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# **Elections in Kyrgyzstan**

## *2020 Parliamentary Elections*

### 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 Kyrgyz elections authorities as of October 2, 2020, to the best of our knowledge. This document does not represent any International Foundation for Electoral Systems policy or technical recommendations.*

## When is Election Day?

On July 3, 2020, Kyrgyzstan President Sooronbai Jeenbekov signed a decree, “On the appointment of elections of deputies of the *Jogorku Kenesh* of Kyrgyzstan,” which prescribes that elections to the *Jogorku Kenesh* will be held on Sunday, Oct. 4, 2020. Voting on Election Day will take place from 8 a.m. to 8 p.m. in 2,420 polling stations across Kyrgyzstan and 44 polling stations across diplomatic consulates and embassies internationally. Voting will also be conducted one day prior to Election Day from 8 a.m. to 8 p.m., provided that the voter has submitted a written statement requesting an opportunity to vote at their home or other location, such as a hospital or military base. This form of early voting is used by voters who cannot visit polling locations because of health conditions, persons who live in remote areas and members of law enforcement who work on Election Day.

With the cancellation of local elections originally scheduled for April 12, 2020, these will be the first elections held in Kyrgyzstan since the start of the COVID-19 pandemic.

## What is at stake in these elections?

After the elections, the majority coalition will have the right to nominate a candidate for prime minister, who will form a new structure and composition of the government. Thus, the election of a new composition of the *Jogorku Kenesh* will contribute to the formation of the executive and legislative branches of government for the next five years.

These will be the first elections held within the Central Asian region since the outbreak of the pandemic.<sup>1</sup> Following a brief improvement in the health situation, Kyrgyzstan has experienced an increased rate of infection since June. The resurgence of COVID-19 cases has raised concerns about the safety of holding elections and the government’s ability to manage the health situation.

The *Jogorku Kenesh* of Kyrgyzstan, a unicameral parliament composed of 120 deputies presided over by a chairperson, or speaker, acts as the sole body of legislative power. According to the Constitution of the Kyrgyz Republic, the *Jogorku Kenesh* determines the principles for domestic and foreign policy, proposes amendments to the constitution (requires two-thirds of votes), adopts laws, approves the state budget, schedules presidential elections, can impeach the president, approves a presidential declaration of war and peace, appoints the prime minister (after which the president signs a corresponding decree), appoints or confirms certain officials, appoints one-third of the Constitutional Court and ratifies and denounces international treaties.

## What is the electoral system?

The 120 seats within the *Jogorku Kenesh* are decided by proportional representation within a single nationwide constituency. Deputies are elected through closed lists provided by each political party. Following the electoral reforms passed in June 2020, political parties must meet the national electoral threshold of 7 percent as well as a 0.7 percent threshold in each region and the cities of Bishkek and

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<sup>1</sup> Tajikistan held parliamentary elections on March 1, 2020, before the World Health Organization declared a pandemic on March 11, 2020.

Osh. Before its reversion to the pre-2017 limit, the previous threshold of 9 percent was widely criticized by representatives of all parliamentary factions and legal experts. With the 9 percent threshold in effect, only the three largest parties were likely to pass the threshold to enter parliament.

The terms of members of parliament elected on October 4 will expire in October 2025. These terms can be shortened if parliament is dissolved earlier by a presidential decree requiring “snap” elections.

## **What is the campaign timeline and process?**

According to the election law, the election campaign period begins Sept. 4, 2020, and lasts until 8 a.m. on Oct. 3, 2020.

The day before the election is mandated as a “day of silence,” when all parties are prohibited from campaigning in any form. State bodies and officials are not allowed to participate in political parties’ campaigns, and political parties cannot hold in-person meetings or broadcast campaign media materials on radio, TV or social media. The law allows all print campaign materials to be kept on their placements; however, 10 days after the announcement of the election results, municipal bodies are responsible for removing these materials.

## **What are the campaign expenditure limits and rules of campaign finance?**

The Central Election Commission (CEC) oversees issues of campaign finance. According to the Constitutional Law “On elections of the President and deputies of the *Jogorku Kenesh*,” the maximum amount of campaign expenditures for a political party that has nominated a list of candidates cannot exceed the estimated index of 100 Kyrgyz som by more than 3,000,000 times. Under this calculation, the ceiling for campaign expenditures is 300 million KGS, or approximately \$3.8 million (USD).

When registering with the CEC, political parties should show opening of a bank account (campaign funds) in the respective bank designated by the CEC for the election. Donations can be made any time until Election Day from the following sources:

- Funds from a political party that participates in the elections or nominates a candidate (the amount cannot exceed the estimated index of 100 KGS by more than 1,000,000 times – 100 million KGS, or approximately 1.3 million USD)
- Private funds of candidates (the amount cannot exceed the estimated index of 100 KGS by more than 15,000 times – 1.5 million KGS, or approximately 19,000 USD)
- Individual donations from Kyrgyz citizens (the amount cannot exceed the estimated index of 100 KGS by more than 2,000 times – 200,000 KGS, or approximately 2,500 USD)
- Donations from legal entities (the amount cannot exceed the estimated index of 100 KGS by more than 30,000 times – 3 million KGS, or approximately 38,220 USD)

Voluntary donations to election funds are forbidden from:

- Foreign states, state bodies, institutions, enterprises, legal entities, including their branches and representative offices; foreign citizens; international organizations; and legal entities registered in Kyrgyzstan, but with foreign citizen employees
- Stateless persons
- Government bodies (at all levels)
- State and municipal institutions and enterprises
- Legal entities with state or local tax exemptions
- Military units, institutions and organizations
- Courts and law enforcement agencies
- Charitable and religious organizations
- Anonymous sources (defined as citizens who do not provide one of the following – last name, first name, patronymic, address of residence and passport data – as well as those who provide false information)
- Entities carrying out entrepreneurial activities without registration
- Legal entities with debts to the state budget or the Social Fund of Kyrgyzstan

Political parties must submit final financial reports to the Control-revision Group under the CEC, which oversees the sources of income, accounting, use of funds and financial reports of political parties. The CEC-designated bank provides data on campaign fund expenditures to the CEC weekly, and in urgent cases, the bank should provide this information within 24 hours. Information on the receipt and expenditure of funds from the electoral funds of political parties is made public on the CEC website.

## **Who is eligible to run as a candidate?**

A candidate running for a seat in parliament must be an eligible voter, must be at least 21 years old by Election Day and must not have a criminal record. There are no residency requirements for candidates.

Candidates must be nominated by a registered political party within an approved party list of candidates. Independent or unaffiliated candidates are not allowed to run for parliament under the current law. The total number of candidates nominated by a political party list may not be fewer than 75 or more than 200 candidates.

The Central Election Commission (CEC) has the authority to refuse registration to a political party on these grounds:

- Failure to submit the required documents for registration of the list of candidates
- Nonobservance of the order of nomination provided by the Constitutional Law
- Registration of a candidate in the list of another political party for the given elections
- Failure to create an electoral fund
- Registration of a citizen of another state as a candidate
- State registration of the political party being less than six months before the date of calling elections

According to the CEC's website, 1,912 candidates from 16 parties are running in the upcoming elections, of whom 32.32 percent are women.

## **Who is eligible to vote, and how many registered voters are there?**

On Election Day, only citizens of Kyrgyzstan who are at least 18 years old, have passed biometric registration and are included in the voter list have the right to vote. As of Sept. 24, 2020, according to official information from the Central Election Commission (CEC), 3,523,532 voters were registered on the voter list. This is a notable increase from the 2017 presidential elections, which had 3,025,770 registered voters. The last day for a voter to register for the parliamentary election is Sept. 19, 2020. A voter is unable to register on Election Day. To vote on Election Day, a voter must bring a voter identification document, such as any type of national passport.

The online voter list can be found through the state portal, [Tizme](#). The CEC maintains this web resource to inform voters about the voter list and how to change one's electoral address and personal data. As of Sept. 12, 2020, voters are able to temporarily change their voting address for Election Day from the polling station where they are currently registered by filling out Form No. 2 with a copy of their passport to amend the voter list and obtain an electoral address.

The Ministry of Foreign Affairs, together with the CEC, has formed 44 election commissions abroad in 29 countries for the upcoming parliamentary election. A full list of abroad polling locations can be found by visiting the state portal. The number of voters abroad was estimated at more than 18,000 people as of Sept. 13, 2020.

## **Who administers the election?**

Elections are administrated in Kyrgyzstan by the Central Election Commission (CEC), 56 Territorial Election Commissions (TECs) and 2,464 Precinct Election Commissions (PECs).

Formed for a five-year period and appointed by the *Jogorku Kenesh*, the CEC is a permanent state body consisting of 12 members that ensures the preparation and conduct of elections and referenda in Kyrgyzstan and heads the system of election commissions. It is a legal entity with its own budget, special fund, and official letterhead and stamp with the state emblem. One-third of its members are nominated by the president of Kyrgyzstan, one-third by the parliamentary majority and one-third by the parliamentary opposition. The CEC's composition must also have no more than 70 percent of persons of the same gender.

TECs are formed by the CEC and consist of at least 11 members from representatives of political parties and representative bodies of local self-government. PECs are formed by regional TECs and consist of at least seven members from representatives of political parties and the previously established reserve list of PEC members.

TECs are responsible for organizing the preparation and conduct of elections and referenda within their designated territories; making proposals for the boundaries of polling stations and constituencies for the CEC's approval; forming and approving the composition of PECs; publishing polling locations in the mass

media; receiving reports from PECs on electoral issues; providing legal, organizational, methodological, material and technical assistance to PECs; and maintaining, updating and clarifying the voter list.

Comparatively, PECs inform respective voters about the address and telephone number of the relevant precinct election commission, the time of its work and the day and place of voting. PECs ensure access of voters to the voter list and accept and consider statements about errors and inaccuracies. PECs oversee the observance of the rules for placing campaign materials in the territory of the polling station during the campaign period. PECs ultimately organize voting at the polling station on Election Day. Once voting concludes, PECs count and tabulate voting results and transfer documents related to the preparation and conduct of elections to their respective TEC or archive. PECs receive and maintain a written record of complaints and send them to the CEC for inclusion in the relevant register.

The number of members of a PEC is determined by the CEC, based on the number of voters at the respective polling station, as follows:

- 0 to 500 voters – at least seven PEC members
- 501 to 1,200 voters – at least nine PEC members
- More than 1,200 voters – at least 11 PEC members

In total, 2,420 polling stations have been designated across the country, with 44 PECs scheduled to be open abroad on Election Day.

## **What provisions are in place to guarantee equal access to the electoral process for persons with disabilities?**

Several provisions are in place to ensure the right of persons with disabilities to vote on Election Day. Since 2017, political parties must include at least two persons with disabilities when compiling their list of candidates. Moreover, at least one of the nominated candidates with disabilities must be placed within the first 50 spots.

The election commissions are also tasked with ensuring accessibility of the voting premises. TECs, together with the territorial divisions of the authorized state body in the field of social development, must identify and map the needs of voters with disabilities no later than 60 calendar days before Election Day to prepare for their access to the polling station. Based on the results of the needs assessment map, the relevant election commission will organize an inspection of the voting premises for compliance with the needs of voters with disabilities in coordination with local government bodies and representatives of disabled persons organizations no later than 50 calendar days before Election Day.

If a polling station is not equipped with special devices such as ramps for the entrance of voters with disabilities, the relevant election commission, no later than 40 calendar days before Election Day, will send an appeal to the relevant local government bodies to take measures that ensure accessibility of the polling station. Local self-government bodies, as well as their officials, are obliged to immediately take necessary measures to comply with the appeal of the election commission, as failure to do so entails liability established by law.

Persons with disabilities can also request to vote the day before Election Day at their homes or alternate location, including hospitals. In these cases, Precinct Election Commission members visit the specified locations with portable ballot boxes to allow the opportunity to vote.

## **What provisions are in place to guarantee equal access to the electoral process for women and minorities?**

Based on the law, a political party must consider representation from various traditionally marginalized groups. When assembling their electoral lists, political parties must ensure no more than 70 percent of candidates are of the same gender. Moreover, the electoral law establishes the sequence of candidates on the list should alternate between women and men candidates within three positions.

In addition, at least 15 percent of candidates must be younger than 35 years old and of a different ethnicity, with at least five candidates of each designation included within the first 65 candidates.

## **What are election authorities doing to safeguard the elections and voters during the COVID-19 pandemic?**

On Sept. 1, 2020, President Jeenbekov held a meeting of the Security Council about preparation for the parliamentary elections. Following the meeting, the Central Election Commission (CEC), in cooperation with the Ministry of Health and the Ministry of Emergency Situations of Kyrgyzstan, recommended a number of measures to safeguard elections and voters.<sup>2</sup> In particular, by Sept. 25, 2020, the Government of Kyrgyzstan agreed to:

- Provide all members of election commissions, independent observers and other persons involved in the work of polling stations with personal protective equipment (medical masks, gloves, face shields) and, if necessary, with protective suits, including those who will work with voters at home.
- Train the above-mentioned persons on the rules of compliance with sanitary and epidemiological safety requirements when coming into contact with voters and processing ballots.
- Equip all polling stations with disinfectants and noncontact thermometers, as well as install information boards about the rules of social distancing that explain the need to comply with sanitary and epidemiological standards and requirements.
- Organize the polling stations in compliance with the rules of social distancing, including the location of ballot boxes, voting booths and workplaces for members of election commissions.
- Organize disinfection of all polling stations on Election Day.

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[http://www.president.kg/ru/sobytiya/17638\\_sovet\\_bezопасnosti\\_rassmotrel\\_vopros\\_popodgotovke\\_iprovedeniy\\_u\\_viborov\\_deputatov\\_ghogorku\\_kenesha](http://www.president.kg/ru/sobytiya/17638_sovet_bezопасnosti_rassmotrel_vopros_popodgotovke_iprovedeniy_u_viborov_deputatov_ghogorku_kenesha)

According to a Public Service Announcement (PSA) created by the CEC, voters will have their temperature checked, disinfect their hands and receive disposable masks and gloves. All surfaces will be disinfected no less than two times every two hours. The PSA also advises voters not to touch voting booth surfaces and to stay no longer than 15 minutes. Bins will be available at polling station exits for disposal of masks and gloves.

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

A candidate or a political party that has nominated a list of candidates will have the right to appoint up to two representatives to observe the preparation of elections, the process of voting, the counting of votes and the determination of the voting results and election returns, in accordance with the procedure envisaged in the law. However, two or more observers representing the interests of one registered candidate or a political party will not have the right to simultaneously exercise the powers of an observer in the premises of the election commission or in the voting hall.

Noncommercial organizations have the right, in accordance with the procedures envisaged in their articles of incorporation, to register no more than three public observers at each election commission. Only one public observer from one noncommercial organization can be present at one polling station simultaneously.

International observers will be accredited by the CEC upon the invitation of the president, the *Jogorku Kenesh*, the government and/or the CEC once elections are scheduled. Requests to observe may be submitted by international and national noncommercial organizations specializing in electoral legislation and elections, as well as in human rights protection starting after the official election announcement and ending three days prior to Election Day. As of Sept. 28, 2020, 258 international observers have been registered.

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

The Central Election Commission (CEC) determines the election results on the basis of protocols received directly from the Territorial Election Commissions by counting the results, which are submitted no later than 20 calendar days after Election Day. Official results are published in the mass media within two weeks of the CEC's final count.

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

Kyrgyzstan has established a vertical appeals procedure to respond to election disputes: Precinct Election Commissions, Territorial Election Commissions, Central Election Commission, 1st instance court and, last, the Supreme Court. The Supreme Court's decision is final and cannot be appealed.

Applications (complaints) received during the electoral period are subject to review by the election commissions or courts within three days of receipt. Complaints received on or the day before Election Day will be dealt with immediately. Appeals should be made within three calendar days of the received decision. In case of appealing on the basis of inactivity, the application (complaint) is submitted to the next higher election commission or court within three calendar days of when action was to be taken.

The deadlines for submitting applications (complaints) will not be reinstated, and applications (complaints) will not be accepted once deadlines have passed.

For the 2017 presidential election, 27 judgments were delivered on election disputes from August to November.

## Resources

- [Constitution of the Kyrgyz Republic](#)
- [Central Election Commission official website](#)
- Constitutional Law of the Kyrgyz Republic, “[On elections of the President and deputies of the Jogorku Kenesh](#)”
- [Law about election commissions on conduct of elections and referenda of the Kyrgyz Republic](#)
- [Regulations on the procedure of formation, accounting for the receipt and spending of electoral funds of a political party during elections of deputies of the Jogorku Kenesh of the Kyrgyz Republic](#)
- Regulations “[On the working arrangements, status and powers of international \(foreign\) observers during the elections and referenda of the Kyrgyz Republic](#)”
- Decree, “[On the appointment of elections of deputies of the Jogorku Kenesh of Kyrgyz Republic](#)”
- Provision on the state portal [Tizme](#)

## IFES in Kyrgyzstan

Operating in Kyrgyzstan since 1994, the International Foundation for Electoral Systems (IFES) has worked with a variety of local partners to support the development and sustainability of democratic institutions and practices in elections and civic engagement. IFES has helped build and improve the capacity of electoral administration and legislation, strengthened civil society and provided civic education opportunities to high school students through in-class learning as well as extracurricular activities. IFES continues to work in Kyrgyzstan with support from the United States Agency for International Development to assist with ongoing development of electoral democracy and building of political culture.

A recent paper from the *IFES COVID-19 Briefing Series*, [Safeguarding Health and Elections](#), details how to safely conduct elections during a pandemic and other public health emergencies.