



INTERNATIONAL ELECTION OBSERVATION MISSION Kyrgyz Republic – Presidential Election, 15 October 2017

STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

PRELIMINARY CONCLUSIONS

The 15 October 2017 presidential election in the Kyrgyz Republic contributed to the strengthening of democratic institutions by providing for an orderly transfer of power from one elected president to another. The election was competitive, as voters had a wide choice and candidates could, in general, campaign freely, although cases of misuse of public resources, pressure on voters, and vote-buying remain a concern. The technical aspects of the election were well-administered, but the adjudication of election disputes by the Central Commission for Elections and Referenda (CEC) was, at times, biased. While televised debates contributed to greater pluralism, self-censorship and limited editorial coverage of the campaign signalled deficiencies in media freedom. Voting was orderly and well organized in the large majority of polling stations observed, despite problems with ballot secrecy. Numerous and significant procedural problems were noted during the vote count and the initial stages of tabulation.

The legal framework, which underwent numerous amendments in 2017, in general adequately regulates many technical aspects of the electoral process. Legal provisions on some aspects, including campaigning and campaign financing, citizen observation, and complaints, are not comprehensive and lack clarity, and, at times, depart from international standards. There is room for improvement in the legal framework in order to prevent misuse of public resources in election campaigns and to effectively deter vote-buying.

Technical aspects of the election were well-organized by the CEC, 54 Territorial Election Commissions (TECs), and 2,375 Precinct Election Commissions (PECs). CEC sessions included open substantive and extensive discussions. The CEC members are nominated by different political forces. CEC members favoured certain candidates, which resulted in disagreements during decision-making on important issues and negatively affected the CEC's impartiality. Most interlocutors of the International Election Observation Mission (IEOM) did not raise any concerns over the impartiality of TECs and PECs. Many IEOM interlocutors welcomed the efforts of the CEC to facilitate the electoral participation of persons with disabilities.

The voter register, which includes more than 3 million voters, is based on the centralized population register and contains biometric data of all voters. IEOM interlocutors expressed general confidence in the accuracy and transparency of the voter registration and verification system, and public scrutiny of voter lists contributed to the transparency. However, a significant number of Kyrgyzstani citizens, mainly those residing abroad, did not undergo biometric registration, and are thus not included in the voter register and are not able to exercise their right to vote.

Eleven presidential candidates were standing for election, giving voters a wide choice. Nevertheless, the inclusiveness of the registration process was challenged by a burdensome nomination process, including the collection of support signatures and a restrictive approach of the CEC in their verification. While no candidates were deregistered, the law continues to provide overly broad grounds for candidate deregistration, despite previous OSCE/ODIHR recommendations.

The registered candidates could, in general, campaign freely. Several candidates and their regional structures mounted active campaigns throughout the country, using a variety of campaign methods. The election campaign was peaceful; however, over time, it became more confrontational, as signalled by several accusations of misconduct. The IEOM received credible reports of widespread abuse of public resources and pressure on voters, as well as of vote-buying. Furthermore, the elections were held concurrently with several criminal cases against opposition politicians or others supporting one of the main candidates.

The recent legal amendments significantly increased the limits for contributions to candidates' campaigns and removed the spending limit, raising concerns over equality of opportunities for candidates. The law does not require disclosure of sources of campaign funding, departing from the international obligation to provide transparency, and does not provide a range of proportionate sanctions for violations of campaign finance rules. While candidates submitted detailed campaign finance reports before election day, the CEC published only the total amounts of campaign revenues and expenditures.

The Constitution guarantees freedom of expression; however, the IEOM received reports of undue restrictions on media freedom. Defamation claims against the media by the incumbent president and some candidates had an adverse effect on public debate and resulted in self-censorship among journalists. Television, including the public broadcasters, failed to provide sufficient and unbiased news coverage of the campaign, in sharp contrast to the high volume of paid political advertising. In their editorial coverage, both public broadcasters monitored by the OSCE/ODIHR EOM were clearly biased. Televised debates provided a welcome opportunity for voters to get information about candidates, contributing to greater pluralism.

The majority of complaints received by the CEC before election day alleged violations of campaign rules. The CEC maintained an online registry of complaints, enhancing the transparency of their resolution. While the CEC considered most complaints, handling of complaints revealed a bias in CEC's interpretation and application of the law. The CEC did not always use the sanctions available and provide effective remedies. The courts upheld all CEC decisions appealed. While parties were able to present their cases and court rulings were reasoned, the scope of judicial review was often limited and indicated reluctance to question CEC decisions, limiting effectiveness of redress.

National minorities were involved in the election campaign, and candidates were competing for the minority vote. At the same time, contestants' platforms did not specifically address the situation of national minorities, inter-ethnic relations, or integration of society. The IEOM did not observe any anti-minority rhetoric during the campaign. Inter-ethnic and identity issues were at times utilized for political ends, contributing to the confrontational nature of the campaign. Minorities were significantly under-represented in most TECs, even in areas where they reside compactly.

Women remain under-represented in political life, including in elected office. Only one registered candidate was a woman. Women were well represented in the election administration, accounting for 5 of 12 CEC members, 48 per cent of TEC members, and 71 per cent of PEC members in polling stations visited by the IEOM observers on election day.

Civil society played an important role in civic and voter education and also undertook comprehensive long-term and short-term observation, which contributed to increasing the transparency of the electoral process. However, the recent legal amendments limit the number of observers a civil society organization or a candidate can deploy to an election commission, restrict their mobility on election day, and remove the rights of citizen observers to appeal election results.

Election day was peaceful and voter turnout, as announced by the CEC, was 56 per cent. The voting process was assessed positively in 94 per cent of polling stations observed. Problems with ballot secrecy

were widespread, especially as voters were taking their ballots from the booths to the scanners. Some cases of vote-buying and controlling voters' access were observed by the IEOM. The voter identification equipment generally worked well. In 3 per cent of polling stations observed the ballot scanner had to be replaced due to equipment failure. Forty-six of the 138 vote counts observed were assessed negatively, a high quantity that is of concern. Significant number of PECs failed to perform basic reconciliation and counting procedures. More than one in five PECs relied on the results produced by the ballot scanners instead of manually counting the votes, which is required by the law. The initial stages of tabulation were assessed negatively in many TECs, mainly due to inadequate premises and deficient protocols delivered by the PECs.

PRELIMINARY FINDINGS

Background

The Kyrgyz Republic has a semi-presidential system of government. The 2017 presidential election was the second one since the adoption of the current Constitution in 2010, under which the incumbent president cannot stand for re-election. The latest amendments to the Constitution were initiated in 2016 by members of parliament (MPs), including from the ruling Social Democratic Party of Kyrgyzstan (SDPK). This initiative met strong resistance from parts of the opposition and from civil society organizations who claimed that the law prohibited changes to the constitutional powers of the president and parliament until 2020. The proposed amendments were eventually adopted through a referendum in December 2016. The OSCE/ODIHR and the Council of Europe's European Commission for Democracy through Law (Venice Commission) in their assessment of the amendments noted potentially negative consequences for the rule of law and the protection of human rights.¹

Electoral System and Legal Framework

The president is elected for a single six-year term by direct universal suffrage. A candidate who receives more than one half of the votes cast in the first round is declared elected. If no candidate receives the required majority, a runoff takes place between the two candidates with the most votes. The law does not specify a deadline for the second round.² There is no turnout requirement for the validity of either round.

Kyrgyzstan is a party to major international instruments related to democratic elections, which form part of the national legal system.³ The legal framework for presidential elections comprises the 2010 Constitution, the 2011 Constitutional Law on Presidential and Parliamentary Elections (electoral law), the 2011 Law on Electoral Commissions, and other legislation.⁴ Numerous amendments were made to the electoral law in June 2017.⁵ Some OSCE/ODIHR Election Observation Mission (EOM) interlocutors opined that these amendments were insufficiently consulted with electoral stakeholders.

¹ See OSCE/ODIHR and Venice Commission's [Joint Opinion on the draft Law "On Introduction of Changes and Amendments to the Constitution"](#). While most constitutional amendments entered into force in January 2017, the amendments related to the powers of the president and the parliament will enter into force on 1 December 2017.

² The second round is held no earlier than two weeks from the announcement of the first-round results, which the CEC must establish within 20 days of the first-round election day.

³ Including the 1966 International Covenant on Civil and Political Rights (ICCPR), the 1979 Convention on the Elimination of All Forms of Discrimination against Women, and the 2003 UN Convention against Corruption. The monitoring of all three conventions is also undertaken under the EU's Special Incentive Mechanism for Sustainable Development and Good Governance.

⁴ Including the 1999 Law on Political Parties, the 2012 Law on Peaceful Assemblies, the 1998 Code on Administrative Liability, and the 1997 Criminal Code.

⁵ Changing, *inter alia*, provisions related to campaigning in online media, handling of voter lists, voter identification, election-day procedures, campaign financing, electoral deposits, and the status of citizen observers.

The legal framework in general adequately regulates issues related to election and voter lists administration as well as voter identification. Rules on candidate nomination and registration are detailed but complex, making compliance difficult. At the same time, regulation of campaigning, campaign financing, citizen observation, and complaints is not clear and comprehensive, and at times departs from international standards. In particular, campaign-related prohibitions, including those aimed at preventing the misuse of public resources, lack precision and proved challenging for the the Central Commission for Elections and Referenda (CEC) to apply.⁶ The law does not provide clear rules for establishing campaign violations and consistent application of proportionate sanctions.⁷ Newly introduced rules for citizen observers contributed to inconsistent regulation.⁸ Deadlines for filing complaints with the courts were unclear in the law, making the effectiveness of available legal remedies questionable.⁹ There is room for improvement in the legal framework to effectively deter vote-buying.¹⁰

Election Administration

The presidential election was administered by the CEC, 54 Territorial Election Commissions (TECs) and 2,375 Precinct Election Commissions (PECs), including 37 polling stations established in embassies and consulates of the Kyrgyz Republic for voters abroad.

The CEC is a permanent, collegial body responsible for the organization of elections.¹¹ Its sessions included substantive and extensive discussions and were open to and regularly attended by various stakeholders.¹² According to the law, CEC decisions must be published on the CEC website within 24 hours; however, not all decisions were published in a timely manner. While decisions on technical matters were often passed unanimously, the CEC was often divided while handling complaints against candidates Omurbek Babanov and Sooronbay Jeenbekov, who were seen as the main contenders. At times, these discussions were tainted by mutual personal accusations among CEC members. Some CEC members and candidate representatives, during sessions, repeatedly called upon CEC members to refrain from taking politically motivated decisions. CEC members favoured certain candidates, which resulted in disagreements during decision-making on important issues and negatively affected CEC impartiality, especially with regard to handling the complaints.

CEC decisions are taken by the majority of votes of the appointed CEC members.¹³ The legislation provides for mandatory participation of members in all sessions. However, those who expect to be absent

⁶ For example, the CEC discussed at length whether the prohibition on participation of officials in campaigning included use of their photos; whether a school director could call to vote for a candidate during a meeting with parents; whether the head of state railways was allowed by law to do the same during a meeting with workers; and whether MPs were allowed to campaign.

⁷ The law prohibits incitement of hatred in campaigns, defamatory publications, and vote-buying but does not contain procedures and criteria for establishing such violations by election commissions. The only sanctions for campaign violations in electoral law are a warning and the possibility of deregistration for “repeat violation”. While fines may be imposed under the Code on Administrative Liability, election commissions have not applied these sanctions.

⁸ The term “citizen observers” was introduced in the electoral law with the 2017 amendments. Many provisions of the law continue to refer only to “observers” (e.g. Articles 8, 29, 31, 33, 35, 36, 39, 43, and 44), and it is unclear whether they also cover citizen observers.

⁹ Several court appeals against CEC decisions were rejected because they were submitted within three, and not two days from the date of the respective decisions. Courts may only cancel a contested CEC decision but not order the CEC to take a different decision.

¹⁰ Vote-buying is criminalized but is a matter of “private prosecution”. The Prosecutor General’s office confirmed to the OSCE/ODIHR EOM that vote-buying is neither investigated nor prosecuted by law-enforcement bodies.

¹¹ Twelve CEC members are appointed for a five-year term by the parliament, upon nominations from the president, the parliamentary majority, and the parliamentary opposition, who each nominate four members.

¹² Since the election was called, the CEC conducted some 65 sessions and adopted some 330 decisions and regulations.

¹³ Article 18.2 of the Law on Election Commissions stipulates that certain decisions (e.g. registration of a candidate) require two thirds of the votes to be adopted.

may leave their votes in advance for or against a decision in writing.¹⁴ On a number of occasions, such votes were deposited and counted, even though some draft decisions were amended during the respective session. As such, this practice could undermine the collegiality in the work of the CEC.

Lower-level election commissions are formed for two-year terms.¹⁵ The OSCE/ODIHR EOM observed that technical preparations for the election were well organized, and TECs and PECs visited were well-resourced and operational. Most interlocutors of the International Election Observation Mission (IEOM) did not raise any questions regarding impartiality of the lower-level commissions. The TECs, however, often failed to notify the OSCE/ODIHR EOM about the time of session and did not publicize session agendas in advance, thus decreasing the transparency of their work. Women are well represented in TECs, accounting for 48 per cent of all members, although they only account for 33 per cent of TEC chairpersons. Some 67 per cent of PEC chairpersons of polling stations observed were women, and women accounted for 71 per cent of all PEC members in these polling stations.

The CEC also prepared and aired on public television (TV) voter information spots in Kyrgyz and Russian languages, focusing on the importance of elections, voter registration, participation of out-of-country voters and voters with disabilities, election-day procedures, and vote-buying. Some of the spots were supported by sign language. Most IEOM civil society interlocutors welcomed the efforts of the newly established CEC working group on facilitation of voting rights of persons with disabilities, while acknowledging that its efforts mainly focused on the next electoral cycle.

Voter Registration

Citizens who have attained the age of 18 before or on election day are eligible to vote, except those serving a prison sentence, irrespective of the gravity of the crime committed,¹⁶ and those having been declared incapacitated by a court decision, which is at odds with international commitments.¹⁷ The voter registration system is passive. However, to be registered as a voter, eligible citizens must submit their digital fingerprints, photo, and signature to the biometric database of the State Registration Service (SRS); biometric data is used for voter authentication on election day.

The voter register is based on the extract from the nationwide, electronic Unified Population Register maintained by the SRS. Final voter lists, according to the SRS, included 3,025,770 voters.¹⁸ Between 16 August and 29 September, citizens could verify their data.¹⁹ During this period, 111,182 citizens submitted their biometric data and were added to the voter register, 28,397 citizens initiated corrections, while 316,064 voters requested that their voting address be temporarily changed according to their place

¹⁴ Article 25 of the Rules of Procedures of the CEC stipulates that a CEC member who is absent for valid reasons may familiarize herself or himself with the agenda and draft resolutions in advance and leave her/his decision in writing. In such cases, the member is considered to have voted.

¹⁵ One half of the members of each commission are nominated by political parties, while the rest are nominated by local councils. Each political party can only have one member in a TEC or a PEC.

¹⁶ Paragraph 24 of the 1990 OSCE Copenhagen Document provides that “any restriction on rights and freedoms must, in a democratic society, relate to one of the objectives of the applicable law and be strictly proportionate to the aim of that law”. Paragraph 14 of the UN Human Rights Committee’s (CCPR) General Comment No. 25 on Article 25 to the ICCPR requires that “if a conviction for an offence is a basis for suspending the right to vote, the period of such suspension should be proportionate to the offence and the sentence”.

¹⁷ Article 29 of the [Convention on the Rights of Persons with Disabilities](#) (CRPD) stipulates that state parties to the convention shall “Ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others; [...] including the right and opportunity for persons with disabilities to vote and be elected”. The CRPD was signed by the president of the Kyrgyz Republic in 2011; however, the parliament has thus far not ratified it.

¹⁸ By 12 October, the final voter lists were posted by PECs and also published on the CEC website.

¹⁹ Voters could verify their data via the voter lists posted for public scrutiny at PECs, on the website shailoo.srs.kg, and through the SRS call centre by phone or SMS; the OSCE/ODIHR EOM noted that in some areas the PECs led door-to-door campaigns to verify the accuracy of voter lists.

of stay (among them 103,822 in Bishkek and 47,992 in Osh). In order to accommodate these voters, 33 additional polling stations were established in Bishkek.

Most IEOM interlocutors expressed general confidence in the accuracy and transparency of the voter registration system, while noting that a significant number of citizens, especially those residing abroad, remain excluded from biometric registration, and thus from the voter register.²⁰ This effectively deprived citizens of exercising their right to vote. While PECs in general provided adequate conditions for voters to initiate changes and corrections in the voter lists during the public scrutiny period, the OSCE/ODIHR EOM observed, at times, long queues and overcrowding at a number of the SRS biometric data collection points.

Candidate Registration

Any Kyrgyzstani citizen between the age of 35 and 70, who has resided in the country for more than 15 years in total and has command of the state language, can stand for president. The electoral law bans from candidacy individuals who are not eligible to vote, as well as those with unexpunged or unexpired criminal records.²¹ To register, each candidate has to establish an electoral fund, submit an electoral deposit, and provide support signatures of at least 30,000 voters.²² Candidates can be nominated by political parties or through self-nomination.

The CEC registered 13 out of the 59 initially nominated candidates, including 1 woman and 5 candidates nominated by political parties.²³ Nine nominees withdrew before registration, and the CEC denied registration to 37 candidates, mostly due to failure to establish electoral funds, provide sufficient valid signatures, or pass the language test.²⁴ Seven rejected candidates appealed the respective CEC decisions to the court, without success.

Although voters were presented with a wide choice of candidates, the inclusiveness of the registration process was challenged by a burdensome nomination process, including the process of collecting of support signatures, and a restrictive approach in their verification.²⁵ Some OSCE/ODIHR EOM interlocutors raised serious questions regarding the procedure and methodology of support signature

²⁰ According to data from the National Statistical Committee, there are 3,876,985 adult Kyrgyzstani citizens. According to the SRS, the number of voters registered abroad on the final voter register is 18,580.

²¹ Convicted offenders retain a criminal record for up to ten years after they serve their sentence, depending on the gravity of the crime committed. A motion may be made to a court to expunge the criminal record before it expires.

²² The 2017 legal amendments increased tenfold the electoral deposit, to 1 million Kyrgyzstani *Som* (KGS, some EUR 12,500; EUR 1 is approximately KGS 82). The deposit is returned to candidates who receive at least 5 per cent of all votes cast. On 2 October, the CEC decided to return the deposit to all five nominees who had paid the deposit but had not been registered as candidates.

²³ Arstanbek Abdylidayev, Omurbek Babanov, Azimbek Beknazarov, Sooronbay Jeenbekov, Ulukbek Kochkorov, Adakhan Madumarov, Arslanbek Maliev, Taalatbek Masadykov, Temir Sariyev, Kamchybek Tashiev, Bakyt Torobayev, Toktayim Umetalieva, Ernis Zarlykov.

²⁴ Of the 37 rejected candidates, 10 submitted more than 30,000 signatures, but the CEC considered most of them to be invalid for various reasons. For instance, nominees Omurbek Tekebayev and Iskhak Masaliev were denied registration, primarily because the costs for producing signature collection sheets were not covered from their electoral fund accounts. Nominee Rita Karasartova fell short of some 2,900 signatures, partly due to the fact that voters, besides signing, did not fill in other details (such as address and telephone number) themselves. In her court complaint, nominee Kamila Sharshkeeva argued that the CEC members invalidated the same signatures on different grounds but counted these separately, artificially inflating the number of invalid signatures.

²⁵ Paragraph 17 of the CCPR General Comment No. 25 on Article 25 to the ICCPR states that “if a candidate is required to have a minimum number of supporters for nomination, this requirement should be reasonable and not act as a barrier to candidacy”. Section I.1.3.iii of the 2002 Venice Commission Code of Good Practice in Electoral Matters recommends that “Checking of signatures must be governed by clear rules”.

verification.²⁶ Indeed, the extrapolation of the number of invalid signatures from a sample verified to the total number of collected signatures may lead to an unjustified refusal in registration, thus endangering the right to stand.²⁷ Three prospective candidates were not registered based only on presumption of invalidity of signatures that had not been verified as such. The signature verification process is open to candidate representatives, although in at least one instance, it was conducted in the absence of the candidate representative.²⁸ The law is silent regarding the right of citizen observers to scrutinize the verification process.²⁹

While no candidates were deregistered, the law continues to provide for overly broad grounds regarding the deregistration of candidates, including for violating campaign finance regulations and campaign rules, or if candidate's representatives are involved in vote-buying.

Election Campaign

The election campaign lasted from 10 September to 13 October. The registered candidates could, in general, campaign freely using a variety of campaign methods. Several candidates and their regional structures were actively campaigning throughout the country.³⁰ Campaign materials of candidates Babanov and Jeenbekov were the most visible, followed by those of Mr. Sariev.³¹ Some candidates were predominantly active on social media and in more low-profile encounters with voters, rather than at rallies. Two candidates withdrew from the race and endorsed the leading contenders.

The campaign took place amid several criminal cases against opposition politicians and their supporters. On 16 August, the leader of opposition party *Ata-Meken* and MP Omurbek Tekebayev was sentenced to eight years in prison for corruption.³² On 10 October, another member of *Ata-Meken* party and MP Aida Salyanova was sentenced to five years in prison for a "misuse of office", a case dating back to 2010. On 30 September, MP Kanatbek Isayev, Mr. Babanov's supporter, was detained on suspicion of preparing mass disturbances and a violent takeover of power. Three more people have since been detained in connection with this case.

The election campaign was peaceful; however, it also became more confrontational closer to election day, and the IEOM received credible reports of misuse of public resources and pressure on voters, as well as allegations of vote-buying. In addition, many IEOM interlocutors as well as media reported about public officials strongly encouraging voters to register new temporary voting addresses and to support a certain candidate. However, little evidence was brought forward to substantiate such claims and many IEOM interlocutors attributed this to fear of repercussions and/or a lack of trust in the law enforcement

²⁶ The electoral law allows for full or partial verification of signatures, the latter by randomly selecting and verifying 20 per cent of the submitted support signatures. Criteria for determining the validity of the support signatures and details on the verification process are regulated by the CEC Instruction No. 165 of 17 June 2017.

²⁷ According to CEC Instruction, the number of valid signatures is determined by multiplying the number of invalid signatures found during verification by five and subtracting that figure from the total number of submitted signatures.

²⁸ On 4 September, the CEC conducted additional verification of Kanatbek Isayev's support signatures, whereby an additional 2,080 signatures were recognized as invalid. According to the complaint submitted to the court, neither the nominee nor his representative were invited to attend this signature verification, contrary to the law.

²⁹ The OSCE/ODIHR EOM is aware of one citizen observer organization which was not granted access to the signature verification process and to the language test for presidential candidates.

³⁰ Omurbek Babanov, leader of opposition Respublika-Ata-Jurt party, Sooronbay Jeenbekov, nominated by the SDPK, and Temir Sariev, leader of Akshumkar party, all three former prime ministers, led the most active campaigns.

³¹ Copies of all campaign materials are to be submitted to the CEC. In practice, candidates did so before distributing such materials, resulting in *de facto* pre-approval of their content.

³² After subsequent application of an amnesty, the sentence was reduced to 4.5 years of imprisonment.

and the justice system.³³ The OSCE/ODIHR EOM received information of cases of destruction of campaign materials in several regions.³⁴

The electoral law bans the participation in campaigns of certain individuals, including public officials, charity workers, religious figures, and minors. On 21 September, Prime Minister Sapar Isakov relieved Deputy Prime Minister Duishenbek Zilaliev of his duties as head of the task force for technical and logistical support to the electoral commissions, after it emerged that Mr. Zilaliev during a meeting in Batken city hall had called on state employees to vote for Mr. Jeenbekov.³⁵ Towards the end of the election campaign, President Atambayev made several statements in favour of Mr. Jeenbekov. On 4 October, in response to claims of Mr. Babanov that he would be elected in the first round, President Atambayev made an official statement that in order to ensure the free expression of the voters' will and to prevent "imposition of false information", he was releasing poll results with "real information".³⁶ On 9 October, following the death of Deputy Prime Minister Temir Dzhumakadyrov, in a traffic accident, and during the 12 October visit to Osh, President Atambayev made several harsh statements against Mr. Babanov. This altogether challenged paragraph 7.6 of the 1990 OSCE Copenhagen Document.³⁷

On 28 September, Mr. Babanov made a speech in Osh addressing the local Uzbek community. Starting from the next day, several TV stations, including public broadcasters, started intensive coverage of this speech, largely taken out of context. The coverage implied that the speech constituted incitement to inter-ethnic hatred. Subsequent, potentially orchestrated, demonstrations against Mr. Babanov in Bishkek, Jalal-Abad, and Osh were covered for several days on TV. The CEC received multiple complaints requesting to deregister candidate Babanov and issued a warning to him (See *Complaints and Appeals*).

Freedom of assembly was generally respected during the election campaign, with the significant exception of Bishkek where the city authorities decided on a ban of public gatherings near official buildings throughout the election period, contrary to the legislation and international standards.³⁸ Two district courts in Bishkek confirmed this prohibition.³⁹ Nevertheless, the final campaign rally of Mr. Jeenbekov took place at the Ala-Too square in Bishkek on 13 October.

³³ In one case of a teacher of the Kyrgyz State Law Academy, the General Prosecutor's office launched an investigation into the allegation that she pressured students to vote for Mr. Jeenbekov.

³⁴ The Ministry of Interior informed the OSCE/ODIHR EOM that it received over 40 complaints about damage to and destruction of campaign materials. Representatives of some campaign offices in the regions opined to the OSCE/ODIHR EOM that they did not have confidence in impartiality and effectiveness of the police.

³⁵ During the inauguration of a sports stadium on 3 October, the OSCE/ODIHR EOM observed that Mr. Zilaliev used more careful language but again, in effect, campaigned for Mr. Jeenbekov.

³⁶ The [statement](#) was accompanied by previously unpublished survey results of voting intentions for leading candidates with largely positive dynamics in favour of Mr. Jeenbekov. These opinion results did not contain all elements required by the electoral law, including the survey method, margin of error, and the person who ordered and paid for the poll.

³⁷ Paragraph 7.6 of the 1990 OSCE Copenhagen Document commits participating States to "provide ... parties ... with the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities".

³⁸ Paragraph 7.7 of the 1990 OSCE Copenhagen Documents commits participating States to "ensure that law and public policy work to permit political campaigning to be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and the candidates from freely presenting their views". Paragraph 9.2 further states that "everyone will have the right of peaceful assembly and demonstration. Any restrictions which may be placed on the exercise of these rights will be prescribed by law and consistent with international standards".

³⁹ On 28 July, the Pervomaisky district court of Bishkek upheld the application of the district administration to ban all peaceful assemblies in specified central locations of Bishkek, including the Ala-Too square, between 27 July and 20 October 2017, "with the exception of official cultural mass gatherings". On 26 September, a similar application of the Oktyabrsky district administration of Bishkek was upheld by the district court, banning all peaceful assemblies anywhere in the district, with the exception of the Botanical Garden, until 20 October. The Law on Peaceful Assemblies only provides for a possibility of restricting a specific assembly in time and place, in response to the application of organizers, but not for a pre-emptive blanket ban on assemblies. See also Article 21 of the ICCPR.

Women remain underrepresented in political life, including in elected office. Currently, 19 of the 120 MPs, 3 of the 22 members of the government, and none of the 9 governors are women. While the OSCE/ODIHR EOM observed a gender balance among the voters attending the rallies, there was a strong predominance of men among campaign staff and a lack of platforms addressing gender issues in society.

Campaign Finance

Election campaigns may be financed from candidates' own contributions, as well as by donations from citizens and legal entities.⁴⁰ Candidates do not receive public funding. In June, the limits for own contributions and for donations for election campaigns were significantly increased, while the limit on campaign spending was removed from the law.⁴¹ In the absence of public funding and campaign spending limits, the free choice of voters and equality of opportunities of candidates may be undermined by disproportionate expenditure.⁴²

Nominated candidates are required by law to open designated bank accounts for their electoral funds. The CEC published on a weekly basis the total amounts of income, expenditure, and balance on these accounts.⁴³ In line with a CEC instruction, all candidates presented interim reports of their campaign revenues and expenditures prior to election day. These reports, as well as candidates' final reports presented 10 days after the election day, are audited by the CEC audit group to oversee compliance with campaign finance rules. There is no requirement to publish these reports and audit results.⁴⁴

Transparency of campaign financing was insufficient, and the legal framework is not clear enough to meet contemporary challenges of political finance regulation.⁴⁵ The electoral law does not require disclosure of sources of funding, thus departing from the international obligation to provide transparency.⁴⁶ The law does not provide a range of proportionate sanctions for violations of campaign finance rules.⁴⁷

Media

The Constitution guarantees freedom of expression and explicitly prohibits criminal prosecution for defamation. However, contrary to international standards, the Law on Guarantees for Activity of the President grants higher protection to the president in civil defamation cases, and the Civil Code does not

⁴⁰ Donations from foreign sources and stateless individuals, public bodies and companies with state participation, religious and charitable organizations, tax and social security debtors, and anonymous donors are prohibited.

⁴¹ A candidate may contribute KGS 15 million (EUR 187,000), while an individual or legal entity may donate up to KGS 50 million (EUR 623,300). Para 19 of CCPR General Comment No. 25 on Article 25 to the ICCPR states that "reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party".

⁴² Section I.2.3.e of the 2002 Venice Commission Code of Good Practice in Electoral Matters states "The principle of equality of opportunity can ... lead to a limitation of [campaign] spending, especially on advertising".

⁴³ As of 9 October, the largest amounts have been spent by candidates Babanov (some KGS 197 million), Jeenbekov (some KGS 99 million), and Sariev (some KGS 39 million).

⁴⁴ According to the paragraph 200 of OSCE/ODIHR and Venice Commission's [Guidelines on Political Party Regulation](#), it is good practice for campaign finance reports to be made available on the Internet in a timely manner.

⁴⁵ Section II.B.2.2.3 of the 2016 OSCE/ODIHR and Venice Commission Joint Guidelines for Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes recommends: "Political parties and candidates should be required to report on the origin and purposes of all the campaign finance transactions in order to facilitate transparency and the detection of the potential misuse of administrative resources".

⁴⁶ Article 7.3 of the UN Convention against Corruption prescribes to consider taking "appropriate legislative and administrative measures ... to enhance transparency in the funding of candidatures for elected public office".

⁴⁷ The only available sanctions for violations of campaign financing rules are a warning, possible deregistration of a candidate by the CEC, and criminal charges under the Criminal Code.

limit the amount of damages awarded to the plaintiff.⁴⁸ An increasing number of defamation cases with excessive damages claimed by the incumbent president and Mr. Jeenbekov and awarded against media and journalists before and during the campaign had an adverse effect on an open debate of matters of public concern.⁴⁹ Furthermore, 13 complaints on alleged defamation were filed with the CEC against media outlets, in most cases demanding, among others, that the media's accreditation be revoked.⁵⁰ Although the CEC revoked only one accreditation, before the start of the campaign, the mere threat of financial damage results in self-censorship among journalists.

Provisions of Article 299 of the Criminal Code, regarding “incitement of national (inter-ethnic), racial, religious or interregional enmity” are broadly formulated and are thus not in line with international standards on freedom of expression.⁵¹ On 29 September, the Bishkek City Court upheld the conviction of journalist Zulpukaar Sapanov based on Article 299, but changed the sentence from the initial four years imprisonment to two years on probation.⁵²

While ultimate media ownership is not transparent, commercial TV stations are publicly perceived as being owned by political actors. Public broadcasters, still the main source of information, are not perceived as independent from the government.⁵³ The closing of TV station *September* by a court on 22 August for broadcasting allegedly extremist content further reduced views critical of the government. Positively, a generally free Internet increasingly provides room for alternative information to people.⁵⁴

OSCE/ODIHR EOM media monitoring⁵⁵ results revealed that 68 hours of paid political advertising were broadcast on the four monitored TV stations, compared to only 19 hours of campaign coverage in their

⁴⁸ See paragraphs 38 and 47 of the 2011 CCPR General Comment No. 34 to the ICCPR. In 2015, OSCE Representative on Freedom of the Media [noted](#) that “Excessive fines imposed on journalists and media outlets as a means of protecting the head of a state can lead to self-censorship.” See also Section 61 of the 2002 Venice Commission Code of Good Practice in Electoral Matters.

⁴⁹ On 5 October, the court awarded Mr. Jeenbekov KGS 10 million (EUR 124,700) in a defamation suit against the online news portal *24.kg* and journalist Kabay Karabekov. The lawsuit was filed after Mr. Jeenbekov, following a complaint filed with the CEC on 15 September in the same case, was given the right to refutation by *24.kg* and the incriminated article was removed from its website. The article implied concerns expressed by the Russian Secret Service over alleged ties of Mr. Jeenbekov's brothers with Arab extremist groups. Other recent cases include a total of KGS 27 million (EUR 336,600) awarded in August and September 2017 in five claims filed by the Prosecutor General on behalf of President Atambayev against the NGO *ProMedia*, which ran the online news site *Zanoza*.

⁵⁰ In order to “participate in the pre-election campaign” – to sell advertising time or space, as well as to cover the activities of the CEC, media outlets, including online media, have to be accredited by the CEC. On 4 October, the CEC amended its Regulation on Media Accreditation to provide that media accreditations can only be revoked for repeat violation and that media must be warned before their accreditation is withdrawn. On 9 August, the CEC decided in favour of Mr. Babanov and revoked the accreditation of *chagylgan.kg*. The case was further forwarded to the prosecutor. The Internet source had published an article alleging that Mr. Babanov's campaign was being financed by an organization which in some countries, including Turkey, is categorized as a terrorist organization.

⁵¹ Article 299.1 of the Criminal Code does not explicitly define “incitement of national (inter-ethnic), racial, religious or interregional enmity” as “any advocacy of national, racial or religious hatred *that constitutes incitement to discrimination, hostility, or violence*” as required by Article 20.2 of the ICCPR. Furthermore, the same article is not formulated with sufficient precision to enable people to regulate their conduct and as such does not conform to Article 19.3 of the ICCPR (see the 2011 CCPR General Comment No. 34 to the ICCPR, para 25).

⁵² Mr. Sapanov was convicted for publishing a book which, according to the court, called upon all Turkic peoples to unite and, at the same time, incited inter-religious enmity.

⁵³ On 29 September, public *KTRK* broadcast seven minutes prime-time coverage of Mr. Babanov addressing ethnic Uzbeks in Osh on 28 September (see *Election Campaign*). In contrast, matters of public interest like the conviction of Mr. Sapanov were not featured in news on *KTRK* and *EITR*.

⁵⁴ Internet penetration is 34.5 per cent according to [Internet World Stats](#).

⁵⁵ From 10 September to 13 October, the OSCE/ODIHR EOM conducted quantitative and qualitative monitoring of the prime-time coverage of political actors on four TV stations and in three newspapers: the public *EITR* and *KTRK*, the commercial *NTS* and *7 Channel*, and the newspapers *Delo No*, *Super Info*, and *Vecherniy Bishkek*. The OSCE/ODIHR EOM also followed the campaign coverage on online outlets *Jalbyrak.tv* and *kaktus.media*.

news.⁵⁶ The electoral law and the CEC Instruction on Media Accreditation imply that covering candidates' campaigns could *de facto* be equated to "participating in the pre-election campaign". Journalists told the IEOM that they refrained from covering the campaign in order not to violate the law that they interpreted as permitting campaigning only on a contractual basis and if paid from the candidate's funds. Within the limited amount of campaign coverage TV stations were clearly biased.⁵⁷ An additional 2.7 hours of coverage on both public TV of the president Atambayev *de facto* campaigning for Mr. Jeenbekov gave the latter a distinct advantage. The monitored newspapers and online news sources also did not provide an adequate amount of coverage and, at times, displayed bias, albeit to a lesser extent.

Televised debates provided a welcome opportunity for voters to get information about candidates, who were otherwise virtually invisible to the audience to present their platform. This contributed to greater pluralism. Nevertheless, this could not counterbalance the absence of sufficient, unbiased, and analytical information for voters.

Complaints and Appeals

Complaints about violations of electoral rights may be filed by voters, candidates, political parties, NGOs, their representatives and observers to election commissions, police, and prosecutors. Decisions and actions or inaction of election commissions and their officials are appealed to the higher-level election commission. Complaints about the CEC and appeals against its decisions are submitted to the Inter-district Court for Bishkek City (ICB), whose rulings may be appealed to the Supreme Court for a final decision.

The CEC received some 90 complaints before election day, all of which were reviewed by its working groups.⁵⁸ The majority of these complaints alleged violations of campaigning rules.⁵⁹ The CEC maintained an online registry of complaints, enhancing the transparency of complaint resolution. While the legal deadlines were generally observed and parties could present their arguments,⁶⁰ there were notable exceptions.⁶¹ The CEC considered most complaints, but did not always use the sanctions

⁵⁶ Some 85 per cent of the total paid airtime on the monitored TV were purchased by Mr. Babanov and Mr. Jeenbekov.
⁵⁷ Both public TVs, *KTRK* and *EITR*, displayed bias in favour Mr. Jeenbekov. *KTRK* devoted 70, 16, and 6 per cent of its relevant news coverage to Mr. Babanov, Mr. Jeenbekov, and Mr. Sariev, respectively. However, 84 per cent of Mr. Babanov's coverage was in a negative tone, while 88 per cent of Mr. Jeenbekov's coverage was positive. Mr. Sariev's coverage was 98 per cent positive in tone. *EITR* devoted 70 and 22 per cent of its news to Mr. Babanov and Mr. Jeenbekov, respectively. However, 95 per cent of Mr. Babanov's coverage was in a negative tone, while Mr. Jeenbekov's coverage was 98 per cent positive. *7 Channel* (formally owned by Mr. Tashiev's brother, but reportedly affiliated with people close to the president) devoted 54, 8, 11, and 12 per cent of its news coverage to Mr. Babanov, Mr. Jeenbekov, Mr. Tashiev and Mr. Torobayev, respectively. However, 90 per cent of Mr. Babanov's coverage was in a negative tone, while 93 per cent of Mr. Jeenbekov's coverage was positive. Mr. Tashiev was covered in 96 per cent in a positive tone and Mr. Torobayev in 82 per cent in a negative tone. *NTS* (reportedly owned by a businessman connected to Mr. Babanov) devoted 39 and 54 per cent of its news to Mr. Babanov and Mr. Jeenbekov, respectively. However, 96 per cent of Mr. Babanov's coverage was in a positive tone, while 96 per cent of Mr. Jeenbekov's coverage was in negative tone.

⁵⁸ Complaints were primarily reviewed by the working groups on complaints and on campaigning, sometimes jointly. Reflecting divisions within the CEC, these working groups suggested different draft decisions on some complaints.

⁵⁹ Including by candidates and the media, campaigning by officials, and misuse of public resources.

⁶⁰ Complaints must be filed within two days from the time the complainant became aware of the infringing action. Election commissions and courts must decide on pre-election complaints within three days; this period may be extended to five days for additional verification.

⁶¹ Two complaints against Mr. Babanov by Mr. Jeenbekov's representative that resulted in written warnings to Mr. Babanov were filed after the two-day deadline for filing complaints and the CEC decisions were made after the five-day deadline. At the CEC session on 7 October, Mr. Babanov's representative was not given the opportunity to present his views on the proposed second warning, on the grounds that he had addressed CEC working group meetings earlier. After he protested, he was expelled from the CEC session.

available and provide effective remedies.⁶² Candidate Babanov was given three warnings, while complaints against other candidates were not subjected to the same scrutiny, revealing a bias in the CEC's interpretation and application of the law.⁶³ The decision to issue a third warning to Mr. Babanov, primarily for his address to the ethnic Uzbek voters in On-Adyr district of Osh, did not explain which specific rules of electoral law were breached by the conduct of Mr. Babanov.⁶⁴

Some 30 appeals against the CEC were made to courts before election day. The ICB and the Supreme Court upheld all contested CEC decisions.⁶⁵ The parties were able to present their cases in courts and rulings were reasoned; however, the scope of judicial review was often limited and indicated reluctance to question CEC decisions, especially related to candidate registration, challenging paragraph 5.10 of the 1990 OSCE Copenhagen Document.⁶⁶ A number of IEOM interlocutors raised concerns about the lack of independence of the judiciary.⁶⁷ Positively, court rulings were published online.⁶⁸

Participation of National Minorities

Inter-ethnic relations remain a relevant factor in politics as minorities constitute 27 per cent of the population, with the biggest communities residing compactly in the south of the country.⁶⁹ The Constitution acknowledges that the population of Kyrgyzstan is composed of different ethnicities, with principles of non-discrimination and equality enshrined in the Constitution and other laws. There is neither a law on national minorities nor a separate anti-discrimination law, but non-discrimination provisions feature in the Criminal Code.

National minorities are significantly under-represented in most TECs even in the areas where they reside compactly. Although all voter education material was published in the state (Kyrgyz) and official (Russian) languages, IEOM interlocutors did not raise any complaints with regard to lack of materials in minority languages. While the law allows for campaign material in minority languages, with very few exceptions, such materials were produced in the Kyrgyz and Russian languages only.

⁶² The CEC discussed imposing administrative fines on several occasions but did not impose any. Complaints against officials and a religious figure who were found in breach of campaign rules were forwarded to other bodies with a request to "consider the issue of liability". A complaint about pressure on students to vote for Mr. Jeenbekov was forwarded to the Prosecutor General's office, without any follow-up. On 26 September and on 2 October, the CEC was unable to reach the required majority for decision on two complaints, and the law does not prescribe the consequences of such a deadlock.

⁶³ The decision to issue the first warning to Mr. Babanov for his campaign billboards broadly interpreted provisions of the electoral law prohibiting campaigning by officials and false and defamatory publications. The second warning to Mr. Babanov, for endorsement by a religious figure during a rally, followed a thorough investigation by the CEC effectively aimed at refuting the evidence submitted by Mr. Babanov's representative. Similar investigations were not undertaken with respect to other complaints. By contrast, Mr. Jeenbekov did not receive a warning for participating in a campaign event where he was endorsed by an influential religious leader.

⁶⁴ Numerous complaints about Mr. Babanov's speech in On-Adyr district were made to the CEC after the public broadcasters aired reports on this campaign event, taking parts of the speech out of context (See *Media*).

⁶⁵ In one appeal against CEC inaction, the ICB ruled that the CEC must make a decision.

⁶⁶ Three challenges of CEC decisions on the results of support signature verification, by Iskhak Masaliev, Kanatbek Isayev, and Kamila Sharshekeeva, were rejected by the ICB due to the missed deadline of two days, although a three-day deadline could be applied to such appeals. A subsequent appeal by Mr. Isayev of the CEC resolution denying him registration was not satisfied by the court, *inter alia* because the resolution was based on the prior CEC decision on support signature verification, which the ICB said remained in force as it was not "invalidated by a court". Paragraph 5.10 of the 1990 OSCE Copenhagen Document states: "...everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity".

⁶⁷ See UN Human Rights Committee's [Concluding observations on the second periodic report of Kyrgyzstan](#), para 18.

⁶⁸ Court rulings are edited to remove names of the parties and are posted on the official website sot.kg.

⁶⁹ The second-biggest ethnic community are ethnic Uzbeks, making up about 14.6 per cent of population and compactly residing predominantly in Osh and Jalal-Abad regions. Other sizeable ethnic communities include Russians (5.8 per cent), Dungans, Tajiks, and Uigurs (1 per cent each).

Although issues related to inter-ethnic peace and national unity featured in some candidates' rhetoric at campaign events observed by the OSCE/ODIHR EOM, contestants' platforms did not specifically address the situation of national minorities, inter-ethnic relations, or integration of society.

The OSCE/ODIHR EOM did not observe any anti-minority rhetoric, but inter-ethnic and identity issues were at times utilized for political ends, contributing to the confrontational nature of the campaign. In particular, the stir related to Mr. Babanov's 28 September campaign event in Osh and the subsequent reaction by a number of officials and prominent public figures, caused considerable disquiet to members of the Uzbek community (See *Election Campaign*).

Citizen and International Observers

Civil society organizations, candidates, and international organizations are entitled to appoint election observers. The electoral law provides for election observation of all stages of the electoral process. However, the 2017 legal amendments limit the number of observers that civil society organizations and candidates can deploy, restrict observers' mobility on election day, and remove the right of citizen observers to appeal election results. IEOM civil society interlocutors generally evaluate these changes as an attempt to limit the scope of citizen observation and thus undermine its effectiveness. At the same time, OSCE/ODIHR EOM noted that in the pre-electoral period civil society organizations, such as Civic Platform, Coalition for Democracy and Civil Society, and *Taza Shailoo* played an important role in civic and voter education campaigns and undertook comprehensive long-term observation which contributed to increasing the transparency of the electoral process.

Citizen observers are accredited by the election commission where they observe. A number of OSCE/ODIHR civil society interlocutors reported arbitrary application of the accreditation rules by some lower-level commissions, including requesting documents not foreseen by the law.

International observers may be invited by the president, the parliament, the government, or the CEC. Some 773 observers representing 57 international organizations and foreign election commissions were accredited by the CEC to observe this election.

Election Day

Election day was peaceful, and voter turnout, as announced by the CEC, was 56 per cent. The CEC started posting on its website detailed preliminary election results by polling station, based on initial results provided by the ballot scanners, shortly after the end of voting. Unauthorized people, including so-called 'volunteers', were present at all stages of the election day, at times interfering in the work of the commissions. Some cases of vote-buying and controlling voters' access were observed by the IEOM.

Opening procedures were assessed negatively in 11 of the 112 polling stations observed, largely due to presence of unauthorized people. IEOM observers reported some problems with the sealing of ballot boxes and control sheets not being inserted in ballot boxes (6 reports each).

The voting process was assessed positively in 94 per cent of polling stations observed. It was orderly and well organized in the large majority of polling stations observed, despite the presence of and interference by unauthorized people in a number of cases and problems with ballot secrecy. Voting was assessed more positively in Bishkek and the north than in the south where 9 per cent of observations were negative.

Problems with the secrecy of the vote were of particular concern. IEOM observers reported from 16 per cent of polling stations observed that not all voters marked their ballots in secrecy, largely due to the design and positioning of the booths. In 55 per cent of polling stations observed, voters' choice could be

seen as they took their ballot to the ballot box. IEOM observers noted some procedural problems, in particular ballot boxes that were not properly sealed in 11 per cent of polling stations observed. They also reported some serious violations, including group voting (4 per cent), attempts to influence voters who to vote for, and series of seemingly identical signatures on voter lists (2 per cent each). IEOM observers also reported cases of tension, intimidation of voters, and indications of vote-buying. There was one report of a PEC member handing pre-marked ballots to voters.

In 5 per cent of polling stations observed, non-PEC members directed or interfered in the work of the PEC. Candidate observers were present in 99 per cent of polling station observed, and citizen observers in 67 per cent. The voter identification equipment generally worked well, and identification procedures were adhered to in almost all polling stations observed. Although in 27 per cent of polling stations observed not all voters could be identified by fingerprint scanning, facial recognition worked in most cases. In 20 per cent, voters were turned away because their name was not on the voter list of the respective polling station. In 3 per cent of polling stations observed, the ballot scanner had to be replaced due to equipment failure.

Some 60 per cent of polling stations observed were not accessible for persons with disabilities, and in 30 per cent the layout was not suitable for these voters. IEOM observers reported overcrowding from 7 per cent of polling stations observed, and voters waiting outside polling stations to vote from 19 per cent.

The vote count was assessed negatively in more than a third of polling stations where it was observed (46 of the 138), which is of concern. Many PECs failed to perform basic reconciliation procedures, such as cancelling unused ballots (20 reports), counting the number of signatures on the voter list (42 reports), or producing an act on the number of ballots issued to voters (38 reports). In 34 counts observed, the PECs did not announce the preliminary results provided by the ballot scanner. Counting procedures were frequently not followed, including separating ballots by contestants (36 reports). In two thirds of the counts observed (82 reports), the PECs did not count the ballots one by one or announced who they were marked for. In 28 counts observed, the results protocol was not based on the manual vote count, as required by law, with some PECs simply transferring the results produced by the ballot scanner (in one observed case even before opening the ballot box). In 38 cases, protocols had been pre-signed by PEC members. In essence, more than one in five PECs relied on the results produced by the ballot scanners instead of manually counting the votes, which is required by the law.

In 24 counts observed, not everybody entitled to a protocol copy was issued one upon request, and in 43 cases, no copy was posted for public display. Unauthorized people were present during 74 counts observed and interfered in 19. Candidate observers were present in all but six counts observed, while citizen observers were present in 85 of the 138 observed.

The initial stages of the tabulation process were assessed negatively in 22 of the 50 TECs where it was observed. Many TEC premises were so overcrowded that it affected the process in 34 TECs. IEOM observers reported that many TECs delayed tabulation until all PECs had delivered their election materials. In many TECs, PECs arrived with protocols that were incomplete or did not reconcile correctly. The presence of candidate observers was reported from 16 TECs and of citizen observers from 39. In 23 TECs, not everybody present had a clear view of procedures, but IEOM observers could generally observe without restrictions.

MISSION INFORMATION & ACKNOWLEDGEMENTS

Bishkek, 16 October 2017 – This Statement of Preliminary Findings and Conclusions is the result of a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the OSCE Parliamentary Assembly (OSCE PA), the Parliamentary Assembly of Council of Europe (PACE), and the European Parliament (EP). The assessment was made to determine whether the election complied with OSCE commitments, international obligations and standards for democratic elections and with national legislation.

Mr. Azay Guliyev was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and leader of the short-term OSCE observer mission. Mr. Artur Gerasymov headed the OSCE PA delegation. Ms. Doris Fiala headed the PACE delegation. Ms. Laima Andrikiienė headed the EP delegation. Ambassador Alexandre Keltchewsky is the Head of the OSCE/ODIHR EOM, deployed from 5 September.

Each of the institutions involved in this International Election Observation Mission has endorsed the 2005 Declaration of Principles for International Election Observation. This Statement of Preliminary Findings and Conclusions is delivered prior to the completion of the electoral process. The final assessment of the election will depend, in part, on the conduct of the remaining stages of the electoral process, including the count, tabulation and announcement of results, and the handling of possible post-election day complaints or appeals. The OSCE/ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some eight weeks after the completion of the electoral process. The OSCE PA will present its report at its Standing Committee meeting in Vienna in February 2018. The PACE will present its report at its Standing Committee meeting in November 2017 in Copenhagen. The EP will present its report at a forthcoming meeting of its Committee on Foreign Affairs.

The OSCE/ODIHR EOM includes 17 experts in the capital and 26 long-term observers deployed throughout the country. On election day, 369 observers from 43 countries were deployed, including 298 long-term and short-term observers deployed by the OSCE/ODIHR, as well as a 37-member delegation from the OSCE PA, a 23-member delegation from the PACE, and a 11-member delegation from the EP. Opening was observed in 112 and voting was observed in 1071 polling stations across the country. Counting was observed in 138 polling stations and the tabulation in 50 TECs.

The IEOM wishes to thank the authorities for their invitation to observe the election, and the CEC and the Ministry of Foreign Affairs for the assistance. They also express their appreciation to other state institutions, political parties, media, civil society organizations, and international community representatives for their co-operation.

For further information, please contact:

- Ambassador Alexandre Keltchewsky, Head of the OSCE/ODIHR EOM (+996 312 315102);
- Thomas Rymer, OSCE/ODIHR Spokesperson +996 770 858 560 or +48 609 522 266), or Alexey Gromov, OSCE/ODIHR Election Adviser, in Warsaw (+48 663 910 311);
- Nat Parry, OSCE PA, +996 777 359 251 or +45 60 10 81 77;
- Chemavon Chahbazian, PACE, +996 779 359 172 or +33 650 687 655;
- Tim Boden, EP, +996 777 052 338 or +32 473 84 44 31

OSCE/ODIHR EOM Address:

Bokonbayeva Street 194, 720017 Bishkek;
Tel: +996 312 315102; Fax: +996 312 880082; Email: office@odihr.kg

***The English version of this report is the only official document.
Unofficial translations are available in the Kyrgyz and Russian languages.***