

THE LAW OF THE KYRGYZ REPUBLIC

Bishkek December 28, 2006 No. 213

On access to information held by state bodies and local self-government bodies of the Kyrgyz Republic

(As amended by the Laws of the Kyrgyz Republic dated February 19, 2013 No. 22, February 18, 2014 No. 35, July 27, 2016 No. 152, December 29, 2016 No. 224, March 18, 2017 No. 47, July 20, 2017 No. 130)

On implementation of this Law, see Decree of the President of the Kyrgyz Republic dated May 8, 2007 UP No. 240

CHAPTER I GENERAL PROVISIONS

Article 1. Purposes of the Law

The purposes of this Law are providing the realization and protection of the right of access to information held by state bodies and local self-government bodies, and ensuring the maximum informational openness, publicity and transparency of information on activities of state bodies and local self-government bodies.

Article 2. Purview of this Law

1. This Law shall regulate relations arising in connection with access of individuals and legal entities to information held by state bodies and local self-government bodies.

2. In accordance with provisions of this Law all state bodies and local self-government bodies obligated to provision with information.

State bodies are (*recognize*) organizations, established on permanent (*continuing*) basis in accordance with the Constitution of the Kyrgyz Republic, constitutional and other laws, decrees of the President of the Kyrgyz Republic, authorized to realize the functions of legislative, executive or judicial powers, as well as to take the decisions obligatory for execution and provide their realization, financing from state budget, and also any territorial subdivision or structural unit realizing the functions or part of functions of the central state body.

Local self-government bodies are (*recognize*) representative, executive administrative and other bodies, forming by population itself for solving issues of local meaning, and also any territorial subdivision or structural unit realizing the functions and part of the functions of local self-government body.

Terms "state body" and "local self-government body" also imply any institution, including its territorial subdivision or structural unit, financed fully or partly from republican or local budget and realizes functions not related with realization of state power or functions of self-government, including institutions of health, education, informational, statistics, advisory, on credit issues.

3. Force (purview) of this Law shall not apply

- to relations, arising in connection with citizens' addressing with suggestions, complaints and petitions to the state bodies and local self-governments, except for complaints filed in connection with violations of this Law;

- to relations arising in connection with access of state bodies or local self-government bodies to information held by other state bodies or local self-government bodies;

- to relations arising in connection with accessing information of restricted access in accordance with the legislation of the Kyrgyz Republic.

(As amended by the Laws of the Kyrgyz Republic dated February 19, 2013 N 22, July 27, 2016 N 152)

Article 3. Guarantees and principles of access to information

Everyone is guaranteed an access to information held by state bodies and local self-government bodies.

The main principles of access to information are accessibility, objectivity, timeliness, openness and authenticity of information.

The state guarantees rights of everyone to search, receive, investigate, produce and disseminate information.

Information access and dissemination shall be restricted by the law only.

Article 4. Openness, publicity and transparency in activities of state bodies and local self-government bodies

1. Activities of state bodies and local self-government bodies are open, transparent and public.

2. Information about activity of state bodies and local self-government bodies is available to all. Any restriction of access to information held by state bodies and local self-government bodies is prohibited, except for cases stipulated in article 5 of this Law.

3. Decision to refute access to information should be justified and substantiated, only based on article 15 of this Law.

4. Access cannot be restricted to decisions which restrict access to information. Documents and materials, which contain information, to which the access to information should be restricted in accordance with legislation of Kyrgyz Republic, shall be provided with that part which don't include such as information.

Article 5. Restrictions of access to information

1. Restriction of access to information is established in order to:

- 1) protect national security, public order;
- 2) protect health or morals of the population;
- 3) protect rights and freedoms of others.

2. Access is restricted to information:

- 1) on state secrets defined by the law on protection of state secrets;
- 2) of personal nature determined by the law on private information;
- 3) on investigative activities, criminal proceedings in cases established by law;
- 4) containing secrets protected by law (commercial, banking, notarial, medical, legal and other).

3. Confidential information is determined in accordance with the Law of the Kyrgyz Republic "On electronic governance".

4. Confidential information containing data of state bodies and local self-government for the purposes of this Law, is the following:

1) concerning exclusively technical-organizational rules of protection of work of state bodies and local self-government bodies;

2) describing the concrete content of closed hearings and sessions, as well as personnel position of official during closed session or voting.

5. Officials of government and local self-government bodies bear the responsibility established by the legislation of the Kyrgyz Republic for disclosure of confidential information if it became known to them in connection with exercise of powers established by law.

(As amended by the Laws of the Kyrgyz Republic of July 27, 2016 N 152, July 20, 2017 N 130)

Article 6. Means of providing with information

1. The main means of providing with information by state bodies and local self-government bodies are:

- 1) publication and dissemination of relevant materials, including through official or specialized website;
- 1-1) outreach through media on socially significant resolutions, including regulatory legal acts, imposing new responsibilities on citizens, legal entities, establishing or reinforcing liability;
- 2) providing information to individuals and legal entities based on their request;
- 3) promulgation of information on activities of state and local self-government bodies;
- 4) providing direct access to documents and materials of state bodies and local self-government bodies;
- 5) providing direct access to open sessions of state and local self-government bodies.

2. State bodies and local self-government bodies have a right to use any other means, not prohibited by legislation of Kyrgyz Republic, for informing population about own activities.

3. Providing by state bodies and local self-government bodies with one of means of access to information about own activity may not be the basis for rejection in provisioning with information by any other legal mean.

4. State bodies and local self-government bodies that have adopted resolutions referred to in subparagraph 1-1 of paragraph 1 of this article, or state bodies which competence includes issues raised by these resolutions, shall take measures to ensure their generally accessibility and timely clarification by means provided for by paragraph 1 of this article.

(As amended by the Laws of the Kyrgyz Republic dated July 27, 2016 No. 152, December 29, 2016 No. 224)

CHAPTER II

PROVISION WITH INFORMATION ON THE BASIS OF ORAL OR WRITTEN REQUEST

Article 7. Forms of making requests for information

1. Requests for information to state bodies and local self-government bodies may be sent in the following formats:

- direct oral request or by telephone;
- written request, delivered personally, by post, courier or via electronic communication channels.

2. Reply to a request shall satisfy in that form, which was delivered a request.

3. In case when the document is available in more than one language state bodies and local self-government bodies, it shall be provided in the language indicated as preferable by person concerned.

Article 8. Oral request for providing with information

1. In case of oral request or by telephone, corresponding information shall be provided in oral form.

2. Brief information is to be provided in oral form, to avoid unnecessary written requests. Those responsible for providing information are not obliged to consult those requesting information on the subject matter in oral form.

3. If the oral reply is not satisfactory for the one requesting information, he/she shall be explained procedures of written requests, and other means of receiving information, in accordance with the provisions of this Law.

4. Every oral request should be recorded (registered), indicating author of the request, his/her telephone number, home address, date and time, subject or issue of request, as well as information about state or municipal employee, responding to it.

Registry and filling procedure shall be established by the Government of the Kyrgyz Republic.

See:

Decree of the Government of the Kyrgyz Republic dated February 20, 2020 No. 56-r (On approval of the registry and procedure for maintaining oral requests for information)

Article 9. Form and content of a written request

The written request shall indicate:

a) name of the state body and (or) surname of official of the state body and local self-government body, to whom it is addressed;

б) for citizens - full name, patronymic, date of birth, place of residence; legal entities (or their branches and representative offices) - full name of a legal entity (branch, representative's office), location of management body (postal address), information on legal entity registration, surname and position of person signing an request;

b) request subject that allows understanding unambiguously what kind of information needs to be provided.

Person requesting the information is not obliged to explain reasons of his/her request. Person, requesting the information, has the right to include contact telephone number, and other information which, in his/her opinion, could assist in executing the request.

State body and local self-government body shall develop templates for requests and provide access to these templates in their premises and post offices. Back page of the template can contain guidelines on how to fill the template out, terms, procedures of receiving and payment for accessing information.

When formulating the subject matter of the request it is not necessary to indicate all details of requested documents or materials. In case the subject matter requires clarification; those responsible for replying have the right to clarify the matter by contacting the information user on his/her initiative, using indicated contact numbers. In case of absence of contact telephone, person responsible for replying shall autonomously clarify the matter.

An request may be sent via post, courier, and electronic communication channels or personally delivered to state bodies or local self-government bodies.

Article 10. Terms of provision with replies to the written requests

Preparation of a reply to the written requests shall be executed within two weeks term.

The term starts from the day of receiving the request and ends on the day when reply is delivered to post office, personally to author, or to his/her courier or representative or the day when it was sent via electronic communication channels.

In case request needs to be forwarded to another state body and local self-government body, the term starts on the day when request was received by the other state body or local self-government body, obliged to provide information in accordance with this Law.

In case response is not provided within two weeks period, the information user shall be informed about it, along with reasons for the delay. Period of prolongation may not exceed two weeks.

Not providing reply within the period established by this article, or absence of prolongation notification shall be considered as refusal to provide the reply.

Article 11. Order of consideration and satisfaction the written request

1. Every request shall be registered by state body and local self-government or private organization, indicating the following:

- date the request was received;
- details of person, sending the request;
- brief description of subject matter;
- surname and position of person responsible for preparing reply;
- explanation of denying to provide information (in case of availability of requested information);
- amount of payment for preparing response (when payment is required);
- information about forwarding the request to other state body and local self-government body;

- date of sending reply to the person enquiring;
- other information describing main stages of drafting response.

2. After registration request shall be sent to person responsible for drafting response. Responsible person shall search for relevant documents and materials, copy them and file a package of documents for the response.

3. Response to a written request shall be complete, leaving no necessity for repeated request. Responsible person is not obliged to consult the information user on procedure of using requested documents and materials.

4. Response should include:

1) Note from the responsible person, including brief description of the subject matter, list of documents being provided, surname and position of executor, date of signature;

2) texts of documents being provided, or reference to them or parts documents, if these parts or references contain complete information to satisfy the request and providing them instead of requested documents, is definitely acceptable in accordance with nature of request;

3) price list of input items and information services, as well as list of names and contact information of key state bodies and organizations located in proximity to information user, and providing human rights protection, information and library service and providing information set in this Law.

Article 12. Additional guarantees of receiving information

1. In case state body or local self-government body does not hold and is not obliged to hold documents and materials, requested in accordance with this Law, then it shall inform the person concerned.

2. When another state body or local self-government body holds the requested documents, then request shall be forwarded to that relevant body. If person enquiring indicates his/ her contact number or other means of communication, executor shall contact the person concerned and inform him/her that request was forwarded and make a note about it in written request.

3. If required documents were made public, executor has a right to transfer information user to the relevant open source of information. At the same time, when responding to request, in addition to mandatory documents, details of corresponding public source of information shall be also indicated.

Article 13. Expenses related to provision with information

1. Preparing replies to citizens and organizations' requests shall be realized by state bodies and local self-government bodies free of charge, with exception of cases established by paragraph 3 of this article.

2. Person enquiring shall pay through the postal services upon delivery of response.

3. For requests which involve photo copying of documents, materials or parts of them exceeding 5 pages, payment shall be made for manufacturing of copies of the requested documents and (or) materials, not exceeding their cost price. Unified price list for copying services and payment terms shall be approved by the Government of the Kyrgyz Republic. State bodies and local self-government bodies have the right to exempt persons of socially vulnerable categories from payment.

Article 14. Requests on provision with information in a form of text sent through communication channels

1. Requests received in a text form via communication channels, shall be addressed in the same format, if technical possibilities of the relevant state body allow it.

2. In case request is sent via e-mail, reply shall be emailed to information user. If requested information is not available in electronic format, then it shall be provided in other forms and means. Response may contain attachment of requested documents, or links to electronic versions of requested documents and materials accessible in the global network.

3. If request is done by fax, reply may be sent similarly, if the volume of required documents allows. In other cases replies shall describe the procedure of receiving information by other means in accordance with provisions of this Law.

4. Registration and drafting of replies to requests sent by email or fax shall be done in accordance with procedures provided for the written requests.

Article 15. Basis for rejection to provide requested information

1. Requests to provide information may be rejected based on the following:

1) requested information is found in parts of documents categorized as restricted information based on the relevant laws of the Kyrgyz Republic and article 5 of this Law;

2) request violates requirements of article 9 of this Law;

3) request of this person on the same subject is under review by the central body or its departments, as well as in cases when state body and local self-government body do not hold and not obliged to hold the relevant documents in accordance with requirements of this Law.

2. State body and local self-government body have the right to refuse in provision of requested information, when it essentially coincides with information provided to information user earlier in a period of 3 months before the receipt of repeated request.

3. Rejection shall include the following information:

1) Explanation with references to norms of legislation of the Kyrgyz Republic based on which request was rejected;

2) means and procedures of appealing the rejection.

CHAPTER III PROMULGATION OF INFORMATION ABOUT ACTIVITY OF STATE BODIES AND LOCAL SELF-GOVERNMENT BODIES

Article 16. Provision with official information

1. The official information shall be provided by publishing it on website of state body or local self-government body in Internet or any other site in accordance with legislation of the Kyrgyz Republic. Additionally there may be other available means to access official information.

2. Official information shall be provided by publishing:

1) regulatory legal acts in compliance with established procedure for this and timing of publication;

2) information on current decisions and official events of state bodies and local self-government;

2-1) outreach and awareness raising on adopted socially significant decisions, including regulatory legal acts imposing new responsibility on citizens, legal entities, establishing or enhancing liabilities;

3) annual progress reports of state bodies and local self-government bodies;

3-1) annual reports of state bodies and local self-government bodies on results of monitoring and evaluating the effectiveness and efficiency of regulatory legal acts, as well as progress reports on state programs' implementation;

3-2) texts of court decisions issued in the established form on the subject matter, subject to requirements established by the procedural laws and this Law;

4) other information materials.

(As amended by the Laws of the Kyrgyz Republic dated February 18, 2014 No. 35, July 27, 2016 No. 152, December 29, 2016 No. 224, July 20, 2017 No. 130)

Article 17. Promulgation of information about current decisions and official events

1. State bodies and local self-government bodies shall promulgate official information on the following:

- 1) taking office or dismissal of heads of state bodies and local self-government bodies;
- 2) adoption of state and local budgets of the Kyrgyz Republic, as well as budgets of state bodies and local self-government bodies, changes in rates and procedure for paying state and local taxes and fees, including utility bills and other payments;
- 3) adoption of legal acts on state-owned or municipal property management;
- 4) adoption of legal acts related to allocation of land resources;
- 5) adoption of legal acts related to construction of facilities fully or partially owned by foreign legal entities;
- 6) signing and implementation of international treaties;
- 7) response measures taken against emergency situations endangering human life and health.

2. State bodies and local self-government bodies have the right to make public other information about current decisions and official events via print, audio-visual media and other means of public communication.

3. State bodies and local self-government bodies that adopted socially significant resolutions, including regulatory legal acts that impose new responsibilities on citizens, legal entities, establish or enhancing liability, or state bodies whose competence includes issues relevant to these decisions, shall explain them to the public using print, audio-visual media and other means of informing the public.

(As amended by the Law of the Kyrgyz Republic dated December 29, 2016 No. 224)

Article 18. Annual progress reports of state bodies

1. The Government shall make public annual messages of the President of the Kyrgyz Republic to the people on current state of affairs in the country, reports of the Constitutional Chamber of the Supreme Court on the status of constitutional legality and Ombudsman (Akyikatchy) on progress in the sphere of human and citizens' rights and freedoms.

2. Government and local state bodies promulgate reports on their activities for the reporting period, indicating dynamics in the socio-political, economic and cultural spheres during the reporting period, namely: basic statistical indicators in such areas as budget expenditures, sources and volumes of tax revenues to the state and local budgets, production volumes and consumption by individual market sectors, volumes of internal and external investments, crime control, health, migration, environment, and other important areas of activity.

(As amended by the Law of the Kyrgyz Republic dated February 19, 2013 No. 22)

Article 18-1. Disclosing judicial acts

1. Everyone has the right to fully or partially reproduce judicial acts passed in the established form on the subject matter and announced publicly by the court, by any means, including by publishing them in print media, collections or electronic databases.

2. Short versions of judicial acts may be published, if this is justified by the publication purpose.

3. Publication of judicial acts entered in the State Register of Judicial Acts is made without additional certification.

4. Any citation of the text of a judicial act should not distort its content.

5. Publication of judicial acts entered in the State Registry of Judicial Acts shall also meet other requirements of this Law.

(As amended by the Law of the Kyrgyz Republic dated July 27, 2016 No. 152)

Article 18-2. Basic requirements to disclosing judicial acts

1. Texts of judicial acts, passed in the established form on the subject matter and announced publicly, are open for public access and made public, taking into account requirements provided for in paragraphs 2, 3, 5, and 6 of this article.

Texts of resolutions and conclusions of the Constitutional Chamber of the Supreme Court of the Kyrgyz Republic are made public in full.

2. In texts of judicial acts open to public access, information that allows identifying a person (individual and legal entity) cannot be disclosed. Such information is replaced by initials, lettering or numeric designations.

3. Information referred to in paragraph 2 of this article includes:

1) name, patronymic, surname of individuals;

2) or stay addresses of citizens (individuals), telephone numbers or other means of communication, email addresses;

3) passport data, personal numbers (codes) and information related to records of civil acts of individuals;

4) data of vehicles' technical passport;

5) name and identification number of legal entities against which the court claims have been declared unlawful and unfounded;

6) other information that could disclose identity of a person.

4. Information referred to in paragraph 2 and 3 of this article does not include:

1) surnames and initials of judge or panel of judges adopting the judicial act;

2) surnames and initials of prosecutor and lawyer, if they participated in the trial;

3) surnames and initials of officials of state bodies and local self-government bodies, who, in their official capacity, took part in the trial;

4) names, patronymics (if any), surnames of citizens (individuals) convicted of crimes;

5) names and identification numbers of legal entities against which the court claims were recognized by the court as legal and reasonable.

5. Texts of judicial acts passed in cases which have been tried in closed court hearings, with the exception of details, introductory and resolution parts of judicial acts shall not be made public.

6. In texts of judicial acts passed in cases that were tried in partially closed court hearings, information that was the basis for a closed court session shall not be made public.

(As amended by the Law of the Kyrgyz Republic dated July 27, 2016 No. 152)

Article 19. Publication of informational materials

1. The Government of the Kyrgyz Republic shall make public summary information materials about the structure of the executive powers and procedures of their work. The summary shall include description of the structure of state body, including their main competences and area of jurisdiction, surnames of employees, incumbent in the executive positions, their work telephone numbers, work addresses, work schedule with population.

2. The Government or other bodies of executive power on its behalf shall fund publication of official information materials in form of manuals (collections). The official editions, apart from the mentioned in paragraph 1 of this article, shall contain the information on sphere of its activity, including names and addresses of other state bodies, as well as public unions, mass media organizations, legal consultations, notaries, libraries, educational institutions, communal services and other organizations that protect citizens' rights and legitimate interests. The term of expiry or renewal of such collections is defined by need and urgency of material contained in collections. Number of copies of collections shall be defined by the number distributed in the previous period. The manuals shall be accessible at retail sale points of mass media.

Article 20. Duties of state bodies and local self-government bodies on ensuring dissemination of information

1. State bodies and local self-government bodies are obliged to publish information annually and in available format, including:

1) their functions and tasks, powers, duties and annual budget;

2) list and description of services provided by state body and local self-government body;

3) procedure of consideration and response to requests or complaints, which citizens and organization can use in relation to activity of state body and local self-government body, and templates for requests or complaints;

4) information about documentation system of materials, types and forms of information at the disposal of organization, categories of information and request procedures;

5) information on competences and responsibilities of governing bodies and their heads and procedures of decision making;

6) manuals, rules and collections containing information about state body or local self-government body performing their functions;

7) any mechanisms and procedures allowing citizens and organizations to present their own judgment (*opinion*) or influence policies or responsibilities of these state bodies and local self-government bodies;

8) generalized information about citizen and organizations' requests to state bodies or local self-government bodies, and results of reviews and measures taken;

9) lists of information systems of common use, databases, registers under competence of state body and local self-government body, and registers providing information resources and services to citizens and organizations;

10) information on official visits and business trips of heads and official delegations of state bodies or local self-government bodies;

11) information on official activities, organized by state bodies and local self-government bodies, including sessions, meetings, briefing, panels;

12) information on decisions adopted during official events, organized by state bodies and local self-government bodies;

13) information on action plans of state bodies and local self-government bodies;

14) texts of official statements and formal addresses of heads and representatives of state bodies and local self-government bodies;

15) information on projects (drafts) of special and other programs developed by state bodies and local self-government bodies;

16) information on special and other programs executed or requested by state bodies or local self-government bodies, its goals and tasks, clients and main executors, timeframes and expected results, financing, implementation stage;

17) information on budget execution by state bodies and local self-government bodies;

18) information on funds expenditure of foreign technical assistance on projects and activities carried out with participation of state bodies and local self-government bodies;

19) policy briefs, progress reports, reviews on activities of state bodies and local self-government bodies;

20) key indicators revealing situation and dynamics in spheres of competence of government and local self-government bodies;

21) forecasts prepared by state bodies and local self-government bodies

22) official statistical data collected and processed by state bodies and local self-government bodies;

23) information on open competitions, auctions, tenders, expertise and other activities conducted by state bodies and local self-government bodies, including:

- procedure rules;

- participation procedure for individuals and legal entities;

- committee composition for tenders on supply of goods (work, services) for government or municipal needs;

- protocols of commission's meeting sessions;

- procedure of appealing decisions adopted by state bodies and local self-government bodies;

24) templates for appeals /claims, established by legislation of the Kyrgyz Republic and accepted for review by state bodies and local self-government bodies;

25) data on reviews conducted by state bodies and local self-government bodies within their competence, and checks conducted in state bodies and local self-government bodies;

26) information on state of protection of population and territories against emergency situations, measures taken to ensure their safety, forecasted and emerging emergency situations, means and methods of protecting population against them, as well as other relevant information to be communicated to citizens and organizations in compliance with laws;

27) list of civil agreements concluded by state bodies and local self-government bodies with individuals and legal entities;

28) information on citizens taking office at these state bodies and local self-government bodies:

procedure for citizens to enter the state and municipal services;

list of available vacant public service positions, municipal service posts;

qualification requirements for candidates for filling vacant public service and municipal service posts;

conditions and results of call for applications for vacant public service and municipal service posts;

29) information on cooperation of state and local self-government bodies with other state bodies and local self-government bodies, public unions, political parties, trade unions and other organizations, including international organizations;

30) information on heads of government bodies, its organization departments, foreign branch offices, territorial departments, subordinate organizations (surnames, names and patronymics, biographical information – upon approval with mentioned persons);

31) information on tasks and functions of their departments, postal addresses, telephones of referral services and address details, including postal address, e-mail address, number of their employees and size of salary fund;

32) information about subordinate organizations of state body and local self-government body: list of organizations, their postal and legal addresses, telephone numbers; description of their tasks and functions, information about their establishment, reorganization and closing, number of their employees, main indicators of activities, size of salary fund;

33) telephone numbers and address details, including postal address, e-mail address, subdivisions of state body and local self-government body working with requests of citizens and organizations, information work activities of these subdivisions.

34) list of foreign representative offices of state body and local self-government body, telephone numbers and address details, email addresses;

35) list of international organizations in which activity state and local self-government bodies take part;

36) information about participation of state body and local self-government body in implementation of international treaties of Kyrgyz Republic and programs of international cooperation.

(As amended by the Law of the Kyrgyz Republic dated July 27, 2016 No. 152)

Article 20-1. Duties of courts to ensure dissemination of information

1. Courts publish information on their official websites and are obliged to make the following information public:

1) texts of normative legal acts regulating court activities, and other acts regulating internal procedures of the court;

2) requirements to the format and content of documents used when applying to the court, and (or) templates of these documents, procedure for submitting these documents to the court;

3) information on amount and payment procedure of the state fee for categories of cases to be considered in court;

4) information on setting date, time and place of hearing for the case in court;

5) procedure for appealing against judicial acts;

6) execution procedure for executive actions related to international legal relations;

7) clarifications, summaries and reviews of judicial practice of court review of cases, courts activities;

8) information on activities of the Supreme Court of the Kyrgyz Republic plenary session, scientific advisory councils, and Judicial Training Center;

9) electronic versions of publications of the Supreme Court of the Kyrgyz Republic and Constitutional Chamber of the Supreme Court of the Kyrgyz Republic;

10) information on court budget, expenditures and public procurement;

11) information on official visits and working trips of heads of courts and official delegations of judges.

2. The court's official website, and in case of its absence, official website of the Supreme Court of the Kyrgyz Republic, shall contain information about any interference with the judge's activities, including by exerting pressure on judge in any form, bribery, threats, and other forms of extra-judicial treatment.

Extra-procedural appeal refers to the written or oral appeal to presiding judge, his deputy or judge in a specific court case or material being processed by a court (judge), an appeal from those not participating in the proceedings state body, local government, other body, organization, official or citizen, or appeal in the format not provided for by procedural legislation of the participants in the trial.

Procedure for publication of information on extra-procedural appeals is determined by the Council of Judges.

(As amended by the Law of the Kyrgyz Republic dated July 27, 2016 No. 152)

Article 21. Dissemination of official information in mass media

1. Press service of state bodies and local self-government bodies, as well as employees responsible for outreach work with population, are obliged to supply editorial staff of mass media outlets with information and materials on activity and decisions of state bodies and local self-government bodies, conduct outreach on socially significant decisions, including regulatory legal acts, imposing new responsibilities on citizens, legal entities, establishing or enhancing liability.

2. State bodies and local self-government bodies are obliged to reward their employees actively engaging with the media, by giving out statements, official explanation on position of state bodies on relevant issues of their activity.

(As amended by the Law of the Kyrgyz Republic of December 29, 2016 No. 224)

CHAPTER IV PROVIDING DIRECT ACCESS TO DOCUMENTS AND MATERIALS OF STATE BODIES AND LOCAL SELF-GOVERNMENT BODIES

Article 22. Forms of providing direct access

Direct access to documents and materials of state bodies and local self-government bodies shall be provided through:

1) official information collection of state bodies and local self-government bodies;

2) library collection of the *official information*;

3) Internet sites.

(As amended by the Law of the Kyrgyz Republic dated July 20, 2017 No. 130)

Article 23. Providing public access to state collections of official information of state bodies and local self-government bodies

1. State bodies and local self-government bodies shall establish collections of official information available to everyone.

2. Access to information collections shall be provided by means of direct familiarization of citizens in the premises of relevant body.

3. Legal acts, other documents and materials shall be included in the collection of the official information and become publicly available not later than a week from the date of signing, or signing of acts in relation to which relevant documents and materials are being considered.

4. To ensure safety of confidential information, an examination is carried out, establishing parts of documents and materials, access to which should be restricted. Parts of documents and materials that do not contain confidential information should be prepared for examination and available no later than a week from the date of signing the corresponding document. The name and position of expert shall be indicated in a document or material prepared for public access.

5. For providing access to the documents and materials the relevant state body and local self-government body shall keep a filing folder for familiarization of society, and other folder with master copies of the documents and materials. Documents and materials in the folders shall be placed in a chronological order. Inventory of the documents and materials composing the filing for familiarization shall be made at least once a month. For the convenience of easy search of documents, the inventory shall be placed into the filings. Data of the inventories of the document filings and materials may be united into catalogues.

6. State bodies and local self-government bodies are obliged to take measures on providing the safety of the documents and materials, by composing the filings folders and establishing relevant access requirements.

7. To work with filing folders, special places are equipped with conditions that allow making extracts from documents and materials, as well as copying them. Conditions and procedure for providing documents and materials for copying are established by the relevant state bodies and local authorities.

Article 24. Access to library collections of official information

1. State bodies and local self-government bodies shall send official reports, information materials, official manual editions and other documents and materials, which are at their disposal to libraries.

2. Based on received documents and materials, libraries of the Kyrgyz Republic set publicly accessible official information collections.

Article 25. Sites of state and local self-governments bodies on the Internet

1. State bodies and local self-government bodies are obliged to create websites to publish official information of state bodies and local self-government bodies. Websites of state bodies (local self-government bodies) for the purposes this Law is taken the aggregate of information accessed through the Internet, united by one address in the "KG" domain zone.

2. Websites of state bodies (local self-government bodies) contain information, provided for in article 16 of this Law.

3. Website of a state body (local self-government body) on the Internet should provide the opportunity for free access and free electronic copying of documents and materials posted on the site. Responsibility for the accuracy of electronic versions of documents and other official information posted on the website of a state (local self-government body) on the Internet lies with the corresponding state and local self-government bodies.

4. State bodies and local self-government bodies have the right to contract specialized organizations to create and maintain their websites. Relevant state bodies and local self-government bodies bear responsibility for the accuracy, completeness and relevance of the information provided by a specialized organization and fulfillment of other requirements of this Law.

5. The Government, together with the Jogorku Kenesh of the Kyrgyz Republic, ensures establishing and maintenance of a centralized system of official information, including a complete list and texts of all regulatory legal acts in force on the territory of the Kyrgyz Republic. Access to the centralized system of official information is possible through the website of the Government of the Kyrgyz Republic in accordance with the requirements established by this article.

(As amended by the Law of the Kyrgyz Republic dated July 20, 2017 N 130)

CHAPTER V PROVIDING ACCESS TO SESSIONS OF STATE BODIES AND LOCAL SELF- GOVERNMENT BODIES

Article 26. Openness of sessions

1. Sessions of state bodies and local self-government bodies are open for public, except for closed sessions.

2. Openness of sessions shall be guaranteed through participation opportunity for interested citizens who sent prior applications for participation in the relevant sessions.

3. Closed sessions of state bodies and local self-government bodies shall be conducted in cases of discussion of restricted information, in accordance with the article 5 of this Law.

4. Access to court hearings is granted in accordance with the procedure provided for by the procedural legislation and acts regulating internal processes of courts.

(As amended by the Law of the Kyrgyz Republic dated July 27, 2016 No. 152)

Article 27. Informing the public on holding sessions

1. State bodies and local self-government bodies shall publish monthly session plans in mass media, including the agenda, date, time and venue.

2. State bodies and local self-government bodies shall equip meeting venues with informational stand (post), on which they hung information on its agenda, time, as well as whether the upcoming session is open or closed for public no later than one week in advance. In case of conducting closed sessions they shall place decision explaining restricted access on the informational stand.

(As amended by the Law of the Kyrgyz Republic dated July 27, 2016 No. 152)

Article 28. Organization of sessions attendance

1. Citizens of the Kyrgyz Republic, representatives of legal entities of the Kyrgyz Republic have the right to attend sessions of state bodies and local self-government bodies. To arrange attendance of citizens and (or) representatives of legal entities, state bodies and local self-government bodies shall keep record of persons willing to attend a relevant session. Visitors shall be granted access to sessions based on recording their details and personal identification documents. The record should include surname, name, patronymic of the citizen willing to attend the session; for representatives of legal entities - surname, name and patronymic, name of the legal entity, and position of representative. No other information and documents shall be necessary.

2. The venue is equipped with seats for visitors. The number of seats shall be calculated based on the number of applicants, but the total number of seats should be at least five at meetings of state and local self-government bodies and at least ten for meetings of the Jogorku Kenesh of the Kyrgyz Republic and representative bodies of local self-government. If the limit of visitors is exceeded and one of them fails to appear, the priority of attending is given, firstly, to citizens whose rights and freedoms may be directly affected by resolutions taken during the meeting, and secondly, to citizens who did not attend meetings of this body before or stayed no longer than others who signed up, thirdly, those who signed up earlier than the others.

3. State bodies and local self-government bodies have a right to arrange additional access to sessions via means of simultaneous transmission of signal to television sets, located in other rooms of the same building of relevant state body.

Article 29. Order of visitor attendance

1. Attendance procedure for visitors at sessions of state bodies and local self-government bodies, with exception of court hearings, is defined in the regulations of the relevant state body and local self-government body, with exception of court hearings. In case of violation of established rules of attendance on session, the chairman shall make reprove to the disturber, at the violation the second time, s/he shall evict him from the session hall.

2. Visitors attending sessions have the right to take notes/minutes, and make photos, audio and video records, if it does not disturb the course of the session.

(As amended by the Law of the Kyrgyz Republic dated July 27, 2016 No. 152)

CHAPTER VI ORGANIZATION OF ACCESS TO INFORMATION HELD BY STATE BODIES AND LOCAL SELF-GOVERNMENT BODIES

Article 30. Organizational measures to facilitate access to information

1. To organize access to information in the structure of the state body and local self-government body, a specialized service is created, vested with the appropriate functions and powers in the established manner, or the fulfillment of these functions and powers is entrusted to other service or unit existing in the structure of the state body and local self-government body, or to a specific official.

2. Functions of providing information to persons enquiring should be defined in regulations on corresponding state body and local state body.

3. Rights, duties, and responsibilities of special services, subdivisions, and officials fulfilling these functions shall be established by provisions on these services and subdivisions and job descriptions which shall be approved in accordance with established procedure.

4. At discretion of state body or local self-government body for realization the functions on providing access to information on contractual stipulation, the body may recruit organizations fulfilling the provision of information services. Details of these organizations (name of organization, post address, telephone and fax number, e-mail address, network address, and – properties of organization) should be made public.

5. Rules on fulfilling requests for information shall be established by state body and local self-government in accordance with this Law.

6. Rules, indicated in paragraph 5 of this article should contain name and working schedule of corresponding organizations, services, subdivisions or officials obliged to provide access to information; category of information subject to providing, types of services related with its providing (including procedure of access to automatized information system), procedure or payment of these services and other conditions of access.

Article 31. Organization of access to information in automatized informational systems

1. State bodies and local self-government bodies for ensuring the right to access to information from automatized information systems shall:

- include information systems of state bodies and local self-government bodies within the public segment of e-government architecture;

- ensure placement of information from information systems of state bodies and local self-government bodies on websites of state bodies and local self-government bodies on the Internet in the format of open data;

- create subscriber sites connected to the Internet in places easily accessible to citizens and organizations: in the premises of state bodies and local self-government bodies, state and municipal libraries, post offices and in other places specified by law;

- provide single email address to receive requests and send requested information;

- bear responsibility for content, accuracy and completeness of information published on the official server (website, portal).

2. Electronic documents of state bodies and local self-government bodies shall indicate all the details established for these documents. In the case of provision of information in electronic form, its authenticity is confirmed by electronic signature or other electronic means in cases and in the manner prescribed by law.

(As amended by the Law of the Kyrgyz Republic dated July 20, 2017 No. 130)

Article 32. Duties of state bodies and local self-government bodies to provide access to information

1. State bodies and local self-government bodies are obliged to:

- provide organizational, technical and other conditions necessary for realization of the right to access information;

- keep official documents containing information to be distributed in accordance with this Law and corresponding acts, as well as acts of state bodies and local self-government bodies, whose assignees they are, for a specified period;

- ensure accuracy and completeness of information provided, compliance with the established terms and conditions for its provision;

- comply with procedures established by law for promulgation (publication) of official documents.

2. If the information provided contains inaccurate or incomplete information, state and local self-government bodies are obliged, upon a justified written statement of person enquiring, to clarify or supplement provided information as soon as possible, but not later than seven working days following the day of receipt.

3. State bodies or local self-government bodies keep registers of official documents that they are required to make public. Registers shall contain the name, date of adoption, number of each document issued and information about its publication. State bodies maintaining the registry may establish other mandatory requirements for this registry.

4. State Registry of Judicial Acts includes all judicial acts issued in the established format, within ten days for local courts and within fifteen days for the Supreme Court of the Kyrgyz Republic and the Constitutional Chamber of the Supreme Court of the Kyrgyz Republic from the date of announcement.

5. Judicial acts entered in the State Registry of Judicial Acts are open for free round-the-clock access via a specialized website, with exception of judicial acts of restricted access.

(As amended by the Law of the Kyrgyz Republic dated July 27, 2016 No. 152)

CHAPTER VII GUARANTEES FOR THE IMPLEMENTATION OF THIS LAW

Article 33. Organizational guarantees

1. State bodies and local self-government bodies shall:

- establish structural units and appoint responsible persons responsible for the immediate provision of information to the public;

- ensure the possibility of receiving brief free of charge responses regarding procedure for implementing provisions of this Law by phone, including regarding clarification of the subject of requests, working hours of state bodies and local self-government bodies, and procedure for familiarizing themselves with official information collections.

2. Control over providing access to information held by courts is carried out by chairpersons of courts within their capacity. The procedure for exercising control over providing access to information is established by acts regulating issues of internal procedures of courts.

(As amended by the Law of the Kyrgyz Republic of July 27, 2016 N 152)

Article 34. Informing the public about implementation of this Law

1. State bodies and local self-government bodies carry out, with the help of the mass media, outreach activities for population on procedure for implementing opportunities for accessing information provided for by this Law.

2. The media annually publishes reports prepared by corresponding state bodies and local self-government bodies on implementation of this Law.

Article 35. Appeal against refusal to provide information

Refusal to provide information, as well as other actions (omissions) and decisions of state bodies and local self-government bodies violating requirements of this Law, may be appealed in the manner prescribed by the Law of the Kyrgyz Republic "On the basis of administrative activities and procedures."

(As amended by the Law of the Kyrgyz Republic dated March 18, 2017 No. 47)

Article 36. Liability for violation of the right to access information

Officials guilty of violation of the right access to information on the activities of state bodies and bodies of local self-government or its improper execution, bear disciplinary, administrative, civil and criminal liability according to the legislation of the Kyrgyz Republic

**CHAPTER VIII
CONCLUDING PROVISIONS**

Article 37. Entry into force

1. This Law comes into force on the day of its official publication.

Published in the Erkintoo Newspaper as of January 23, 2007 N 5

2. The Government of the Kyrgyz Republic, within three months period shall:

- to bring to the consideration of the Jogorku Kenesh of the Kyrgyz Republic proposals for consideration on bringing legislative acts in line with this Law;

- to bring to the consideration of the President of the Kyrgyz Republic proposals for consideration aimed at resolving organizational measures arising from this Law;

- bring its regulatory legal acts in accordance with this Law;

- ensure that regulatory legal acts of ministries, state committees, administrative departments and local state administrations are brought in line with this Law.

3. Local self-government bodies to take all necessary measures arising from this Law, as well as bring their regulatory legal acts in line with this Law.

President of the Kyrgyz Republic

K.Bakiev

**Ratified by Jogorku Kenesh of the
Kyrgyz Republic**

November 14, 2006