

INFORMATION BULLETIN No. 83

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

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1. The draft law on public charitable collections has been submitted for public discussion

On June 11, the draft law of the Kyrgyz Republic "On Amendments to Certain Legislative Acts of the Kyrgyz Republic," initiated by Karybek uulu Ulukbek, a member of the Zhogorku Kenesh, was submitted for public discussion. The draft law proposes amendments to the Law "On Patronage and Charitable Activities" and the Criminal Code. The draft law introduces the concept of public charitable collection, which is the collection of funds for charitable purposes from an unspecified number of individuals using media, online resources, and electronic payment systems. Thus, the draft law regulates online collections, including social media campaigns and donation collections through electronic payments.

Three basic requirements are proposed for conducting public charitable collections: (1) opening a special target account with a commercial bank, (2) registering on the State Charity Portal, and (3) submitting quarterly reports electronically. Funds received into the special account may not be used for personal needs or purposes unrelated to charitable activities.

The draft law also regulates the issue of surplus funds. If the initial fundraising goal is no longer feasible, for example due to the death of a patient, refusal of treatment, or exceeding the required amount, the remaining funds must be donated to similar charitable causes with the consent of the donors or returned to them in proportion to the amounts contributed. The organizer must publicly announce these conditions before the fundraising begins.

A separate change concerns the salaries of administrative and management personnel of charitable organizations. Currently, such expenses are limited to 2 percent of the organization's financial expenditures for the fiscal year. The draft law, according to the proposed amendment, increases this limit to 15 percent. However, the wording of the provision requires clarification: the draft states that a charitable organization "*may not use up to 15 percent of funds for administrative and management personnel salaries.*" This could be interpreted literally as a prohibition on using funds up to 15 percent for these purposes, although the intended purpose was to establish a maximum permissible amount for such expenses.

However, raising the limit to 15 percent does not fully address the issue of funding administrative expenses. The draft law retains the current rule, which requires that, unless the benefactor or charitable program has established otherwise, at least 98 percent of a monetary donation must be used for charitable purposes within a year. This means that for monetary donations without special conditions, the organization will, as before, be required to allocate at least 98 percent of the funds to charitable purposes. Accordingly, no more than 2 percent of such donations may actually be allocated for administrative expenses not directly related to the implementation of the charitable program. The new 15 percent limit may conflict with the 98 percent rule, and the increase in the limit may remain formal, preventing charities from effectively covering necessary management, accounting, and organizational expenses.

The draft law also proposes changing the reporting procedure. Instead of publishing reports in official printed publications, it is proposed to post them on the State Charity Portal or on the organization's official website. The Cabinet of Ministers is instructed to develop and launch the State Charity Portal within six months, and the law itself is to enter into force six months after its official publication. The draft law does not specify whether registration will be by notification or by permit, nor does it establish registration deadlines, grounds for refusal, or appeal procedures. These issues will likely be regulated by bylaws. Until they are adopted, there remains a risk that registration could become a de facto requirement for admission to a public fundraising event.

The draft law does not establish a minimum threshold or provide exceptions for small, one-time, family, or emergency donations. Therefore, the new requirements may apply not only to registered charities, but also to individuals, initiative groups, parents raising funds for a child's medical treatment, and volunteers announcing collections through social media.

Personal data protection requires special attention. Public charitable donations often involve information about the health, diagnoses, marital status, and financial situation of beneficiaries, including children. If such information is to be posted on a government portal, it is necessary to determine in advance what data can be published, who consents to its processing, and what security measures should be applied.

The draft law also proposes amending Article 209 of the Criminal Code to include a specific offense of fraud committed under the guise of charitable activity. Such an offense would be punishable by imprisonment for a term of two to four years, with confiscation of property.

You can take part in the public discussion of the project at <https://www.kenesh.kg/ru/bills/public/4903>.

2. A new Law on Occupational Safety and Health has been adopted

On June 5, the Kyrgyz Republic adopted a new Law "On Labor Protection," updating requirements for ensuring safe working conditions. The law applies to all employers and employees in employment relationships, regardless of ownership, type of activity, or size of the organization.

According to the law, the scope of an organization's responsibilities must be commensurate with the actual risks of the activity. For most organizations, basic measures include ensuring safe working conditions, enforcing work and rest schedules, conducting employee briefings and training, informing them about working conditions, and providing drinking water and sanitary conditions. Employers with more than 50 employees must establish a separate occupational safety and health service. Organizations with smaller staff may adopt a more flexible approach, such as appointing a responsible person, engaging an external specialist, or contracting with a specialized organization.

Additional requirements may apply to organizations with mobile, field, educational, childcare, medical, or social activities, transportation, food service, or other risks. In such cases, a more detailed assessment of working conditions, medical examinations of certain categories of workers, provision of personal protective equipment, or the development of special instructions may be required.

The authorized government agency will be authorized to conduct inspections, issue binding orders, and suspend the operations of organizations and the use of equipment if there is a threat to the life and health of workers. Trade unions and other worker representative bodies will be able to exercise public oversight, participate in accident investigations, conduct independent assessments of working conditions, and submit mandatory representations to employers.

CSOs must review local occupational safety and health documents, verify the availability of instructions and training programs, determine the procedure for conducting briefings, and ensure that employees are informed about occupational risks. Organizations with mobile, childcare, educational, medical, or other high-risk activities should separately assess which special requirements may apply to them.

Violation of occupational safety requirements is punishable under Article 87 of the Code of the Kyrgyz Republic on Offenses. Depending on the violation, fines for legal entities range from 5,000 soms to 23,000 soms.

The text of the Law can be found at <https://cbd.minjust.gov.kg/4-5770/edition/54085/ru>. These and other labor law requirements will be discussed in more detail with a labor lawyer at ICNL training on July 7, 8, 9, 10, and 13. To participate, please register at <https://icnl.zoom.us/meeting/register/oPfahVUoTHyO-6VsYoqNIA#/registration>.

3. The Zhogorku Kenesh adopted amendments to tax legislation

On June 25, the Zhogorku Kenesh adopted the draft law of the Kyrgyz Republic "On Amendments to Certain Legislative Acts of the Kyrgyz Republic in the Sphere of Taxation and Non-Tax Revenues" in its third reading. The draft law provides comprehensive amendments to the Tax Code, the Non-Tax Revenue Code, and the Code of Offenses.

The draft law proposes implementing a number of new tax administration mechanisms, as well as introducing state support measures for certain sectors of the economy. Specifically, it provides for:

- introduction of a fee for issuing a permit (accreditation) to non-residents for the right to open and maintain bank accounts in banks of the Kyrgyz Republic;
- expansion of the concept "transaction", which now covers operations involving the transfer of funds between foreign entities through accounts in banks of the Kyrgyz Republic, including with the participation of foreign organizations that do not have a

permanent establishment in the country; clarification of the taxation procedure for activities related to such transactions;

- expansion of the powers of tax authorities to administer certain taxes and non-tax payments, as well as the application of tax payment requirements not only to banks, but also to operators of electronic money and payment systems; etc.

At the same time, the draft law includes provisions aimed at supporting certain types of entrepreneurial activity. Specifically, tax incentives are provided for entities operating in software development, artificial intelligence, innovative startups, film and video content production, remote business process outsourcing, and other creative activities, the list of which will be determined by the Cabinet of Ministers of the Kyrgyz Republic.

For CSOs, the provisions of greatest interest are those related to the regulation of transactions involving foreign organizations and the expansion of the concept of a “transaction,” as they may affect certain financial operations carried out in the implementation of international projects and cooperation with foreign donors. In addition, some CSOs and social enterprises working in information technology, digital services, artificial intelligence, software development, or media content production may potentially be able to benefit from the new tax incentives when carrying out the relevant types of activities. At the same time, the practical application of several new mechanisms will depend on subsequent decisions of the Cabinet of Ministers and implementing regulations.

You can read the Law and accompanying documents at the link - <https://kenesh.kg/bills/675947>.

4. Amendments on liability for violations in the field of personal data were adopted by the Zhogorku Kenesh in the second reading

On June 18, the Zhogorku Kenesh of the Kyrgyz Republic adopted in the second reading the draft law of the Kyrgyz Republic "On Amendments to the Code of the Kyrgyz Republic on Offenses," aimed at improving administrative liability in the area of personal data protection and bringing legislation into line with the Digital Code of the Kyrgyz Republic.

The draft law was revised for the second reading. Instead of a single offense, the draft proposes introducing a new Article 228¹¹, providing for differentiated liability depending on the nature of the violation. Thus, for violating the established procedure for processing and protecting personal data or personal information, as well as their unauthorized distribution, fines of 2,500 soms for individuals, 10,000 soms for officials, and 65,000 soms for legal entities. For repeated violations within a year, the fines increase to 7,500, 30,000 and 120,000 soms respectively.

Separate liability provisions are introduced for violations related to processing personal data of children and special categories of personal data, as well as for Violation of requirements for the cross-border transfer of personal data. Increased fines are provided for such violations, and penalties are further increased for repeat offenses. Furthermore, the Code includes a definition of personal data processing that covers the entire lifecycle of information processing—from collection and storage to transfer, distribution, and destruction. At the same time, it is proposed to repeal several current articles of the Code of Offenses regulating liability in the sphere of personal data and transfer their contents to a new Article 228¹¹.

For CSOs that collect data from event participants, accept donations, implement projects, work with volunteers, employees, beneficiaries, or process sensitive categories of personal data, the draft law significantly strengthens compliance requirements with personal data laws. Particular attention is recommended to be paid to consent procedures for personal data processing, internal rules for access to information, document retention periods, information security measures, and cases of transferring personal data to third parties or outside the Kyrgyz Republic. Specific protective measures will be required when processing the personal data of children and special categories of personal data, as penalties for violations in this area are proposed to be significantly increased.

You can read the amendments and accompanying documents at the link: <https://kenesh.kg/bills/674781>.

5. The draft law on expanding the powers of state bodies in the field of telecommunications was adopted by the Zhogorku Kenesh and sent to the President for signature

On June 4, the Zhogorku Kenesh adopted the draft law of the Kyrgyz Republic "On Amendments to Certain Legislative Acts of the Kyrgyz Republic in Connection with the Adoption of the Digital Code of the Kyrgyz Republic," submitted as a legislative initiative of the Chairman of the Cabinet of Ministers.

The law significantly expands the powers of government agencies when conducting investigative and counterintelligence operations using telecommunications networks. Specifically, telecommunications operators are required to provide information about service users, ensure organizational, software, and hardware capabilities for investigative and counterintelligence operations, provide access to their databases, digital technology systems, and resources, and provide other assistance to authorized government agencies. Furthermore, operators are required to bear the costs associated with creating the necessary technical infrastructure to implement these requirements.

The law also provides for the possibility of temporarily suspending telecommunications services for a specific mobile device during a state of emergency, mass unrest, or armed conflict based on a reasoned written decision by an authorized official. Resumption of services is

permitted based on a final court decision or a reasoned decision by the official who issued the suspension. At the same time, mandatory identification of all mobile devices used in the Kyrgyz Republic in the state digital identification system is introduced, and the organization and tactics of operational investigative measures are expressly classified as information constituting a state secret. Additionally, the law expands the list of special measures used in counterintelligence activities, including digital recognition of objects using specialized software for the automatic identification of individuals and the recognition of state registration plates of vehicles.

You can review the adopted Law in more detail at the following link <https://kenesh.kg/bills/675360>.

6. The draft law on wage indexation was adopted by the Zhogorku Kenesh in the second reading

On June 25, 2026, the Zhogorku Kenesh of the Kyrgyz Republic adopted in its second reading the draft law of the Kyrgyz Republic "On Amendments to the Labor Code of the Kyrgyz Republic," initiated by a group of Zhogorku Kenesh deputies. The draft law aims to legally enshrine wage indexation as a mechanism for ensuring real wages, taking inflation into account. The draft law proposes to establish employers' obligation to ensure an increase in the real wage through indexation. For budgetary organizations, the indexation procedure will be determined by the Cabinet of Ministers, while for other employers, it will be determined by collective agreements, contracts, or local regulations.

You can read the text of the draft law and accompanying documents [here](#).

7. The Zhogorku Kenesh adopted a draft law on reforming the institution of legal representation

On June 24, the Zhogorku Kenesh adopted the draft law of the Kyrgyz Republic "On Amendments to Certain Legislative Acts of the Kyrgyz Republic on Legal Representation" in its third reading. For the first time, the draft law establishes the legal status of legal representatives and the requirements for such activities.

The draft law introduces a new institution legal representative - a person providing qualified legal assistance and included in the Register of Legal Representatives. Lawyers and legal representatives will be able to represent citizens in court by power of attorney. Exemptions remain in place for employees of legal entities representing their own organizations, representatives of state and local government bodies, legal representatives, and cases of self-representation.

Mandatory qualification requirements are established for legal representatives: a higher legal education, at least one year of work experience in the legal specialty, completion of

additional professional training of at least 80 academic hours at the Training Center for Advocates, and inclusion in the Register of Legal Representatives.

At the same time, the draft law significantly expands the Law "On the Bar of the Kyrgyz Republic and Advocacy Activity," which now also regulates the activities of legal representatives. It establishes their professional rights and responsibilities, requirements for compliance with standards of professional conduct, rules for maintaining legal confidentiality, disciplinary liability, grounds for suspension and termination of status, and the procedure for maintaining the Register of Legal Representatives. It also provides for legal representatives to participate in the state-guaranteed legal aid system alongside lawyers.

The draft law provides for a transition period. Within six months, the Ministry of Justice and the Bar Association must develop procedures for maintaining the Register of Legal Representatives, a program for additional training, and ensure the ability to submit documents digitally. Until the Register is fully launched, persons representing interests in court by power of attorney will be able to continue to participate in court proceedings under the current rules. Furthermore, the Ministry of Justice has been granted the right to temporarily relax certain qualification requirements for legal representatives in certain administrative-territorial units in order to ensure public access to legal assistance.

You can view the accepted document <https://kenesh.kg/bills/669589>.

8. Amendments providing for the collection of signatures for popular legislative initiatives in electronic format have been adopted by the Zhogorku Kenesh

On June 25, the Zhogorku Kenesh adopted a resolution aimed at introducing an electronic mechanism to support popular legislative initiatives alongside the current paper format.

The resolution approves the form of the electronic signature sheet and the procedure for completing it. Citizens will be able to support initiatives to introduce draft laws to the Zhogorku Kenesh through both paper and electronic signature sheets. Both methods will have equal legal force.

Electronic signatures will be collected through the Unified Portal for Public Discussion of draft regulatory legal acts using the Unified Identification System (UIS). Citizens will be able to not only support the initiative but also revoke their signature before the signature collection deadline.

Upon completion of the signature collection campaign, the system will automatically generate a final register of electronic signature sheets. Only the total number of signatures collected will be publicly available, while the personal data of the citizens who signed will be available only to the chair of the initiative group.

The resolution and the supporting document can be found at <https://kenesh.kg/bills/676192>.

9. A constitutional law improving the procedure for constitutional proceedings was adopted

On June 25, the Zhogorku Kenesh adopted the draft constitutional law “On Amendments to the Constitutional Law of the Kyrgyz Republic “On the Constitutional Court of the Kyrgyz Republic”, initiated by the President.

One of the key changes is the elimination of the current mechanism of preliminary review of appeals by a panel of three judges. Instead, the decision to accept or reject an appeal will be made by the Constitutional Court collectively, by a majority vote of the judges participating in the hearing. The law also establishes the possibility of filing appeals to the Constitutional Court electronically and provides for the further digitalization of certain legal proceedings.

The list of categories of cases that can be considered through written proceedings without an oral hearing has been clarified. This includes cases concerning the official interpretation of the Constitution, the resolution of disputes over jurisdiction between branches of government, opinions on the constitutionality of international treaties and draft laws amending the Constitution, court inquiries, review of Constitutional Court decisions, and clarification of previously issued decisions and opinions.

Of particular significance are the amendments concerning the legal force of the Constitutional Court's decisions. The draft law explicitly establishes the binding nature of the Constitutional Court's legal positions set forth in the reasoning of its decisions, opinions, rulings, and orders, if they contain an interpretation of constitutional provisions or clarify the constitutional and legal meaning of a legal norm. Furthermore, the Constitutional Court is empowered to officially clarify its own decisions and opinions upon appeals from parties, judges, and government agencies if questions arise regarding their application.

The amendments also affect certain procedural deadlines. Specifically, the time limit for reviewing cases involving the official interpretation of the Constitution, resolving disputes over jurisdiction between branches of government, and considering questions of the constitutionality of international treaties and draft laws amending the Constitution has been increased from two to three months. At the same time, the time limit for preparing the reasoning for the Constitutional Court's decisions and opinions has been increased from 10 to 30 days, which, according to the drafters, will ensure a more complete and high-quality presentation of the court's legal positions.

A separate set of amendments concerns the implementation of Constitutional Court decisions. The law establishes the obligation of the Cabinet of Ministers to submit draft laws arising from decisions or opinions of the Constitutional Court to the Zhogorku Kenesh no later than three months later. Such draft laws will be introduced without public discussion as urgent and will be considered by the Zhogorku Kenesh on an extraordinary basis. Furthermore, for the first time, monitoring and analysis of the implementation of Constitutional Court decisions and

opinions is established in the manner determined by the Constitutional Court's Rules of Procedure.

You can read the text of the adopted draft constitutional law and accompanying documents at <https://kenesh.kg/bills/675646>.

10. Draft law on services provided by state bodies and local government bodies was adopted by the Zhogorku Kenesh and sent to the President for signature

On June 11, the Zhogorku Kenesh adopted the draft law of the Kyrgyz Republic "On State and Municipal Services" in three readings. On June 24, the adopted draft law was sent to the President of the Kyrgyz Republic for signature.

One of the key innovations is a change in the very approach to defining services. The draft law proposes dividing services into two categories: state and municipal services, and civil law services. It also introduces criteria for determining which services are considered state and municipal services, and which can be provided on a market basis.

The draft law also prioritizes digital service delivery. State agencies and local governments will no longer be able to require applicants to provide documents and information that can be obtained through interagency systems. At the same time, it provides for the preservation of alternative methods of receiving services for citizens without access to digital technologies.

A significant innovation is the introduction of proactive services. It is proposed to provide certain services automatically upon the occurrence of certain life circumstances or legally significant events, without requiring an application from the citizen. Furthermore, the service recipient must be guaranteed the right to refuse the service or appeal its outcome.

The possibility of outsourcing certain service delivery processes to private organizations and individual entrepreneurs is also envisaged. Responsibility for the quality, timeliness, and security of service provision remains with the government agency or other service administrator.

The draft law enshrines the right of service recipients to conduct public monitoring and evaluation of the accessibility, quality, and timeliness of service delivery. Based on the results of such monitoring, government agencies and other service administrators must take measures to address any identified issues.

You can review the Law adopted by the Jogorku Kenesh in more detail at the following link <https://kenesh.kg/bills/675750>.

11. It is proposed to expand the powers of the Akyikatchy (Ombudsman) and change the procedure for forming its leadership

On June 1, the draft Constitutional Law of the Kyrgyz Republic "On Amendments and Additions to the Constitutional Law of the Kyrgyz Republic 'On the Akyikatchy (Ombudsman) of the Kyrgyz Republic'," initiated by Member of the Zhogorku Kenesh B.K. Amanova, was submitted for public discussion. According to the supporting document, the draft law was developed to align current legislation with the Constitution of the Kyrgyz Republic, eliminate certain legal gaps, and improve the work of the Akyikatchy (Ombudsman) institution.

The draft law proposes raising the eligibility requirements for the position of Akyikatchy, increasing the minimum age from 30 to 40 and the maximum from 65 to 70. It also establishes mandatory proof of proficiency in the state language with a relevant certificate for both the Akyikatchy and his or her deputies. It also proposes increasing the number of deputies from two to three, introducing the position of First Deputy with a permanent post in Osh, and enshrining the requirement to consider gender representation when appointing deputies. According to the draft law's sponsor, stationing the First Deputy in Osh will strengthen parliamentary oversight of human rights in the Osh, Jalal-Abad, and Batken regions.

You can read the draft law and accompanying documents at <https://kenesh.kg/ru/bills/public/4863>.

12. The draft law on strengthening the role of the Akyikatchy's annual reports was approved in the first reading

On June 4, the Zhogorku Kenesh adopted in the first reading the draft constitutional Law of the Kyrgyz Republic "On Amendments to the Constitutional Law of the Kyrgyz Republic "On the Akyikatchy (Ombudsman) of the Kyrgyz Republic", aimed at improving the procedure for the preparation, submission and consideration of annual reports of the Akyikatchy (Ombudsman).

The draft law proposes to clarify the content of the Ombudsman's annual report, which should include the results of legislative analysis, information on the processing of citizen complaints, and information on the implementation of other powers of the Ombudsman to protect human rights and freedoms. It also stipulates that, after its submission to the Zhogorku Kenesh, the annual report will be forwarded to government agencies with jurisdiction over the issues raised therein.

One of the key innovations is the obligation of government bodies to review the findings and recommendations contained in the report and inform the Akyikatchy (Parliamentary Assembly) of the results of their review and the measures taken within three months. Thus, the annual report is proposed to be used not only as a tool for parliamentary information but also

as a mechanism for subsequent government response to identified human rights violations and systemic problems in government activities.

You can read the text of the draft and accompanying documents at <https://kenesh.kg/ru/bills/675349>.

13. It is proposed to change the procedure for submitting and reviewing electronic appeals from citizens

The draft law of the Kyrgyz Republic “On Amendments to the Law of the Kyrgyz Republic ‘On the Procedure for Considering Citizens’ Appeals’”, initiated by the deputy of the Zhogorku Kenesh T.A. Ashymbaeva, has been submitted for public discussion.

The draft law proposes eliminating the option of sending electronic requests via the official email addresses of state bodies and local governments. Instead, it stipulates that requests be received through a guaranteed message delivery service, their mandatory automatic registration, and responses sent exclusively through the electronic document management system hosted on the state portal. Furthermore, the draft law proposes defining the key functions of the new service, including automatic registration of requests, monitoring their processing timeframes, tracking repeat requests, and generating statistical information. The Cabinet of Ministers of the Kyrgyz Republic is proposed to determine the operating procedures for the service, as well as a list of other digital services for submitting requests.

You can learn more about the draft law at the following link: <https://kenesh.kg/ru/bills/public/4907>.

14. The draft law on clarifying the procedure for sending responses to electronic appeals was adopted in the first reading

On June 25, the Zhogorku Kenesh (Parliament) adopted in its first reading the draft law of the Kyrgyz Republic "On Amendments to the Law of the Kyrgyz Republic 'On the Procedure for Considering Citizens' Appeals,'" initiated by Zhogorku Kenesh deputy Azamat Jalilov. The draft law aims to improve the procedure for considering citizens' electronic appeals and clarify the format for responding to them by state bodies and local governments.

The draft law proposes establishing that responses to electronic requests are generally provided electronically. However, citizens retain the right to independently determine their preferred method of receiving a response: if an electronic request requests a written response by postal address, the state or local government body will be required to provide the response by this method. It also clarifies the obligation of officials to inform the applicant of the results of their review of the request in the format appropriate to the submission method (in writing or electronically), unless the applicant specifically specifies another method.

You can find more information about the draft at the link <https://kenesh.kg/bills/675078>.

15. The Zhogorku Kenesh adopted a draft law providing a paid day off on election day

On June 26, the Zhogorku Kenesh adopted in three readings the draft law of the Kyrgyz Republic "On Amendments to Certain Legislative Acts of the Kyrgyz Republic (the Labor Code of the Kyrgyz Republic and the Law of the Kyrgyz Republic "On State Pension Social Insurance")," initiated by a group of Zhogorku Kenesh deputies. The draft law aims to create additional guarantees for the exercise of citizens' electoral rights and increase voter turnout in elections.

The draft law includes voting day for the presidential elections of the Kyrgyz Republic and the elections of members of the Zhogorku Kenesh (Parliament) in the list of types of rest time stipulated by the Labor Code. Employees retain their average daily wages provided their participation in the vote is confirmed. At the same time, the day of voting is included in the citizen's insurance record. Furthermore, it is stipulated that the Cabinet of Ministers will be able to determine the procedure for applying additional measures related to the confirmation or non-confirmation of a citizen's participation in the vote.

According to the supporting document, the initiative was developed in response to a persistent decline in voter turnout in elections at various levels. The draft law's authors believe that moving voting day to a workday and providing a paid day off will increase citizen participation in elections and the exercise of the constitutional right to participate in the governance of state affairs. As additional support, they cite the experience of several foreign countries where voting is held on weekdays.

You can read the adopted Law at <https://kenesh.kg/ru/bills/676293>.

16. It is proposed to strengthen the financial monitoring system and update the rules for combating money laundering

On June 20, the Ministry of Finance of the Kyrgyz Republic submitted for public discussion a draft Cabinet of Ministers resolution "On Amending the Resolution of the Cabinet of Ministers of the Kyrgyz Republic 'On Measures to Implement the Law of the Kyrgyz Republic 'On Combating the Financing of Criminal Activity and the Legalization (Laundering) of Criminal Proceeds.'" The draft aims to further improve the national system for combating money laundering and the financing of criminal activity, as well as to bring by-laws into line with international standards.

A significant portion of the amendments concerns the digitalization of financial monitoring. It is proposed to prioritize automated data exchange between the financial intelligence unit and government agencies through the "Tunduk" interagency interaction system, establish uniform rules for providing information on beneficial owners of legal entities

in electronic format, and reduce the timeframe for submitting such information to the financial intelligence unit. Furthermore, new requirements for updating beneficial ownership information and its mandatory reconciliation with government information systems are being introduced. When conducting a national risk assessment, a separate assessment of the risks of criminal financing is maintained in the nonprofit sector, which indicates the further development of a risk-oriented approach to assessing the activities of the non-profit sector within the framework of the system of combating money laundering and the financing of criminal activities.

You can take part in the public discussion of the draft law at <https://koomtalkuu.gov.kg/ru/view-npa/6354>.

17. A draft law to criminalize stalking has been registered in the Zhogorku Kenesh

On June 22, the Kyrgyz Parliament registered a draft law "On Amendments to the Criminal Code of the Kyrgyz Republic," which would criminalize stalking (illegal pursuit). The draft law was initiated by a group of parliament members.

The draft proposes amending the Criminal Code with a new Article 190¹, "Stalking," establishing criminal liability for the illegal pursuit of a person through actions aimed at establishing contact or tracking against the victim's will, including through the use of information and communications technology and the internet. The article covers cases where such actions violate a person's constitutional rights and freedoms, cause physical or mental suffering or material damage, and are not accompanied by physical violence. The proposed punishment for committing such an act is a fine of 20,000 to 50,000 soms or restriction of liberty for a term of six months to one year.

The draft law provides for stricter penalties for stalking that results in significant financial damage, as well as stalking committed against minors between the ages of 14 and 18 or against pregnant women. The most severe penalties are proposed for stalking minors, as well as for committing a crime for hire or using official position. In these cases, the penalty could be imprisonment for a term of three to five years, with possible disqualification from holding certain positions and confiscation of property.

The introduction of a separate offence could fill an existing gap in criminal law, as systematic stalking is not always accompanied by physical violence but can cause serious psychological harm to victims. However, a number of concepts used in the draft law are insufficiently defined, in particular, concepts such as the elements of "stalking," "establishing contact against the will of the person," and the criteria for the onset of mental suffering. The clarity of these definitions will ensure uniformity in law enforcement practices and adherence to the principle of legal certainty in criminal law.

You can read the text of the draft law, the supporting documentation, and a comparative table at the following link <https://kenesh.kg/bills/676290>.