be adopted by a majority of at least two-thirds of the total number of deputies of the Jogorku Kenesh not later than within three months after the charge against the President is brought. If the decision of the Jogorku Kenesh is not adopted within this period, the charge is considered rejected.

**Article 74**

1. If the President prematurely terminates his / her powers for the reasons specified in the Constitution, the Toraga of the Jogorku Kenesh shall exercise his / her powers until the election of a new President.

2. If it is impossible to exercise the powers of the President of the Torag of the Jogorku Kenesh, the powers of the President shall be exercised by the Chairman of the Cabinet of Ministers.

3. If it is impossible for the Torag of the Jogorku Kenesh and the Chairman of the Cabinet of Ministers to exercise the powers of the President, the exercise of the powers of the President shall be determined by the constitutional law.

**Article 75**

1. All former Presidents, except those removed from office in accordance with the procedure established by the Constitution, have the status of ex-President of the Kyrgyz Republic.

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

**CHAPTER II. LEGISLATIVE POWER 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 the limits of its powers.

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

A citizen of the Kyrgyz Republic who has reached the age of 25 on the election day and has the right to vote may be elected as a deputy of the Jogorku Kenesh.

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

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

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

**Article 77**

1. The Jogorku Kenesh shall meet for its first session no later than 15 days after the election results are determined.

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

3. From the day of the first session of the Jogorku Kenesh, the powers of deputies of the Jogorku Kenesh of the previous convocation are terminated.

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

**Article 78**

1. A deputy of the Jogorku Kenesh may not be subjected to prosecution for the opinions expressed by him in connection with his parliamentary activity or for the results of voting in the Jogorku Kenesh. Bringing a deputy to criminal responsibility is allowed only with the consent of the majority of the total number of deputies of the Jogorku Kenesh, except in cases when he was caught in the act of committing a crime.

2. A deputy of the Jogorku Kenesh may not combine his / her deputy activity with other state or municipal service. He / she may not carry out business activities, be a member of the body or supervisory board of a commercial organization.

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 are terminated simultaneously with the termination of the activity of the corresponding convocation of the Jogorku Kenesh.

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

1) submission of a written application for resigning his / her parliamentary powers;

2) renunciation of citizenship, acceptance of citizenship of another state;

3) revocation of the deputy's mandate;

4) transfer to another job or failure to provide them with work that is incompatible with the performance of their deputy powers;

5) declaring the election invalid;

6) departure for permanent residence outside the Kyrgyz Republic;

7) recognition of a deputy as legally incompetent by a court;

8) the entry into legal force of a court conviction against him;

9) absence from meetings of the Jogorku Kenesh without valid reasons for 10 working days during one session;

10) the entry into legal force of a court decision declaring him missing or dead;

11) the death of a deputy.

3. Early termination of the powers of a deputy of the Jogorku Kenesh on the specified 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 of occurrence of the reason.

**Article 80**

1. Жогорку Кенеш:

1) make amendments and additions to this Constitution in accordance with the procedure established by the Constitution;

2) enacts laws;

3) gives an official interpretation of the laws;

4) ratify and denounce international treaties in accordance with the procedure established by law;

5) decides on changing the state borders of the Kyrgyz Republic;

6) agrees to appoint the Chairman of the Cabinet of Ministers, his deputies and members of the Cabinet of Ministers;

7) approves the republican budget;

8) hear the annual report of the Cabinet of Ministers on the implementation of the republican budget;

9) consider issues related to the administrative and territorial structure of the Kyrgyz Republic;

10) issues acts of amnesty.

2. Жогорку Кенеш:

1) appoints presidential elections;

2) submit proposals to the President on holding a referendum in accordance with the procedure provided for by the Constitution.

3. Жогорку Кенеш:

1) on the basis of a proposal of the Council for Justice Affairs, on the proposal of the President, at least half of the total number of deputies of the Jogorku Kenesh elects judges of the Supreme Court and the Constitutional Court; in cases stipulated by the Constitution and the Constitutional Law, dismisses them from office on the proposal of the President;

2) at least half of the votes of the total number of deputies of the Jogorku Kenesh agrees to the candidates submitted by the President to appoint the Chairmen of the Constitutional Court and the Supreme Court from among their judges for a period of 5 years;

3) agrees to dismiss the Chairmen of the Constitutional Court and the Supreme Court on the proposal of the President on the basis of the proposal of the Council of Judges in cases stipulated by the constitutional law;

4) approve the composition of the Council for Justice Affairs in accordance with the procedure provided for by the constitutional law;

5) elects the Chairman of the National Bank on the recommendation of the President; dismisses him from office in cases stipulated by law;

6) elects members of the Central Commission for Elections and Referendums: one half - on the proposal of the President, the other half - on its own initiative and dismisses them in cases stipulated by law;

7) elects members of the Accounts Chamber: one third of the members-on the proposal of the President, two thirds - on their own initiative; dismisses them from office in cases stipulated by law;

8) elects, in cases stipulated by law, dismisses the Akyykatchy (Ombudsman) from office; agrees to bring him to criminal responsibility;

9) elects, in cases stipulated by law, dismisses from office on the recommendation of the Akyykatchy (Ombudsman) of his deputies, agrees to bring them to criminal responsibility;

10) on the proposal of the President, agrees to appoint, release and bring to criminal responsibility the Prosecutor General by at least 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 stipulated by law.

4. Жогорку Кенеш:

1) introduce a state of emergency in accordance with the procedure and cases stipulated by the constitutional law; approve or cancel presidential decrees on this issue;

2) decides on issues of war and peace, the introduction of martial law, the declaration of a state of war; approves or cancels Presidential decrees on these issues;

3) decides on the possibility of using the Armed Forces of the Kyrgyz Republic outside its borders if it is necessary to fulfill interstate contractual obligations to maintain peace and security;

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

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

5. Жогорку Кенеш:

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

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

3) hear the annual reports of the Prosecutor General, the Chairmen of the National Bank, and the Accounts Chamber.

6. The Jogorku Kenesh, in accordance with the procedure provided for in the Constitution, brings charges against the President; decides 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 the Torag of the Jogorku Kenesh and his deputies from among its members.

2. Торага Жогорку Кенеша:

1) conducts meetings of the Jogorku Kenesh;

2) performs general management of preparation of issues for consideration at meetings of the Jogorku Kenesh;

3) sign acts adopted by the Jogorku Kenesh;

4) represents the Jogorku Kenesh in the Kyrgyz Republic and abroad, ensures interaction of the Jogorku Kenesh with the President, the People's Kurultai, state executive bodies, judicial authorities and local self-government bodies;

5) exercise general management and control over the activities of the Jogorku Kenesh apparatus;

6) exercise other powers to organize the activities of the Jogorku Kenesh provided for in the Regulations of the Jogorku Kenesh.

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

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

A toraga of the Jogorku Kenesh may be recalled by a decision of the Jogorku Kenesh adopted by a majority vote of the total number of deputies.

**Article 82**

1. The Jogorku Kenesh shall form committees, as well as temporary commissions, from among its deputies.

2. The Committees of the Jogorku Kenesh shall prepare and pre-examine issues referred to the competence of the Jogorku Kenesh, monitor the implementation of laws and decisions adopted by the Jogorku Kenesh.

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

4. Appointment and dismissal of heads of state bodies assigned to the powers of the Jogorku Kenesh shall be made at a meeting of the Jogorku Kenesh, subject to the conclusion of the relevant committees of the Jogorku Kenesh.

**Article 83**

1. Sessions of the Jogorku Kenesh are held in 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 are held openly, if the nature of the issues under consideration does not require holding closed meetings.

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

4. A sitting of the Jogorku Kenesh is valid if a majority of the total number of deputies of the Jogorku Kenesh is present at it.

5. Decisions of the Jogorku Kenesh are made at meetings by personal voting of deputies.

**Article 84**

1. The Jogorku Kenesh may decide to dissolve itself. The decision on self-dissolution is made 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 the votes.

2. The President appoints early elections within five days from the date of dissolution of the Jogorku Kenesh.

**Article 85**

The right of legislative initiative belongs to:

1) 10 thousand voters (people's initiative);

2) To the President;

3) Deputies of the Jogorku Kenesh;

4) Chairman of the Cabinet of Ministers;

5) To the Supreme Court on issues of its jurisdiction;

6) To the People's Kurultai;

7) to the Prosecutor General on matters within his competence.

**Article 86**

1. Draft laws are submitted to the Jogorku Kenesh.

2. Draft laws designated as urgent by the President and the Chairman of the Cabinet of Ministers are considered by the Jogorku Kenesh on an extraordinary 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 and decisions of the Jogorku Kenesh are adopted by a majority of the total number of deputies, unless otherwise provided in the Constitution.

5. Constitutional laws and 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, not later than one month from the date of receipt of the law, signs or returns it with his objections to the Jogorku Kenesh for reconsideration.

3. If, upon reconsideration, the law returned with objections is approved in the previously adopted version by a majority of at least two-thirds of the total number of deputies of the Jogorku Kenesh, such law is subject to signature by the President within 14 working days from the date of receipt.

**Article 88**

The law comes into force after 10 days from the date of its official publication in the official press, unless another period is provided for in the law itself or the law on the procedure for its entry into force.

**CHAPTER III. EXECUTIVE POWER OF THE KYRGYZ REPUBLIC**

**Article 89**

1. Executive power in the Kyrgyz Republic is exercised by the President.

2. The structure and composition of the Cabinet of Ministers are determined by the President.

The Chairman of the Cabinet of Ministers is the head of the Presidential Administration.

3. The President, on the basis of a constitutional law, directs the activities of the executive branch, gives instructions to the Cabinet of Ministers and its subordinate bodies, monitors the implementation of its instructions, cancels acts of the Cabinet of Ministers and its subordinate bodies, and temporarily removes 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 results of the activities of the Cabinet of Ministers and the Executive branch.

6. If the Jogorku Kenesh finds the report on the implementation of the republican budget unsatisfactory, the responsibility of members of the Cabinet of Ministers is considered by the President.

**Article 90**

1. The Cabinet of Ministers consists of the Chairman, Deputy Chairmen and other members of the Cabinet of Ministers.

The Chairman of the Cabinet of Ministers, his deputies and 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, in accordance with the Constitution, the Constitutional Law and presidential decrees, organizes the activities of the Cabinet of Ministers.

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) ensures the implementation of the Constitution and laws;

2) implements the main directions of the state's domestic and foreign policy;

3) implement measures to ensure the rule of law, the rights and freedoms of citizens, protect public order, and fight crime;

4) ensure the implementation of measures to protect the sovereignty and territorial integrity of the state, protect the constitutional order, as well as measures to strengthen the defense capability, national security and law and order;

5) ensures the implementation of financial, pricing, tariff, investment and tax policies;

6) develop the republican budget and ensure its implementation;

7) implement measures to ensure equal conditions for the development of all forms of ownership and their protection, management of state property objects;

8) ensure the implementation of a unified state policy in the socio-economic and cultural spheres;

9) develop and implement national programs of economic, social, scientific, technological, spiritual and cultural development;

10) ensures the implementation of foreign economic activity;

11) ensures effective interaction with civil society;

12) exercise other powers assigned to it by the Constitution and laws.

2. The organization and procedure of the Cabinet of Ministers ' activities are determined by the constitutional law.

**Article 92**

1. The President may, on his own initiative, dismiss the current composition or a member of the Cabinet of Ministers.

2. Members of the Cabinet of Ministers may submit their resignation. The resignation is accepted or rejected by the President.

The resignation of the Chairman 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 continues to perform its duties.

4. The assumption of office of the President-elect entails the resignation of the entire Cabinet of Ministers.

**Article 93**

1. Executive power in the territory of the relevant administrative-territorial unit is exercised by the local state administration.

2. The organization and activities of the local state administration are determined by law.

3. Local State administrations operate on the basis of the Constitution, laws, and regulatory legal acts of the President and the Cabinet of Ministers.

4. Decisions of the local state administration taken within its competence are binding on the relevant territory.

**CHAPTER IV. JUDICIAL POWER OF THE KYRGYZ REPUBLIC**

**Article 94**

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

Citizens of the Kyrgyz Republic have the right to participate in the administration of justice in accordance with the procedure and cases provided for by law.

2. Judicial power is 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.

Specialized courts may be established by law.

The creation of emergency courts is not allowed.

4. The procedure for the organization and operation of courts is determined by the constitutional law.

**Article 95**

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

2. A judge has the right of inviolability and may not be detained or taken into custody, subjected to a search or personal search, except in cases when he was caught in the act of committing a crime.

3. No one has the right to demand from a judge a report on a specific case.

Any interference with the administration of justice is prohibited. Persons guilty of influencing a judge are liable in accordance with the law.

4. A judge is provided with social, material and other guarantees of his / her independence in accordance with his / her status.

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

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

6. Judges of the Constitutional Court and the Supreme Court are elected before reaching the age limit.

7. The Chairmen 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 term of 5 years.

Deputy Chairmen of the Constitutional Court and the Supreme Court are appointed by the President on the recommendation of the Chairman of the Constitutional Court and the Supreme Court for a term of 5 years.

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

Judges of local courts are appointed by the President on the recommendation of the Justice Council for the first time for a period of 5 years, and subsequently-until reaching the age limit. The procedure for the representation and appointment of judges of local courts is determined by the constitutional law.

From among the judges of local courts, the Chairman of the Supreme Court appoints the chairmen of local courts and their deputies for a term of 5 years.

9. The status of judges of the Kyrgyz Republic is determined by the constitutional law, which may establish additional requirements for candidates for judicial positions 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 their positions and retain their powers as long as their conduct is impeccable. Violation of the requirements of impeccable conduct of a judge is a ground for bringing a judge to justice in accordance with the procedure established by the constitutional law.

2. In case of violation of the requirements of integrity, a judge of a local court is dismissed from office on the proposal of the Council of Judges in accordance with the constitutional law.

On these grounds, judges of the Constitutional Court and the Supreme Court may be dismissed prematurely from their posts by the Jogorku Kenesh by a majority of at least two-thirds of the total number of deputies of the Jogorku Kenesh on the proposal of the President, except for cases specified in the Constitution.

Dismissal of judges of local courts in cases specified in the Constitution is carried out by the President on the recommendation of the Council of Judges.

A person dismissed from the position of a judge due to violation of the requirements of integrity, has no right to continue to hold the positions of a judge and positions in law enforcement bodies established by law, and is deprived of the right to use the benefits established for judges.

3. The powers of a judge shall be terminated upon the proposal of the Council of Judges by the body that appointed him / her in accordance with the constitutional law, from the date of occurrence of the following grounds::

- death of a judge;

- reaching the age limit;

- voluntary retirement or transfer to another job;

- declaring him dead or missing;

- recognition as unfit for work;

- renunciation of citizenship or acquisition of citizenship of another state;

- in other cases not related to violation of the requirements of impeccable behavior.

4. Temporary removal from office, bringing judges to criminal and other liability is allowed with the consent of the Council of Judges in accordance with the procedure established by the constitutional law.

5.The selection of candidates for the positions of judges of local courts is carried out by the Council for Justice Affairs in accordance with the procedure established by the constitutional law.

6. The transfer (rotation) of a judge of a local court is carried out by the President on the recommendation of the Chairman of the Supreme Court in accordance with the procedure and cases determined by the constitutional law.

7. The Council for Justice Affairs is formed from the number of judges who make up at least two-thirds of its composition, representatives of the President, the Jogorku Kenesh, the People's Kurultai and the legal community who make up one-third of its composition.

8. The organization and activity of the Justice Council, its powers and the procedure for its formation are determined by the constitutional law.

**Article 97**

1. The Constitutional Court is the highest body of judicial power that exercises constitutional control through constitutional judicial proceedings in order to protect the foundations of the constitutional system, fundamental human and civil rights and freedoms, and ensure the supremacy and direct operation of the Constitution.

2. The Constitutional Court:

1) gives an official interpretation of the Constitution;

2) resolve cases on compliance of laws and other normative legal acts of the Kyrgyz Republic with the Constitution;

3) gives an opinion on the constitutionality of international treaties that have not entered into force, to which the Kyrgyz Republic is a party;

4) resolve disputes on competence between branches of state power;

5) give an opinion on the draft law on amendments and additions to this Constitution;

6) give an opinion on compliance with the established procedure for bringing charges against the President.

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

4. The decision of the Constitutional Court is final and cannot be appealed.

5. The Constitutional Court's determination of the unconstitutionality of laws or their provisions cancels their operation on the territory of the Kyrgyz Republic, as well as cancels the operation of other normative legal acts based on laws or their provisions recognized as unconstitutional, with the exception of court decisions.

The Constitutional Court's determination of the unconstitutionality of bylaws or parts thereof cancels their effect on the territory of the Kyrgyz Republic.

6. Judicial decisions based on the norms of laws recognized as unconstitutional are reviewed by the court on a case-by-case basis based on complaints from citizens whose rights and freedoms have been affected.

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

**Article 98**

1. The Supreme Court of the Kyrgyz Republic is the highest body of judicial power.

2. The Supreme Court shall review judicial decisions on appeals of participants in judicial proceedings in civil, criminal, economic, administrative and other cases in accordance with the procedure established by law.

3. The Plenum of the Supreme Court provides explanations on issues of judicial practice, which are mandatory for all courts and judges of the Kyrgyz Republic.

4. Decisions of the Supreme Court are final and are not subject to appeal.

**Article 99**

1. The State shall provide funding and appropriate conditions for the functioning of courts and judges.

Courts are financed from the national budget and should ensure the possibility of full and independent administration of justice.

2. The budget of the judicial system is formed by the judicial authority independently and is included in the republican budget.

**Article 100**

1. Proceedings in all courts shall be conducted openly. The hearing of a case in a closed session is allowed only in cases stipulated by law. The court's decision is announced publicly.

2. Cases may not be tried in absentia in courts, except in cases provided for by law.

3. Legal proceedings are conducted on the basis of equality and adversarial nature of the parties.

4. Cancellation, modification or suspension of a court decision shall be carried out by the court in accordance with the procedure established by law.

5. The procedural rights of participants in judicial 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 their implementation, are determined by law.

**Article 101**

1.Decisions of the courts of the Kyrgyz Republic that have entered into legal force are binding on all state bodies, local self-government bodies, legal entities, public associations, officials and individuals and are subject to enforcement throughout the territory of the Republic.

2. The Court exercises control over the execution of court decisions and private rulings adopted by it.

3. Failure to execute, improper execution or obstruction of the execution of court decisions shall entail liability established by law.

**Article 102**

1. A court may not apply a normative legal act that contradicts the Constitution.

2. If, during the consideration of a case in any court instance, a question arises about the constitutionality of a law or other normative legal act on which the decision of the case depends, the court sends a request to the Constitutional Court.

**Article 103**

1. Judicial self-government functions for resolving issues related to the internal activities of courts.

2. Judicial self-government bodies in the Kyrgyz Republic are the Congress of Judges, the Council of Judges and the Assembly of Judges.

The Congress of Judges is the highest body of judicial self-government.

The Council of Judges is an elected body of judicial self-government that operates between congresses of judges and protects the rights and legitimate interests of judges, considers issues of bringing judges to disciplinary responsibility, controls the formation and execution of the budget of courts, and organizes training and advanced training of judges.

The Assembly of Judges is the primary body of judicial self-government.

3. The organization and procedure for the activities of judicial self-government bodies shall be determined by law.

**Article 104**

Justice is administered free of charge in cases stipulated by law, as well as in any case when the persons participating in the trial present evidence that they do not have sufficient funds to conduct it.

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

**Article 105**

Supervision over the accurate and uniform implementation of laws and other normative legal acts is carried out by the Prosecutor's Office of the Kyrgyz Republic.

The Prosecutor's Office carries out criminal prosecution, participates in court proceedings, supervises the execution of court decisions and exercises other powers provided for by the 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 single currency policy, has the exclusive right to issue banknotes, implements various forms and principles of bank financing.

**Article 107**

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

**Article 108**

The Accounts Chamber performs audits of 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 carried out by the Akyykatchy (Ombudsman).

**Article 110**

The organization and procedure of activity of the State bodies mentioned in this section, as well as guarantees of their independence, are determined by constitutional laws.

**SECTION FOUR. LOCAL GOVERNMENT**

**Article 111**

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

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

3. Local self-government is carried out by local communities of citizens directly or through local self-government bodies.

4. Financing of local self-government is provided from the relevant local budget, as well as from the republican budget.

5. The State guarantees the independence of local self-government bodies 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 accountability of local self-government bodies to the local community.

**Article 112**

1. Local self-government bodies consist of representative bodies and executive bodies.

2. Executive bodies of local self-government and their heads are accountable in their activities to representative bodies.

**Article 113**

1. Deputies of local keneshes are elected by citizens residing in the corresponding administrative-territorial unit in accordance with the procedure established by law with equal opportunities.

2. The powers and organization of activities of executive bodies of local self-government are determined in accordance with the procedure established by law.

3. Local keneshes in accordance with the law:

1) approve local budgets and monitor their implementation;

2) approve programs of social and economic development and social protection of the population of the local community;

3) resolve other issues of local significance in cases stipulated by laws.

**Article 114**

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

2. State powers may be delegated to local self-government bodies when transferring material, financial and other resources 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 are accountable to State bodies for delegated powers.

3. Local self-government bodies are responsible to the State and its bodies for the implementation of laws, and to the local community-for the results of their work.

4. Local self-government bodies are guaranteed judicial protection in case of reimbursement of additional expenses of the local budget that arise by decision of State bodies.

**Article 115**

1. In the Kyrgyz Republic, citizens have the right to establish aksakal courts.

2. The aksakal courts, in accordance with the powers provided for by law, consider cases with the aim of reconciling the parties and making fair decisions that do not contradict the law.

3. Decisions of the aksakal courts may be appealed in accordance with the procedure established by law.

4. The activities of aksakal courts are financed from the local budget.

5. The procedure for establishing aksakal courts, their powers and activities are determined by law.

**SECTION FIVE. PROCEDURE FOR ADOPTION, INTRODUCTION OF AMENDMENTS AND ADDITIONS TO THE CONSTITUTION**

**Article 116**

1. 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 by 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 not less than 300 thousand voters or the President, or two-thirds of the total number of deputies of the Jogorku Kenesh in a referendum appointed by the President.

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

The Jogorku Kenesh shall adopt a law on amendments and additions to the Constitution no later than 6 months from the date of submission of the draft law for consideration by the Jogorku Kenesh.

The Law on amendments to 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 holding at least three readings with a 2-month break between readings.

4. The Constitutional Court of the Kyrgyz Republic shall issue an opinion on amendments and additions to the Constitution.

5. It is prohibited to adopt the Constitution and introduce amendments and additions to the Constitution during a state of emergency or martial law.

6. The Law on adoption of the Constitution, introduction of amendments and additions to the Constitution is signed by the President.

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

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| **President of the Kyrgyz Republic** | **S. N. Zhaparov** |