

**Preliminary Statement of
the Alliance of Civic Organizations "It's Time for MY Choice"
on the Findings of Independent Monitoring
of the Course of Voting by the Electorate
for the Presidential Election of the Kyrgyz Republic on July 23, 2009**

July 23, 2009

SUMMARY

The Alliance of Civic Organizations “It’s Time for MY Choice” (the Alliance), an informal association of six organizations involved in independent monitoring of elections, conducted a large-scale observation of the pre-election situation and the election day of the presidential election of the Kyrgyz Republic on July 23, 2009.

The Alliance informed mass media and the general public on July 15, 2009 at a press conference at AKIpress on the results of their observations of the pre-election situation of the presidential election, scheduled for July 23, 2009. The current report includes observations of the pre-election situation from the period of July 15 through election day.

On election day, the Alliance deployed 2,806 observers at 1,403 polling stations throughout Kyrgyzstan. Their work was coordinated by 80 coordinators. Thus, a total of 2,886 independent observers of the Alliance observed the voting procedure on election day.

As a result of the independent monitoring of election day and the one week period preceding election day, the following facts were discovered, and the following conclusions were formulated based on the efforts of 2,886 observers from the Alliance:

- **A significant number of voters voted early, and the number of absentee ballots is surprising.**

During the week prior to election day, long-term observers reported many instances of early voting at the district election commissions (DECs) of Bishkek by categories of citizens that are not provided for in the election code to participate in early voting. In particular, there were numerous instances of early voting by health workers, teachers, communications workers (JSC Kyrgyztelecom), BGTS (Bishkek City Telephone Station), and plumbers. In addition, the procedure for issuing absentee ballots did not have clear procedures and, thus, was not able to be monitored well.

- **On election day, there was massive ballot box stuffing, often by members of election commissions, and pressure of government officials on voters.**

Ballot box stuffing is one of the most serious violations on an election day that can impact the outcome of an election. Observers reported massive ballot box stuffing by members of precinct election commissions (PECs) most frequently in Talas, Chui and Issyk-Kul oblasts. Many observers reported the presence of government officials either inside or close to the polling stations.

Once the observers of presidential candidates Atambaev and Nazaraliev left the polling stations, the number of violations (including ballot stuffing and pressure and intimidation of observers) increased dramatically.

- **On election day, there were numerous violations of observers' rights and intimidation of observers.**

On election day, 14 independent monitors from the Alliance, who were monitoring the elections in Bishkek and in the Talas region, were expelled from polling stations. There were numerous instances of observer intimidation throughout election day when observers tried to write acts (official, written complaints) about violations that they witnessed.

- **On election day, there was extensive use of administrative resources in favor of one of the candidates.**

Holding elections on a regular weekday contributed to the fact that public employees were subjected to pressure and intimidation by their supervisors. School principals, law enforcement officials and representatives of local authorities, who controlled participation of their staff at the elections, were present at polling stations during election day.

- **During the vote counting process, observers reported numerous instances of precinct election commissions not providing protocols to observers and not signing them, ballot box stuffing, and manipulation of ballot papers.**

Although the Alliance signed a Memorandum of Understanding (MOU) with the Central Election Commission, the Alliance's independent observers generally could not obtain protocols filled out in compliance with the Election Code with full data on voting results signed and sealed by PECs. Many PEC members refused to issue protocols to Alliance observers, to verify their copies or to provide protocols stamped by PECs. Nevertheless, the Alliance states that it trusts the protocol data collected by its observers, and will check protocols obtained from rayon and city election commissions against protocols obtained by its independent observers from polling stations.

The Alliance notes that the withdrawal of two presidential candidates from the electoral process, in violation of Article 27, Point 8 of the election code, demoralized their supporters in the oblasts and worsened the situation by telling their observers to leave polling stations in the middle of election day, which led to subsequent violations that independent Alliance observers were not able to prevent through their own efforts.

All of the below violations of election laws violated the constitutional right of citizens to vote freely, secretly, fairly, transparently and democratically.

ELECTION DAY

Opening of Polling Stations

Announcement of Data on Early Voting

- A total of 1,540 people voted early across the eastern area of the Chui oblast;
- A total of 160 people voted early across Naryn oblast;
- A total of 2,699 people voted early across the Alamudun rayon of the Chui oblast;

- A high number of people voted early in the Piervomaisky rayon in Bishkek: at polling station No. 192 – there were 196 early voters; at polling station No. 1228 there were 727; at polling station No. 1230 there were 318; at polling station No. 1236 there were 485; at polling station No. 1206 there were 452; at polling station No. 1207 there were 647.

Presence of Unauthorized Persons during the Opening of Polling Stations

- At polling station No.126 of Kadamjai rayon, Batken oblast, Mrs. Tolobaeva Ayzat, Head of the rayon public administration, was present inside the polling station and gave instructions to members of the PEC;
- Polling station No. 3026 in Issyk-Kul oblast was opened by Issyk-Kul rayon and members of the village administration.

Preventing Independent Observers from Entering the Polling Station during the Opening

- At polling station No. 2193 in Jalalabad oblast, the PEC chairman refused to register an independent observer at 7am. The Chairperson authorized the observer to monitor only after the opening of the polling station.

Drawing of Lots for Precinct Election Commission Assignments

- At polling station No. 1047 of the Lenin rayon in Bishkek, the PEC members drew lots at 6:45am, without an announcement. The Alliance observer wrote an official act noting this violation;
- At polling station No. 1237 of Pervomaisky rayon, Bishkek, the PEC members drew lots without observers being present. According to the PEC members, lots were drawn in another room. The Alliance observer wrote an official act noting this violation;
- At polling station No. 7281 of Moscow rayon, Chui oblast, the PEC did not draw lots;
- At polling station No. 2095 of Jalalabad oblast, the PEC chairman said that they had already drawn lots without observers being present;
- At polling station No. 2274 of Jalalabad oblast, the PEC did not draw lots;
- According to Alliance observer reports, the procedure for drawing of lots was violated in seven cases or was not done at all in Oktyabrsky rayon of Bishkek;
- At polling station No. 1007 of Lenin rayon, Bishkek, envelopes used in the drawing of lots were pre-marked;
- At the polling station No. 8170 Batken oblast, the PEC did not draw lots and said they had done it the day before.

Procedural Violations of the Electoral Commission Prior to the Opening of the Polling Station

- At polling station No. 2095 of Jalalabad oblast, the control sheets were not inserted into the ballot box;
- At polling station No. 2140 of Jalalabad oblast observers noted that, prior to opening, PEC members did not count the ballots. In addition, the voters lists were not removed from the safe, but were already on the table before the opening procedures;
- At polling station No. 2092 in Jalalabad oblast, PEC members did not count the ballots prior to the opening of the polling station;
- Polling station No. 2224 of Jalalabad oblast opened late. The PEC members drew lots at 7:50am, just 10 minutes before the polling station was supposed to open;
- Observers in Oktyabrsky rayon of Bishkek reported three cases in which they were not allowed to put their signatures in the control sheet as required in the election code. In two locations, the – voting booths were located in places that did not allow for secrecy of the vote;
- At polling station No. 7281 of Moscow rayon, Chui oblast, observers were permitted to sign the control sheet;

- During the opening of polling station No. 62 of Bakay-ata rayon, Talas oblast, the stamp was in the PEC secretary's bag, instead of in the safe.

Issuing (Disbursement) of Ballots by Higher Election Commissions

- At polling station No. 1229 of the Pervomaisky rayon of Bishkek, 1400 ballots were issued to the polling station, even though the list of voters included 1900 voters.

Voting Prior to the Opening of a Polling Station

- At polling station No. 7280 in Moscow rayon, Bishkek, people voted at 7:30am based on absentee ballot certificates. The Alliance observer wrote an official act noting this violation.

Enlarged Form of the Protocol

- At polling station No. 1202 of the Pervomaisky rayon, Bishkek, before the start of the opening, the enlarged form of the protocol was not filled out;
- At polling station No. 1206 of the Pervomaisky rayon, Bishkek, the enlarged form of the protocol was filled out in pencil.

Voting

Voting Based on Incorrect Documents and Voting without Documents

- At polling station No. 1221 of Pervomaisky rayon, Bishkek, a voter voted based on a Ministry of Internal Affairs identification card;
- Voters Zhumal Kyzi Ainura and Ozubekov Yntymak tried to vote without presenting any identification. PEC Chairperson Asylbekov Syrgak pretended that he did not notice these violations;
- At polling station No. 13 in Balykchy, observers reported people voting using other people's documents. The Alliance observers filed an official act on these violations.

Voting Based on Absentee Voter Certificates

- In Issyk-Kul rayon, voters came to the polling station with absentee voter certificates that had stamps of nonexistent polling stations on them. Observers reported that local authorities organized buses to transport voters who were on vacation at Lake Issyk-Kul. Almost all of these individuals had similar numbers of polling stations on their absentee voter certificates.

Presence of Unauthorized Persons in Polling Stations

- The local residential housing committee chairperson was campaigning among the electorate near the voting booth at polling station No. 1220. An Alliance observer filed an official act on this violation;
- According to independent observers at polling stations in Osh oblast, deputies of local keneshes were present at almost all polling stations;
- Employees of Akimiats in Talas rayon were present in the morning at polling station No. 76 of the Talas oblast. These individuals returned to the polling station during lunch;
- The head of the village police department was inside of the polling station No. 129 in Batken oblast;
- Staff of law enforcement bodies were present at polling station No. 8170 of Batken oblast and visited it several times during the day;

- The school director and head of a local government body were present at polling station No. 340 of the Chui Oblast during the voting and pressured voters;
- The head of the rayon state administration, Tolobaeva AG was inside the polling station and gave instructions to PEC members at polling station No. 126;
- The chairman of Issyk-Kul rayon council, Mr. E. Orozoev, was in polling station No. 3030 of the Issyk-Kul rayon;
- Police officers, the rayon administration of the rayon and local authorities were present almost the entire day at many polling stations in Issyk-Kul oblast.

Ballot Stuffing

- At polling station No.1230, PEC chairperson Shatynbaeva stuffed ballots in the ballot box at 10:15 am and 11:30 am. The Alliance observers filed an official act on these violations;
- PEC Member Niyazalieva G., while offering a bribe to election observers, was openly stuffing ballots into the ballot box during a three hour period from 8:00 am to 11:00 am at polling station No. 1149 of Oktyabrsky rayon, Bishkek. An act was filed on this and was forwarded to the Oktyabrsky rayon election commission;
- At polling stations No. 8019, 8020, 8022, 8028, and 8182 in Leilek, and No. 85 of the Batken rayon, observers reported ballot box stuffing. Ballot box stuffing was also observed at polling station No.165 in the town Kyzyl-Kiya. At polling station No. 8022 PEC member Mamasharipova Turdugul stuffed several ballots into the ballot box;
- According to an observer at the polling station No. 121 in Kadamjai rayon, the turnout at the site at 15:00 hours has reached 74%, with the personal participation of the leader of Bakiev's staff – Mr. Ganiev Sultanmurat – (due to throwing ballots in);
- At polling station No. 236 of the town Kara-Suu of Osh oblast, an Ak Jol party observer stuffed approximately 25 ballots into the ballot box. An official act was filed on this violation;
- At polling station No. 7274 in Chui oblast, a group of young people entered the polling station with a pile of ballots under their T-shirts and attempted to vote;
- At polling station No. 7289 of Chui oblast, observed reported ballot box stuffing. A PEC member tried to bribe independent observers when they cited the violations;
- At polling station No.382 of Panfilov rayon, Chui oblast, observers reported massive ballot box stuffing;
- At polling stations No. 61, 95 of Bakay – Ata rayon, Talas oblast, the PEC chairman of stuffed a large number of ballots into the ballot box. Official acts were filed on this violation;
- At polling station No. 108 in the town of Talas, the PEC chairman stuffed approximately 20 ballots into the ballot box. A similar incident occurred at polling station No. 106 in Talas, where the PEC chairperson also stuffed ballots. Acts were filed on both of these violations;
- As soon as political party observers left the polling station, massive ballot stuffing (approximately 300 ballots) occurred at polling station No. 61 in Bakay-Ata. Similar incidents were reported in the town of Talas at polling stations 83 and 81;
- The PEC chairperson of polling station No. 71 in Talas stuffed three ballots in the ballot box. The Alliance observers filed an official act on this violation;
- At a polling station in Ak-Terek of Dzhetysay rayon, Issyk-Kul oblast, at 10:30 am an unknown person stuffed ballots into the ballot box;
- At polling station No. 3029 in Issyk-Kul oblast, two young men stuffed a pile of ballots into the ballot box;

- At polling station No. 299 in the city of Osh, a PEC secretary stuffed a pile of ballots into the ballot box. The Alliance observers filed an official act, but the PEC did not accept it;
- At polling stations No. 240 and 242, observers reported a large number of ballots being stuffed into the ballot box;
- At polling station No. 121 of Kadamjai rayon and No. 71 of Bakay-Ata rayon, observers reported stuffing of ballots;
- At polling station No. 4120 of Naryn oblast, observers witnessed massive ballot box stuffing at 6:30 pm.

Multiple Voting

- Alliance observers found people from polling station No. 106 trying to re-vote at polling station No. 108. At 10:30, these individuals voted at polling station No. 106, and then tried to vote at 11:00 at the polling station No. 108. An act was drawn up on these violations;
- At polling station No. 4056 of Naryn rayon, after political party observers left, cases of attempts to vote for a second time became more frequent;
- At 7:30 pm at polling station No. 4056, voter Baygazieva Orozgul voted for herself first, then in spite of being warned by an observer, with the assistance of the Chairman of PEC Mambetkulova Kulmayram, she voted instead of another voter. The Alliance observer filed an official act on this violation;
- At polling station No. 501 of the city of Osh, carousel voting schemes involving students were reported.
- At polling station No. 1011 of Lenin rayon, Bishkek, one of the voters voted twice. An act was drawn up on this violation;
- At polling station No. 2008 of Jalal-Abad oblast, numerous instances of multiple voting were observed. PEC members were giving out several ballots to one person at a time. Observers wrote several acts on these violations by observers, but the PEC chairperson rejected them;
- At polling station No. 2059 of Jalalabad oblast, one voter had two ballots.
- At polling station No. 2021 of Jalalabad oblast, one voter received six ballots. An act was filed on this violation;
- At polling station No. 2060 of Jalalabad oblast, independent observers drew up two official acts on multiple voting (several individuals voted for a second time)
- At polling station No. 135 of Jalalabad oblast, it was found that one observer had three ballots, while another voter came in to vote several times. Lawyer A. Askarov has filed a case with the Bazar-Kurgan rayon election commission on these violations;
- At polling station No. 364 of Aravan, Osh oblast, observers reported carousel voting;
- At polling station No. 5010 of Karakulzha rayon, Osh oblast, and polling station No. 277 in the city of Osh, one voter had two ballots. The Alliance observer filed an official act on this violation.

Giving Multiple Ballots to One Voter

- At polling station No. 8154 of Batken oblast, a PEC member attempted to give more than two ballots to one voter;
- At polling station No. 8156 of Batken oblast, PEC member Darbisheva Nurilla tried to give three ballots to one voter;
- At polling station No. 8163, PEC members Dadazhanov Rashid, Sitdinov Galim, Saynazarova Guli, and Kasymov Kubatbek gave more than two ballots to voters at 9:45

am, 1:15 pm and 1:25 pm. The same members also gave out ballots for an entire family to one person (four ballots for one person), and they gave six ballots to two people.

Violation of Rights and Intimidation of Independent Observers

- At polling station No. 71 of Bakay-Ata rayon, Talas oblast, physical force was used against an Alliance observer coordinator. He was forcibly removed from the polling station while an official act was being drawn up regarding ballot box stuffing;
- At polling station No. 1027 of Lenin rayon, PEC members did not permit observers to monitor voter identifications;
- A crowd of people entered polling station No. 2104 in Jalalabad oblast immediately after the opening, but observers were not permitted to move freely within the polling station to fully monitor the voting process;
- Two independent observers, who had pointed out massive ballot stuffing by PEC members, were removed from polling station No. 4120 in Kyzyl-Jyldyz of Zhungal rayon, Naryn oblast. They were accused being under the influence of alcohol. Observers from the Organization of Security and Cooperation in Europe (OSCE) gave the accused observers a ride to the local rayon hospital, where it was confirmed that they were not under the influence of alcohol. After that, the observers were allowed to remain in the polling station;
- At polling station No. 83 of Talas rayon Talas oblast, PEC chairman announced to all observers that the election would not take place and told all people present to go home. An independent observer of the Alliance was removed from the premises;
- There was an attempt to remove independent observers from polling station Nos. 61 and 95 of Bakay-Ata rayon. Acts were filed on these violations;
- At polling station No. 108 in Talas, an independent observer tried to prevent ballot box stuffing. While the observer drew up an official act, the chairperson left the polling station. Later, local militia came to the polling station and blamed the observers for stealing ballots;
- At polling station No. 8170 in Batken oblast, PEC members put pressure on independent observers after they commented on the presence of law enforcement officers inside the polling station;
- At polling station No. 8163 in Batken oblast, PEC members put pressure on independent observers because they were pointed out that PEC members were giving out more than two ballots per voter;
- Observers in Balykchy reported numerous instances of intimidation of observers representing presidential candidate Atambaev. At polling station No. 12 in Balykchy, an Atambaev observer was beaten. Observers were also threatened in several ways. For example, observers' relatives who work for government bodies were being threatened, based on their relatives' participation as an observer;
- At a polling station in the village of Ak-Terek of Dzhety-Oguz rayon, Issyk-Kul oblast, after making comments about ballot box stuffing, a female SDPK observer was forcefully thrown into the street by unknown men who had hats with Bakiev on them. The same men used physical force against three people who tried to defend the observer. Alliance observers filed an official act on this violation. Police officers detained the SDPK observer and five others;
- At 7:30 pm in a polling station in Talas, an Alliance observer tried to prevent someone from stuffing five ballots in the ballot box. After the incident, she was arrested by the Ministry of Interior Affairs and then taken to a hospital for drug addicts for examination;

- At polling station No. 4056 in Dostuk, the PEC chairman and secretary did not let an Ak Jol party observer in because they said he had arrived “late.” (The observer came to the polling station at 8 am. The Alliance observer filed an official act;
- An independent observer in Bishkek who was a university student received a call from the dean of his university that will he would be expelled from the university if he did not leave the polling station;
- At polling station No. 3029 of Issyk-Kul oblast, young men threatened an observer who reprimanded them for ballot box stuffing;
- Across Issyk-Kul oblast, Alliance observers reported that the State National Security Committee and local authorities pressured observers representing Atambaev;
- At 7:30 pm, an Alliance observer was expelled from polling station No. 1241 in Bishkek. The PEC accused her of “hampering” their work because she was attempting to observe the identification that voters’ presented to receive ballots;
- Pressure was placed on an Alliance observer coordinator in Leylek rayon throughout the day. The coordinator continuously received calls from the rayon administration and city council, demanding that she ensure her observers’ silence on violations;
- At polling station No.240 of Kara-Suu rayon, pressure was placed on the observers.

Busing of Voters¹

- At polling station No. 1005 of Lenin rayon, Bishkek, an observer witnessed busing of voters who were voting by absentee ballots;
- Observers reported voter busing at polling station Nos. 76, 80 and 85 of Batken rayon, Nos. 74, 71 and 75 of the town Batken, and at all polling stations in the village of Aidarken in Kamajai rayon;
- Observers reported busing of voters to polling station No. 74 in Batken oblast, which began in the morning by mini-bus S 37-80 N;
- Independent observers in the town Balykchy reported widespread busing of voters throughout the entire election day;
- Widespread busing of voters was observed at polling station No. 238 in the city of Osh;
- At polling station No. 44 in Kyzyl-Octiabr, Osh oblast, at approximately 5 pm, two cars brought in seven voters;
- At the polling station No. 4034 of the Naryn oblast bringing in of voters was organized by car VAZ 31-00 with the state number of the car 82 52 B. An act was drawn up on it.

Abuse of Administrative Resources and Campaigning on Election Day

- In Batken oblast, before the election day, the oblast governor himself met with each local self-government head, who gave him a promise of percentages of voter turnout and number of votes for President Bakiev. The identified officials took all measures to raise the percentage of voter participation.
- According to independent observers of polling station No. 77 of Batken rayon, a correspondent of the oblast TV station was inside the polling station interviewing a pensioner Ashirova Sanam, who was campaigning for people to vote for Bakiev. Such violations were also allowed at polling stations in Aydarken. At polling station No. 131 several cars with “Bakiev” plaques were parked in line in front of the polling station entrance;
- At polling station No. 4028 (Ekinaryn) of the Naryn rayon, by 7 pm there were no observers left except for one Alliance observer. The village elder Asylbek then arrived, stood in the polling station entrance and campaigned for people to vote for Bakiev;

¹ According to Article 40, Point 13 of the Election Code says that “Candidates, candidates’ proxies, political parties, and other individuals and legal entities acting on the instructions of the above mentioned individuals or entities are prohibited to undertake actions aimed at providing transportation to voters for participation in voting.”

- Independent observers in Balykchy reported numerous cases of campaigning and pressure on voters around the polling stations by local self-government workers and teachers;
- At polling station No. 3030, rayon council chairman E. Orozoev openly campaigned for Bakiev inside the polling station. The PEC chairperson was not able to stop the campaigning, despite complaints by observers and several official acts being filed;
- In Kara-Suu rayon, Osh oblast, local and rayon council deputies were assigned polling stations in which to be present. Also, a women's council chairperson and the chairmen of community committees actively campaigned in favor of one candidate;
- Observers in Osh oblast highlighted violations by employees of universities, technical colleges, and budgetary organizations. On July 21 and 22, meetings were held in each institution with local government representatives, after which, institution employees were assigned specific polling stations. An instruction was issued: by all means report by 10 am on 70 percent turnout, and by 12 o'clock – turnout of 85 percent. Teachers were visibly active in organizing students to vote, because they allegedly risked dismissal if they did not meet their targets. A great deal of pressure was placed on students to vote. Some groups were transported by mini-bus, while others went on foot from one polling station to another and participated in carousel voting. These students voted by being added to the additional voters lists;
- Prior to the start of voting at polling station No. 174 of Kara-Suu rayon, a meeting was organized during which participants made pronouncements to vote for Bakiev;
- At polling station Nos. 4056 and 4028 of Naryn rayon, campaigning in favor of Bakiev was conducted.

Voting for Others by Election Commission Members

- According to independent observer reports, PEC members voted for voters by signing for them in the voters' lists and filling out their ballots in 70 percent of polling stations observed in Talas.

Violation of the Secrecy of the Vote

- At polling station No. 7314 in Chui oblast, a PEC member helped someone vote in the voting booth.

Mobile Voting Violations

- At precinct No. 556 in Osh, 25 voters were registered for mobile voting. Eleven of those 25 voters came to the polling station and voted. The PEC members who accompanied the mobile box wanted those same individuals (who had already voted in the polling station) to vote again;
- At precinct No. 4030 of Naryn oblast, 87 requests for mobile voting were registered. An Alliance observer who accompanied the mobile ballot box reported that 50 of those mobile voters did not have identification when they attempted to vote. The observer insisted that those individuals' ballots should not be cast;
- In Naryn rayon, PEC members at polling station No. 4035 and No. 4036 who had left the precincts to conduct mobile voting did not return as of 10:30 pm. Earlier, observers had not been permitted to accompany the election commission members conducting mobile voting.

Violations of the Election Commission Procedures during the Voting

- The PEC chairperson of polling station No. 81 in Talas rayon executed the duties of the secretary.

Closing Precincts/Vote Count

Ballot Stuffing and Manipulation by Election Ballots during Vote Count

- During the vote count at polling station No. 4117 (Karajeeek) in Jumgal rayon, Naryn oblast, PEC members added information on ballots;
- During the vote count at polling station No. 1049 in Lenin rayon, PEC members, after noticing that the pile of ballots in favor of Atambaev was higher than that of Bakev, , shifted some of the ballots from Atambaev's pile to Bakiev's pile, which made Bakiev's pile higher;
- Observers from Issyk-Kul oblast reported that Atambaev has won by a margin of approximately 100 votes at some polling stations. However, since his observers were no longer at the polling stations, PEC members moved ballots for Atambaev to Bakiev's pile, despite independent observers drawing up official acts;
- At precinct No. 7292 in Moskov rayon, Chui oblast, at 8:25 pm, massive ballot stuffing was observed during the vote count. An act was filed and signed by the observers. The PEC chairperson refused to sign it. Instead, PEC members threatened and insulted the observers;
- At polling station No. 7231 in Sokuluk rayon, Chui oblast, during the vote count it was clear that a total of 1,000 voters cast ballots at the polling station. However, the chair assured the observers that 2,000 ballots had been cast and started writing it down in the protocol. When observers asked him to show them the ballots, the election commission members strongly objected. The observers filed an act, but the chair refused to sign it.

Violations of Observers Rights during the Vote Count

- During the vote count at polling station No. 4117 (Karajeeek) in Jumgal rayon, Naryn oblast, PEC members made independent observers leave the precinct without explanation.

Presence of Unauthorized People at Polling Stations during the Vote Count

- Observers in Issyk-Kul oblast reported that governmental officials were at the polling stations and were even counting on a calculator who received how many votes and whether there was the correct number of received ballots.

Violation of Vote Count Procedures by Election Commissions

- At polling station No. 4035 (Akkyia) in Naryn oblast, PEC members sorted ballots before the the mobile ballot boxes were returned to the precinct.

Refusal in Issuing and Verifying Copies of Protocols on the Voting Results at Precincts

- At polling station Nos. 1038, 1033, 1034, 1003, 1035, 1011 and 1019 in Bishkek, the PEC chairpersons refused to sign and verify the protocols with stamps;
- At 9:35 pm, the PEC members at polling station No. 7231 in Sokuluk rayon, Chui oblast, left the polling station without signing the protocol for observers.

Collection of Protocols at Rayon Election Commissions

- Independent observers had no access to the Issyk-Kul rayon election commission. The election commission was cordoned off by militia, who only let people in based on their own list of people;
- According to an observer at the Batken rayon election commission, figures on protocols did not add up correctly, and the system administrator did not accept the protocols. The election commission then worked behind the closed doors, and, unable to observe the tabulation process, the observer had to leave.

Recommendations of the Alliance

- Schedule election days on non-working days to help prevent the recurrence of such gross violations of citizens' electoral rights;
- Instead of expanding the list of citizens eligible for early voting (Article 41, Point 1 of the election code), develop a clear system and procedures for absentee voting;
- Remove Article 40, Point 5 of the election code, which provides voters the opportunity to vote without identification at polling stations with less than 500 voters if they are on the main voters list and at least two PEC members confirm that he/she lives within the precinct. This provision provides opportunities for falsification of voting results at polling stations;
- Amend the election code to explicitly allow for observers to take photos and video during the voting process in polling stations and during the tabulation process at higher election commissions;
- Amend the election code articles on the responsibilities of PECs, DEC, CEC, and other election process participants for violating election code provisions and for restricting the rights of candidates' proxies and observers, including toughening the legal liability of PECs for not providing copies of the final protocols and for refusing to sign and stamp the protocols.
- Amend the election code to remove barriers to the DEC receiving complaints regarding the actions of lower-level election commissions (in this and past elections, observers have often been blocked from entering DEC by militia on election night, which has restricted their ability to ensure that official complaints are submitted). For example, district and city-level working groups could be established for receiving complaints, similar to the one organized under the CEC;
- Simplify Article 44, Point 5 of the election code regarding the process of counting voters list data, because the current system complicates the vote counting process;
- Restore an alternative procedure for appealing the decisions and actions of election commissions to higher election commission or to a court (Article 54, Point 6);
- Conduct an analysis of the election code to improve its quality and to help ensure free and fair elections;
- Ensure that the April 29, 2009 Constitutional Court decision (that, during election campaigns, electoral participants who would like to hold rallies and demonstrations only need to provide advance notification to the government, but not seek advance approval) is adhered to by authorities;
- Recommend to the CEC and the Government of Kyrgyzstan to re-introduce the system of finger-inking to prevent multiple voting on election day; and
- Prevent the interference of law enforcement officers in the electoral process, including threats and intimidation of observers.