



## **Competitive Kyrgyzstan presidential election provides for orderly transfer of power, although cases of misuse of public resources, pressure and vote buying remain a concern, international observers say**

BISHKEK, 16 October 2017 – The 15 October presidential election in Kyrgyzstan contributed to the strengthening of democratic institutions by providing for an orderly transfer of power from one elected president to another, the international observers concluded in a preliminary statement released today. The election was competitive, as voters had a broad choice and candidates could generally campaign freely, although cases of the misuse of public resources, pressure on voters and vote buying remain a concern, the observers said.

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 sometimes biased. While televised debates contributed to greater pluralism, self-censorship and limited editorial coverage of the campaign signaled deficiencies in media freedom, the statement says. Voting was orderly and well-organized in the large majority of polling stations observed, despite problems with ballot secrecy. Numerous and significant problems were noted during the vote count and the initial stages of tabulation.

“Kyrgyzstan has demonstrated a generally positive example for holding competitive elections and a peaceful transfer of power, but some concerns remain,” said Azay Guliyev, Special Co-ordinator and Leader of the short-term OSCE observer mission. “I look forward to engaging with Kyrgyzstan on the issues we have identified, including on strengthening the legal framework for campaign financing, improving secrecy of the vote and curbing vote buying.”

Eleven candidates were registered, among them only one woman. The burdensome nomination process, including the collection of support signatures and the restrictive approach to verifying them, was a challenge for the inclusiveness of the registration process. While no candidates were deregistered, the law continues to provide overly broad grounds for candidate deregistration, despite previous OSCE/ODIHR recommendations.

Several candidates mounted active campaigns throughout the country. While peaceful, the campaign became more confrontational over time, the statement says.

“Yesterday’s voting was transparent and voters could make their choices freely among a wide range of candidates. This is a sign of the growing political maturity of Kyrgyz society. As for the election campaign – cases of restrictions on freedom of expression were reported, as well as of misuse of public resources,” said Doris Fiala, Head of the PACE Delegation. “As there is still some room for improvement in the legal framework and electoral practices, I invite the Kyrgyz authorities to continue their close co-operation with the Parliamentary Assembly and the Council of Europe Venice Commission.”

The legal framework 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, do not conform to 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.

“This election was an important benchmark for the Kyrgyz Republic. New technological advances surely contributed to increased confidence in the election process, but there is still work to be done in improving the voter register,” said Artur Gerasymov, Head of the OSCE PA delegation. “I hope that the positive developments we have seen will serve as the basis for a consolidation of democracy in this country and in the region.”

The voter register, which includes more than 3 million voters, is based on the centralized population register and contains biometric data for all voters. There was general confidence in the accuracy and transparency of the voter registration and verification system, and public scrutiny of voter lists contributed to this. 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 not able to exercise their right to vote.

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“National legislation on media freedoms appeared to be at odds with international commitments, including the ICCPR.” said Laima Andrikienė, Head of the EP delegation. “This issue has to be addressed, both within the framework of standing EU trade preferences, and in order to move forward quickly with the negotiations of a new and ambitious EU-Kyrgyzstan agreement.”

The observers received reports of undue restrictions on media freedom. Defamation claims against media outlets by the incumbent president and some candidates had an adverse effect on public debate and resulted in self-censorship, the statement says. Television outlets, including 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 were clearly biased.

“The election campaign was peaceful, but took place at the same time as several criminal cases against opposition politicians,” said Ambassador Alexandre Keltchewsky, Head of the OSCE/ODIHR long-term election observation mission. “The technical aspects of the process were well-administered, but the CEC demonstrated bias in its adjudication of election complaints. Voting was orderly in the large majority of polling stations observed, although a number of commissions reported the results produced by the ballot scanners, rather than manually counting the votes, which is required by the law.”

The CEC members are nominated by different political forces and CEC sessions included open substantive and extensive discussions. CEC members favoured certain candidates, which resulted in disagreements during decision-making on important issues and negatively affected the CEC’s impartiality. There were no concerns expressed to the international observers over the impartiality of lower commissions. Many of the observers’ interlocutors welcomed the efforts by the CEC to facilitate the participation of persons with disabilities.

The recent legal amendments significantly raised the limits on campaign contributions and removed the limit on spending, leading to concerns over equality of opportunity for candidates. The law does not require disclosure of sources of campaign funding, and does not include proportionate sanctions for violations of campaign finance rules.

The majority of complaints received before election day by the CEC, which were maintained in an online registry, alleged violations of campaign rules. While it considered most complaints, their handling revealed a bias in the CEC’s interpretation and application of the law, the observers said.

National minorities were involved in the election campaign, and candidates were competing for the minority vote. Inter-ethnic and identity issues were at times utilized for political ends, contributing to the confrontational nature of the campaign, the statement says.

Civil society played an important role in civic and voter education and also undertook comprehensive long-term and short-term observation, contributing to increased transparency in the electoral process. However, the recent legal amendments limited the number of observers a civil society organization or candidate can have in an election commission, restricted their mobility on election day and removed the rights of citizen observers to appeal election results.

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