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# **Elections in Kazakhstan**

## *2016 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 Kazakhstan election authorities, to the best of our knowledge as of March 18, 2016. This document does not represent any IFES policy or technical recommendations.*

## Why are these parliamentary elections important? What is at stake?

Kazakhstan's next parliamentary elections were originally slated for late 2016, when the lower house's five-year term was set to expire. However, following a parliamentary initiative, Kazakhstan's President, Nursultan Nazarbaev, [dissolved the lower house](#) of the country's Parliament, the *Majilis*, and called snap parliamentary elections for March 20.

The parliamentary petition, which called for a unanimous request for early elections, was signed by all three factions represented in the Kazakh Parliament. This includes the President's *Nur Otan* party, which holds a majority at 83 seats, the uncritical opposition party *Ak Zhol*, which has eight seats, and the Communist Party, which has seven seats. All of the above three parties [have been identified as "pro-presidential."](#)

As the initiative for early elections was called by the *Mazhilismen* (Parliamentarians) themselves, [they explained their decision with three reasons](#): "fulfillment of their mission, savings on combining the two electoral races, and the need for an infusion of new forces in the country's [P]arliament." The petition stated, "Only unity and concerted actions will help us withstand the new economic shocks."

The upcoming elections will be the [third consecutive elections to be called early](#), following early parliamentary elections on January 15, 2012 and early presidential elections on April 26, 2015.

## Why are these elections being held early?

In the face of the country's growing economic challenges, Kazakhstan's government seeks to reaffirm its mandate by holding early elections. The decision to hold ad-hoc parliamentary elections comes as no surprise, given that the same logic was applied for the early presidential elections conducted in April 2015. Since then, national economic hardships have deepened, as oil prices are at a decade low, dragging down Kazakhstan's economy, which [depends on oil for 60 percent of its exports](#). Meanwhile, the country's currency continues to decline in value every week. Currently sitting at 344 tenge per U.S. dollar, the tenge has slid over 124 percent in its value against the dollar since January 2014. According to a recent forecast by the Economic Intelligence Unit, Kazakhstan's growth in 2016 is estimated to be negative two percent, which would mark the [first time the country's economy has contracted](#) since 1998.

Although President Nazarbaev has proclaimed multiple efforts toward reforms aimed at addressing Kazakhstan's economic challenges over the last few years, there has been minimal evidence of success. Furthermore, [survey results reported by Kazakh TV from January 2016](#) demonstrate that more than 92 percent of Kazakhstan's citizens believe early elections give the public more confidence that reforms will be implemented, while over 96 percent believe that they will make the country more likely to achieve its reform goal.

## What is unique and new regarding the parliamentary elections?

The upcoming March 20 elections will be not only to the lower house of the Parliament of Kazakhstan, the *Majilis*, but also to the Local Councils, known as *Maslikhats*. Given that these elections are combined, most voters will receive three different ballots on polling day: one to vote for a political party, a second for Deputies of the regional Astana and Almaty *Maslikhat*, and a third for Deputies of the district or city *Maslikhat*. In the cities of Astana and Almaty, there are no district *Maslikhats*, so their voters will receive only two ballots. As a result of the combined elections, the work of election commissions becomes more complicated, as on voting day they are required to carry out the counting of votes in three different elections and complete two or three separate protocols.

## What is the structure of the government?

Kazakhstan's legislative branch has two chambers. The bicameral Parliament consists of an upper house (Senate) with 47 indirectly-elected members, and a lower house (*Majilis*) made up of 107 members. Ninety-eight *Majilis* Deputies are elected in a nationwide constituency on the basis of proportional representation, while the remaining nine are elected by the Assembly of the People of Kazakhstan (APK), for a four-year term, which is at odds with international standards.<sup>1</sup> While the *Majilis* Deputies and the government both have the right of legislative initiative, most legislation considered by the Parliament is proposed by the government.

Kazakhstan's President is elected by popular vote for a five-year term. The Prime Minister and First Deputy Prime Minister are appointed by the President. The Council of Ministers is also appointed by the President. President Nazarbaev has expanded his presidential powers by decree, allowing him sole power to initiate constitutional amendments, appoint and dismiss the government, dissolve Parliament, call referendums at his discretion, and appoint administrative heads of regions and cities.

## Which political parties are fielding candidates?

Out of the seven political parties registered in Kazakhstan, six will be participating in the early 2016 parliamentary elections: The *Nur Otan* party, the Communist People's Party of Kazakhstan, the Democratic Party of Kazakhstan (*Ak Zhol*), *Birlik*, the Nationwide Social Democratic Party, and the People's Democratic Patriotic Party (*Aul*). In total, the party list includes 234 candidates. The seventh political party, *Azat*, [has](#)

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<sup>1</sup> The Assembly of the People of Kazakhstan is an advisory body appointed by the President, and consists of 446 representatives of ethnic and cultural associations. The body's primary function is to ensure inter-ethnic consent in the process of forming the Kazakhstani identity.

[decided not to contest these elections](#), stating that it is unrealistic to hope that representatives of social forces opposing the central authorities would get into the *Majilis*.<sup>2</sup>

In the country's local elections, a total of 3,335 members of *Maslikhats* will be elected at different levels. [There will be 550 candidates elected](#) to the regional *Maslikhats*, 625 to the city *Maslikhats*, and 2,160 candidates to the district *Maslikhats*. Candidates are self-nominated and the campaign consists of three main stages: 1) The nomination of candidates to the *Maslikhats* until February 19; 2) Registration until February 23; and 3) Campaigning from February 24 until March 18.

## **What particular regulations govern parties' participation?**

The country's legal framework for elections is primarily governed by its constitution, the Constitutional Law on Elections, the Law on Political Parties and Central Election Commission regulations.

In order for a party to have allocated seats in the *Majilis*, it must obtain at least seven percent of the total number of votes. If only one party is able to pass the threshold, the political party that receives the second highest number of votes will be given at least two seats as well. The allocation of candidate seats on the party lists is determined by each political party following the election. The political parties are not bound by any particular list order.

## **Are independent candidates allowed?**

Independent candidates are not allowed and political parties are prohibited from forming electoral blocs, which is inconsistent with international standards.

## **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 the 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 20 days before an election, where a nationwide electronic voter list is maintained. Voter lists are made public 15 days prior to Election

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<sup>2</sup> The Communist and *Ak Zhol* parties initially split, with the opposition forces in those parties becoming largely sidelined.

Day. Eligible voters not included in the voter list, who can prove their residence within the precinct, may be registered up until Election Day.

## **How many registered voters are there?**

An [estimated 9.7 million Kazakhstani citizens are registered](#) and eligible to vote in the upcoming election.

## **Are there any regulations on women's representation in Parliament?**

There aren't any regulations on women's representation in Parliament. Of the 234 registered candidates from the six political parties, [47 are women](#).

## **How are election campaigns financed?**

Parties are responsible for establishing their own election fund for campaigning. Kazakhstan's election law asserts that political parties have equal rights for participating in the elections. Based on the country's electoral law, candidates standing for elections under party lists are not allowed to form their own election funds. The election fund of the political party is formed from the party's own funds and the total sum should not exceed the amount of the minimum wage established by legislation by more than 5,000 times. Meanwhile, the sum of donations of citizens and organizations of Kazakhstan should not exceed the size of the minimum wage established by legislation by more than 10,000 times. Candidates and political parties are prohibited from accepting goods or services free of charge, and candidates in state positions are forbidden to use their position to their campaign's advantage.

## **What is the election management body?**

The elections will be administered by the Central Election Commission (CEC), 16 Regional Election Commissions, 208 Territorial Election Commissions, and more than 9,840 Precinct Election Commissions. The CEC is responsible for the overall conduct of the election, including candidate registration and maintenance of the voter list, as well as overseeing of campaign finances.

## **How many polling places are set up on Election Day?**

Citizens will be able to cast ballots in 9,840 polling stations in the country. There will also be [65 polling stations set up abroad](#), including six polling stations in Russia, five in China and two in Belarus, Germany and Saudi Arabia.

## **Who will monitor the elections?**

Both the local and parliamentary elections are open to observers. Observers of political parties, nonprofit organizations from Kazakhstan and other public associations may participate in the local observation.

The parliamentary elections are expected to be monitored by over [900 international observers](#). Over 400 observers from the Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human (OSCE/ODIHR) election observation mission are expected, as well as more than 300 from the Commonwealth of the Independent States election observation mission. In addition, over 10 observers from the Shanghai Cooperation Organization (SCO) mission are expected. The OSCE team will also be joined by observers from the Council of Europe, the Organization of Islamic Cooperation, and the SCO, [along with a number of interested countries including North Korea](#). The Ministry of Foreign Affairs has also accredited 99 representatives from foreign media.

The accreditation of international observers was open until March 14.

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

The Election Law and the Civil Procedures Code and the Law on Procedures for Consideration of Petitions by Individuals and Legal Entities regulate the complaints and appeals process in Kazakhstan. Voters, candidate representatives, and election commissions are all authorized to file complaints, which will usually be 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 10 days of the announcement. 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 total number of members of Parliament.