

**First Preliminary Report on the Results of Long-Term Observation  
During the Presidential Elections on October 30, 2011**



**The Coalition for Democracy and Civil Society**

**The period of observation—from the 15<sup>th</sup> through 25<sup>th</sup> of September, 2011**

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**Coalition for Democracy and Civil Society** is an independent, non-partisan, and neutral organization working to strengthen democracy and build civil society in the Kyrgyz Republic.

**I. SUMMARY**

Coalition for Democracy and Civil Society (the “Coalition”) conducts long-term observation of the social and political situation in the country and activities related to the preparation and conduct of the Elections of the President of the Kyrgyz Republic set for October 30, 2011. The observation effort involves leadership of the Coalition, 9 lawyers, 4 analysts, as well as 70 independent long-term observers (LTOs) and staff members from the Coalition’s head office and regional offices, who, who conduct observation of all 57 territorial and election commissions of the country (45 at the level of districts and cities of national significance and 12 at the level of towns of district and regional significance) starting from September 15<sup>th</sup>, and of the Central Election Commission (CEC) of the Kyrgyz Republic starting from the day of announcement of the date of the Elections.

This is the first of four planned reports on the results of the long-term observation. This preliminary report consists of four sections: political situation and security in the Kyrgyz Republic; the activities of election commissions and the process of the compilation of the Voters’ List; the activities of the candidates; the activities of state agencies, local authorities and non-government organizations on informing voters. Additional information may appear in subsequent reports, detailing specific events conducted within the certain period covered. One of the main issues to be considered in the subsequent reports will be election campaigns and informational activities of the candidates for the President of KR.

Presented below are the Coalition’s preliminary conclusions based on the results of the long-term observations during the period from the 15<sup>th</sup> through 25<sup>th</sup> of September, 2011.

- The political situation in the country remains calm so far, although citizens continue to have concerns related to security. In particular, citizens have concerns that the upcoming presidential elections could result in conflicts, greater divide between the North and the

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- South, and a potential destabilization of the situation. Ethnic minorities residing in the South have concerns about their safety and do not trust the law enforcement agencies.
- New Central Election Commission (CEC) has been formed. Overall, the CEC respects the legal timelines.
  - A total of 83 people nominated their candidacies for presidency. Of these, 16 were nominated by the political parties, and 67- self-nominated. A total of 20 candidates got registered and started the election campaigning.
  - The CEC has accredited 40 TV and Radio companies and 103 print outlets. 11 Internet media were denied accreditation. On August 16, the Parliamentary Committee on the constitutional legislation, state structure, rule of law, and local self-government has issued an interpretation of the law in favor of accrediting Internet media.
  - TECs have been formed and trained. There has been a high turnover in the territorial election commissions (TECs) and therefore the CEC had to undertake additional efforts to recruit and train more people for the reserve election commission members. If this trend is to continue, it may result in the imbalance between the political party and local self-government representatives in the commissions. TEC membership includes women, men and ethnic minorities.
  - Despite the election reform, which is underway, the majority of the TECs are located in the premises of the rayon state administrations, which could cause situations, wherein district administration would exert pressure on the TEC members. “Respublica” political party has the biggest representation in the TECs – in 33 TECs.
  - Precinct Election Commissions (PECs) have been formed, which started their activities in time. Training of PEC members is underway.
  - The work of the CEC Language Commission was broadcast live on the Public Television Channel. The schedule of Commission’s sessions was posted on the CEC website. Several candidates were denied registration due to failure to pass the examination in state language.
  - The CEC has issued a warning to a number of candidates and media outlets in connection with early campaigning.
  - The preliminary voter list has been compiled and the audit of the voter list commenced. The voter list audit will be conducted on a national scale. This is the first attempt to create an automated unified voter list. The voter list has also been posted on the CEC website.

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- Candidates have opened campaign offices. According to the Coalition's information, SDPK and Butun Kyrgyzstan political parties have the biggest number of campaign offices, 45 and 37, respectively.
- CEC has started the implementation of the provisions in the law, which set restrictions on the election campaigning in foreign media.
- On September 24, Prime Minister Almazbek Atambaev has temporarily suspended his duties as Prime Minister due to his participation in the election campaign. According to the constitutional law "On the Government of the Kyrgyz Republic", his duties will be performed by the First Vice Prime Minister Babanov.
- 9 candidates, who were denied registration, filed election complaints to appeal CEC decision.

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## II. INTRODUCTION AND CONTEXT

In 2011 Kyrgyzstan, is celebrating its 20<sup>th</sup> anniversary of independence. For the last 7 years people have overthrown an authoritarian regimes twice and stood up against corruption and lawlessness. Last year was a time of serious challenges for the Kyrgyz Republic. More than 500 lives were lost in April events and interethnic conflicts in the south in June. After April events, the Interim Government headed by Roza Otunbaeva was formed, which developed and introduced the new constitution at the Referenda. A new constitution was adopted in spite of serious disagreements in society and between political parties. Parliamentary elections became one of the most significant events in the history of independent Kyrgyzstan. Those elections triggered the interest of international community, as Kyrgyzstan was the first country in Central Asia that chose a parliamentary form of government.

Fair, free and transparent elections are an important aspect of building a democratic state. Controversy over the parliamentary elections results in 2005 led to state upheaval. Due to this, for the next years, protests have been happening. Political scrapes led to the decay of the socio-economic living standard. Open and fair elections guarantee state stability, maintenance and reforms.

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Kyrgyzstan is approaching the next step of development – presidential elections, when for the first time in the history of the country’s independence, presidential power will be transferred by peaceful means. These elections are the final stage of the transitional period in our country.

The Election of the President of the Kyrgyz Republic was set by the Decree of Jogorku Kenesh adopted on July 30, 2011, in compliance with Section 2, Part 1, Article 74 of the Constitution of KR. These Presidential Elections are taking place following the adoption of the new Constitution of KR in 2010 and the reformed elections legislation.

The Presidential Elections are governed by the new Constitutional Law “On the Elections of the President and Jogorku Kenesh of KR” adopted on July 2, 2011, and the Law “On the Election Commissions for the conduction of elections and referenda of KR” adopted on June 30, 2011.

The composition of the CEC, 57 territorial election commissions, 2,289 precinct election commissions, and 29 electoral precincts outside of Kyrgyzstan have been formed.

According to information from the MFA, the institutions of the Kyrgyz Republic and public associations located outside of Kyrgyzstan have applied to the CEC with the request to open additional election precincts in the areas of residence of Kyrgyz communities abroad, but the CEC did not support this initiative.

### **Overview of the Legislation Governing Presidential Elections**

With the transition to the parliamentary system of government, the Kyrgyz Republic adopted a new Constitution; following the reform of the Constitution, the election law reform was conducted. Jogorku Kenesh, jointly with the representatives of public organizations, NGOs, and political parties, have developed four **draft laws**: “On the elections of the President and Deputies of JK of KR”, “On the Election Commissions for the conduction of elections and referenda of KR”, “On local self government” and “On elections in to the bodies of local self-government”. By the end of July, Parliament has adopted two laws: constitutional the law “On the elections of the President and Deputies of JK of KR” and the law “On the Election Commissions for the conduction of elections and referenda of KR”.

The new election legislation provides for the following significant changes:

#### *Constitutional law “On the elections of the President and Deputies of JK of KR”*

Additional voter lists and absentee ballot certificates have been eliminated, the **Voters’ List will be one single document**, the responsibility for the composition of the voters’ list is born by the CEC, responsibility for accuracy and data integrity is laid on TECs. A concept of “**electoral address**” has been introduced—etc. the voter may vote not only at his registered place of residence, but also at his actual place of residence, once he or she is on the voters’ list (for this purpose, a pertinent advance written request is required). During the voting, **visible inking** will be used.

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**When a voter is given an election ballot, a detachable coupon** will be retained, which will later be submitted to the CEC together with the ballots.

**Mobile voting will take place the day before the Election Day (on Saturday, October 29<sup>th</sup>).**

**Voters' rights have been expanded.** It is now permissible to carry out photo- and video-recording during the entire day of the voting.

Voting will be held from 8.00 am until 7.00 pm.

According to the new Law, an age restriction is being introduced for candidates for the office of the President of KR—from 35 to 70 years of age; the term of office of the President has been extended to 6 years. One and the same person can not be elected as the President twice.

Moreover, candidates who hold a state position, excluding deputies of the Jogorku Kenesh, president, municipal workers or workers in mass media, must temporarily resign from office within ten days of registration as a candidate.

During the elections, foreign TV and radio programs shall be rebroadcast on tape delay. It is prohibited to conduct campaigning via foreign mass media, disseminated in the Kyrgyz Republic. Local mass media rebroadcasting foreign mass media shall bear responsibility for information aspersing honor, dignity and business reputation of candidates. During the conduction of pre-election campaigning, it is prohibited to use photo or video materials with images of politicians or statesmen of other countries.

According to the new legislation, dissemination of pre-election printed materials, badges, T-shirts, caps, or scarves depicting symbols of a candidate is not considered to be bribery.

The legislation also indicates that the results of the election must be determined within 20 days of election day. Different procedures and timelines for appeals of activity/inactivity and decisions of the election commissions for the appeal of voting outcomes were also included in this legislation.

### Law "On the Election Commissions for the conduction of elections and referenda of KR".

On July 24<sup>th</sup>, JK adopted a Law "On the election commissions for the conduction of elections and referenda of KR". According to the Law, the unified system of election commissions of Kyrgyzstan is made up of:

- 1) Central Election Commission for the conduction of Elections and Referenda (CEC);
- 2) Territorial Election Commissions (TECs);
- 3) Precinct Election Commissions (PECs).

Thus, the **Regional territorial commissions have been eliminated** and **TECs and PECs are formed for a period of two years**

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According to Section 1, Article 19 of the Law “On the election commissions for the conduction of elections and referenda...”, the **TECs and PECs are formed**; ½ of their composition must be made up of representatives of political parties, and ½ must be representatives of bodies from the LSG (Local Self-Government). The reserves of TECs and PECs are formed starting from the day of the enforcement of the present Law, according to which candidates for the election commission will be nominated by political parties and LSG bodies.

**The Territorial Election Commission is formed by the CEC** with a composition of no fewer than 11 members from the representatives of political parties and persons who are part of the reserve of the respective TEC, provided that the requirements of Sections 2.1 and 2.2 of the “Provision on the procedure of formation and dissolution of elections commissions” are met.

**Precinct election commissions are formed by TECs** with a composition of no fewer than 7 representatives of political parties and persons who are part of the reserve of the respective PEC, provided that the requirements of Sections 2.1 and 2.2 of the “Provision on the procedure of formation and dissolution of elections commissions” are met.

**A Regulation of the CEC №23 “On a Special Representative of the CEC** for the conduction of elections and referenda of KR” **has been adopted as of July 14**. The position of Special Representative of the CEC in every TEC is established according to Section 3, Article 9 of the Law “On the Election Commissions for conduction of elections and referenda of KR”, for the purposes of coordination, provision of organizational methods and logistics of the activities of the corresponding territorial election commission, as well as the keeping, updating and verification of the list of voters and referendum participants. The Special Representative is an employee of the apparatus of the CEC of KR and is to be appointed and dismissed from his position by the CEC Chairman.

### ***Methodology***

The Coalition for Democracy and Civil Society is a politically neutral non-government organization founded for the purposes of carrying out civic education on raising the legal awareness of the electorate and organizing independent monitoring of all stages of the electoral process, activities on conduction of the elections, including monitoring of the observance of the election legislation by all the participants of the electoral process and analysis of the current situation both in specific oblasts and the country as a whole.

Support of a transparent electoral system provided by means of civic education and independent observation, and the ability to raise people’s confidence in the electoral system which is one of the main missions of the Public Union Coalition for Democracy and Civil Society.

The Coalition is an organization formed by Kyrgyz people and works for the benefit of Kyrgyz people through the involvement of citizens in democratic processes.

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The Coalition for Democracy and Civil Society implements long-term observation of the socio-political situation in the country and activities related to the preparation and conduct of the presidential election scheduled to October 30, 2011, with the goal of providing an objective assessment of the activities related to the preparation and conduction of the Presidential elections as to whether they comply with the legislation of the Kyrgyz Republic, as well as the international commitments undertaken by Kyrgyzstan. The Coalition's campaign message is: "Vote During the Elections, Form the Government, Build Your Future!"

The leaders of the Coalition, 9 lawyers, 4 analysts from the Coalition, and staff members from the Coalition's head office and regional offices, as well as a team of 70 independent long-term observers (LTOs) are involved in the observation; they have been conducting the observation of all 57 territorial and election commissions of the country since September 15<sup>th</sup>, 2011, and in the CEC from the moment the elections were announced. The Coalition's long-term observers were selected on a competitive basis, went through a special training on observation and the new constitutional law on the elections of the President of KR, and passed through a special examination testing their knowledge of the electoral process. There is a telephone hotline available in order to provide technical support for the operation of the Coalition's long-term observers.

The Coalition has introduced a unified reporting form for all long-term observers and plans to publish a total of 4 generalized reports on the results of its long-term observation, including a preliminary report on the results of the long-term observation. The reporting form consists of open questions. The current preliminary report consists of four sections: political situation and security in the Kyrgyz Republic; the activities of election commissions, candidates' campaign offices, and political parties; the activities of non-government organizations and voter education; the activities of local authorities concerning the assistance and the organization of the election. Additional information may appear in subsequent reports, detailing specific events conducted within the certain period covered.

Long-term observers watch over the course of the activity of the preparation for the elections, the activities of the election commissions of all levels and the Government on the provision of free, fair, and equal expression of the will of the voters during the Elections of the President of KR. They also assess the level of the interest in the elections shown by the participants and the sufficiency of their knowledge on the upcoming elections and thoroughly watch over the campaigning period and the speeches given by the candidates in mass media. Moreover, they have been monitoring the activities of the Central Election Commission since the day the election of the president of the KR was announced.

While carrying out their mission, long-term observers strictly adhere to the principle of impartiality and neutrality. Long-term observers only report what they have seen personally and can verify, i.e. events that have actually taken place. Every LTO has been issued a digital camera in order to register possible violations of the electoral legislation. Moreover, observers may report the information received from other persons and sources.

### III. PRELIMINARY RESULTS OF OBSERVATION

**DURING THE PERIOD OF SEPTEMBER 15<sup>TH</sup> THROUGH 25<sup>TH</sup>, 2011**

**1. Political situation and security in Kyrgyzstan**

As the start of the election campaign is approaching, the campaign has become more active. Overall, the observers note a stable political situation. Periodically, in different parts of the country, meetings and protests are taking place with social, economic and political demands. In spite of existing stability, many citizens have concerns that the upcoming presidential election could lead to disagreements and exacerbation of the “north and south” issue, which could lead to destabilization of the situation in terms of security in the country, which will in turn lead to political instability.

This concern appears to be shared by state authorities. Thus, on August 22, the Office of the Prosecutor General (PG) of Kyrgyzstan addressed the participants of the 2011 elections with the reminder of the inadmissibility of anti-constitutional slogans. The Office of PG of KR emphasized that, “According to the Law of the Elections of the President and Jogorku Kenesh, propaganda of nationalistic, religious, or inter-ethnic hostility, gender and other types of social superiority, calling for discrimination or hostility; calls for capture of power, violent change of the constitutional order, and violation of the unity of the state; use of photo- and video-materials depicting state and political figures of other states, are prohibited”. “These crimes are classified as crimes against the fundamentals of the constitutional order and security of the state. In case of commission of above-mentioned crimes, citizens, public organizations and other entities may appeal to law-enforcement bodies. For the unlawful refusal to initiate a criminal case, concealment of crimes from registration and commission of other unlawful actions, the bodies of the prosecutor general’s office will raise the question of the responsibility of these officials,” stated the address.

On September 13, after her trip to Osh, President Otunbaeva called on all participants of the presidential elections to refrain from speculating on June tragedy in 2010. In her view, all candidates shall adhere to the principles of tolerance, and avoid using inter-ethnic problems for political gains.

The political activity of the population, and interest in the elections, are on the rise on a daily basis; nevertheless, the observers mention that the attention of the majority of the rural population is not as closely drawn to the forthcoming event, because they are busy with harvesting, as well as with the everyday issue of preparation for the upcoming cold season. Observers’ reports point out that the population is concerned that following the elections, prices of food and fuel will increase. Many are at a loss because there is such a large number of candidates for the office of the President.

The political situation and security in the Osh and Jalal-Abad oblasts are generally assessed as stable, but there are still individual incidents causing concern amongst the population. The observers’ reports mention that a tense situation arose in the city of Osh because the election of



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Kanesh city deputies was set for October 9<sup>th</sup>, where 45 deputies are to be elected, whose powers will include appointment of the city mayor. Some deputies, who united into the “Uluttar Birimdigi” party, support the current mayor’s politics, but the other deputies affiliated with Respublika, SDPK and Ata-Jurt parties, which are part of the ruling coalition, do not support the politics of the current mayor, M. Myrzakhmatov. The situation with the City Kenesh elections aggravated the situation in the city in August and the beginning of September. Following this, the rectors of five higher education institutions in the city of Osh wrote a petition to the President of KR, R. Otunbayeva, requesting that the local Kenesh elections be set for a later date, following the elections of the President of KR. The President of KR has made a positive decision on the matter, and as a result the tension has calmed.

In Uzbek makhallyas (“communities”) in the Osh oblast, there are discussions being held amongst the population regarding the candidates who promise everyone an equitable future. The activeness of the population is increasing and discussions about candidates, and their strengths and weaknesses are taking place. The most discussed candidates are A. Atambaev, A. Madumarov and O. Suvanaliev. Observers note a higher level of interest amongst the voters of Uzbek ethnicity as compared to the Referendum in 2010 on amending the Constitution.

Forced migrants are gradually returning to the homes they abandoned during and after the June 2010 events. The people are regaining faith in the future, but they still retain certain fears.

Observers in the Jalal-Abad oblast note a stable political situation, except for the Bazar-Kurgan district, where ethnic minorities are still feeling a threat to their lives and safety. An example of that could be the fact that the prosecutions and investigations of the June events, which led to conflict, are still taking place there. In the beginning of September, law-enforcement bodies detained a native of the village of Bazar-Kurgan of Uzbek ethnicity with Russian citizenship, who had come back from Russia. The detainee died after receiving beatings. On September 10<sup>th</sup>, the population of the village gathered in front of the LSG building demanding the provision of peaceful life and safety, and expressed distrust towards the work of the law-enforcement bodies. The representatives of the ethnic minority of the district point out separate instances of detention and extortion on the part of the militia, and talk about being afraid to have their sons return home from Russia, or to have their sons go outside in the evenings and night-time. Such instances can influence the participation of voters from ethnic minorities in the upcoming elections.

In the other oblasts of the country, the Coalition’s observers noted a calm political situation. In several districts, particularly in the Naryn district of Naryn oblast, and the Chuy and Jayil districts of Chuy oblast, training courses were held for the employees of law-enforcement bodies on the subject of provision of safety during the elections. Law-enforcement bodies in all the districts designate one employee per precinct election commission for the purpose of ensuring order and safety during the pre-election period and on the day of the elections.

### **Rallies and actions**

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On September 20<sup>th</sup>, there was a rally in front of the Jogorku Kenesh building which lasted for 5 hours and was organized by the “People’s Front” Public Association. Around 50 people took part in the rally. The main demand of the rally participants was the resignation of the Government and the President and the voluntary dissolution of the Parliament. Furthermore, there were calls for the Government to not accept loans from the USA, Russia, China, and Kazakhstan. According to the Coalition’s observers, the rally passed peacefully and without incidents, and there was almost no militia present.

On September 21<sup>st</sup>, around 300 supporters of the ex-Deputy Minister of Interior, R.Rayimberdiev, organized a rally in the city of Osh with the demand for his discharge. R.Rayimberdiev was detained by law-enforcement bodies on September 20<sup>th</sup> in connection with the case of the murder of the Head of the Presidential Administration, Medet Sadyrkulov. The observers note that on the eve of the Elections, work on the investigation of the case of the murder of Medet Sadyrkulov has resumed. In connection with investigation, the officials of the Ministry of Internal Affairs released the information about findings of the investigation, which among other things suggest that some of the presidential candidates<sup>1</sup> may have been involved in this case. The information, which was disseminated on the eve of the campaign period and the timing has already caused various assumptions that the investigation results could be possibly used during the elections.

On September 22<sup>nd</sup>, supporters of the presidential candidate, Nariman Tyuleev, came out to the Old Square of the capital city with two demands—to re-count the signatures and to permit their candidate to take the state language examination. The rally participants, totaling over 300 people, refused to recognize the CEC’s decision on the invalidity and insufficiency of the signatures gathered in support of N.Tyuleev. They demanded that a commission of signature experts be put together and that an additional verification of the signature lists of all the candidates for the President be carried out, and that N.Tyuleev be allowed access to the examination procedure on equal footing with everyone else. If the CEC does not fulfill the conditions of the supporters of the candidate N.Tyuleev, they intend to demand the dismissal of the entire staff of the CEC. Candidate Tyuleev addressed his supporters with a request to wait until the court process is over.

The protest action on the distribution of land parcels in Issyk-Kul continues.

## **2. The activities of the election commissions**

### **Central Election Commission (CEC)**

According to the Constitution, the CEC of KR is formed by 12 members, 1/3 of whom are elected by the Jogorku Kenesh upon presentation by the parliamentary majority, 1/3 upon presentation by the parliamentary opposition, 1/3 upon presentation by the President. Unfortunately, on June 24, when the new Law “On election commissions on the conduction of elections and referenda Of the Kyrgyz Republic”, which provides for the number of CEC members, has not yet been signed and, consequently, has not entered into legal force yet. The Jogorku Kenesh of KR had elected 8

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<sup>1</sup> In regard to involvement of A.Madumarov in this case

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members using their parliamentary quota. Such actions of the parliamentarians were assessed by some experts and human rights lawyers as a violation of the legislation, but the parliamentarians did not bother to re-consider this issue. On July 30<sup>th</sup>, the President of Kyrgyzstan presented her four candidates, including the former-Head of the CEC, A.Sariev; however, the Parliament had elected only two of the President's candidates and denied the inclusion of the former-Head of the CEC, A.Sariev and another candidate into the CEC composition.

For a brief period of time, there was virtually a situation of dual power. On July 4, two compositions of the CEC were gathered in the meeting hall of the CEC—one under the chairmanship of A.Sariev and the other, the seven members of the new composition, newly appointed by JK. According to A.Sariev's statement made the day before, if, as of the moment of signing of the Decree on conduction of elections, the new composition has not yet been formed and has not held its first meeting, which is to be held within 5 days after the appointment of the members (the appointment took place on June 24, and the meeting of the new composition was gathered on July 4<sup>th</sup>, not in its full composition), then, according to the Constitution, the elections are to be conducted by the old composition. Nevertheless, the new CEC members did not agree with Sariev's arguments and presented their own arguments while refusing to leave the meeting hall.

The old staff of the CEC decided not to exacerbate the situation and the left the room, while the new staff held its first meeting there, in which they elected the CEC chairman—T.D.Abdraimov, and his deputies—G.K.Jurabaeva and A.T.Shayimkulova.

On July 7<sup>th</sup>, President Roza Otunbayeva called on the Parliament of Kyrgyzstan “to eliminate the contradictions and bring the election process under compliance with the Constitution and the new legislation.” She called on the people's representatives “in light of the extraordinary session of the Jogorku Kenesh to be held on July 8<sup>th</sup>, 2011, to resume consideration of the serious legal and procedural violations committed regarding the work of the CEC.” In her opinion, the Jogorku Kenesh ought to observe the requirements of the Constitution and the laws relating to the work of the Central Election Commission. In the President's statement, she also voiced an idea that the legal collisions and contradictions around the Central Election Commission for the conduction of elections present a threat of growing into endless judicial proceedings in the future and, in the end, the results of the President elections will be prejudiced.

On July 8<sup>th</sup>, during an extraordinary meeting of the Jogorku Kenesh, the remaining CEC members, who were presented under the quota of the President of the country, were elected. However, the ex-Chairman of CEC, A.Sariev, filed a lawsuit against the actions of the new composition of the CEC in the Bishkek inter-district court, and the hearing was set for September 22<sup>nd</sup>. Due to the fact that both the plaintiff and the defendant of the lawsuit failed to appear in court, the court session was rescheduled for October 13, 2011.

Nomination of candidates for the office of the President lasted from the date of the announcement of the elections and was finalized 75 days prior to the day of the elections—August 15<sup>th</sup>, 2011. Based on the results of the process of nomination of candidates, the total number of candidates having submitted applications to the Central Election Commission stating their intention to become

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candidates for the office of the President of KR amounted to 83 persons, out of whom 16 were nominated by political parties and 67 were self-nominated. In order to register as candidates for the office of president, the applying contesters must raise their own electoral funds for the election campaign (not exceeding 50 million som), make an electoral deposit (100,000 som), and gather at least 30,000 voters' signatures in support of their candidacy. The determination of knowledge of the state language by the candidate to the office of the President is made by the CEC on the basis of the Language Commission's conclusion.

The total number of candidates having submitted applications to the Central Election Commission announcing their intention to become candidates for the office of the President of KR amounted to 83 persons, out of whom 16 were nominated by political parties and 67—self-nominated

### **Public Reception Office of the CEC**

Starting July 18<sup>th</sup>, the CEC Public reception office started operating. Its objectives include ensuring citizens' electoral rights, organization of effective and quick work with citizens' applications and complaints, provision of consultative-methodical assistance with the elections legislation to the voters, candidates, their authorized persons and observers, representatives of political parties, members of precinct elections commissions and participants in the electoral process.

### **Accreditation of Mass Media**

On July 21, the CEC accredited 40 television companies and 103 print media publications. Eleven information agencies (internet resources) were denied accreditation, as their participation in the election campaigns is not provided for by the Law on Elections. The denial of accreditation caused indignation on the part of internet publications and discussions in society.

In this regard, the CEC applied to the Parliament with a request to explain certain articles on the Law on Mass Media. On August 16, the JK the Committee on constitutional legislation, state organization, rule of law, and local self-government, considered the CEC's application and issued an interpretation in favor of the accreditation of the information agencies.

### **Registration of candidates**

As of September 24, 2011, the CEC has registered 20 candidates for the President of KR, who have fulfilled all the conditions of the election legislation. Below is the list of candidates in the order of their registration with the CEC:

1. Kamchybek Tashiev (Ata-Jurt)
2. Adakhan Madumarov (Butun Kyrgyzstan)
3. Kubatbek Baibolov, self-nominated
4. Temirbek Asanbekov (Meken Yntymagy)
5. Marat Sultanov, self-nominated
6. Roman Omorov, self-nominated
7. Omurbek Suvanaliev, self-nominated
8. Anarbek Kalmatov (Ar-Namys)
9. Shamshibek Medetbekov (El Biyligi)

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10. Iskhak Masaliev (the Communist Party of Kyrgyzstan)
11. Kurmanbek Osmonov, self-nominated
12. Almambet Matubraimov, self-nominated
13. Marat Imankulov, self-nominated
14. Kubanychbek Isabekov, self-nominated
15. Arstanbek Abdyl daev (El Uchun)
16. Almazbek Atambaev (SDPK)
17. Akylbek Japarov, self-nominated
18. Sooronbai Dyikanov, self-nominated
19. Jumabek Toktogaziev, self-nominated
20. Almazbek Karimov, self-nominated

Many of the candidates either withdrew their applications for registration as a candidate, or were rejected due to failure to meet the requirements of the election legislation. The CEC has denied registration to 11 candidates due to failure to establish their own electoral fund, and 5 candidates were denied registration due to lack of knowledge of the state language. 10 candidates were denied registration due to the insufficiency of the voters' signatures in support of those candidates. The denial of registration on the part of the CEC on the basis of shortage of signatures had caused a lot of discontent on the part of the candidates. Many of these candidates did not agree with the CEC's decision and filed lawsuits with the judicial authorities.

On September 20<sup>th</sup>, the CEC, at its meeting, denied registration to the candidate T.Umetalieva due to the insufficiency of authentic signatures in her signature lists. The members of the working group for signature verification found about three thousand voters' signatures to be invalid. In the course of the CEC meeting, she appealed the commission's decision and filed a lawsuit in the Pervomayskiy district court. The candidate's lawsuit contained two demands—to invalidate the Decree of the CEC as of September 20, 2011, on the denial of registration and to find 31,000 signatures valid. The Pervomayskiy district court held the first session on September 23<sup>rd</sup> and on September 24<sup>th</sup>, during its second session, judged the lawsuit of candidate T.Umetalieva against the CEC's decision. The court obligated CEC to pass the examination on Kyrgyz language.

On the same day, September 20, CEC denied registration to the candidate Nariman Tyuleev due to the invalidity of 21, 000 signatures, as established during the selective check. Out of total number of submitted signatures, the CEC acknowledged only 27, 717 signatures. According to the campaign headquarters of N.Tyuleev, folders with signatures were handed in to CEC on September 6, however, there were no comments received from the CEC in the following 10 days, specified in the election legislation for checking and making conclusions. N.Tyuleev filed a complaint in the Pervomayskiy court to acknowledge validity of signatures and his registration as a candidate. The court chaired by Ainura Satarova, reviewed the documents, satisfied the lawsuit of candidate N.Tyuleev and entrusted CEC to conduct the control check of the signatures .

It is worth noting that the same lawsuits were filed by candidates – Arabaev, Achikeev, Soodonbekov and Abyshev in the court institutions. It is noted in the CEC that candidates who will win the court regarding validity of their lists, will be allowed to pass an examination of their

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knowledge of the state language. Additionally, the examination is scheduled for September 26 and 27.

### Language Examination

On July 27, CEC approved the Regulation “On language commission”.

The examination consisted of three stages. During the first stage, candidates should write down their pre-election agenda, during the second stage they should narrate it. During the third stage, candidates should read an extract from a text suggested by the commission. If there are more than 5 mistakes during the first stage, a candidate will not be able to pass the second stage. Accent and dialect peculiarities are not taken into consideration. The selection criterion is the usage of proverbs, sayings and phrases. There will be a disqualification for the usage of plagiarism. Each of 12 commission members will be chaired at the examination; the queue will be determined by the drawing of lots.

On August 1, CEC formed a composition of the examination commission on the state language. According to the J.Akmatov – two members of the commission of the state language were not approved. Members of the National commission for state language development were involved and they nominated two Doctors of Philology, Professor Zamira Derbisheva and Turusbek Seidakmatova who were approved by the CEC members.

According to the Law, the Language Commission determines the candidate’s knowledge or lack of knowledge of the state language and the CEC decides on the registration. The representatives of those candidates, who failed the examination, have expressed an opinion that the CEC was not objective.

The Coalition sent the letter-request to the CEC to allow for observers at the examination on the state language, but did not receive permission, although the work of the Language Commission was broadcast live on the Public Television. The schedule of Commission’s sessions were posted on the CEC website.

### Special representatives of the CEC

The Central Election Commission, by its decree as of July 14, 2011, approved the provision “On Special Representatives of the CEC of KR”, thereby establishing a post of a special representative of the CEC of KR in every territorial election commission, who are the employees of the apparatus of the CEC of KR. This position is established in accordance with the Law “On the Election Commissions for conduction of elections and referenda of KR” (Part 3, Article 9), for the purposes of coordination, provision of organizational methods and logistics of the activities of the corresponding territorial election commission, as well as the keeping, updating and verification of the list of voters and referendum participants.

In his interview, the Chairman of the CEC of KR, T.Abdraimov, has explained that the special representatives provide only organizational and technical support for the Territorial election

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commissions (hereinafter—“TECs”). However at the present time the Coalition observers heard speculations that the special representatives exceed their powers. According to the data of the Coalition’s observers, in some TECs there are special representatives of the CEC, who previously used to work as chairpersons of the regional and district election commissions. At the same time, in some of the TECs (Kochkor, Ton, Leylek, Moskovskiy rayon and Osh city) the Special representatives are people without any prior experience in the electoral process.

### **Territorial and Precinct Election Commissions**

It has been planned that a total of over 30,000 citizens will be engaged as part of the TEC and PEC’s composition. During the reporting period, TECs have been formed everywhere. TEC membership includes women, men and ethnic minorities.

Training for the members and chairpersons of TEC have been conducted with support from the International Foundation for Election Systems (IFES) in all 57 TECs. The Coalition’s members and observers were recruited as trainers for TEC trainings in the cities of Bishkek, Talas, Osh, and Naryn. Due to the high turnover of members from the composition of TECs, which is taking place throughout the country, , a need may arise to conduct trainings for newly-arriving members. It is critical to avoid the replication of the experience in 2010 parliamentary elections, when, due to the low potential of the members of the election commissions many errors were made during filling of of the protocols on election results in both precinct and district election commissions.

Due to the high turnover of cadres and resignation of the trained cadres from the composition of TECS, the CEC has made a decision on filling the reserve lists and on August 15 addressed political parties and the representatives of local keneshes with a call to form territorial commissions responsibly. Particularly, this address stated that , representatives of **11** political parties out of the **27** that took part in formation of the TECs have already left TECs.

In particular, representatives of the Ak-Shumkar party (resigned from the composition of Nookan TEC of Jalal-Abad oblast), “Butun Kyrgyzstan” (Aksyiskiy TEC of Jalal-Abad oblast, Nookat TEC of Osh oblast), National-Democratic party “Uluu Birimdik” (Toktogul TEC of Jalal-Abad oblast), SDPK (Ak-Talinskiy TEC of Naryn oblast), “Democratic Movement of Kyrgyzstan party (Ak-Talinskiy TEC), Ata-Jurt (Tonskiy TEC), For the People (El-Uchun—Sverdlovsk district), Egemen Kyrgyzstan (Mailuu-Suiskiy TEC of Jalal-Abad oblast), Ar-Namys (Tonskiy TEC), Meken Yntymagy (Nookenskiy Tec), Turan democratic party (Aksyiskiy TEC). In total, 11 members of political parties have left the compositions of TECs; 1 member of a political party—has left the reserve List.

Furthermore, 12 members have left the TEC composition who were nominated by the of LSG representative bodies; from their reserve—3 members.

Majority of TECs are located in the premises of the district and city-state administrations. The Coalition’s observers especially emphasize that the physical presence of the election commissions in administrative buildings leads to prejudice concerning the issue of the independence of their work in light of possible pressure on them on the part of local authorities

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Bodies of LSG and district state administrations have provided TECs and PECs with necessary facilities, organizational equipment, and office supplies. TEC members note that the budgets of election commissions have increased twofold in comparison with the budgets of the last year's elections, which is a positive factor. More than half of the total number of observers have noted that the organizational equipment at TECS is old, which creates difficulties during work, and the allocated funds are still insufficient. If, for instance, the provided computer works well, a printer or photocopying machine may not work. Some TECs also experience difficulties with Internet connection. According to observers, the chairman of TEC in the Naryn district is the head of a local NGO, has brought and uses office equipment belonging to her NGO, and has set up the Internet connection at its own expense. TEC chairpersons approach the special representatives of the CEC on the issues of resolution of organizational questions but, so far, to no avail, according to the reports of the observers in the Naryn oblast. In the Alamedin district, the TEC has yet to be provided with even a permanent facility as they are currently, temporarily located on the first floor of the rayon state administration.

According to observers at the CEC and the oblasts, the high outflow of TEC members who resign through filing resignation requests, including resignation of members from the reserve lists, is alerting. As a rule, resignation requests are received from the representatives of political parties, who, according to the Law on Election Commissions, ought to make up no less than half of the total number of TEC members. The applicants assert that there is no pressure exerted on them, but according to a CEC representative, Ashirov, all requests are written in one single style, as if they are "carbon copies" ..

According to the Coalition's observation data, members of TECs, in the process of their work, begin realizing the high responsibility and submit resignation requests not willing to undertake this responsibility. Political parties do not motivate their members to stay within the composition of TECs, which leads to the outflow of members of TECs who represent political parties. As the Coalition's observers note, many of the TEC members are not satisfied with the level of payment, which is disproportionate to the scope of functions and responsibility. Currently, the issue of filling reserve lists is urgent, especially in terms of representatives of political parties; otherwise the election commissions will include only the representatives of LSG bodies.

A preliminary analysis of the qualitative composition of TECs, according to the TEC composition lists received from the Coalition's observers, shows the respective level of activeness of political parties in the process of formation of TECs. It needs to be noted that this analysis is based on 80% of the lists of TEC members, which the Coalition's observers obtained from TECs and from the data available on the CEC website. The most active political parties, which are included in the composition of TECs, are:

- Respublika—in 33 TECs
- "Turan" party—in 27 TECs
- Meken Yntymagy—in 25 TECs
- SDPK—in 25 TECs
- Butun Kyrgyzstan—in 23 TECs
- Ata-Jurt—in 23 TECs
- Ata-Meken—in 20 TECs



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- El-Uchun—in 17 TECs
- Ak-Shumkar—in 17 TECs
- Uлуу Birimdik—in 16 TECs

According to the CEC data and the observers' reports, the precinct election commissions have been formed and commenced their work. Trainings for the PEC members commenced on September 22<sup>nd</sup> with the assistance from the International Foundation for Election Systems (IFES). The Coalition's trainers and observers have also been involved in this work.

The Coalition is continuing its observation and will provide additional information on the activities of the territorial and precinct election commissions in its subsequent reports.

### **Voters' List**

During all past elections in Kyrgyzstan, the issue of poor quality of the voter list was raised repeatedly. Before the responsibility for the quality of the voter list was put on local self governing bodies, and now according to the new election legislation, responsibility for the compilation of the voter list is laid on the CEC and responsibility for the quality of information is laid on TECs.

For the first time in the KR the unified voter list will be formed. The main peculiarity of the unified voter list is not only inclusion of a voter's name, his passport and residence contacts, but inclusion of the identification number of the tax payer that is unique and can not be repeated in the unified electronic base. This method will exclude the possibility of one and the same voter being registered in the voter list at different polling stations.

On the 19th of July in the presence of members of the CEC, the KR President's Apparatus, the government of the KR, the State Register Service, Social Fund, MIA and the National Center of IT presented a technical task to develop a common system of voters registered within the "Democratic Governance" Program of the UNDP Project.

The voter list is posted on CEC's web-site for familiarizations.

All TECs have finalized their work on the compilation of voters' lists in cooperation with the bodies of LSG, state district administrations, and registration services (SRS—State Registration Service). Voters' lists in all TECs have been compiled in electronic form. According to the observers' data, on September 20<sup>th</sup>, the majority of TECs have handed down one copy of the voter's list to their PECs, in accordance with the Law on Elections. Several TECs—Aravanskiy, Suzakskiy, Keminskiy, and Talaskiy municipal—have not handed down these voters' lists on time. According to one observer from Chuy oblast, the TEC of Alamedin district has handed down their voters' list without the signature and seal of the TEC, which contradicts Article 14 of the Constitutional Law on Elections.

All PECs, which had received voters' lists, have commenced work on their verification and entered the necessary changes. The lists are posted on informational stands. REC members have also commenced door-to-door canvassing , with the assistance of employees of bodies of LSG, MTBs

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(Municipal Territorial Boards), Ministry of Interior, quarter committees and other engaged persons..

### **Public awareness**

The Coalition's observers note that the voter education activities about the elections and the new rules of inclusion in the voters' lists will be mostly conducted during door-to-door canvassing. The canvassing visits have been and are conducted by the bodies of LSG for the purposes of registration of new voters. Explanatory work on raising the voters' awareness is also conducted during public meetings and rural gatherings. According to the observers' reports, the 3-cycle canvassing on the verification of voters' lists has already commenced, during which public information will also be provided to the voters.

During the reporting period, the observers have noted the passiveness of the work on raising public awareness; no special activities or informational campaigns in the locales were noticed. Voters complain about the insufficiency of informational materials regarding the electoral processes in the state language and the languages of ethnic minorities. For instance, in Naryn oblast, voters wanted to receive materials in the Kyrgyz language. According to the Law on Elections, the bodies of LSG must install special boards and sites for posting of information for the voters on the language understandable to them.

### **3. Candidates**

During the reporting period, the process of registration of candidates for the office of the President took place in the CEC of KR, therefore, for the most part, the candidates' work was concentrated in the capital city. More detailed information on the process of registration of candidates you will find in the section describing the activities of the CEC of KR.

The Coalition's observers in all of the districts note that so far most of the representative electoral offices have not started active operation yet, but the work of campaign offices of the candidates and political parties is becoming more active with every day. Some of the representative offices have installed signs, but the facilities are still locked or closed for public access.

According to the observers' data, representative offices of the following candidates have been opened throughout the country (the list is in the order of the registration of candidates with the CEC):

1. Campaign offices of Kamchybek Tashiev (Ata-Jurt)—more than 25 offices throughout the country
2. Campaign offices of Adakhan Madumarov (Butun Kyrgyzstan)—more than 37 offices throughout the country
3. Campaign offices of Temirbek Asanbekov (Meken Yntymagy)—more than 18 offices throughout the country
4. Campaign offices of Omurbek Suvanaliev)—more than 20 offices throughout the country

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5. Campaign offices of Anarbek Kalamatov (Ar-Namys)—more than 10 offices throughout the country
6. Campaign offices of Arstanbek Abdyldaev (El Uchun)—more than 12 offices throughout the country
7. Campaign offices of Almazbek Atambaev (SDPK)—more than 45 offices throughout the country, more than 25 campaign offices of Respublika party, and campaign offices of Ak-Shumkar party

Above is the list and number of representative offices of the candidates, which were specified in the Coalition observers' reports. It needs to be noted that these figures may not reflect the actual number of campaign offices of the candidates overall, as the observers have indicated only the representative offices that they have noticed or attended personally. The Coalition will further monitor the activities of district representative offices for election campaigns and their work with TECs and RECs in the locales. In this regards, we call on the heads of representative offices of candidates on all the levels to invite the Coalition's observers to their events and to inform them of any problems arising in the course of their election campaigns.

The Coalition's observers note the need for training of the members and activists of the candidates' representative offices in the locales, in particular, on the norms of the new constitutional law on elections. The members of political parties included in the composition of TECs and RECs are also in need of additional training on the part of the parties so that they would be able to better meet the requirements of the election legislation, and to represent their party and candidate well. The candidates also need to pay special attention to the training and preparation of their campaign staff and activists so they do not commit unlawful actions during the election campaigns and on the day of the elections. Coalition will be continuing observation on work of regional campaign offices of candidates and will be submitting more detailed information in the next reports.

According to the observers, supporters of the candidate A.Atambaev are uniting into a single coalition, which already includes such political parties as Ak-Shumkar, Respublika, Turan, Uлуу Birimdik, Kaganat, KPDK, and others. However, during meetings with the observers, members of these parties have stated that so far the system of interaction has not been established and there are many disagreements arising in the issues of organization and funding of the campaign offices and the tactics of conducting campaign activities in the locales.

Several candidates and party leaders have published an address to the voters, wherein they state that for the purposes of avoiding the division of the country, they will accept the victory of any one of the candidates. At the time of report writing, the address was signed by candidates A.Madumarov, I.Masaliev, A.Kalamatov, M.Imankulov, M.Sultanov, F.Kulov, and N.Tyuleev.

### Campaigning

Long before the commencement of the election campaigns, several parties and candidates have started conducting informational campaign activities. Examples include the red logos and messages of the "Commissioner Katani", billboards with poems and phrases where such words as "Butun"

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and “Akyl” stand out. According to the CEC decision, such cases should be registered and in the future, after the commencement of the election campaigns, they will require reaching decisions. Furthermore, once the nomination of the candidacy of Prime-Minister, A.Atambaev, for the office of the President of KR, mass media started to cover his activity more actively on the local and foreign channels. All the campaign offices of the candidate O.Suvaliev have installed signs displaying his photo. For example, in the village of Kazarman of Toguz-Toroskiy district, such banners are posted in two locations, but the campaign office is located only in one of them.

Some citizens consider such cases to be a covert form of campaigning. In this connection, the Coalition has sent an inquiry to the CEC, in which it was requesting the CEC to provide their explanation as to whether such informational activity of the parties and candidates is considered campaigning. Similar inquiries to the CEC were sent by other organizations as well. Based on these inquiries, the CEC of Kyrgyzstan has issued warnings to two candidates for the President of the country in connection with violation of the election legislation—the incumbent Prime-Ministry Almazbek Atambaev and candidate O.Suvaliev. The CEC notes that the many interviews and speeches of candidate A.Atambaev in the electronic and print mass media contained signs of pre-election campaigning. He was pointed to the “impermissibility of using the advantage of one’s official position or status” and was reminded that “in case of a candidate’s multiple violation of the above-indicated requirements, the Central Election Commission has the right to make a decision to cancel the candidate’s registration.” The CEC has also pointed out to Omurbek Suvaliev the inadmissibility of violations of the procedure and rules of pre-election campaigning established by the Constitutional law on elections.

The campaign office of A.Atambaev noted that they had not been invited to the CEC meeting on this decision. On September 19<sup>th</sup>, A.Atambaev appealed at the Pervomaiskiy district court the written warning of the CEC of KR concerning the inadmissibility of violating the requirements of the Law on conducting pre-election campaigns. The court made the decision to satisfy the lawsuit of A.Atambaev, thereby obliging the CEC to give an official refutation on their official website. However, the CEC did not agree with the decision of the Pervomaiskiy district court and has directed a supervisory appeal to the Supreme Court. The Supreme Court upheld the Pervomaiskiy district court decision.

On 19<sup>th</sup> of August, KR CEC Working Group called candidates for presidency of KR and mass media not to violate the rules of pre-election campaigning in regard to the fact that some print media allowed agitation of candidates that applied to the CEC to run for presidency of the KR, with the reminder that pre-election campaigning starts from 25<sup>th</sup> of September, 2011, in accordance with the Constitutional Law “On Elections of a President and Deputies to Jogorku Kenesh of the KR”

### **Rebroadcasting of Foreign Mass Media**

Starting September 25<sup>th</sup>, the rebroadcasting of foreign channels in Kyrgyzstan will be ceased, as required by the election law. The new constitutional Law on elections prohibits the conduction of election campaigns in foreign mass media that are rebroadcast on the territory of the Kyrgyz Republic. It also provides that during the period of conduction of the elections, the broadcasting of foreign TV and radio programs shall be done in a pre-recorded mode. These regulations created problems for the operators of communications and cable television, which rebroadcast foreign

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channels. A round table dedicated specifically to this topic was held at the Institute of Public Policy and was organized by the Association of Communications Operators, “Civil Initiative” Public Foundation, and Internews.

During this round table, the issues of how to avoid the potential use of this norm for exerting pressure on the TV and radio companies during the elections, and the issue of introducing amendments to the law were discussed. The communications operators have noted that the implementation of this law leads to the violation of the agreements with their subscribers for the provision of services and the agreements with their foreign partners for rebroadcasting. They also mention the lack of clear instructions on rebroadcasting on the part of the CEC and the lack of special equipment and the potential for recording and analysis of the content of each of the foreign channels.

In light of this, the Association of Communications Operators (ACO) intends to file an inquiry to the Constitutional Chamber of the Supreme Court concerning the constitutionality of this norm on rebroadcasting detailed in Article 22 of the Constitutional Law on Elections. The Coalition will monitor the actions of the Central Election Commission, the courts, and the Jogorku Kenesh in the resolution of this issue. However, the Constitutional Chamber has not been formed yet. Currently, the Members of Parliament are considering the introduction of a moratorium on the implementation of this particular provision. The Coalition will continue observing the work of the Parliament, CEC and courts with regard to this issue.

### **The Activities of the State Authorities and Local Self-Government LSG)**

On September 23, the Bishkek City Mayor’s office informed that the placement of campaign materials in the streets of the capital is banned, in accordance with the p. 8.27 of the Rules on the improvement of Bishkek city, approved by the Regulation №77 of the Bishkek city council as of June 30, 2009. According to the current regulation, during the pre-election campaign candidates for the presidency should place printed campaign materials only at specially designated places and it is prohibited to post the materials on the polls, trees, fences and buildings’ walls.

The Coalition states that the current regulation of the Bishkek city council contradicts the constitutional law on elections of the president and deputies of Jogorku Kenesh, article 27, chapter 5. Information Campaign, item 2, it is stated that: “Provision of information to voters shall be performed by state power bodies and local governments, election commissions, mass media, legal entities and individuals in conformity with this Constitutional Law and the legislation in force. State power bodies, local governments and election commissions shall be responsible for timely and reliable provision of information to citizens. And item 3 from the same chapter “The content of information published in mass media or otherwise disseminated must be unbiased and true, provide for equality of candidates or political parties with no superiority given to any candidates or political parties”.1.

The law clearly indicates places, article 22, item 4: It is prohibited to place the abovementioned materials on monuments, obelisks and buildings of historical, cultural and architectural value or

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within the premises of the election commission, at their entrances and in voting premises. It is prohibited to use green plantations and trees to place campaign materials.

Thus, the Regulation of the Bishkek City Mayor's Office contradicts the norms that guarantee the equality of rights and free elections. The Coalition also points out that Administrative Code of the Kyrgyz Republic regulates punishment for the intentional destruction of campaign materials in the Article 56 "Intentional destruction or damage of campaign materials": Intentional destruction or damage of candidate's portrait who runs for a president and other elected position, poster with his biography or any other printed campaign materials posted on buildings, facilities and any other places with preliminary permission of the owner during pre-election campaign period, shall be punished by administrative penalty in the amount of five to twenty times of estimated unit.

The Coalition believes that this Regulation discriminates the right of candidates for free and equal conduction of pre-election campaign. Coalition has already addressed the letter to Bishkek City Administration and Deputies of Bishkek City Kenesh with a request to cancel this Regulation.

Generally, all LSG bodies and local state administrations are assisting in the preparation and conduction of the elections. The CEC has been conducting training seminars on the changes in the procedure of conduction of elections for the heads of bodies of LSG and representatives of state administrations, according to its schedule starting on September 23<sup>rd</sup>.

In Kyrgyzstan, during the presidential elections, the order will be ensured by 6 thousand Ministry of Interior staff and 13 thousand 'people's militia' representatives. This was announced by the Deputy Minister of Interior Baktybek Alymbekov on September 14 at the government meeting to discuss the assistance to the territorial election commissions during the preparations for elections. According to him, people's militia will have red armbands. The information and analytical group was set up to inform the Government. Ministry of Interior will ensure the safety and protection of polling stations and election ballots. It will also create conditions for voting in detention facilities. Efforts are underway to identify people, who could potentially try to destabilize situation during the elections. All necessary efforts will be made to ensure law and order during the elections, said Baktybek Alymbekov.

### **The activities of non-governmental organizations conducting election observation**

Besides the Coalition, other non-government organizations have commenced conducting long-term observation over the Elections of the President of KR. They include include: "Taza-Shailoo" Association, a group of youth organizations unified under the "Free Generation" ("Svobodnoe pokolenie") Alliance in Bishkek and "Youth of Osh" ("Molodej Osha") in the city of Osh. The Association of Civil Society Support Centers is planning to conduct election monitoring in the precincts abroad.

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### CONCLUSIONS

- The political situation in the country remains calm so far, although citizens continue to have concerns related to security. In particular, citizens have concerns that the upcoming presidential elections could result in conflicts, greater divide between the North and the South, and a potential destabilization of the situation. Ethnic minorities residing in the South have concerns about their safety and do not trust the law enforcement agencies.
- New Central Election Commission (CEC) has been formed. Overall, the CEC respects the legal timelines.
- TECs have been formed and trained. There has been a high turnover in the territorial election commissions (TECs) and therefore the CEC had to undertake additional efforts to find and train more people for the reserve election commission members. If this trend is to continue, it may result in the imbalance between the political party and local self-government representatives in the commissions. TEC membership has women, men and ethnic minorities.
- Despite the election reform, which is underway, the majority of the TECs are located in the premises of the rayon state administrations, which could cause situations, wherein district administration would exert pressure on the TEC members.
- “Respublica” political party has the biggest representation in the TECs – in 33 TECs.
- Precinct Election Commissions (PECs) have been formed, which started their activities in time. Training of PEC members is underway.
- A total number of candidates nominated for the presidency decreased and at present there are 20 candidates. Of these, 8 were nominated by the political parties and 12 – self nominated.
- 9 candidates, who were denied registration, filed election complaints to appeal CEC decision on invalidity and insufficiency of signatures for the support of the candidates and refusal in registration. Several candidates, whose signatures were not accepted by the CEC, have conducted peaceful protest actions.
- The work of the CEC Language Commission was broadcast live on the Public Television Channel. The schedule of Commission’s sessions was posted on the CEC website. Several candidates were denied registration due to failure to pass the examination in state language.
- Candidates have opened campaign offices. According to the Coalition’s information, SDPK and Butun Kyrgyzstan political parties have the biggest number of campaign offices, 45 and 37, respectively.

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- The CEC has issued a warning to a number of candidates and media outlets in connection with the campaign before the start of the campaign.
- The CEC has accredited 40 TV and Radio companies and 103 print outlets. 11 Internet media were denied accreditation. On August 16, the Parliamentary Committee on the constitutional legislation, state structure, rule of law, and local self-government has issued an interpretation of the law in favor of accrediting Internet media.
- The preliminary voter list has been compiled and the audit of the voter list began. The voter list audit will be conducted on a national scale. This is the first attempt to create an automated unified voter list. The voter list has also been posted on the CEC website.
- New law on elections comprises norms which arouse critics from the public – norms restricting activity of retransmitters, registration timelines. Jogorku Kenesh of the KR is trying to react to the current critics.

### **RECOMMENATIONS AND SUGGESTIONS:**

#### **Parliament of the KR:**

1. To execute parliamentary oversight over the executive branch in order to prevent the use of the 'administrative resource'
2. To provide timely interpretation of those provisions in the newly adopted elections laws, where there are questions about the actual implementation.

#### **General Persecutor's Office:**

1. To prevent the use of rhetoric targeted at propaganda of national, religious or regional enmity, gender or other superiority, enmity, call for seizure of power, forceful change of the constitutional power structure and/or breach of the territorial integrity of the state by presidential candidates during the election campaign.

#### **Election Commissions:**

1. To conduct a wide information campaign among voters regarding the new rules for inclusion into the voters' lists.
2. Members of the territorial and precinct election commissions shall assume the full responsibility for the conduct of the elections and not resign from the commission until presidential elections are over.
3. The CEC needs to resolve the TECs' organizational and technical problems, where they exist, in order to ensure quality performance of their work.
4. To move TECs out of the premises of rayon state administrations.



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5. The CEC should post the agenda of each session on its web-site.

### **Presidential candidates and political parties:**

1. To sign the Code of Conduct of Presidential Candidates and strictly comply with the laws and high ethical standards, especially in the conflict affected areas.
2. To get involved in the work more actively and to nominate their members to the TEC membership and reserve lists.
3. To ensure active participation of their representatives in the TECs and PECs.
4. Conduct voter education about the new rules for being included in the voter list.

### **Voters of KR:**

1. To develop an active position and visit the precinct election commissions, get registered and/or verify their names in the voter list.
2. To thoroughly study the election platforms and messages of the candidates and make an informed choice, without selling votes to candidates and/or succumbing to pressure.

### **Non-government organizations:**

1. To conduct information campaigns among the voters on the upcoming elections and the new rules for inclusion into the voters' lists and voting.

### **Mass Media:**

1. To conduct voter education on new rules of inclusion of voters into the voter lists and other novelties in the election legislation.
2. In addition to campaign materials, pay thorough attention to inform voters on candidates' platforms
3. Strictly comply with ethical standards during the pre-election campaign period.

### **Bishkek City Council**

1. To repeal the p. 8.27 of the Rules on the improvement of Bishkek city, approved by the Regulation №77 of the Bishkek city council as of June 30, 2009 and acknowledging this Regulation as limiting the rights of presidential candidates to campaign and a s contradictory to the constitutional law "On the elections of president and deputies of JK".

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