



Kazakhstan elections efficiently organized, with some progress, but still considerable way to go to meet OSCE election commitments, international observers say

ASTANA, 21 March 2016 – The 20 March early parliamentary elections were efficiently organized, with some progress noted, but they indicated that Kazakhstan still has a considerable way to go in meeting its OSCE commitments for democratic elections, the international observers concluded in a preliminary statement released today. The legal framework restricts fundamental civil and political rights, and comprehensive reform is required. In a positive development, candidate registration was inclusive, and six parties contested the elections.

The authorities invited international observers in an open and unrestricted manner. On election day, the observers noted serious procedural errors and irregularities during voting, counting and tabulation.

“It is clear that Kazakhstan still has a long way to go towards fulfilling its election commitments, although some progress was noted. The ruling party had a clear advantage over others in these elections and, while the parties were generally able to campaign freely, genuine political choice remains insufficient,” said Marietta Tidei, Special Co-ordinator and leader of the short-term OSCE observer mission. “Significant legal reform is required to protect citizens’ rights, and we hope that the newly elected parliament will find the political will to engage in a thorough reform process, which we are ready to support.”

Contestants were generally able to campaign freely throughout the country, despite legal restrictions on the holding of public assemblies. The participation of six parties provided voters with some alternatives, although most contestants did not directly challenge the ruling party, thus limiting the genuine political choice for voters, the statement says. The dominant position of the ruling party at all levels of government and administration for many years has effectively blurred the distinction between state and party.

“On election day, the citizens of Kazakhstan made their choice in a calm and free atmosphere. Regarding the election campaign and legislation, the PACE delegation welcomes the engagement of the authorities to reform the election legal framework in 2017,” said Jordi Xucla, Head of the PACE delegation. “This election campaign also showed that Kazakhstan needs a more open and competitive political environment, which is a key condition for long-term democratic stability. The legal reform should be carried out in close co-operation with the Council of Europe’s Venice Commission, of which Kazakhstan is a full member”

While the observers noted that the laws regulating elections aim to guarantee fundamental civil and political rights, reform of the legal framework is necessary for it to fully meet the international obligations and standards to which Kazakhstan has committed, the observers said. Restrictions on suffrage rights and freedoms of assembly and expression have yet to be addressed, despite previous OSCE/ODIHR recommendations.

“For the authorities to fulfil their stated commitment to holding democratic elections, comprehensive legal reform is required, including reforms related to restrictions on voting rights and the freedoms of assembly and expression,” said Geir Joergen Bekkevold, Head of the OSCE PA delegation. “Specific progress in these areas will go a long way towards ensuring greater political pluralism, and I stand ready to work with my colleagues in the newly elected parliament to support this process.”

The Constitution guarantees freedom of expression and prohibits censorship, but penalties in the laws

regulating the media stifle public debate and suppress alternative viewpoints, the statement says. Positively, state-funded media showed a noticeable effort to meet formal requirements to provide contestants with equal access. However, one party received little platform-oriented media coverage, and in-depth analysis providing voters with the opportunity to learn about candidates and their policies was largely absent. Extensive reporting on the President's activities dominated most coverage, and the ruling party used his position to its benefit.

“The observation and assessment of these elections has identified significant shortcomings, including the restriction of fundamental civil and political rights, the lack of genuine political choice for voters, the lack of pluralism of opinion in the media, and serious procedural irregularities on election day,” said Ambassador Boris Frlec, Head of the OSCE/ODIHR long-term election observation mission. “I know that ODIHR is ready to assist the authorities in the implementation of our recommendations in the course of the election-related reforms anticipated in 2017.”

The Central Election Commission (CEC) operated in a professional manner, and sessions were open to observers, media and political party representatives. However, lower-level election commissions held sessions on an ad-hoc basis without informing stakeholders, which limited the transparency of the process. The Election Law aims to ensure political party representation in election commissions but does not include an enforcement mechanism. One electoral contestant was largely under-represented in lower-level election commissions, the statement said.

Candidate registration was inclusive, and the CEC registered all 234 candidates nominated by six political parties by the legal deadline of 19 February. By law, independent candidates cannot stand for election and political parties are not allowed to form electoral blocs, contrary to OSCE commitments and other international obligations and standards, the observers said.

The new requirement for the CEC to report party financing and spending twice a month during the campaign is a positive development, but the lack of information on donors and how campaign funds were spent limited transparency.

Election day was efficiently organized, but serious procedural errors and other irregularities were observed during voting, counting and tabulation. Observers noted indications of ballot box stuffing, a very high number of names added to voter lists on election day, and group and proxy voting. Precinct election commissions largely failed to follow procedures to ensure consistency and reliability during the counting process. Negative assessments of tabulation were often linked to procedural violations.

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