

**HUMAN RIGHTS MOVEMENT
BIR DUINO-KYRGYZSTAN
WOMEN'S LEARNING
PARTNERSHIP**

**CONCLUSIONS AND
RECOMMENDATIONS**

based on the analysis of the referendum on the form
of government and early presidential elections



THE REFERENDUM QUESTION WAS:

«WHAT FORM OF
GOVERNMENT IN THE
KYRGYZ REPUBLIC DO
YOU SUPPORT»:

- presidential republic
- parliamentary republic
- against both options

AMENDMENTS OF THE CONSTITUTIONAL LAW ON ELECTIONS OF THE PRESIDENT AND DEPUTIES OF THE JOGORKU KENESH

WERE INTRODUCED AS WELL,
PARTICULARLY CONCERNING THE
PRESIDENTIAL ELECTIONS:

- on reducing the threshold of votes received by presidential candidates or political parties, which envisages the mandatory return of the electoral deposit, from 5% to 1%;
- on authorizing the provision of services free of charge by authorized representatives, proxies, observers, representatives of candidates, political parties in election commissions.

GENERAL RECOMMENDATIONS

TO THE PRESIDENT, JOGORKU KENESH
(PARLIAMENT) AND THE
GOVERNMENT OF THE KYRGYZ
REPUBLIC



RECOMMENDATIONS

FOR THE CONDUCT OF ELECTIONS IN KYRGYZSTAN

Involve representatives of civil society and the academic environment, who oppose the current authorities, in the process of constitutional reform, create conditions for independent monitoring of the ongoing constitutional reform, subsequent reforms of the administrative-territorial system, the electoral system, public administration, and the judicial system;

RECOMMENDATIONS

FOR THE CONDUCT OF ELECTIONS IN KYRGYZSTAN

Establish in the Constitution clear authority and responsibility of all branches of government, providing for a real system of checks and balances;





Photo | Kloop

Formalize in legislation the opportunities for citizens of the Kyrgyz Republic to exercise free and equal participation in voting. The constitutional right of citizens to govern the country through participation in elections and referendums cannot be limited to the formal requirements according to the place of registration of their residence;



Photo | Kloop

Reform the Central Commission for Elections and Referendums in order to strengthen its independence and impartiality, professional qualification of election organizers, taking into account international practice in countries beyond the post-Soviet space.

Ensure that the majority of CEC members are elected from the parliamentary opposition. The CEC leadership should be elected from among the CEC members representing the parliamentary opposition; the principle of rotation of the CEC leadership after each election campaign should be envisaged;



Assess the effectiveness of implementation of the programs of the KR Government and the activities of the CEC on legal education of citizens of the Kyrgyz Republic and adopt a country program of civil education involving independent experts unaffiliated with state bodies on ensuring the rule of law and legality, transparency of the voting process, development of ways to improve the national electoral legislation of the Kyrgyz Republic.

An important component in this activity should be the involvement of local communities in remote regions of the country to promote social equality, develop the values of human rights and freedoms through the development of the argument culture, high standards of civic education;


RECOMMENDATIONS

Conduct an independent audit (technical and financial) of the introduced biometric identification system, its inclusiveness and technical work, with mandatory publication of the audit results;

As soon as possible, complete the process of creating and ensuring effective functioning of the Uniform State Register of citizens including the mandatory conduct of independent collegial monitoring and alternative assessment of the effectiveness and quality of the activities carried out;

Implement an effective independent mechanism for auditing and evaluating the operation of electoral information systems for counting votes and transmitting data, as well as a technical audit of automatically reading ballot boxes with mandatory publication of the audit results;

Complete the reform of public broadcasting in the country, ensuring its real independence;



Special attention in the area of the reform of the electoral system should be paid to gender equality and gender justice, involving women, low-income groups and socially vulnerable groups to participate in elections and referendums in order to create equal opportunities in political processes;

Photo | Kloop

RECOMMENDATIONS

The key barrier preventing citizens from protecting their violated electoral rights is the lack of access to justice; it is necessary to incorporate into the legislation the possibility of protecting violated rights in district courts while conducting the reform of the judicial and electoral systems;

Introduce clear legislative restrictions on the involvement of law enforcement agencies in the process of organizing and holding elections at all levels as an instrument of political pressure and harassment of opponents and civil society activists;

Together with civil society organizations, adopt a national concept for the development of civil society in accordance with international standards of the UN, OSCE, and the European Union.

RECOMMENDATIONS TO THE CIVIL SOCIETY



Take measures for the institutional development of political parties;

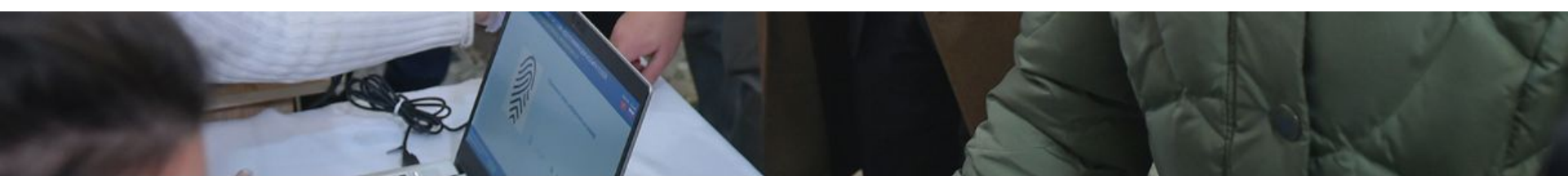
Participation of political parties in the electoral process should include, as a matter of critical importance, their participation in the formation of election commissions at the local level;

Create a competitive environment for the development of a new generation of civil society activists and non-governmental organizations;

Implement effective mechanisms for accountability and transparency of the work of civil society organizations through disclosure of information on donations and expenditures, as well as alternative assessment of the effectiveness of implemented activities;

Strengthen the work of civil society organizations on monitoring the implementation of election promises and programs of candidates and political parties.

GENERAL RECOMMENDATIONS
TO INTERNATIONAL
ORGANIZATIONS -
DEVELOPMENT PARTNERS
OF THE KYRGYZ REPUBLIC



RECOMMENDATIONS TO INTERNATIONAL ORGANIZATIONS

Review the principles of interaction and support of civil society organizations, strengthen the requirements of accountability to citizens and financial transparency in the activities of civil society organizations;

Exclude the possibility of a conflict of interest in the work of civil society organizations with state authorities;

Assist in the development of a new generation of civil society activists and non-governmental organizations not affiliated with official authorities, officials;

Strengthen assistance in the institutional development of political parties, introduce new standards of party activity, taking into account the party mission and strategy and the key role of its members in party building.

RECOMMENDATIONS



TO THE LOCAL AUTHORITIES

Develop local action plans together with communities to prevent and respond in a timely manner to risks and conflicts related to violations of citizens' electoral rights;

Allocate sufficient number of special venues for placing campaign materials of candidates, political parties, and referendum campaign groups in public places. These venues can be used in the inter-election period for keeping materials for civic education of the population, raising legal awareness, etc.

IN TOTAL

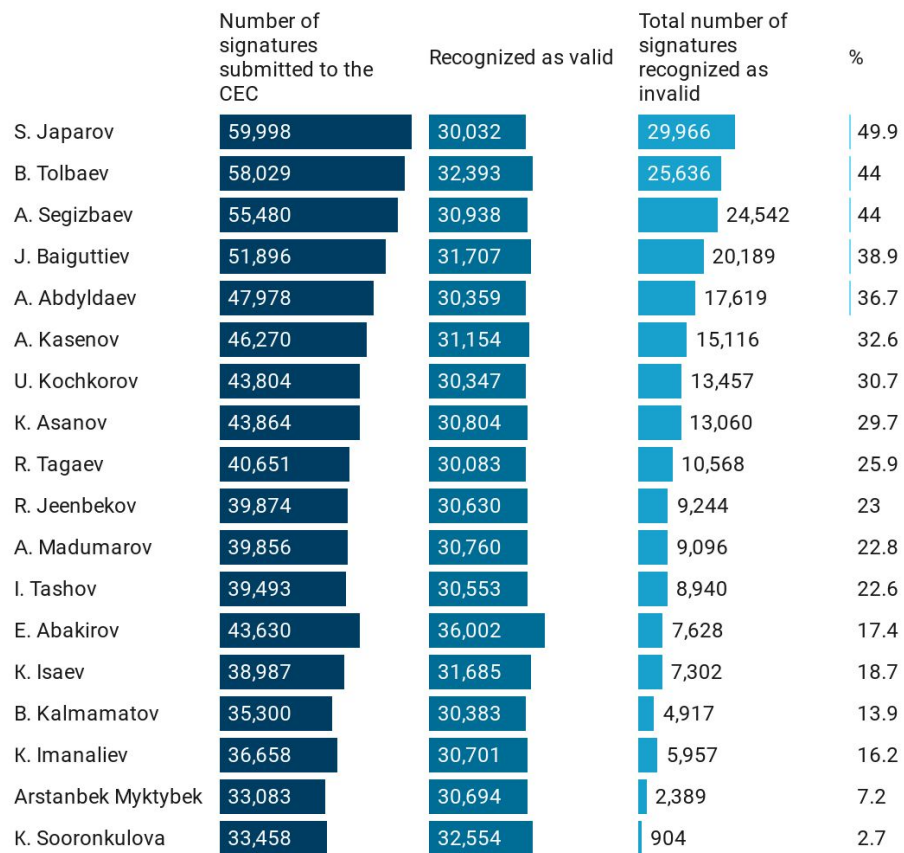
3 563 574

PEOPLE WERE REGISTERED IN THE
ELECTORAL REGISTERS,

while the CEC recognized that about 750,000
citizens were not allowed to vote in the early
elections and referendum.



■ Number of signatures submitted to the CEC ■ Recognized as valid ■ Total number of signatures recognized as invalid ■ %



15 GROUPS WERE REGISTERED TO CONDUCT AGITATION



8 GROUPS

for the presidential republic



3 GROUPS

for a parliamentary republic

2 GROUPS

against all the options

1 GROUP

against the presidential
republic

1 GROUP

against the parliamentary
republic



THE PROBLEMS WE SAW IN THE ELECTIONS AND THE REFERENDUM

Lack of public and reliable information on the implementation of the regulation that guarantees equal access of candidates and campaign groups to places allocated by local self-government bodies for posting campaign materials. It is still not clear whether the space allocated for placement of campaign materials was sufficient for all candidates and campaign groups to place their campaign materials and whether they were accessible to all citizens;



THE PROBLEMS WE SAW IN THE ELECTIONS AND THE REFERENDUM

Lack of comprehensive up-to-date information about meetings with voters held by candidates and campaign groups, mainly information about their organizers and funding. These measures contribute to the prevention of the use of administrative resources and political corruption;

THE PROBLEMS WE SAW IN THE ELECTIONS AND THE REFERENDUM

Changing the addresses of polling stations a few days before the election day;

Insufficient informing of voters and mass media regarding the results of consideration of each signal about the possible use of administrative resources;

Lack of information on the reports of candidates and their representatives about the unequal assistance of state bodies and local self-government bodies in organizing meetings with citizens, public debates and discussions, rallies, demonstrations and marches;



THE PROBLEMS WE SAW IN THE ELECTIONS AND THE REFERENDUM

Lack of timely response to the black PR spread by the majority of candidates and their supporters, including during debates at the OTRK;

The debates held at the OTRK did not meet international democratic standards, both in terms of the organization and conduct of the debates, and in terms of the commitment of journalists to the KR journalists' Code of Ethics.

The lack of training and methodological support provided by the CEC to journalists and the editorial office of the OTRK, which conducted the debate, is puzzling;



THE PROBLEMS WE SAW IN THE ELECTIONS AND THE REFERENDUM

Low level of discussions around candidates' programs, peculiarities and consequences of citizens' choice of a particular form of government or the "against all" option;

The CEC's practice of imposing a disproportionate fine on private media that had received accreditation during the 2020 elections, as well as the journalists' understanding of the CEC's authority to assess the reliability of the information distributed by them, damage to the honor and dignity of candidates influenced their self-censorship, therefore, there were practically no analytical materials and journalistic investigations in the early presidential elections.



DESPITE THE REQUIREMENTS OF THE
ELECTORAL LEGISLATION,

**THE CEC TOOK THE
BUREAUCRATIC POSITION
OF A STATISTICAL BODY,**

which received complaints or
recorded possible violations and
then passed them on to law
enforcement agencies.



IN THE PROCESS OF REVIEWING
COMPLAINTS AGAINST CANDIDATES,

**THE CEC MEMBERS
DISPLAYED SIGNS OF BIAS
AND DOUBLE STANDARDS
IN THE APPLICATION OF
ELECTORAL LEGISLATION,**

which contributed to further
undermining of citizens' confidence
in the presidential elections and the
referendum.

CONSULTATION



The greatest number of applications related to the procedure of biometric registration, inability to mark an "electoral address" (Form 2), issues of registration of independent public observers in precinct election commissions, compliance with sanitary rules for COVID-19, as well as issues of functioning of the automatic systems for registration of voters and locations of PECs in remote regions.

THE TOP FIVE CANDIDATES ARE:



SADYR JAPAROV

79.14%



**ADAKHAN
MADUMAROV**

6.68%



**BABYRZHAN
TOLBAEV**

2.38%



**MYKTYBEK
ARSTANBEK**

1.68%



ABDIL SEGIZBAEV

1.48%

OVERALL TURNOUT FOR THE ELECTION WAS 38.9%, AND FOR THE REFERENDUM – 38%.

EARLY PRESIDENTIAL ELECTIONS

THE PRESIDENTIAL CANDIDATES, A. MADUMAROV, A. SEGIZBAEV AND K. ASANOV,

stated that they do not recognize the election results, since, in their opinion, there were cases of falsification of the voting process, but none of them filed the relevant complaints.

DESPITE THE PUBLIC STATEMENTS OF OTHER CANDIDATES ON NON-ACCEPTANCE OF THE ELECTION RESULTS,

according to the CEC of the Kyrgyz Republic, no complaints about the voting results were filed by the presidential candidates as of 14 January 2021, whereas the deadline for filing complaints to the higher election commission expired on 13 January 2021.

THE HUMAN RIGHTS MOVEMENT «BIR DUINO-KYRGYZSTAN»

«BIR DUINO-KYRGYZSTAN» IS AN IMPARTIAL, NON-PROFIT ORGANIZATION OPERATING ON THE BASIS OF PRINCIPLES OF VOLUNTARINESS, EQUALITY OF ITS MEMBERS, RULE OF LAW , TRANSPARENCY, SELF-FINANCING AND SELF-GOVERNMENT.

For further information, please, contact the experts, Atyr Abdrakhmatova (0550 988813) and Murat Karypov (0555 422222).

ORGANIZATION CONTACT DETAILS:

e-mail: birduinokyrghyzstan@gmail.com

сайт: www.birduino.kg