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# **Elections in the Kyrgyz Republic**

## *2016 National Referendum and Local Elections*

Frequently Asked Questions

Europe and Eurasia

International Foundation for Electoral Systems

2011 Crystal Drive | Tenth Floor | Arlington, VA 22202 | [www.IFES.org](http://www.IFES.org)

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# Frequently Asked Questions

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## **What are citizens voting for on Election Day?**

On December 11, Kyrgyz citizens will be voting in both local *Kenesh* (council) elections and on a national referendum. The local elections will be taking place as a result of President Almazbek Atambayev's decree signed on October 10, which cited the fact that the terms of office of Kyrgyzstan's local council deputies have expired. The national referendum will be held on the same day, which aims to introduce amendments to the existing constitution.

## **What is at stake in the local elections and referendum?**

The local *Kenesh* elections will be watched very closely by the political parties involved, as the majority of seats in a City Council appoints the election of the mayor.

The result of this referendum will determine whether changes will be made to the Kyrgyz constitution, which was adopted in a 2010 national plebiscite. A total of 36 amendments will be introduced in the preamble and 24 chapters of the constitution. The proposed constitutional amendments would increase the powers of the prime minister and Supreme Council (*Jogorku Kenesh*). The provisions would augment the judicial branch, in effect reducing the parliamentary majority required to unseat judges, while also implementing a supermajority requirement for court decisions. Noteworthy are the stipulations of the current Constitution of Kyrgyzstan (Basic Law) approved by the Venice Commission in 2010, which state (under Article 4) that no amendments can be introduced to the document before 2020.

The proposed amendments have raised broad discussions and divided society into two sides. Supporters of the referendum believe that the proposed changes to the constitution will improve judicial reform, strengthen the prime minister's role and limit the president's powers. However, opponents identify issues with these structural changes and also cite that the proposed bill contains amendments worsening human rights, and decreasing the role of international law in regards to national law. The complexity of the issue is compounded by the fact that a voter may only vote for or against a set of amendments, but not for each issue separately.

## **How will the local elections and referendum be managed?**

The Central Election Commission has declared itself prepared to run two separate campaigns for the local elections and referendum on the same day. While citizens will be voting at their place of registration for the elections to the local councils, the entire country will be a single election district for the purpose of the referendum thus enabling citizens to vote at the place of their actual residence, not registration.

There are two types of local councils:

- 1) City Council elections corresponding to the city: Elections to city councils are held by a single constituency, which includes the entire territory of the city. Elections in this case are held according to the proportional system. Thus, the constituent votes for a political party; and
- 2) Local council elections corresponding to the local rural area: Elections to local councils are held according to the multi-member constituencies in which several deputies are elected and constituents vote personally for separate candidates. Candidates for the local councils can be nominated by political parties or by individuals themselves.

Thirty-five political parties representing 7,211 candidates will take part in the elections of deputies for 22 municipal councils. Political parties such as the Social Democratic Party of Kyrgyzstan and Republic–*Ata Jurt* nominated their candidates in all 22 cities, while the political party *Onuguu*–Progress has put forward candidates in 20 cities, and the political party Kyrgyzstan is contesting in 17 cities.

### **Regional Breakdown**

It should be noted that all participants' greatest interest in the electoral process is focused on the election of deputies for the City Council of the capital. Thus the election of deputies for the Bishkek City Council involves 14 parties that nominated a total of 1,130 candidates for 44 mandates.

- Seven parties with a total of 338 registered candidates will participate in the elections for the City Council in Batken.
- In the Osh region, the City Council elections will be held in Uzgen city, which will be attended by four political parties. The list contains 197 registered candidates who are applying for 31 mandates.
- In the Jalal-Abad region, City Council elections are going to be held in five cities. The biggest area for the parties' activity has been noticed in the city of Kara-Kul where nine registered political parties have a list of 460 candidates.
- In the Talas region, seven political parties will take part in the elections for the City Council of Talas, where 353 candidates are applying for 31 City Council mandates.
- In the region of Chui, the election will be held in five cities. The most active parties are represented in the town of Kara-Balta, where 11 political parties registered with 624 candidates contesting 31 City Council mandates.
- In the region of Naryn, 421 candidates from eight political parties have registered to contest 31 City Council mandates.
- In the Issyk-Kul region, nine parties will participate in the elections for the City Council of Cholpon-Ata city. The total number of registered candidates amounts to 286 candidates for 21 City Council mandates.
- For the *aiyl* (rural/village community) councils, 18,904 candidates have been nominated, among them are 3,938 candidates are from political parties, while others are self-nominated; 18,599 candidates have completed registration.

## Who is eligible to vote?

Citizens of the Kyrgyz Republic who are 18 years old by Election Day, officially registered in the voter register and have provided their biometric data to the State Registration Service are eligible to vote. On Election Day, voters may use an ID card or regular passport as voter ID when voting abroad. Previously permitted identification such as military or pensioner cards are no longer accepted. Kyrgyz citizens who are serving a prison sentence do not have the right to vote, nor do those who are declared incapacitated.

According to the State Registration Service, at least [2,319,000 voters will participate](#) in the local council elections.

## How many polling places are there on Election Day? In which regions will elections be held?

There will be an estimated 2,365 polling places on Election Day. More specifically, the referendum and elections of deputies for the local councils will be held in 1,902 polling stations, while the referendum will be held in 463 polling stations. These locations will be opened from 8 a.m. until 8 p.m. For voters who cannot come to the polling places due to health issues and who officially applied for mobile voting, poll workers will go to them the day before Election Day. Other than approved requests for mobile voting, early voting is no longer allowed.

The December 11 local elections will be held in 22 city councils (616 mandates) and 389 local councils (6,749 mandates). The elections will be held in the following regions: Osh, Jalal-Abad, Talas, Chui, Naryn, and Issyk-Kul.

<b>City councils: 22</b>	<b>616 mandates</b>
<b>Local councils: 389</b>	<b>6,749 mandates</b>
<b>Total: 411 councils</b>	

## Is out-of-country voting allowed?

Election commissions outside the territory of the Kyrgyz Republic are formed by heads of diplomatic missions or consular institutions of the Kyrgyz Republic in the territory of the receiving state. Thirty-five referendum polling stations have been set up outside the country.

## **Who will observe during Election Day?**

Under the current laws in place, both international and domestic observers will be able to observe pre-election preparation, Election Day, counting and post-election activities. Election observers will also be allowed to photograph or film all proceedings as long as it does not impede the work of a polling station or compromise the secrecy of the ballot.

International observers may receive accreditation from the Central Election Commission (CEC). International organizations that have not been specifically invited may also observe, but they too should apply to the CEC. Accredited international observers are then allowed to move freely among polling stations and observe election and election-related processes as desired.

Local observers are able to register through a sponsoring local organization. They must submit a letter from their organization indicating their first name, last name and patronymic, place of residence, number of the polling station and the name of the election commission(s) to which he/she is directed. This letter, along with an official form of identification must be presented to the appropriate electoral authorities while observing. They will be able to observe only at the specific polling station at which they were registered. In the case of long-term observation, the letter must be presented to the appropriate Provincial Election Commission (PEC) or Territorial Election Commission where the observer will be working. For short-term observation, the letter must be presented directly to the selected PEC.

As of December 5, the CEC granted accreditation to the following international observers:

- Commonwealth of Independent States
- Organization of Islamic Cooperation
- Representative Office of the European Union in the Kyrgyz Republic
- International Republican Institute
- Representative Office of the International Foundation for Electoral Systems in the Kyrgyz Republic
- Korean International Cooperation Agency
- Association of World Election Bodies
- Embassy of the U.S. to the Kyrgyz Republic

## **What is the process for electoral dispute adjudication?**

Voters, candidates, political parties, nonprofit organizations and their representatives, observers and election commissions may file complaints when they believe electoral rights have been violated during the pre-election period or on Election Day. There are several different avenues through which one may bring a complaint.

## **Election Commissions**

Complaints should be addressed first to the lowest-level election commission, which are the provincial election commissions, then up to the territorial election commissions and lastly to the Central Election Commission (CEC). If they remain unsatisfactorily resolved they may be appealed to a special court called the *Pervomaiski* Court and lastly to the Supreme Court of the Kyrgyz Republic. As suggested, decisions or actions taken by election commissions and their officials that violate electoral rights can be appealed to the superior election commission. A decision made by the CEC may be appealed to the court of original jurisdiction, and from there to the Supreme Court. Election commissions have three days to respond to an appeal on a specific decision or action taken by a lower election commission, unless the decision being appealed occurred on the day before Election Day or on Election Day, in which case it must be considered immediately.

## **Prosecutors, Police or Courts**

Individuals or entities can submit a complaint by bringing a statement to the prosecutor's office, police or court in accordance with the laws of the Kyrgyz Republic. Law enforcement bodies are responsible for complaints related to breaches of public order and actions that cause administrative liability in accordance with the applicable law. Prosecuting authorities supervise the application of electoral laws and are responsible for prosecuting criminal activity.

If a statement is received by any of the above mentioned authorities during the pre-election period, they have two days to respond. If the statement is received on Election Day, a response must be immediate. If authorities refuse to consider a complaint they must immediately issue a reason for the refusal.

## **Disputing Election Results**

If a person or entity submits a complaint in regards to the determination of votes or election results, they must submit their statement to the superior election commission. Only when the Central Election Commission makes a decision, may the party appeal to the court of original jurisdiction and then the Supreme Court.

## **How will security be provided during the local elections and referendum?**

Security services will be involved in the protection of public order during the local elections and national referendum on December 11. Police forces will protect ballots during printing and at polling stations, and will escort the delivery of ballots to polling stations. During the pre-election period as well as on the day of the vote, police will work closely with local election commissions to prevent violations of electoral legislation and to protect public security and order. They will not be present in the polling stations on Election Day unless summoned by the Provincial Election Commission chair to address public safety

issues. All law enforcement representatives have been trained in their roles during the election process and in the relationship with the local election management bodies.

## Resources

- AkiPress ([Kyrgyz](#))
- Central Election Commission ([Kyrgyz](#))