

**INTERIM REPORT**  
**5–26 September 2017**

**29 September 2017**

**I. EXECUTIVE SUMMARY**

- The Kyrgyz Republic will hold a presidential election on 15 October 2017. The president is directly elected for a single six-year term. If no candidate receives more than one half of votes cast, a second round is held between the two candidates with the most votes. The law does not define a clear deadline for holding a possible second round.
- The Central Commission for Elections and Referenda (CEC) has registered 13 presidential candidates, including one woman. Five of the registered candidates were nominated by political parties, while the other eight were self-nominated. In total, the CEC received 59 applications of which 9 were withdrawn by the nominees and 37 were rejected for not fulfilling all legal requirements. One candidate withdrew from the race after the registration.
- The CEC holds regular, public sessions and has so far respected all legal deadlines. The election is managed by a three-tiered administration comprising the CEC, 54 Territorial Election Commissions (TECs) and some 2,300 Precinct Election Commissions. The TECs visited by the OSCE/ODIHR Election Observation Mission (EOM) to date are well-resourced and operational.
- The voter register contains the records of some 3 million eligible voters who have passed biometric registration. Voter lists are available for public scrutiny, and voters can request correction, inclusion, or transfer to a temporary voting address. OSCE/ODIHR EOM interlocutors evaluate the accuracy of the voter register positively, while, at the same time, noting that a significant number of citizens, especially those residing abroad, might not yet appear on the register, mainly because they did not undergo biometric registration.
- The election campaign started on 10 September. So far, only a few candidates and their regional structures have been actively campaigning throughout the country. Two candidates have publicly endorsed other contestants since the start of the official campaign. The OSCE/ODIHR EOM has received some allegations of misuse of public resources, pressure on voters, and vote-buying.
- Recent amendments to the electoral law significantly increased the limits for contributions and donations to candidates' campaigns and removed the limit on campaign spending. The law does not provide for the disclosure of the sources of campaign finance.
- The electoral law requires that media provide unbiased information and treat candidates equally. However, no institutional media monitoring is conducted to ensure compliance with the law. Several debates will be held on public broadcasters as part of the free airtime provided to candidates. The number of civil defamation cases in which public officials have claimed and, at times, been awarded disproportionate damages has increased recently, which may affect media freedom.
- The CEC has so far addressed some 40 complaints, primarily regarding candidate registration, campaign violations by candidates and media outlets, as well as abuse of public resources. The courts have so far upheld all CEC decisions that were appealed.

- The OSCE/ODIHR Election Observation Mission opened on 5 September, with a 17-member core team in Bishkek and 26 long-term observers deployed throughout the country.

## II. INTRODUCTION

On 15 October 2017, the Kyrgyz Republic will hold a presidential election. The date was subject to recent amendments to the Constitutional Law on Presidential and Parliamentary Elections (hereinafter electoral law) that advanced the election by one month from the initially planned date of 19 November in order to ensure that the presidency does not remain vacant at the end of the incumbent's mandate.

Following an invitation from the Central Commission for Elections and Referenda (CEC), the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) established an Election Observation Mission (EOM) on 5 September. The mission, led by Ambassador Alexandre Keltchewsky, consists of a 17-member core team based in Bishkek and 26 long-term observers (LTOs) deployed on 13 September to 10 locations around the country. The OSCE/ODIHR EOM is drawn from 23 OSCE participating States. The OSCE/ODIHR has requested participating States to second 350 short-term observers to observe voting, counting, and the tabulation of results. The OSCE/ODIHR has previously observed nine elections and one referendum in Kyrgyzstan.<sup>1</sup>

## III. BACKGROUND AND POLITICAL CONTEXT

The 2017 presidential election will be the second one since the adoption of the current Constitution in 2010, and under which the incumbent president cannot stand for re-election. The last amendments to the constitution were initiated in 2016 by members of the parliament (MPs), including from President Atambaev's Social Democratic Party of Kyrgyzstan (SDPK). This initiative met strong resistance from the opposition and civil society organizations who claimed that the law prohibited changes to the constitutional powers of the president and parliament until 2020. These amendments were eventually adopted through a referendum in December 2016 leading to, *inter alia*, changes in the separation of powers and the independence of the judiciary. OSCE/ODIHR and the Council of Europe European Commission for Democracy through Law (Venice Commission) in their assessment of the amendments noted potentially negative consequences for the rule of law and the protection of human rights.<sup>2</sup>

The 2015 parliamentary elections resulted in six parties and coalitions entering the parliament: *Ata Meken*, *Bir Bol*, *Kyrgyzstan*, *Onuguu-Progress*, *Respublika-Ata Jurt*, and the SDPK. In November 2016, an SDPK-led governing coalition was formed with the participation of *Bir Bol* and *Kyrgyzstan*.

## IV. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

The legal framework for presidential elections comprises the 2010 Constitution, 2011 electoral law, 2011 Law on Electoral Commissions for the Conduct of Elections and Referenda (Law on Election Commissions), and other legislation.<sup>3</sup> The CEC is authorized to issue normative resolutions regulating different aspects of the electoral process within its competence and on the basis of the law.

The last amendments to the electoral law from June 2017 changed, *inter alia*, provisions related to campaigning in online media, handling of voter lists, voter identification, election-day procedures, campaign financing, electoral deposits, and the status of citizen observers.

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<sup>1</sup> See all previous [OSCE/ODIHR reports on Kyrgyzstan](#).

<sup>2</sup> See OSCE/ODIHR and Venice Commission's [Joint Opinion on the draft Law "On Introduction of Changes and Amendments to the Constitution"](#). While most constitutional amendments entered into force in January 2017, the amendments related to the powers of the president and the parliament will enter into force on 1 December 2017.

<sup>3</sup> Including the 1999 Law on Political Parties, the 2012 Law on Peaceful Assemblies, the 1998 Code on Administrative Liability, and the 1997 Criminal Code.

The president is elected for a six-year term by direct universal suffrage. A candidate who receives more than one half of the votes cast in the first round is declared elected. If no candidate receives the required majority, a runoff takes place between the two candidates with the most votes. The second round is held no earlier than two weeks from the announcement of the first-round results, which the CEC must establish within 20 days after the first round. There is no turnout requirement for the validity of either round.

## V. ELECTION ADMINISTRATION

Presidential elections are administered by the CEC, 54 Territorial Election Commissions (TECs) and some 2,300 Precinct Election Commissions (PECs). Out-of-country voting will be conducted at 37 polling stations established in embassies and consulates of the Kyrgyz Republic.

The CEC is a permanent, collegial body responsible for the organization of elections. CEC members are appointed for a five-year term by the parliament, upon nominations from the president, the parliamentary majority and opposition (each nominates four members).<sup>4</sup> CEC sessions are public and regularly attended by various stakeholders.<sup>5</sup> Most sessions that the OSCE/ODIHR EOM observed included substantive and extensive discussions involving CEC members and candidate representatives. At times, these discussions were tainted by mutual personal accusations among CEC members that on one occasion negatively impacted the CEC decision-making process.

Some CEC members publicly stated that they often receive the agenda and draft CEC decisions only shortly before the respective session, which limits their ability to prepare and participate in the session in a meaningful way.<sup>6</sup> While, in practice, the CEC posts the session agenda on its website only after each session, attendees, including observers, receive it via email shortly before the session.

Decisions are taken by the majority of votes of the appointed CEC members. The legislation provides for mandatory participation of members in all sessions. However, according to the practice, those who expect to be absent may leave their votes in advance for or against a decision in writing.<sup>7</sup> On a number of occasions, such votes have been deposited and counted, even though some draft decisions were amended during the respective session.

TECs and PECs are formed for two-year terms.<sup>8</sup> OSCE/ODIHR EOM observed that technical preparations for the upcoming election are underway, and the TECs visited thus far were well-resourced and operational. Overall, women are well represented in TECs, accounting for 48 per cent of all members, as well as for 33 per cent of TEC chairpersons.

The legal framework recognizes the right of persons with disabilities to political participation, including the right to elect and to stand as a candidate, the right to assembly, and the right to access to information.<sup>9</sup> The electoral law stipulates that voting premises must be accessible for persons with disabilities. In April 2017, the CEC established a working group to support greater participation of

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<sup>4</sup> Five of the 12 current CEC members, including the chairperson and one of her two deputies, are women.

<sup>5</sup> Since the election was called, the CEC has conducted some 60 sessions and adopted some 250 decisions and regulations on a variety of issues.

<sup>6</sup> On 20 September, four CEC members held a press conference where they voiced their concerns.

<sup>7</sup> Article 25 of the Rules of Procedures of the CEC stipulates that a CEC member who is absent for valid reasons may familiarize herself or himself with the agenda and draft resolutions in advance and leave her/his decision in writing. In such cases, the member is considered to have voted.

<sup>8</sup> One half of the members of each commission are nominated by political parties, while the rest are nominated by local councils. Each political party can only have one member in a TEC or a PEC.

<sup>9</sup> See the 2008 Law on the Rights and Guarantees of Persons with Disabilities.

citizens with reduced health conditions and implement practical steps to facilitate their voting rights. The working group includes representatives of the government, non-governmental organizations (NGOs), and the Bishkek city administration. Most OSCE/ODIHR EOM civil society interlocutors appreciate the efforts of the working group but acknowledge that the compressed timeframe may not allow some practical steps to be implemented at all polling stations prior to this election.

All polling stations will be provided with automatic ballot scanners attached to ballot boxes. The CEC organized trainings for PEC members on the use of the scanners. The CEC also prepared and aired on public television voter information spots focusing on voter registration and on vote-buying; with one of the spots supported by sign language.

## VI. VOTER REGISTRATION

While the Constitution grants the right to vote to all citizens who have attained the age of 18 on election day, the electoral law disenfranchises those serving a prison sentence, irrespective of the crime committed, and those having been declared incapacitated by a court decision.<sup>10</sup> In addition, to be registered as a voter, eligible citizens must submit their biometric data to the State Registration Service (SRS).

The voter registration system is passive. Voter lists are extracted from the nationwide, electronic Unified Population Register maintained and updated by the SRS who also assigns voters to polling stations. As of 21 September, the updated voter register contained 2,973,525 voters.<sup>11</sup> Most OSCE/ODIHR EOM interlocutors evaluate the accuracy of the voter register positively and assess it as a step towards inclusiveness, while noting that a significant number of citizens, especially those residing abroad, might not yet appear on the register, mainly because they did not undergo biometric registration.

Starting from 16 August, citizens can verify their voter information online or via copies of voter lists posted for public scrutiny at PECs.<sup>12</sup> Voters can request corrections, inclusions, or transfer to a temporary voting address until 29 September. The SRS informed the OSCE/ODIHR EOM that as of 25 September, 129,789 voters had requested that their voting address be changed in order for them to vote at their place of stay on election day, and 12,067 citizens initiated other corrections in the lists.<sup>13</sup> Citizens who have not deposited their biometric data are redirected by the respective PEC to one of the 127 biometric registration points. The law requires the final voter lists be published on the CEC website and hardcopies be posted at PECs no later than 12 October. Voters may request voting via mobile ballot box until 12 October.<sup>14</sup>

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<sup>10</sup> Article 29 of the [Convention on the Rights of Persons with Disabilities](#) (CRPD) stipulates that state parties to the convention shall “Ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others; [...] including the right and opportunity for persons with disabilities to vote and be elected”. Importantly, no exceptions based on disability type are foreseen. The CRPD was signed by the president of the Kyrgyz Republic in 2011; however, the parliament has thus far not ratified it.

<sup>11</sup> According to data from the National Statistical Committee, there are 3,876,985 Kyrgyzstani citizens who are 18 years or older.

<sup>12</sup> Voters may verify their data on the website [shailoo.srs.kg](#), or through the SRS call centre by phone or SMS. As of 25 September, some 169,050 SMS and 33,119 hotline queries were reportedly submitted.

<sup>13</sup> According to the SRS, 43,395 citizens transferred their voting addresses to Bishkek and 28,216 to Osh. Thirty-three new polling stations were created in Bishkek to accommodate the needs of those applying for voting addresses in the capital.

<sup>14</sup> Voters entitled to vote via mobile ballot box include citizens with disabilities or health issues, those staying in hospitals and in detention centres, people living in hard-to-reach areas, and those serving in military units far from populated areas. Mobile voting will take place on 14 October.

On election day, voters will be identified by electronic voter authentication devices (VADs), which store an electronic copy of the voter list of the polling station. The SRS has trained the VAD operators and tested the VADs in the presence of observers.

## VII. CANDIDATE NOMINATION AND REGISTRATION

Any Kyrgyzstani citizen between the age of 35 and 70, who has resided in the country for more than 15 years in total and has command of the state language, can run for president.<sup>15</sup> The electoral law bans from candidacy individuals who are not eligible to vote, as well as those with un-expunged or unexpired criminal records.<sup>16</sup> Candidates can be nominated by political parties or through self-nomination.

Each prospective candidate must establish an electoral fund and submit a document certifying the submission of an electoral deposit.<sup>17</sup> Furthermore, candidates are required to support their nomination by providing signatures of at least 30,000 voters. Of these, 20 per cent are randomly selected and verified by the CEC.<sup>18</sup> While the signature verification process is open to candidate representatives, the law is silent regarding the right of citizen observers to scrutinize the verification process.

By the 31 August deadline, the CEC received applications from 59 nominees, including 7 women. Of these, 11 were from nominees of political parties, while 48 came from self-nominated candidates.<sup>19</sup> Nine nominees withdrew before being registered, and the CEC denied registration to another 37 prospective candidates, mostly due to failure to establish electoral funds, provide sufficient support signatures, or pass the language test. Seven rejected candidates appealed the respective CEC decisions to the court without success. By the 10 September deadline, the CEC registered 13 candidates, including 1 woman and 5 candidates nominated by parties. Candidates can withdraw from the race until three days before the election day.

Despite previous OSCE/ODIHR recommendations, broad grounds are provided for in the law regarding the deregistration of candidates, including for violating campaign finance regulations and campaign rules, or if candidates or their representatives are involved in vote-buying.

## VIII. CAMPAIGN ENVIRONMENT AND CAMPAIGN FINANCE

The election campaign period started on 10 September and will last until 13 October.<sup>20</sup> On 16 September, five presidential candidates signed a code of honour, which commits them to follow the electoral legislation, show mutual respect and tolerance for political opponents, refrain from abusing state resources and vote-buying.

Only a few candidates and their regional structures are actively campaigning throughout the country. Campaign materials of Omurbek Babanov and Sooronbay Jeenbekov have been the most visible during the first two weeks of the campaign, followed by those of Temir Sariyev.

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<sup>15</sup> The 2017 amendments to the electoral law specify that candidates must provide language proficiency certificates.

<sup>16</sup> Prospective candidate Ahmatbek Keldibekov was denied registration due to his criminal record, which is due to expire in November 2017.

<sup>17</sup> The 2017 amendments to the electoral law increased tenfold the electoral deposit, to 1 million Kyrgyzstani *Soms* (KGS, some EUR 12,200). EUR 1 is approximately KGS 82. The deposit is returned to candidates who receive at least 5 per cent of all votes cast.

<sup>18</sup> The electoral law allows for full or partial verification of signatures. Criteria for determining the validity of the support signatures and details on verification process are regulated by the CEC Instruction No. 165 of 17 June 2017. Several among the self-nominated nominees have a party affiliation.

<sup>20</sup> The electoral law bans the participation in campaigns of certain individuals, including public officials, charity workers, religious figures, and minors. Copies of all campaign materials are to be submitted to the CEC. In practice, candidates do so before distributing such materials, resulting in *de facto* pre-approval of their content.

After the beginning of the campaign, candidate Bakyt Torobaev reached an agreement with candidate Babanov under which he would support Mr. Babanov in return for becoming prime minister if the latter is elected president.<sup>21</sup> In parallel, candidate Kamchybek Tashiev has publicly expressed his preference for Mr. Jeenbekov and later withdrew from the race.

Women remain underrepresented in political life, including in elected office. Currently, 19 of the 120 members of parliament (MPs), 3 of the 22 members of the government, and none of the 9 governors are women. The OSCE/ODIHR EOM observed a strong predominance of men among campaign staff.

The OSCE/ODIHR EOM has received allegations of abuse of public resources and pressure on voters, as well as of vote-buying. Several such cases were also reported by the media, in particular regarding pressure on university students to vote for one of the candidates. On 21 September, Prime Minister Sapar Isakov dismissed Deputy Prime Minister Duishenbek Zilaliev from the post of the head of Task Force for organizing and holding the presidential election after it emerged that Mr. Zilaliev, during a meeting in Batken city hall, had called on state employees to vote for candidate Jeenbekov.

Election campaigns may be financed from candidates' own contributions, as well as by donations from citizens and legal entities.<sup>22</sup> Candidates do not receive public funding. In June, the limits for own contributions and for donations for election campaigns were significantly increased, while the limit on campaign spending was removed from the law.<sup>23</sup>

Candidates are required by law to open designated bank accounts where all campaign funding should be transferred. All expenses related to their candidacy and campaign should be paid from this account.<sup>24</sup> The CEC publishes on a weekly basis the total amount of income, expenditure and balance on these accounts.<sup>25</sup> The electoral law does not require disclosure of sources of campaign finance. The CEC issued an instruction, which provides for interim reports of campaign revenues and expenditures to be sent to the CEC no later than 10 days prior to election day, and final campaign finance reports within 10 days after election day. These reports are audited by the CEC audit group led by a CEC member to oversee compliance with campaign finance rules. There is no requirement to publish audit results.

## IX. MEDIA

The Constitution guarantees freedom of expression and explicitly prohibits criminal prosecution for defamation. However, a May 2014 amendment to the Criminal Code, on “knowingly false report of a crime”, could *de facto* criminalize defamation.<sup>26</sup> In the absence of a cap on damages awarded in civil defamation cases, national and international media NGOs report disproportionate claims by public officials in an increasing number of cases.<sup>27</sup> Furthermore, the Law on Guarantees for Activity of the

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<sup>21</sup> According to the Constitution, the president appoints the prime minister nominated by the party or coalition which holds a parliamentary majority.

<sup>22</sup> Donations from foreign sources and stateless individuals, public bodies and companies with state participation, religious and charitable organizations, tax and social security debtors, and anonymous donors are prohibited.

<sup>23</sup> A candidate may contribute KGS 15 million, while an individual or legal entity may donate up to KGS 50 million.

<sup>24</sup> Nominees Omurbek Tekebaev and Iskhak Masaliev were denied registration because they did not pay from their electoral fund for producing signature collection sheets. Signatures collected on such sheets were declared invalid.

<sup>25</sup> As of 18 September, the largest funds have been spent by candidates Babanov (some KGS 124 million), Jeenbekov (some KGS 46 million), and Sariev (some KGS 26 million).

<sup>26</sup> The amendment was signed by the president despite a [call by the OSCE Representative on Freedom of the Media \(RFoM\)](#) to veto it.

<sup>27</sup> In December 2015, the OSCE RFoM warned that “[excessive fines for defamation \[are\] a threat to media freedom in Kyrgyzstan](#)”.

President of the Kyrgyz Republic grants higher protection to the president and allows the Prosecutor General to initiate civil defamation proceedings on behalf of the president.<sup>28</sup>

Media experts have expressed concern to the OSCE/ODIHR EOM that the provisions of Article 299 of the Criminal Code regarding the “incitement of national (inter-ethnic), racial, religious or interregional enmity” are not in line with international standards on freedom of expression.<sup>29</sup> On 12 September, the Pervomaisky District Court in Bishkek sentenced journalist Zulpukaar Sapanov to four years in prison on the basis of this article.<sup>30</sup> Mr. Sapanov has appealed this sentence. On 22 August, the Pervomaisky District Court in Bishkek ordered the closing of television (TV) station *September*, based on the Law on Mass Media, the Law on TV and Radio, and the Law on Countering Extremist Activities, for broadcasting allegedly extremist content.

Media outlets are registered by the Ministry of Justice. Due to the limited advertising market, none of many registered media outlets is considered to be self-sustainable. Media ownership is not transparent. Many OSCE/ODIHR EOM interlocutors perceive commercial TV stations to be affiliated with political actors and do not consider public broadcasters to be independent from the government. Open or hidden paid-for content in news programmes limits the amount of impartial information available to citizens. Generally, there is no interference in Internet freedom, and online media increasingly provide alternative information to citizens.

On 22 September, 12 days into the campaign, the CEC allocated free prime-time airtime for candidates on the public TV and radio stations *KTRK*, *EITR*, and *Birinchi Radio*.<sup>31</sup> In addition, a number of debates were announced to be broadcast on each of these stations.

The electoral law requires media to provide unbiased information and to treat candidates equally. However, no institutional media monitoring is conducted to ensure compliance with the law. In order to “participate in the pre-election campaign”, as well as to cover the activities of the CEC, media outlets, including online media, have to be accredited by the CEC.<sup>32</sup> Accreditation can be revoked for any breach of legislation.

On 10 September, the OSCE/ODIHR EOM started its quantitative and qualitative monitoring of coverage of political actors on four TV stations and in three newspapers.<sup>33</sup>

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<sup>28</sup> The most recent cases include five suits filed against the NGO *ProMedia* and one of its founders, which ran the online news site *Zanoza*, for insulting the president, claiming a total of KGS 27 million. In August 2017, the president was awarded a total of KGS 24 million in damages in four of these cases. The fifth case is still pending. Furthermore, in another case, the Prosecutor General, again based on Article 4 of the Law on Guarantees for Activity of the President of the Kyrgyz Republic, claimed KGS 3 million against the director of the NGO Adilet Legal Clinic, which were awarded by the court in June 2017. Two claims brought against *Radio Azattyk* in March 2017, in which a total of KGS 20 million were claimed in damages, were later dropped.

<sup>29</sup> An amendment to Article 299 adopted in August 2016 increased the sentence from 1–3 years to 4–7 years of imprisonment for acts committed in public or through mass media.

<sup>30</sup> Mr. Sapanov was convicted for publishing a book, which, according to the court, called upon all Turkic peoples to unite and at the same time incited inter-religious enmity.

<sup>31</sup> The CEC allocated 30, 15, and 15 minutes, respectively, on *KTRK*, *EITR*, and *Birinchi Radio* for the entire campaign, while the electoral law requires one hour free airtime per workday to be equally distributed among candidates. In addition, free space is provided in the state-funded newspapers *Erkin Too* and *Kyrgyz Tuusu*.

<sup>32</sup> See [CEC Regulation on Media Accreditation \(in Russian\)](#).

<sup>33</sup> TV stations: public *EITR* and *KTRK*, commercial *NTS* and *7 Channel*; newspapers: *Delo No*, *Super Info*, and *Vecherniy Bishkek*. OSCE/ODIHR EOM is also following the campaign coverage on online outlets *Jalbyrak.tv* and *kaktus.media*.

## X. PARTICIPATION OF NATIONAL MINORITIES

The Constitution acknowledges that the population of Kyrgyzstan is composed of different ethnicities, with principles of non-discrimination and equality enshrined in the Constitution and other laws. There is neither a law on national minorities nor a separate anti-discrimination law, but non-discrimination provisions feature in the Criminal Code.

Kyrgyzstan is a multi-national country, with ethnic Kyrgyz constituting approximately 73 per cent of the population. The second biggest ethnic community are ethnic Uzbeks, making up about 14.6 per cent of population and compactly residing predominantly in Osh and Jalal-Abad regions. Other sizeable ethnic communities include Russians (5.8 per cent), Dungans, Tajiks, and Uigurs (1 per cent each).<sup>34</sup>

The Constitution establishes Kyrgyz as the state language and Russian as an official language. The CEC has produced voter information material in the Kyrgyz and Russian languages only. National minorities are significantly underrepresented in most TECs in the areas where they reside compactly. Inter-ethnic peace and national unity featured prominently in some candidates' rhetoric at campaign events observed by the OSCE/ODIHR EOM.

## XI. COMPLAINTS AND APPEALS

Voters, candidates and their representatives and observers, political parties, and NGOs and their observers may file complaints about violations of electoral rights. Complaints can be filed with election commissions, police, and prosecutors' offices.<sup>35</sup> Decisions and actions or inaction of election commissions and their officials are appealed to the higher-level election commission. Complaints about the CEC and appeals against its decisions are submitted to the Inter-district Court for Bishkek City (ICB). Decisions of the ICB may be appealed to the Supreme Court, whose decisions are final. Complaints and appeals must be filed within two days from the time the complainant became aware of the infringing action or decision, while decisions of election commissions should be appealed within three days. However, the law is not clear which deadline applies to appeals against CEC decisions.<sup>36</sup> Election commissions and courts must decide on pre-election complaints within three days; this period can be extended to five days for additional verification.

The CEC has created different working groups to review complaints. The CEC maintains an online registry of complaints, which enhances the transparency of complaint resolution.<sup>37</sup> Some 40 complaints have thus far been addressed by the CEC, primarily regarding candidate registration, campaign violations by candidates and media outlets, as well as abuse of public resources. The latter included complaints regarding campaigning by officials for candidate Jeenbekov and reports of university staff instructing students to vote for the same candidate.<sup>38</sup> The CEC found some campaign materials of

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<sup>34</sup> According to [National Statistical Committee data](#).

<sup>35</sup> Police and prosecutors investigate allegations of electoral offenses.

<sup>36</sup> The ICB ruled that nominees Iskhak Masaliev, Kanatbek Isaev, and Kamila Sharshekeeva missed the deadline for challenging their non-registration as candidates because their appeals had been submitted within three, and not two, days from the date of the corresponding CEC decisions.

<sup>37</sup> However, complaints and appeals against the CEC are not published in the registry.

<sup>38</sup> Following a complaint about a local official in Osh region campaigning for candidate Jeenbekov, the CEC recommended the government to take action against the official. A complaint about pressure on students at Jalal-Abad State University to vote for candidate Jeenbekov was dismissed due to the lack of evidence, while a complaint about a teacher instructing students of the Kyrgyz State Legal Academy to vote for the same candidate was referred to the Prosecutor General's office.

candidate Babanov in breach of the law and issued a warning to him.<sup>39</sup> Few complaints have been filed with TECs so far.<sup>40</sup>

The ICB and the Supreme Court have so far upheld all contested CEC decisions. Court decisions are published on the official website selectively and with substantial delays, reducing transparency.<sup>41</sup>

## **XII. CITIZEN AND INTERNATIONAL OBSERVERS**

The electoral law provides for election observation at all levels of the election administration and of all stages of the electoral process. Observers may be appointed by candidates, NGOs, and international organizations. The law prohibits MPs, government officials, members of election commissions, judges, prosecutors, and law-enforcement agents from acting as observers.

Neither the law nor CEC regulations specify any deadline for the accreditation of citizen observers. To be accredited, citizen observers should provide written credentials issued by the respective NGO and submit their personal information to the election commission where they intend to observe. The 2017 legal amendments limit the number of observers deployed by an NGO and a candidate to one and two observers per each election commission, respectively. A number of OSCE/ODIHR EOM civil society interlocutors consider the accreditation process overly bureaucratic and reported inconsistent application of accreditation rules by some lower-level commissions.

Several OSCE/ODIHR EOM civil society interlocutors evaluate the 2017 legal changes, including removing the right of citizen observers to appeal election results, as an attempt to limit the scope of citizen observation and thus undermine its effectiveness. Citizen observer groups, such as Civic Platform, Coalition for Democracy and Civil Society, and *Taza Shailoo* have been actively involved in long-term observation of this election in all regions of the country.

## **XIII. OSCE/ODIHR EOM ACTIVITIES**

The OSCE/ODIHR EOM formally opened in Bishkek with a press conference on 5 September. The Head of Mission has met with the CEC Chairperson, the State Secretary in the Ministry of Foreign Affairs, the Deputy Chairperson of the Supreme Court, and representatives of the diplomatic community. To date, the OSCE/ODIHR EOM has also met with 6 of the 13 registered candidates and has established regular contacts with the CEC, governmental institutions involved in the electoral process, candidates' campaign offices, political parties, civil society, and the media. A briefing for members of the diplomatic community was held on 22 September.

The OSCE Parliamentary Assembly, the Parliamentary Assembly of the Council of Europe and the European Parliament have announced that they will deploy observer delegations for election-day observation. The OSCE Chairperson-in-Office has appointed Azay Guliyev as Special Co-ordinator and leader of the short-term OSCE observer mission for this election.

*The English version of this report is the only official document.  
Unofficial translations are available in Kyrgyz and Russian.*

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<sup>39</sup> Mr. Jeenbekov's representative complained to the CEC about billboards featuring photos of then-Prime Minister Babanov on a duty trip in 2012, accompanied by officials, including Mr. Jeenbekov, then governor of Osh region. The CEC decided that the billboards were in breach of the provisions prohibiting knowingly false and defamatory publications, as well as the ban on campaigning by officials, since a current head of district administration also appeared on the same photos.

<sup>40</sup> Complaints about allegedly illegal placement of campaign posters have been made to TECs in Alamudin and Talas.

<sup>41</sup> Court rulings posted on the official website are redacted to remove names of the parties. Rulings issued by the ICB and the Supreme Court on appeals against CEC in August and September 2017 are not published yet.