



## ODIHR LIMITED ELECTION OBSERVATION MISSION Kyrgyz Republic – Parliamentary Elections, 4 October 2020

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### STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

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#### PRELIMINARY CONCLUSIONS

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The 4 October parliamentary elections took place under improved legislation and fundamental rights and freedoms were overall respected. The campaign was competitive and candidates could, in general, conduct their activities freely, but credible allegations of vote buying remain a serious concern. The elections were managed efficiently, despite the challenges posed by the COVID-19 pandemic, but a number of controversial CEC decisions raised questions about its impartiality. While public broadcasters fulfilled their obligation to provide free airtime to contestants, an overall lack of critical journalistic reporting and issue-based debate reduced the quality and variety of information available to voters. Election day was orderly and the process was generally transparent and well administered, although health protocols were not always followed.

The legal framework provides a sound basis for democratic elections. The electoral legislation has been significantly amended since the last parliamentary elections, addressing some previous ODIHR recommendations, particularly concerning maintenance of gender quota in case of withdrawal of members of parliament, sanctions for election-related offences and the participation of voters with disabilities. However, constitutional and legislative reforms did not address some other ODIHR recommendations, including those concerning limitations on the maximum number of mandates per party and the right to vote and to stand. The 120-member unicameral *Jogorku Kenesh* (parliament) was elected for five-year term through a closed-list proportional system within a single nationwide constituency with a double threshold.

The parliamentary elections were efficiently administered by the Central Election Commission, 54 Territorial Election Commissions (TECs) and 2,475 Precinct Election Commissions (PECs). The CEC provided a comprehensive regulation of many aspects of the electoral process, including COVID-19 protection measures, voter education and information, as well as facilitation of participation of voters with disabilities. However, many ODIHR LEOM interlocutors questioned the impartiality of the CEC. Transparency and collegiality of the CEC was reduced as working groups of the CEC issued clarifications on the law without them being considered in open CEC sessions.

Final voter lists contained 3,5 million registered voters. Despite the efforts, made by the authorities to increase the inclusivity of the voter register, some 470,000 adult citizens have yet to undergo biometric registration and are therefore disenfranchised. Some 441,000 voters used the right to temporarily change their voting address. Parties and candidates expressed serious concerns about the misuse of this mechanism alleging a vote buying scheme.

In an overall inclusive process, 16 political parties were registered. The controversies following some CEC's decisions on candidate registration, cast doubts on the CEC impartiality. At the moment of registration, all contestants met quota requirements for the candidate lists, including on gender and national minorities, however, withdrawals of women candidates, as well as deregistration of two candidates resulted in some lists not complying with these requirements.

The campaign was competitive and lively, although at times harsh and lacked discussion on actual election platforms. The contestants used a variety of means to campaign, including online, and could, in general, campaign freely. However, several instances of intimidation, disruption of events as well

as online misinformation campaigns were also reported by contestants. Credible allegations of vote buying and pressure on civil servants remained a serious concern throughout the process.

The law does not provide for direct public funding, but reasonable legal limits apply to both private contributions and campaign expenditures. Departing from international good practice, the ban on in-kind donations disadvantaged newer parties with limited financial means. The oversight of campaign finance is vested with the CEC. In spite of noticeable efforts by the CEC, the transparency of campaign finance was insufficient as parties are not subject to annual financial reporting and did not report the full amount of their campaign funding.

The Constitution guarantees freedom of expression and press and explicitly prohibits criminal prosecution for defamation. However, ongoing court cases against media outlets and journalists over defamation as well as reports of physical and cyber-attacks on journalists, induced self-censorship and limited freedom of speech. The CEC recommendation against conducting debates in private media constituted a serious restriction to editorial independence and limited the diversity of information available to voters.

Public and state-funded media provided free airtime to the contestants, largely dedicated to debates. However, news and current affairs programmes lacked critical reporting, and reflected different financial means of parties and candidates, as the campaign coverage in primetime news was mostly produced and paid by the contestants. This and the predominance of institutional coverage of the government and the president affected the objectivity, quality and variety of information and opinions available to voters.

Persons belonging to national minorities actively participated in the campaign in areas densely populated by minorities. The fierce competition for the ethnic Uzbek minority vote in the south of the country manifested itself in a mass brawl between supporters of *Birimdik* and *Mekenim* parties in Aravan and resulted in the de-registration of two ethnic Uzbek candidates.

The legislation provides an adequate framework for electoral dispute resolution but contains limitations on the right of voters and citizen observers to challenge election commission decisions. Complaints lodged with the CEC were generally reviewed in a transparent and participatory manner, but many of these were handled by working groups without further consideration at the CEC sessions, undermining collegiality of the process and legal certainty. Of the ten CEC decisions appealed at courts three were invalidated. Many ODIHR LEOM interlocutors expressed a lack of trust in the effectiveness of remedies against election violations, particularly with respect to effectiveness of actions by law-enforcement and perceived impartiality of the judiciary.

The election law provides for observation of all stages of electoral process. However, despite previous ODIHR recommendations, undue limitations to citizen observation remain. Civil society actively participated in election observation.

The ODIHR LEOM did not undertake systematic or comprehensive observation of election day proceedings. In the limited number of polling stations visited, election day proceeded orderly and the process was overall well organized, however COVID-19 related health protocols were not always respected. The ODIHR LEOM witnessed one case of money being distributed to voters outside the polling station. The CEC started posting on its website detailed preliminary results shortly after the end of voting ensuring transparency. The preliminary turnout was reported at 56 per cent.

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## PRELIMINARY FINDINGS

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### Background and Political Context

On 2 July, the president decreed the parliamentary elections for 4 October. Kyrgyzstan is a semi-presidential republic, with legislative powers vested in the 120-member unicameral *Jogorku Kenesh* (parliament). The president is the head of state and shares executive powers with the government, led by the prime minister.<sup>1</sup> The outgoing parliamentary majority of 95 seats was led by the *Social Democratic Party of Kyrgyzstan* (SDPK) together with the *Bir Bol, Kyrgyzstan* and *Respublika-Ata Jurt* parties, while the *Ata Meken* and *Onuguu-Progress* parties were in opposition. The Constitution was amended through a referendum in 2016, a process that met resistance from the opposition and civil society.

Although the position of the ruling SDPK was further consolidated by the victory of its candidate in the 2017 presidential election, the party has since undergone a split and did not stand for these parliamentary elections.<sup>2</sup> Nonetheless, some key SDPK members of parliament (MPs) ran under different party structures, such as *Birimdik, Mekenim Kyrgyzstan* or *Social-Democrats*. The political party system is fragmented, with 259 parties registered by the Ministry of Justice, of which 16 contested these elections. Political parties are built around personalities, rather than around platforms, and tend to rely on funding from businesses, thus often reflecting private interests.

Along with major changes on the political scene, the elections took place against the backdrop of growing dissatisfaction over social and economic hardship caused by the COVID-19 pandemic and disillusionment over long-standing corruption issues.<sup>3</sup>

### Electoral System and Legal Framework

MPs are elected for a five-year term through a closed-list proportional contest in a single nationwide constituency. Independent candidates cannot stand, at odds with paragraph 7.5 of the OSCE Copenhagen document. To obtain seats, a political party must pass a double threshold by receiving at least seven per cent of the votes cast nationwide and at least 0.7 per cent in each of the seven regions, and in Bishkek and Osh cities. The Constitution limits the maximum number of mandates that a party may hold in the parliament to 65.<sup>4</sup>

The legal framework for parliamentary elections primarily consists of the 2010 Constitution, the 2011 Constitutional Law on Presidential and Parliamentary Elections (election law), and the 2011

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<sup>1</sup> The president represents the state in domestic and foreign affairs, calls elections, proposes to the parliament nomination and dismissal of judges and prosecutor general, can convene an extraordinary session of the parliament and is the commander in chief of the armed forces. The prime minister bears responsibility for the performance of the government which is in charge of implementing the laws as well as the domestic and foreign policy.

<sup>2</sup> The party split in several wings, including the group close to the former President Almazbek Atambayev and those loyal to the current President Sooronbay Jeenbekov. The stand-off resulted in a violent confrontation between Mr. Atambayev's supporters and law enforcement agencies in August 2019, leading to injuries and loss of life. In June 2020, Mr. Atambayev received a long imprisonment sentence which he currently serves.

<sup>3</sup> In June 2020, the government resigned over a corruption scandal.

<sup>4</sup> A 2020 amendment in the election law reintroduced the seven per cent electoral threshold that was increased to nine per cent in 2017. [ODIHR and the Council of Europe's Commission for Democracy through Law \(Venice Commission\)](#) have previously recommended revising seat allocation rules as well as to reconsider double threshold. The election law does not provide for what will happen if only one party passes the threshold.

Law on Election Commissions.<sup>5</sup> Other relevant acts include the Law on Political Parties, the Law on Peaceful Assemblies, legislation providing for criminal and administrative sanctions, and regulations of the Central Commission for Elections and Referenda (CEC). Kyrgyzstan is a party to the main international treaties related to democratic elections.<sup>6</sup>

Overall, the electoral legal framework is comprehensive and provides a sound basis for democratic elections. However, it contains several undue restrictions, as well as gaps and ambiguities, especially with respect to media, citizen observers' rights, campaign regulations and finance.<sup>7</sup> The legal framework has been significantly amended since the last parliamentary elections mostly in line with the 2018-2020 Strategy for Improving the Electoral Legislation developed by a working group under the president.<sup>8</sup> A number of interlocutors informed the ODIHR LEOM that passing of the amendments was preceded by an inclusive process of public deliberations. The recent changes provide for maintenance of gender quota in case of withdrawal of MPs, strengthening of sanctions for election-related violations, and enhancing conditions for participation of voters with disabilities, in line with prior ODIHR recommendations.<sup>9</sup> At the same time, some ODIHR recommendations remain unaddressed, including those concerning limitations on the right to vote and to stand, and the necessity of accreditation of media outlets to cover the activities of election commissions and sell advertising time. In addition, some recent changes introduced limitations on the right to stand of newly registered political parties, citizen observers, the ban on negative campaigning in the media, and resulted in further legal ambiguities, especially with respect to campaign regulations.<sup>10</sup>

## Election Administration

Parliamentary elections were administered by the CEC, 54 Territorial Election Commissions (TECs) and 2,475 Precinct Election Commissions (PECs).<sup>11</sup> Election commission members are appointed for five-year terms. The CEC consists of 12 members appointed by the parliament. The president, the parliamentary majority and the opposition nominate four CEC members each. The TECs are formed by the CEC with no less than 11 members, and the PECs are formed by relevant TECs with no less than 7 members. One half of the members of each commission are nominated by political parties, while the rest are nominated by local councils. TEC and PEC members were appointed in January 2020. Although compositions of election commissions at all levels have been changing, mainly due to concerns about the pandemic, participation in the elections as candidates, and insufficient remunerations, it did not affect overall preparations for these elections.<sup>12</sup> While women were well

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<sup>5</sup> In 2016, the 2010 Constitution was amended to make certain changes concerning, *inter alia*, the right of an MP to become Prime Minister or First Deputy Prime Minister without losing the mandate.

<sup>6</sup> These include the International Covenant on Civil and Political Rights (ICCPR), Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Elimination of All Forms of Discrimination Against Women, and the CIS Convention on Standards of Democratic Elections, Electoral Rights and Freedoms. In 2019, in line with an ODIHR recommendation, Kyrgyzstan ratified the UN Convention on the Rights of Persons with Disabilities (CRPD).

<sup>7</sup> For example, Article 46 of the election law stipulates that candidates can be deregistered for exceeding the campaign spending limits for 0.5 per cent and Article 41.10 prohibits in-kind donations and involvement of volunteers in campaign activities.

<sup>8</sup> The election law was amended three times, in 2017, 2019, and 2020, and the Law on Election Commissions twice, in 2017 and 2019. In June 2020, amendments concerning sanctions for election-related violations were made to the Criminal Code, Code of Infractions, and Code of Minor Offences.

<sup>9</sup> Despite the 30 per cent gender quota, only 20 MPs in the outgoing parliament were women, partially due to post-election withdrawals and lack of a legal guarantee for designated gender representation following withdrawals.

<sup>10</sup> A 2019 amendment in the election law denies political parties, registered six months before the announcement of election, the right to nominate a list of candidates.

<sup>11</sup> Out-of-country voting was conducted at 45 polling stations at embassies and consulates in 28 counties.

<sup>12</sup> One CEC commissioner nominated by the parliamentary majority was replaced on 3 September due to participation in elections as a candidate. The CEC and the TECs were able to make necessary replacements of commissioners from the reserve lists. Out of 650 TEC members, 49 were replaced; out of 26,600 PEC members 4,105 were replaced.

represented in election administration, various ethnic groups remained significantly underrepresented in the TECs, even in areas where they constitute a significant part of the population.<sup>13</sup>

The CEC regularly held open sessions with commissioners present in person and remotely.<sup>14</sup> The CEC conducted its work in an efficient manner and provided a comprehensive regulation of many aspects of the electoral process, including the COVID-19 protection measures,<sup>15</sup> voter education and information,<sup>16</sup> as well as facilitation of participation of voters with disabilities.<sup>17</sup>

In many instances, the short period between the online announcements of upcoming CEC sessions and their beginning did not leave sufficient time for all participants to attend or to become familiar with the relevant documents.<sup>18</sup> Most of the CEC decisions were published in a timely manner; however, in some cases the publication was significantly delayed.<sup>19</sup> In the run up to these elections, the CEC created working groups to react on concerns and complaints of electoral stakeholders and clarify legal provisions. While it facilitated the work of the CEC, some clarifications issued by the working groups, without being considered in open sessions by the CEC members effectively limited the actions of stakeholders.<sup>20</sup> Such practice raises concerns over transparency and collegiality of the CEC.

Following a prior ODIHR recommendation, amendments to the law on election commissions included impartiality as one of the guiding principles for the activities of election commissions. However, controversies over the decisions of the CEC pertaining to candidate registration, on sanctions to political parties and regarding the composition of the working groups negatively affected the perception of impartiality of the commission among many ODIHR LEOM interlocutors.<sup>21</sup>

The work of the lower-level election administration before election day was overall positively assessed by the ODIHR LEOM. The vast majority of TECs and PECs received adequate logistical support from the local authorities, including on prevention of the COVID-19 spread and provision of ramps for people with reduced mobility. In addition to off-line trainings, TEC and PEC members were provided with technical equipment and video tutorials covering all stages of their work and enabling commissioners to attend on-line training sessions. Introduction of remote trainings, especially in light of the COVID-19 pandemic is welcome, even if in some instances technical challenges affected the quality of the process. Separate training events conducted for the PEC members, who perform identification of voters on election day, were observed and positively

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<sup>13</sup> According to the CEC data, of the 650 TEC members only 37 belong to various national minorities. Around 47 per cent of TEC members and five CEC members, including the chairperson are women.

<sup>14</sup> Due to the COVID-19, the amended Rules of Procedure have allowed CEC members to participate in sessions remotely. Media, observers, and political party representatives attended sessions in person.

<sup>15</sup> The CEC instruction on election day procedures included rules and measures against spread of the disease, including social distancing at voting premises and provision of electoral officials and voters with personal protective equipment.

<sup>16</sup> The CEC commissioned voter education material on election procedures, including for voters with visual and hearing impairments. The ODIHR LEOM observed that these materials were also disseminated in the regions.

<sup>17</sup> The CEC collected information about accessibility of polling stations; it also controlled that political parties comply with the requirement to produce at least one per cent of their campaign material in disable-friendly format.

<sup>18</sup> Several announcements were posted online less than 20 minutes before the session. Some ODIHR LEOM interlocutors stated that due to the late announcements they were only able to learn about some sessions *post factum*. A few CEC members claimed that materials, including draft decisions and agenda, were not regularly distributed ahead of the sessions.

<sup>19</sup> Namely, decisions on candidate registration and deregistration. One of deregistered candidates mentioned that the late publication of the CEC decision delayed the course of his appeal. According to article 18 of the law on Election Commissions, CEC decisions must be published on the CEC website within 24 hours.

<sup>20</sup> See *Media and Complaints and Appeals* sections.

<sup>21</sup> See *Candidate Registration* and *Media* sections.

assessed by the ODIHR LEOM; however, due to the format of the trainings it was not always possible to respect the COVID-19 prevention measures.

## Voter Registration

Voting rights are extended to all citizens who reached 18 years of age, with the exception of those declared incapable by a court decision and those serving a prison sentence, irrespective of the gravity of the committed crime, both contrary to international standards and obligations.<sup>22</sup>

Voter registration is passive and voter lists are extracted from the Unified Population Register (UPR) that is managed by the State Registration Service (SRS).<sup>23</sup> To be included in the voter lists, a citizen must undergo biometric registration. According to the CEC and the SRS, there are some 470,000 citizens, most of them residing abroad, who still have not undergone biometric registration and hence remain disenfranchised.<sup>24</sup> The SRS, the CEC and the Ministry of Foreign Affairs undertook efforts to improve the inclusivity of the voter register by conducting biometric registration, including at consulates and embassies. However, these activities were partially undermined by COVID-19 pandemic.<sup>25</sup> The CEC announced a total number of voters as 3,523,554, of them 52 per cent women.<sup>26</sup>

The law provides for a scrutiny period for voters to request corrections of their records or change their voting address, allowing them to vote at a place other than their registered place of residence.<sup>27</sup> Some 441,000 (12 per cent) voters used the right to temporarily change their voting address.<sup>28</sup> As a result around 30 polling stations exceeded the limit of 2,500 voters prescribed by election law.<sup>29</sup> Many ODIHR LEOM interlocutors, including most of the contesting political parties, expressed serious concerns about the possible misuse by parties and candidates of this right, and alleged that the changes were an indication of a vote buying scheme. On 20 September, 12 parties submitted a joint complaint to the CEC requesting to investigate numerous cases of changes of voting addresses. Prior to election day, some 40 reports on vote buying, received by the CEC, have been transferred to police for investigation.

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<sup>22</sup> According to Articles 12 and 29 of the CRPD, “State Parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life” and ensure their “right and opportunity [...] to vote and be elected”. Paragraph 48 of [General Comment No. 1 to Article 12 of the CRPD](#) states that “a person’s decision-making ability cannot be a justification for any exclusion of persons with disabilities from exercising [...] the right to vote [and] the right to stand for election”. Paragraph 24 of the 1990 OSCE Copenhagen Document provides 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”. Paragraph 14 of the UN Human Rights Committee’s General Comment No. 25 on Article 25 of the ICCPR requires that “if a conviction for an offence is a basis for suspending the right to vote, the period of such suspension should be proportionate to the offence and the sentence”.

<sup>23</sup> Following the 2019 amendments to the election law, the responsibility of updating the voter lists was transferred from the SRS to the CEC. The SRS continues to provide support in this regard.

<sup>24</sup> For these elections only 32,602 voters have registered for out-of-country voting.

<sup>25</sup> According to the CEC, joint mobile teams were expected to start making foreign trips as of early 2020 but due to the COVID-19 pandemic the effort was postponed until late August.

<sup>26</sup> It represents an increase of more than 16 per cent since last elections conducted in 2017. The CEC and the SRS attributed such increase to natural population growth, proactive awareness raising activities and the work of mobile groups on biometric registration in rural areas.

<sup>27</sup> Corrections or changes of voting address could be requested either in person or online (in order to request change of voting address a voter needs to fill in a so called “Form 2”). ODIHR LEOM observed that the final voter lists were timely published online on 23 September and printed lists posted in PECs by the legal deadline of 28 September.

<sup>28</sup> Approximately 250,000 requests were submitted during the final week of voter list scrutiny period. Some 42,000 voters changed their voting addresses more than once. Most requests for change of voting address were received in the city of Bishkek (146,248) and Chui *Oblast* (112,602).

<sup>29</sup> Besides, 10 additional polling stations were established in Osh.



Although ODIHR LEOM observed instances of biometric identification system being temporarily down during the two days preceding the deadline for submission of requests for corrections and changes of voting address, it did not appear to have limited the opportunity for voters to timely submit requests. Overall, most ODIHR LEOM interlocutors expressed confidence in the current voter identification technologies towards prevention of fraud inside polling stations on election day.

## Candidate Registration

Candidates must be eligible voters over 21 years of age by election day. Those with an un-expunged criminal record cannot run for office. Citizens of the Kyrgyz Republic in possession of another nationality are also ineligible. ODIHR and the Venice Commission previously recommended to reconsider this restriction.<sup>30</sup>

Overall, the process of candidate registration was inclusive. Of the 17 lists submitted, the CEC initially rejected the registration of three parties: *Kyrgyzstan*, *Butun Kyrgyzstan*, and *Aktiv*. All three filed complaints against the CEC before the court. In the cases of *Kyrgyzstan* and *Butun Kyrgyzstan*, the CEC decisions were overturned for exceeding its authority.<sup>31</sup> In the case of party *Aktiv*, the court confirmed the CEC decision denying the registration for the non-payment of the electoral deposit and non-compliance with the gender quota requirement. A majority of ODIHR LEOM interlocutors questioned the impartiality of the CEC following the controversial decisions regarding the cases of *Kyrgyzstan* and *Butun Kyrgyzstan*. The deadlines for candidate registration, including for complaints and for the establishment of the ballot format, overlapped with the beginning of the election campaign, which complicated actions for participants.<sup>32</sup>

In order to register a candidate list, political parties had to pay a deposit of KGS five million (approximately EUR 55,000).<sup>33</sup> While most contesting parties did not raise concerns with regard to the size of the electoral deposit, some suggested that the amount of the deposit should be lowered.<sup>34</sup>

By law, candidate lists must have a minimum of 75 candidates and a maximum of 200 and comply with several quota requirements.<sup>35</sup> In addition, the law sets placement requirements for each category within the list. A total of 16 political parties with 2,032 candidates met the requirements and registered to run. The lists included, 32 per cent women, 31 per cent younger than 35 years old, 17 per cent national minority representatives, and 43 candidates with disabilities (2 per cent).

Withdrawals from the candidate lists can take place until three days before election day. Although the law provides that the quotas are maintained in the case of withdrawals, at least 3 final lists did not

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<sup>30</sup> The [2020 ODIHR and the Venice Commission's Joint Opinion](#) on the Amendments to Some Legislative Acts Related to Sanctions for Violation of Electoral Legislation recommended "to give due consideration to minimizing and eventually abolishing limitations on holding public offices for citizens with dual nationalities".

<sup>31</sup> The CEC returned nomination documents to the *Kyrgyzstan* party due to non-compliance with submission procedures and rejected the registration of *Butun Kyrgyzstan* due to violations of the candidate nomination procedures.

<sup>32</sup> In the case of *Butun Kyrgyzstan*, the administrative court ruled in favour of the party's registration on 9 September, which is the deadline for approving the format of the ballot by the CEC. As per the CEC, it did not consider to appeal against the administrative court's decision due to the deadline. At the same time, *Butun Kyrgyzstan* claimed that its late registration, five days after the beginning of the campaign, negatively affected its campaign preparations.

<sup>33</sup> EUR 1 equals approximately KGS 90 (Kyrgyz Som).

<sup>34</sup> Namely, political parties *Chon Kazat*, *Reforma* and *Respublika*. In addition, the party *Aktiv* challenged the constitutionality of the electoral deposit before the Constitutional Chamber of the Supreme Court.

<sup>35</sup> The lists must have at least 30 per cent of candidates of each gender; at least 15 per cent of candidates belonging to national minorities; at least 15 per cent of candidates under 35 years of age; and at least two candidates with disabilities.

comply with the quota requirements as 48 candidates had withdrawn including 18 women. The CEC posted candidate lists on its website in a timely manner; however, these lists were not regularly updated.

The legal grounds for deregistration of candidates remain overly broad, allowing the CEC wide discretion to adjudicate alleged violations. Following an incident in Aravan, the CEC voted to deregister two ethnic Uzbek candidates of *Mekenim Kyrgyzstan* and *Birimdik* parties despite the fact that no evidence was provided that they were personally involved in the fight at a campaign event.<sup>36</sup>

## Campaign Environment

The official campaign period started on 4 September and ended 24 hours prior to voting. Fundamental freedoms were generally respected during the campaign and contestants were able to campaign freely. However, the ODIHR LEOM noted limitations to campaigning since parties did not have the possibility to receive in-kind donations and, following a 2019 amendment to the election law, negative campaigning against a contestant is prohibited on television (TV).<sup>37</sup> In addition, several newer parties conveyed concerns to the ODIHR LEOM about their campaign staff being pressured by opponents to discourage them from canvassing and about their campaign events being covertly followed by state security agencies.<sup>38</sup> While the campaign was overall peaceful, a violent incident between party supporters in Osh *oblast* has caused anxiety among Uzbek community.<sup>39</sup>

Despite initial uncertainty over the possibility to conduct in-person meetings with voters due to the COVID-19 pandemic, parties used diverse means for an overall competitive and lively, although sometimes harsh, campaign. Door-to-door canvassing was the most frequent means of campaigning. In addition, gatherings and discussions with voters, as well as cars with loudspeakers, were organised and audio-visual and printed materials distributed, including in disabled-friendly format.<sup>40</sup> Billboards were displayed extensively, with those of *Birimdik*, *Mekenim Kyrgyzstan* and *Kyrgyzstan* being the most visible throughout the country.

Election platforms of most parties overlapped significantly and the ODIHR LEOM observed that they were seldom presented to voters. In printed materials and television debates, many parties listed the reduction of state institutions or economic and healthcare reforms as priorities. However, both direct and indirect ODIHR LEOM observation indicates that, during meetings with voters, candidates focused on local issues and on the presentation of their personal profiles and, at times, on recent charitable activities related to the pandemic.<sup>41</sup> While the 47 rallies observed by the ODIHR

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<sup>36</sup> According to the Article 46 of the election law candidates can be deregistered only in case of their or their representatives' direct involvement in violations of campaign rules. Further, the CEC also did not agree to issue warnings to these parties.

<sup>37</sup> According to Article 28.6 of the election law, a contestant cannot use TV to call to vote against another contestant, to describe the negative consequences in case a certain candidate is elected, to disseminate information about a candidate where negative comments obviously prevail or that contributes to the creation of a negative attitude of voters towards that candidate.

<sup>38</sup> For instance, on 14 September, *Reforma* party sent an official letter to the Ministry of Internal Affairs and to the General Prosecutor seeking redress since their campaign event in Naryn *oblast* held on 13 September was illegally monitored and disrupted by representatives of law enforcement agencies in civilian clothing.

<sup>39</sup> On 20 September, a violent clash between *Mekenim Kyrgyzstan* and *Birimdik* supporters took place in Aravan (Osh *oblast*). While an estimate of 100 people took part in the fight, some 13 were injured.

<sup>40</sup> Following the 2019 amendments to the election law, political parties are now obliged to prepare and distribute audio-visual campaign materials using sign language or subtitles, prepare materials in enlarged and Braille fonts, and use other special means for voters with disabilities.

<sup>41</sup> Although the election law prohibits the conduct of charitable activities by contestants and their close relatives since the moment elections are called, the ODIHR LEOM noted several instances when charitable activities, especially those conducted during the pandemic, featured prominently in the campaigns of some candidates of *Birimdik*, *Mekenim Kyrgyzstan*, *Kyrgyzstan*, *Respublika* parties.



LEOM were generally well attended by women, gender issues were almost absent from the campaign.<sup>42</sup> The lack of structured election programmes and issue-oriented debate diminished the voters' ability to make an informed choice.

The election campaign was also prominent in social media and platforms, such as Facebook, Instagram and WhatsApp. Online campaigning is allowed by law; but the CEC reported lack of sufficient tools for monitoring online activities.<sup>43</sup> Although most contestants committed to respecting campaign rules online, through the signature of the Code of Conduct initiated by the CEC, they informed the ODIHR LEOM that misinformation campaigns among opponents were frequent, especially via individual and sometimes fake accounts.<sup>44</sup> However, contestants seldom filed official complaints, accepting negative campaigning to a certain extent, as it was difficult to prove the identity of individuals using social media accounts. The ODIHR LEOM also noted intensification of hostile misinformation campaigns closer to election day.<sup>45</sup>

The ODIHR LEOM received numerous credible reports from interlocutors throughout the country about instances of vote buying and abuse of administrative resources, both prohibited by the legal framework. However, most often interlocutors informed the ODIHR LEOM that they had no trust that such cases would be effectively resolved and thus did not file complaints. The ODIHR LEOM observed indications of forced participation of civil servants in campaign events.<sup>46</sup> Despite the safeguards of secrecy of vote, these instances of pressure raised concern about public sector employees' ability to vote free of fear of retribution, as provided for by the OSCE commitments and other international standards.<sup>47</sup>

## Campaign Finance

Campaign finance is regulated by the election law and requires parties to open designated bank accounts to channel all campaign funds. Election campaign may be financed from private sources while direct public funding is not foreseen. There are limits to individual contributions and campaign spending per party cannot exceed KGS 300 million (approximately EUR 3,3 million).<sup>48</sup> Cash

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<sup>42</sup> The ODIHR LEOM observed campaign events in rural and urban areas in all seven regions (*oblast*) as well as in the cities of Bishkek and Osh.

<sup>43</sup> The CEC informed the ODIHR LEOM about their intention to use Facebook's Ads library during the audit of parties' campaign funds.

<sup>44</sup> Misinformation campaigns were reported to the ODIHR LEOM by *Chon Kazat*, *Mekenim Kyrgyzstan*, *Reforma*, *Respublika*, and Social-Democrats parties.

<sup>45</sup> Based on direct ODIHR LEOM observation and on reported instances, misinformation campaigns were most frequently built around issues that are perceived as sensitive in the conservative segments of the Kyrgyz society. They included alleged Western financing of certain parties (*Chon Kazat*, *Reforma*), alleged homosexual orientation of female frontrunners (*Reforma*) or alleged intention of certain parties to defend the rights of the LGBT community (*Reforma*, *Bir Bol*, *Ata Meken*). The dissemination took place in social media and through sms campaigns.

<sup>46</sup> For instance, during a rally of *Kyrgyzstan* party on 15 September in Talas city, the ODIHR LEOM observed an attendance list which two dozen civil servants had to sign to prove their participation in the event. Similar practice was observed during the rally of *Birimdik* in Bishkek city on 2 October.

<sup>47</sup> Paragraph 7.7 of the [1990 OSCE Copenhagen Document](#) requires that campaigning "be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and the candidates from freely presenting their views and qualifications, or prevents the voters from learning and discussing them or from casting their vote free of fear of retribution". Paragraph 19 of the [1996 CCPR General Comment 25 to the ICCPR](#) stipulates that "Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind." See also Paragraph 209 of the 2010 [ODIHR and Venice Commission Guidelines on Political Party Regulation](#).

<sup>48</sup> Individuals and legal entities can donate up to KGS 200,000 (approx. EUR 2,120) and KGS 3 million (approx. EUR 32,000), respectively, a candidate can contribute up to KGS 1.5 million (approx. EUR 16,000), and a party itself a maximum of KGS 100 million (approx. EUR 1,060,000).

donations as well as donations from foreign, state-owned or anonymous sources and religious and charitable organizations are prohibited.

Departing from international good practice, the law does not allow in-kind donations, a provision that disadvantaged newer parties with less financial means.<sup>49</sup> Under the current legal framework, each campaign staff and party observer must be remunerated at market price, preventing the engagement of volunteers, and this income is further subject to taxation.<sup>50</sup> Thus, the total amount required to finance the human resource component of the campaign alone could exceed the financial capacity of many smaller parties.<sup>51</sup> Furthermore, in practice, in-kind donations were reported to ODIHR LEOM by most contestants but these are not reflected in any financial reports, diminishing the transparency and integrity of campaign funding, at odds with international standards.<sup>52</sup>

The oversight of campaign finance is vested with the CEC. Information on party campaign income and expenditure, received from banks on weekly basis, was published on the CEC website. Following its regulation adopted in June 2020, the CEC changed its previous practice and instead of disclosing only gross total amounts, it also disclosed the amount and source of each individual contribution or expenditure, partially addressing prior ODIHR recommendations.

Political parties are required to submit two financial reports before election day and a final one after the elections.<sup>53</sup> The first two financial reports were submitted by all political parties and published on the CEC website. According to this data, three political parties led in terms of campaign spending: *Birimdik*, *Mekenim Kyrgyzstan* and *Kyrgyzstan*.<sup>54</sup> While an audit of all three reports shall be conducted by the CEC, there is no legal requirement to publish its results, preventing public scrutiny. Furthermore, parties do not have the obligation to provide annual financial reporting which decreases the transparency of campaign funding.

## Media

The Constitution guarantees freedom of expression and press and explicitly prohibits criminal prosecution for defamation.<sup>55</sup> However, ongoing court cases on excessive damages claimed against

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<sup>49</sup> According to Article 41.10 of the election law, provision of goods and services free of charge or at unreasonably low prices is forbidden. *Reforma* and *Chon Kazat* parties reported that this regulation significantly impacted their campaign since, due to lack of funds, they intended to rely on voluntary activists. Furthermore, paragraph 170 of [ODIHR and Venice Commission Guidelines on Political Party Regulation](#) states that "...all individuals should have the right to freely express their support of a political party of their choice through financial and in-kind contributions" within reasonable limits.

<sup>50</sup> Paragraph 182 of [ODIHR and Venice Commission Guidelines on Political Party Regulation](#) states that it is a "good practice to provide tax credits for individuals who give in-kind contributions, whether in the form of labour or goods and services. State legislation may allow tax deductibility of such contributions, including in-kind contributions to political parties" within defined and appropriate limits.

<sup>51</sup> For instance, the budget required to finance a campaign team of 3,500 members on market prices could oscillate between KGS six and ten million. At the same time, 6 out of 16 contesting parties reported total campaign income below KGS 10 million while others had an income ten-fold higher.

<sup>52</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..."

<sup>53</sup> The first financial report had to be presented to the CEC together with registration documents, second report – by 24 September, and a final report – within 10 days after election day.

<sup>54</sup> Until 24 September, *Birimdik* reported campaign spending of KGS 87.4 million, *Mekenim Kyrgyzstan* – KGS 111.9 million and *Kyrgyzstan* – KGS 87.5 million. All other parties reported expenditures below KGS 46 million each.

<sup>55</sup> The [OSCE Representative on Freedom of the Media \(RFoM\)](#) has previously expressed concern over disproportionate damages requested in defamation suits.

media and a physical attack on a journalist,<sup>56</sup> coupled with cyber-attacks and summons for questioning of bloggers and social media users over critical posts following the announcement of the parliamentary elections, continue to induce self-censorship and limit freedom of speech.<sup>57</sup> Additionally, applicable provisions of certain laws add further concern over freedom of speech.<sup>58</sup>

TV remains the most important source of information, while online media are increasingly serving as an alternative source for news. A high number of media outlets rely on government funding and ownership and most commercial TV channels and newspapers are allegedly affiliated with politicians, with only few platforms being perceived as truly independent. The CEC allocated free airtime for candidates on the public and state-owned media, allowing additional time on public station *KTRK* and state *EITR* to the hours legally prescribed to compensate any restrictions imposed by COVID 19 pandemic. However, news and current affairs programmes lacked editorial coverage, instead they reflected different financial means of parties and candidates, since the campaign coverage in primetime news was mostly produced and paid by the contestants. This, combined with a predominance of institutional coverage of the government and the president, clearly affected the objectivity, quality and variety of information and opinions available to voters.

Separate TV debates dedicated to youth, women and party leaders were broadcast on the public *KTRK* and general debates on state *EITR* stations. While the debates granted access to candidates of the 16 political parties and provided additional exposure to contestants with less resources to purchase airtime, they did not compensate the lack of editorial coverage in the media.<sup>59</sup>

The election law requires the mass media to treat contestants equally and provide objective and non-discriminatory information. However, an ambiguous interpretation of the election law, by different CEC members, regarding equal treatment as well as definitions such as ‘campaigning’ and ‘informing voters’, constrained the coverage of the campaign by a number of media outlets.<sup>60</sup> Some main media outlets reported to the ODIHR LEOM that they remained overcautious, refraining from reporting on the parties’ campaign activities, in order to avoid losing the CEC accreditation or being financially sanctioned, as it could be considered as a violation of the law.

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<sup>56</sup> Both of these cases are linked to journalistic investigations on corruption. A court case was initiated against RFE/RL’s *Radio Azattyk*, online *Kloop* and *24.kg* as well as the journalist that led the investigation, after publication of an investigation in November 2019. Two criminal cases were initiated following the attack against the editor in chief of investigative website *FactCheck* in January 2020, after it published a major investigation on corruption. While the investigation on the case against the alleged immediate perpetrators has been finalised and submitted to the court, the case against the alleged organiser of the attack is still under investigation.

<sup>57</sup> During the campaign period, online platform *24.kg*’s editor-in-chief was temporarily unable to access the Twitter account, however when access was regained some tweets were permanently deleted. Just after the president announced the date of the parliamentary elections, the website of petitions, *Change.org* was blocked in Kyrgyzstan, since a group of citizens initiated a petition calling on the president to resign. The Ministry of Interior summoned for interrogation the administrator of the *Memestan* Facebook page. The president’s communication on the COVID-19 situation on his official YouTube channel, was removed and reloaded with disabled comments section, after receiving four thousand dislikes.

<sup>58</sup> These include provisions of Article 313 of the Criminal Code, regarding “incitement of national (inter-ethnic), racial, religious, or interregional enmity” which are broadly formulated and are not in line with international standards on freedom of expression; Article 4 of the Law on Guarantees for Activity of the President granting higher protection to the president and to ex-presidents, gives the Prosecutor General the power to apply to court on behalf of the president. In 2018, a group of citizens challenged the constitutionality of this Article in the Constitutional Chamber of the Supreme Court, which was partially satisfied and led to respective legal amendments. Also, the sanctions provided by Article 44 of the Code on Infractions, providing penalties for the journalists and media outlets’ violations of election law, are perceived by ODIHR LEOM Interlocutors as high.

<sup>59</sup> Neither *KTRK* nor *EITR* provided sign language support during the debates.

<sup>60</sup> While ‘campaigning’ was generally interpreted by media as placing campaign materials on a contractual basis and paid from the candidates’ funds, as permitted by law, the definition of ‘informing voters’ was considered blurred and subject to the interpretation by different CEC members.

The CEC recommendation against conducting debates on private media constituted a serious restriction of the media independence and freedom, and limited the diversity of information available to voters, with an adverse effect on an open debate on matters of public concern. The restriction, additionally, lessened the access to private media by contestants with limited financial means.<sup>61</sup>

Despite previous ODIHR recommendations, media outlets, including online platforms, had to be accredited by the CEC in order to cover the elections, as well as sell advertising airtime and space to the contestants. At least one complaint on alleged defamation of one candidate was filed with the CEC against a media outlet, with the complainant party requesting the cancellation of the accreditation. The CEC denied this request and recommended the media outlet to provide space for refutation. Although the CEC did not revoke any accreditation during the campaign period, the threat of losing it induced self-censorship among journalists.

The ODIHR LEOM media monitoring results indicate that public broadcaster *KTRK* gave prominence to the institutional coverage of government and presidential activities, and to news contents produced by the political parties, rather than providing editorial coverage of the campaign, contradicting their editorial policy which instructs the public broadcaster to privilege pluralism of opinions in their information and analytical programmes.<sup>62</sup> *KTRK*, in monitored primetime news, provided 64 per cent of the time to the government activities, 11 per cent to the president, 6 per cent to the CEC activities, 19 per cent to paid content provided by the parties, while the remaining less than 1 per cent was used for a few mentions of political parties. News coverage on state-owned *EITR* gave the government 65 per cent and the president 18 per cent additional exposure, while 8 per cent was allocated to paid content produced by the contestants, another 8 per cent to CEC activities and the remaining 1 per cent to editorial coverage of political parties. Similar trend was observed on the public *Birinchi* radio.

While commercial television channels *NTS* and *Channel 7* provided a more diverse and substantial coverage of elections, including of contestants, they also covered extensively the government and president activities, as well as political content produced and paid by parties. In primetime news *NTS* allocated 37 per cent of the airtime to footage produced and paid by contestants, against less than 7 per cent to editorial coverage, while *Channel 7* assigned 33 per cent of airtime to paid contents against 19 per cent of editorial coverage, mostly in neutral or negative tone. The remaining airtime was allocated to government, president and CEC activities.

Online news sources provided more analytical contents focused on the political parties' programmes and candidates' profiles. However, these platforms did not manage to counterbalance and provide an adequate amount of editorial contents related to the campaign. Monitored news sources, *24.kg* and *Kaktus.media* dedicated, 62 and 74 per cent of space to paid political contents respectively, compared to only 38 and 26 per cent of space, to editorial contents focused on the CEC activities and contestants.

Paid political content also prevailed in the monitored print media, which offered limited unbiased analytical information for voters, mostly in a negative tone targeting certain parties.

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<sup>61</sup> A written response of 22 September by the CEC Working Group on Issues of Campaign and Voter Information recommended the TV channel *Next TV* to abstain from organising debates. This was perceived by main private media as an official position of the CEC refraining them to organise their own debates. The decision was taken on the grounds that equal treatment would not be served, if other contestants would refuse to participate.

<sup>62</sup> On 8 September, the ODIHR LEOM started its quantitative and qualitative monitoring of campaign coverage. The media monitoring sample included four TV channels, public *KTRK*, state-owned *EITR* and commercial *NTS* and *Channel 7*; public *Birinchi Radio* and three private newspapers *Delo No*, *Super Info*, and *Vecherniy Bishkek*. The ODIHR LEOM also followed the campaign coverage on online outlets *kaktus.media*, *24.Kg* and *April TV*.

## Complaints and Appeals

The legislation provides for an adequate legal framework for electoral dispute resolution, with a single hierarchy for appeals and compressed timeframes. Decisions, actions and inaction of election commissions can be challenged at higher commissions, and those of the CEC at the Administrative Court of the City of Bishkek, and further at the Supreme Court. Complaints and appeals can be filed by voters, political parties, candidates, their proxies, civil society organizations and observers. However, adjudicating appeals against the CEC decisions lodged by citizen observers and by a voter, the Administrative Court of the City of Bishkek applied a restrictive interpretation of the law, effectively limiting the scope of the right to challenge decisions of election commissions as provided by election law.<sup>63</sup> Election results can be appealed only by individual candidates, political parties, and their proxies, contrary to good practice.<sup>64</sup>

According to the CEC's registry of complaints, as of 4 October, election commissions received some 137 complaints.<sup>65</sup> Most lodged at the CEC were reviewed and responded to by its Working Group on Complaints, and only 54 in the CEC session; while the sessions of both the CEC and the Working Group on Complaints were held generally in a transparent and participatory manner, lack of review of all complaints in the CEC session undermines the principle of collegiality and adds to legal uncertainty regarding further legal action by the parties.<sup>66</sup> In a number of cases, the CEC decisions on complaints were delivered later than the legal deadlines.<sup>67</sup>

Ten CEC decisions were appealed, of them, nine pertained to candidate registration and deregistration, and one challenged the sanction applied for a case of abuse of administrative resources.<sup>68</sup> The court invalidated three CEC candidate registration decisions. At least six appeals against administrative court decisions were lodged with the Supreme Court; of these two were filed by the CEC, both denied. The hearings in the Administrative and Supreme Courts were open and due process was observed. On 29 September, the Administrative Court upheld CEC's deregistration of candidate Mannanov, without having established facts of his direct involvement in the Aravan incident as required by election law; on 3 October, the Supreme Court upheld deregistration.

In July 2020, the parliament adopted amendments establishing liability for abuse of administrative resources and strengthening guarantees for prosecution of those involved in vote-buying. As of 30 September, the prosecutors and the police investigated some 63 criminal cases related to alleged vote-buying and 17 cases on abuse of administrative resources. However, no case was reported to

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<sup>63</sup> On 24 September and 2 October, the Court ruled that CEC decisions applying a sanction for abuse of administrative resources and denying the request for deregistration of a candidate, respectively, are not subject to appeal as these decisions cannot infringe the electoral rights of the stakeholders. These rulings were upheld by the Supreme Court.

<sup>64</sup> Paragraph II.3.3.f of the Venice Commission's Code of Good Practice recommends 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>65</sup> In addition, the CEC responded to over 500 inquiries and applications from voters and election stakeholders, most of these submitted to the CEC through electronic mail or social networks. The CEC maintains a registry of complaints on its website, but its decisions on complaints are posted with delays.

<sup>66</sup> In a number of cases, complaints were officially responded by heads of working groups, on the CEC letterhead, raising doubts among the complainants if these responses can be considered as official CEC decisions to be appealed in the court. The majority of complaints lodged with the CEC and the TECs concerned alleged violation of campaign rules, issues with voter registration, and reports on vote-buying and abuse of administrative resources.

<sup>67</sup> The ODIHR LEOM received only few reports about complaints filed at TECs.

<sup>68</sup> On 21 September, an appeal was lodged with the Administrative Court by the Coalition for Democracy and Civil Society. The applicant alleged that the CEC warning to *Kyrgyzstan* party for misuse of administrative resource by its member and acting Speaker of parliament, Mr. Dzhumabekov, was inadequate and that the candidate must have been deregistered. The Court rejected the appeal finding no violation of law committed by Mr. Dzhumabekov.

have reached the court for a sanction.<sup>69</sup> Many ODIHR LEOM interlocutors expressed a lack of trust in the effectiveness of remedies against election violations, particularly with respect to effectiveness of actions by law-enforcement and perceived impartiality of the judiciary.

### Participation of National Minorities

Kyrgyzstan has an ethnically diverse population, with minorities constituting about 27 per cent of the total population.<sup>70</sup> The most sizable minority community is ethnic Uzbeks, mainly residing in the Osh and Jalalabad regions where they make up to 28 and 24 per cent, respectively. The legislation forbids political parties to be formed on the basis of ethnicity.

Ethnic minority candidates actively participated in the campaign in areas of their compact population, but issues related to inter-ethnic relations did not feature prominently in programmes of political parties. Voter education and campaign materials have not been published in any minority language but only in the state (Kyrgyz) and official (Russian) languages.

Fierce competition within the Uzbek minority has caused a lot of anxiety among the members of the community in Osh and Jalalabad provinces and contributed to their sense of insecurity. A mass brawl between supporters of the *Mekenim Kyrgyzstan* and *Birimdik* parties in Aravan district resulted in deregistration of two ethnic Uzbek candidates. In a separate development a criminal investigation has been launched over the alleged vote-buying by two ethnic Uzbek candidates representing *Mekenim Kyrgyzstan* in Jalalabad. Reportedly, their supporters and relatives were subjected to pressure by the local authorities and law enforcement to testify against them. Following these incidents cases of hate speech rhetoric targeting the Uzbek community in social media were brought to the attention of the ODIHR LEOM by some interlocutors.

### Citizen and International Observers

The election law provides for observation of all stages of the electoral process by political parties, civil society organizations and international observers.<sup>71</sup> Political party and non-partisan citizen observer groups can register up to two and three observers per election commission, respectively.<sup>72</sup> However, despite previous ODIHR recommendations, undue limitations to citizen observation remain. Political party observers can observe in several election commissions and can challenge their decisions; however, non-partisan observers are bound to observe in only one election commission and their right to challenge the decisions of election commissions is subject to limitations. Although some civil society interlocutors noted unequal observation opportunities for political parties and non-partisan citizen observers as well as late provision of information about sessions by the CEC and TECs, they did not express lack of trust in the work of election commissions.

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<sup>69</sup> In line with a 2019 election law amendment, Operational Coordination Response Groups were created at the level of the CEC and TECs to rapidly respond to reports on violations of electoral legislation; these are composed of members of election commissions and representatives of the prosecutor's office, police and national security agency.

<sup>70</sup> Minority groups include ethnic Uzbeks (14.7 per cent), Russians (5.3 per cent), Dungans (1.2 per cent), Uighurs (1 per cent), as well as smaller groups of Tajiks, Kazakhs, Tatars, Ukrainians, Koreans, and Meskhetian Turks.

<sup>71</sup> A total of 277 international observers from 35 international organizations and embassies representing 43 countries were accredited by the CEC to observe parliamentary elections. A total of 77 non-partisan citizen observer groups notified the CEC about their intention to observe parliamentary elections.

<sup>72</sup> Non-partisan citizen observers can be registered at the CEC and directly at TECs.



## Election Day

In line with ODIHR methodology, the ODIHR LEOM did not observe election day proceedings in a comprehensive or systematic manner and mission members visited a limited number of polling stations in all regions of the country.

Election day proceeded orderly and polling was well organized. Voting took place between 8.00 and 20.00 and mobile voting was provided for homebound voters on 3 October upon justified request. Overall, polling stations were properly equipped and their layout allowed for an orderly flow of voters. While most polling stations were accessible for voters with physical disabilities, with step-free access and adapted polling booths, a few polling stations were located on second floors and the layout of some was inadequate. While face-masks and sanitizers were made available by election administration, protective measures against the spread of the COVID-19 were not always followed. Observers also reported different responses from the medical personnel on how they dealt with voters with fever.<sup>73</sup> Social distancing was rarely respected outside or inside polling stations.

Voter identification equipment and ballot scanners functioned well, and only minor technical problems were reported. Throughout the day, the ODIHR LEOM observers noted queues outside the polling stations as well as few instances of bussing of voters. In one case, ODIHR LEOM observers witnessed money being distributed to voters outside the polling station.

Party and non-partisan observers were present at all stages observed and in many cases the presence of several observers representing one party was reported, violating provisions of the election law. Polling stations observed closed on time and manual counting was conducted efficiently. Shortly after the end of voting, the CEC started posting on its website detailed preliminary results, based on initial data from the ballot scanners, ensuring transparency. The CEC announced voter turnout at 56 per cent.

*The English version of this report is the only official document.  
An unofficial translation is available in Kyrgyz and Russian.*

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## MISSION INFORMATION & ACKNOWLEDGEMENTS

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Bishkek, 5 October 2020 – The assessment was made to determine whether the elections complied with OSCE commitments and other international obligations and standards for democratic elections and with national legislation.

The ODIHR LEOM includes 13 experts in the capital and 18 long-term observers deployed throughout the country. In line with ODIHR methodology, on election day mission members visited a limited number of polling stations in all seven regions and the cities of Bishkek and Osh, but there was no systematic observation of the opening, voting, counting and tabulation of results.

The ODIHR LEOM wishes to thank the Central Commission for Elections and Referenda for the invitation to observe the elections, and the Ministry of Foreign Affairs for the assistance. They also express their appreciation to other state institutions, political parties, civil society organizations, the

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<sup>73</sup> While in some polling stations such voters were reportedly sent home, in others they were allowed in polling stations or asked to return back for voting after 18.00

OSCE Programme Office in Kyrgyzstan and the international community representatives for their support and co-operation.

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