

Who is entitled to inherit land and other immovable property?

Section VI Civil Code of the Kyrgyz Republic and Articles 55-67 of the Law of the Kyrgyz Republic "On Notarization"

BY WILL

1. The persons specified in the will.
2. Minor and disabled children (daughters and sons), disabled wife (husband), mother and father of the testator are entitled to a compulsory share in the inheritance, regardless of the content of the will.

BY LAW IN ORDER OF PRIORITY

- Children (daughters and sons), wife (husband), mother and father;
- Full and half sisters and brothers, grandmother and grandfather;
- Native aunts and uncles, cousins and brothers;
- Relatives up to the 6th degree of consanguinity;
- Disabled dependents of heritage.

1

The heir (s) must present a statement asserting their inheritance rights to the notary where the inheritance was initiated within a maximum of 6 months from the inheritance commencement date.

2

UPON BEING INFORMED OF THE COMMENCED INHERITANCE, THE NOTARY:

- Verifies the testator's death, as well as the time and location of the inheritance initiation, and assesses the property's composition.
- Implements protective measures for the inherited property.
- Confirms the existence of a will.
- Validates the individuals eligible for the compulsory share in the inheritance.
- Is obligated to notify known heirs at their place of residence or work.
- Ascertains the rights of individuals who have asserted their lawful inheritance claims.

3

THE NOTARY ISSUES A CERTIFICATE OF RIGHT TO INHERITANCE (by will or by law)

4

THE HEIR (S) SUBMITS DOCUMENTS TO THE LOCAL REGISTRATION AUTHORITY FOR STATE REGISTRATION OF THE RIGHT TO INHERIT REAL ESTATE WITHIN 30 DAYS.

CASES OF DENIAL OF INHERITANCE RIGHTS

- Is not entitled to;
- Invalidity of the will;
- Unworthy heirs.



The contacts of local public notaries can be accessed via the [Ministry of Justice of the Kyrgyz Republic website](http://minjust.gov.kg/ru/content/686) under the “Registers of public and private notaries” section <http://minjust.gov.kg/ru/content/686>

If, in accordance with cultural customs, family-owned land shares and other communal properties initially intended for inheritance by various family members (daughters, mothers, eldest sons, etc.) are unlawfully transferred to the youngest son, it is permissible to seek resolution through the aksakals’ court or the district court situated where the property is located. Aksakals’ courts possess the authority to adjudicate matters concerning the recovery and reclaiming of property wrongfully held by others.



Inheritance of Land Without a Will

The right to inherit is possible by Will and by Law as per Article 1149 of the Civil Code of the Kyrgyz Republic.

By Will:

1. The persons named in the will (this can be any person, even non-relatives).
2. Minor and disabled children (daughters and sons), disabled wife (husband), mother and father of the testator are entitled to a compulsory share in the inheritance, regardless of the content of the will.

Hierarchy of Inheritance by Law:

- a. Children (daughters and sons), wife (husband), mother, and father.
- b. Full and half sisters and brothers, grandmother, and grandfather.
- c. Native aunts and uncles, cousins, and brothers.
- d. Relatives up to the 6th degree of consanguinity.
- e. Disabled dependents of the testator.



PROCEDURE STEPS



Step 1.

The designated heir submits a formal application asserting his or her right to inherit the land plot to the notary at the location of inheritance within 6 months of the inheritance opening.



Step 2.

Upon application approval, the heir is issued a Certificate of Right to Inherit the land plot, specifying whether it is through a will or by law.



Step 3.

The heir, with the consent of all accepting heirs, submits the necessary documents to the local registration authority for the state registration of the inherited land plot within 30 days.

RESOURCES

Attached documents/contacts (as of December 31, 2023):

Title VI Inheritance Law of the Civil Code of the Kyrgyz Republic.

The fees for notarial services and the issuance of copies (duplicates) of notarized documents are as follows, based on the Resolution of the Government of the Kyrgyz Republic dated July 18, 1994, No. 521, "On Approval of State Duty Rates":

Certification of Wills:

Simple will: 50% of 1-fold amount of the calculated index (**50 som**).

Secret will: 5 times the amount of the calculation index (**500 som**).

Issuance of Certificate of Right to Inheritance:

Children, parents, spouse: **1000 som**.

Brothers, sisters, grandmothers, grandfathers, grandchildren: **2000 som**.

Other heirs: **5000 som**.

Issuance of Certificate of Ownership of a Share in Common Property of Spouses:

1-fold of the calculated indicator (**100 som**).

Note: These fee structures are outlined in accordance with the government resolution and are subject to change as per official updates.

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