



**International Observation Mission
to Kyrgyzstan Parliamentary
Elections 2010**

**Международная миссия по
наблюдению
Кыргызстан Парламентские
выборы 2010**

**PRELIMINARY STATEMENT ON 2010
PARLIAMENTARY ELECTIONS IN THE KYRGYZ REPUBLIC**

The European Network of Election Monitoring Organizations (ENEMO) fielded 23 short-term observers to monitor the 2010 parliamentary elections in Kyrgyzstan on October 10, 2010. The short-term observers from leading election monitoring groups from 16 countries observed all stages of the voting process, including the opening, the vote, the vote count and the tabulation of results in polling stations and rayon electoral commissions throughout the country. During election day, ENEMO observers visited 293 polling stations nationwide.

SUMMARY OF FINDINGS AND CONCLUSIONS

- ENEMO concludes that, overall, the parliamentary elections were conducted democratically and peacefully, with no reports of major violations from ENEMO observers, despite being negatively affected by cases of irregularities during voting and vote counting procedures on election day. Precinct election commission members' poor knowledge of election procedures, violations of ballot secrecy, inaccurate voters lists and the presence of unauthorized persons in polling stations undermine public confidence in the overall election process.
- Although ENEMO commends the Central Election Commission (CEC) for its efforts in training precinct election commission members and volunteers on election procedures and laws, ENEMO observers noted on election day that precinct commission members were generally unable or unwilling to address procedural problems.
- ENEMO acknowledges the positive role of both domestic and international observers to ensure the protection of voters' rights and an independent evaluation of the electoral process. ENEMO also acknowledges the assistance provided by international organizations to Kyrgyz electoral authorities in conducting the parliamentary elections.
- ENEMO appreciates the openness extended by the Central Election Commission

and Ministry of Foreign Affairs of the Kyrgyz Republic in accrediting over 800 international observers.

- ENEMO notes that the use of additional voters lists on election day to register citizens not already included in the main voters list was problematic. On the one hand, allowing voters to be added to the voters list on election day increases overall participation in the elections. On the other hand, a greater number of additional voters may have contributed to problems with finger-inking procedures and other checks on multiple voting, increasing the opportunity for voter fraud.

Political Context

Elections for the *Jogorku Kenesh* (Parliament) of the Kyrgyz Republic were held on October 10, 2010, following the adoption of the new constitution of the Kyrgyz Republic in the June 27, 2010 constitutional referendum. These elections represent a part of the transition of Kyrgyzstan from a presidential to a semi-parliamentary form of government.

The 2010 constitution introduced a provision that increases the number of seats in parliament from 90 to 120. At the same time, the constitution prevents any single party from gaining more than 65 seats in parliament, regardless of electoral mandate. All discrepancies in this legal framework were supposed to be resolved by decisions of the CEC. However, prior to election day, the CEC did not decide on the method of distributing the remaining seats in the event that a single political party wins enough votes to gain the 65-seat majority.

Despite the tragic events of June 2010 in the south of the country, the parliamentary elections provided an opportunity for citizens to choose among competing visions for the future of their country. Twenty-six of the 29 political parties running in these elections signed and generally respected a Code of Conduct developed with assistance from international organizations, including the National Democratic Institute (NDI), the International Republican Institute (IRI), and the Organization for Security and Cooperation in Europe (OSCE). Parties agreed to participate in a fair electoral race without using inflammatory language or any other way of exploiting ethnic or regional differences. In this way participants in the elections have shown responsibility for the future of Kyrgyzstan

Freedom of speech in the mass media significantly improved in comparison with all previous elections held in Kyrgyzstan. While self-censorship is still very present, there are no signs of harassment and state censorship. All parties have free access to state owned media according to the law. ENEMO recognizes the contribution of a newly appointed supervisory body to improve the condition of state media services.

Election preparations were followed by concerns regarding overall security in Kyrgyzstan. Following the tragic events earlier this year, many interlocutors were afraid of potential instability in the country before, on or after election day.

Central Election Commission Performance

ENEMO welcomes all efforts conducted by the CEC. Despite being clearly understaffed and frequently delayed in announcing its decisions, the CEC performed in an impartial and professional manner. ENEMO recognizes the CEC as a focal point in decreasing the tensions and creating the positive climate in the pre-election period.

ELECTION DAY FINDINGS

Election day was generally carried out in a democratic and peaceful manner. However, ENEMO observers noted frequent problems of procedural irregularities as well as several violations and cases of fraudulent conduct. The most common irregularities reported were related to poor performances of precinct election commissioners, secrecy of voting, voters lists, and the presence of unauthorized persons in polling stations. Overall, ENEMO observers assessed the conduct of voting procedures as “bad” or “very bad” at 35 of the 293 polling stations visited. Out of those rated poorly, 31 polling stations were negatively assessed due to commission members’ negligence, while four polling stations were negatively assessed due to the fraudulent conduct or serious violations as listed below.

Professionalism of the Precinct Election Commission (PEC) Members

Despite being trained by the CEC and representatives of international organizations, precinct election commissioners have shown poor knowledge of electoral procedures in numerous cases. The commissioners had difficulties filling in and preparing the initial protocols on election day at 82 polling stations. At 65 polling stations, the opening protocol information was flawed, incomplete or blank, while at 40 polling stations, the initial protocol was filled in with pencil instead of pen.

Moreover, in four polling stations (Osh oblast, Kara Suu rayon PEC #5501; Osh oblast, Ozgon rayon, PEC #5055; Jalalabad, Bazar Korgon rayon, PEC #2133; and Jalalabad, Bazar Korgon rayon, PEC #2131) ENEMO short-term observers reported that the ballot box was not sealed properly.

Precinct election commissioners failed to post the sample ballot in 124 out of 293 polling stations visited. Informational posters on voting procedures and political parties were missing in 23 polling stations of those visited by ENEMO observers on election day.

In two instances, at PEC #5187 in Osh oblast, Kara Suu rayon and at PEC #6070 in Talas oblast, Bakay Ata rayon, ballots were issued to voters that did not present the proper identification documents.

Busing of Voters

In Osh oblast, Kara Kulya rayon, at PEC #5006, party candidates were seen transporting voters to the polling station. In Talas oblast, Manas rayon, at PEC #6603, ENEMO observers reported that voters were being bused near the precinct.

Invisible Inking

At 11 polling stations of 293, ENEMO observers noted problems regarding the procedure of inking voters’ thumbs. Seven cases were related to the fact that PEC members did not adequately check every person entering the polling stations with the required ultra violet lamp.

In addition, at PEC #1111 in Bishkek city, political party pollwatchers made an official complaint about the performance of the commission member assigned to ink-checking. The pollwatchers witnessed the commission member leave the polling station twice, allowing five voters to vote without being checked for ink.

Ballot Boxes Overloaded with Ballots

Due to the size of the ballots (approximately 70 centimeters long), in several polling stations the stationary ballot box was full before the end of election day. Some polling stations were not provided with a second ballot box for overflow, and used a ruler or other instrument to push ballots down into the existing box in order to fit more ballots in.

In Sokuyulk rayon, Chui oblast, at PEC #7230, the second ballot box provided for overflow was sealed with scotch tape.

Violation of Voting Secrecy

At 33 polling stations out of 293 observed, ENEMO observers reported violations of voting secrecy. The most common violation was the presence of more than one person in a single voting booth (17 polling stations).

Presence of Unauthorized Persons at the Polling Stations

ENEMO observers noticed unauthorized persons, such as police, present in 28 polling stations. Local or state government officials were present in 14 polling stations.

Problems with Voters Lists

At 40 polling stations, ENEMO observers noted problems with the identification or registration of voters as a result of voters who were either missing or listed incorrectly in the voters list.

Due to the poor quality of the voters lists, a large number of people were added to the additional voters lists in many polling stations. At PEC #5327, in Osh city, 416 voters were added to the additional voters list; at PEC #7233, in Chui oblast, Sokulyuk rayon, 393 voters were added to the additional voters list; and at PEC #2008 in Jalalabad oblast, Suzak rayon, 335 were added to the additional voters list. In these polling stations, the number of people in the additional voters list was approximately 20 percent of the total number of voters included in the main list.

In Kara Suu rayon, Osh oblast, at PEC #5184, 130 voters not on the main list were registered in a commission member's personal notebook and voted, instead of being added to the additional voters list. The commission members responsible explained that they would fill in the additional voters list at the end of counting process.

Mobile Voting Requests Accepted After the Legal Deadline

ENEMO observers noted that the most serious violation regarding mobile voting during election day was that requests for mobile voting were accepted after the legal deadline (Saturday, October 9). Such cases were reported in: Talas city, at PEC #6111; Talas oblast, Bakay Ata rayon, PEC #6068; and Issyk Kul oblast, Cholpon Ata rayon, at PEC #3029.

Vote Count Process

ENEMO observers monitored the counting procedure in 23 polling stations. In Issyk Kul oblast, Balykchy rayon, at PEC #3010, the ENEMO short-term observer reported that members of the election commission did not invalidate unused voting ballots as required by law. In Jalalabad, Bazar Korgon rayon, at PEC #2128, unused ballots were not sealed away before vote counting began, and closing data was entered in the protocol in pencil instead of pen.

However, ENEMO observers assessed the vote counting procedures at 18 of 23 polling stations as “good” or “very good.”

CONCLUSIONS AND RECOMMENDATIONS

ENEMO offers the following key recommendations:

- All complaints of voter fraud should be vigorously investigated and impartially resolved.
- The protocol data from all precincts should be published in a timely manner on the CEC website.
- The principle of “one voter, one vote” needs to be ensured by adding provisions against multiple voting (updated voters lists, limited early voting, and more effective inking procedures by using visible inking rather than invisible inking).
- The organization of elections in Kyrgyzstan needs further improvements, such as comprehensive training of election commission members at every level, a centralized and regularly updated voter registry, clear procedures for calling elections, and a fixed date and year for elections.
- The usual practice in established democracies is to base electoral thresholds on the number of votes cast in elections to better reflect the will of participating voters. ENEMO recommends the same practice for future elections in Kyrgyzstan.
- In the future, the capacity of the stationary and mobile ballot boxes should be checked prior to election day to determine whether they have enough space for all possible ballots cast at each precinct. The CEC must provide a sufficient number of ballot boxes for election day.

This report was written in English and remains the only official version

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European Network of Election Monitoring Organizations (ENEMO) is a group of 22 civic organizations from 17 countries of the former Soviet Union and Central and Eastern Europe. These nonpartisan organizations are the leading domestic election monitoring groups in their countries. In total, ENEMO member organizations have observed 200 national elections in their countries, monitored more than 100 elections abroad, and trained over 200,000 election monitors.

Since 2004, ENEMO has conducted multiple international election observation missions to Ukraine, Kyrgyzstan, Kazakhstan, Georgia and Albania. In 2005, 2007 and 2009, ENEMO

deployed in Kyrgyzstan limited observation mission for parliamentary and presidential elections and full-scale observation mission for early presidential elections.

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