



Association for Monitoring Elections and Referenda in the Kyrgyz Republic "Taza Shailoo"

January 10, 2008

Final Report of Taza Shailoo on its Monitoring of the Early Parliamentary Elections in the Kyrgyz Republic December 16, 2007

The Association "Taza Shailoo" (Clean Elections) conducted independent, non-partisan observation of the early parliamentary elections in Kyrgyzstan. Taza Shailoo observers analyzed data from all regions of the country regarding the pre-election period, Election Day, and the post-election period.

The results of this observation showed that serious violations of the Electoral Code occurred during the elections to the Kyrgyz parliament (Jogorku Kenesh) that raise doubts about the democratic nature of the electoral system in Kyrgyzstan. Major violations include the abuse of administrative resources, ballot stuffing, pressure on observers, the changing of protocol data, and the lack of judicial independence demonstrated through court decisions.

BACKGROUND

The Association "Taza Shailoo" has the dual mission of bringing together all those interested in improving the electoral process and monitoring elections and referenda at all levels in the Kyrgyz Republic.

From the Association's 26 current members, 21 non-governmental organizations (NGOs) actively participated as part of Taza Shailoo's independent mission to monitor Kyrgyzstan's early parliamentary elections on December 16, 2007. In mid-November, the Association deployed 18 long-term observers (LTOs) to all regions of the country in order to monitor the pre-election period. The long-term observation monitored the activities of the local administrative bodies and electoral commissions responsible for preparing and conducting the elections; the registration of political parties, candidates, and voters; and the pre-election campaigns of the political parties. On Election Day, the Association deployed 1,562 short-term observers (STOs). Seventy-eight regional coordinators were trained in order to supervise the work of STOs throughout the country on Election Day. The Association deployed STOs in teams of two to 781 precincts, covering one-third of all polling stations in the country. This allowed Taza Shailoo to cover the country's major cities and districts on Election Day. STOs observed the opening of the precincts, the election process itself, the vote count, and the tallying of results.

PRE-ELECTION PERIOD

Taza Shailoo's observation of the pre-election period, as published in its December 17 preliminary report, found that serious violations took place before Election Day which violated the rights of both political parties and voters. Some of the most serious violations include uneven opportunities to participate in the electoral process, ambiguity of electoral legislation, and violations by the election commissions.

Uneven opportunities to participate in the electoral process

The large-scale abuse of administrative resources, pressure on representatives of political parties and the civic sector, and unequal access of political parties to the media all contribute to create an uneven playing field for participants in the electoral process. The following facts, as noted by Taza Shailoo long-term observers, raise doubts about the fairness and transparency of the pre-election period: widespread pressure on state officials to campaign and promote the interests of the pro-governmental party; the partisan use of government buildings and resources; pressure on students who expressed interest in serving as election monitors for political parties or NGOs; and biased media coverage for certain political parties.

The electoral system

The sudden adoption of the new Electoral Code as part of the October 21, 2007 referendum contributed to omissions in the code about how to implement the law, leaving room for the Central Election Commission (CEC) to interpret and apply its own legislative standards. The CEC decision on electoral thresholds, for example, proved to impose great obstacles for the subjects of the electoral process, especially political parties.

The greatest dispute resulted from the CEC's decision that the 0.5 percent regional threshold would be calculated out of the total number of registered voters in the country. Article 77, point 2 of the Electoral Code reads as follows: *"The political parties which are to be expelled from distribution of deputies' mandates are those whose candidates' lists received:*

- less than 5 percent of the votes from the voters' lists within the whole country;
- less than 0.5 percent of the votes from the voters' lists, within each oblast, and the cities of Bishkek and Osh."

The CEC's interpretation of this article resulted in many complaints from political parties, who argued that the regional threshold would be too high to overcome, especially in less-populated oblasts. Well before Election Day, the Ak Jol party brought the matter to court. The court ruled in favor of the CEC's interpretation that the regional threshold should be calculated out of the total registered voters nationwide. However, a couple days after Election Day, the Supreme Court considered Ak Jol's appeal and determined that the regional threshold would now be calculated out of the total registered voters in each oblast. Taza Shailoo is troubled that the ambiguity of this law allowed for different interpretations and created opportunities for manipulation of the electoral process.

Violations by the election commissions in the pre-election period

The presence of a large number of employees paid from the state budget on electoral commissions at all levels raises doubts about the independence of the commissions in these elections. In addition, numerous complaints to the CEC, most of which were submitted by political parties, were not considered on time during the pre-election period.

The principle of openness described in Article 17.3 of the Electoral Code was significantly violated by electoral commissions when they failed to inform official representatives from political parties and civil society about the time and place of their meetings.

Moreover, there were serious violations during the preparation and opening of Precinct Election Commissions (PECs) in the regions. LTOs from the majority of regions noted that PECs were neither prepared nor opened on time. This restricted the opportunity for voters to find their names on the voter lists prior to Election Day, in violation of Article 11.4 of the Electoral Code, which specifies that PECs should be opened 20 days before the election.

ELECTION DAY

The Association "Taza Shailoo" noted significant violations on Election Day that impacted the results of the election. Taza Shailoo's data reveal the following violations: problems with the voter lists, breaches in polling

station opening procedures, vote buying and bussing of voters, misuse of early voting and mobile voting provisions, multiple voting, pressure on observers, ballot stuffing, and serious violations during the vote count and tallying of results

Problems with the voter lists

The voter lists constitute one major problem witnessed during the early parliamentary elections. According to Article 23.5 of the Electoral Code, citizens have a *propiska* that indicates their official residence and entitles them to be included on the main voter list. If the voter cannot be found on the main list, but the voter has his/her *propiska*, then that voter can be included on an additional list based on an absentee ballot or a court decision.

It is worth noting that, for some reason, a large number of voters who had been able to vote at their polling stations during previous elections suddenly could not find themselves on the main voter lists. Many voters brought this matter to court, but the courts were not ready to make quick decisions on such a large number of complaints. Voters that had been voting for many years were bewildered to find that they could not exercise their right to vote. Many voters, not wanting to wait for the court decision, simply left or did not go to court at all. These votes were simply lost. Such cases were noted throughout the country. Taza Shailoo observers noted the following examples:

- PEC 260, city of Tash-Kumir – people came with their passports, but they were not on the main voter lists. This resulted in a lot of confusion;
- PEC 118, city of Kadamjai – many voters, who had lived in the same place for a number of years, could not find themselves on the main list;
- PEC 8189, Leilek – the last names of voters were not accurately included on the list.

Breaches in polling station opening procedures

The drawing of lots, which is used to randomly distribute responsibilities among PEC members, did not occur in 10 percent of the polling stations observed by Taza Shailoo. Many PEC members seemed to know their assignments in advance or changed places with other commission members. Article 40.1 of the Electoral Code requires that the random drawing of lots be used to assign the roles of PEC members. The violation of this article significantly increases the possibility that PEC members could engage in falsification during the voting process. Taza Shailoo observers took note of the following facts:

- PEC 3232, Ton region, PEC 3868, city of Tokmok – the random drawing of lots did not take place;
- PEC 176, Kadamjai region – the head of the commission distributed responsibilities without the random drawing of lots;
- PEC 163, city of Kizil-Kiya – the random drawing of lots did not take place, responsibilities in the PEC were distributed in advance.

Vote buying and bussing of voters

Aside from the violations mentioned above, vote buying and the bussing of voters represent additional major violations during the election. According to Article 36.3 of the Electoral Code, vote buying is a criminal offense. Article 40.13 stipulates that bussing of voters is an administrative offense. Nonetheless, political party representatives and government officials did not observe these laws and were seen engaging in massive vote buying and bussing of voters. This brazen violation of the law impacted the results of the election. The following examples demonstrate the facts:

- PEC 2104, city of Jalalabad – three times within one hour, the same vehicle (a minivan with license plate number D0710A) brought voters to the polling station;
- PEC 2106, city of Jalalabad – massive bussing of voters occurred, bringing at least 70 people to the polling station;

- PEC 6006, Talas oblast, Manas region – the observers witnessed voters being bussed to the polling station; the PEC chair was also seen checking the voter list to see who had not yet voted and dispatching a political party observer to the homes of those voters;
- PEC 6068, Bakaiatin region – massive bussing of voters occurred (a minivan with license plate number S8343G). When this violation was brought to the chair's attention, no action was taken;
- PEC 6070, Bakaiatin region – party representatives brought voters to the precinct. A gray bus (license plate number S5331G) was observed bringing voters to the polling station at least twice. The observers noted that the bus belonged to the Ak Jol party;
- PEC 6060, Bakaiatin region – a campaigner for one political party was seen giving money to one to two voters.

Misuse of early voting and mobile voting provisions

According to Article 41.1 of the Electoral Code, those who are unable to come to the polling station on Election Day have the right to vote early. The process is complicated, however, requiring certain documents, such as a copy of work orders, airline tickets, orders from the ministry of internal affairs, etc.

Taza Shailoo is concerned by the unusually high number of early voters in some regions. When Taza Shailoo's observers requested copies of the documents required for early voting from the PEC members, they were referred to election commissions at the regional and city levels. The commission members at these higher levels, in turn, referred the observers back to the precinct level. The PEC members could not produce the required documents. This fact alone raises doubts about the validity of the early voting numbers.

The high number of early voters in particular regions stands in direct contrast to the rest of the country, in which there were almost no early voters. Included below are a few examples that demonstrate the early voting pattern noted within these regions:

- Isikatin region
 - PEC 92 83 voters out of 1,118 voted early (7%);
 - PEC 93 72 voters out of 1,031 voted early (7%);
 - PEC 90 77 voters out of 1,546 voted early (5%);
- City of Karakol
 - PEC 155 93 voters out of 1,453 voted early (over 6%);
 - PEC 156 47 voters out of 1,191 voted early (4%);
 - PEC 150 39 voters out of 1,695 voted early (2%).

A very similar pattern emerged with regard to mobile voting. According to Article 42 of the Electoral Code, voters that are not healthy enough to travel to the polling station are entitled to submit applications for mobile voting. Applications in this case must be submitted by 6pm the day before the election. The high number of applications in some polling stations exceeds reasonable limits. According to the protocols, the number of voters who actually voted using this procedure is very close to the number of submitted applications. Below are the most suspicious regions:

- City of Naryn
 - PEC 4053 92 voters out of 728 submitted mobile voting applications (13%);
 - PEC 4055 85 voters out of 455 submitted mobile voting applications (19%);
 - PEC 4037 360 voters out of 1,592 submitted mobile voting applications (23%).
 - There are some polling stations in this region in which the number of mobile voting applications increased during the day, which is illegal, because all applications should be submitted before the election.
- City of Bishkek, Lenin region
 - PEC 1020 231 voters out of 1,829 submitted mobile voting applications (13%);
 - PEC 1002 188 voters out of 1,324 submitted mobile voting applications (14%).

- City of Sulyukta
 - PEC 8050 34 voters out of 306 submitted mobile voting applications (11%);
 - PEC 8048 49 voters out of 459 submitted mobile voting applications (11%);
 - PEC 8045 36 voters out of 497 submitted mobile voting applications (7%).
- Jumgal region
 - PEC 4106 150 voters out of 1,117 submitted mobile voting applications (13%);
 - PEC 4113 151 voters out of 1,604 submitted mobile voting applications (9%);
 - PEC 4109 45 voters out of 881 submitted mobile voting applications (5%).

Multiple voting

The introduction of inking into the electoral process noticeably improved the situation with regard to multiple voting. Multiple voting is one of the most serious violations because of its ability to artificially increase votes, especially in favor of particular political parties. This process forms one of the most basic means to falsify the results of the election. During the parliamentary elections, multiple voting was observed in many polling stations, with the majority of cases observed in the south of the country.

- PEC 5273, 5287, city of Osh – massive voting of the local population, including students, who were not including on the main list and permitted to vote without documents or a court decision;
- PEC 5309, 5315, city of Osh – people voted multiple times; the PEC chair did not take action when the observer pointed out the violation;
- PEC 5317, city of Osh – PEC member, Maksat Nurmamatov, gave out two ballots and permitted voting without documents or personal certification;
- PEC 2099, city of Jalalabad – around 200 students voted multiple times with different documents (student tickets). No action was taken when this violation was pointed out by observers;
- PEC 162, city of Kizil-Kiya – The head of the NGO “Shakhtostroi” Jakip Anarbayev received 10 ballots and supposedly voted for his entire family. The PEC chair did nothing in reaction to the observer’s statement about this violation;
- PEC 168, city of Kizil-Kiya – PEC members under the leadership of the commission chair noticeably put multiple ballots into the ballot box. Despite the warning from the observers, this practice was not stopped;
- PEC 155, city of Kizil-Kiya – the observer made note of multiple voting taking place in this polling station.

Pressure on observers

The Kyrgyz Republic’s Code of Administrative Accountability outlines consequences in Article 50 for violating the rights of observers. Taza Shailoo observers, as well as observers from local and international organizations, were subjected to both indirect and direct pressure from PEC members, local government officials, law enforcement, and staff from the educational institutions attended by some observers. Local administrative officials were assigned to be responsible for certain PECs. Taza Shailoo was especially concerned by the presence of law enforcement officers in almost all polling stations. According to Article 40.11 of the Electoral Code, law enforcement officers should not be in polling stations except at the request of the PEC chair in the case of a violation. The abuse of authority by representatives from law enforcement bodies and local government administrations was especially problematic in the south on Election Day. Overall, observer rights were violated widely throughout the country, but not one person was held responsible.

- PEC 5298, city of Osh – local official Aitbai Masaliev exerted pressure on observers from the very beginning of Election Day;
- PEC 5313, 5283, city of Osh – observers faced pressure from law enforcement bodies and the staff of educational institutions at which they studied;
- PEC 5306, city of Osh – law enforcement officials exerted pressure on observers;
- PEC 2107, city of Jalalabad – the PEC chair, with help from law enforcement officials, kicked out observers at the time of the vote count and took the observers’ copy of the protocol;

- PEC 159, city of Kizil-Kiya – during the voting process, observers were subjected to pressure. In the middle of the day, the police threw the observers out of the polling station. The observers reported and wrote up a complaint, but at that moment, members of the commission called in people from the mayor’s office who came and intimidated the observers;
- PEC 99, city of Kadamjai – at 2:30pm, the head of the local administration, Abbas Madazimov, invited the observers to another room and threatened to call in the director of their school to take measures to expel the student observers from the university.

Ballot stuffing

Article 40.3 of the Electoral Code requires that Kyrgyz citizens vote by presenting an identification card, upon which they receive one and only one ballot. Despite this clear provision, there were widespread cases of blatant ballot stuffing on the part of certain voters, political party representatives, and PEC members during the elections.

Taza Shailoo conducted a parallel count of the number of voters that they witnessed casting ballots. The number of observed voters differed significantly from PEC data at the time of the vote count. These facts were witnessed at many precincts throughout the country, but the case was especially problematic in Talas oblast, where the relatively small population made parties believe that it would be difficult to overcome the 0.5 percent regional threshold.¹ For this reason, some parties agreed to overlook, or even take part, in this violation. Ballot stuffing is a serious violation that resulted in unrealistic turnout figures and increased the number of votes in favor of a particular party. Such facts discredit the election results.

- PEC 493, Aravan region – Taza Shailoo observers were shocked to witness PEC members open ballot boxes and compact ballots when the boxes became too full;
- PEC 6105, city of Talas – right after the precinct closed, political party observers grabbed the ballot box and started putting ballots into it. As it turned out, each political party had about 50 ballots. A total of about 500 ballots were thrown into the ballot box after the closing of the polls. The PEC members did not prevent this action, waited while everyone calmed down, and then began the vote count.
- PEC 6110, city of Talas – after the unused ballots were cancelled, the observer noticed four piles of double-folded ballots inside a desk. When the PEC chair was informed, the PEC secretary dropped the ballots on the floor and then dropped ballots from the ballot box over them. Then all of the ballots were picked up from the floor and put on the table to be counted. There was no reaction to the observer’s remarks and statements.
- PEC 5464, city of Osh – the PEC chair, PEC secretary, and political party observers were all seen stuffing the ballot box;
- PEC 32, Issyk-kul region – PEC members were seen placing about 400 ballots into the ballot box;
- PEC 2103, city of Jalalabad – a few guys burst into the polling station and started stuffing the ballot box. The PEC chair and other members took no action to prevent this action;
- PEC 2307, Aksy region, village of Mukur – PEC members and political party representatives stuffed about 10 ballots each to overcome the 0.5 percent threshold;
- PEC 99, city of Kadamjai – mass ballot stuffing started at 3:00pm; the other observers did not react to this violation. Ballot stuffing started again at 6:00pm. The political party observers stuffed seven ballots while the Chief Practitioner of the Kadamjai hospital stuffed 10 ballots. The head of the Chauvaskiy local government stuffed 90 ballots. The Commission member Fazilov Bahrom stuffed 24 ballots at 7:35pm. The Temirkech School principal, the PEC chair, and other individuals stuffed about 108 ballots. The PEC Chair did not react to any of our observers’ remarks or statements.

¹ On Election Day, everyone still believed that the regional threshold would be calculated based on the total number of voters nationwide, regardless of the size of the oblast’s population.

Serious violations during the vote count and tallying of results

A lot of violations were witnessed during the vote count and tallying of results at all levels of election commissions. *Akts* and complaints filed about violations were not accepted and were not considered during the final meeting of precinct election commissions, although this procedure is clearly outlined in the law. Observers filed complaints that PECs refused to register *akts* at higher-level election commissions, but they were not considered. The fact that PEC members refused to verify copies of protocols that recorded election results at the precinct-level was also particularly worrisome. The following examples highlight the most serious violations:

- PEC 187, Leilek region, city of Isfana – after closing the precinct at 8:00 pm, PEC members could not open the ballot box for some unknown reason. The vote count started only after 8:30pm. As soon as all of the ballots had been removed from the ballot box, the lights went out. Someone started knocking loudly on the doors and windows of the polling station. Chaos ensued. There was a lot of noise and shouting. When ballots were counted, it turned out that approximately 270 ballots had been stuffed. Observers had counted only 590 people casting votes by 7:30pm, but by the time of the vote count, there were suddenly 861 ballots
- PEC 100, Talas oblast; PEC 112, Kizil-Kiya – the protocol was not filled in;
- PEC 4111, 4112, 4113, Jungal region – PEC members refused to sign the observers' copy of the protocol;
- PEC 7297, Moscow region, village of Belovodskoe – the lights went out twice during the vote count. The PEC members did not fill in the enlarged display form of the protocol, and results were incorrectly entered on the official protocol. When our observers demanded that data be entered correctly, the PEC members responded that they had no time. They quickly finished the vote count and left immediately for the regional election commission. As a result, the data in the protocol was not checked against the required formulae;
- PEC 6017, Talas oblast, Manas region – before the vote count, the PEC chair asked Taza Shailoo observers to leave the polling station, claiming that they had no right to be at the polling station at that time. When the observers tried to explain that they had that right, police physically pushed them out of the polling station.

Our observers also reported both delays in transferring the results and changes made to protocol results between the precincts and higher-level election commissions. Some observers reported that they had not been permitted to observe the tallying of results at the higher-level election commissions. Law enforcement officials were deployed to regional and city election commissions, as well as to the CEC, to block observers' access to the commissions. As a result, observers were prevented from monitoring the tallying of votes at these levels. At some superior commissions, there were outrageous situations, as follows:

- City Election Commission, Sulyukta – the observer was not allowed to witness the entering of data into the official government computer system, GAS Shailoo. The meeting of the city election commission was held behind closed doors. The information at the city election commission differed from the compiled results of Taza Shailoo observers;
- Regional Election Commission, Tyup region – the protocol data were not entered into the GAS Shailoo computer system. The chair of the regional election commission, Bekish Azanovich, claimed that they were having problems with the system;
- Regional Election Commission, Karaburin region – some PECs filled in the protocols with pencils (explicitly forbidden in the law) and the regional election commission accepted them in this condition. The PEC was periodically asked about the number of voters who cast the ballots and the regional election commission registered that information;
- City Election Commission, Tokmok – the observer was not allowed to monitor the vote counting process at the city election commission;
- City Election Commission, Talas – there was a discrepancy in the turnout figures provided by PEC members in contrast to the figures provided by the city election commission members. Turnout at the higher-level was increased to nearly 100% for the polling stations, and all remaining votes were given to the Ak Jol party. This gave to Ak Jol about 2,000 additional votes. One city election commission

member informed everyone that ballots from PEC 6106 had disappeared and the chair and secretary from that PEC were not present. For this reason, the meeting of the city election commission was postponed until the next day.

- Regional Election Commission, Jetioguz region – the chair of Jetioguz regional election commission, Kurbanova, informed observers at 2:20am that the commission would be closed until 8:00am and asked all observers to leave. PEC members from the villages who had not managed to turn in their protocols had to leave, too. The computer specialist working with the GAS Shailoo computer system frequently left the premises, locked it with a key, and asked observers to leave, saying that the computer was frozen and he could not enter the data. As a result, he left for home at 2:00am. Another disturbing fact was that protocols were brought to the regional election commission in pencil. Even when commission members brought protocols in pen, they were forced to rewrite them in pencil and verify the protocols with a stamp;
- Regional Election Commission, Ton region – the data in protocols did not match; some protocols had been written in pencil and were corrected in another place. Observers faced aggressive reactions when they commented on these violations;
- Regional Election Commission, Moscow region – in multiple cases, data in the protocols seen at the regional commission were different than the data that had been observed during the vote count at the precinct level. Observers also saw protocols that were blank or completed in pencil. The regional election commission did not take into account all the complaints.

POST-ELECTION PERIOD

The post-election period featured numerous violations of the Electoral Code, restrictions on the freedoms of speech and assembly, and legal disputes over the election results. These, along with all the other violations, compromise the transparency and democratic character of the entire election process.

Violations of the law

As mentioned before, the ambiguity of the electoral code was a major problem during this election. The most serious problem resulted from the CEC's decision that the 0.5 percent regional threshold should be calculated out of the total number of voters in the country. Having lost in court on this point before Election Day, the Ak Jol party resubmitted its case to the Supreme Court and won after the elections. One could compare this to having the rules of the game change after the game had ended. However, this post-election change is understandable, since before the elections the Ak Jol party was not sure whether it would be able to overcome the narrowly-defined threshold in some regions.

Electoral legislation clearly stipulates when election results should be published. Article 77.7 of the Electoral Code gives the CEC two weeks to publish the election results. In another section, Article 78.2, the Electoral Code stipulates that the CEC must distribute all seats to parliamentary deputies within three days of determining the results. Both rules were followed, and on December 20, 2007, the CEC distributed seats to the parliamentary deputies without official publication of the election results in the mass media. Taza Shailoo believes these regulations do not correspond with the democratic principles of conducting elections and are illogical and inconsistent. In addition, these requirements limit the opportunity to consider all electoral complaints and review the problems in court before distributing the parliamentary mandates and determining the composition of parliament.

Moreover, the GAS Shailoo computer system did not provide regular information on the CEC website. In addition, the percentage of seats awarded to political parties based on the information published on the CEC website changed significantly and unrealistically within a short period of time. For instance:

- According to information published on the CEC website, the Communist party had a total of 2.86 percent of the vote with 96 percent of the precincts reporting. However, when the vote count was finished, the Communists surprisingly had 5.5 percent of the vote.

The numerical data reporting election results from the polling station level were not transparent and accessible. The CEC only reported the final percent gained by each political party and divided up the seats between the parties in a proportional manner.

Restrictions on the freedoms of speech and assembly

Just before the elections, a few sudden political changes took place in the country. One example was a regulation that restricted the right of citizens to conduct peaceful demonstrations and freely assemble. The Bishkek Mayor's Office issued an ordinance that required citizens to notify the city of their intent to hold a peaceful demonstration 10 days before the event. The ordinance also limited the places where the meetings could be held. This act violates the Kyrgyz Constitutional provision that guarantees citizens the right to hold peaceful demonstrations and meetings.

From December 18 to 20, many human right activists, members of political parties, non-governmental organizations and ordinary citizens conducted peaceful protests against the election results. They proclaimed their lack of confidence in the election results and protested against the high level of election violations.

These demonstrations resulted in the arrests of the protestors. Almost every protestor was detained and placed in a pre-trial detention center. The protestors were not given due process, and the court heard their cases right there at the pre-trial detention center. Each of them was punished with either a short multi-day jail sentence or an administrative fine. Well-known human right activists, including Tolekan Ismailova, Maksim Kuleshov, Nazgul Turdubekova, and other youth leaders, were among the protestors.

The Bishkek city ordinance violates the constitutional right of citizens to conduct peaceful demonstrations and to freely express their opinion. This right is guaranteed to all citizens under the Kyrgyz Constitution, which supersedes any legal regulation that aims to restrict this right. Taza Shailoo believes that the arrests of civic leaders and youth activists show that there is a real threat to human rights and freedoms, as well as to the development of civil society, in our country.

The precedent established by the Bishkek ordinance has already been repeated in the city of Karakol, where the Mayor's office recently passed a decree with similar restrictions on the constitutional rights of citizens.

Human right activists recently filed a suit against the Bishkek city ordinance. Taza Shailoo hopes that the court will cancel this anti-constitutional decree. Should the court accept this ordinance as legitimate, it is likely that this violation will spread nationwide.

Legal disputes over the election results

The Pervomaiski regional court decision was a significant one. The ruling was made in response to a suit filed by the Ata-Meken political party against the CEC's exclusion of the party from parliament. The CEC claimed that Ata-Meken failed to overcome the required 0.5 percent regional threshold in Osh city. Ata-Meken appealed this ruling to the Supreme Court, providing incontrovertible facts and evidence that disputed the election results reported by the CEC. Nonetheless, the Supreme Court upheld the original court's decision.

It is difficult to imagine that one of the largest political parties received only 363 votes in the city of Osh, supposedly falling short of the required 650 voters. Such an unlikely result suggests the possibility of interference from other interests.

On Election Day, Taza Shailoo observers collected signed and stamped protocols from the polling stations in Osh. These were submitted as evidence that substantiated Ata-Meken's claim that it more than exceeded the vote requirement to pass the 0.5 percent threshold. The fact that these protocols, as well as those from other independent monitoring groups, were not accepted as proof leads Taza Shailoo to question the independence of the court decisions.

RECOMMENDATIONS

The Association for monitoring elections and referenda in the Kyrgyz Republic "Taza Shailoo" recommends:

To the government:

- Do not interfere in the independent electoral process;
- Allow candidates and political parties to freely conduct their electoral campaign;
- Do not use administrative resources to benefit a specific candidate or party;
- Launch an independent investigation into accusations of violations during the electoral process;
- Do not exert pressure on civil society or voters.

To electoral commissions at all levels:

- Provide for transparency in the activities of all electoral commissions;
- Accept all *akts* and complaints and make impartial decisions on them;
- Implement the law in order to protect the voting rights of citizens;
- Create equal conditions for candidates and parties to compete;
- Do not exert pressure on independent observers from NGOs and political parties;
- Hold accountable those who participate in falsification of election results.

To the judicial authority / courts:

- Provide fair judicial access for citizens, observers, and political parties;
- Issue legal, well-founded, and just decisions.

To political parties:

- Nominate competent representatives for the precinct election commissions, who can defend your interests;
- Do not buy voters, but rather present your platform to the electorate.

To the voters:

- Do not allow your vote to be bought, and do not sell your vote to candidates or parties that do not represent your interests as a citizen of the country;
- Take interest in the platform of candidates and political parties in the pre-election period, and do not make your choice based solely on the promises of a person.

To the Parliament:

- Be independent of other branches of power;
- Remember that you are accountable, first and for most, to the people;
- Initiate and pass legislation that represents various interests of society.

CONCLUSION

As a result of its observation, Taza Shailoo found that the conduct of the parliamentary elections did not correspond to fundamental international standards for conducting honest, free, fair, and transparent elections.

The confidence of the people in their government is based, above all, on confidence in the results of elections. Precisely through elections, each citizen is able to express his/her will and directly participate in choosing who will lead the government. Falsifying this expression of the people's will is a direct threat to the fundamental principles of building a democratic society.