

# ELECTION DISPUTE RESOLUTION IN THE KYRGYZ REPUBLIC

**Roundtable Report**  
Bishkek, 29 May 2012



**OSCE** Organization for Security and  
Co-operation in Europe  
Centre in Bishkek



Organization for Security and  
Co-operation in Europe



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## **Acronyms and Abbreviations**

CEC	Central Election Commission
CiB	Centre in Bishkek (OSCE)
EDR	Electoral Dispute Resolution
EOM	Election Observation Mission
IFES	International Fundation for Electoral Systems
KESP	Kyrgyz Elections Support Project (UNDP, European Union, Governments of Austria and Germany)
OSCE	Organization for Security and Cooperation in Europe
ODIHR	Office for Democratic Institutions and Human Rights
UNDP	United Nations Development Program
VC	Venice Commision, European Commission for Democracy through Law, Council of Europe

## EXECUTIVE SUMMARY

The Office for Democratic Institutions and Human Rights (ODIHR) of the OSCE is well known for its activities in election observation. Each ODIHR Election Observation Mission (EOM) concludes with a Final Report that contains the main findings of the mission and recommendations to strengthen the electoral processes and practices in accordance with OSCE commitments and international standards.<sup>1</sup> The adjudication of electoral disputes is one substantive component of these reports, as it serves to ensure protection of the electorate's and candidates' rights, and effective remedy for violations of election-related legislation.

Decision No. 5/03 of the OSCE Ministerial Council on Elections (Maastricht, 2003) recognized “*the need for confidence by the electorate in the entire [electoral] process...*”, and tasked the ODIHR “*to consider ways to improve the effectiveness of its assistance to participating States in following up recommendations made in ODIHR election-observation reports*”. In line with this task, ODIHR organized a pilot roundtable in the Kyrgyz Republic on 29 May 2012 as direct follow-up to the visit of the ODIHR Director, Ambassador Janez Lenarčič in March 2012. During his visit, Ambassador Lenarčič presented the EOM Final Report on the 2011 Presidential Election to the authorities, and offered ODIHR's assistance in further enhancing their Election Dispute Resolution (EDR) system.

ODIHR co-organized the roundtable on EDR, in close coordination with the OSCE Centre in Bishkek (CiB), the Central Election Commission (CEC) of the Kyrgyz Republic, the International Foundation for Electoral Systems (IFES) and the United Nations Development Program (UNDP) Kyrgyz Elections Support Project, which is funded by the European Union and the governments of Austria and Germany. The roundtable gathered over 50 experts from all institutions and several organizations involved in EDR matters in the country with the aim to present and discuss EDR related aspects of the recommendations contained in the latest OSCE/ODIHR Election Observation Mission Final Reports on the 2010 October Parliamentary Elections, the 2011 October Presidential Election, legal reviews undertaken jointly with the Venice Commission of the Council of Europe, and relevant international standards. The roundtable also offered a platform for discussion on ways to improve the EDR system in the Kyrgyz Republic in line with past ODIHR recommendations.

Participants commended the OSCE initiative to conduct the roundtable, and acknowledged the value of such an event where, for the first time, all relevant stakeholders came together at a technical level to discuss challenges related to bringing EDR in line with OSCE commitments and international standards. The event also served as a lessons-learned exercise, where national stakeholders could discuss their own experiences and ways forward to further past ODIHR recommendations in the future.

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<sup>1</sup> All OSCE/ODIHR EOM Reports on the Kyrgyz Republic are available at: [www.osce.org/odihr/elections/kyrgyzstan](http://www.osce.org/odihr/elections/kyrgyzstan).

The roundtable consisted of presentations from key national and international stakeholders and experts that explained national practices and international commitments and standards on EDR. Thereafter, participants were divided into working groups that discussed and produced conclusions based on three topics extracted from OSCE/ODIHR EOM Final Reports by the organizers: the right to access EDR, publicity and transparency of EDR, and the right to an effective remedy. The conclusions of the working group sessions revealed that all three groups identified similar issues and provided analogous ways forward to address them in an open and constructive manner.

## **MAIN CONCLUSIONS**

All groups principally agreed that the following issues require most urgent attention and should be addressed in any reform initiative of the EDR system in the Kyrgyz Republic:

- Promote training and education of stakeholders and citizens on the rules and procedures for filing election related complaints;
- Harmonize provisions in election legislation with corresponding provisions in the civil and administrative procedure codes, and produce clear evidentiary rules applicable to all election-related proceedings;
- Draft and adopt a simple and unified procedure for EDR and to train all stakeholders on its implementation, especially lawyers and election commissions;
- Ensure greater transparency in the EDR system, including the timely publication of all complaints and decisions on the CEC website;
- Compile court decisions and widely disseminate judicial practice among EDR stakeholders including potential users (voters, parties, candidates, observers, etc);
- Foresee liability for members of electoral commissions for refusing to accept and/or failing to consider duly filed complaints;
- Clarify, both in legislation and in practice, the jurisdiction of EDR bodies at various levels and reconsider the right to file a complaint with multiple EDR bodies, as it creates confusion among complainants and can result in conflicting decisions;
- Develop a mechanism for controlling the uniform application of legislation by election commissions;
- Provide effective legal remedies to increase accuracy and regular updates of the voters' registry in order for all citizens to appear on it, after filing a legitimate complaint in due time prior to election day, and thus guarantee their right to vote;
- Ensure the allocation of sufficient resources for all institutions involved in EDR to be able to implement the system in an effective and fair manner.

The above-listed conclusions demonstrate agreement among national stakeholders that further reform of the EDR system is necessary. Most of the proposed reforms are of a technical nature and there appears to be substantial agreement among national stakeholders on the steps that need to be taken to bring the election law into full compliance with OSCE commitments and international standards. The roundtable also showed that stakeholders from disparate backgrounds and with different interests can

work together on reform of the EDR system, as they all face obstacles of a similar nature, and that the reform process can proceed with broad support from all of them.

Furthermore, the conclusions mirror and address in greater depth issues previously highlighted in OSCE/ODIHR EOM Final Reports and the Joint Opinion of the OSCE/ODIHR and the Venice Commission (VC) of the Council of Europe on the Draft Law on Presidential and Parliamentary Elections, the draft Law on Elections to Local Governments and the draft Law on the formation of Election Commissions of the Kyrgyz Republic.<sup>2</sup>

National authorities should consider the creation of a working group consisting of representatives of all stakeholders present at the roundtable to elaborate an action plan on how to effectively implement previous recommendations in line with the conclusions of the roundtable. The work of this group could be supplemented by expert advice provided by the international community with guidance on international standards and possible good practices from other OSCE participating States.

The OSCE Centre in Bishkek, ODIHR, IFES and UNDP stand ready to offer further support and technical assistance in addressing the conclusions included in this report upon request by the authorities of the Kyrgyz Republic.

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<sup>2</sup> See OSCE/ODIHR and Venice Commission Joint Opinion at: <http://www.osce.org/odihr/80842>

## **SUMMARY OF THE ROUNDTABLE**

The roundtable was structured in two sessions. The morning session consisted of an overview of national practices by relevant national stakeholders, and presentations by international experts on commitments and standards related to EDR. The afternoon session consisted of discussion in working groups and a plenary session. Based on the OSCE/ODIHR EOM Final Reports, the organizers proposed three topics related to the EDR system to guide the discussion and the afternoon working group session: (1) the right to access the EDR system; (2) publicity and transparency of an EDR system; and (3) the right to an effective remedy.

### **1. Summary of the presentations**

The morning session was devoted to presentations of national and international experts. The Deputy Chairperson of the CEC, Ms. Gulnar Djurabaeva, opened the session by thanking the organizers of the roundtable for providing a platform for discussion involving all stakeholders of the election process and underlined that the starting point and basis of the roundtable were the reports of ODIHR EOMs.

Mr. Benjamin Moreau, Chief of the ODIHR Rule of Law Unit (Democratization Department), stressed ODIHR's willingness to offer concrete support in the implementation of the recommendations made by ODIHR and the VC in their Joint Opinion on the draft election law and in the ODIHR EOM Final Reports. He pointed out that, following the recent Parliamentary and Presidential elections and adoption of the new legislative framework, there is now a window of opportunity and sufficient time ahead to further advance the EDR reform agenda. He emphasized that the objective of the roundtable was to have a technical, non-partisan discussion on how to improve the EDR system through the review of international standards and the sharing of examples of good practices. He stated that the expected outcome was to provide recommendations for national authorities and to work together towards a common understanding of the challenges related to the EDR system.

Welcoming remarks were also made by the other roundtable organizers. Mr. Erkinbek Kasybekov, UNDP Assistant Resident Representative, noted the opportunity to enhance the EDR system after the recent elections and presented the roundtable as a lessons-learned exercise to improve the EDR system before future elections. Dmitry Shevkun, IFES Chief of Party in the Kyrgyz Republic, encouraged a fruitful discussion among present stakeholders, with their diverse views and opinions.

The Head of the Research Centre at the Ministry of Interior, Mr. Shamshybek Mamyrov, initiated the round of presentations from national stakeholders by informing about the work done by the Ministry during past elections, including the publication of special manuals and pocket books for law enforcement staff on how to deal with election-related complaints. Also, he noted that it is important to discuss EDR during the inter-election period, before the next elections are announced. He highlighted the lack of major



incidents during the Presidential Election held in October 2011, provided an overview of the inflow of complaints received, and suggested further training on the matter for police and law enforcement agencies.

Mr. Bekmatov Abdyjapar, member of Parliament from the faction “Respublika”, highlighted the lack of provisions on liability in the current legislation, to hold accountable officials who purposefully take no decision or wrong decisions on election-related complaints. He also pointed out the need to introduce further amendments to legislation to enhance adherence of the EDR system with international standards on this topic.

Mr. Rashid Bekbasarov, member of the CEC, noted the interesting time and developments that EDR the system is currently facing after the enactment of new electoral legislation in 2011.<sup>3</sup> He stated that the main challenges encountered by the system are short deadlines for filing complaints and appeals, the accuracy of the voter registry and the lack of effective remedies for the restoration of the right to vote in some instances. Whereas the CEC is generally satisfied with the quality of the courts’ decisions on election-related disputes, he highlighted that the quality of the legislation affected the effectiveness of the adjudication process.

Ms. Rysbubu Esengulova, Acting Deputy Chairperson of the Supreme Court, provided an overview of the work of the courts on EDR and assessed the new legislation as a positive step towards improving the courts’ dealing with electoral disputes in a fair and transparent manner. According to her, an analysis of the complaints shows that they are related to diverse issues: doubts as to legality of election of the chairs and deputy chairs of election commissions; requests from voters to be included in the voter lists; irregularities in the collection of signatures to support candidates; and request for invalidation of decisions of the Commission on National Language.

Mr. Invil Abraliev, Senior Prosecutor, explained the mandate of the Prosecutors’ Office to receive complaints and provided an overview of the cases received. He explained that the Constitutional competence of Prosecutors’ Offices to supervise the accurate and uniform implementation of laws is limited to “*executive power agencies, local self-governance bodies as well as officials thereof*”<sup>4</sup>, which excludes election commissions. Therefore in his view, Prosecutors’ Offices do not have the mandate to consider complaints related to election commissions’ implementation of the law, and should forward them to the CEC, the respective territorial election commission, the State Committee for National Security or the respective organs of the Ministry of Interior. He explicitly thanked the OSCE Centre in Bishkek for training prosecutors on EDR matters.

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<sup>3</sup> The new legislation, adopted in 2011, includes three main laws: Law on Election Commissions to conduct Elections and Referenda in the Kyrgyz Republic; Constitutional Law on Presidential and *Jogorku Kenesh* Elections in the Kyrgyz Republic and Law of the Kyrgyz Republic on Elections to Local Governments. See OSCE/ODIHR and Venice Commission Joint Opinion at: <http://www.osce.org/odihhr/80842>

<sup>4</sup> Art 104 Constitution of the Kyrgyz Republic, 2010.

Finally, Ms. Dinara Oshuranova, Chairperson of the NGO Coalition for Democracy and Civil Society, enumerated the irregularities observed by domestic election observers that went unpunished during the past elections, such as, ballot stuffing, commission members' conflict of interests, or illegal printing of electoral materials. The Coalition observed that complaints about these administrative offences and more serious criminal matters, such as falsification of election results, which were duly reported to the prosecutors' offices, did not yield any result. The Coalition also noted that all appeals they submitted to the courts remained unaddressed in substance. Concluding from the Coalition's direct observation, the Chairperson pointed out that new legislation should be implemented in a more systematic manner by the authorities. She also emphasized that there is no liability prescribed in the legislation for the inaction or wrongdoings of the authorities on EDR.

Mr. Donald Bisson, the OSCE/ODIHR Expert, and Aivars Endzins, VC member, focused their presentations on recommendations made in the OSCE/ODIHR and the VC Joint Opinion and the last two OSCE/ODIHR EOM Final Reports. Mr. Bisson first pointed out that States are generally free to establish their own EDR system based on their legal traditions and culture as long as the chosen system remains within the limits of international standards and good practice for implementing them. Further, any attempt to reform the EDR system must be considered in the context of the overall reform of the judiciary, since no just and credible EDR system can be contemplated unless the independence of the judiciary is guaranteed and due process requirements are met and implemented in law and practice.

He pointed at two main principles in international law and standards<sup>5</sup> that emerge from recent research on EDR and must be the basis for any EDR system:

- (1) The right of every individual or political party to a remedy for violation of political and electoral rights, including the right to vote and to be registered as a voter, the right to stand for elections as a candidate, as well as campaigning and other rights of political parties;
- (2) The responsibility of States to ensure that complaints relating to the electoral process are determined promptly within the timeframe of the electoral process and effectively by an independent and impartial authority, such as an electoral commission or the courts.

He further elaborated on examples from OSCE participating States where ODIHR/VC recommendations related to the same issues as raised in EOM reports on the Kyrgyz

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<sup>5</sup> The core of the OSCE's commitments related to EDR arises from the 1990 Copenhagen Document, where OSCE participating States declared "*effective means of redress against administrative decisions*" are "*among those elements of justice which are essential to the full expression of the inherent dignity and of the equal and inalienable rights of all human beings*". Para 5 (10) of the Copenhagen Document further stated that "*administrative decisions should be reasoned, justified and should indicate, as a rule, the remedies available*". Par 18 (4) of the 1991 Moscow Document added that participating States' should endeavour to provide for judicial review of those regulations and decisions. The right to effective remedy is also guaranteed by Article 2 of the International Covenant on Civil and Political Rights (ICCPR) and Article 13 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).

Republic have been implemented. He pointed out that the issue of filing complaints in courts and commissions simultaneously has been addressed in many States: Ukraine and Moldova have adopted the recommendation of the ODIHR/VC to opt for one designated forum for complaints to promote consistency and uniformity of decisions. The complaints sections of the laws in these countries clearly spell out the jurisdiction of EDR bodies, so that there is no confusion about the forum where a complaint should be filed. The possibility for a judicial review at some stage of the appeal process should always be available. Another good practice is specifying that if a complaint is filed with the wrong EDR body, it must notify the complainant and transfer the matter to the correct body.

Moreover, in order to build trust in the EDR system, he stressed that it is important that decisions be reached transparently and that they are in writing and publicized. This openness helps to prevent manipulation of the system and counter the perception of bias in favor of a particular party or candidate. Transparency would be enhanced by the development of a complaints tracking mechanism, as recommended by ODIHR. Such electoral complaints registers that are publicly accessible are in use in Moldova, the Russian Federation and Azerbaijan. The CEC in Azerbaijan also publishes all election-related complaints and decisions on its website.

In order to ensure the right to an effective remedy, the expert reiterated that ODIHR and VC have repeatedly recommended that EDR bodies consider and formally address all complaints during open sessions and provide the complainant with a written decision. This issue has been raised in other OSCE participating States and has been improved through the adoption of a screening process for letters and applications to determine if they raise a legitimate issue that merits consideration and adjudication. At a minimum, the complainant needs to be informed in writing of the reasons why their submission was not considered. Another practice utilized in OSCE participating States is the adoption of a standard form for the filing of complaints<sup>6</sup> that is easily available to the public.

In this context, the expert made reference to the Law on Election of People's Deputies of Ukraine, the Election Code of Moldova and the Rules of Procedure issued by the CEC in Azerbaijan; while not adopting a specific form for the filing of complaints, all of these legal acts contain provisions detailing the information that a complaint must contain.<sup>7</sup> They also include specific provisions outlining simple procedural and evidentiary rules detailing issues such as notification to parties, invitation to hearings, the opportunity to present evidence and the type of evidence that can be presented.<sup>8</sup>

Mr. Aivars Endzins, VC member, noticed the improvements of the recent amendments of the legislation in the Kyrgyz Republic on EDR and summarized some standards that could still be more clearly applied in the EDR system. He highlighted the need for prompt judicial review of election-related complaints and for a unified system for processing them at the CEC. He further recalled problems noted by the Council of Europe's Parliamentary Assembly Observation of the Presidential Election, such as

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<sup>6</sup> Final Report Presidential Elections, 30 October 2011, at p. 21.

<sup>7</sup> Article 110, Law on Election of People's Deputies of Ukraine.

<sup>8</sup> *Ibid* article 273.

inaccuracy of the voter lists, and obstacles to ensuring the correct data on the voters' registry. Many voters found themselves excluded from the lists on Election Day even after having pointed out inaccuracies to the electoral commissions in due time, and there was no effective remedy in place to guarantee their right to vote.

IFES Senior Programme Coordinator, Mr. Alexander Orekhov, presented the findings of an IFES Research Paper on the Electoral Dispute Resolution Process during the October 2010 Jogorku Kenesh (Parliamentary) elections. He recounted IFES' five-year experience in the sphere of EDR, including a number of events with the Supreme Court and Training Centre for Judges. He also mentioned that IFES had published Guidelines for Understanding, Adjudicating, and Resolving Disputes in Elections (GUARDE).

Mr. Orekhov emphasized the need for all participants of elections, including the defeated party, to be satisfied and accept election dispute-related decisions. This could only be achieved if the quality of EDR is raised, and the mechanism is transparent, clear and simple. In this regard, he recalled several general recommendations from the aforementioned IFES report on how to improve the process of EDR in the Kyrgyz Republic:

- To ensure maximum transparency in the process of considering electoral disputes;
- To oblige election commissions of all levels to take decisions on all complaints submitted, in written form and within the prescribed deadlines, guaranteeing the right to appeal in law and in practice;
- To enhance/develop control mechanisms and increase the level of election commissions' responsibility for improper consideration of election disputes;
- To develop and adopt, at the CEC level, unified forms for complaints and submissions to address election commissions and courts, to ensure: on the one hand, that courts and commissions will return complaints on merely formal grounds less frequently; and, on the other hand, that appellants will file a document correctly;
- To hold regular training on EDR for all participants of the electoral process. A series of clear and simple manuals, explaining how EDR actions work in practice should be developed, and made easily accessible and user-friendly;
- To study and exchange international experience of specialized courts' activities on EDR with possible application in the Kyrgyz Republic.

Mr. Meder Dastabekov, Project Coordinator at UNDP, explained that the "Kyrgyz Election Support Project" has three main components: a) technical assistance to electoral commissions; b) voter education; and c) enabling a peaceful environment during elections. In the last two years, the Project has conducted a number of training sessions with judges, prosecutors, law enforcement bodies, and observers on EDR issues including submission of complaints, and processes of consideration and adjudication of complaints. He pointed out the need to have clear EDR procedures and to discontinue the practice of amending electoral legislation frequently and only a few months before elections, especially on EDR procedures. He also suggested that further training activities be offered to the authorities after improved legislation and procedures have been adopted,

for which wide consultations, like the one offered in this roundtable, are required. Finally, he called for additional efforts in civic education on this topic.

## **2. Conclusions of the Working Groups**

In the afternoon session, participants were divided into three working groups to discuss the three EDR-related topics mentioned, namely, access, publicity and transparency, and effective remedy in EDR. Participants were divided into working groups according to their professional affiliation: one group was composed of representatives of the judiciary, another of civil society representatives and the last group of representatives of the CEC. Each group was asked to discuss all three topics and to present their conclusions and recommendations in a plenary session.

The three working groups presented the following conclusions to the plenary:

### **Judiciary Working Group**

Topic 1: Access to the electoral dispute resolution system

- Improve the mechanisms for the effective implementation of legal remedies to include voters in the lists and the quality of the work of election commissions in compiling and regularly updating voter lists, through interaction with authorized state institutions;
- Promote initiatives on education of voters, candidates and participants in the electoral process, in co-operation with state institutions.

Topic 2: Publicity and transparency

- Publish information on campaign financing throughout the election process and not only at the end of it, so that interested or affected persons can use EDR mechanisms in a timely manner;
- Election commissions to standardize EDR access, consideration and adjudication of procedures, and also to grant access and participation of observers to commission meetings at all levels;
- Establish clear timelines in the law for entering into force of CEC decisions;
- Commissions and courts to publish and disseminate more widely their practice on EDR;
- Equip court rooms with audio and video recording, to ensure that such records are available in case of appeal.

Topic 3: The right to effective remedy

- Further improve electoral legislation in line with international standards;
- Harmonize the Civil Procedure Code and electoral legislation;
- Improve general working conditions of judges and strengthen their independence;
- Make available more court rooms to ensure the courts' ability to hold hearings when the presence of several parties and observers is necessary;
- Ensure security for judges and court personnel during the election complaints' adjudication process, as pressure on them is common and remains unpunished.

## **Civil Society Working Group**

### Topic 1: Access to the electoral dispute resolution system

- Ensure uniformity in the interpretation and application of legal provisions by authorities, especially related to time limits, complaint forms, and limitation of access of NGOs to courts and other state organs in order to protect voters' rights;
- Clarify jurisdiction of state organs (police, prosecutors) for adjudicating electoral disputes.

### Topic 2: Publicity and transparency

- Inform and update the public on processing complaints received by election commissions, law-enforcement agencies, and courts in a timely manner;
- Enhance transparency of EDR procedures;
- Improve public access to information concerning complaints and their resolution;
- Standardize and compile the legal practice of the election commissions when dealing with electoral disputes.

### Topic 3: The right to effective remedy

- Establish more regular monitoring of voter lists (i.e., monthly);
- Eliminate inconsistencies between electoral legislation and Civil Procedure Code;
- Elaborate rules and regulations on complaint adjudication for election commissions.

## **Central Election Commission Working Group**

### Topic 1: Access to the electoral dispute resolution system

- Differentiate time limits for filing complaints and adjudication according to election stages: prior to voting day; on voting day; on determination of election results;
- Improve training and education for election process participants (candidates, voters, parties, observers, etc.) to raise their awareness on proper filing of complaints and appeals and rules of evidence, as specified in the legislation;
- Introduce a provision obliging courts to inform relevant election commissions when a complaint is filed with a court, so that the election commission can then halt their consideration of the same complaint;
- Train and organize a group of defence lawyers specialized on electoral legislation and complaints.

### Topic 2: Publicity and transparency

- Enact legislation to include liability for undue rejection of complaints by commission members;
- Publish all complaints and respective decisions on the CEC website;
- Develop a system to compile and analyze judicial practice and make it accessible on the CEC website (with indication of judges' names).

### Topic 3: The right to effective remedy

- Introduce in the CEC mandate the right to supervise and address complaints on issues related to the election process;
- Develop a mechanism for the CEC to issue binding regulations to ensure uniform application of legislation;
- Clarify in criminal legislation the definition of falsification, and the actions that constitute falsification.

The conclusions demonstrate agreement among national stakeholders that further reform of the EDR system is necessary. Most of the proposed reforms are of a technical nature and there appears to be substantial agreement among national stakeholders on the steps that need to be taken in order to bring the election law into full compliance with OSCE commitments and international standards. The roundtable also showed that stakeholders from disparate backgrounds and with different interests can work together on reform of the EDR system, as they all face obstacles of similar nature, and that the reform process can proceed with broad support from all of them.

Furthermore, the conclusions and recommendations mirror, and address more in depth, issues previously highlighted in OSCE/ODIHR EOM Final Reports and ODIHR/Venice Commission (VC) Joint Opinions.<sup>9</sup>

National authorities should consider the creation of a working group consisting of representatives of all stakeholders present at the roundtable to elaborate an action plan on how to effectively implement previous recommendations in line with the conclusions of the roundtable. The work of this group could be supplemented by expert advice provided by the international community with guidance on international standards and possible good practice from other OSCE participating States.

The OSCE Centre in Bishkek, ODIHR, IFES and UNDP stand ready to offer further support and technical assistance in addressing the conclusions and recommendations included in this report upon request by the authorities of the Kyrgyz Republic.

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<sup>9</sup> See footnote 4.



**ROUNDTABLE ON ELECTION DISPUTE RESOLUTION  
IN THE KYRGYZ REPUBLIC**

**SUPARA COMPLEX, BISHKEK**

**29 MAY 2012**

**AGENDA**

08:30-09:30	<b>Registration</b>
09:30-10:00	<b>Welcome and Introduction (Event moderator – Galiya Alymbekova, independent expert)</b> <ul style="list-style-type: none"> <li>- CEC, Tuigunaly Abdraimov, Chairperson</li> <li>- ODIHR, Benjamin Moreau, Chief Rule of Law Unit</li> <li>- UNDP Erinbek Kasybekov, Assistant Resident Representative</li> <li>- IFES, Dmitry Shevkun, Chief of Party</li> </ul>
10:00-11:00	<b>Overview of Election Observation Mission Reports in Kyrgyzstan and Good practices on Election Dispute Resolution in OSCE participating States - Donald Bisson, International Expert (ODIHR/OSCE)</b> <ul style="list-style-type: none"> <li>- Parliament, MP from the faction “Respublika” Bekmatov Abdyjapar Bekmatovich</li> <li>-Central Election Commission, Rashid Bekbasarov, CEC Member</li> <li>-Supreme Court, Rysbubu Esengulova, Acting Deputy Chairperson</li> <li>-Prosecutor General’s Office, Invil Abraliev, Senior Prosecutor</li> <li>-Ministry of Interior, Shamshybek Mamyrov, Head of Research Centre</li> <li>-Domestic Observers, Dinara Oshurahunova, Chairperson of Coalition for Democracy and Civil Society</li> </ul>
11:00-11:15	<b>Overview of the national practice on Electoral Dispute Resolution (Moderation: Donald Bisson, International Expert, OSCE/ODIHR)</b>



	<b>Discussion on presentations</b>
11:45-12:00	<b>Coffee break</b>
12:00-12:30	<b>International Expert's session</b>  - <b>European Standards on Election Dispute Resolution (Aivars Endzins, Venice Commission)</b>  - <b>Presentation of the IFES Presidential Election Observation Report and the Guidelines for Understanding, Adjudicating and Resolving Disputes in Elections (Alexander Orekhov, IFES)</b>  - <b>Presentation of the project "Kyrgyz Elections Support Project," findings, and achievements (Meder Dastabekov, UNDP)</b>
12:30- 13:00	<b>Discussion on international stakeholders' presentations</b>
13:00-14:00	<b>Lunch</b>
14:00- 15:30	<b>Working Groups' Sessions</b>  <b>Topic 1: The right to access Election Dispute Resolution System</b> <b>Topic 2: Publicity and transparency of the Election Dispute Resolution System</b> <b>Topic 3: The right to effective remedy in Electoral Disputes</b>
15:30-15:45	<b>Coffee break</b>
15:45-16:45	<b>Presentations from Working Groups</b>
16:45-17:30	<b>Discussion in plenary session</b>
17:30-17:45	<b>Summary of conclusions and recommendations : Donald Bisson, international expert</b>
17:45-17:50	<b>Closing remarks: Benjamin Moreau, ODIHR</b>

**List of participants**  
**Roundtable on Election Dispute Resolution in in the Kyrgyz Republic**

**29 May 2012**

<b>№</b>	<b>Name</b>	<b>Institution/organization</b>	<b>Title</b>
1.	Djurabaeva Gulnar Kurashbekovna	Central Election Commission (CEC)	Vice Chairman
2.	Sultanov Marat Seytbaevich	CEC	Chief of Staff
3.	Akmatov Jenishbek Amanbekovich	CEC	Member
4.	Asanaliyev Almaz Turdakunovich	CEC	Member
5.	Baatyrova Gulnara Marishovna	CEC	Member
6.	Bapanova Jarkyn Bazanovna	CEC	Member
7.	Bekbasarov Rashid Berdibaevich	CEC	Member
8.	Kadyrbekov Ishenbay Dyushenbievich	CEC	Member
9.	Kadyrkulova Asel	CEC	Staff of Legal Unit
10.	Dyushenbieva Bermet	CEC	Staff of Legal Unit
11.	Mamatov Kairat Adamkalievich	Bishkek territorial election commission TEC	Chairman
12.	Turumbekov Maksat Beishenbekovich	TEC	Special Representative
13.	Malabaev Bolot Nurbaevich	Centre of Election technologies, CEC (CET)	Director
14.	Agibaeva Jania Bauyijanovna	CET	Deputy Director
15.	Asanbaev Melis	Parliament	Party «Ar-Namys»
16.	Kosyh Valera	Parliament	Party «Ar-Namys»
17.	Ibraliev Jyldyzbek	Parliament	Party «Ar-Namys»
18.	Verholantsev Denis	Parliament	Party «Ar-Namys»

19.	Bekmatov Abdyjapar Bekmatovich	Parliament	Fraction “Respublika”
20.	Bekboeva Dinara Mukashevna	Supreme Court	Judge
21.	Kudaibergenov Almazbek Nurseitovich	Supreme Court	Judge
22.	Kulmatova Dilbar Sabirovna	Supreme Court	Judge
23.	Esengulova Rysbubu Esengulovna	Supreme Court	Judge
24.	Jamankulova Burulkan Tologonovna	Supreme Court	Judge
25.	Dosmambetov Aziz Anarbekovich	Supreme Court	Head of Department for Relations with the media, international relations and protocol of apparatus of Supreme Court
26.	Orozova Damira Toktonalievna	Court of Pervimaiskii district in Bishkek city	Judge
27.	Abraliev Invil Chynarbekovich	General Prosecutor’s Office	Senior Prosecutor
28.	Mamyrov Shamshybek	Ministry of Interior	<b>Head of Research Centre</b>
29.	Oshurakhunova Dinara Majanovna	Coalition for democracy and civil society, Civil society	Director
30.	Usupbekova Ainura Maksatbekovna	Taza Shailoo, Civil society	Director
31.	Ernest Avtandil	Taza Shailoo, Civil society	Programme Coordinator
32.	Bakyt Asizbaev	Taza Shailoo, Civil society	Lawyer
33.	Erik Iriskulbekov	Legal Clinic “Adilet”, Civil society	Legal expert
34.	Alymbekova Galiya Temirkhanovna		Independent Expert
35.	Sydygaliev Bakyt Arlenovich		Lawyer, expert
36.	Sydykov Nurlan Berikovich		Independent expert
37.	Iskhak Masaliev		Head of Communist political party
38.	Fabio Piana	OSCE Centre in Bishkek	Senior Human Dimension Officer
39.	Sintija Smite	OSCE Centre in Bishkek	Human Dimension Officer

40.	Atay Sabyrov	OSCE Centre in Bishkek	Senior Programme assistant
41.	Mahabat Murzakanova	OSCE Centre in Bishkek	Senior Programme assistant
42.	Umut Masytkanova	OSCE Centre in Bishkek	Senior Programme assistant
43.	Erinbek Kasybekov	UNDP	Assistant Resident Representative
44.	Meder Dastanbekov	UNDP Democratic Governance Programme	Project Coordinator, Kyrgyz Elections Support Project (KESP)
45.	Elina Isykeeva	UNDP Democratic Governance Programme	Administrative assistant, Kyrgyz Elections Support Project (KESP)
46.	Kathrin Bauch	Embassy of Germany to the Kyrgyz Republic	Resident Representative
47.	Dmitry Shevkun	IFES Kyrgyzstan	Chief of Party
48.	Alexander Orekhov	IFES Kyrgyzstan	Senior Programme coordinator
49.	Nazgul Akisheva	USAID	Specialist of project management USAID in Kyrgyzstan
50.	Scott Kearin	National Democratic Institute (NDI)	Director
51.	Aida Suyundueva	NDI	Civic programme manager
52.	Donald Bisson	OSCE/ODIHR	Expert
53.	Benjamin Moreau	OSCE/ODIHR	Chief, Rule of Law Unit
54.	Inmaculada Arnaez	OSCE/ODIHR	Rule of Law Officer
55.	Aivars Endzins	Venice Commission	Member
56.	Gulnara Umarova	NDI	Civic programme assistant
57.	Kristin Nicholson	IFES	Operations officer