



Office for Democratic Institutions and Human Rights

# KYRGYZ REPUBLIC

## PARLIAMENTARY ELECTIONS 4 October 2015

OSCE/ODIHR Election Observation Mission  
Final Report



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**KYRGYZ REPUBLIC**  
**PARLIAMENTARY ELECTIONS**  
**4 October 2015**

**OSCE/ODIHR Election Observation Mission Final Report<sup>1</sup>**

**I. EXECUTIVE SUMMARY**

Following an invitation from the Central Commission for Elections and Referenda (CEC) of the Kyrgyz Republic, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) established an Election Observation Mission (EOM) to observe the 4 October parliamentary elections. The OSCE/ODIHR EOM assessed compliance of the electoral process with OSCE commitments, other international obligations and standards for democratic elections, as well as national legislation. For election day, the OSCE/ODIHR EOM joined efforts with delegations of the OSCE Parliamentary Assembly, the Parliamentary Assembly of the Council of Europe and the European Parliament to form an International Election Observation Mission (IEOM). Each of the institutions involved in this IEOM has endorsed the 2005 Declaration of Principles for International Election Observation.

The Statement of Preliminary Findings and Conclusions issued by the IEOM on 5 October 2015 concluded that the elections “were competitive and provided voters with a wide range of choice, while the manner in which they were administered highlighted the need for better procedures and increased transparency. The elections were characterized by a lively campaign, but the amount of impartial information available to voters in the news was limited. While the use of new voting technologies, signalling the political will to improve elections, was in many respects successful, the hurried introduction of biometric registration resulted in significant problems with the inclusiveness of the voter list. This, concerns over ballot secrecy, and significant procedural problems during the vote count were the main issues that tarnished what was a generally smooth election day”.

The electoral legal framework generally provides an adequate basis for the conduct of democratic elections. The 2011 Election Law, as amended in April 2015, addresses some earlier recommendations of the OSCE/ODIHR and the Council of Europe’s European Commission for Democracy through Law (Venice Commission), while others remain unaddressed. Inconsistencies between existing laws regulating aspects of the electoral process negatively affected legal certainty. CEC regulations were not always firmly based on the legal framework, and greater clarity in other CEC decisions could ensure uniform application of the law.

The closed-list proportional electoral system features a double threshold and limits the total number of mandates any single party can win, challenging the free expression of the voters’ will. Blanket restriction of voting rights for those sentenced to prison is at odds with OSCE commitments and other international obligations.

The elections were administered by the CEC, 54 Territorial Election Commissions (TECs), and 2,374 Precinct Election Commissions (PECs). Most OSCE/ODIHR EOM interlocutors did not question the impartiality of the election administration and generally expressed trust in their work. Sessions of the CEC were open to party representatives, media, as well as citizen and international observers. However, the manner in which the CEC operated, including the holding of informal closed-door ‘working meetings’, as well as a lack of complete and up-to-date information on the CEC’s website, decreased the transparency of its work. TECs and PECs carried out their work

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<sup>1</sup> The English version of this report is the only official document. Unofficial translations are available in Kyrgyz and Russian.

professionally, overall; however, a lack of nominations of commissioners and many replacements of TEC and PEC members, at times, negatively affected the work of the election administration. Women were well represented in the lower levels of the election administration.

Biometric voter registration and identification, based on a unified nationwide population register, was implemented for the first time in these elections with a stated intention to limit the possibility for electoral malfeasance and to increase voters' trust. Most OSCE/ODIHR EOM interlocutors supported the new system. Despite efforts to create an inclusive population register within a short timeframe, some voters did not submit their biometric data, including due to concerns over the use of personal data or due to residing in remote locations. This brought into question the inclusiveness of voter lists and the effectiveness of existing measures to ensure that all people entitled to vote are able to exercise that right. The OSCE/ODIHR EOM also received credible reports of pressure on citizens, especially public-sector employees, to provide biometric data ahead of the elections.

Candidate registration was inclusive, resulting in a diverse range of choices for voters. The CEC registered the candidate lists of all 14 political parties that submitted the required documents and paid the electoral deposit. The legal framework does not allow for independent candidates, contrary to OSCE commitments. One candidate was deregistered by the CEC less than one week before election day for violation of campaign rules, without having been issued a prior written warning for such a violation, as required by law. The high number of withdrawals of candidates after election day, some based on pre-signed resignation statements, undermined the right of voters to make an informed choice and the right of elected candidates to be installed in office.

The quotas on candidate lists for gender, minorities, youth, and people with disabilities were respected at the time of registration, but there are no provisions to maintain the quotas after registration, undermining their efficacy. Although the 30 per cent gender quota was respected in all registered candidate lists, post-election candidate withdrawals resulted in only 20 per cent of members in the new parliament being women.

The elections were keenly contested. The main parties mounted highly visible campaigns throughout the country, while parties with more limited resources intensified their campaign activities only during the later stages of the campaign period. The campaign was conducted in a generally peaceful environment, with few incidents noted. The President was highly visible during the campaign and the campaign-silence period. In a positive development, misuse of state administrative resources did not appear to be a major concern in these elections. However, allegations of vote-buying were widespread, and some criminal investigations were launched.

The Election Law regulates campaign financing and sets limits on the amount of contributions, donations, and campaign expenditures of contestants. These limits were significantly increased compared to previous elections. The CEC established an audit group, which published reports about parties' campaign revenues and expenditures before election day. However, campaign financing would benefit from greater transparency, including greater disclosure of contributions prior to election day and the prompt publication of parties' final financial reports after the elections.

The media provided contestants with a platform to present their views. Contestants made extensive use of political advertisements and direct debates between candidates enabled voters to familiarize themselves with the candidates. The limited coverage of the campaign by the majority of media outlets in their news and current affairs programmes, as well as a lack of investigative and analytical reporting, significantly reduced the amount of impartial information available to voters. The lack of editorial coverage of contestants and the campaign contrasted sharply with the extensive positive coverage of the president and other state officials in all state-financed media. The CEC went beyond its mandate by establishing accreditation requirements for media outlets and

websites and reserving the right to revoke such accreditation, which effectively prohibited some media to air paid advertisements.

Some parties disseminated campaign materials in the Uzbek language in areas with large ethnic Uzbeks populations. Minorities participated in rallies held by different parties. In a positive development, most parties refrained from nationalist rhetoric, and neither anti-minority campaigning nor intimidation of minorities was reported. In areas compactly populated by national minorities, they were underrepresented in a number of TECs and PECs. Neither voter education material nor ballot papers were printed in minority languages, at odds with OSCE commitments.

Civil society was actively involved in observing these elections, conducting both long-term and short-term observation and publishing observation reports. The CEC started to accredit international observers only 30 days before election day, effectively limiting their ability to observe all stages of the electoral process, including candidate registration and challenges of the election results.

The latest legal amendments streamlined the adjudication of electoral disputes. While election commissions responded to pre-election complaints and appeared to have often provided timely review, they did not always meet deadlines and the process lacked transparency and consistency. Before election day, the courts upheld all but one CEC decision but often did not provide sufficient reasoning. Many OSCE/ODIHR EOM interlocutors expressed a lack of confidence in the effectiveness of the electoral dispute resolution system and the independence of the judiciary.

Election day proceeded peacefully. The opening and voting procedures were assessed positively in almost all polling stations observed. However, in a significant 32 per cent of polling stations observed, not all voters could be found on voter lists. The biometric identification equipment and ballot scanners worked well, overall, although occasional technical problems led to temporary but regular interruptions of the process. In many polling stations, IEOM observers reported that the secrecy of the vote was not always safeguarded, as well as instances of attempts to influence voters on who to vote for and group voting. In a few cases, IEOM observers saw evidence of vote-buying.

Over one-third of vote counts observed were assessed negatively, mainly due to procedural violations and omissions; a high quantity, which is of concern. Many PECs did not perform basic reconciliation procedures, separate ballots by contestants, or count all ballots correctly. Many PECs did not complete the protocol in full and in ink, or pre-signed it. The tabulation process was assessed negatively at 21 of the 45 TECs observed. Many procedural violations were noted, mainly in connection with PEC results protocols that did not reconcile or match the results produced by the ballot scanners. The PECs, at times, did not manually count the votes bypassing legal safeguard for enhancing public trust to the results. IEOM observers noted cases where protocols were changed without a recount. In a positive step, the CEC started publishing the preliminary results immediately after closing of polls, however, it did not later publish the official protocols.

After election day, the CEC agreed to recount the ballots cast in 9 polling stations out of 296 requested. It also invalidated the results from 8 other polling stations where it found significant discrepancies between the number of voters identified by their biometric records and the number of ballots cast. After election day, withdrawal statements were submitted on behalf of 136 candidates, leaving voters not knowing which candidates were likely to be seated as a result of their support. Some candidates claimed that they had to provide undated but signed resignation statements before the candidate registration and appealed CEC decisions on their withdrawals. Following the Supreme Court decisions the CEC reinstated seven candidates on 27 October and redistributed the mandates.

## II. INTRODUCTION AND ACKNOWLEDGMENTS

Following an invitation from the Central Commission for Elections and Referenda (CEC) of the Kyrgyz Republic and based on the recommendation of a Needs Assessment Mission conducted from 3 to 6 August, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) established an Election Observation Mission (EOM) on 25 August. The OSCE/ODIHR EOM was headed by Ambassador Boris Frlec and consisted of 16 experts based in Bishkek and 22 long-term observers deployed throughout the country. Mission members were drawn from 19 OSCE participating States.

For election day, the OSCE/ODIHR EOM joined efforts with delegations of the OSCE Parliamentary Assembly (OSCE PA), the Parliamentary Assembly of the Council of Europe (PACE), and the European Parliament (EP) to form an International Election Observation Mission (IEOM). Ignacio Sanchez Amor (Spain) was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and leader of the short-term OSCE observer mission. Ivana Dobešová (Czech Republic) headed the OSCE PA delegation, Meritxell Mateu Pi (Andorra) headed the PACE delegation, and Ryszard Czarnecki (Poland) headed the EP delegation. In total, there were 313 observers from 40 countries, including 253 long-term and short-term observers deployed by the OSCE/ODIHR, as well as 30 parliamentarians and staff from the OSCE PA, 18 from PACE, and 11 from the EP.

The OSCE/ODIHR EOM assessed compliance of the electoral process with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. This final report follows a Statement of Preliminary Findings and Conclusions, which was released at a press conference in Bishkek on 5 October.<sup>2</sup>

The OSCE/ODIHR EOM wishes to thank the CEC for the invitation to observe and for providing accreditation documents, and the Ministry of Foreign Affairs and other state authorities for their co-operation and assistance. The OSCE/ODIHR EOM also wishes to express appreciation to candidates, and representatives of political parties, media and civil society for sharing their views. The OSCE/ODIHR EOM also wishes to express its gratitude to the OSCE Centre in Bishkek, the OSCE Office of the High Commissioner on National Minorities, and other international organizations and diplomatic representations for their co-operation and support.

## III. BACKGROUND AND POLITICAL CONTEXT

On 25 July 2015, President Almazbek Atambayev called parliamentary elections for 4 October. The elections took place in a political environment that is, in part, characterized by an ongoing debate about the country's future political structure. The 2010 Constitution provides for a semi-parliamentary system with a directly elected president and a government led by a prime minister nominated by the parliamentary majority and appointed by the president. However, discussions continue among political elites about returning to a presidential system, with more executive power concentrated in the president's office, or moving towards a purely parliamentary system. Although parliament's authority to amend the Constitution is restricted by law until 2020, several members of parliament (MPs), as well as President Atambayev, have voiced support for constitutional amendments through a referendum. Such initiatives have been met by criticism from some political parties and segments of civil society.

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<sup>2</sup> See all [previous OSCE/ODIHR reports on the Kyrgyz Republic](#).

The government established after the 2010 parliamentary elections included representatives of three parties that formed a majority coalition. During the last parliament's term, the ruling coalition was reconstituted three times. Prior to the 2015 elections, the Social Democratic Party of Kyrgyzstan (SDPK, with 26 seats in the parliament), *Ar-Namys* (25 seats), and *Ata Meken* (18 seats) formed the parliamentary majority, while *Ata-Jurt* (28 seats) and *Respublika* (23 seats) were in opposition.

The political party system in the Kyrgyz Republic is fragmented, with 203 parties officially registered by the Ministry of Justice. Political parties cannot be formed on ethnic or religious grounds.<sup>3</sup> Political parties are characterized by the personalities leading them, rather than by their platforms, which overlap significantly. Candidates' loyalty to their parties is fluid, as evidenced by the number of sitting MPs who ran for re-election on the lists of other parties.<sup>4</sup>

Despite constitutional guarantees of equality, women are generally under-represented in political life, including in elected office. As of 24 September, 1 of 4 deputy prime ministers, 2 of 15 cabinet ministers, 1 of 7 regional (*oblast*) governors, as well as 10 out of 48 state secretaries and deputy ministers were women.<sup>5</sup> In recent years, the UN Human Rights Committee (CCPR) has also expressed concerns about the low level of representation of minorities in political and public institutions.<sup>6</sup>

#### IV. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

Parliamentary elections are primarily regulated by the 2010 Constitution, the 2011 Constitutional Law on Presidential and Parliamentary Elections (hereinafter Election Law), and the 2011 Law on Election Commissions to Conduct Elections and Referenda.<sup>7</sup> The Election Law was amended in April 2015 following inclusive discussions among political parties, state institutions, and civil society.<sup>8</sup> Recent amendments were supported overall by the parliamentary parties and introduced mandatory biometric voter registration and the use of ballot scanners, streamlined electoral dispute resolution mechanisms, increased electoral deposits for political parties, revised the electoral threshold, raised campaign finance contribution and spending limits.

The recent amendments addressed some earlier recommendations of the OSCE/ODIHR and the Council of Europe's European Commission for Democracy through Law (Venice Commission).<sup>9</sup>

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<sup>3</sup> Article 3.1 of the 1992 UN Declaration of the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities states: "Persons belonging to minorities may exercise their rights...individually as well as in community with other members of their group, without any discrimination".

<sup>4</sup> Of the 120 MPs in the outgoing parliament, 93 ran for re-election. Only 4 of 20 MPs from *Respublika* and 5 of 21 from *Ata Jurt* ran for re-election under the banner of the merged *Respublika-Ata Jurt* party, while 16 of *Respublika's* and 16 of *Ata Jurt's* former MPs (70 and 57 per cent, respectively) joined other parties. *Ar-Namys* similarly saw 7 of its 25 former MPs (28 per cent) running on its own list, while 14 of them (56 per cent) ran on other parties' lists. Three SDPK MPs and three MPs from *Ata Meken* also left their respective parties to join others in these elections.

<sup>5</sup> See UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) [Concluding observations on the fourth periodic report of Kyrgyzstan](#) (11 March 2015), paragraph 23.

<sup>6</sup> See [CCPR Concluding observations on the second periodic report of Kyrgyzstan](#) (23 April 2014), paragraph 27.

<sup>7</sup> Other relevant laws include the Law on Political Parties, Law on Peaceful Assemblies, Law on Biometric Registration, Code on Administrative Responsibility, and the Criminal Code.

<sup>8</sup> Section II.2.b of the 2002 Council of Europe's Commission for Democracy through Law (Venice Commission) Code of Good Practice in Electoral Matters recommends that "the fundamental elements of electoral law...should not be open to amendment less than one year before an election". However, the follow-up to recommendations is considered as an exception to the principle of the stability of electoral law, which "should not be invoked ... to prevent the implementation of recommendations by international organizations".

See [Section II.2 of the Venice Commission's interpretative declaration on the stability of the electoral law](#).

<sup>9</sup> See previous OSCE/ODIHR reports and [the 2014 OSCE/ODIHR and Council of Europe's Venice Commission Joint Opinion on the Draft Electoral Law of the Kyrgyz Republic](#).

However, others remain unaddressed, including recommendations to allow independent candidates to stand in parliamentary elections, respect gender quotas until the distribution of mandates, review restrictions on voting rights for individuals convicted of crimes, reconsider the double threshold required to be elected, limit the grounds for deregistration of candidates, and increase the transparency of campaign financing. While the legal framework generally provides an adequate basis for the conduct of democratic elections, it lacks comprehensiveness and the existing gaps and inconsistencies negatively affected legal certainty and the effective exercise of electoral rights.<sup>10</sup> In general, such regulatory shortcomings were not remedied by the CEC.<sup>11</sup>

*In line with previous OSCE/ODIHR recommendations, the legal framework for elections should be reviewed, consolidated, and harmonized.*

MPs are elected for a term of five years, from a single nationwide constituency using a proportional system with closed party-lists. To win seats, a party must receive at least 7 per cent of valid votes cast nationwide and at least 0.7 per cent of valid votes cast in each of the seven *oblasts* and the cities of Bishkek and Osh.<sup>12</sup> The Constitution limits the number of mandates of any one party in the 120-member unicameral parliament (*Jogorku Kenesh*) to 65. Both the double threshold and the limit on seats have previously been assessed by the OSCE/ODIHR and Venice Commission.<sup>13</sup> The double threshold requirement compromises the objectives of a nationwide proportional representation system. Limiting a single political party to 65 seats, notwithstanding the number of votes received, challenges the principle of the equality of the vote and the free expression of the voters' will.<sup>14</sup>

*Although limiting the number of parliamentary seats a party can obtain may be viewed as a transitory provision to help build a pluralistic political environment, its long-term inclusion in the law should be carefully reviewed. The regional threshold could be reconsidered as it may compromise the principles of a proportional representation system based on a single nationwide constituency.*

## V. ELECTION ADMINISTRATION

The elections were administered by a three-level system of election commissions: the CEC, 54 Territorial Election Commissions (TECs), and 2,374 Precinct Election Commissions (PECs), including 36 PECs established in 26 countries for out-of-country voting.

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<sup>10</sup> For example, data protection is not adequately regulated by the Law on Biometric Registration; the Election Law is not clear when warnings are issued to candidates and political parties for campaign violations; the Civil Procedure Code (Article 256) is not harmonized with the Election Law (Article 44.1); competencies of election commissions related to administering the voter lists differ between the Law on Election Commissions and Election Law. The Law on Normative Acts (Article 11) requires normative acts to be internally consistent and use understandable and unambiguous terms.

<sup>11</sup> Under the Law on Normative Acts (Article 4.1), the CEC has the authority to issue normative resolutions within its competence and on the basis of the law.

<sup>12</sup> In 2010, a party had to receive more than 5 per cent of the vote nationwide and at least 0.5 per cent of the vote in each of the regions; both thresholds were calculated against the number of registered voters.

<sup>13</sup> See [the Joint Opinion on the Draft Electoral Law of the Kyrgyz Republic](#), paragraphs 12, 18–19.

<sup>14</sup> According to paragraph 7.9 of the 1990 OSCE Copenhagen Document, “candidates who obtain the necessary number of votes required by law should be duly installed in office”. Paragraph 21 of the 1996 UN CCPR General Comment No. 25 to Article 25 of the ICCPR states: “any [electoral] system ... must guarantee and give effect to the free expression of the will of the electors”.



## A. THE CENTRAL ELECTION COMMISSION

The CEC is a permanent body elected by parliament for a five-year term. It consists of 12 members, with the president, the parliamentary majority, and the parliamentary opposition each nominating 4 members.<sup>15</sup> Four CEC members, including the two deputy chairpersons, are women. Most OSCE/ODIHR EOM interlocutors did not question the impartiality of the election administration and generally expressed trust in its work. CEC sessions were open to party representatives, media, and citizen and international observers; however, the CEC also routinely held ‘working meetings’ that were not open to observers.<sup>16</sup> The CEC decisions were not always based on the legal framework, and, at times, in direct contradiction with it.<sup>17</sup>

*CEC decisions should be firmly based on the law and should not add administrative barriers for electoral stakeholders, but rather facilitate their rights and clarify legal provisions.*

The CEC did not consistently update its website, which limited the information available to the public about the preparations for the elections and arguably caused confusion about which information on the website was applicable for these elections.<sup>18</sup> Some CEC resolutions were not published in full or were published with a delay,<sup>19</sup> and the CEC did not publish the agenda of its sessions. In these respects, the CEC’s approach decreased the transparency of the process, at odds with international standards.<sup>20</sup>

*The work of the election administration at all levels should be governed by the principle of transparency. All sessions and meetings of election commissions should be public. In line with previous OSCE/ODIHR recommendations, all election-related CEC decisions should be published in full and in a timely manner.*

The CEC prepared and distributed voter education materials, including via state-owned broadcasters and online media. Materials encouraged citizens to check and update their voter information; provided information on new voting procedures, voting modalities at the place of a temporary residence, and voting via mobile ballot box; and underlined the importance of the secrecy of the vote.

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<sup>15</sup> One CEC member resigned in August to stand as a candidate and was not replaced by the end of the elections.

<sup>16</sup> The Election Law requires the CEC to operate on the basis of legality, collegiality, and openness.

<sup>17</sup> For example, the CEC procedures for the accreditation of media are not provided for by the law (see *Media*), and the procedures for registering to vote in additional polling stations in Bishkek and Osh were more restrictive than the law provides for. Furthermore, the starting and ending dates set by the CEC for accreditation of international observers were not provided for by the law. Finally, a CEC resolution stipulating that voting and the vote count in 11 polling stations abroad will be conducted without the use of fingerprint scanners and automated ballot counting was in contradiction to the Election Law.

<sup>18</sup> For example, the CEC did not publish on its official website final candidate lists for voters to clearly know who was standing on election day. The list of accredited international observers was from the previous election.

<sup>19</sup> The CEC resolutions on establishing the forms of results protocols and the form of the ballot paper were published without the forms attached. The resolution on approval of the budget for the elections did not include a breakdown of cost estimates. Resolutions on the accreditation of international observers were posted with significant delays.

<sup>20</sup> Paragraph 19 of the 2011 UN CCPR General Comment No. 34 to Article 19 of the ICCPR states “To give effect to the right of access to information, States parties should proactively put in the public domain Government information of public interest. States parties should make every effort to ensure easy, prompt, effective, and practical access to such information”.

## B. TERRITORIAL AND PRECINCT ELECTION COMMISSIONS

TECs and PECs are permanent bodies formed for two-year terms from among nominees of all political parties registered with the Ministry of Justice and of local self-governing bodies. TECs are formed by the CEC, with no less than 11 members, and the PECs are formed by the TECs, with no less than 7 members. However, some OSCE/ODIHR EOM interlocutors were concerned that a lack of nominations of commissioners, as well as failure or lack of interest by some TEC and PEC members to fulfil their duties, could negatively affect the work of election commissions. In addition, many TEC and PEC members were replaced before election day.<sup>21</sup> The OSCE/ODIHR EOM positively assessed the work of the lower-level election commissions before election day, including facilitating updates in voter lists and testing of new equipment. Not all sessions of TECs were open to party representatives and observers.<sup>22</sup> The majority of TECs positively assessed the logistical support provided by local authorities.

*Consideration could be given to adequate remuneration of all election officials, including TEC and PEC members to reflect their workload.*

The CEC organized training of lower-level commissions. The training sessions observed by OSCE/ODIHR EOM were evaluated as efficient, although they were mostly related to the functioning of ballot scanners rather than to ensuring the integrity of all election day procedures. The CEC attached a CEC representative to each TEC in order to facilitate the work of TECs and communication among all levels of the election administration. While the majority of TECs positively assessed the role of these CEC representatives, some OSCE/ODIHR EOM interlocutors expressed their concern over the undue interference of CEC representatives in the work of TECs.<sup>23</sup>

Women were well-represented at the TEC and PEC level, where they accounted for 45 per cent of all TEC members and 56 per cent of PEC members (including 62 per cent of chairpersons) in polling stations visited by IEOM observers on election day.

## C. NEW VOTING TECHNOLOGIES

For the first time, all polling stations were provided with automatic ballot scanners attached to ballot boxes. The scanners had the functionality to count ballots as they were cast and to report election results after the close of the polls, by printing a slip with vote-count results and by sending the results to the CEC, where they were directly added to the results database. However, according to the Election Law, only the results of the subsequent manual vote count were legally binding. The CEC and other authorities informed the OSCE/ODIHR EOM that ballot scanning was introduced as a control mechanism against falsification of election results, as well as to increase the transparency of the tabulation and publication of results. The introduction of ballot scanners enjoyed broad support among political parties and civil society.

The use of ballot scanners was previously tested only once, in partial local elections held in May 2015 at some 50 polling stations. In a positive step, the CEC provided for a contingency plan, according to which all TECs and some PECs had reserve equipment to use as replacements in case of ballot scanner malfunctioning that could not be readily resolved at the time of voting.<sup>24</sup> In case of

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<sup>21</sup> Among reasons for replacements were the lack of remuneration for most PEC members (only PEC chairpersons and secretaries receive remuneration), resignations of commissioners who wished to participate in the election campaign, and resignations of PEC members who were busy with the harvest season.

<sup>22</sup> TECs did not always inform the OSCE/ODIHR EOM about upcoming sessions, despite repeated requests. Some TECs in Batken *oblast*, Talas *rayon*, and Osh city held *ad-hoc* sessions and unofficial meetings.

<sup>23</sup> For example, in Karakul, Kemin, and Toktogul TECs.

<sup>24</sup> According to the Election Law, the ballot scanner in each polling station could be replaced only once.

the second scanner's malfunctioning, the voting would continue with a regular ballot box. Local authorities were obliged to provide PECs with alternative power sources.

The CEC performed tests and public demonstrations of the scanners before deploying them to polling stations, where they were further tested by PEC members on a daily basis, also in the presence of any interested voters or observers.<sup>25</sup> However, the CEC did not publicly explain the detailed functionality of the scanner hardware and software and did not publish any documentation in this respect, which is at odds with good practice.<sup>26</sup> In addition, no independent public audits or certification of the system are foreseen in the legislation or in practice.<sup>27</sup> This reduced transparency and led to some concerns that, due to some undisclosed functionality, the secrecy of the vote may be jeopardized and that early disclosure of election results could occur. Although the manual count was binding by law, which provides a test of accuracy of the machine count for any future use of ballot scanners, other important aspects of the process, such as secrecy of the vote, were not tested in a comprehensive manner, thereby underlining the need for a gradual introduction of new voting technologies in elections. The PEC members operating ballot scanners underwent a two-day CEC training, which was generally assessed positively by the OSCE/ODIHR EOM.

*To enhance public confidence and transparency of the functionality of ballot scanning equipment, the authorities could publish the relevant technical documentation. The authorities could also consider providing for public audits as well as formal certification of the equipment and software by independent organizations. Any audit and certification reports should be made public.*

## VI. VOTER REGISTRATION

The right to vote is granted to citizens who reach 18 years of age by election day, with the exception of those who are serving a prison sentence regardless of the severity of the crime and those who are legally incapacitated. The blanket denial of voting rights to all those imprisoned, regardless of the severity of the crime, is at odds with OSCE commitments and other international obligations and standards.<sup>28</sup>

*The legal framework should be amended to lift the blanket restriction on the right to vote for prisoners.*

For these elections, significant changes were introduced to the voter registration system, following an initiative launched by the president in 2013. In a positive step, voter lists were based on a unified nationwide population register, and maintained by the State Registration Service (SRS).<sup>29</sup> As an additional requirement, introduced in part to remove inaccurate voter list entries, citizens had to submit biometric data or were otherwise not registered to vote. Biometric data included citizens'

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<sup>25</sup> Public demonstrations and testing of the scanners in PECs took place from 23 September until 2 October.

<sup>26</sup> See, for example, paragraph 21 of the [Council of Europe Recommendation \(2004\)11 on Legal, Operational and Technical Standards for E-Voting, which states that](#) information on the functioning of NVT should be made publicly available. The CEC did not allow the OSCE/ODIHR EOM to meet CEC technical staff to discuss technical details related to the ballot scanners. In addition, no information regarding procurement processes and feasibility studies on the implementation of the system was provided.

<sup>27</sup> The OSCE/ODIHR EOM was informed that the components of the system were certified in South Korea, where the system is from, although no public reports are available.

<sup>28</sup> Paragraph 7.3 of the 1990 OSCE Copenhagen Document provides that participating States will "guarantee universal and equal suffrage to adult citizens", while Paragraph 24 provides that restrictions on rights and freedoms must be "strictly proportionate to the aim of the law". Paragraph 14 of the 1996 UN CCPR General Comment No. 25 to Article 25 of the ICCPR states that grounds for the deprivation of voting rights should be "objective and reasonable".

<sup>29</sup> The unified register is updated from data of ID and passport registers as well as address and civil status registries.

fingerprint scans of all ten fingers, photos, and signatures, which citizens had to submit in any of more than 700 data collection points in the country or in diplomatic missions abroad. The identification of voters on election day was based on the matching of voters' fingerprints against the fingerprints on record.<sup>30</sup> Voters were required to bring a valid ID card or a passport. Other forms of identification documents used in previous elections were excluded.

The authorities implemented the biometric registration and identification system to limit the room for electoral malfeasance and to increase voters' and political parties' trust. Most OSCE/ODIHR EOM interlocutors supported this system. Some, however, opposed it on the grounds that making biometric registration a precondition for inclusion in the voter list restricted their ability to exercise constitutional right to vote. Constitutional challenges against biometric registration were rejected.<sup>31</sup>

In total, 2,761,297 voters were registered to vote in these elections. The authorities had a limited timeframe to conduct biometric registration. The mandatory submission of biometric data started in October 2014, shortly after the Law on Biometric Registration was passed; however, biometric registration became a requirement for inclusion in the voter list only in April 2015, after the amendments to the Election Law were adopted. As a result, the inclusiveness of the voter lists was of serious concern, as some citizens were effectively excluded from biometric registration, and thus from the voter list, because they lived in remote locations, were homebound, or lived abroad.<sup>32</sup> The SRS reported that as of 19 September, a total of 2,849,000 citizens over 16 (some 75 per cent) had been registered biometrically. However, on 23 September, the government reported that some 95 per cent of all eligible voters residing in the country were registered.<sup>33</sup> Various OSCE/ODIHR EOM interlocutors assessed both percentages as unrealistic.<sup>34</sup> Although a significant number of Kyrgyzstani citizens live abroad,<sup>35</sup> only 15,312 were registered for out-of-country voting, and of those, only some 2,500 reportedly voted on election day. This brings into question the effectiveness of existing measures to ensure that all people entitled to vote are able to exercise that right.<sup>36</sup>

*Having biometric identification as a requirement for voting and having in mind that an inclusive voter list is a precondition for exercising the right of universal suffrage, the authorities should undertake comprehensive efforts to encourage and facilitate the registration for all eligible voters.*

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<sup>30</sup> In case of mismatch after five attempts, voters' personal identification numbers and photos were considered. The Election Law did not foresee contingency procedures in case of equipment failure.

<sup>31</sup> On 14 September, the Constitutional Chamber of the Supreme Court upheld the constitutionality of the Law on Biometric Registration. On 23 September, the Chamber upheld the constitutionality of the requirement of the Election Law for biometric registration for inclusion in voter lists.

<sup>32</sup> Article 41 of the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families states: "Migrant workers and members of their families shall have the right to participate in public affairs of their State of origin and to vote ... in accordance with its legislation. The States ... shall ... facilitate the exercise of these rights". According to Article 2.c of the 2002 CIS Convention "Each citizen residing or being outside the boundaries of his/her state during the period of conducting national elections shall be entitled to the electoral rights equal to the electoral rights of other citizens of his/her state. The diplomatic representations and consular departments, and their officials shall assist the citizens in exercising their electoral rights and freedoms".

<sup>33</sup> On 2 October, the CEC chairperson informed international observers that 99 per cent of eligible voters residing in the country had been registered.

<sup>34</sup> While SRS based their data on previous paper-based citizen registry records and census information, the government and the CEC referred to the cleaned version of a previously used voter register.

<sup>35</sup> The Ministry of Foreign Affairs reported to the SRS that 612,747 citizens over the age of 16 live abroad.

<sup>36</sup> Paragraph 11 of the 1996 UN CCPR General Comment No. 25 to Article 25 of the ICCPR provides that "States must take effective measures to ensure that all persons entitled to vote are able to exercise that right. Where registration of voters is required, it should be facilitated and obstacles to such registration should not be imposed". See also Paragraph 7.3 of the 1990 OSCE Copenhagen Document.

In addition, some citizens lacked interest or were unwilling to undergo biometric registration due to concerns about the use and protection of personal data, aspects that are not adequately regulated by existing legislation.<sup>37</sup>

*Citizens should be made aware how their personal information is being stored, protected, and used. To achieve these goals, the authorities should regulate the access to and usage of citizens' private data for specific and well-defined purposes.*

The authorities undertook a comprehensive public information campaign, not least due to the limited time available for the complex process of biometric registration. However, the OSCE/ODIHR EOM also received credible reports of various forms of undue pressure on some citizens, especially public-sector employees, to provide biometric data. Furthermore, the OSCE/ODIHR EOM noted that the central and local authorities did not provide sufficient information about the practical implications of the new voter registration process,<sup>38</sup> which is at odds with international standards,<sup>39</sup> and failed to address some citizens' concerns.

In a mainly open process, from 20 August to 19 September, voters could confirm their voter list records at their polling stations, online, and via an SRS telephone hotline, and could request changes to their records.<sup>40</sup> During this period, voters could also familiarize themselves with the biometric identification process. Voters, including a significant number living but not registered in Bishkek and Osh, could also request to vote at their place of temporary residence.<sup>41</sup> Some voters submitted biometric data close to the deadline, and the fact that this was not immediately reflected in voter lists available in polling stations led to confusion in some cases.<sup>42</sup>

The initial allocation of voters to polling stations was conducted automatically, using a newly created address register held by the SRS. However, due to insufficient quality of the address register, the SRS had to re-allocate some 15 per cent of all voters to the correct polling stations, on the basis of the precinct boundaries established by the CEC. As this was based on information from both the address register and by consulting the voter list entries previously maintained by the CEC,<sup>43</sup> this led to a number of cases in which voters were re-allocated after they had already checked their registration during the voter list familiarization period. Reportedly, the accuracy of the voter list was affected by the fact that voter list updates were conducted both by the SRS and by CEC personnel.

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<sup>37</sup> For example, it is unclear why the citizen's signatures were collected as part of the biometric data. Article 3 of the 1990 UN General Assembly Guidelines Concerning Computerized Personal Data Files states that "All the personal data collected and recorded [should] remain relevant and adequate to the purposes so specified".

<sup>38</sup> For example, voters were not informed about the process of compiling and updating the voter list, about the time required between biometric registration and their names appearing in the voter list, about discrepancies between the electronic and printed voter list noted during the public display period, or about the fact that the location where they provided biometric data was not linked to where they would be included on the voter list.

<sup>39</sup> Paragraph 11 of the UN CCPR General Comment No. 25 to Article 25 of the ICCPR states, among others, that "[voter] education and registration campaigns are necessary to ensure the effective exercise of article 25 rights by an informed community".

<sup>40</sup> The SRS published the complete voter list online. The SRS hotline had several operators; however, it was largely unavailable during peak times, such as on 18 September.

<sup>41</sup> A total of 237,000 applications to vote according to the actual place of living were processed. Of some 200,000 citizens who live in Bishkek but are registered to vote elsewhere according to their permanent residence and who registered biometrically, some 79,195 requested to vote in Bishkek. The OSCE/ODIHR EOM noted long lines of voters attempting to register to vote according to their temporary residence, and it appeared that not all such voters managed to do so by the deadline of 19 September.

<sup>42</sup> Some voters could find their names neither on the paper copy of the voter list nor in the electronic version, although they claimed to have undergone biometric registration. The SRS told the OSCE/ODIHR EOM that some 4,000 voters were not included in the voter list, due to various problems during the biometric registration.

<sup>43</sup> Until these elections, the CEC was responsible for maintaining and updating voter lists.

*The SRS should improve the address register and the system of allocation of voters to polling stations well before next elections. The division of competencies between the SRS and the CEC should be defined more clearly and the process of updating voter lists should be conducted in line with the law.*

## VII. CANDIDATE REGISTRATION

Eligible voters over 21 years of age by election day may be elected to parliament, unless they have a criminal record that has not expired or been cleared according to the law. Independent candidates are not permitted to contest parliamentary elections, which is at odds with OSCE commitments and other international standards.<sup>44</sup>

*The legal framework should be amended to allow independent candidates to stand in parliamentary elections.*

The candidate nomination process for these elections commenced on 28 July and ended on 25 August. In an inclusive process, the CEC registered all 14 political parties that submitted their candidate lists and paid the required electoral deposit of KGS five million.<sup>45</sup> The amount of the deposit was increased tenfold compared to the previous elections. Despite being a potential obstacle for the participation of smaller parties, the majority of OSCE/ODIHR EOM interlocutors considered this increase as a positive step facilitating the consolidation of political parties and providing a more distinct choice for voters.<sup>46</sup> The deposit is returned to those parties that receive more than five per cent of all votes cast.

To promote inclusive candidate lists, the Election Law establishes a number of quotas that parties must meet in order to have their lists registered. Parties must have at least 30 per cent of candidates from each gender, with the less represented gender being given at least one place in each group of four candidates on the list. Furthermore, a party must ensure that at least 15 per cent of its candidates belong to national minorities, that 15 per cent are under 35 years of age, and that it fields at least two candidates with disabilities, of which one must be in the top 50 of the list.<sup>47</sup>

The quotas apply to candidate lists at the time of registration, rather than at the time of the distribution of seats. The law does not require that the quotas are maintained after registration of a list, which undermines the efficacy of measures aimed to increase participation of underrepresented groups, particularly women.<sup>48</sup> The percentage of women candidates on individual party lists registered for these elections ranged from 30.1 to 35.3 per cent. However, no party represented in the new parliament maintained the gender quota after election day and only 24 of the 120 newly elected MPs are women (20 per cent).<sup>49</sup> The discrepancy between those registered and those elected

<sup>44</sup> Paragraph 7.5 of the 1990 OSCE Copenhagen Document commits participating States to “respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination”.

<sup>45</sup> Equal to some EUR 72,800 (at the time of registration, EUR 1 equalled some 68.6 Kyrgyzstani *Som*, KGS).

<sup>46</sup> Twenty more parties had initially stated their intention to run in the elections but did not submit all required documents, including proof that they had paid the electoral deposit.

<sup>47</sup> The disability quota is new. There is no placement requirement for youth and minority candidates.

<sup>48</sup> See [National Strategy of the Kyrgyz Republic to achieve gender equality until 2020 and National Action Plan for achieving gender equality in the Kyrgyz Republic for 2012–2014](#): “The implementation of international commitments and national legislation stipulates to address the priorities to promote gender parity and the expansion of political participation by increasing the representation of women to 50 per cent at all levels of decision-making”.

<sup>49</sup> *Ata Meken*, had 3 women among its 11 MPs (27.3 per cent); *Bir Bol*, had 3 out of 12 MPs (25 per cent); SDPK had 9 out of 38 MPs (23.7 per cent); *Respublika-Ata Jurt* had 5 out of 28 (17.9 per cent), *Kyrgyzstan* had 3 out of 18 (16.7 per cent), and *Onuguu-Progress* had 1 out of 13 MPs (7.7 per cent).

demonstrated that the lack of requirement to maintain the gender quota until the distribution of seats lessened its effectiveness.<sup>50</sup>

*To achieve the objectives of the law, all quota requirements should remain enforceable after the registration of candidate lists and relevant sanctions should be provided for cases of non-compliance. This could be achieved by requiring that a vacant position in the parliament is filled by the next candidate on the list from the respective quota. Consideration should be given to placing a candidate from the under-represented gender in at least every third position on candidate lists. Equivalent placement requirements could be introduced for representatives of national minorities.*

Parties were aware of the nomination and registration rules, and party representatives and citizen observers were allowed to attend meetings of CEC working groups during the processing of registration documents. Some parties had to amend their initial lists to meet the quota requirements, following requests from the CEC. The CEC refused the registration of one candidate from *Ata Meken* because he was not eligible due to a criminal conviction. Many candidates who were not eligible to stand for elections due to criminal convictions either withdrew or were taken off the list by the nominating parties.<sup>51</sup>

According to the Election Law, the CEC has 10 days from the day it receives a party's registration documents to decide on the registration of that party's candidate list. The CEC did not meet this deadline and registered all candidate lists on 3 September, the final deadline for list registration, regardless of when individual lists had been submitted. On 28 September, less than a week before election day, the CEC deregistered one of the two co-chairpersons of *Respublika-Ata Jurt*, Kamchybek Tashiev, for violating campaign rules.<sup>52</sup> The CEC deregistered Mr. Tashiev without having issued him a prior written warning for violating campaign rules, as required by law.<sup>53</sup> The law is unclear which violations may result in sanctions against candidates or entire party lists.

*Consideration should be given to amending the law to ensure that deregistration of candidate lists and individual candidates respects the principle of proportionality and is based on clear legal grounds.*

The CEC published the names of registered candidates on its website after it registered the candidate lists, but it did not update the lists to reflect deregistration of candidates, contrary to good practice.<sup>54</sup> Due to a lack of data published by the CEC, it was not possible for the OSCE/ODIHR EOM to confirm whether the parties fulfilled all quota requirements.

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<sup>50</sup> President Atambayev, in his [statement to the newly elected parliament on 6 November](#), noted that circumvention of the law “led to violation of quotas for women, minorities, and the youth”. See also, paragraph 33 of the 1997 CEDAW General Recommendation No. 23 on Women in Political and Public Life.

<sup>51</sup> According to the Ministry of Internal Affairs, 234 nominees fell under the ban to stand. The CEC did not provide information about how many candidates were withdrawn on this ground.

<sup>52</sup> Mr. Tashiev was deregistered following a violent incident in which he allegedly assaulted an *Onuguu-Progress* candidate in Jalal-Abad. The Election Law rules on campaigning are silent on such conduct, and it is not listed as a legal ground for deregistration. In addition, the law does not clearly delineate the responsibility of individual candidates and of parties for violation of campaign rules.

<sup>53</sup> According to Article 28.9 of the Election Law, candidates or lists of candidates may be deregistered by the CEC for repeat violations of campaign rules. Paragraph 24 of the 1990 OSCE Copenhagen Document requires that “any restriction on rights and freedoms must, in a democratic society, relate to one of the objectives of the applicable law and be strictly proportionate to the aim of that law”.

<sup>54</sup> Section III. 3.1.b.(i,ii) of the 2002 Council of Europe's Venice Commission Code of Good Practice in Electoral Matters states that “[the] public authorities have a number of positive obligations; inter alia, they must enable voters to know the lists and candidates standing for election, for example through appropriate posting”.



*Consideration could be given to publishing the final candidate lists and to making them available at polling stations on election day, in order to ensure the right of voters to know which candidates are standing for elections.*

## VIII. ELECTION CAMPAIGN

During the official campaign, which started on 4 September and ended 24 hours prior to voting, parties actively canvassed throughout the country, holding public meetings and rallies. Billboards, banners, and other signage, including stickers and small posters on private homes and vehicles, were widely visible in many locations, as were party offices. The campaign was conducted in a generally peaceful environment, allowing parties and candidates to exercise their fundamental freedoms of assembly and expression; the most notable exception was the violent incident involving Mr. Tashiev of *Respublika-Ata Jurt* (see *Candidate Registration*). In addition, isolated scuffles between supporters of different parties and instances of signage being destroyed or removed were reported.<sup>55</sup> In a positive step, all 14 parties that participated in the elections signed a code of conduct initiated by the CEC, which included pledges to refrain from spreading false information, to not engage in ‘dirty’ campaigning, and to have regard for public safety.

*Ata Meken*, *Respublika-Ata Jurt*, and the SDPK ran highly visible campaigns throughout the country during the entire campaign period, using considerable resources. There was also active canvassing of voters by *Bir Bol*, *Kyrgyzstan*, and *Onuguu-Progress*. These six parties, along with *Butun Kyrgyzstan-Emgek* and *Zamandash*, were observed to have offices in all *oblasts*. *Ar-Namys* had some prominent candidates and tried to capitalize on its role as a member of the governing coalition, although the party’s campaign approach was less visible due to its limited resources. Other parties with limited campaign funds only intensified their campaigning during the later stages of the campaign. There were also widespread allegations of ‘technical’ or proxy parties contesting the elections, supposedly to draw votes away from particular parties, made by many interlocutors.

While some parties ran campaigns based on their platforms, others reminded voters of accomplishments that had rendered specific benefits, including infrastructure projects, provision of services, and increases in civil servant salaries. The President was highly visible during the election campaign.<sup>56</sup> While the authorities stated that the president’s activities related to inauguration events that were planned before the elections started, during the campaign and the silence period, he made several comments that amounted to criticism of other parties running in the elections or of prominent members of opposition parties.<sup>57</sup> On election day, the President expressed to journalists the hope that the SDPK would win more seats than it had in previous elections.

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<sup>55</sup> An alleged incident reported by the media was of a *Respublika-Ata Jurt* candidate stabbing a *Kyrgyzstan* party member in Kochkor district (Naryn *oblast*). The police clarified that the incident was not election-related.

<sup>56</sup> President Atambayev helped to establish the SDPK in 1993 and led the party from 1999 until he terminated his membership in 2011. On 13 October, Bektur Asanov, leader of the *Egemen Kyrgyzstan* party (which did not participate in these elections), submitted to the inter-district court of Bishkek a lawsuit demanding administrative accountability of President Atambayev for openly supporting the SDPK, in violation of Article 63.3 of the Constitution. The case was not admitted by the court.

<sup>57</sup> On 3 October, the President Atambayev gave a press conference at the opening of a school near Dordoi market in Bishkek, where he noted that the owners of Dordoi and Oberon markets were spending heavily to promote themselves but had failed to build any schools in their respective areas; the owner of Dordoi Market, the largest in Central Asia, is the co-chairperson of *Butun Kyrgyzstan-Emgek*. On 2 October, the President Atambayev noted that parties that sought to bring criminals into the parliament or whose members used force did not respect the law. Many observers understood this to refer to *Ata Meken*, which included on its initial candidate list former Osh Mayor Melis Myrzakmatov, who was later sentenced in absentia for corruption and remains outside the country, and to Mr. Tashiev of *Respublika-Ata Jurt*, respectively.



The SDPK tried to use the President's prestige to its benefit during the campaign.<sup>58</sup> Some party and civil-society representatives expressed their concerns to the OSCE/ODIHR EOM that the SDPK, due to its affiliation with the President, took credit for state projects. There were some additional allegations from various stakeholders of abuse of state resources, but this did not appear to be a major issue of concern in these elections.

Allegations of vote buying and selling were widespread,<sup>59</sup> and some formal complaints were filed and criminal investigations launched.<sup>60</sup> Party representatives told the OSCE/ODIHR EOM that voters expect to either receive cash or promises of individual benefits for their votes. The President acknowledged that vote-buying had taken place during these elections and that the practice should be ended.<sup>61</sup>

*Additional efforts are needed to address the issue of vote-buying, both through voter education and prosecutions, in order to enhance confidence in the electoral process. Consideration should be given to make vote-buying a criminal offence that is a matter of public prosecution. A concrete and genuine commitment from political parties to condemn vote-buying practices could be made.*

While it was noted that a few prominent women candidates participated in these elections, and female candidates joined their male counterparts on some banners and posters, their coverage in the media was negligible. During the campaign period on the public television channel KTRK, 95 per cent of the coverage of candidates in the news and 91 per cent in the editorial current affairs programmes were devoted to male politicians. Other media outlets provided similarly disproportionate coverage, devoting between 88 and 98 per cent of such coverage to male candidates. In general, the role of women in political parties varies considerably: some parties reported no women in decision-making positions (*Bir Bol* and *Onuguu-Progress*), while others reported that up to 40 per cent of members of their political councils are women.<sup>62</sup>

## IX. CAMPAIGN FINANCE

Political parties can fund their campaign from their own resources and those of their candidates, as well as from donations from citizens and legal entities.<sup>63</sup> The law sets limits on the amounts of campaign contributions and expenditures, which were significantly increased compared to previous elections.<sup>64</sup> The campaign spending limit was increased fivefold to KGS 500 million. Cash donations are prohibited and campaign funds must be channelled through special bank accounts, opened by political parties for the elections. Parties do not receive direct public funding.

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<sup>58</sup> For example, the SDPK during the later stages of the campaign posted billboards with the message "We support the country, we support the president".

<sup>59</sup> Prime Minister Temir Sariyev, in a meeting with political parties in Bishkek on 15 September, asked parties to stop vote-buying initiatives and the collection of voters' passport numbers.

<sup>60</sup> The police in Jalal-Abad confirmed to the OSCE/ODIHR EOM that, on 3 October, five residents of Jalal-Abad city reported that they had received money and rice from a political party in return for their votes. Media reported on election day that according to the deputy interior minister, 80 cases of vote-buying were registered during the pre-election period, and 6 criminal investigations had been launched.

<sup>61</sup> During a meeting with international election observers on 5 October, President Atambayev noted that vote-buying had taken place.

<sup>62</sup> These figures were valid as of 15 October 2015. Among other parties in the new parliament, *Ata Meken* reported 40 per cent women were in its political council, the SDPK -14 per cent, *Kyrgyzstan* - 7 per cent, and *Respublika-Ata Jurt* -6 per cent.

<sup>63</sup> The Election Law prohibits donations from foreign, state-owned, and anonymous sources, as well as from religious and charitable organizations. Candidates may not create their own electoral funds.

<sup>64</sup> While individuals and legal entities can donate to a party fund up to KGS 200,000 and KGS 3 million, respectively, a candidate can contribute up to KGS 1.5 million, and a party up to KGS 100 million.

The Election Law prohibits charitable activities by contestants from the moment elections are called. However, past charitable activities and projects featured prominently in some campaigns.<sup>65</sup> Party activists were employed by most parties to carry out campaign activities and to observe election-day proceedings. The widespread use of paid activists increased the level of cash transactions taking place during the elections despite campaign finance rules intended to prevent parties from conducting operations in cash.

In meetings with the OSCE/ODIHR EOM, parties raised the “selling of seats” or top positions on party lists as a potential fundraising mechanism.<sup>66</sup> Campaign finance reports show that some parties raise a significant portion of their election campaign funds from candidates.<sup>67</sup> While this practice does not violate legislation, it raises questions about undue dependence of parties on private donors and the predominance of business interests in the parliament.

The CEC set up an audit group led by a CEC member to oversee compliance with campaign finance rules. Banks are required to provide the CEC with party financial information and the CEC regularly published the total amounts of incomes and expenditures for each party prior to election day. In line with the law, all parties submitted an interim report to the CEC with a breakdown of contributions and expenditures by category, which the CEC published on 24 September. However, the parties are not obliged to disclose the sources and individual amounts of contributions before election day. Based on the audit group’s findings, the CEC issued formal warnings to *Aalam*, *Bir Bol*, and the Congress of Peoples of Kyrgyzstan for making campaign finance transactions in cash.

Parties are also required to submit a final financial report within 10 days after election day. However, there is no sanction should a party not submit the report. At the time of publication of this report, the CEC had not published parties’ final financial reports and the law does not oblige the CEC to do so, which limits the transparency of campaign finance rules.<sup>68</sup>

*To enhance campaign finance transparency, interim reports prior to election day could include information on the sources and amounts of contributions and the publication of final reports after the elections should be mandatory. The law could be amended to introduce effective, proportionate, and dissuasive sanctions for non-compliance and potential infringements.*

## **X. MEDIA**

### **A. MEDIA ENVIRONMENT AND LEGAL FRAMEWORK**

Television (TV) is the main source of political information for the overwhelming majority of the population, with the Public TV and Radio Company (KTRK) holding the leading position in terms of territorial coverage and viewership. Since the nationalization of two prominent TV stations, Channel 5 and *Piramida*, in 2011, NTS is the only private TV station among the five TV stations

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<sup>65</sup> For example, by *Butun Kyrgyzstan-Emgek*, *Onuguu-Progress*, *Respublika-Ata Jurt*, SDPK, and *Zamandash*.

<sup>66</sup> A major party told the OSCE/ODIHR EOM that it had done so in previous elections, while other parties accused their competitors of such practices.

<sup>67</sup> According to the financial report of 24 September, 46 per cent of *Respublika-Ata Jurt*’s total election account funds came from its candidates, as did 41 per cent of *Bir Bol*’s, 38 per cent of *Onuguu-Progress*’s, 33 per cent of the SDPK’s, and 20 per cent of *Ata Meken*’s.

<sup>68</sup> Article 7.3 of the 2003 UN Convention against Corruption provides that states should “consider taking appropriate legislative and administrative measures... to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties”. Paragraph 200 of the 2010 OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation recommends that: “reports on campaign financing should be turned in to the proper authorities within a period of no more than 30 days after the elections”.

with nationwide coverage.<sup>69</sup> Despite a large number of print media outlets, their circulation is limited to urban centres. The small advertisement market limits the development of the media and undermines their financial independence. Many interlocutors of the OSCE/ODIHR EOM critically noted that all media coverage of the president is co-ordinated and supervised by the Presidential Administration.

The Election Law provides for equitable coverage of contestants and requires that information disseminated by the media be unbiased and true. It also prohibits any dissemination of knowingly false information that could damage the honour or dignity of the contestants, which potentially limits campaigning and information about the candidates. Any campaigning in foreign media is prohibited and, for the duration of the campaign, foreign media outlets are to be rebroadcast pre-recorded, rather than live, which is at odds with OSCE commitments.<sup>70</sup> The legal framework for the media was supplemented by a number of CEC decisions.

The Election Law obliges all state-owned and state-funded broadcasters to allocate one hour of free airtime per working day to contestants; however, it does not specify whether it should be allotted for every working day of the campaign period, or only a portion of it. Given the ambiguity of this requirement, KTRK and the state National Television and Radio Company (ELTR) initially allocated free airtime using one hour per contestant as a basis.<sup>71</sup> In a positive step, after the official allocation of free airtime, KTRK decided to provide each contestant with an additional 15 minutes on its TV channel. Channel 5 and *Piramida*, which were nationalized in 2011 and received state funding in 2015, did not allocate free airtime, despite the legal requirements to do so.<sup>72</sup> State-funded newspapers are obliged to allocate throughout the campaign at least one A4 page to each contestant for free. Two out of three national state-funded newspapers provided all contestants with half of the legally required space, while *Slovo Kyrgyzstana* did not allocate any space.

The Election Law allows media outlets to sell airtime and space to contestants, provided that prices are equal for all contestants and are published within 10 days of the calling of an election. The CEC established accreditation requirements for media outlets that chose to cover the activities of the CEC and for media outlets that chose to publish paid political advertisement, although the latter was not foreseen by the law. For these elections, the CEC accredited 66 TV and radio channels and 137 newspapers. The CEC reserved the right to revoke accreditation, which entailed suspending the right to publish paid political advertisements, if a media outlet failed to provide objective coverage of the campaign or elections or if it attempted to damage the honour or dignity of election commissioners. Although the Internet is generally not regulated by the legal framework, the CEC established similar requirements for websites, providing a ten-day deadline for accreditation.<sup>73</sup> The popular web portal *namba.kg* was not accredited due to the late submission of documents. *Namba.kg* challenged the CEC decision in court, which, on 3 September, upheld the decision.<sup>74</sup> Many OSCE/ODIHR EOM interlocutors perceived the accreditation requirements as excessive and beyond the CEC's mandate.

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<sup>69</sup> According to the register of legal entities published on the website of the Ministry of Justice, NTS is owned by Omurbek Babanov, the leader of *Respublika-Ata Jurt*.

<sup>70</sup> Paragraph 26.1 of the 1991 OSCE Moscow Document states: "The public will enjoy [unrestricted] freedom to receive and impart information and ideas without interference by public authority regardless of frontiers, including through foreign publications and foreign broadcasts". See also paragraph 26 of the 1999 OSCE Istanbul Document.

<sup>71</sup> The order of appearance and debating partners were determined by drawing lots at the CEC on 7 September.

<sup>72</sup> On 16 February 2015, the government allocated KGS 5.7 million to Channel 5 and *Piramida*, each.

<sup>73</sup> The CEC accredited 23 websites for these elections.

<sup>74</sup> The court reasoned that *namba.kg* was late to apply to the CEC for accreditation. The court did not examine whether the CEC decision was in compliance with the law and whether it unduly restricted the rights of media.

*Special accreditation requirements for media outlets that wish to cover the campaign or publish political advertisements should be reconsidered as it creates additional obstacles for media, potentially limiting the amount of information available to voters.*

The Election Law requires that copies of all campaign materials, including paid political advertisements, be submitted to the CEC. The commission interpreted this requirement by establishing an unofficial procedure that required all campaign materials to be pre-screened and authorized by the CEC in order to be published, and in a number of cases suggested changes to their content. This resulted in excessive control over the content of these campaign materials.<sup>75</sup> Some political parties, however, welcomed this pre-screening, stating that such procedures significantly decreased the risk of them being deregistered by the CEC for any violation of campaign rules.

*The requirement for pre-approval of paid political advertisements by the CEC should be reconsidered as it gives the CEC excessive control over parties' campaigns. Consideration could be given to introducing more effective sanctions for violations of the rules related to the content of paid political advertisement, as deregistration is a disproportionate sanction for minor campaign-related violations.*

## **B. COVERAGE OF THE ELECTION CAMPAIGN**



The campaign was highly visible in the media. The media provided contestants with a platform to present their views, through political advertisement and a number of free debates. However, the limited coverage of the election campaign in the news and current affairs programmes of the majority of media outlets, as well as a lack of investigative and analytical reporting, significantly reduced the amount of impartial information available to voters.<sup>76</sup>

Media outlets largely perceived the campaign as a business opportunity and provided only limited editorial coverage of the campaign in their news and current affairs programmes; several OSCE/ODIHR EOM interlocutors stated that this was to maximize advertisement revenue. The results of the OSCE/ODIHR EOM media monitoring indicate that the overwhelming majority of coverage of contestants in broadcast and print media was paid advertisements.<sup>77</sup> In particular, some 79 per cent of the time allotted to contestants on KTRK was paid for, while the coverage of contestants in the news and current affairs programmes accounted to some 2 per cent. A similar approach was observed on other TV stations monitored by the OSCE/ODIHR EOM, where between 77 and 95 per cent of the coverage of contestants was paid for.

*State and public broadcasters should make greater efforts in its news and current affairs programmes to provide impartial and balanced editorial coverage of the campaign activities of candidates. Having such information in news and current affairs programmes would help voters to make informed choices.*

Party-prepared reports about parties and their candidates in the news and current affairs programmes accounted for between 54 and 72 per cent of purchased time on the monitored TV

<sup>75</sup> On 1 October, the CEC issued an official warning to KTRK for airing spots that had not been approved.

<sup>76</sup> The right to receive and impart information is guaranteed by the Article 19 of the 1948 Universal Declaration of the Human Rights. Paragraph 26 of the 1996 UN CCPR General Comment No. 25 to Article 25 of the ICCPR states: "the free communication of information and ideas about public and political issues between citizens, candidates and elected representatives is essential. This implies a free press and other media able to comment on public issues without censorship or restraint and to inform public opinion".

<sup>77</sup> On 4 September, the OSCE/ODIHR EOM commenced its quantitative and qualitative media monitoring of 6 TV channels (Channel 5, ELTR, KTRK, NBT, NTS, and *Piramida*), 2 radio stations (Radio *Azattyk* and Radio *Birinchi*), and 11 newspapers (state-funded *Erkin-Too*, *Kyrgyz Tuusu*, and *Slovo Kyrgyzstana*; the private *Asia-News*, *De Facto*, *Delo No.*, *Fabula*, *Novye Litsa*, *Respublica*, *Super-Info*, and *Vecherniy Bishkek*).

channels. Such reports were broadcast as part of the regular newscasts, and were often indistinguishable from regular newscasts and programmes. While the majority of such items contained notices that they were paid for, these notices were usually displayed only at the end and in very small text.<sup>78</sup> Such practices, although in line with the law, undermined the editorial autonomy and credibility of media outlets, potentially deceiving voters regarding the nature of the content.

*Consideration should be given to banning the broadcasting of campaign material within news and current affairs programmes. Additionally, consideration could be given to require that paid political content is clearly and constantly identified as such. This would decrease the potential for confusion of voters regarding the nature of the content.*

The lack of news coverage of contestants contrasted with extensive positive coverage of the president and other state officials in all state-affiliated broadcast media, which devoted between 29 and 42 per cent of all politically relevant news coverage to the president, mainly positive in tone, and between 25 and 48 per cent to the government, mainly neutral in tone. In comparison, all contestants combined received between 7 and 17 per cent of news coverage across state-affiliated media. The coverage of the president in the news and current affairs programmes often contained elements (such as music, slogans, or video footage) that were also part of the SDPK's paid spots.

During the last week of the campaign, editorial coverage of *Respublika-Ata Jurt*, the SPDK, and, to a lesser extent, *Ata Meken* increased on KTRK and private NTS; however, the tone of presentation differed. While KTRK covered *Respublika-Ata Jurt* and *Ata Meken* mainly in a negative tone, the SDPK was presented mainly in a positive manner. Negative coverage of *Respublika-Ata Jurt* also prevailed, although to a lesser extent, on state affiliated ELTR, Channel 5, and *Piramida*. NTS devoted extensive positive and neutral coverage to *Respublika-Ata Jurt*, mainly related to the deregistration of Mr. Tashiev

OSCE/ODIHR EOM media monitoring results showed a pronounced contrast between the coverage of public Radio *Birinchi* (part of KTRK) and Radio *Azattyk* (the Kyrgyz-language service of RFE/RL). Radio *Birinchi* largely focused on the activities of the authorities, while contestants received a combined total of one hour (or 11 per cent) of editorial news coverage during the entire campaign period. Radio *Azattyk* focused more on the contestants and their platforms – one half of electoral and politically relevant coverage was devoted to the contestants, without favouring any particular party.

Similarly to television, monitored print media outlets mainly presented contestants via paid political advertisements. The only exception was *Slovo Kyrgyzstana*, which failed to submit accreditation documents to the CEC before the deadline and thus was not allowed to have any paid political advertisement. In other newspapers, between 52 and 96 per cent of the total space devoted to the contestants was paid for.

## **XI. PARTICIPATION OF NATIONAL MINORITIES**

The Kyrgyz Republic has an ethnically diverse population, with ethnic Kyrgyz constituting 73 per cent of the population and a number of minority groups accounting for 27 per cent. Minority groups include ethnic Uzbeks (14.5 per cent), Russians (6.2 per cent), Dungans (1.1 per cent), Uighurs (0.9 per cent), as well as groups of Kazakhs, Koreans, Meskhetian Turks, Tajiks, Tatars, and

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<sup>78</sup> ELTR was the only broadcaster monitored by the OSCE/ODIHR EOM that indicated paid content during the whole duration of such paid programmes.

Ukrainians.<sup>79</sup> The Constitution does not make direct reference to national minorities and does not allow for political parties to be formed on the basis of ethnicity. Although principles of non-discrimination and equality are enshrined in the Constitution, there is no specific legislation on non-discrimination. The Constitution grants Russian the status of an official language.

All parties' candidate lists complied with the national minority quota at the time that the lists were registered, with many parties placing minority representatives in the top 10 of their lists. However, as with other quotas, there is no requirement or mechanism to maintain the minority quota after a candidate list has been registered. A number of minority representatives were withdrawn from the candidate lists after election day. Overall, 15 individuals belonging to national minorities (12 per cent) will be represented in the new parliament.

In areas with large ethnic populations of Dungans, Tajiks, and Uzbeks, these national minorities were underrepresented in a number of TECs and PECs. Neither voter education and information material nor ballot papers were printed in minority languages. This practice does not correspond to OSCE commitments and international standards<sup>80</sup> and may have resulted in *de facto* disenfranchisement of those persons belonging to national minorities who do not have sufficient command of either the Kyrgyz or Russian language.

*Consideration should be given to preparing and distributing election-related information and polling materials in minority languages in areas compactly populated by national minorities. Consideration could also be given to adopting measures that would ensure adequate representation of national minorities in election commissions in such areas.*

Minorities participated in rallies held by different parties. In a positive development, most parties refrained from nationalist rhetoric, and neither anti-minority campaigning nor intimidation of minorities was reported in the course of the campaign. However, there were instances of anti-minority content on the Internet, including in social media.<sup>81</sup>

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

The law allows for observation of the entire electoral process by both citizen and international observers. While international observers must be accredited by the CEC, citizen observers acquire their status after their organization has submitted a letter with their names to the election commission where they will observe (CEC, TECs or PECs). In a positive step, civil society, including the Coalition for Democracy and Civil Society and *Taza Shailoo*, was actively involved in election observation, conducting both long-term and short-term observation and publishing observation reports, and thus contributing to the transparency of the process.

In line with CEC Resolution No. 87 of 28 July, the CEC started to accredit international observers only on 4 September, effectively limiting their ability to observe all stages of the electoral process.<sup>82</sup> Accreditations expired once the final election results were adopted by the CEC, which limited the possibility to observe the handling of possible challenges of the results.

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<sup>79</sup> See [the official data of National Statistical Committee of the Kyrgyz Republic on population](#).

<sup>80</sup> Paragraph 32.5 of the 1990 OSCE Copenhagen Document states that "persons belonging to national minorities have the right (...) to disseminate, have access to and exchange information in their mother tongue". Paragraph 12 of the 1996 UN CCPR General Comment 25 to Article 25 of the ICCPR states: "Information and materials about voting should be available in minority languages".

<sup>81</sup> See also, Committee on the Elimination of Racial Discrimination, [Concluding observations on the fifth to seventh periodic reports of Kyrgyzstan](#) (19 April 2013), [paragraph 18](#).

<sup>82</sup> In the beginning of the process, the OSCE/ODIHR EOM was not able to follow the candidate registration process as its members had not yet been accredited. In addition, the Aksy, Batken city, Batken district, and

*The ability to observe the entire electoral process independently, including after the publication of official election results, should not be restricted through CEC decisions or other administrative barriers.*

### XIII. COMPLAINTS AND APPEALS

Following the latest amendments, the Election Law channels most election-related complaints to elections commissions. Decisions, actions or inactions of election commissions that violate the rights of electoral stakeholders can be appealed to the higher-level election commission. Complaints about the CEC and appeals against its decisions can be submitted to the Pervomaisky district court in Bishkek and then further appealed to the Supreme Court. Other complaints about actions or decisions of state bodies and officials, as well as actions of other electoral stakeholders, can be filed with the police, the prosecutor's office, election commissions, or the courts.<sup>83</sup> Complaints and appeals can be filed by voters, political parties, candidates, citizen observers, and NGOs. Candidates, political parties and their representatives, and citizen observers are entitled to challenge election results.<sup>84</sup>

Complaints and appeals must be made within two days from the time the complainant became aware of the infringing action.<sup>85</sup> Complaints against the election results must be filed within three days after signing the results protocol. Election commissions and courts must decide on complaints and appeals within three days, which can be extended to five days if the alleged facts require additional verification. Police and prosecutors' offices must respond to complaints within two days, which can be extended to three days if additional verification is required. All complaints and appeals submitted on election day or the day before elections must be considered without delay.

Election commissions responded to pre-election complaints but did not always meet legal deadlines and inform the parties about the time and date of consideration. More than 300 'communications' were received by the CEC before election day.<sup>86</sup> Most of them were reviewed by the CEC working groups on complaints and on control over the campaign, with only a few heard in CEC sessions. The documentation of complaint resolution by election commissions lacked transparency.<sup>87</sup> The CEC decisions demonstrated a lack of consistency in applying the law and some decisions lacked

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Karakol TECs initially denied the OSCE/ODIHR EOM the right to observe their activities, due to the late issuance of accreditation documents.

<sup>83</sup> The Civil Procedure Code retains provisions on election-dispute resolution by local courts. However, the Election Law is a constitutional law and takes precedence. Both the Supreme Court and the CEC informed the OSCE/ODIHR EOM that judges had therefore been instructed to give precedence to the Election Law.

<sup>84</sup> Section 3.3.f of the 2002 Venice Commission Code of Good Practice in Electoral Matters provides that "All candidates and all voters registered in the constituency concerned must be entitled to appeal. A reasonable quorum may be imposed for appeals by voters on the results of elections".

<sup>85</sup> Courts rejected three complaints on the grounds that complainants missed the legal deadline. The courts took into account only the date when the respective decisions were taken, but not the date when they were published.

<sup>86</sup> All incoming correspondence is registered as such by the CEC, and complaints are not distinguished from other communications, such as requests for clarification of Election Law.

<sup>87</sup> Working group meetings were not documented in protocols, but the CEC stated that meetings were recorded by video camera. Such video protocols were presented in several court cases.



legal reasoning.<sup>88</sup> The majority of appeals filed against the CEC before election day were upheld by the courts, whose scope of inquiry was generally limited.<sup>89</sup> Courts generally respected legal deadlines and procedural rights, but the parties were not always informed about the time of hearings.<sup>90</sup> Many OSCE/ODIHR EOM interlocutors expressed a lack of confidence in the effectiveness of the legal remedy system, particularly concerning inadequate training and expertise of election commissions and a perceived lack of judicial independence remains of concern.<sup>91</sup> This was highlighted by the dismissal of a Supreme Court judge.<sup>92</sup>

*Complaints submitted to election commissions should be processed and resolved through transparent procedures that safeguard the right to an effective remedy. Further efforts should be undertaken to ensure adequate training of election officials and judges to deal with complaints.*

From the day before election day until the announcement of results, the CEC received 53 complaints.<sup>93</sup> The OSCE/ODIHR EOM was aware of 20 formal complaints filed on election day at PEC and TEC level. The majority of these complaints related to voter registration, and many were either not accepted by commissions or voters were directed to the SRS. The legal framework does not provide for timely and effective review of issues related to voter registration.

*The legal framework should be amended to guarantee a timely and effective remedy for complaints related to voter registration, including short deadlines, clear competencies and procedures.*

During the election period, 13 complaints related to elections were received by prosecutors' offices, regarding campaign materials, actions and inactions of election commissions, vote-buying and other alleged violations. According to the Criminal Code, vote-buying is a crime, but it is a matter of private prosecution.<sup>94</sup> All complaints related to vote-buying are required to be sent to the police and to be properly investigated.<sup>95</sup> At least four criminal cases related to vote-buying were opened, and in one case, the CEC annulled the voting results of a polling station.

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<sup>88</sup> For example, the CEC decided that *Azzatyk* party's poster featuring a child violated the legal prohibition on participation of minors in election campaign. At the same time, the CEC did not assess campaign posters featuring children produced by other parties, such as SDPK. In its decisions on the deregistration of *Respublika-Ata Jurt* candidate (No. 157), on warning *Ata Meken* for violations of campaign rules (No. 129), and on warning *Respublika-Ata Jurt* for violations of campaign rules (No. 106), the CEC did not state which legal provisions had been violated.

<sup>89</sup> The Pervomaisky district court upheld 14 CEC decisions and cancelled 1 on appeal, and 10 of its decisions were appealed and further upheld by the Supreme Court. Judges largely relied on the CEC's understanding of electoral legislation, and, in most decisions, simply repeated the positions of the two sides, without providing the court's own analysis of the facts and legal reasoning.

<sup>90</sup> Representatives of *Egemen Kyrgyzstan*, as well as civic activist Erik Iriskulbekov and Coalition for Democracy and Civil Society representative Timur Arykov, who appealed CEC decisions, were not informed by the Pervomaisky district court about the time of the respective hearings.

<sup>91</sup> In Kyrgyzstan's [second Universal Periodic Review](#) (January 2015), the CCPR recommended that the Kyrgyz Republic pursue judicial reforms to ensure an independent and impartial judiciary, including the establishment of objective criteria for selecting and dismissing judges. The UN High Commissioner for Human Rights and the Human Rights Council made similar recommendations.

<sup>92</sup> Klara Sooronkulova, a judge of the Constitutional Chamber of the Supreme Court, was appointed the reporting judge on the Law on Biometric Registration proceeding. At the hearing, the Chamber recused her from the case. Ms. Sooronkulova publicly stated that her recusal had been influenced by the presidential administration, reflecting executive interference in the case. The Judicial Council initiated disciplinary proceedings against Ms. Sooronkulova and recommended her dismissal. On 30 June, the proposal was passed by the parliament.

<sup>93</sup> The CEC responded to 21 complaints, 9 were forwarded to the SRS, and 23 complaints were dismissed.

<sup>94</sup> The complainants must therefore support the prosecution in order to secure a conviction.

<sup>95</sup> The TEC in Osh city as well as the CEC received several complaints about vote-buying that were not transferred to the police, but were instead rejected for lack of grounds.



## XIV. ELECTION DAY

### A. OPENING AND VOTING

Election day proceeded peacefully. Opening procedures were assessed positively in all but 3 of the 121 polling stations observed, although prescribed procedures were not always followed. Technical problems with setting up the voter identification equipment and the ballot scanners (17 observations) were the main reasons for the late opening of 46 polling stations observed; in most cases, the delays were small (up to 15 minutes).

Voting was assessed positively in 95 per cent of 1,227 polling stations observed, where the voting process was orderly and well organized. Overcrowding was reported inside 9 per cent and outside 25 per cent of polling stations observed, where voters were awaiting their turn to vote. Only relatively minor technical problems with the voter identification equipment and ballot scanners were reported by IEOM observers.

Voter identification procedures were followed in almost all polling stations observed, but in almost half of them, not all voters could be identified by fingerprint scanning.<sup>96</sup> In a significant 32 per cent of polling stations observed, voters were turned away because their names could not be found on the voter list. The SRS personnel deployed to direct voters to the correct polling stations failed to find some voters on the voter list of any polling station, even though these voters had reportedly undergone biometric registration (see *Voter Registration*).

In three per cent of polling stations observed, the ballot scanner had to be replaced due to equipment failure. The voter identification equipment worked well, overall. However, occasional software and hardware problems of the voter identification equipment or the ballot scanner led to regular but usually brief suspensions of voting (see *New Voting Technologies*).

The secrecy of the vote was not always safeguarded. In 13 per cent of polling stations observed, not all voters marked their ballots in secrecy. In 27 per cent of polling stations observed, voters' choice could be seen as they took their ballot from the voting booth to the ballot box. In 11 per cent of observations, the mark on the ballot could be seen through the reverse side, due to the fact that the paper was relatively thin and ballots were marked with permanent markers. These observations underscore the need to address the issue of secrecy of the vote in a systematic manner.

*The election authorities should address the issue of the secrecy of the vote through a set of specific, targeted measures. This could include election staff informing voters about their right and obligation to secrecy, providing voters with ballot secrecy sleeves, and prohibiting observers and PEC members from standing too close to voters while they are casting their ballot.*

IEOM observers reported some procedural errors, in particular ballot boxes that were not properly sealed (13 per cent). They also reported instances of serious violations, including attempts to influence voters who to vote for (one per cent) and group voting (four per cent). In the vicinity of two per cent of polling stations observed, IEOM observers noted evidence of vote-buying. The low level of multiple voting and ballot box stuffing was a positive aspect in these elections.

Party representatives were present in all but two polling stations observed, while citizen observers were present in just over one-half. Unauthorized people, mainly police, were present in 30 per cent of polling stations observed; there were reports from 4 per cent of polling stations observed that

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<sup>96</sup> In such cases, voters were identified by way of their photos, which are part of their biometric record.

non-PEC members directed or interfered in the work of the PEC. Although the Election Law specifies some categories of people who may be present in polling stations, such as observers, it is unclear about others, for example whether and when police may be present in polling stations.

## **B. VOTE COUNT**

The vote count was assessed negatively in over one-third of the 113 polling stations, where it was observed, which is a high quantity and of concern. Many key measures that should ensure the integrity of the process were not respected. Many PECs did not perform basic reconciliation procedures, such as cancelling unused ballot papers (11 observations) or counting the signatures on the voter list and recording this number in the results protocol (24 and 13 observations, respectively). In 12 counts, ballots were not separated by contestant, and there were 12 instances where not all ballots were counted correctly. IEOM observers reported that two PECs did not count the ballots cast for contestants at all and simply copied the numbers from the results slip produced by the ballot scanner. The determination of ballot validity was often not reasonable or consistent (18 and 15 observations, respectively).

In almost one-half of counts observed, the results of the manual count did not match those produced by the ballot scanner (see *New Voting Technologies*). Many PECs did not complete the protocols in full and in ink (15 and 10 observations, respectively), or pre-signed the protocol (12 observations). Copies of the results protocol were frequently not given to those entitled or posted for public information (28 and 39 observations, respectively). Non-PEC members participated in 12 counts observed. Party representatives were present during all counts observed, and citizen observers in about one-half. Unauthorized persons, almost always police, were present during 46 counts.

*The election administration should follow all established counting procedures and address procedural mistakes and omissions noted during the reconciliation procedures.*

In a positive step, the CEC started publishing the preliminary results received from ballot scanners immediately after the closing of polling stations, thereby increasing transparency and enhancing public trust in the election results.

## **C. TABULATION OF RESULTS**

The tabulation process was assessed negatively in 21 of the 45 TECs observed during election night. Almost half of reports on tabulation noted that conditions were not adequate for the reception and processing of PEC protocols, which resulted in frequent overcrowding (33 observations) and negatively affected transparency (24 observations).

IEOM observers reported that in many cases, not all of the PEC results protocols delivered to TECs had been fully completed (40 observations) and that the figures on many protocols did not reconcile (36 observations) or did not match those from the scanner-generated results slips (31 observations). IEOM observers observed 21 instances where the figures in protocols were changed at the TEC without a recount. Problems with the data entry of election results were noted in 14 observations.

*Consideration should be given to adopting comprehensive instructions and to conducting relevant training on all electoral procedures. Such instructions and training should focus equally on the handling of technical equipment and on the duties to be performed by election commission members during the opening of polling stations, voting, the vote count, and the tabulation of results.*

## XV. POST-ELECTION DAY DEVELOPMENTS

Although the results from ballot scanners were available on the CEC website as soon as they were received by the CEC server, the CEC did not publish the protocols from the manual counts that are the only legal basis for the official results.<sup>97</sup> This decreased transparency and made it impossible to systematically compare the results established during the manual count and by the ballot scanners, thereby reducing the possibility to assess the accuracy of the results produced by the ballot scanning equipment.

*In order to further enhance the transparency, the CEC could publish on its website detailed preliminary and official election results in an aggregated format and by polling station.*

*Butun Kyrgyzstan-Emgek* requested recounts in 69 polling stations. The CEC agreed to recount voting results from 9 polling stations but did not find sufficient grounds for recounting in the other 60.<sup>98</sup> The CEC also conducted its own checks and as a result invalidated the election results from eight polling stations where it found significant discrepancies between the number of voters identified by their biometric records and the number of ballots cast. Materials from these polling stations were also sent to the prosecutor general's office for examination. On 12 and 14 October, *Butun Kyrgyzstan-Emgek* submitted three more complaints, requesting recounts in 227 polling stations and the invalidation of the nationwide election results. The CEC rejected these complaints due to late submission.<sup>99</sup>

On 15 October, the CEC announced the final election results, according to which six parties had passed the double threshold and were thus entitled to participate in the distribution of mandates. The CEC put voter turnout at 59.0 per cent.

Although the Election Law does not allow a party to arbitrarily choose which candidates from its list become MPs or to re-order the list after its registration, it permits candidates to withdraw from the lists after election day. After election day, withdrawal statements were submitted on behalf of 136 candidates from 5 of the 6 parties that won mandates.<sup>100</sup> This meant that voters did not know which candidates were likely to be seated as a result of their support for a particular party. Some candidates claimed that they had been asked to provide undated but signed resignation statements before the process of candidate registration started.<sup>101</sup> Such practices undermine the right of elected candidates to be installed in office and can reduce trust in democratic institutions and political parties, which is at odds with OSCE commitments<sup>102</sup> (see *Candidate Registration*).

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<sup>97</sup> In eight polling stations that did not use ballot scanners due to technical errors, the results were not made publicly available by the CEC at any point.

<sup>98</sup> That decision was never made official or published on the CEC website.

<sup>99</sup> The CEC decision on rejection to consider the complaints was appealed to the Pervomaisky district court, which cancelled the CEC decision due to lack of legal reasoning and adopting decisions outside of the deadlines set by law. However, the Supreme Court cancelled the court's decision upon appeal as the initial complaint was submitted later than the legal deadline.

<sup>100</sup> Seventy candidates from *Respublika-Ata Jurt*, 45 from *Kyrgyzstan*, 16 from *Onuguu-Progress*, 3 from SDPK, and 2 from *Ata Meken*.

<sup>101</sup> On 16 October, several candidates from *Respublika-Ata Jurt* protested in front of the CEC building, demanding to reverse the CEC decision deregistering 15 candidates withdrawn from the party's list.

<sup>102</sup> See paragraph 7.9 of the 1990 OSCE Copenhagen Document: "To ensure that the will of the people serves as the basis of the authority of government, the participating States will ensure that candidates who obtain the necessary number of votes required by law are duly installed in office ... in a manner that is regulated by law in conformity with democratic parliamentary and constitutional procedures".

On 15 October, 10 candidates from *Respublika-Ata Jurt* and 1 from *Onuguu-Progress* appealed the CEC decisions on their withdrawal from the lists.<sup>103</sup> The Pervomaisky district court upheld the CEC decisions. On 20 October, the CEC adopted a decision stating that it had no legal ground to reconsider issues of internal concern to political parties, eliminating the possibility of such complaints being filed to the CEC again.<sup>104</sup> On 22 and 23 October, the Supreme Court overturned decisions of the Pervomaisky district court related to seven candidates and cancelled the CEC decisions on their deregistration, as they could prove that they had not personally submitted the withdrawal statements.<sup>105</sup> On 27 October, the CEC restored these candidates in their parties' lists.<sup>106</sup>

*The law should clearly state under which conditions candidates might be withdrawn from the registered candidate lists after election day.*

## XVI. RECOMMENDATIONS

These recommendations, as contained throughout the text, are offered with a view to enhance the conduct of elections in the Kyrgyz Republic and to support efforts to bring them fully in line with OSCE commitments and other international obligations and standards for democratic elections. These recommendations should be read in conjunction with past OSCE/ODIHR recommendations and with recommendations contained in the joint opinions on Kyrgyzstani electoral legislation of the OSCE/ODIHR and the Council of Europe's Venice Commission, that remain to be addressed. The OSCE/ODIHR stands ready to assist the authorities and civil society of the Kyrgyz Republic to further improve the electoral process.<sup>107</sup>

### A. PRIORITY RECOMMENDATIONS

1. In line with previous OSCE/ODIHR recommendations, the legal framework for elections should be reviewed, consolidated, and harmonized.
2. The law should clearly state under which conditions candidates might be withdrawn from the registered candidate lists after election day.
3. Having biometric identification as a requirement for voting and having in mind that an inclusive voter list is a precondition for exercising the right of universal suffrage, the

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<sup>103</sup> The candidates claimed that the CEC's decision was illegal since the resignation statements were allegedly forged. Some of the withdrawn candidates claimed that they had never signed any resignation statements, while others acknowledged that they had signed such statements before the registration of candidate lists. The candidates also argued that acceptance of the resignation statements by the CEC was illegal since, according to the law, candidates should submit such statements to the CEC in person.

<sup>104</sup> In its Decision No. 158, the CEC stated that "actions of political parties and their representatives are based on agreements and mutual commitments between the candidates and the nominating political parties in the period of formation and nomination of candidate lists. [Resignation] statements signed by candidates without specifying the date are also covered by the terms of their agreements. The aim of the agreements was to ensure [by candidates] a sufficient number of votes for the political parties in respective polling stations. It is advisable to have more detailed legislative regulation of the process of nomination of candidates by political parties. Problems related to withdrawal of those candidates who did not receive enough votes in their assigned polling stations are objective and inevitable".

<sup>105</sup> According to the Election Law, prior to distribution of mandates candidates are entitled to submit a statement of their withdrawal to the CEC. The court found that this was not done in these cases.

<sup>106</sup> Five candidates from *Respublika-Ata Jurt* received mandates based on this decision. The two other candidates were on lower positions on the respective lists than the number of mandates received by the parties.

<sup>107</sup> In paragraph 25 of the 1999 OSCE Istanbul Document, OSCE participating States committed themselves "to follow up promptly the ODIHR's election assessment and recommendations".

authorities should undertake comprehensive efforts to encourage and facilitate the registration for all eligible voters.

4. CEC decisions should be firmly based on the law and should not add administrative barriers for electoral stakeholders, but rather facilitate their rights and clarify legal provisions.
5. The legal framework should be amended to allow independent candidates to stand in parliamentary elections.
6. To achieve the objectives of the law, all quota requirements should remain enforceable after the registration of candidate lists and relevant sanctions should be provided for cases of non-compliance. This could be achieved by requiring that a vacant position in the parliament is filled by the next candidate on the list from the respective quota. Consideration should be given to placing a candidate from the under-represented gender in at least at every third position on candidate lists. Equivalent placement requirements could be introduced for representatives of national minorities.
7. Additional efforts are needed to address the issue of vote-buying, both through voter education and prosecutions, in order to enhance confidence in the electoral process. Consideration should be given to make vote-buying a criminal offence that is a matter of public prosecution. A concrete and genuine commitment from political parties to condemn vote-buying practices could be made.
8. Consideration should be given to banning the broadcasting of campaign material within news and current affairs programmes. Additionally, consideration could be given to require that paid political content is clearly and constantly identified as such. This would decrease the potential for confusion of voters regarding the nature of the content.
9. To enhance campaign finance transparency, interim reports prior to election day could include information on the sources and amounts of contributions and the publication of final reports after the elections should be mandatory. The law could be amended to introduce effective, proportionate, and dissuasive sanctions for non-compliance and potential infringements.

## **B. OTHER RECOMMENDATIONS**

### **LEGAL FRAMEWORK**

10. Although limiting the number of parliamentary seats a party can obtain may be viewed as a transitory provision to help build a pluralistic political environment, its long-term inclusion in the law should be carefully reviewed. The regional threshold could be reconsidered as it may compromise the principles of a proportional representation system based on a single nationwide constituency.

### **ELECTION ADMINISTRATION**

11. The work of the election administration at all levels should be governed by the principle of transparency. All sessions and meetings of election commissions should be public. In line with previous OSCE/ODIHR recommendations, all election-related CEC decisions should be published in full and in a timely manner.

12. Consideration could be given to adequate remuneration of all election officials, including TEC and PEC members to reflect their workload.
13. To enhance public confidence and transparency of the functionality of ballot scanning equipment, the authorities could publish the relevant technical documentation. The authorities could also consider providing for public audits as well as formal certification of the equipment and software by independent organizations. Any audit and certification reports should be made public.
14. The ability to observe the entire electoral process independently, including after the publication of official election results, should not be restricted through CEC decisions or other administrative barriers.

#### **VOTER REGISTRATION**

15. The legal framework should be amended to lift the blanket restriction on the right to vote for prisoners.
16. Citizens should be made aware how their personal information is being stored, protected, and used. To achieve these goals, the authorities should regulate the access to and usage of citizens' private data for specific and well-defined purposes.
17. The SRS should improve the address register and the system of allocation of voters to polling stations well before next elections. The division of competencies between the SRS and the CEC should be defined more clearly and the process of updating voter lists should be conducted in line with the law.

#### **CANDIDATE REGISTRATION**

18. Consideration should be given to amending the law to ensure that deregistration of candidate lists and individual candidates respects the principle of proportionality and is based on clear legal grounds.
19. Consideration could be given to publishing the final candidate lists and to making them available at polling stations on election day, in order to ensure the right of voters to know which candidates are standing for elections.

#### **MEDIA**

20. Special accreditation requirements for media outlets that wish to cover the campaign or publish political advertisements should be reconsidered as it creates additional obstacles for media, potentially limiting the amount of information available to voters.
21. The requirement for pre-approval of paid political advertisements by the CEC should be reconsidered as it gives the CEC excessive control over parties' campaigns. Consideration could be given to introducing more effective sanctions for violations of the rules related to the content of paid political advertisement, as deregistration is a disproportionate sanction for minor campaign-related violations.
22. State and public broadcasters should make greater efforts in its news and current affairs programmes to provide impartial and balanced editorial coverage of the campaign activities

of candidates. Having such information in news and current affairs programmes would help voters to make informed choices.

#### **PARTICIPATION OF NATIONAL MINORITIES**

23. Consideration should be given to preparing and distributing election-related information and polling materials in minority languages in areas compactly populated by national minorities. Consideration could also be given to adopting measures that would ensure adequate representation of national minorities in election commissions in such areas.

#### **COMPLAINTS AND APPEALS**

24. The legal framework should be amended to guarantee a timely and effective remedy for complaints related to voter registration, including short deadlines, clear competencies and procedures.
25. Complaints submitted to election commissions should be processed and resolved through transparent procedures that safeguard the right to an effective remedy. Further efforts should be undertaken to ensure adequate training of election officials and judges to deal with complaints.

#### **ELECTION DAY**

26. The election authorities should address the issue of the secrecy of the vote through a set of specific, targeted measures. This could include election staff informing voters about their right and obligation to secrecy, providing voters with ballot secrecy sleeves, prohibiting observers and PEC members to stand very close to voters while they are casting their ballot.
27. The election administration should follow all established counting procedures and address procedural mistakes and omissions noted during the reconciliation procedures.
28. Consideration should be given to adopting comprehensive instructions and to conducting relevant training on all electoral procedures. Such instructions and training should focus equally on the handling of technical equipment and on the duties to be performed by election commission members during the opening of polling stations, voting, the vote count, and the tabulation of results.
29. In order to further enhance the transparency, the CEC could publish on its website detailed preliminary and official election results in an aggregated format and by polling station.

## ANNEX I: FINAL ELECTIONS RESULTS

Data in CEC Results Protocol	Total number
Number of voters included in the voter lists at polling stations	2,761,297
Number of voters who received ballots in the polling station	1,615,108
Number of voters who received ballots for mobile voting (found in valid ballot boxes)	14,949
Number of voters who received ballots for mobile voting (found in invalid ballot boxes)	68
Number of voters who received ballots	1,630,125
Number of voters who participated in the elections	1,630,125
Number of valid ballots	1,593,845
Number of invalid ballots	32,342
Number of ballots from invalid mobile ballot boxes	68

Party	Number of Votes	Percentage of Valid Votes	Number of Seats
SDPK	435,968	27.35%	38
<i>Respublika-Ata Jurt</i>	320,115	20.08%	28
<i>Kyrgyzstan</i>	206,094	12.93%	18
<i>Onuguu-Progress</i>	148,279	9.30%	13
<i>Bir Bol</i>	135,875	8.52%	12
<i>Ata Meken</i>	123,055	7.72%	11
<i>Butun Kyrgyzstan-Emgek</i>	97,869	6.14%	
<i>Zamandash</i>	43,405	2.72%	
<i>Uluu Kyrgyzstan</i>	23,899	1.50%	
<i>Ar-Namys</i>	12,807	0.80%	
<i>Meken Yntymagy</i>	12,679	0.80%	
Congress of Peoples of Kyrgyzstan	9,619	0.60%	
<i>Aalam</i>	6,398	0.40%	
<i>Azzatyk</i>	5,355	0.34%	
Against all	12,428	0.78%	

[Source: CEC Website, [www.shailoo.gov.kg](http://www.shailoo.gov.kg)]



## ANNEX II: LIST OF OBSERVERS IN THE INTERNATIONAL ELECTION OBSERVATION MISSION

### OSCE Parliamentary Assembly

Ignacio Sanchez Amor	Special Co-ordinator	Spain
Ivana Dobešová	Head of Delegation	Czech Republic
Roman Haider	MP	Austria
Romana Jerković	MP	Croatia
Branko Vukšić	MP	Croatia
Zuzka Bebarová-Rujbrová	MP	Czech Republic
Petr Gawlas	MP	Czech Republic
Jan Horník	MP	Czech Republic
Jaanus Marrandi	MP	Estonia
Mati Raidma	MP	Estonia
Michel Voisin	MP	France
Egon Jüttner	MP	Germany
Thomas Stritzl	MP	Germany
Zsolt Csenger-Zalan	MP	Hungary
Andrejs Klementjevs	MP	Latvia
Edvards Smiltens	MP	Latvia
Andrzej Jaworski	MP	Poland
Jan Rulewski	MP	Poland
Ilya Kostunov	MP	Russian Federation
Isabel Pozuelo	MP	Spain
Margareta Elisabeth Cederfelt	MP	Sweden
Cahit Bağcı	MP	Turkey
John Woodcock	MP	United Kingdom
Milovan Petković	Staff of Delegation	Croatia
Silvia Demir	Staff of Delegation	Czech Republic
Anne-Cecile Blauwblomme-Delcroix	Staff of Delegation	France
Aleš Jakubec	Staff of Delegation	Czech Republic
Andreas Baker	OSCE PA Secretariat	Denmark
Maria Chepurina	OSCE PA Secretariat	Russian Federation
Iryna Sabashuk	OSCE PA Secretariat	Ukraine

### Parliamentary Assembly of the Council of Europe

Meritxell Mateu Pi	Head of Delegation	Andorra
Gisela Wurm	MP	Austria
Stefan Vercamer	MP	Belgium
Andres Herkel	MP	Estonia
Josette Durrieu	MP	France
Chiora Taktakishvili	MP	Georgia
Attila Tilki	MP	Hungary
Deborah Bergamini	MP	Italy
Nelliya Kleinberga	MP	Latvia
Inese Lībiņa-Egnere	MP	Latvia
Ingebjørg Godskesen	MP	Norway
André Bugnon	MP	Switzerland
Lord Richard Balfe	MP	United Kingdom
Sonja Langenhaeck	Staff of Delegation	Belgium
Nicolae Esanu	Venice Commission	Moldova
Chemavon Chahbazian	PACE Secretariat	Armenia
Daniele Gastl	PACE Secretariat	France
Gaël Martin-Micallef	PACE Secretariat	France

## European Parliament

Ryszard Czarnecki	Head of Delegation	Poland
Joachim Zeller	MEP	Germany
Ignazio Corrao	MEP	Italy
Tatjana Ždanoka	MEP	Latvia
Marietje Schaake	MEP	Netherlands
Juan Fernando Lopez Aguilar	MEP	Spain
Georges Kottos	Political Groups	France
Magdalena Majerczyk	Political Groups	Ireland
Michayl Christov	EP Secretariat	Bulgaria
Pilar Gonzalez Murillo	EP Secretariat	Spain
Tim Boden	EP Secretariat	United Kingdom

## OSCE/ODIHR EOM Short-term Observers

Lusine Hakobyan	Armenia
Vanessa Graf	Austria
Katja Haslwanter	Austria
Eduard Pesendorfer	Austria
Aleksandr Levanovich	Belarus
Viachaslau Yarashevich	Belarus
Marie Nathalie De Hemricourt De Grunne	Belgium
Tim Anton Paul Ghislain Gemers	Belgium
Yannick Ghelen	Belgium
Bert Karel Schoofs	Belgium
Fredericka Gregory	Canada
Viktoriya Thomson	Canada
Radek Cervinka	Czech Republic
Adam Gazda	Czech Republic
Barbora Jungova	Czech Republic
Oldrich Lacina	Czech Republic
Alena Obrusnikova	Czech Republic
Robert Zeman	Czech Republic
Marielise Berg-Sonne	Denmark
Victor Christian Hjort	Denmark
Erik Nielsen	Denmark
Peter Ravn	Denmark
Mette Selchau	Denmark
Karen Benedikte Skipper	Denmark
Grete Skov	Denmark
Claus Stougaard-Andresen	Denmark
Jens Holger Vang	Denmark
Julika Luts	Estonia
Bo Mårten Eriksson	Finland
Anna-Kaisa Kotaviita	Finland
Rauli Samuli Lepisto	Finland
Elin Amanda Sundell	Finland
Uwe Ahrens	Germany
Walter Helmut Aschmoneit	Germany
Friedhelm Baltes-Meyer Zu Natrup	Germany
Fritz Birnstiel	Germany
Rolf Walter Boehnke	Germany
Jana Buegers	Germany
Regina Cordes Larson	Germany

Ulrike Elisabeth Daessler	Germany
Daiana Serafina Falloni	Germany
Jochen August Max Frede	Germany
Dorothea Gädeke	Germany
Katrin-Maria Jullien	Germany
Rainer Werner Kleffel	Germany
Jochen Ferdinand Kortlaender	Germany
Maren Krimmer	Germany
Janosch Neil Kullenberg	Germany
Andreas Hans Kunert	Germany
Eva-Maria Lauckner	Germany
Wolfgang Lichter	Germany
Dorothea Luke	Germany
Konrad Menny	Germany
Herbert Meyer-Bade	Germany
Wolfgang Milzow	Germany
Dirk Daniel Neumeister	Germany
Thomas Klaus Oye	Germany
Detlev Andreas Palluch	Germany
Renate Angelika Pasch	Germany
Katinka Patscher-Hellbeck	Germany
Oliver Scheel	Germany
Eckhard Jochen Strittmatter	Germany
Peter Horst Vogl	Germany
Gisbert Karl Von Haugwitz	Germany
Klaus Weidmann	Germany
Robert Werner	Germany
Martin Wolff	Germany
Györgyi Bezdán	Hungary
Micheal Martin Coyne	Ireland
John Lynch	Ireland
Almha Caitriona O'keeffe	Ireland
Fumiaki Inagaki	Japan
Terue Okada	Japan
Kotomi Tada	Japan
Akio Yagihashi	Japan
Katsuyuki Deguchi	Japan
Akhmet Baltabayev	Kazakhstan
Dinara Shakhmetova	Kazakhstan
Catherine Barbe Giorgetti	Luxembourg
Jean Marie Ernest Joseph Klein	Luxembourg
Elberel Davaa	Mongolia
Guyenbaatar Terbish	Mongolia
Maria Johanna Bergervoet	Netherlands
Jonne Jacob Catshoek	Netherlands
Phillip Jol	Netherlands
Cornelis Jan Kooijmans	Netherlands
Leontine Henriette Loeber	Netherlands
Maria Nijenhuis	Netherlands
Darko Pavlovic	Netherlands
Sara Marie Van Halsema	Netherlands
Liesbeth Jeanne Van Soest	Netherlands
Knut Johan Ditlev-Simonsen	Norway
Erlend Harildstad Hvoslef	Norway
Kjersti Sjaatil	Norway
Krasimira Thingnes	Norway
Radzislawa Urszula Gortat	Poland

Aleksandra Jarosiewicz	Poland
Justyna Kucuk	Poland
Ayrat Abdullin	Russian Federation
Aleksandr Afanasov	Russian Federation
Andrey Alekseev	Russian Federation
Stepan Anikeev	Russian Federation
Pavel Artamonov	Russian Federation
Sergei Azarov	Russian Federation
Vladimir Bakhtin	Russian Federation
Igor Bogdanov	Russian Federation
Dmitrii Bogdanov	Russian Federation
Andrey Bondarev	Russian Federation
Igor Chamov	Russian Federation
Polina Chepinitaskaia	Russian Federation
Daniil Devyatkin	Russian Federation
Boris Diakonov	Russian Federation
Alexey Dorovskikh	Russian Federation
Tatiana Dovgalenko	Russian Federation
Olga Efimova	Russian Federation
Ksenia Gavryushina	Russian Federation
Dmitry Groshev	Russian Federation
Igor Inyushkin	Russian Federation
Ivan Khoroshev	Russian Federation
Mikhail Kormachev	Russian Federation
Yulia Korotun	Russian Federation
Kim Koshev	Russian Federation
Aleksander Kosmodemiyanskiy	Russian Federation
Vladislav Kurbatskiy	Russian Federation
Svetlana Levina	Russian Federation
Evgeny Loginov	Russian Federation
Evgeny Mikhaylov	Russian Federation
Alexey Mosin	Russian Federation
Evgeniia Nasledskova	Russian Federation
Alexey Novoselov	Russian Federation
Vsevolod Perevozchikov	Russian Federation
Stanislav Pritchkin	Russian Federation
Roman Saiko	Russian Federation
Alexander Sandrikov	Russian Federation
Igor Savin	Russian Federation
Olga Sedova	Russian Federation
Igor Shaktar-Ool	Russian Federation
Alexander Shamshurin	Russian Federation
Anatoly Tabolkin	Russian Federation
Lev Tarskikh	Russian Federation
Evhenii Terekhin	Russian Federation
Svyatoslav Terentyev	Russian Federation
Evgeny Tereshchenko	Russian Federation
Kudina Tuaeua	Russian Federation
Feodosiy Vladyshevskiy	Russian Federation
Petr Volokovykh	Russian Federation
Iulia Vorobeva	Russian Federation
Petr Yakhmenev	Russian Federation
Lubica Bindova	Slovakia
Irene Bernal Carcelen	Spain
María Nieves De La Hera Crespo	Spain
Tatiana Drosdov	Spain
Isabel Menchon Lopez	Spain

Mikel Ochoa Diego	Spain
Knut Bergknut	Sweden
Siv Caesar	Sweden
Mats Ekholm	Sweden
Lennart Glans	Sweden
Mattias Goldmann	Sweden
Tommy Karlsson	Sweden
Kristina Snoder	Sweden
Martin Vogel	Sweden
Sofia Zitouni	Sweden
Fabrizio Mario Comandini	Switzerland
Barbara Silva Egger Maldonado	Switzerland
Levent Basturk	Turkey
Kemal Kaygisiz	Turkey
Fiona Diana Anderson	United Kingdom
Sherrida Carnson	United Kingdom
Philip Cattle	United Kingdom
Helen Duncan	United Kingdom
Matthew Frear	United Kingdom
Sarah Lain	United Kingdom
Alan Lloyd	United Kingdom
Linda Maclachlan	United Kingdom
David Mccardle	United Kingdom
Stephen Mcnamara	United Kingdom
Mark Pascoe	United Kingdom
Charles Shoebridge	United Kingdom
Judith Strachan	United Kingdom
Maureen Taylor	United Kingdom
Julia Whitehead	United Kingdom
Leonilla Connors	United States
Scott Michael Driskel	United States
Elizabeth Schnorf Elmore	United States
Madiha Farhan	United States
Eric William Fey	United States
Kay Marie Fleischer	United States
Michelle Ann Gavin	United States
Stephen Joseph Hagerich	United States
James Montgomery Heilman	United States
Robert John Hellewell	United States
Elizabeth Leigh Howard	United States
Alka Rohini Kothari	United States
Lawrence Burton Lesser	United States
John William Lindback	United States
Marie-Celeste Marcoux	United States
Aubrey Frances Menard	United States
Alexander Stephens Nicholas	United States
Matthew Lange Olmsted	United States
Octavius Nairobi Pinkard	United States
Irene Kerekes Ratner	United States
Russell Wyatt Raymond	United States
Timothy James Scott	United States
Haris Sofradzija	United States
Mary Ann Stegmaier	United States
Margaret Jill Van Buren	United States
Peter Arthur Van Haren	United States
Elia Varela Serra	United States
Douglas Bruce Wake	United States

Susan Anne Ward  
Kutina Lashon Williams

United States  
United States

## LONG-TERM OBSERVERS

### OSCE/ODIHR EOM Core Team

Boris Frlec	Head of Mission	Slovenia
Enira Bronitskaya		Belarus
Vasil Vashchanka		Belarus
Goran Petrov		former Yugoslav Republic of Macedonia
Stefan Krause		Germany
Tomasz Janczy		Poland
Przemysław Piotr Laskowski		Poland
Robert Lech		Poland
Svetlana Chetaikina		Russian Federation
Andrei Khanzhin		Russian Federation
Jelena Stefanović		Serbia
Ranko Vukčević		Serbia
Anders Eriksson		Sweden
Egor Tilpunov		Ukraine
Andrew Jonathan Mellon		United Kingdom
Christine Chung		United States
Noah Lane		United States

### OSCE/ODIHR EOM Long-term Observers

Rashad Shirinov	Azerbaijan
Petr Netuka	Czech Republic
Jette Albech Egelund	Denmark
Peder Beyerholm Larsen	Denmark
Katja-Helena Grekula	Finland
Heikki Markus Vihemaeki	Finland
Axelle Beatrice Mollet	France
Christoph Hubert Freiherr von Feilitzsch	Germany
Helmuth Willi Lages	Germany
Cornelis Ros	Netherlands
Agatha Maria de Wit	Netherlands
Turid Smith Polfus	Norway
Oeyvind Hvenekilde Seim	Norway
Ivan Ippolitov	Russian Federation
Ilia Uvarov	Russian Federation
Cornelia Maria Steiner	Switzerland
Alexander Newton Anderson	United Kingdom
Julian Nundy	United Kingdom
Mark Burnidge Waller	United Kingdom
Susanne Cooper	United States
Lester Daniel Margosian	United States
Marsha Ann Weinerman	United States

## ABOUT THE OSCE/ODIHR

The Office for Democratic Institutions and Human Rights (OSCE/ODIHR) is OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

The OSCE/ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 150 staff.

The OSCE/ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, the OSCE/ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. The OSCE/ODIHR implements a number of targeted assistance programmes annually, seeking to develop democratic structures.

The OSCE/ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights and fundamental freedoms** consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas including human rights in the fight against terrorism, enhancing the human rights protection of trafficked people, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance** and **non-discrimination**, the OSCE/ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. The OSCE/ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

The OSCE/ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All OSCE/ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website ([www.osce.org/odihr](http://www.osce.org/odihr)).