



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

October 22, 2007

### Preliminary Statement of Taza Shailoo on the October 21<sup>st</sup> Referendum in the Kyrgyz Republic

The Association for Monitoring Elections and Referenda "Taza Shailoo" expresses strong doubt about the results of the referendum on October 21, 2007 due to the large number of serious and systematic violations of the laws of the Kyrgyz Republic. Election commission members and local administrative officials appeared to commit these violations to achieve the necessary voter turnout figures using well-known vote-rigging techniques. Among the most serious of these violations was massive ballot-stuffing, falsification of the voter lists and protocol results, pressure on observers, and other procedural violations.

"Taza Shailoo" (Clean Elections, in Kyrgyz) is a network of twenty-five domestic non-governmental organizations that work in almost all regions of the country. The Association was established in August 2007, with 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.

Under the supervision of thirty-seven regional coordinators from its member organizations, the Taza Shailoo network deployed 750 election observers to monitor the national referendum. To maximize its nationwide coverage, the Association deployed one observer per polling station in the chosen precincts.

The Association conducted monitoring in more than 30 percent of the country's polling stations. These 750 precinct election commissions (PECs) were selected to include the major cities and regions in all seven oblasts of the Kyrgyz Republic. In deciding where to assign its observers, the Association aimed to ensure a balance between observation in rural and urban areas to compare results and determine whether there were any regional patterns.

During its monitoring effort, Taza Shailoo observers noted numerous violations of the Kyrgyz Republic's Law on Elections and Referenda.

#### Massive Ballot Stuffing

Association observers witnessed cases of massive ballot stuffing on referendum day, the majority of which were committed by members of the election commissions. Despite both verbal and written appeals against this activity, election commission members continued to stuff the ballot boxes throughout the day.

- *PEC #1076 in Bishkek city* The PEC chair was repeatedly seen stuffing ballots into the ballot box. The Taza Shailoo observer called his coordinator to the station after the PEC chair refused to register his official statement (*akt*) against this electoral violation. Despite the arrival of a coordinator and an international observer, the chair continued to stuff ballots into the ballot box.

- *PEC #3138 in Karakol city* In this polling station, the Taza Shailoo observer witnessed members of the election commission stuffing between 300 and 400 ballots into the ballot box at the same time.
- *PEC #7072 in Tokmok city* The PEC chair escorted the Taza Shailoo observer out of the polling station for 10 minutes. During this time, the observer remained in front of the polling station and continued to keep count of the people arriving to vote. After the observer was allowed back into the polling station, he estimated that approximately 400 to 500 additional ballots could now be seen in the transparent ballot box – greatly exceeding the number he observed voting within that time.

These are only a few examples of the widespread ballot stuffing that Taza Shailoo observers witnessed throughout the country.

### Inflation of Voter Turnout in the Polling Stations

Taza Shailoo observers conducted their own count of how many voters they observed casting ballots. Taking into account that one observer might not be able to count every single voter, Taza Shailoo coordinators took special note when reports from observers had serious discrepancies of greater than 20 percent from the official precinct election commission figures. Even with this wide margin for human error, the levels of the discrepancy in over half of the observed polling stations indicates that the voter turnout was clearly overestimated and the data deliberately forged by PEC members through ballot stuffing and fictitious signatures in the voter lists.

- *PEC #1103 in Bishkek city* PEC members were openly filling in the voter lists with their own signatures, which are only supposed to be signed by individual voters when they present their identifying documents and receive a ballot.

In some instances, the discrepancy between observer data and official precinct turnout figures reflected voter inflation of as much as 200-300 percent.

- *In Tokmok town* Discrepancies of greater than 20 percent between Taza Shailoo counts and PEC figures were reported in 14 out of 22 polling stations in this location.
- *In Issyk-Ata region* Similar discrepancies were noted in 5 polling stations in this region.

These kinds of discrepancies were observed in many other polling stations, raising doubts about Central Election Commission (CEC) figures that report preliminary voter turnout at 80.61 percent. In more than a third of all polling stations, the Association conducted a parallel count of voters casting ballots and witnessed turnout closer to 40-45 percent. Even if these figures were off by 10-15 percent, the official turnout data is double what Taza Shailoo observers witnessed on the day of the referendum.

Confronted with these violations, Taza Shailoo observers requested access to the voter lists, but the PEC members refused them this right. They claimed that in doing so, observers would obstruct the voting process even in instances when no voters were present in the polling station.

Kyrgyz legislation allows election commission members to remove observers that obstruct the voting process. Seeking to avoid conflict with PEC members, Taza Shailoo observers relied on their own count of how many voters they observed casting ballots.

### Pressure on Observers

The recently-created “Headquarters in Support of the Referendum,” consisting mainly of local state officials, played an influential role in the conduct of the referendum.

Local authorities, state prosecutors and representatives from the national security services began exerting pressure on members of the Taza Shailoo in the afternoon on referendum day. The strongest pressure occurred in Karakol. In this instance, the “Headquarters in Support of the Referendum” claimed that the

presence of Taza Shailoo observers was illegal and instructed PEC members to remove the observers from all twenty-six polling stations in Karakol city.

When asked why they were being told to leave, the reply was that local observers should provide an official letter from the oblast election commission to monitor the vote process. However, the legislation of the Kyrgyz Republic does not require such letters or any official accreditation for local observers. Observers were allowed back into the polling stations only after the intervention of the Central Election Commission.

Yet despite the resolution of this incident, Association observers were again removed in three of the twenty-six polling stations to which they had returned in Karakol. This prevented observers from monitoring the vote count in those precincts.

In Talas oblast, where the majority of Taza Shailoo observers are students, the regional coordinators reported that school administrators were putting pressure on observers. Representatives from the area's educational institutions were said to be driving to polling stations throughout the region and taking down information about the student observers.

Observers also reported pressure in the form of threats from local authorities, ranging from claims that they could get them fired to threats of physical violence.

### Appeals and Official Statements

Official statements (*akts*) and appeals about these and other violations were simply ignored by PEC members. In many instances, PEC chairs refused to accept and register these official statements, although such procedures are required by law.

In these cases, *akts* have power if other observers sign the document with a note that PEC chair had refused to accept the *akt* for consideration. However, in more than 70 percent of the polling stations where Taza Shailoo monitored, they were the only observers.

Thus, it created a vicious circle. Election commissions did not accept the official statements of observers, which means that the *akts* were never submitted to the oblast and city level commissions for review.

In the few instances in which a PEC accepted official statements from observers during referendum day, election commission members in more than 80 percent of these polling stations did not hold the legally-required final session to review all *akts*, complaints, and appeals, although it is included in the protocol procedure that summarizes the results of the voting process.

### Vote Count

Taza Shailoo observers noted numerous violations in their reports during the vote count process:

- *PEC #2104 in Jalalabad* After concluding the results, the PEC chair asked election commission members to sign an empty protocol and asked them to leave the polling station without announcing the results. Accordingly, the observer was not provided with the copy of protocol.
- *PEC #7072 in Tokmok* According to the vote count, the number of people who participated in the election, i.e. those voters who had signed the voter list acknowledging their receipt of a ballot, was 729. This should be impossible, however, because only 705 ballots were given out.

The legal procedures for the vote count were not followed in most of the PEC where Taza Shailoo observers were deployed. These instances violate clause 32 of the Kyrgyz Republic Law on Referenda and clause 44 of the Kyrgyz Republic Electoral Code.

*Concrete recommendations will be included in Taza Shailoo's final report on the referendum, which will be issued after a thorough analysis of observer reports.*

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