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["Law of Turkmenistan: On the Election of People's Representatives"]

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CHAPTER I. GENERAL PROVISIONS

Article 1. Fundamentals of the Electoral System

In accordance with the Constitution of Turkmenistan the election of khalk vekilleri (people's representatives) making up the Khalk Maslakhaty, which is Turkmenistan's highest organ of people's power, shall be done by the people of Turkmenistan on the basis of universal, equal, and direct suffrage by ballot. Elections shall be held for single-mandate electoral districts.

Article 2. Universal Suffrage

Citizens of Turkmenistan who have attained the age of 18 years by the date of elections shall have the right to vote.

Any kind of direct or indirect abridgement of the voting rights of citizens of Turkmenistan predicated upon nationality, origin, position as to property or post, time resident in a given locality, education, attitude toward religion, political convictions, or party affiliation shall be prohibited.

Citizens who are mentally impaired and deemed incompetent by the courts, persons being held in detention centers when so sentenced by the courts, and persons against whom measures have been taken to secure their appearance as defendants in accordance with existing legislation and who have been taken in custody shall not participate in elections.

Article 3. Equal Suffrage

All voters shall participate in elections on an equal footing; each voter shall have one vote.

Article 4. Direct Suffrage

Elections shall be direct: People's representatives shall be elected by the citizens directly.

Article 5. The Ballot

Voting in elections shall be secret: Monitoring the will of the electors shall not be permitted.

Article 6. Setting the Election Date

Elections for people's representatives shall be set by the Majlis of Turkmenistan not later than two months before the end of term of the powers of people's representatives.

A report on the date of elections shall be published in the press.

Article 7. Holding of Elections by Electoral Commissions

The holding of elections for people's representatives shall be done by appropriate electoral commissions which shall be formed from among representatives of the political parties, public associations and organizations, organs of territorial public self-government, and other groups of citizens, and servicemen from military units.

Representatives making up the electoral commissions shall be nominated at meetings (conferences, plenums, councils) of vilayet [oblast], etrap [rayon], and shekher [city] organs of political parties and at meetings of their primary organizations, and by meetings of citizens convened both at the initiative of khyakim [governor] and archyn [village elder] and at the initiative of groups of citizens.

A meeting shall be deemed qualified if at least 30 electors residing on the territory of the electoral district are present.

Article 8. Material Support for Elections

Costs associated with preparations for and the holding of elections of people's representatives shall be paid by the state.

State and public bodies, enterprises, institutions, and organizations shall make available to the electoral commissions premises, equipment, and means of transportation needed to prepare for and hold elections.

Article 9. Liability for Violation of Electoral Law

Persons impeding by means of violence, deception, threat, or in any other way the exercise by a citizen of Turkmenistan of his right to elect and be elected as a people's representative or engage in election campaigning, and also members of electoral commissions who have committed a forgery on electoral documents, made a deliberate miscount of votes, or permitted other violations of this Law, shall be liable as established by law. Persons who knowingly disseminate by any means false and defamatory information about a person nominated for the post of people's representatives shall also be liable.

In a case in which a candidate himself violates this Law the district electoral commission may decide to cancel his registration.

Statements concerning violations of election legislation received by the electoral commissions or state organs during the period of preparation for elections or within

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15 days after elections shall be examined within a period of one week, and those received on election day shall be examined immediately.

CHAPTER II. ELECTORAL DISTRICTS AND PRECINCTS

Article 10. Formation of Electoral Districts

Electoral districts shall be formed for the election of people's representatives within the borders of each etrap and each shekher enjoying rights of etrap. In Ashgabat shekher districts shall be formed for each of the shekher's etraps. Electoral districts shall be formed by the Central Commission for Elections and Referendums in Turkmenistan.

One people's representative shall be elected from each electoral district.

Lists of districts showing their borders and district centers shall be published by the Central Commission for Elections and Referendums no later than five days after the date of elections has been set.

Article 11. Formation of Electoral Precincts

The territory of etraps and shekhers enjoying the rights of etraps shall be divided up into electoral precincts.

In military units, sanatoriums and rest homes, hospitals and other in-patient treatment centers, and in remote places and places difficult of access, electoral precincts may be formed that fall within electoral districts wherever they are located. Electoral precincts may also be formed at institutions of Turkmenistan abroad if the conditions necessary for this exist, and they shall fall within electoral districts as determined by the Central Commission for Elections and Referendums.

Article 12. Procedure and Standards for Forming Electoral Precincts

Electoral precincts shall be formed by district electoral commissions upon representation from khyakims, etraps, and shekhers, and in military units upon representation from the commanding officers of military units. The Central Commission for Elections and Referendums shall form electoral precincts in institutions of Turkmenistan abroad upon representation from the Turkmenistan Ministry of Foreign Affairs.

Electoral precincts shall be formed no later than one-and-a-half months before elections. In military units, and also in remote places and places difficult of access, and in institutions abroad, electoral precincts shall be formed during the same period, but in exceptional cases no later than five days before elections.

Electoral precincts shall be formed when the numbers of electors are from 20 to 3,000. In exceptional cases it shall be permitted to form electoral precincts where the number of electors is fewer than 20.

Etrap khyakims and shekher enjoying rights of etraps shall ensure that electors are notified about the boundaries of each electoral precinct, indicating the location of the precinct electoral commission and the premises for voting.

CHAPTER III. ELECTORAL COMMISSIONS

Article 13. The Electoral Commission System

Election of people's representatives shall be organized by the Central Commission for Elections and Referendums in Turkmenistan. To this end, electoral commissions shall also be formed for the vilayets and for Ashgabat shekher, as follows:

—district electoral commissions;

—precinct electoral commissions.

The powers of these electoral commissions shall be terminated after recognition of the powers of the people's representatives elected.

Article 14. Powers of the Central Commission for Elections and Referendums in Turkmenistan in Preparations for and Organization of Elections of People's Representatives

The Central Commission for Elections and Referendums in Turkmenistan shall do the following:

1) monitor compliance with this Law on all the territory of Turkmenistan and ensure its uniform application; when necessary submit to the Majlis of Turkmenistan its notions regarding the interpretation of this Law; provide explanations about procedure for applying the Law;

2) direct the activity of the electoral commissions;

3) form electoral district for elections of people's representatives and publish list of districts in the press, indicating their boundaries and centers;

4) form electoral commissions for the vilayets and Ashgabat shekher;

5) distribute money for the electoral commissions;

6) determine the designs for ballot papers and absentee ballot forms, lists of voters, minutes of sessions of electoral commissions, and other electoral documents, and the design of ballot boxes and the seals of electoral commissions, procedure for the safekeeping of electoral documents, printed blanks of electoral documents, and posters with biographical information about candidates, and provide the electoral commissions of the vilayets with them;

7) hear reports from the electoral commissions and from the leaders of ministries and departments in Turkmenistan on matters pertaining to preparations for the holding of elections;

8) monitor for observance of equal conditions for participation by candidates for posts of people's representatives during the course of the election campaign;

9) register the people's representatives elected, bring in the result of voting for the whole of Turkmenistan, and publish in the press a report on the results of elections and a list of people's representatives elected;

10) make decisions on the holding of repeat elections;

11) set elections for people's representatives to replace former people's representatives and ensure that they are held;

12) consider statements and complaints on the decisions and actions of electoral commissions and make final decisions on them;

13) exercise other powers in accordance with this Law and other laws of Turkmenistan.

Article 15. Formation of Electoral Commissions for vilayets and Ashgabat shekher

Electoral commissions for the vilayets and Ashgabat shekher during elections of people's representatives shall be formed by the Central Commission for Elections and Referendums upon representation from the vilayet khyakims and the Ashgabat shekher no later than five days after the date of elections has been set, and shall be made up of 15 to 19 persons. If necessary the makeup of a commission may be altered.

Article 16. Powers of Electoral Commissions of vilayets and Ashgabat shekher

Electoral commissions of the vilayets and Ashgabat shekher on the corresponding territories shall do the following:

1) monitor compliance with this Law and the correctness of elections held;

2) form district electoral commissions for elections of people's representatives;

3) direct the activity of the district and precinct electoral commissions;

4) monitor the provision of electoral commissions with premises, transportation, and communications and deal with other matters pertaining to material-technical support for elections;

5) hear reports from district and precinct electoral commissions, representatives of organs of the local executive authorities and of self-government, and institutions and organizations in matters pertaining to the preparations for and holding of elections;

6) provide assistance to district electoral commissions in preparing ballot papers and absentee ballot forms and the publication of posters with biographical information about candidates;

7) generalize voting results by vilayet and the Ashgabat shekher and pass them to the Central Commission for Elections and Referendums;

8) organize repeat elections and the election of people's representatives to replace former people's representatives;

9) review within the periods set by this Law statements and complaints about decisions and actions of district and precinct electoral commissions and make decisions on them;

10) ensure proper order in the safekeeping of electoral documents as established by the Central Commission for Elections and Referendums;

11) exercise other powers in accordance with this Law.

Article 17. Formation of District Electoral Commissions

A district electoral commission for the election of people's representatives shall be formed in each electoral district no later than 10 days after the date of the elections has been set, and shall be made up of 11 to 15 persons. If necessary the makeup of a district electoral commission may be altered by the commission that formed it.

District electoral commissions shall be formed by the electoral commissions of the vilayets and Ashgabat shekher upon representation from the etrap khyakims and shekhers.

Article 18. Powers of District Electoral Commissions

The district electoral commission shall do the following on the territory of its electoral district:

1) monitor compliance with this Law;

2) form the electoral precincts and precinct electoral commissions and direct the activity of these commissions;

3) hear reports from precinct electoral commissions, representatives of the organs of the local executive authority and local self-government, and the leaders of enterprises, institutions, and organizations in matters pertaining to the preparations for and holding of elections;

4) observe the compilation of lists of voters and make them available for general inspection;

5) resolve questions as provided for by this Law pertaining to the organization of nomination of candidates people's representative and monitor equal conditions for participation by candidates during the course of the election campaign;

6) register candidates for people's representatives nominated and provide them with appropriate credentials, and publish a report on candidates registered, and ensure publication of posters with biographical information about candidates;

7) in a case as provided for in Article 9 of this Law, cancel the registration of a candidate for people's representative;

8) register candidates' agents and provide them with appropriate credentials;

9) organize together with the organs of local self-government and public organizations meetings of candidates for people's representatives with the electors;

10) confirm for the electoral district the text of the voting paper and the absentee ballot form, and ensure that ballot papers and forms are prepared and supplied by them to the precinct electoral commissions;

11) bring in the results of voting for the electoral district and issue certification for the people's representative elected;

12) make the decision on and hold repeat elections, and organize repeat elections, and also the election of people's representatives to replace former people's representatives;

13) review within the periods established by this Law statements and complaints about the decisions and actions of precinct electoral commissions and make decisions on them;

14) exercise other powers in accordance with this Law.

Article 19. Formation of Precinct Electoral Commissions

Precinct electoral commissions shall be formed by the corresponding district electoral commission upon representation from the archyons no later than 40 days before elections, and shall be made up of five to 15 persons. In institutions of Turkmenistan abroad the Central Commission for Elections and Referendums shall form electoral commissions upon representation from the Turkmenistan Ministry of Foreign Affairs. If necessary the formation of precinct commissions shall be permitted no later than five days before elections and they shall have a minimum composition of three persons.

Article 20. Powers of Precinct Electoral Commissions

The precinct electoral commission does the following:

1) compiles lists of voters for the precinct;

2) makes the lists of voters available to electors for inspection and accepts and considers statements on inaccuracies in the list and resolves the issue of making appropriate changes;

3) informs electors of the date of elections and the location of the polling station;

4) ensures preparation of premises for voting, and the ballot boxes;

5) organizes the voting in the electoral precinct on election day, and also on the day of runoff and repeat elections;

6) receives from electors who intend to be absent from their residences on the day of the elections the absentee voter ballots or completed ballot papers;

7) conducts a vote of the ballots submitted at the electoral precinct;

8) reviews within the periods established by this Law statements and complaints concerning matters pertaining to the preparations for the election and the organization of the voting, and makes decisions on them;

9) exercises other powers in accordance with this Law.

Article 21. Organization of the Work of Electoral Commissions

The chairman, deputy chairman, and secretary of vilayet, Ashgabat shekher, district, and precinct electoral commissions shall be chosen at the first session of the corresponding commission and its decision on this shall be published in the press.

Sessions of electoral commissions shall be qualified if at least two thirds of the members of the commission are present. Decisions of a commission shall be reached by show of hands by simple majority of all the members of the commission. Commission members who disagree with the commission's decisions have the right to express a dissenting opinion, which is attached in writing to the minutes.

Decisions of an electoral commission reached within the bounds of its competence shall be binding for compliance by all state and public organizations and enterprises, institutions, and organizations.

The decisions and actions of an electoral commission may be appealed in a higher electoral commission and, in cases as provided for by this Law, also in the courts.

By decision of an electoral commission one of its members may be released from his production or service duties during the period of the preparations for and holding of elections, being paid the average wage from funds allocated for the elections, for the following periods: for a member of a vilayet, Ashgabat shekher, or district commission—for up to two months; for a member of a precinct electoral commission—for up to one month.

The chairman, deputy chairman, secretary, or a member of an electoral commission may be released from his duties in the commission on the initiative of the commission itself or upon representation from the organ, public organization, meeting of a citizens' group or meeting of servicemen that nominated him, and also on the basis of and in accordance with the procedure set forth in Articles 28 and 33 of this Law.

Nomination of a new chairman for an electoral commission, and also the election of a new chairman, deputy chairman, or secretary of a commission shall be done in accordance with the procedure set forth in this Law.

Article 22. Public Nature of the Work of Electoral Commissions

Electoral commissions shall inform citizens about their own makeup, location, and work done, and about candidates for people's representatives registered and biographical information about them, and the results of the voting for each candidate and the election results.

At sessions of electoral commissions, during the sealing or securing of ballot boxes before the start of voting, during the course of voting, and during the count of the votes at the electoral precinct, and during determination

of the results of voting for the district and bringing in the overall results, representatives of political parties, public organizations, assemblies of electors, and organs of state power, and candidates' agents, and also representatives of the press, television, and radio have the right to be present. Appeals from them concerning violations of this Law shall be examined immediately by the electoral commissions.

The powers of these representatives shall be verified with an appropriate document. The intention of representatives to be present on election day in the poll or at sessions of the electoral commissions shall be conveyed to the appropriate electoral commissions no later than two days before the elections.

The mass media shall cover the course of preparations for and the holding of elections. Electoral commissions and state and public organizations shall provide them with information on matters pertaining to the preparations for and holding of elections.

Article 23. Assistance for Electoral Commissions in the Exercise of Their Powers

State and public organs and officials shall be obliged to provide assistance for electoral commissions in the exercise of their powers and make available to them information and materials essential for their work, and to review matters raised by an election commission and respond to them within three days.

CHAPTER IV. LISTS OF VOTERS

Article 24. Lists of Voters and Procedure for Compiling Them

Lists of voters shall be compiled for each electoral precinct and signed by the chairman and secretary of the precinct electoral commission. A precinct electoral commission may recruit representatives of the public to participate in work to compile a list.

Organs of the local executive authorities and local self-government shall ensure registration of electors and pass to the precinct electoral commission the information about electors residing on the corresponding territory needed to compile the lists of voters.

Lists of voters who are military people located in military units, and also family members of servicemen and other electors, if they reside in areas where military units are deployed, shall be compiled on the basis of information made available by the commanding officers of military units. Servicemen residing outside military units shall be included in the lists of voters drawn up for places of residence without any special treatment.

Lists of voters in sanatoriums and rest homes, hospitals, and other permanent institutions, and in institutions of Turkmenistan abroad, shall be compiled on the basis of information provided by the chiefs of these institutions.

The family names of electors shall be indicated in the list of voters in a manner convenient for the organization of the voting.

Article 25. Procedure for Including Citizens on the List of Voters

All citizens of Turkmenistan who have attained the age of 18 years and who at the time that the list is compiled reside on the territory of a given electoral precinct and who have the right to vote shall be included on the lists of voters.

An elector may be included on a list of voters in only one electoral precinct.

Article 26. Inspection by Citizens of Lists of Voters and the Right To Appeal Inaccuracies in the List of Voters

Lists of voters shall be made available for public inspection 10 days before elections, while in electoral precincts set up in sanatoriums and rest homes, hospitals, and other permanent treatment centers they shall be made available two days before elections.

Citizens shall be guaranteed an opportunity to inspect lists of voters in the premises of the precinct electoral commissions and check the correctness of their compilation.

Each citizen shall have the right to appeal omission or incorrect inclusion in a list or removal from a list, and also inaccuracies in the information about the elector, and statements about inaccuracies in the list shall be reviewed by the precinct electoral commission, which shall be obliged to do within two days, while on the eve of the elections and on election day this shall be done immediately, and the necessary corrections shall be made to the list or the person making a statement shall be given a copy of the reasons for a decision denying a statement.

CHAPTER V. NOMINATION AND REGISTRATION OF CANDIDATES

Article 27. Procedure for Nomination of Candidates for People's Representatives

Nomination of candidates for people's representatives shall begin 50 days before elections and end 30 days before elections.

Citizens of Turkmenistan who have attained the age of 25 years by election day may be nominated as candidates for people's representatives.

Nomination of candidates for people's representatives shall be done:

—by political parties, and also public associations and organizations registered in accordance with the procedure established by law, and at meetings (congresses, conferences, plenary sessions, councils) of their central, vilayet, etrap, and shekher organs. Public associations and organizations have the right to hold joint meetings of appropriate organs to nominate candidates;

—by gatherings of citizens that are convened both at the initiative of the district electoral commission and at the initiative of citizens' groups. A meeting is deemed

qualified if at least 200 electors who reside on the territory of the electoral commission are present.

An unrestricted number of candidates may be discussed at gatherings of citizens and meetings of public associations and organizations. Each person present at a meeting has the right to propose candidates, participate in the discussion of them, support or oppose them, and propose himself as a candidate for people's representative for discussion.

At each meeting of gatherings of citizens and meetings of etrap and shekher organs of public associations and organizations, or at joint meetings of several appropriate organs, only one candidate for people's representative may be proposed.

At meetings of central and velayat organs of public associations and organizations, or at joint meetings of several appropriate organs, several candidates may be proposed but not more than one candidate for each electoral district.

A candidate for people's representative shall be deemed to have been nominated when more than half of the members of the corresponding electoral organ of a public association or organization or more than half of those present at a gathering of citizens vote for him.

A decision to nominate shall be reached by show of hands or ballot. Procedure for voting and other procedural matters shall be determined by those present at the gathering or meeting.

A minute of the nomination of a candidate for people's representative to a particular electoral district shall be taken, and shall within a period of two weeks, but not later than the day following the end of the period for nominations, be submitted to the district electoral commission. The decision made to nominate shall be conveyed to the candidate for people's representative within the same period.

The nominated candidate shall report in writing to the district electoral commission his consent to stand as a candidate for the given electoral district before the day of his registration as a candidate for people's representative. The district electoral commission shall inform a candidate for people's representative in good time of the date of registration.

When Majlis deputies, and also officials of the Khalk maslakhati, are nominated as candidates for people's representatives, they shall inform the district electoral commission in writing, either withdrawing their nomination or stating their intention to leave the post they occupy in the event that they are elected as people's representatives.

Article 28. Registration of Candidates to People's Representatives

Registration of candidates for people's representatives shall be done by electoral commissions. It begins 35 days before the elections and ends 25 days before the elections.

The decision to register candidates for people's representatives shall be made when the minutes of the meetings and sessions that nominated the candidates for people's representatives for a given electoral district are available, together with statements from the candidates that they consent to be nominated for that district.

The district electoral commission shall record a minute on the registration of candidates for people's representatives and this together with the statements of the candidates shall be submitted to the Central Commission for Elections and Referendums.

The district electoral commission shall be obliged to register all candidates for people's representatives nominated in compliance with this Law. Refusal to register a candidate may be appealed within three days in the Central Commission for Elections and Referendums.

A candidate for people's representative may be registered only in one electoral district. Appropriate credentials are issued to each registered candidate for people's representative.

A person nominated as a candidate for people's representative who is a member of any electoral commission shall be deemed to have been relieved of his duties in the commission from the moment of registration of his candidacy for people's representative.

The district electoral commission shall no later than the fourth day following registration of candidates for people's representatives publish in the press a report on the registration, indicating the given name, patronymic, and family name, date of birth, occupation, (employment), place of work and place of residence of each candidate for people's representative.

Article 29. Cancellation of a Decision To Nominate a Candidate for People's Representative. Withdrawal by a Candidate of His Own Nomination

Political parties and public associations and organizations in the figure of their central, vilayet, etrap, and shekher organs, and gatherings of citizens that have nominated a candidate for people's representative shall have the right at any time before the elections to cancel their own decision to nominate a candidate for people's representative. The decision in this matter is reached in accordance with the procedure set forth for the nomination of candidates for people's representatives and is submitted to the district electoral commission.

At any time before the elections a candidate for people's representative may withdraw his own nomination by submitting a statement to this effect in writing to the district electoral commission.

The electoral commission shall inform the district electorate of any cancellation of a decision on the nomination of a candidate for people's representative and the withdrawal of a candidate of his own nomination.

Article 30. Procedure for Nomination of Candidates for People's Representatives To Replace Former People's Representatives

In the event that a candidate for people's representative withdraws after the period for nomination of candidates, if no other candidates remain the district electoral commission shall refer to the central, vilayet, etrap, and shekher organs of the political parties and public associations and organizations, and also to the electors in the district, asking for the nomination of new candidates for people's representatives. When a candidate withdraws less than 20 days before election day, the people's representative of the corresponding electoral district shall remain for a period of two months after the general elections.

Nomination of candidates for people's representatives to replace former candidates for people's representatives shall be done in accordance with the procedure established by this Law.

Article 31. The Ballot Paper

The ballot paper shall show in alphabetical order all the registered candidates for people's representatives for a given electoral district, showing the given name, patronymic, and family name, occupation (employment), place of work, and place of residence of each candidate for people's representative. Ballot papers shall be printed in the official language and in other languages used by a majority of the population within an electoral district.

CHAPTER VI. GUARANTEES FOR THE ACTIVITY OF CANDIDATES FOR PEOPLE'S REPRESENTATIVES

Article 32. Rights of Candidates for People's Representatives

From the time of their registration by district electoral commissions, candidates for people's representatives shall have an equal right to appear at election and other gatherings, meetings, and sessions, and in the press and on television and radio.

State and public organs, leaders of enterprises, institutions, and enterprises, and organs of local executive power and local self-government shall be obliged to provide assistance for candidates for people's representatives in the organization of meetings with electors and in obtaining essential reference material and information.

The use by candidates for people's representatives of their own service position in waging an election campaign shall be prohibited.

After registration, a candidate for people's representative may be released from fulfillment of his production or service duties for time spent in meetings with electors and making speeches at election meetings and on television and radio, being paid the average monthly wage for the job from funds allocated for the elections.

After registration a candidate for people's representative shall have the right of free travel on all kinds of passenger transportation (except taxicabs) within the boundaries of the corresponding electoral district.

A candidate for people's representative may not be held criminally liable, arrested, or in any other way detained without the agreement of the Central Commission for Elections and Referendums.

Article 33. Agents of a Candidate for People's Representative

A candidate for people's representative shall have the right to have three agents who help him in the conduct of the election campaign, engage in campaign work for his election as a people's representative, represent his interests in mutual relations with state and public organs and electors, and also in the electoral commissions.

After registration a candidate for people's representative shall specify agents at his own discretion and inform the district electoral commission so that they may be registered. After registration of agents the electoral commission provides them with credentials. A candidate for people's representative has the right at any time before the elections to replace agents.

An agent may not be a member of the corresponding electoral commission. The powers of agents terminate after recognition of the powers of the people's representative elected.

Article 34. Election Campaigning

Political parties, public associations and organizations, and groups of citizens that nominate candidates for people's representatives shall have the right of unhampered election campaigning for their candidates after they have been nominated. Organs of the local executive authorities and local self-government shall provide them with equipped premises for meetings, and also the facilities of the mass media to engage in election campaigning.

All citizens, political parties, and public associations and organizations shall be guaranteed the opportunity for free and comprehensive discussion of the political, business, and personal qualities of candidates for people's representatives, and also the right to campaign for or against a candidate at meetings and on television and radio.

Candidates for people's representatives shall hold meetings with their own constituents both at meetings and in any other form convenient for constituents. Meetings of constituents shall be organized by the district electoral commission together with the appropriate organs of the local executive authority and local self-government.

Electors shall be informed in good time about the time and venue of gatherings and meetings.

Campaigning shall not be permitted on election day.

CHAPTER VII. PROCEDURE FOR VOTING AND BRINGING IN THE RESULTS OF VOTING

Article 35. Time and Venue for Voting

In elections for people's representatives voting shall take place on election day from 0700 to 2000 local time. The

electoral commission shall inform electors of the time and venue for voting no later than 10 days before the elections.

At electoral precincts formed in military units in remote locations and locations difficult of access, and in institutions of Turkmenistan abroad, the precinct electoral commission may announce the voting closed at any time if all electors on the list of voters have voted, and start the count of votes before 2000.

Article 36. Organization of Voting

Voting shall be done in premises specially set aside for it, which should be equipped with an adequate number of polling booths or rooms for ballots, and the place where ballot papers are to be distributed shall be indicated, and ballot boxes shall be so arranged that when they approach them voters must necessarily pass through the polling booths or rooms.

Responsibility for the organization of voting and guaranteeing the confidentiality of the will of voters, and for the equipping of the premises and maintaining everything in them in proper order, shall rest with the electoral commission.

On election day, before the start of voting the ballot boxes shall be checked and sealed or secured by the chairman of the precinct electoral commission in the presence of all members of the commission.

Each elector shall vote personally; voting for other persons shall not be permitted. Ballot papers shall be distributed by the precinct electoral commission based on the list of voters for the electoral precinct upon presentation of a passport or other document verifying identity. The list of voters shall be annotated as ballot papers are issued.

In cases in which because of their state of health or for other reasons voters are unable to be present at the premises to vote, at their request the electoral commission shall assign particular members of the commission to organize voting wherever these voters may be.

Article 37. Voting

The ballot paper shall be completed by the voter in a polling booth or room. When a ballot paper is being completed no one shall be present except the voter. A voter who is unable to complete a ballot paper independently has the right to ask another person into the booth or room at his own discretion, except for members of the electoral commission, representatives of political parties and public organizations, and agents of candidates for people's representatives.

In elections for people's representatives the voter strikes through on the ballot paper the names of those candidates against whom he is voting.

The voter places the completed ballot paper in a ballot box.

Article 38. Voting Procedure for Voters Who Are Absent From Their Place of residence on Election Day

Voters who are unable to be at their own place of residence on election day (because they are away on business trips, vacation, or undergoing medical treatment) shall have the right to express their will to the precinct electoral commission beforehand with respect to the nominated candidates for people's representatives.

From the time that the lists of voters are made available for public inspection it shall be possible to obtain from the electoral precinct an absentee ballot form, or a ballot paper if the printed ballot papers have already been delivered to the electoral precinct. An absentee ballot form or a ballot paper shall be issued to a voter on the basis of the list of voters upon presentation of passport or other document verifying identity, of which an annotation shall be made on the list of voters.

In conditions that exclude the possibility of monitoring his will, the voter shall strike through on the form or ballot paper the names of those candidates against whom he is voting. The completed list or ballot paper shall be placed in a ballot box for the votes of absentee voters. This ballot box shall be promptly sealed in the presence of all members of the precinct electoral commission. On election day, before the start of voting all unused absentee ballot forms shall be counted and canceled by the precinct electoral commission.

Article 39. Counting the Votes at an Electoral Precinct

The counting of votes at the electoral precinct shall be done separately for each candidate for people's representative.

Ballot boxes, including those for absentee votes, shall be opened by the precinct electoral commission after the chairman of the commission has announced the end of voting. It shall be prohibited to open the ballot boxes before the voting has ended. Before ballot boxes are opened, all unused ballot papers shall be counted and canceled by the precinct electoral commission.

The precinct electoral commission shall determine from the list of voters the total number of electors for the precinct, and also the number of electors who have received ballot papers and absentee ballot forms. On the basis of the ballot papers and the absentee ballot forms inside the ballot boxes, the following shall be determined: the total number of electors who have taken part in the voting, and the number of votes cast for and against each candidate for people's representative; the number of ballot papers and absentee forms deemed to be spoiled. Votes for the names of citizens additionally written in by voters on ballot papers and absentee forms shall not be counted. A ballot paper or absentee form on which a vote has been cast for a candidate for people's representative who withdrew before election day shall not be considered in the count of votes.

Ballot papers and absentee forms that are of an unapproved design shall be deemed to be spoiled. If there is doubt about the genuineness of a ballot paper or absentee form the issue shall be resolved by the electoral

commission by vote. If more than one candidate has been left on a ballot paper or absentee form it shall be deemed to be spoiled.

The results of the count of votes shall be reviewed at a meeting of the precinct electoral commission and written into the minutes. The minutes shall be signed by the chairman, deputy chairman, secretary, and members of the commission and immediately forwarded to the district electoral commission in accordance with the procedure established by the Central Commission for Elections and Referendums. Dissenting opinions of members of the commission and statements and complaints received by the commission regarding violations permitted during the course of the voting or the counting of the votes shall be attached.

Article 40. Determination of the Results of Elections for an Electoral District

On the basis of the minutes from the precinct electoral commissions the district electoral commission shall determine the following: the number of electors who received ballot papers and absentee forms; the number of electors taking part in the voting; the number of votes cast for and against each candidate for people's representative; the number of ballot papers or forms deemed to be spoiled.

The candidate for people's representative who in the election has received more than half of the votes of electors taking part in the voting shall be elected.

A district electoral commission may adjudge an election to be null and void because of violations of this Law permitted during the course of the elections or during the counting of votes.

Elections shall be adjudged null and void if less than half of the electors included on the lists of voters took part in them, and also in connection with the death of a candidate for people's representative if only one candidate was registered for a district.

The results of the election for an electoral district shall be established at a meeting of the district electoral commission and shall be written into the minutes. The minutes shall be signed by the chairman, deputy chairman, secretary, and members of the commission and forwarded to the vilayet or Ashgabat shekher electoral commission for generalization of the results of voting by vilayet or shekher, with subsequent forwarding of the minutes of the district, vilayet, and Ashgabat shekher electoral commissions to the Central Commission for Elections and Referendums in accordance with procedure established by it.

A report on the results of elections for the electoral district shall be published in the local press by the corresponding district electoral commission within the period set by the Central Commission for Elections and Referendums. The following shall be included in the report: the total number of citizens included on the lists of voters; the number of electors taking part in the voting; the number of votes cast for and against each

candidate; the number of ballot papers and forms deemed to have been spoiled; the given name, patronymic, and name, occupation (employment), place of work, and place of residence of the elected people's representative.

Article 41. Registration of People's Representatives

The Central Commission for Elections and Referendums in Turkmenistan shall register the elected people's representative on the basis of the minutes received from the district electoral commissions.

The Central Commission may refuse to register a people's representative and adjudge elections null and void if during the course of the elections or during the counting of votes any determination of the results of the elections took place in violation of this Law.

Article 42. Publication of the Results of Elections for People's Representatives

The Central Commission for Elections and Referendums shall publish in the press within 10 days a report on the results of elections and a list of people's representatives elected, indicating their given names, patronymics, and family names, occupation (employment), place of work, and place of residence, and the electoral district from which they were elected.

Article 43. Recognition of the Powers of People's Representatives

The question of recognizing the powers of elected people's representatives shall be considered at a meeting of the Khalk maslakhaty.

CHAPTER VIII. RUNOFF ELECTIONS. REPEAT ELECTIONS AND ELECTION OF PEOPLE'S REPRESENTATIVES TO REPLACE OTHER PEOPLE'S REPRESENTATIVES

Article 44. Runoff Elections

If three or more candidates for people's representatives are nominated for an electoral district and none of them is elected the district electoral commission shall reach a decision on holding a runoff election in the district for the two candidates who received the greatest number of votes. The district electoral commission shall inform the Central Commission for Elections and Referendums of this decision and shall inform the electors in the district. The runoff election in the electoral district shall be held within two weeks, observing the requirements of this Law.

The candidate for people's representative who in a runoff election receives the greater number of votes of electors taking part in the voting relative to the other candidate shall be declared elected.

In the event of withdrawal of one of the candidates for various reasons, the runoff election is held for the one remaining candidate for people's representative. He is deemed to have been elected if he has received more than half of the votes of electors taking part in the voting.

In a runoff election a precinct electoral commission may declare the voting ended at any time if all the voters on the lists of voters have voted.

Article 45. Repeat Elections

If no more than two candidates for people's representatives have been nominated for an electoral district and neither of them is elected, either the elections for the electoral district shall be adjudged not to have taken place or to have been null and void, or a runoff election has not made it possible to determine who has been elected as people's representative, the Central Commission for Elections and Referendums shall make a decision and assign the district electoral commission to hold repeat elections in the electoral district. When this is done it may decide that there is a need to hold elections with new district and precinct electoral commissions. Voting shall take place for the same electoral precincts and using the same lists of voters compiled for holding general elections.

When repeat elections are held those candidates for people's representatives who were not elected at the general elections may be nominated again.

Repeat elections shall be held no later than two months after general elections. Nomination and registration candidates for people's representatives and other measures shall be implemented in accordance with the procedure established by this Law. The electors in the district shall be informed about the repeat elections.

The candidate who receives more than half of the votes of electors taking part in the voting shall be deemed to have been elected.

Article 46. Holding Elections for People's representatives To Replace Former People's Representatives

In the case of early withdrawal of a people's representative, within a period of three months from the time of his withdrawal new elections shall be held in the corresponding electoral district. Elections shall be set by the Central Commission for Elections and Referendums no later than two months before they are to be held, and they shall be organized observing the requirements of this Law.

In the case of withdrawal of a people's representative less than one year before expiration of his term as a people's representative, elections for a people's representative to replace another people's representative shall not be held.

[Signed] S. NIYAZOV, president of Turkmenistan
Ashgabat city
30 September 1992