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Elections in the Republic of Kazakhstan

2019 Early Presidential Election

Frequently Asked Questions

Europe and Eurasia

International Foundation for Electoral Systems

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Frequently Asked Questions

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Disclosure:
These FAQs reflect decisions made by the Kazakhstani elections authorities as of May 30, 2019, to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

When is Election Day?

Kazakhstan is scheduled to hold an early presidential election on June 9, 2019.

Why is the presidential election important? What is at stake?

Having ruled for almost 30 years, 78-year-old President Nursultan Nazarbayev announced his retirement live on television on March 19. Nazarbayev served as leader of independent Kazakhstan since its inception in 1991, and prior to that was named the first president of Kazakhstan by the Supreme Soviet in April 1990, for a total of 29 years as chief executive. The president stated that the decision was not easy, but he wanted to pave the way for a younger generation of leaders into Kazakhstan's politics.

Nazarbayev retains the title of first president, for which he is granted significant powers for life, including membership to Security and Constitutional Councils and the right to submit initiatives to the government and other officials related to internal and foreign policy and national security. Additionally, he remains chairperson of the Nur-Otan Party.

Following President Nazarbayev, in line with the Constitution, Senate Speaker Qassym-Jomart Toqaev became the acting president. On April 9, Toqaev called for an early presidential election to be held on June 9, 2019.

The last presidential election was held on April 26, 2015. At that time there were 9,547,864 registered voters, and Nazarbayev won in the first round, having received 97.7 percent of the votes. This will be the sixth consecutive direct national election to be called early.

The discussions being had, both domestically and internationally, about this election are of critical importance to a broader understanding of Kazakhstan's political context and citizens. Some opposition groups have demonstrated against the holding of early elections, and the sanctioning of individuals associated with these groups has drawn concern from the international community. Given that this presidential change will be the first of its kind in almost 30 years, it will become a defining moment of 21st century Kazakhstan, affecting political life at all levels and citizen interaction with their government for years to come.

What is the legal framework for the 2019 election?

Kazakhstan is a presidential republic. The legal framework for presidential elections consists as defined by:

- The Constitution;
- The Constitutional Law on Elections; and
- Regulations of the Central Election Commission.

Kazakhstan is also a party to major international and regional instruments related to the holding of democratic elections, including the 1966 International Covenant on Civil and Political Rights, 1979 Convention for Elimination of All Forms of Discrimination Against Women, 1965 International Convention on the Elimination of All Forms of Racial Discrimination, 2003 Convention Against

Corruption, 2006 Convention on the Rights of Persons with Disabilities, and the 2002 Convention on the Standards of Democratic Elections, Electoral Rights and Freedoms in the Member States of the Commonwealth of Independent States.

Who can run for president?

Presidential candidates can be nominated by public associations and political parties. The 2018 amendments to the Election Law removed the possibility for candidates to be self-nominated.

Candidates are required to be citizens by birth, have the right to vote, be at least 40 years old, and officially residents in Kazakhstan for the last 15 years. Following legislative changes in 2017, candidates are also required to have higher education and at least five years of experience in either public service or elected office. Candidates need to pass a language test as part of a Kazakh language fluency requirement. In addition, candidates are required to support their candidature with signatures from one percent of the electorate (118,140 for this election), pay a deposit of 2,125,000 Kazakhstan Tenge (approximately 5,580 USD) and present tax declarations for themselves and their spouses.

How many candidates were nominated?

The nomination process took place from April 10-28. Within the prescribed time period, nine republican public associations, including four political parties, submitted applications to nominate nine candidates in total, including acting President Kassym-Jomart Toqaeu, to the Central Election Commission (CEC). Talghat Erghaliev, nominated by Kazakhstan's Union of Constructors, withdrew his candidacy on April 29. The CEC refused to register Zhumatai Aliyev, nominated by the public association "Khalyk Demographyyasy," as a result of his nonproficiency in the Kazakh language as established by an examination.

The registration process ended on May 11, having registered seven candidates for president in total:

- Kassym-Zhomart Tokayev, nominated by the public association "Nur Otan Party;"
- Sadi-Bek Tugel, nominated by the republican movement "Uly Dala Kyrandary;"
- Amangeldy Taspikhov, nominated by the Republican Association of Trade Unions "Federation of Trade Unions of the Republic of Kazakhstan;"
- Daniya Yespayeva, nominated by the public association "Ak Zhol Democratic Party of Kazakhstan;"
- Toleutai Rakhimbekov, nominated by the public association "Auyl People's Democratic Patriotic Party;"
- Zhambyl Akhmetbekov, nominated by the public association "Communist People's Party of Kazakhstan;" and
- Amirzhan Kossanov, nominated by the public association "Ult Tagdyry" National Patriotic Movement.

As prescribed by law, the candidates are listed on the ballot in alphabetical order. All seven candidates are ethnic Kazakhs and between the ages of 54 and 65.

Are there any women candidates?

There is one female candidate, Daniya Yespayeva, who was nominated by the Democratic Party of Kazakhstan “Ak Zhol” public association.

Who is eligible to vote?

Citizens over the age of 18 have the right to vote, except for those declared incompetent by a court or those serving prison sentences, irrespective of the gravity of the crime.

How is the voter registry managed and maintained?

Voter registration is passive. According to recent legislative amendments made since the last elections, city councils (*Akimiats*) are tasked with compiling voter lists based exclusively on data from the state civil register. The city councils submit the data to their respective Territorial Electoral Commission (TEC) twice a year, electronically and in hard copy. The TECs cross-check the city voter list with information they receive from the Central Election Commission, which maintains a nationwide electronic voter list. In cases of discrepancies between the nationwide voter list and the state civil register, the TEC may request the city councils to make changes.

How many registered voters are there?

The number of citizens eligible to vote is 11,947,995, as of May 20, 2019. Temporary registrations or absentee ballots are available for those who will not be able to vote in their assigned polling station to vote in any polling station outside the city, town or village where they are registered.

Prior to the election, the ballots will be produced in an amount equal to the number of voters with a reserve of 1 percent, totaling 12,067,475 ballot papers.

How is the president elected?

The president is directly elected for a five-year term by an absolute majority. If no candidate receives above 50 percent of the votes cast in a first round of voting, a second round between the two candidates with the highest number of votes is held within two months. In the second round, the candidate who receives the higher number of votes is elected. There is no minimum voter turnout requirement for either round.

How will the election be administered?

There is a three-tiered election commission system, comprised of the Central Election Commission (CEC), 232 Territorial Electoral Commissions and 9,968 Precinct Election Commissions (PECs).

All commissions are formed for five years and consist of seven members, including one chairperson. The CEC is structured as follows: the chairperson and two members are appointed by the president; the lower and upper chambers of Parliament each appoint two members. The last appointments were in 2017 and 2018. Members of lower-level commissions are selected by local councils (*Maslikhats*), based

on nominations from political parties. Three of seven members of the CEC are women. In addition, approximately 67 percent of all lower-level commission members are women.

The CEC is responsible for the overall conduct of the election, including the registration of candidates and maintenance of the nationwide voter list. It is also in charge of campaign finance oversight. Approximately 69,776 poll workers will serve nationwide in the expected 9,968 PECs.

How will the campaigns be financed?

Candidates can use public and private funds to finance their campaigns and cannot spend more than 12,000 times the minimum wage, approximately 1,250,140 USD. Candidates can accept donations from citizens and organizations, up to 15,000 times the minimum wage, approximately 1,674,840 USD. Foreign and anonymous donations are prohibited. Candidates are obliged to open dedicated bank accounts for campaign finance and banks should notify the Central Election Commission (CEC) if the spending limit is exceeded. Five days after the announcement of the election results, candidates are obliged to submit a campaign finance report to the CEC.

How will election disputes be adjudicated?

The legal framework for regulating the complaints and appeals process consists of:

- The Election Law;
- The Civil Procedures Code; and
- The Law on Procedures for Consideration of Petitions by Individuals and Legal Entities.

All electoral stakeholders may file election-related complaints with either the superior election commission or the courts within 10 days of the decision, action or inaction. Courts must consider complaints within five days or immediately if submitted less than five days before the election. Election commissions have three days for consideration of complaints. Decisions can be further appealed by all electoral participants. Appeals against Central Election Commission decisions on candidate registration can be made to the Supreme Court within 10 days from the denial of registration, whose decisions are final. Allegations of election offenses can also be filed with public prosecutors, who are proactively monitoring media, the internet and social media networks to ensure compliance with the law.

Final election results may be appealed to the Constitutional Council within 10 days of the announcement by a limited number of complainants, including the president, speakers of both houses of Parliament, or at least one-fifth of the members of Parliament and the prime minister.

Who can observe during Election Day? How can they get accreditation?

The Election Law provides for international and domestic observers (representing political parties, public associations, and nonprofit organizations) and authorized representatives of registered candidates. There is no formal accreditation procedure, but observers are required to present a letter from their nominating organization and their identification documents to the election commission where they observe.

International observers are accredited by the Central Election Commission. The accreditation process ends at 6:00 p.m. local time five days before Election Day.

Just over 1,000 international and domestic observers are expected to be accredited to observe the election process, of which one-fourth could be from the international community.

When will official results be announced?

The Central Election Commission, on the basis of the protocols of Territorial Electoral Commissions, will establish the results of the presidential election no later than seven days after Election Day and will adopt a corresponding resolution.

Resources

- Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) *Needs Assessment Mission Report, Early Presidential Election*
<https://www.osce.org/odihr/elections/kazakhstan>
- OSCE/ODIHR *Election Observation Mission Interim Report, Early Presidential Election*
<https://www.osce.org/odihr/elections/kazakhstan/420857?download=true>
- Central Election Commission of the Republic of Kazakhstan
<https://www.election.gov.kz/eng/>
- Official Site of the President of the Republic of Kazakhstan
http://www.akorda.kz/ru/speeches/internal_political_affairs/in_speeches_and_addresses/obra_shchenie-glavy-gosudarstva-nursultana-nazarbaeva-k-narodu-kazahstana
- Astana Times News Agency
<https://astanatimes.com/2019/04/early-presidential-election-in-kazakhstan-set-for-june-9-president-Toqaev-pledges-fair-and-transparent-vote/>