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Elections in Kazakhstan

2015 Presidential Election

Frequently Asked Questions

Europe and Asia

International Foundation for Electoral Systems

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Frequently Asked Questions

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

On February 25, Kazakhstan's President, Nursultan Nazarbayev, announced in a nationwide television address that an early presidential election will be held on April 26, 2015. The election had previously been scheduled to take place in 2016. The President explained that the decision was made in order to avoid the overlap of presidential and parliamentary elections, both of which were scheduled for 2016, noting that it would be unconstitutional.¹

President Nazarbayev's announcement follows a February 14 request by the Assembly of People of Kazakhstan, a constitutional body chaired by the President himself, to hold early elections this year. The initiative has also been approved by Kazakhstan's upper and lower houses of Parliament. It has been suggested that the early election is crucial in allowing the President time to tackle challenges facing the country's struggling oil-dependent economy.²

The last presidential election was held on April 3, 2011. There were 9,200,000 registered voters, and Nursultan Nazarbayev won 7,850,958 votes (95.55%). This election will be Kazakhstan's fourth consecutive early election.

On May 18, 2007, a constitutional amendment was enacted reducing presidential terms from seven years to five. The approved constitutional amendment allowed President Nazarbayev to run for an unlimited number of five-year terms and applied only to him. The Constitution's original provision calling for a maximum of two five-year terms will still apply to all future Presidents of Kazakhstan. On June 15, 2010, Parliament passed a new law making Nazarbayev the "Leader of the Nation," which gives him a role in domestic and foreign policy decision-making after his eventual retirement and grants enhanced immunity for him and his family. Nazarbayev has been in office since 1991.

Who are the presidential candidates?

The following candidates will stand for the April 26 presidential election:

- Nursultan Nazarbayev, *Nur Otan* (Fatherland Party)
- Turgyn Syzdykov, Kazakh Communist People's Party (CPPK)
- Abdelghazy Kussainov, Chairman of the Federation of Kazakh Unions

¹ Kazakhstan, Early Presidential Elections, 26 April 2015: Needs Assessment Mission Report. (2015, March 13). The Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights. Retrieved from <http://www.osce.org/odihr/elections/kazakhstan/144871>.

² Rysmuhamedova, D. (2015, February 25). Kazakhstan president calls early elections. Agence France Presse. Retrieved from <http://news.yahoo.com/kazakhstan-president-calls-early-elections-195427153.html>.

Who can run for President?

Candidates seeking a presidential nomination may either be self-nominated or nominated by a public association, including a political party. Potential candidates must be citizens of Kazakhstan by birth, at least 40 years of age, fluent in the Kazakh language, and possess official resident status in the country for at least 15 years. Any person with a criminal record that has not been expunged or has been found guilty of corruption-related or administrative crimes cannot stand for office.

There is a 21-day nomination period that ended on March 15. Following this period, presidential candidates had an additional 10 days to submit at least 93,000 valid supporting signatures, collected from at least nine out of 14 *Oblasts* (regions) of Kazakhstan including the two major cities of Astana and Almaty. Moreover, nominees must pay an election deposit of 1,060,000 KZT (approximately \$5,700 [USD]) and present tax declarations for themselves and their spouse.

Prospective candidates must also pass a language test, which consists of an examination of their reading, writing, and speaking abilities. If a nominee succeeds in fulfilling all of the above requirements, and presents a valid signature list to the Central Election Commission, he or she then receives official accreditation as a presidential candidate and becomes eligible to campaign. For this election, the campaign period began on March 26, 2015.

Who is eligible to vote?

Kazakhstani citizens over the age of 18 have the right to vote, with the exception of those deemed incapable by a court decision.

How is the voter registry managed and maintained?

In Kazakhstan, voter registration is passive and voter lists are compiled by City Councils (*Akimats*) based on local residency data. The data on registered voters is submitted by *Akimats* to their respective Territorial Election Commission twice a year, both electronically and in hardcopy. In an effort to identify duplicate entries, the *Akimats* forward voter lists to the Central Election Commission twenty days before an election, where a nationwide electronic voter list is maintained. Voter lists are made public fifteen days prior to Election Day. Eligible voters not included in the voter list who can prove their residency within the precinct may be registered up until Election Day.

What laws regulate presidential elections in Kazakhstan?

The legal framework for Kazakhstan's presidential elections is primarily based on the Constitution, the Constitutional Law on Elections, as well as the regulations of the Central Election Commission. These core documents are supplemented by the Law on the President, the Law on Political Parties, the Civil Procedures Code, the Criminal Code, the Administrative Offenses Code, the Law on Peaceful Assemblies, as well as various local regulations related to public assemblies. Additionally, Kazakhstan is party to major

international and regional instruments related to the holding of democratic elections, such as the 2002 Convention on the Standards of Democratic Elections, Electoral Rights and Freedoms in the Member States of the Commonwealth of Independent States, as well as the Council of Europe's Venice Commission.

How many registered voters are there?

An estimated 9.3 million Kazakh citizens are eligible to vote in the upcoming election.

What is the structure of the government?

Kazakhstan is a presidential republic with 14 territorial *Oblasts* (regions) and two major city-districts (Almaty, the financial center and "city of national significance," and Astana, the political capital). The country has a bi-cameral Parliament, consisting of the lower house (Majilis) with 107 seats, and the upper house (Senate), which is indirectly elected by members of local *Maslikhats* (local representative bodies) and has 47 members elected to six-year terms. Half of the elected members of the Senate are up for election every three years.

Fifteen members of the Senate are appointed by the President of Kazakhstan with the aim to "ensure representation for all the diverse national, cultural components of society."

How is the President elected?

The presidential system in Kazakhstan is a two-round process. If a candidate receives an absolute majority of votes in the first round, that candidate is elected. If any candidate fails to reach an absolute majority, a second round of voting takes place between the top two candidates within two months of the initial round. The second round is comprised of a plurality voting structure.

Are there any women candidates?

There are no women candidates among those who are registered to compete in this election. While there were initially women among the self-nominated candidates, several constraints – including passing a Kazakh language exam, collecting 93,000 signatures, providing tax information, and paying 1,060,000 KZT (approximately \$5,700 [USD]) as an election deposit – eliminated them from contention.

How will the campaigns be financed?

Each candidate is entitled to a minimum of seven million KZT (approximately \$37,674 [USD]) from the State budget for campaigns. In addition to the State funds, candidates are allowed to use their own funds and accept donations from citizens and organizations, as well as funds from the nominating body, up to a

combined total of 577 million KZT (approximately \$3,105,490 [USD]). No foreign or anonymous donations are allowed.³

Candidates must open dedicated bank accounts for any campaign finance funds they receive, and banks must notify the Central Election Commission (CEC) if spending limits are exceeded. Five days after election results have been announced, candidates are obliged to submit a campaign finance report to the CEC.

What election management bodies are involved in the conduct of the presidential election?

The presidential election will be administered by the Central Election Commission (CEC), 14 Territorial Election Commissions and the City Election Commissions of Astana and Almaty, 207 District Election Commissions, and more than 9,000 Precinct Election Commissions. The CEC is responsible for the overall conduct of the election, including candidate registration and maintenance of the voter list. It also oversees campaign finances.

How many polling places are set up on Election Day?

Citizens will be able to cast ballots in over 9,000 polling stations in the country,⁴ along with an additional 65 polling stations abroad for out-of-country voting.

What is the legal process for electoral dispute adjudication?

The Constitutional Law on Elections, the Civil Procedures Code and the Law on Procedures for Consideration of Petitions by Individuals and Legal Entities regulate the election complaints and appeals process in Kazakhstan. Voters, candidate representatives, and election commissions are all authorized to file complaints, which are usually considered within five days. If the complaints are submitted within five days of the election, or on Election Day, they are considered immediately.

Any appeals regarding the final results must be made to the Constitutional Council within ten days of the announcement of election results. Final appeals can only be made by the President, the Speakers of the upper and lower chambers of Parliament, or the Prime Minister and at least one-fifth of the members of Parliament.

³ Kazakhstan, Early Presidential Elections, 26 April 2015: Needs Assessment Mission Report. (2015, March 13). The Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights. Retrieved from <http://www.osce.org/odihr/elections/kazakhstan/144871>.

⁴Polling stations prepared for presidential election. (2015, February 4). KazakhTV. Retrieved from http://kazakh-tv.kz/en/view/news_kazakhstan/page_104295.