



LAW OF THE KYRGYZ REPUBLIC

No. 113, dated September 10, 2021

On Status of Batken Province

This Law defines the status of Batken Province of the Kyrgyz Republic, establishes the specifics of arrangements and activities of the regional divisions of the government agencies and local self-government bodies.

Article 1. Status of Batken Province

Batken Province is an administrative division of the Kyrgyz Republic, which consists of the following areas: Batken city, the province center; the cities of regional subordination - Kyzyl-Kyia, Sulukta; and Batken, Kadamjay and Leilek districts. The public governance in these areas is implemented with consideration of interests of local communities and mandate of the local self-government bodies.

Article 2: Legislation on the Status of Batken Province

The Constitution of the Kyrgyz Republic, this Law, other normative legal acts of the Kyrgyz Republic and international treaties to which the Kyrgyz Republic is a party that have entered into force in the manner prescribed by law shall constitute the legal framework for the status of Batken Province.

Article 3: Special Effective Regimes on the Province Territory

Pursuant to the legislation of the Kyrgyz Republic, the following regimes/treatments shall be effective on the territory of Batken province:

- 1) A special tax regime;
- 2) A special investment regime providing government guarantees from the Cabinet of Ministers of the Kyrgyz Republic;
- 3) A special regime for public procurement of goods and services;
- 4) A special preferential treatment for the provision of government and municipal services to the population according to a list determined by the Cabinet of Ministers of the Kyrgyz Republic.

Article 4: Government Activities in the Development of the Batken Province

The priority activities of the government agencies and local self-government bodies to develop Batken Province shall include:

- 1) Land development, infrastructure improvement and development;
- 2) Formulation, financial support and implementing a national program to ensure the security and social and economic development of Batken Province;

- 3) Creating conditions to improve the quality of life of residents of Batken Province settlements and reduce disparities in the level of social and economic development of human settlements in the Kyrgyz Republic;
- 4) Increasing the employment level of residents of Batken Province human settlements;
- 5) Ensuring conservation and sustainable use of natural resources of Batken Province;
- 6) Ensuring the development of the financial sector in the territory of Batken Province;
- 7) Developing and encouraging the use of innovative technologies in the agricultural sector and livestock breeding;
- 8) Training of specialists from local residents of Batken Province settlements, improving their qualifications and creating conditions for attracting young specialists of the Kyrgyz Republic to border settlements;
- 9) Coordination and financial support of national programs, researches related to Batken Province development;
- 10) Forecasting and prevention of possible natural, man-made and epidemiological emergencies in Batken Province;
- 11) Strengthening law enforcement and border services to ensure public and border security;
- 12) Strengthening of work on military training and patriotic upbringing of the population of Batken Province;
- 13) Creating conditions to prevent the migration of the Kyrgyz citizens from the territory of Batken Province;
- 14) Creation of conditions for attracting citizens of the Kyrgyz Republic to Batken Province for permanent residence, increasing the number of border settlements and the number of citizens of the Kyrgyz Republic living at such locations;
- 15) Creation of conditions to promote cross-border trade by individuals and legal entities;
- 16) Solution of other tasks related to the development of Batken Province.

Article 5. National Program on Security and Social and Economic Development of Batken Province

1. The National Program on Ensuring Security and Social and Economic Development of Batken Province includes measures for social and economic development, to counteract territorial, economic, demographic, cultural, religious and other types of expansion and aggression into the border territory of the Kyrgyz Republic, as well as activities provided for in Article 4 of this Law.
2. The National Program shall be developed and approved by the Cabinet of Ministers of the Kyrgyz Republic jointly with the Special Representative of the President of the Kyrgyz Republic in Batken Province.
3. The Cabinet of Ministers of the Kyrgyz Republic shall annually provide funds in the amount of KGS 500.0 million in the national budget for effective and timely implementation of the National Program on Ensuring Security and Social and Economic Development of Batken Province.

Article 6: Social Support for the Permanent Residents of the Kyrgyz Republic in Batken Province

1. The State shall provide social support, guarantees, compensations and benefits to the citizens of the Kyrgyz Republic permanently residing in the settlements of Batken Province.

The amount of compensations and the procedure for their payment shall be determined by the Cabinet of Ministers of the Kyrgyz Republic.

2. Additional guarantees and compensations may be provided from the budgets of administrative structures, enterprises, institutions, organizations (employers).

Article 7: Stay of Foreign Citizens on the Territory of Batken Province

Entry to, stay, residence and activities of foreign citizens on the territory of Batken Province shall be carried out pursuant to the procedure determined by the Cabinet of Ministers of the Kyrgyz Republic.

Article 8. Special Representative of the President of the Kyrgyz Republic in Batken Province

1. The Special Representative of the President of the Kyrgyz Republic in Batken Province (hereinafter referred to as "the Special Representative") is an official representing the President of the Kyrgyz Republic within Batken Province. The Special Representative shall ensure implementation of the constitutional powers of the Head of State in the territory of Batken oblast.

2. The Special Representative is a civil servant, holder of political office, and the Vice Chairman of the Cabinet of Ministers of the Kyrgyz Republic.

3. The Special Representative shall be appointed and dismissed by the President of the Kyrgyz Republic.

4. The Special Representative shall have three deputies; he/she shall distribute their functional duties and guide their activities.

5. The Special Representative shall hold personal liability for:

- 1) Social and economic situation and security of Batken Province;
- 2) Implementation of the National Program on Ensuring Security and Social and Economic Development of Batken Province;
- 3) Appropriate use of allocated financial resources for the implementation of the National Program on Ensuring Security and Social and Economic Development of Batken Province.

6. The Regulation, staff size limit and structure of the Office of the Special Representative shall be approved by the President of the Kyrgyz Republic.

Article 9: Main Tasks of the Special Representative

The Special Representative shall have the following tasks:

- 1) Arrange implementation of the key areas of domestic and foreign policy of the State by government agencies, as determined by the President of the Kyrgyz Republic;
- 2) Arrange control over the implementation of decisions of the government agencies;
- 3) Ensure implementation of human resources policy of the Kyrgyz Republic;
- 4) Submit regular reports to the President of the Kyrgyz Republic and the Chairman of the Cabinet of Ministers of the Kyrgyz Republic on ensuring national security as well as the political, social and economic situation of the province, making appropriate proposals to the Cabinet of Ministers of the Kyrgyz Republic;

- 5) Submit an annual report to the President of the Kyrgyz Republic on the implementation of the National Program on Ensuring Security and Social and Economic Development of Batken Province;
- 6) Conduct annual budget hearings with the population of Batken Province together with the government authority for finance matters to develop proposals on measures aimed at protecting the essential interests of citizens and the State, with a view to their subsequent implementation.

Article 10. Functions of the Special Representative

The Special Representative shall perform the following functions in order to accomplish the tasks assigned to him/her:

- 1) Ensures coordination of the activities of the executive authorities;
- 2) Analyzes the performance of law enforcement and defense bodies, as well as the staffing in such bodies, and make relevant proposals to the President of the Kyrgyz Republic;
- 3) Arranges and ensures interaction of executive authorities with judicial bodies of the Kyrgyz Republic, Jogorku Kenesh of the Kyrgyz Republic, local self-government bodies, political parties, and other public and religious associations;
- 4) Together with local associations of economic cooperation develops programs for social and economic development of Batken Province;
- 5) Approves candidacy for the civil service positions and candidacy for other positions within Batken Province, if the appointment / approval to these positions is made by the President of the Kyrgyz Republic, the Chairman of the Cabinet of Ministers of the Kyrgyz Republic, except for positions for which the President of the Kyrgyz Republic has established a different appointment procedure;
- 6) Approves draft decisions of government agencies having an impact on the interests of Batken Province;
- 7) Ensures the activity of the Batken Province Development Council.

Article 11. Mandate of the Special Representative

1. The Special Representative shall have the right of unimpeded access to any organizations located within the borders of the Batken Province in the performance of his/her official duties.
2. The Special Representative shall have the right to:
 - 1) Request and receive in the prescribed manner necessary materials from structural units of the Administration of the President of the Kyrgyz Republic, from government agencies, local self-government bodies, organizations located within Batken Province, and from officials;
 - 2) Nominate his/her deputies and staff members to participate in the work of government agencies and local self-government bodies located within the borders of Batken Province;
 - 3) Organize, within his/her competence, control over the execution of decrees and executive orders of the President of the Kyrgyz Republic, as well as the implementation of national programs and the use of public property and budgetary funds;
 - 4) Establish consultative and advisory bodies.

3. The Special Representative shall:
 - 1) In coordination with the Chairman of the Cabinet of Ministers of the Kyrgyz Republic, submit for consideration of the President of the Kyrgyz Republic candidates for the position of heads of local state administrations on the territory of Batken Province;
 - 2) Manage the activities of the office of the Special Representative, ensure solution of the tasks entrusted to it.

Article 12: Organization and Support for the Special Representative Performance

1. The Office of the Special Representative shall ensure administrative and technical support for the performance of the Special Representative.
2. The Regulation, maximum staffing and structure of the Office of the Special Representative shall be approved by the President of the Kyrgyz Republic upon the proposal of the Special Representative in accordance with the relevant legislation.
3. The Special Representative and the Office of the Special Representative shall be located in the city of Batken.

Article 13. Guarantees to Ensure the Exercise of Functional and Administrative Authorities

The Cabinet of Ministers of the Kyrgyz Republic shall provide guarantees for the exercise of the functions of the Special Representative by:

- 1) Ensuring the implementation of appropriate powers to coordinate the activities of state-owned, municipal bodies and interaction with law enforcement agencies, defense agencies;
- 2) Granting appropriate powers to develop and implement designated national development programs of the province at the expense of the republican budget and the province development budget in accordance with the budgetary laws of the Kyrgyz Republic;
- 3) Transfer of financing of educational and cultural facilities from local budgets to the republican budget.

Article 14. Batken Province Development Council

1. The Batken Province Development Council (hereinafter referred to as “the Council”) is a public advisory, interagency coordinating body formed to ensure coordinated actions of the government agencies concerned to implement a uniform national policy.
2. The Regulation of the Council and its composition shall be approved by the Chairman of the Cabinet of Ministers of the Kyrgyz Republic.
3. The Council shall monitor and evaluate the province-level social and economic development program, as well as supervises its implementation.

Article 15. Effectuation of Law

This Law shall come into force after ten days from the day of its official publication.

Published in the newspaper “Erkin Too” No. 99, dated September 24, 2021.

The Cabinet of Ministers of the Kyrgyz Republic is hereby instructed:

- 1) Bring its normative legal acts into compliance with this Law within one month;
- 2) Take necessary administrative measures to implement the provisions of this Law.

President of the Kyrgyz Republic

Adopted by Jogorku Kenesh of the Kyrgyz Republic

S. N. Japarov

July 22, 2021