

INFORMATION BULLETIN No. 82

ON LEGISLATIVE INITIATIVES BY GOVERNMENT AUTHORITIES THAT MAY AFFECT CIVIL RIGHTS AND THE LEGAL ENVIRONMENT FOR CIVIL SOCIETY ORGANIZATIONS

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1. Regulation on the Procedure for State Registration of Mass Media Approved

On April 10, the Cabinet of Ministers of the Kyrgyz Republic approved the Regulation on the procedure for state registration, re-registration, and refusal to register mass media, developed to implement the new Law of the Kyrgyz Republic "On Mass Media."

The Regulation requires mandatory state registration of media outlets, maintenance of an open Media Register, and issuance of electronic registration certificates. Under the adopted version, the period for registration, re-registration, and termination of a media outlet's activities is 10 business days from the date of submission of a complete document package. The law also retains the restriction under which foreign citizens, foreign legal entities, and stateless persons may not own, use, dispose of, or manage more than 35% of the shares (stock) in legal entities that establish media outlets in the Kyrgyz Republic.

Compared with the draft previously submitted for public discussion, several debated provisions were revised. In particular, the final version excludes the "single window" mechanism for registering media outlets, which had provided for simultaneous registration of a media outlet with the tax authorities, statistics bodies, and the Social Fund, with the assignment of a tax identification number. The list of cases requiring mandatory state re-registration was also significantly reduced. While the initial draft provided for re-registration when the composition of founders, the media outlet's name, the language of publication, the editorial office address, or the website domain name changed, the adopted version requires re-registration only when founders change or the media outlet's name changes. Changes to the broadcasting language, editorial office address, website domain name, editor, and other information are made under a notification procedure, with changes entered into the Register within 30 calendar days.

At the same time, uncertainty remains for civil society organizations (CSOs) regarding which internet resources may be classified as media outlets. During the public discussion, civil society representatives and international experts noted the risk that registration requirements could be extended to organizations' websites, analytical platforms, human rights initiatives, electronic bulletins, and other information resources. Despite the softening of several provisions in the draft, the adopted Regulation does not contain additional criteria that would clearly distinguish the activities of professional media outlets from the information activities of civil society organizations. In addition, the model of mandatory state registration of media outlets has been retained, while some experts proposed considering a notification procedure or voluntary registration for certain categories of internet resources. In this regard, the practical consequences of the new regulation will largely depend on law enforcement practice by justice authorities and the interpretation of the provisions of the Law of the Kyrgyz Republic "On Mass Media."

The text of the adopted Regulation is available [here](#).

2. Amendments on Liability for Personal Data Violations Adopted in the First Reading

On May 14, in the first reading, deputies of the Jogorku Kenesh adopted amendments to the Code of the Kyrgyz Republic on Offenses aimed at aligning liability provisions for personal data violations with the Digital Code of the Kyrgyz Republic. The draft law would introduce a new Article 228-11, establishing liability for violations of the procedure, conditions, principles, and requirements for processing and protecting personal data or information of a personal nature, as well as for their unauthorized dissemination.

The proposed fines for such violations are 7,500 KGS for individuals and 65,000 KGS for legal entities. For a repeat violation within one year, the fines increase to 25,000 KGS for individuals and 120,000 KGS for legal entities.

The draft also proposes repealing several existing articles of the Code on Offenses that regulate liability for personal data violations, including provisions on cross-border transfer of personal data, refusal to provide a data subject with information about their data, and failure to comply with the requirements of the authorized body. The drafters state that these changes are aimed at eliminating duplication and aligning terminology with the Digital Code. The amendments and accompanying documents are available at the following link: <https://kenesh.kg/bills/674781>.

CSOs are advised to review their internal procedures for working with personal data, including consent forms, online registrations, databases, mailing lists, document storage, and staff access to such information. ICNL's guide, "[Digital Code of the Kyrgyz Republic: Understanding and Complying with Personal Data Protection Provisions](#)," can help CSOs better understand the legislative requirements, reduce legal and operational risks, and protect the rights of the people with whom they work. It contains practical recommendations on how to determine what information constitutes personal data, understand an organization's obligations under the Digital Code, avoid violations and fines, properly obtain and document consent, comply with rules on cross-border transfer of personal data, and strengthen internal policies and information security measures.

3. Amendments to Legislation on Peaceful Assemblies Initiated

The draft Law "On Amendments to the Law of the Kyrgyz Republic 'On Peaceful Assemblies,'" initiated by deputies K.K. Samakov and N.O. Sydygaliev, was submitted to the Jogorku Kenesh. The draft law would revise the current procedure for holding peaceful assemblies and expand the powers of local self-government bodies in this area.

In particular, the draft law proposes establishing that assemblies may be held only in specially designated locations determined by the executive bodies of local self-government. The current Law "On Peaceful Assemblies" is based on the opposite approach—assemblies may be held throughout the territory of the Kyrgyz Republic, except for certain facilities and territories

expressly specified in the law. In addition, local self-government bodies would be authorized to determine the routes for the movement of participants in peaceful assemblies. Such decisions could be appealed in court.

The proposed amendments would significantly restrict the exercise of the right to freedom of peaceful assembly, as they effectively change the regulatory model itself—replacing the free choice of assembly location with an approach under which assemblies are permitted only in pre-designated places. This could limit citizens' ability to hold assemblies within sight and sound of their target audience and reduce the effectiveness of peaceful assemblies as a form of public participation.

ICNL prepared an [analysis of the draft law](#) for compliance with the Constitution of the Kyrgyz Republic and international human rights standards. The analysis also presents comparative international practice, according to which, in democratic legal systems, restrictions on the location of assemblies are applied narrowly, in exceptional cases, and are subject to effective judicial review.

More detailed information about the draft is available at the following link: <https://kenesh.kg/bills/675575>.

4. Changes Initiated by the President to the Procedure for Considering Cases in the Constitutional Court Considered by the Jogorku Kenesh

On May 26, the Committee on Constitutional Legislation, State Structure, Local Self-Government, and Regulations of the Jogorku Kenesh considered the draft constitutional Law "On Amendments to the Constitutional Law of the Kyrgyz Republic 'On the Constitutional Court of the Kyrgyz Republic'." The Committee recommended that the Jogorku Kenesh approve the concept of the draft law in the first reading.

Among the key innovations, it is proposed to abandon the current mechanism for preliminary consideration of applications by a panel of three judges. Instead, the question of accepting an application for proceedings would be considered by the full composition of the Constitutional Court by majority vote. At the same time, the draft provides for the possibility of submitting applications electronically and for further digitalization of certain judicial procedures.

The draft law also expands the list of cases that may be considered in written proceedings without the participation of the parties. It proposes including disputes over competence between branches of state power, questions concerning the constitutionality of international treaties, draft amendments to the Constitution, review of Constitutional Court decisions, and clarification of previously adopted decisions and opinions.

The proposed changes concerning the legal force of acts of the Constitutional Court are particularly important. The draft law establishes the binding nature of the court's legal positions stated in the reasoning parts of decisions, opinions, rulings, and resolutions if they contain an interpretation of constitutional norms or reveal the constitutional and legal meaning of legal provisions. In addition, it is proposed to give the Constitutional Court the authority to officially clarify its own decisions and opinions when problems arise in law enforcement practice.

The draft law also provides for changes to certain procedural deadlines. In particular, it is proposed to increase the timeframe for considering cases on the official interpretation of the Constitution and other powers of the Constitutional Court from two to three months. In addition, it is proposed to increase the time for preparing the reasoning portions of decisions and opinions of the Constitutional Court from 10 to 30 days. The drafters justify this by the complexity of constitutional cases and the need for more detailed development of the court's legal positions.

Separate changes concern the procedure for enforcing decisions of the Constitutional Court. It is proposed to establish that draft laws prepared to implement the court's decisions and opinions will be introduced and considered as urgent, without public discussion, and considered in all three readings simultaneously. The draft also provides for monitoring and analysis of the implementation of decisions and opinions of the Constitutional Court.

The draft constitutional law and its accompanying documents are available at this [link](#).

5. Draft Constitutional Law "On the Referendum of the Kyrgyz Republic" Adopted in Two Readings

On May 28, the Jogorku Kenesh adopted in the second and third readings the draft constitutional Law "On the Referendum of the Kyrgyz Republic," initiated by the President of the Kyrgyz Republic. The draft law is intended to replace the current constitutional Law "On the Referendum of the Kyrgyz Republic" dated October 31, 2016, which was adopted before the 2021 Constitution entered into force. According to the Jogorku Kenesh, the draft law is aimed at bringing referendum legislation into line with the current Constitution, clarifying the powers of state bodies, and improving procedures for initiating, calling, conducting, and summarizing the results of referenda.

As noted previously, the draft law provides for an updated procedure for exercising citizens' right to participate in a referendum, including procedures for putting forward an initiative, collecting signatures, verifying signature sheets, calling a referendum, and organizing voting. As part of the digitalization of political participation, the document also provides for the possibility of using electronic tools, including electronic collection of signatures using electronic signatures and state information systems.

For CSOs, the new law is important because a referendum is one form of direct participation by citizens in the management of state affairs. The practical ability to use this mechanism to advance issues of public importance depends on how accessible and clear the procedures for initiating a referendum, collecting signatures, and citizen participation in the campaign will be.

At the same time, it is important to monitor how digital participation mechanisms will be implemented in practice. On the one hand, electronic signature collection may simplify citizen participation, particularly outside major cities, and reduce organizational barriers for initiative groups. On the other hand, the effectiveness of such mechanisms will depend on the availability of digital identification, protection of personal data, transparency of signature verification, and trust in state information systems.

Guarantees of equal participation in campaigning and public discussion of issues submitted to a referendum are also particularly important. Because referendum decisions may concern constitutional and other important matters of state significance, referendum procedures must ensure not only formal voting but also a genuine opportunity for citizens to receive information, express positions, and participate in public debate.

The text of the draft is available [here](#).

6. Amendments Providing for the Collection of Signatures for a Popular Legislative Initiative in Electronic Format Initiated

On May 28, a draft resolution of the Jogorku Kenesh, initiated by a group of deputies, was submitted for public discussion and aims to introduce an electronic mechanism to support popular legislative initiatives alongside the existing paper format. The draft proposes approving the form of an electronic signature sheet and the procedure for completing it. Citizens will be able to support initiatives to submit draft laws to the Jogorku Kenesh using either paper signature sheets or an electronic format. Both methods will have equal legal force.

The collection of electronic signatures is planned through the Unified Portal for Public Discussion of Draft Regulatory Legal Acts using the Unified Identification System (UIS). Citizens will be able not only to support an initiative but also to withdraw their signatures before the signature collection period ends. After the signature-collection campaign concludes, the system will automatically generate a final register of electronic signature sheets. The public will have access only to the total number of signatures collected, while the personal data of citizens who signed will be available only to the chair of the initiative group.

The draft resolution and explanatory note can be found at the following link: <https://kenesh.kg/bills/public/4859>.

7. Social Payments Proposed to Be Transferred to the Social Fund

A group of deputies of the Jogorku Kenesh initiated a draft law amending legislation in the area of social guarantees. The draft would reform the system for providing monthly social benefits to citizens who are not entitled to pension benefits. According to the explanatory note, the key change is the transfer of functions for assigning and paying such benefits from the Ministry of Labor, Social Security, and Migration of the Kyrgyz Republic to the Social Fund of the Kyrgyz Republic. At the same time, it is proposed to replace the term "monthly social benefit" with "social pension."

The authors of the initiative justify the changes as necessary to create a "single window" principle for providing long-term cash payments to the population. It is expected that insurance pensions and social payments will be administered through a unified information system of the Social Fund, while social pensions will continue to be financed from the republican budget.

The draft law and accompanying documents are available [here](#).

8. New Model for Regulating State and Municipal Services Proposed

The draft Law of the Kyrgyz Republic "On Services Provided by State Bodies and Local Self-Government Bodies" was submitted to the Jogorku Kenesh. It proposes replacing the current Law "On State and Municipal Services." The draft law comprehensively updates approaches to organizing services, taking into account digitalization, debureaucratization, and the introduction of proactive services.

The main changes proposed by the draft law include:

- State bodies and local self-government bodies will not be allowed to require applicants to submit documents and information that can be obtained through interagency information systems.
- Alternative ways to receive services are preserved for citizens who do not have access to digital technologies or have difficulty using them.
- Proactive services are introduced and may be provided automatically upon the occurrence of certain life circumstances or legally significant events, without the citizen submitting an application. At the same time, the recipient of the service must be guaranteed the right to refuse such service or appeal its results.
- Certain service delivery processes may be outsourced to private organizations and individual entrepreneurs. Responsibility for the quality, timeliness, and security of the service remains with the state body, local self-government body, or other service administrator.

- Service recipients will be able to conduct public monitoring and assessment of the accessibility, quality, and timeliness of service delivery. Based on the results of such monitoring, state bodies and other service administrators will be required to take measures to address identified problems.

More detailed information about the draft is available [here](#).

9. Decree Signed to Strengthen Interaction Between Local Authorities and the Public

The President of the Kyrgyz Republic [signed the Decree](#) "On Measures to Improve the Effectiveness of Local Executive Authorities and Local Self-Government Bodies in Working with Citizens and the Quality of Support for the Population's Daily Needs." The document aims to improve feedback mechanisms between government bodies and the population, improve the quality of consideration of citizens' appeals, and develop digital interaction channels.

Under the decree, local authorities are instructed to expand the following practices:

- holding direct telephone lines and off-site receptions for citizens;
- organizing public reception offices;
- developing digital services for interaction with the population;
- ensuring effective operation of hotlines;
- increasing the responsibility and professional ethics of officials when working with citizens and legal entities.

The decree also focuses on digital feedback mechanisms. The document provides for expanding the use of internet platforms and electronic services for interaction between state bodies and the population, while complying with information security requirements.

The decree enters into force seven days after its official publication.

10. Deputies Propose Enshrining Wage Indexation in the Labor Code

On May 26, the Jogorku Kenesh Committee on Finance, Budget, Entrepreneurship, and Competition Development approved the draft Law "On Amendments to the Labor Code of the Kyrgyz Republic," initiated by a group of deputies, in the first reading. The draft law aims to codify a wage indexation mechanism to preserve wages' real purchasing power amid rising prices.

The draft proposes supplementing Article 91 of the Labor Code with a new provision stating that the real value of employees' wages must be increased through indexation in response to rising consumer prices for goods and services. As the initiators note, the current Labor Code

does not contain a provision on mandatory wage indexation, although a similar provision was previously included in labor legislation. According to the authors of the draft law, the absence of such a mechanism reduces the level of protection of workers' labor rights amid inflation and the rising cost of living.

The proposed changes do not establish a single mandatory mechanism or minimum indexation rate. For organizations funded from the state budget, the indexation procedure will be determined by regulatory legal acts. For other employers, the indexation procedure would be established by collective agreements, other agreements, or local regulatory acts of the organization, which may lead to differences in the implementation of this guarantee across employers.

The text of the draft law and accompanying documents are available [here](#).