



International Foundation  
for Electoral Systems

# **Election FAQs: Kazakhstan**

*Early Presidential Elections*

*November 20, 2022*

Europe and Eurasia

International Foundation for Electoral Systems

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## Election Snapshot

- Election Day: Sunday, Nov. 20, 2022
- Registered voters: 11,950,485
- Polling stations: 10,101
- Seats: 1
- Candidates: 6
- Campaign expenditure and donation limits: 1,620,000,000 tenge (approx. \$3.5M) + 10,312,600 (approx. \$22K) from the national budget
- Domestic and international observers: 641 observers from 10 international organizations and 35 foreign states

## When is Election Day?

The Republic of Kazakhstan will hold nationwide early presidential elections on Sunday, Nov. 20, 2022. The election follows the decree issued by the current President, Kassym Jomart Tokayev, on Sept. 21. This will be the seventh presidential election since Kazakhstan's independence in 1991 and the sixth early or "snap" election since 1999.

## Why are these elections important?

In January 2022, massive protests and violence broke out in Kazakhstan following a sudden increase in gas prices and in reaction economic inequality and dissatisfaction with the government and former president Nursultan Nazarbayev. Nazarbayev, who served as the first president of Kazakhstan from its independence in 1991 until his resignation in 2019, served as Chairman of the Security Council of Kazakhstan at the time of the riots and held the ceremonial title of *elbasy*, or "leader of the nation." The protests spread throughout Kazakhstan and included a week-long span of violent riots, resulting in the death of 227 people, over 9,900 arrests and damages totaling more than \$2 billion. Notably, the conflict led to a "state of emergency" and the deployment of troops to Kazakhstan from the Collective Security Treaty Organization (CSTO).

Following the unrest, President Kassym-Jomart Tokayev initiated a series of economic and political reforms, including a reduction in gas prices and steps to disassociate his administration from Nazarbayev and his affiliates, including his family.

In his annual address on Sept. 1, President Tokayev proposed to lengthen the presidential term from five years to seven and to bar presidents from seeking reelection.<sup>1</sup> Tokayev has argued that elections are needed to "strengthen statehood" and maintain "the momentum of reforms."<sup>2</sup> Notably, he has gained popularity with his recent electoral and party system reform, easing the grip on protest policing, the decoupling from Nazarbayev and Nazarbayev-supporters and family, amid designs of a "New Kazakhstan."<sup>3</sup>

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<sup>1</sup> <https://www.rferl.org/a/kazakhstan-toqayev-seeks-second-term-snap-election/32013771.html>

<sup>2</sup> Ibid.

<sup>3</sup> <https://thediplomat.com/2022/10/nurseit-niyazbekov-on-kazakhstans-tumultuous-2022/>

Kazakhstan's response to the war in Ukraine has attracted attention and provided potential insights into the path that the country may take in the future. Tokayev's public refusal to support Russia's invasion of Ukraine distinguish Kazakhstan compared to others in the Russia-led CSTO pact.<sup>4</sup> With economic ramifications due to significant sanctions against Russia, the deployment of CSTO forces in January and increasing concern for Russia's stated motives of "protecting Russians near abroad," concerns have increased that Kazakhstan could become a future target of Russian aggression.

The Kazakh government has been careful in its statements regarding the war, given the geopolitical tensions. Kazakhstan abstained from United Nations General Assembly votes that condemn Moscow for the invasion and illegal annexation of Ukrainian territories. However, the Kazakh government has affirmed its commitment to international borders and territorial integrity. More than 100,000 Russians and dozens of Russian-based companies have relocated to and sought sanctuary in Kazakhstan. Recent foreign policy and geopolitical pressures will play a significant role in the upcoming election.

This election will be the first since voters approved 33 amendments to the Constitution in the March 2022 constitutional referendum. Those amendments decreased the power of the president in favor of the Parliament and also eliminated the powers retained by former president Nazarbayev. Nevertheless, the recent referendum was criticized by the political opposition and many citizens as an attempt by Tokayev to consolidate power ahead of an anticipated presidential election, originally scheduled by 2024, and an opportunity to promote his political agenda.<sup>5</sup>

## Who are citizens voting for on Election Day?

Candidate registration ended Oct. 21. In total, six candidates (four men and two women) are running in the 2022 presidential election:

- Kassym-Jomart Tokayev: nominated by People's Coalition (incumbent president)
- Zhiguli Dirabayev: nominated by Auyl Party<sup>6</sup>
- Meriam Kazkyke: nominated by the Commonwealth of Amanat Trade Unions<sup>7</sup>
- Karakat Abden: nominated by the National Alliance of Professional Social Workers<sup>8</sup>
- Saltanat Tursynbekova: nominated by *Qazaq analary – dasturgha zhol* public association (translation: Kazakh mothers are a path to traditions)
- Nurlan Auesbaev: nominated by Nationwide Social Democratic Party

Following electoral reforms in May 2021, voters will be able to choose "against all" in this election. "Against all" votes will be used only when calculating voter turnout, regardless of whether a majority of voters select this option.

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<sup>4</sup> <https://carnegieendowment.org/politika/87922>

<sup>5</sup> <https://cabar.asia/en/referendum-in-kazakhstan-no-miracle-to-happen>

<sup>6</sup> <https://astanatimes.com/2022/10/six-candidates-to-compete-for-countrys-highest-office-in-kazakhstans-november-20-election/>

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

## What is the electoral system?

The president of Kazakhstan is directly elected through a two-round system: If more than two presidential candidates are listed on the ballot and no individual receives a majority (50 percent plus one) in the first round, a second round is held between the top two candidates. The second round must be held within two months of the first. Kazakhstan has not held a second-round presidential election since attaining independence in 1991.

Electoral reform signed into law Sept. 17, 2022, changed the presidential term limits and length. Current legislation restricts candidates to one seven-year term of office rather than the previous limit of two five-year terms. The president can call early presidential elections, which are conducted two months from the date of the announcement.<sup>9</sup>

## What is the legal framework for conducting the elections?

The right to elect and to be elected is based on the Constitution and the Constitutional Act “On Elections in the Republic of Kazakhstan,” which was passed in 1995. The calendar released by the Central Election Commission (CEC) once elections are called outlines the main events for the preparation and holding of elections.

Kazakhstan is a party to several international legal frameworks, including the 1965 International Convention on the Elimination of All Forms of Racial Discrimination; 1966 International Covenant on Civil and Political Rights; 1979 Convention on the Elimination of All Forms of Discrimination Against Women; 2002 Convention on the Standards of Democratic Elections, Electoral Rights and Freedoms in the Member States of the Commonwealth of Independent States; 2003 Convention Against Corruption; and the 2006 Convention on the Rights of Persons with Disabilities, which Kazakhstan ratified in April 2015. Kazakhstan is a member of the Council of Europe’s Commission for Democracy through Law (Venice Commission).

## Who is eligible to run as a candidate?

According to the Constitution of Kazakhstan, a presidential candidate must be a citizen by birth.<sup>10</sup> The citizen must be at least 40 years old, fluent in the state language, have lived in Kazakhstan for the last 15 years and have received a higher education.<sup>11</sup> A prerequisite for becoming an official candidate is that contenders must also pass a Kazakh language competence test, including reading, writing and speaking.<sup>12</sup>

The nomination period for candidates for the 2022 election began Sept. 23 and ended Oct. 11 at 6 p.m. local time.<sup>13</sup> Candidates were required to collect valid signatures from at least 1 percent (118,273) of the country’s registered voters in support of their candidacy, representing at least two-thirds of all regions and the cities of Nur-Sultan, Almaty and Shymkent.<sup>14</sup> For this election,

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<sup>9</sup> <https://www.election.gov.kz/eng/election-legal-framework/the-laws-of-the-rk.php#9>, Article 51-1.

<sup>10</sup> <https://www.election.gov.kz/eng/election-legal-framework/the-constitution-of-the-rk.php#3>, Article 41.

<sup>11</sup> Ibid.

<sup>12</sup> <https://astanatimes.com/2022/09/kazakhstans-central-election-commission-sets-campaign-funding-amount-for-presidential-election-in-november/>

<sup>13</sup> <https://www.election.gov.kz/eng/banners/index.php?section=calendar-plans&ID=7253>, pg. 1

<sup>14</sup> <https://adilet.zan.kz/eng/docs/Z950002464>

the CEC registered six out of the 12 nominees, with four denied due to unmet eligibility requirements and two failing to collect the required signatures.

Election campaigning officially began at the end of the registration process and will last until 12:00 a.m. local time on Nov. 19, the day before the election.<sup>15</sup>

## **What are the campaign expenditure and donation limits?**

Financing of presidential elections in Kazakhstan is provided through state or public and private sources. Pre-election campaigns are funded by private financing.<sup>16</sup> If they submit applications with appropriate supporting documentation, candidates running for the 2022 presidential will receive 10,312,600 tenge (approx. \$22,000) from the national budget to conduct their campaigns.<sup>17</sup> These funds should be spent on television and radio appearances and printed publications.<sup>18</sup> Each candidate will receive equal campaign funding from public sources.<sup>19</sup>

Candidates have the option of using their own funds and receiving donations from parties or associations not exceeding 720 million tenge (approx. \$1.56M) as well as donations from individual citizens and legal entities not exceeding 900 million tenge (approx. \$1.95M).<sup>20</sup> Contributions from state-funded organizations; charities; religious institutions; and foreign, in-kind and anonymous sources are prohibited.<sup>21</sup> Candidates must open dedicated accounts in the bank chosen by the Central Election Commission (CEC) within one day of their registration. The bank must report regularly to the CEC on contributions and expenditures.<sup>22</sup>

## **What is the election management body? What are its powers?**

The election system in Kazakhstan consists of the Central Election Commission (CEC), territorial election commissions (TECs) and precinct election commissions (PECs).<sup>23</sup> The CEC heads the single system of election commissions and operates as a permanent body.<sup>24</sup> It comprises of seven members, including one chairperson. Currently, two of the seven members are women.<sup>25</sup> The deputy chairperson and secretary are elected at the first meeting of the commission.<sup>26</sup> The CEC oversees subordinate departments, whose functions include facilitating the organizational activities of TECs.<sup>27</sup> The CEC manages the electoral process, including registering candidates, and is responsible for certifying the election results. The CEC is also responsible for maintaining its website and disseminating election information and education on voting procedures.

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<sup>15</sup> <https://www.election.gov.kz/eng/banners/index.php?section=calendar-plans&ID=7253>, pg. 4

<sup>16</sup> <https://adilet.zan.kz/eng/docs/Z950002464>, Article 34, Clause 1.

<sup>17</sup> <https://astanatimes.com/2022/09/kazakhstans-central-election-commission-sets-campaign-funding-amount-for-presidential-election-in-november/>

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> <https://www.election.gov.kz/eng/news/releases/index.php?ID=7366>

<sup>21</sup> <https://adilet.zan.kz/eng/docs/Z950002464>, Article 34, Clause 3.

<sup>22</sup> Ibid., Article 34, Clause 6.

<sup>23</sup> Ibid., Article 10, Clause 2.

<sup>24</sup> Ibid., Article 11, Clause 1.

<sup>25</sup> <https://www.election.gov.kz/kaz/r-osk-turaly/kr-osk-kuramy/>

<sup>26</sup> <https://adilet.zan.kz/eng/docs/Z950002464>, Article 11, Clause 2.

<sup>27</sup> Ibid., Article 11, Clause 4-1.

TECs, which operate under the CEC on a permanent basis, consist of seven members each.<sup>28</sup> There are a total of 239 Territorial Election Commissions (TECs) in Kazakhstan. Within its territory or district, each TEC supervises the implementation of election legislation, ensuring the preparation and conduct of elections, registering proxies of candidates and issuing corresponding certificates, managing activities of lower precinct election commissions and conducting other oversight activities, considering reports related to preparation and conduct of elections, establishing polling stations and receiving and tabulating results from PECs and sharing them with the CEC.<sup>29</sup>

Precinct election commissions, which consist of five to 11 members depending on the size of the precinct, are the lowest level of the election management body.<sup>30</sup> They are formed prior to an election. PEC' responsibilities consist of notifying voters of polling locations; defining the register of voters corresponding to the precinct; administering and organizing the voting process on Election Day, including for voters with disabilities; notifying voters of the date, time and place of voting; receiving and reviewing electoral complaints; and tabulating votes.<sup>31</sup> For the 2022 election, 10,101 polling locations have been established, including 9,556 regular polling locations, 477 locations for special needs voting and 68 PECs established in embassies and consulates for out-of-country voting. In total, 70,946 electoral commissioners are involved in the electoral process. Approximately two-thirds of lower-level commissioners are women.<sup>32</sup>

Each political party has the right to nominate one candidate to lower-level election commissions. Political parties can submit nominees who are not members of that party to the local council (*Maslikhats*) responsible for appointing the PECs.<sup>33</sup>

## Who can vote in these elections?

A citizen who has reached the age of 18 years has the right to vote.<sup>34</sup> Citizen do not have the right to take part in elections if they have been recognized in court as legally incapable, including those who were incarcerated under a court's sentence.<sup>35</sup> The grounds for enrollment of a citizen in the voter register shall be his or her registration in a place of residence in the territory of a given electoral precinct.<sup>36</sup>

## How many registered voters are there?

According to the Central Election Commission (CEC), as of Oct. 31, 2022, 11,950,485 people are registered to vote.<sup>37</sup> This includes an estimated 12,000 registered voters abroad. Twenty days

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<sup>28</sup> Ibid., Article 13, Clause 2-2.

<sup>29</sup> Ibid., Article 14, Clauses 1-10.

<sup>30</sup> Ibid., Article 17, Clause 1.

<sup>31</sup> Ibid., Article 18, Clauses 1-9.1.

<sup>32</sup> [https://www.osce.org/files/f/documents/e/7/530503\\_0.pdf](https://www.osce.org/files/f/documents/e/7/530503_0.pdf)

<sup>33</sup> <https://www.election.gov.kz/eng/election-legal-framework/the-laws-of-the-rk.php>, Chapter 2, Article 10, Clause 3.

<sup>34</sup> Ibid., Chapter 1, Article 4, Clause 1.

<sup>35</sup> Ibid., Chapter 1, Article 4, Clause 3.

<sup>36</sup> Ibid., Chapter 4, Article 24, Clause 3.

<sup>37</sup> <https://www.election.gov.kz/eng/news/releases/index.php?ID=7817>

before the start of voting (Oct. 30) the relevant *akim* (local executive body) will sign the list of voters for each polling station.<sup>38</sup>

## **What provisions are in place that support the equal rights of women, persons with disabilities and other marginalized groups?**

Several provisions are in place to ensure the right of voters with disabilities on Election Day. Persons with disabilities can request to vote at their homes using portable ballot boxes, accompanied by members of the precinct election commission.

Election commissions are tasked with ensuring the accessibility of the voting premises. Stencils and candidate information in braille should be available to assist voters with visual impairments.

## **Is out-of-country voting allowed?**

Citizens who hold a valid passport and live in a foreign country or are on long-term business travel outside the country can vote at Kazakh embassies and consulates where polling stations are located. Voter lists at diplomatic missions also include Kazakh citizens who are on official, business and tourist trips when they apply to a precinct election commission.<sup>39</sup> According to the list provided by the Ministry of Foreign Affairs, 68 polling stations in 53 countries will be available for citizens abroad.<sup>40</sup>

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

As stated in Kazakhstan's election laws, and as indicated by the Central Election Commission (CEC), "cooperation within the framework of international organizations is carried out with associations of election management bodies, interstate, intergovernmental, inter-parliamentary and international non-government organizations."<sup>41</sup> The cooperation is conducted by 1) observation of elections and referenda, 2) participation at international conferences and forums, 3) participation in international training programs, 4) implementation of joint projects and 5) exchange of legal information.<sup>42</sup> Invitations to foreign states and international organizations to observe elections in the Republic of Kazakhstan are extended by the chairperson of the CEC or the Minister of Foreign Affairs.<sup>43</sup>

The Election Law accepts observers from political parties, other public associations and nonprofit organizations of the Republic of Kazakhstan, as well as from foreign states and international organizations, and representatives of foreign mass media. For the 2022 election, the Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights

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<sup>38</sup> Ibid.

<sup>39</sup> <https://astanatimes.com/2022/10/kazakhstan-to-open-68-polling-stations-overseas-for-election/>

<sup>40</sup> Ibid.

<sup>41</sup> <https://www.election.gov.kz/eng/international-cooperation/cooperation-within-the-framework-of-international-organizations.php>

<sup>42</sup> Ibid.

<sup>43</sup> <https://www.election.gov.kz/eng/election-legal-framework/the-laws-of-the-rk.php>, Chapter 2, Article 20-2, Clause 1.



(ODIHR) will send a delegation of 30 long-term and 300 short-term international observers.<sup>44</sup> The CEC's accreditation of observers of foreign states and international organizations ends Nov. 14, five days before Election Day.<sup>45</sup> As of this deadline, the CEC has confirmed the accreditation of 641 representatives to observe the elections, including 532 observers from 10 international organizations and 109 observers from 35 foreign countries.<sup>46</sup>

## **When will official results be announced?**

The vote count will begin on Election Day at 8 p.m. local time in all polling stations and should last no more than 12 hours.<sup>47</sup>

The results of the vote count at the election of the president shall be determined at the session of the territorial election commission and drawn up in the protocol signed by the chairperson and members of the commission and delivered to the CEC within two days.<sup>48</sup> Based on the protocols of the territorial election commissions, the CEC shall establish the results of the election and adopt a corresponding resolution within seven days. The candidate shall be considered an elected president of the Republic if he or she has collected more than 50 percent of the votes.<sup>49</sup> If an absolute majority was not received then a second round will be scheduled by the CEC.

The CEC will publish the results of the election in the mass media within 10 days after the date of the election.<sup>50</sup>

The right to appeal the final results is limited to the president, speakers of Parliament, the prime minister or at least one-fifth of members of Parliament.

## **How will election disputes be adjudicated?**

Kazakhstan has a vertical appeals procedure to respond to election disputes. Disputes can be processed or appealed through precinct election commissions, territorial election commissions, the Central Election Commission (CEC), specialized administrative courts and, finally, the Supreme Court. The Supreme Court's decision is final and cannot be appealed.

Complaints must be filed with the relevant election commission or court within 10 days of the alleged violation. Commissions have five days to consider initial complaints and three days to review appeals of decisions made by lower-level commissions. Complaints on candidate registration, along with other complaints to CEC actions or decisions, should be submitted directly to the Supreme Court. Complaints regarding voter lists should be resolved on the same day.

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<sup>44</sup> <https://astanatimes.com/2022/10/central-election-commission-anticipates-30-long-term-300-short-term-international-observers-for-upcoming-presidential-elections/>

<sup>45</sup> Ibid., page 2.

<sup>46</sup> <https://www.election.gov.kz/eng/news/releases/index.php?ID=7900>

<sup>47</sup> <https://www.election.gov.kz/eng/election-legal-framework/the-laws-of-the-rk.php#9>, Chapter 8, Article 43, Clause 1.

<sup>48</sup> Ibid., Article 62.

<sup>49</sup> Ibid., Article 65.

## Resources

- [The Central Election Commission of the Republic of Kazakhstan](#)
- [Kazakhstan's Constitution of 1995 with Amendments through 2017 \(\\*updated in April 2022\)](#)
- [OSCE Office for Democratic Institutions and Human Rights Election Observation Mission Republic of Kazakhstan Early Presidential Election, Interim Report, 20 November 2022](#)

## About IFES in Kazakhstan

Since 1987, the International Foundation for Electoral Systems (IFES) has worked in over 145 countries to advance good governance and democratic rights. IFES conducted programming in Kazakhstan from 1994 through 2007, providing technical assistance to the Central Election Commission and lower-level election management bodies, supporting domestic civil society organizations in holding the government accountable, conducting national surveys of democracy indicators and providing nationwide civic education opportunities for secondary school students through both formal and informal channels and activities.

## Disclosure

These FAQs reflect decisions made by the election management body and the Government of Kazakhstan to the best of our knowledge. This document does not represent any International Foundation for Electoral Systems policy or technical recommendations.