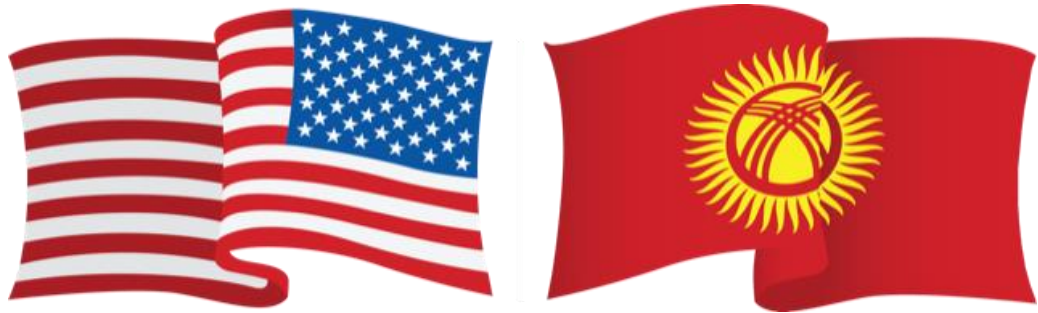




# ANALYSIS OF ELECTORAL DISPUTES IN THE KYRGYZ REPUBLIC

**“COMMON CAUSE” PUBLIC FOUNDATION**

**AUGUST, 2021**



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## INTRODUCTION

Electoral disputes are an essential institution in electoral law and the electoral process. Protection of electoral rights of electoral subjects, safeguarded by the legislation, is carried out precisely during the resolution of disputes on the application of the norms of electoral law arising during the appointment, preparation for the conduct, informing and election campaigning, establishing the voting results and determining the results of elections at various levels.

In turn, the effective resolution of electoral disputes is an integral part of a successful electoral process and must be ensured prior to, during and after elections.

In accordance with the Constitution of the Kyrgyz Republic, the citizens of the Kyrgyz Republic have the right to elect and be elected to state and local self-government bodies, as well as to participate in the referendum.

The Kyrgyz Republic ensures protection of the rights and freedoms of all persons within its territory and jurisdiction.

The process of resolving electoral disputes is also directly or indirectly regulated by international standards and international judicial practice, which are interpreted and applied at the national level through domestic electoral legislation and judicial practice. International Covenant on Civil and Political Rights is an international instrument on electoral issues and particularly in the area of electoral dispute resolution, and for member states of the Council of Europe it is the First Additional Protocol to the European Convention on Human Rights. The developed international standards, specifically, the Venice Commission's Code of Good Practice in Electoral Matters, the 1990 OSCE Copenhagen Document, and the 1991 Moscow Document, also serve to complement the above international treaties and judicial practice.

The Common Cause Public Foundation, in the framework of the "Citizens Follow Election Disputes" project, conducted an analysis of electoral disputes in the Kyrgyz Republic, which includes electoral disputes during the presidential elections of the Kyrgyz Republic in 2017, elections of deputies to the Jogorku Kenesh of the Kyrgyz Republic in 2020 and early presidential elections of the Kyrgyz Republic in 2021.

### Legislation

- The Constitution of the Kyrgyz Republic;
- Constitutional Law of the Kyrgyz Republic "On Elections of the President of the Kyrgyz Republic and the Deputies of the Jogorku Kenesh of the Kyrgyz Republic".
- Constitutional Law of the Kyrgyz Republic "On the Central Commission for Elections and Referendums of the Kyrgyz Republic";
- - Administrative Procedure Code of the Kyrgyz Republic of January 25, 2017, No. 13;
- The Law of the Kyrgyz Republic "On Election Commissions for Elections and Referenda of the Kyrgyz Republic";
- Statutory instruments adopted by the Central Commission for Elections and Referendums of the Kyrgyz Republic.

During the preparation and conduct of elections, election commissions, prosecution authorities, and internal affairs bodies ensure strict observance of the requirements of the Constitution of the Kyrgyz Republic, the Constitutional Law of the Kyrgyz Republic "On Elections of the President

of the Kyrgyz Republic and the Deputies of the Jogorku Kenesh of the Kyrgyz Republic" (hereinafter referred to as the Constitutional Law on Elections), and other laws of the Kyrgyz Republic.

An analysis of the norms of the above statutory instruments shows that there are certain procedures for considering and resolving electoral disputes. Thus, the Constitutional Law on Elections establishes a diverse procedure for appealing decisions, actions or inaction of state bodies, officials and other electoral subjects and the procedure for appealing decisions, actions or inaction of electoral commissions.

Thus, the decisions and (or) actions (inaction) of state and other bodies, their officials, other electoral subjects violating electoral rights of citizens and the requirements of the Constitutional Law on Elections, in accordance with the legislation of the Kyrgyz Republic, can be appealed to:

- election commissions;
- prosecution authorities;
- internal affairs bodies;
- the court.

Thus, depending on the nature of the violated right, the possible consequences of the violation and the competence of the body, the subject of the appeal has the right to appeal to various bodies.

The situation is different in the case of appealing the decisions and (or) actions (inaction) of election commissions, for which the Constitutional Law on Elections establishes a specific appeal procedure from a lower election commission to a higher election commission. In accordance with the Constitutional Law on Elections, the decisions and (or) actions (inaction) of election commissions, their officials that violate the electoral rights of electoral subjects can be appealed to a higher election commission, and the decisions and (or) actions (inaction) of the Central Commission on Elections and Referenda (hereinafter referred to as the Central Election Commission) - to the court.

The Constitutional Law on Elections stipulates that applications (complaints) against decisions and (or) actions (inaction) of election commissions that violate the electoral rights of citizens may be filed by:

- voters;
- candidates and their representatives;
- political parties and their representatives;
- non-profit organizations;
- observers.

During election campaigns, electoral subjects must also have a clear understanding of the deadlines for filing disputes on a particular issue. For instance, the Constitutional Law on Elections stipulates that applications (complaints) must be filed immediately from the moment the electoral subject becomes aware of a violation of his/her electoral rights, decision-making, action (inaction), but not later than 3 calendar days.

It should be noted that the above wording "from the moment the electoral subject becomes aware of a violation of his/her electoral rights" generates much debate in practice and lacks an unambiguous definition, interpretation of what should be understood under this moment.

In turn, for the purpose of effective and timely consideration of electoral disputes, the Constitutional Law on Elections also establishes deadlines for considering electoral disputes.

Applications (complaints) received during the preparation of elections are subject to consideration by election commissions or courts:

- within 3 days after receipt;
- those received on election day or the day preceding election day - immediately;

In this case, if the facts contained in the applications (complaints) received during the preparation of elections require additional verification, the decision on them shall be made no later than 5 days.

In this case, the electoral subjects must understand that the deadline for filing applications (complaints) cannot be restored. No applications (complaints) will be accepted after these deadlines have expired. The period for filing applications (complaints) begins the day after the making of the decision, taking action (inaction).

#### *Prosecution and Internal Affairs authorities*

Prosecution authorities supervise the observance of electoral legislation by executive authorities, local self-government bodies, and their officials, as well as consider applications (complaints) about their actions, for which there is responsibility in accordance with the legislation of the Kyrgyz Republic.

Internal affairs bodies carry out work on considering applications (complaints) related to violation of public order, as well as applications on actions of electoral subjects, in accordance with the competence defined by the legislation of the Kyrgyz Republic.

Applications (complaints) of voters, candidates, political parties, and other electoral subjects received during the preparation of elections are to be considered by the prosecution and internal affairs bodies within two days of receipt, and those received on election day or the day preceding election day - immediately.

If the facts contained in the applications (complaints) received during the preparation of elections require additional verification, the decision on them shall be made no later than 3 days. A copy of the decision on the application (complaint) shall be immediately sent to the relevant election commission by the prosecution authorities and internal affairs bodies.

In the case of refusal to consider an application (complaint), the prosecution authorities, internal affairs bodies must immediately issue a copy of the decision stating the grounds for the refusal.

It should be noted that the electoral legislation does not contain clear procedures and prescriptions about which complaints and applications the electoral process subjects should address to the electoral commissions and which - to the internal affairs bodies and prosecution authorities. In practice, this leads to the fact that the bulk of complaints and applications, regardless of competence, are submitted to election commissions. For example, vote-buying is a crime under

the Criminal Code of the country, and the investigation of this category of cases, the pre-trial proceedings are the responsibility of the internal affairs bodies. In practice, however, most subjects report possible cases of vote-buying to election commissions.

In order to resolve such situations in a timely and prompt manner and to respond to the signals about possible violations of the electoral legislation, the Constitutional Law on Elections was supplemented with a norm about the establishment of Rapid Response Coordination Groups (hereinafter referred to as RRCG) under the Central Election Commission and Territorial Election Commissions. The KGOR consists of representatives of the relevant election commission, as well as internal affairs bodies, prosecution authorities, and national security. All signals of violations received by election commissions, involving administrative and criminal responsibility, are referred by the RRCG to the relevant law enforcement agencies. In fact, the RRCG is one of the mechanisms that ensure the consideration of electoral disputes and interaction between election commissions and law enforcement agencies.

### *Court*

The Law of the Kyrgyz Republic dated January 20, 2017 No. 6, effective July 1, 2017, enacted the Civil Procedure Code, adopted on January 25, 2017 No. 14, the Administrative Procedure Code of the Kyrgyz Republic, adopted on January 25, 2017 No. 13.

Thus, according to Article 28 of the Civil Procedure Code, the district court (a district court in a city, a city court) has jurisdiction over all civil cases, except for cases within the jurisdiction of an administrative court.

In accordance with the Administrative Procedure Code (hereinafter referred to as the Code), cases on protection of electoral rights of electoral subjects are under the jurisdiction of the administrative court of the Kyrgyz Republic, considered and resolved in accordance with the procedural principles and rules established by the Code.

Chapter 20 of the Code establishes the procedure for judicial proceedings in cases on the protection of the electoral rights of electoral subjects, according to which a citizen or another electoral subject (a voter, a candidate, a political party, their representatives in election commissions, proxies, a non-profit organization, observers), who believe that the electoral rights of electoral subjects have been violated by a decision, action (inaction) of state authority, a local self-government body, a non-profit organization, an election commission, their officials, have the right to apply to the court of original jurisdiction at the location of the defendant.

In this case, it establishes the right of the applicant to apply directly to the court at the location of the defendant. However, analysis of the norms of the Constitutional Law and the Code suggests that in this case, it is more about the right to appeal a decision, action (inaction) of, for example, a public authority or local self-government body, except for election commissions, which have a mandatory pre-trial procedure for considering a dispute. For instance, decisions of the precinct and territorial election commissions can be appealed in court only after higher-level election commissions consider the corresponding complaints. Decisions and (or) actions (inaction) of the Central Election Commission are appealed directly to the court, within 3 calendar days from the date of the decision.

A limited number of subjects have the right to appeal the voting results and election results. For instance, candidates, political parties that nominated lists of candidates, their representatives in election commissions, and observers may file complaints against decisions of election commissions on the determination of results of the voting and the determination of election results.

The application to the court shall be filed immediately from the moment when the applicant became aware of the violation of his/her electoral rights, decision-making, taking of actions (inaction), but not later than 3 calendar days.

Appeals against decisions of election commissions on the determination of voting results and election results are filed within 3 calendar days after the determination of voting results or the determination of election results.

At the same time, the deadlines for filing applications cannot be restored.

The court, having established the validity of the application, recognizes the contested decision, action (inaction) as illegal and cancels the decision of the relevant election commission, or refuses to satisfy the application, if it finds that the contested decision, action (inaction) is legitimate.

The court decision enters into legal force from the moment it is issued and is mandatory for execution by public authorities, local self-government bodies, non-profit organizations, electoral commissions, and their officials. The reasoned decision of the court must be served immediately on the applicant, the persons involved in the case, and the relevant election commission.

Taking into account that the decision of an administrative court on electoral disputes enters into force as soon as it is rendered, the decision of the court of original jurisdiction may be appealed immediately in cassation to the Supreme Court within 3 calendar days from the date of rendering the decision.

It should be noted that the deadlines for filing complaints cannot be restored. After the expiration of the above deadlines, complaints shall not be accepted and shall be returned in the manner prescribed by this Code.

A cassation appeal may be filed through an administrative court. In this case, filing a complaint directly to the Supreme Court of the Kyrgyz Republic is not an obstacle for the consideration of the complaint.

The Supreme Court shall consider cassation appeals within 5 calendar days from the date of receipt of the case in the court of cassation with the obligatory participation of a representative of the Central Election Commission. The judgment of the Supreme Court enters into force from the moment it is announced, is final, and is not subject to appeal.

The electoral legislation contains no mention of the possibility for a court of cassation to cancel a judicial act of a court of original jurisdiction and send the case for reconsideration, as well as the possibility of reconsideration of electoral disputes based on newly discovered circumstances. However, during the organization and conduct of elections of deputies of local councils in 2021, the judicial board for administrative and criminal cases of the Supreme Court of the Kyrgyz Republic applied the practice of canceling the decision of the Administrative Court of Bishkek and sending the case for new consideration.

On the whole, the analysis of the three election campaigns given in this publication shows a number of problems and issues that need to be resolved in order to reduce the number of electoral disputes, their effective consideration, and voter confidence in the institution of elections and the elected authorities.

## **PRESIDENTIAL ELECTIONS OF THE KYRGYZ REPUBLIC IN 2017**

In accordance with the Decree of the Jogorku Kenesh of the Kyrgyz Republic No. 1681-VI dated June 14, 2017 "On the appointment of presidential elections of the Kyrgyz Republic", the election of the President of the Kyrgyz Republic was scheduled for October 15, 2017.

On August 1, 2017, the procedure for nominating candidates for President of the Kyrgyz Republic was completed. 59 citizens, including 7 women and 52 men, applied to the Central Election Commission to be nominated for the position of President of the Kyrgyz Republic.

On September 9, 2017, the deadline for the registration of candidates ended; 13 candidates were registered, of whom 1 was a woman and 12 were men:

1. Temir Argembaevich Sariev
2. Babanov Omurbek Toktogulovich
3. Jeenbekov Sooronbay Sharipovich
4. Torobaev Bakyt Ergeshevich
5. Zarlykov Ernis Zarlykovich
6. Madumarov Adakhan Kimsanbaevich
7. Beknazarov Azimbek Anarkulovich
8. Abdyldaev Arstanbek Beishenalievich
9. Masadykov Taalatbek Shamudinovich
10. Kochkorov Ulukbek Toichubaevich
11. Umetalieva Toktaiym Dzhumakovna
12. Maliev Arslanbek Kasymakunovich
13. Tashiev Kamchybek Kydyrshaevich

Resolution No. 526 of the Central Election Commission of the Kyrgyz Republic dated October 30, 2017 approved the protocol of the Central Election Commission "On the results of the presidential election of the Kyrgyz Republic", according to which Jeenbekov Sooronbai Sharipovich was declared the elected President of the Kyrgyz Republic, having received 54.22% of voters' votes.

### *Electoral disputes*

During the period of preparation and conduct of the presidential elections of the Kyrgyz Republic, a total of 103 applications (complaints) were received by the Central Election Commission.

### **Among them:**

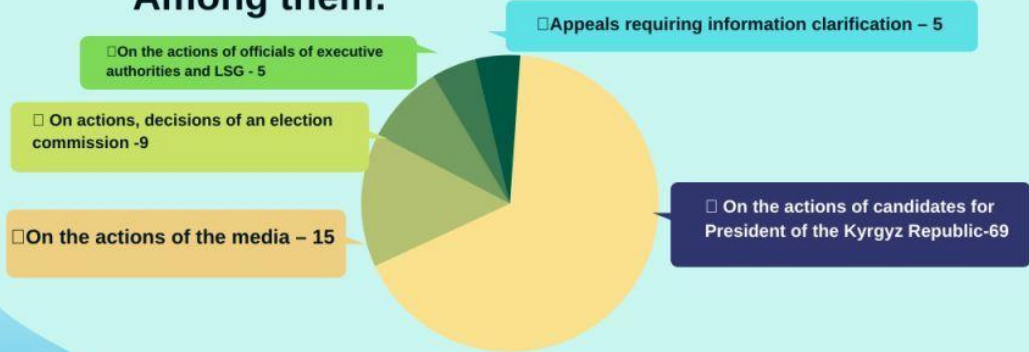
- On the actions of candidates for President of the Kyrgyz Republic - **69**
- On the actions of the media – **15**
- On actions, decisions of an election commission - **9**
- On the actions of officials of executive authorities and LSG - **5**
- Appeals requiring information clarification – **5**





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### Among them:



It should be noted that compared to the analyzed electoral processes, there was the greatest number of complaints against the media (15 complaints) with demands to revoke accreditation or provide a refutation, remove the material posted about the candidate.

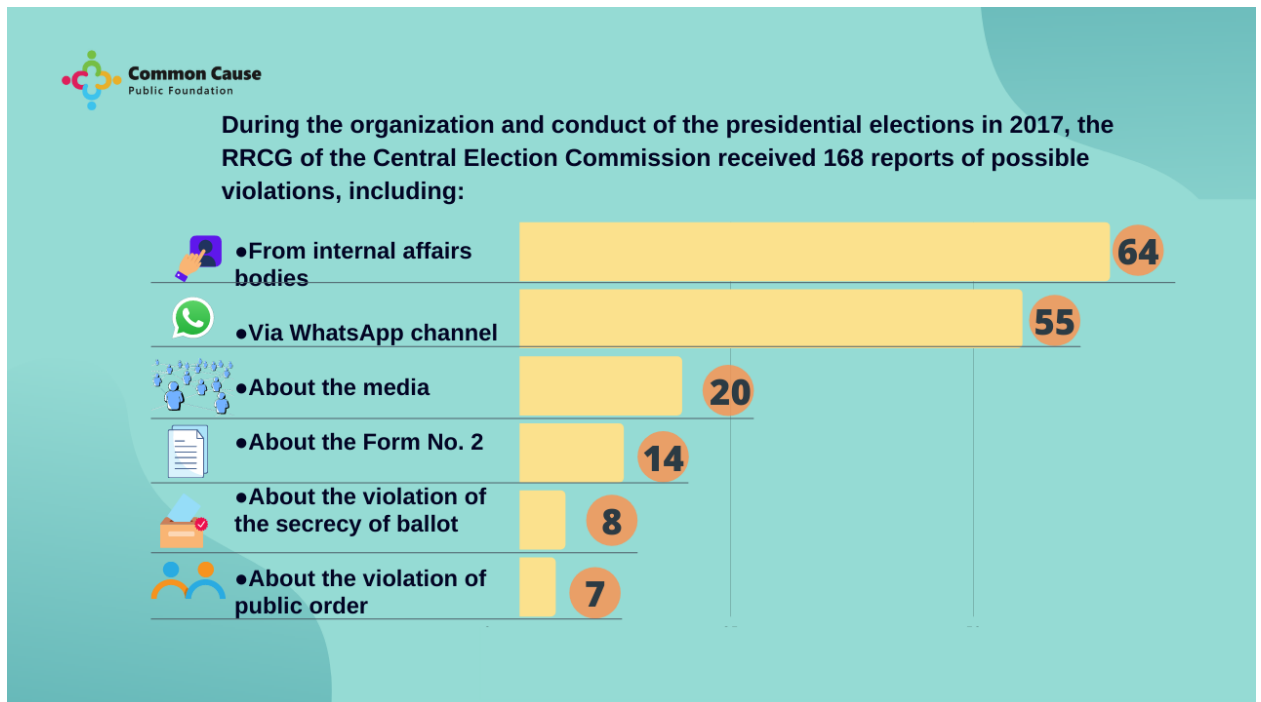
Of the 69 complaints received by candidates for President of the Kyrgyz Republic, the subjects of the appeal were as follows:



Of the 69 complaints received by candidates for President of the Kyrgyz Republic, the subjects of the appeal were as follows:

- On the propaganda of interethnic hostility - 19
- On violations of the rules of election campaigning - 18
- On the abuse of an administrative resource - 15
- On the participation of religious figures in the campaigning - 4
- On violations during the formation of election funds - 3
- On the presence of dual citizenship - 3

- On the legality of nomination by political parties - 2
- On vote-buying - 1
- On the use of photo and video materials involving images of political figures of other states



During the organization and conduct of the presidential elections in 2017, the RRCG of the Central Election Commission received 168 reports of possible violations, including:

- From internal affairs bodies - 64
- Via WhatsApp channel - 55
- About the media - 20
- About the Form No. 2 - 14
- About the violation of the secrecy of ballot - 8
- About the violation of public order - 7

#### *Electoral disputes considered by the courts*

According to the Registry of complaints and appeals posted on the official website of the Central Election Commission, in the 2017 Presidential elections of the Kyrgyz Republic, during the preparation and conduct of the presidential elections of the Kyrgyz Republic, 25 applications were filed to the Interdistrict Court of Bishkek, 20 of which were filed by candidates and their authorized representatives, the remaining 5 - by public associations and other electoral subjects.<sup>1</sup>

Of the 25 applications submitted

- On the action (inaction) of the Central Election Commission - 4 applications were filed;
- On the decisions of the Central Election Commission - 14 applications were filed;
- On the resolutions of the Central Election Commission - 7 applications were filed;

With regard to 4 applications filed against the actions of the Central Election Commission, 1 application was satisfied partially and a decision was taken to recognize the actions of the Central

<sup>1</sup> See Appendix 1 Legal disputes

Election Commission as illegal, expressed in the failure to make a decision (positive or negative) on the results of the application, the other applications were dismissed.

*The authorized representative of one of the candidates for President of the Kyrgyz Republic applied to the Interdistrict Court with the request to recognize the action (inaction) of the Central Election Commission, expressed in the failure to create conditions for the passage and presence of the candidate in the state language proficiency test as illegal and to oblige the Central Election Commission to eliminate the violations.<sup>2</sup>*

*In accordance with paragraphs 8, 9 of Article 18 of the Law of KR "On Election Commissions on Elections and Referendums of the KR" (as amended by Law No. 139 dated June 26, 2015), the Central Election Commission shall issue decisions or resolutions.*

*According to Article 36 of the Regulations of the Central Election Commission, decisions of the Central Election Commission are executed as decisions or resolutions of the Central Election Commission and signed by the Chairman of the Commission or his/her deputy.*

*Thus, based on the results of consideration of the above-mentioned appeal, the Central Election Commission had to make a decision and issue it in accordance with the legislation.*

*Taking into account the stated requirements of the legislation, the appealed action (inaction) of the Central Election Commission, expressed in the failure to take a decision (positive or negative) based on the results of consideration of the appeal, was recognized by the court as illegal.*

The court's decision was executed by the Central Election Commission.

14 applications submitted for the adopted decisions of the Central Election Commission were dismissed.

7 applications submitted for the rulings of the Central Election Commission were dismissed.

In most cases the grounds for termination by the courts of the administrative proceedings or refusal to accept the application from the electoral subjects were that the applicants missed the deadline for appealing the decisions, actions (inaction) of election commissions, for filing an administrative claim, which, according to the Administrative Procedure Code of the Kyrgyz Republic, cannot be restored.

In addition, in some cases, the applicants presented claims that could not be considered in the administrative process.

Analysis of electoral disputes during the organization and conduct of the presidential election in 2017 shows that, among other reasons, one of the main causes of electoral disputes were gaps and conflicts in both the Constitutional Law on Elections and the Administrative Procedure Code.

Thus, the then-existing Constitutional Law on Elections' norm on deadlines for appeals established a 2-day deadline for appealing in one part and a 3-day deadline for appealing in another part.<sup>3</sup> A similar conflict was also contained in the norms of the Administrative Procedure Code of the Kyrgyz Republic<sup>4</sup>.

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<sup>2</sup> See the complaint of Zholdosbekov A. Zh., the authorized representative of the candidate for President of the Kyrgyz Republic Tekebaev O. Ch.

<sup>3</sup> See Article 44 of the Constitutional Law "On the Election of President of the Kyrgyz Republic and Deputies of the Kyrgyz Republic" as amended until August 08, 2019

<sup>4</sup> See Article 201 of the Administrative Procedure Code of the Kyrgyz Republic, as amended until July 24, 2020

In August 2019 and in July 2020, as part of the Action Plan provided for in the Strategy for Improvement of Electoral Legislation, a number of amendments and additions were made to both the constitutional law on elections and the codes of the Kyrgyz Republic, in accordance with which the mentioned conflicts in the norms regulating the deadlines for applications and complaints to both election commissions and the courts were eliminated.

As for the court disputes related to the appeal of decisions, actions (inaction) of the Central Election Commission, it should be noted that during the collection and verification of signature sheets of candidates for President of the Kyrgyz Republic, the majority of disputes arose due to both the form of the signature sheet and the verification method, which involved random sampling of a number of folders with signature sheets.<sup>5</sup> In the course of amendments and additions made in August 2019, the norm of random sampling of folders with signature sheets of candidates for President of the Kyrgyz Republic was also excluded from the Constitutional Law on Elections. The current norm establishes that verification of authenticity of signatures shall be carried out until the number of authentic signatures required for a presidential candidate (30,000 signatures of voters) is established.

The electoral legislation was also amended with regard to disputes related to the use of photo and video materials depicting political figures of other states and the use of religious figures in campaigning.

In order to combat vote-buying and the abuse of administrative resources, both the Constitutional Law on Elections and the Code of Misdemeanors, which had been in effect until recently, and the Criminal Code were amended.<sup>6</sup> In accordance with the amendments, a new composition of the misdemeanor "abuse of administrative resources" was established. In addition, sanctions for vote-buying were strengthened and the responsibility of the person receiving money or material values for voting in favor of a particular candidate or political party was introduced.<sup>7</sup>

However, despite the measures taken, the subsequent election cycle showed that these measures were insufficient and the causes of electoral disputes lie not only in the area of legislative regulation of the electoral process.

## **ELECTIONS OF DEPUTIES TO THE JOGORKU KENESH OF THE KYRGYZ REPUBLIC IN 2020**

In accordance with Paragraph 1 of Part 1 of Article 64 of the Constitution of the Kyrgyz Republic and Part 3 of Article 59 of the Constitutional Law "On Elections of the President of the Kyrgyz Republic and Deputies of Jogorku Kenesh of the Kyrgyz Republic", the presidential decree of July 2, 2020 No. 139 "On the appointment of elections of deputies to the Jogorku Kenesh of the Kyrgyz Republic", elections were scheduled for Sunday, October 4, 2020.

44 political parties notified the Central Election Commission of their decisions to take part in the elections. Of which only 17 parties have submitted documents for registration.

In the course of nomination and registration of candidate lists there were court disputes related to appealing the decisions of the Central Election Commission on the denial of registration of

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<sup>5</sup> See Article 52 of the Constitutional Law "On the Election of President of the Kyrgyz Republic and Deputies of the Kyrgyz Republic" as amended until August 08, 2019

<sup>6</sup> See Article 21-1 of the Constitutional Law "On Election of President of the Kyrgyz Republic and Deputies of the JK of the KR" and Article 87-1 of the Misdemeanors Code of the Kyrgyz Republic

<sup>7</sup> See Article 192 of the Criminal Code of the Kyrgyz Republic, Article 42-3 of the Violations Code of the Kyrgyz Republic

political parties' candidate lists. One of the notorious electoral disputes at the stage of accepting documents for registration was the dispute related to the return of documents of one of the political parties. For instance, the Central Election Commission' decision No. 94 dated August 25, 2020 "On Documents of the "Kyrgyzstan" political party", the documents for registering the list of candidates for Jogorku Kenesh of the Kyrgyz Republic were returned due to non-submission in the prescribed manner and deadlines by the duly authorized person.

The "Kyrgyzstan" political party filed an administrative suit against the above-mentioned decision of the Central Election Commission to recognize actions of the Central Election Commission on refusing to accept documents from a political party for the registration of the list of candidates for deputies of Jogorku Kenesh of the Kyrgyz Republic as illegal.

By the decision of the Administrative Court of Bishkek on August 27, 2020, the appeal of the "Kyrgyzstan" political party was satisfied. The decision of the Central Election Commission No. 94 dated August 25, 2020 was declared invalid.

*According to the reasoning of the court's decision, the circumstances for satisfying the appeal were the following: the Central Election Commission was not authorized by the electoral law to make a decision on returning the documents for registration of the list of candidates for deputies of Jogorku Kenesh of the Kyrgyz Republic to a political party; the Central Election Commission regulations do not regulate the acceptance of documents for registration of a political party in case of absence for legitimate reasons.*

*Having studied the materials of the case, having listened to the arguments of the representatives of the parties, having studied all the evidence in the administrative case, the court concluded that the contested decision of the Central Election Commission creates obstacles to the rights of citizens, who are members and supporters of the "Kyrgyzstan" political party to participate in the elections of deputies of Jogorku Kenesh of the Kyrgyz Republic.*

By the Judgment of the Supreme Court of the Kyrgyz Republic dated September 1, 2020, the Decision of the Administrative Court was upheld.

By the decision of the Central Election Commission No. 120 dated September 3, 2020, the registration of the list of candidates for deputies of Jogorku Kenesh of the Kyrgyz Republic nominated by "Aktiv" political party was also refused due to the failure of the political party to meet the requirements of the Constitutional Law on the nomination procedure and failure to provide the Central Election Commission with the document certifying the payment of election deposit. By the decision of the Administrative Court of Bishkek dated September 7, 2020, the claims of the "Aktiv" political party were rejected.

By the Judgment of the Supreme Court dated September 14, 2020, the Decision of the Administrative Court was upheld.

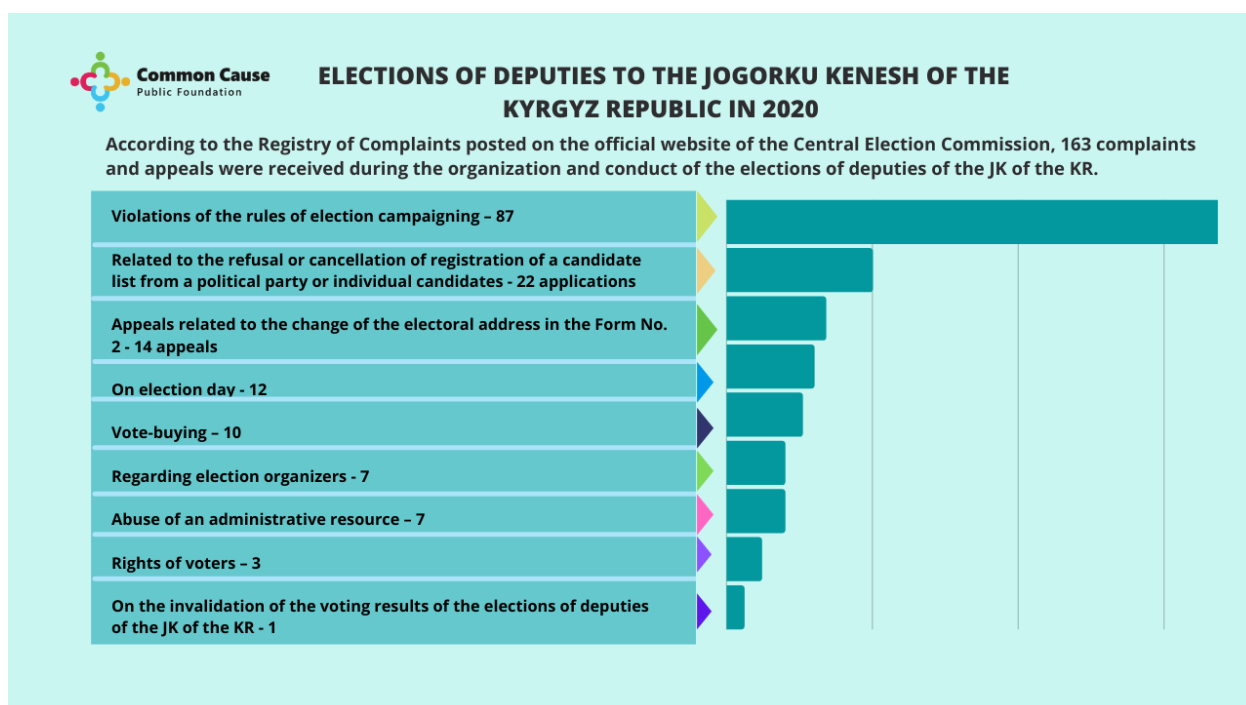
By the decision of the Central Election Commission No. 121 dated September 3, 2020, the list of candidates for deputies of Jogorku Kenesh of the Kyrgyz Republic nominated by the "Butun Kyrgyzstan" political party was denied registration due to changes in the list of candidates.

By the decision of the Administrative Court of Bishkek dated September 9, 2020 the decision of the Central Election Commission "On refusal to register the list of candidates for deputies of Jogorku Kenesh of the Kyrgyz Republic, nominated by the "Butun Kyrgyzstan" political party dated September 3, 2020 No. 121 was declared illegal and cancelled.

The above decision of the Administrative Court was not appealed to the Supreme Court of the Kyrgyz Republic.

Thus, as a result, the Central Election Commission registered the lists of candidates for deputies of Jogorku Kenesh of the Kyrgyz Republic of 16 political parties:

1. ""Birimdik" (Unity) Democratic Party" political party
2. "Mekenchil" political party
3. Political Party of Justice and Development "Iman Nuru"
4. "Mekenim Kyrgyzstan" political party
5. "Reforma" political party
6. "Ata-Meken" Socialist Political Party
7. "Zamandash" political party
8. "Butun Kyrgyzstan" political party
9. "Social Democrats" political party
10. "Meken Yntymagy" political party
11. Political Party of Veterans of the War in Afghanistan and Participants in Other Local Military Conflicts
12. "ORDO" political party
13. "Bir Bol" Political Party of State Unity and Patriotism
14. "Respublika" political party
15. "Kyrgyzstan" Political Party
16. "Chon Kazat" political party



According to the Registry of Complaints posted on the official website of the Central Election Commission, 163 complaints and appeals were received during the organization and conduct of the elections of deputies of the JK of the KR. An analysis of complaints and applications shows that they were related to the following issues:

- Violations of the rules of election campaigning – 87
- Related to the refusal or cancellation of registration of a candidate list from a political party or individual candidates - 22 applications

- Appeals related to the change of the electoral address in the Form No. 2 - 14 appeals
- On election day - 12
- Vote-buying – 10
- Regarding election organizers - 7
- Abuse of an administrative resource – 7
- Rights of voters – 3
- On the invalidation of the voting results of the elections of deputies of the JK of the KR - 1

According to the registry of court decisions of the Central Election Commission, during the preparation and conduct of elections of deputies to Jogorku Kenesh of the Kyrgyz Republic in 2020, 15 administrative suits (applications) were filed to the Administrative Court of Bishkek by the electoral subjects. Of these, 3 administrative claims (applications) were satisfied, 10 administrative claims (applications) were dismissed, for 2 administrative claims (applications) rulings were made not to accept them for administrative proceedings. 7 decisions of the Administrative Court were appealed in cassation to the Supreme Court of the Kyrgyz Republic<sup>8</sup>.

The analysis of electoral disputes during the organization and elections of deputies of JK KR shows that the bulk of applications and complaints concerned violations of the rules of election campaigning - use of campaign materials without output data, organization of concerts during meetings with voters, use of children and foreign citizens in campaign materials, etc.

It is noteworthy that a significant portion of the appeals were based on publications from Facebook and Instagram social networks and data from various Internet portals. At the same time, compared to the practice of considering similar disputes in previous election campaigns, the election commissions themselves actively monitored publications on social networks and a number of them were considered at meetings of the Working Group on Informing and Rules of Election Campaigning of the Central Election Commission.

In general, it should be noted that social networks are not mentioned in the constitutional law on elections and the regulation of any advertising, including political advertising in social networks is problematic not only for Kyrgyzstan, but also for all countries of the world. From this point of view, election commissions only had the opportunity to check on the payment of political advertising from the election fund. However, given the timing of the submission of financial statements, this was also problematic in some cases.

A significant number of complaints and petitions concerned abuses related to the use of the mechanism of changing the electoral address using Form No. 2. Despite the fact that the Central Election Commission officially received only 14 appeals on this issue, the issue of mass movements of citizens using Form No. 2 by individual politicians and political parties was actively discussed in the society. At the same time, the "Voter's Cabinet" service, which was introduced for the convenience of voters (especially voters with disabilities), was actively used by the headquarters of individual political parties in order to move voters using Form No. 2.

The lack of an appropriate response and investigation by election commissions and law enforcement agencies into incoming applications and complaints, especially those related to Form No. 2 voter movements, was another reason for electoral disputes and subsequent voter dissatisfaction with election results. Subsequently, amendments were made to the Constitutional

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<sup>8</sup> See Appendix No.2 Registry of administrative claims

Law on Elections, which abolished the possibility of changing the electoral address using Form No. 2.

It should also be noted that despite the amendments made to the Criminal Code, the Misdemeanors Code and the Constitutional Law on Elections, which established responsibility for the abuse of administrative resources and strengthened responsibility for vote-buying, a number of candidates and political parties violated these norms. However, upon review by law enforcement agencies, the materials were written off to indexed registered records. One of the main reasons for the disputes and the subsequent situation that led to the cancellation of the election results was the high electoral threshold for the admission of parties to the distribution of deputy mandates established by the Constitutional Law on Elections.

At the time the elections were called and the voting was held, the nationwide threshold was 7%. As a result, only 4 political parties were allowed to participate in the distribution of parliamentary mandates:

- "Birimdik" political party - 24.48%
- "Mekenim Kyrgyzstan" political party - 23.64%
- "Butun Kyrgyzstan" political party - 7,29
- "Kyrgyzstan" political party - 8,71

However, during the preparation for the elections of deputies of the JK of the KR the public actively discussed the need to reduce the national and regional thresholds for political parties for admission to the distribution of deputy mandates to 3%. The following political parties, if the threshold was lowered to 3%, could also be admitted to the distribution of mandates:

- "Mekenchil" - 6.93%
- "Iman Nuru" - 3.38%
- "Ata Meken" - 4.08%
- "Bir Bol" - 3.05%\
- "Respublika" - 5.81%

As a result of dissatisfaction with the results of the elections of deputies to the JK of the KR in 2020, which led to mass protests and the tense socio-political situation in the country, the results were canceled by the resolution of the Central Election Commission dated October 7, 2020.

### **EARLY PRESIDENTIAL ELECTIONS OF THE KYRGYZ REPUBLIC IN 2021.**

According to the resolution of the Central Election Commission No. 263 dated October 24, 2020, the early presidential election of the Kyrgyz Republic was appointed and the date was set - January 10, 2021, Sunday.

Taking into account that the elections were held early, all deadlines for electoral action were reduced by a quarter in accordance with the constitutional Law.

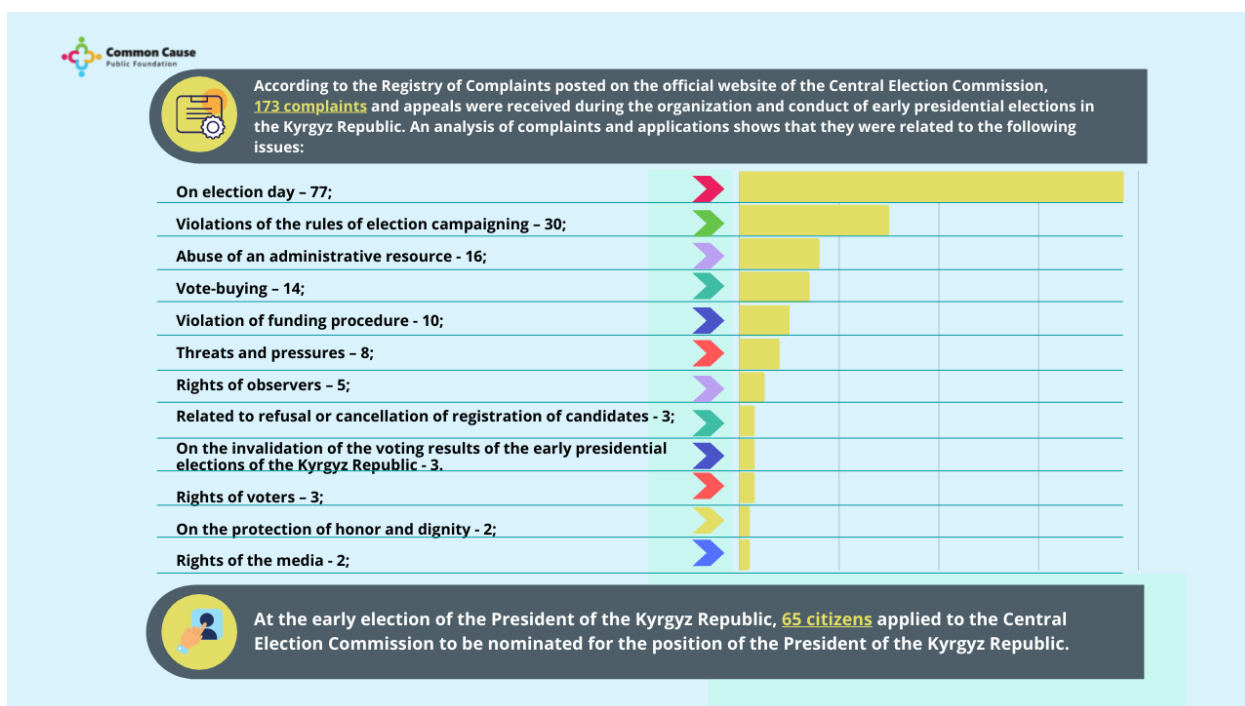
At the early election of the President of the Kyrgyz Republic, 65 citizens applied to the Central Election Commission to be nominated for the position of the President of the Kyrgyz Republic. 18 candidates were registered, including 1 woman and 17 men:

1. Japarov Sadyr Nurgozhoevich
2. Isaev Kanatbek Kedeykanovich
3. Arstanbek Myktybek
4. Sooronkulova Klara Syrgakbekovna
5. Tashov Imamidin Asamidinovich



6. Rashid Bakirovich Tagaev (withdrew his candidacy on December 30, 2020);
7. Segizbaev Abdil Keneshevich
8. Madumarov Adakhan Kimsanbaevich
9. Kasenov Aymen Abdytalipovich
10. Kochkorov Ulukbek Toichubaeovich
11. Baiguttiev Zhenishbek Seytbekovich
12. Abakirov Eldar Kurmanbekovich
13. Asanov Kursan Satarovich
14. Abdyl daev Arstanbek Beishenalievich
15. Dzheenbekov Ravshan Babyrbekovich
16. Kalmamatov Baktybek Orozalievich
17. Tolbaev Babyrzhan Latihanovich
18. Imanaliev Kanybek Kapashovich

During the preparation and conduct of early presidential elections of the Kyrgyz Republic, according to the Registry of complaints and violations, the CEC received 173 complaints. Of these, 133 signals were received by the RRCG.



According to the Registry of Complaints posted on the official website of the Central Election Commission, 173 complaints and appeals were received during the organization and conduct of early presidential elections in the Kyrgyz Republic. An analysis of complaints and applications shows that they were related to the following issues:

On election day – 77;

Violations of the rules of election campaigning – 30;

Abuse of an administrative resource - 16;

Vote-buying – 14;

Violation of funding procedure - 10;

Threats and pressures – 8;

Rights of observers – 5;

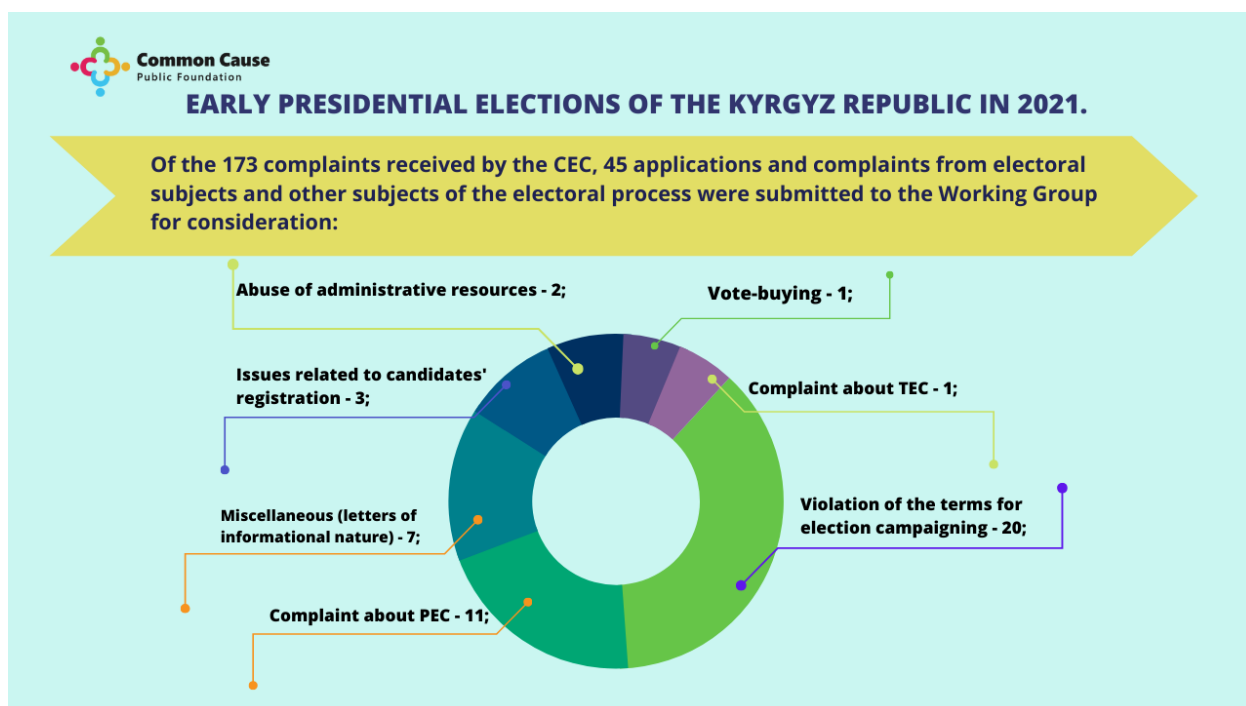
Related to refusal or cancellation of registration of candidates - 3;

On the invalidation of the voting results of the early presidential elections of the Kyrgyz Republic - 3.

Rights of voters – 3;

On the protection of honor and dignity - 2;

Rights of the media - 2;



Of the 173 complaints received by the CEC, 45 applications and complaints from electoral subjects and other subjects of the electoral process were submitted to the Working Group for consideration, of which 1 was withdrawn by the applicant. The nature of the applications received can be divided into the following categories:

- 1) Violation of the terms for election campaigning - 20;
- 2) Issues related to candidates' registration - 3;
- 3) Vote-buying - 1;
- 4) Miscellaneous (letters of informational nature) - 7;
- 5) Abuse of administrative resources - 2;
- 6) Complaint about PEC - 11;
- 7) Complaint about TEC - 1;

Based on the results of the consideration of applications, the Central Election Commission made 18 decisions.

During the period of early elections of President of Kyrgyz Republic five administrative claims (applications) were submitted to the Administrative Court of Bishkek by the electoral subjects.<sup>9</sup>

In general, the analysis of electoral disputes during the organization and conduct of early presidential elections in Kyrgyzstan in 2021 shows that violation of the rules of election campaigning remains the most frequent reason for applications and complaints. In a number of cases, complaints about violations of campaign rules contained information about possible vote-buying or abuse of administrative resources.

Due to the cancellation of the norm providing for a change of electoral address on Form No. 2 during the early presidential election, there were disputes related to voting outside the voting premises (inclusion of voters in the Registry of persons voting outside the premises after the deadline and closing of the register, campaigning on election day outside the premises, violation of the secrecy of ballot, etc.).<sup>10</sup>

On the day of voting and afterwards there were numerous complaints related to malfunctions of the ARBB, different practices of sealing the ballot boxes, violation of the rights of public observers, delivery of voters by transportation, presence of persons near polling stations who were marking the voters who came to vote.

In general, the conduct and organization of the early presidential election was complicated by the combination with the referendum campaign, which also affected the procedure of electoral dispute resolution.

Analysis of electoral disputes during the early presidential elections in 2021 shows the need for broad-based work with all electoral subjects on teaching the norms of electoral legislation.

## **CONCLUSIONS AND RECOMMENDATIONS**

The analysis of electoral disputes of three election campaigns at the national level given in this publication shows that the most frequent causes of electoral disputes in the Kyrgyz Republic are as follows:

- Conflicts and gaps in legislation
- Lack of clear norms and rules regulating to which bodies and with what kind of complaints and applications the electoral subjects can address
- Lack of unified practice of enforcing liability for violations of electoral legislation
- Weak training of candidates, political parties, their representatives and other participants in the electoral process and their insufficient knowledge of the electoral legislation
- Insufficiently high level of legal culture of electoral subjects
- Political confrontation, struggle between candidates and political parties
- Low level of legal consciousness of voters

Despite all the measures taken, the problem of conflicts and gaps in the electoral legislation has been and remains one of the causes of many electoral disputes.

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<sup>9</sup> See Appendix No. 3 Registry of administrative claims during the early presidential elections of the Kyrgyz Republic in 2021

<sup>10</sup> See Registry of complaints during the 2021 early presidential elections of the KR, complaints of the Common Cause PF, authorized candidate Madumarov A. Bakirova M.

As a result of analyzing the causes of electoral disputes during the presidential election in 2017, amendments were made to the Constitutional Law on Elections in terms of establishing uniform appeal periods, separating the concepts of "informing" and "campaigning", excluding the rules providing for random sampling of signature sheets, cases of return of the electoral deposit, etc.<sup>11</sup>

However, a number of norms require further improvement. For instance, to date, there is still a requirement for a candidate for President to pay an electoral deposit and present at least 30,000 signatures of voters, which, according to international experts, is a double barrier for candidates.

After the cancellation of the results of the elections of deputies to the JK KR in 2020, there was also an electoral dispute related to the return of the electoral deposit, because the law did not contain the invalidation of the election results as a ground for return. This gap was closed only in July 2021<sup>12</sup>.

In addition, to date, the range of subjects whose actions may be subject to appeal has not been revised. For instance, according to the norms of the Constitutional Law on Elections, the media is not a subject whose actions can be appealed. However, the practice of electoral disputes shows a significant number of complaints against the media with demands up to the revocation of their accreditation.

One of the issues requiring clear regulation are those related to the protection of honor, dignity, and business reputation of candidates. In practice, complainants with the above complaints appeal to election commissions, but cases of this kind cannot fall within the competence of election commissions, since they are of private law, and they are based on an allegation that personal non-property rights of citizens have been violated

With regard to the competence of election commissions, law enforcement agencies and courts, clear boundaries and limits of competence should also be established. The absence of such regulation leads to the fact that similar applications in some cases are considered by election commissions, and in other cases by law enforcement agencies (for example, claims of violation of the secrecy of ballot).

Special attention should be paid to the issues related to the deadlines for filing electoral disputes. In particular, part 7 of Article 44 of the Election Law, which establishes the beginning of the deadline for appeal the moment when "the violation became known," can be reviewed. In the context of an election campaign, which has clear time limits at each stage, this wording was often used by individual applicants with an abuse of the right of appeal, when applicants claimed that they were not aware of the fact of violation before the appeal and opponents could not prove the contrary.

In addition, this wording was also used by some complainants after election day with complaints about actions that took place, for example, during the election campaign.

In this situation, it is also necessary to consider the timing of appeals and consideration of appeals received after election day. In general, the electoral legislation does not contain definitions of what, for example, should be understood by the terms "election campaign", "pre-election campaign", does not contain clear definitions of when the election campaign begins and when it ends.

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<sup>11</sup> See Constitutional Law "On the Election of the President of the Kyrgyz Republic and Deputies of the Jogorku Kenesh" as amended on August 8, 2019

<sup>12</sup> See Part 16 of Article 41 of the Constitutional Law "On the Election of President of the Kyrgyz Republic and Deputies of the Kyrgyz Republic" as amended on July 15, 2021

Analysis of election campaigns also shows that both election commissions and courts have different practices of prosecution in similar cases of violations of the norms of electoral legislation. However, consistent law enforcement practice with a uniform interpretation of the law is a condition for effective protection.

In addition to working with statutory instruments, the capacity of election commissions and courts should continue to be strengthened. Perhaps there should be a requirement for some members of election commissions to have a legal education, or for each election commission to have a lawyer.

During the organization and conduct of elections, election commissions work in close cooperation with state authorities and local self-government bodies, including on issues related to the resolution of electoral disputes. In this regard, it should be noted that while interaction between election commissions and internal affairs bodies has tangibly strengthened, the same cannot be said of the courts. It is therefore necessary to work in this direction as well.

At the time of writing this publication, the parliament of the country has made amendments and additions to the Constitutional Law on Elections in three readings. The main block of changes is related to the procedure for electing deputies of the JK KR.

Analysis of complaints received on election day and thereafter shows that a significant number of complainants were poorly informed about election day procedures and often lodged complaints and petitions in cases that should not, in fact, have caused disputes.

In this regard, work related to the training of not only election commissions, candidates and political parties, but also the voters themselves on the norms of electoral legislation becomes particularly relevant, in order to prevent a significant number of electoral disputes. The same work should be carried out with civil society organizations, the media, and public observers.

Purposeful activity of the state, electoral subjects to prevent electoral disputes, reducing their number, eliminating the practice of their unscrupulous initiation not only contributes to the positive development of democratic institutions, public confidence in the elected bodies, but also avoids mass clashes, protest movements and revolutions.

**Table 1. Lawsuits (applications).**

No	Applicant	Content of the application	The decision (ruling) of Bishkek Interdistrict Court	Judgment of the Supreme Court of the Kyrgyz Republic
1	Zholdoshibekov A. Zh. - authorized representative of the candidate for President Tekebaev O.	On recognizing the action (inaction) of the CEC, expressed in failure to create conditions for O. Tekebaev, a candidate for President of the KR, as illegal, on obliging the CEC to create conditions for the candidate to be present and to take a state language proficiency test.	August 03, 2017 The claim was partially satisfied by the decision of the Interdistrict Court.	On August 08, 2017, by the Judgment of the Supreme Court of the Kyrgyz Republic, the decision of the Inter-District Court was upheld.
2	Candidate for President of the Kyrgyz Republic Kerimbekov B. M.	On recognizing the inaction of the Chairman of the CEC, expressed in violation of the terms of considering the application to eliminate violations, as illegal.	10.08.2017 The claims were rejected by the decision of the Interdistrict Court.	August 16, 2017 By the judgment of the Supreme Court, the decision of the Interdistrict Court was upheld.
3	Candidate for President of the Kyrgyz Republic Kerimbekov B. M.	On the recognition of actions of the Chairman of the CEC, expressed in a violation of deadlines for considering the application as illegal, on the cancellation of the Resolution of the CEC No. 301 (No. 302).	10.08.2017 The claims were rejected by the decision of the Interdistrict Court.	August 16, 2017 By the judgment of the Supreme Court, the decision of the Interdistrict Court was upheld.
4	Editor of the news outlet (website) "Chagylgan" Shamshykeev A.	On the cancellation of the CEC Decision No. 44 dated 9.08.2017 "About the complaint from the authorized representative of the candidate for President of the Kyrgyz Republic O. T. Babanov, E. B. Iriskulbekov on violating the electoral legislation".	August 14, 2017 The claims were rejected by the decision of the Interdistrict Court.	August 21, 2017 By the Judgment of the Supreme Court. The decision of the Interdistrict Court was upheld.
5	Zholdoshibekov A. Zh. - authorized	On recognizing the CEC Resolution No.	August 14, 2017 The claims were rejected by	The cassation appeal was withdrawn by

	representative of the candidate for President Tekebaev O.	343 of August 10, 2017 as illegal, on obliging the CEC of KR to eliminate violations by creating conditions for the candidate for the President of KR Tekebaev O. Ch. to be present and to take the state language proficiency test.	the decision of the Interdistrict Court. The CEC Resolution No. 343 dated August 10, 2017 was recognized as legitimate and justified.	Zholdosbekova A. Zh.
6	Ryskulova A., OrozbekovaZh. - authorized representatives of the candidate for President of the Kyrgyz Republic Karasartova R. R.	On the cancellation of the CEC Decision No. 46 dated August 12, 2017 "On the application of authorized representatives of the presidential candidate of the Kyrgyz Republic Karasartova R. R. Ryskulova A., OrozbekovaZh.".	August 16, 2017 The claims were rejected by the decision of the Interdistrict Court.	Not appealed.
7	Zholdosbekov A. Zh. - authorized representative of the candidate for President Tekebaev O.	The claim on recognizing the CEC Decision No. 48 dated August 17, 2017 "On the results of checking the signature sheets of the candidate for President of the KR Tekebaev O.T." as illegal, to oblige the CEC to eliminate the violations by recognizing the signatures of voters collected in support of the candidate for President of the KR Tekebaev O.Ch. as authentic.	August 22, 2017 The claims were rejected by the decision of the Interdistrict Court.	August 30, 2017 By the judgment of the Supreme Court, the decision of the Interdistrict Court was upheld.
8	Candidate for President of the Kyrgyz Republic Kerimbekov B. M.	On recognizing the CEC Decision No. 50 of August 17, 2017 "On the application of the candidate for President of the KR Kerimbekov B.M." as illegal.	On August 22, 2017, by the Decision of the Interdistrict Court the claim was rejected.	August 25, 2017 By the judgment of the Supreme Court, the decision of the Interdistrict Court was upheld.
9	Citizen of the KR Remnev R. P.	On recognizing the CEC Resolution No. 329 dated August 7, 2017 "On the refusal to register Remnev R.P." as illegal.	August 16, 2017 By the ruling of the Interdistrict Court, the administrative action was dismissed due to violation of the	On August 23, 2017, by the Judgment of the Supreme Court, the Interdistrict Court's ruling was upheld.

			deadline for filing a complaint.	
10	Citizen of the KR Abyshev A. A.	On recognizing the CEC Resolution No. 395 dated August 26, 2017 "On the refusal to register the candidate for President of the Kyrgyz Republic Abyshev A.M" as illegal .	On September 4, 2017, by the Decision of the Interdistrict Court the claim was rejected.	September 8, 2017 By the judgment of the Supreme Court, the decision of the Interdistrict Court was upheld.
11	Citizen of the KR TursunbekAkun	On recognizing the Decision of the CEC No. 65 dated September 4, 2017 "On Approval of the Protocol of the Working Group on the Acceptance and Verification of Signature Sheets "On the Results of Verification of Signature Sheets of the Candidate for President of the Kyrgyz Republic TursunbekAkun" dated September 03, 2017" as illegal.	September 8, 2017 The claims were rejected by the decision of the Interdistrict Court.	September 15, 2017 By the judgment of the Supreme Court, the decision of the Interdistrict Court was upheld.
12	Citizen of the KR Keldibekov A. K.	On recognizing the CEC Resolution No. 405 dated 4.09.2017 "On the refusal to register A. K. Keldibekov as a candidate for President of the Kyrgyz Republic" as illegal.	September 8, 2017 The claims were rejected by the decision of the Interdistrict Court.	September 13, 2017 By the judgment of the Supreme Court, the decision of the Interdistrict Court was upheld.
13	Citizen of the KR Keldibekov A. K.	On obliging the CEC to decide on the results of the verification of the signature sheets.	September 21, 2017 The claims were rejected by the decision of the Interdistrict Court.	September 27, 2017 By the judgment of the Supreme Court, the decision of the Interdistrict Court was upheld.
14	Citizen of the KR Masaliev I. A.	On recognizing the Decision of the CEC No. 72 dated September 4, 2017 "On Approval of the Protocol of the Working Group on the Acceptance and Verification of Signature Sheets "On the Results of Verification of	September 7, 2017 By the ruling of the Interdistrict Court, the administrative action was dismissed due to violation of the deadline for filing a complaint.	September 13, 2017 By the Judgment of the Supreme Court, the Ruling of the Interdistrict Court was upheld.



		Signature Sheets of I.A. Masaliev, a Candidate for President of the Kyrgyz Republic dated September 4, 2017" as illegal".		
15	Citizen of the KR Isaev K. K.	On recognizing the CEC Decision No. 73 dated 4.09.2017 "On Approval of the Protocol of the Working Group on the Acceptance and Verification of Signature Sheets "On the Results of Verification of Signature Sheets of the candidate for President of the Kyrgyz Republic K. K. Isaev dated 4.09.2017" as illegal.	September 7, 2017 By the ruling of the Interdistrict Court, the administrative action was dismissed due to violation of the deadline for filing a complaint.	September 13, 2017 By the Judgment of the Supreme Court, the Ruling of the Interdistrict Court was upheld.
16	Citizen of the KR Sharshekeeva K. D.	On recognizing the CEC Decision No. 66 dated 4.09.2017 "On Approval of the Protocol of the Working Group on the Acceptance and Verification of Signature Sheets "On the Results of Verification of Signature Sheets of the candidate for President of the Kyrgyz Republic Sharshekeeva K. D." dated 03.09.2017 as illegal.	September 7, 2017 By the ruling of the Interdistrict Court, the administrative action was dismissed due to violation of the deadline for filing a complaint.	On September 14, 2017, by the Judgment of the Supreme Court, the Interdistrict Court's ruling was upheld.
17	Authorized representative of the candidate for President of the Kyrgyz Republic Babanov O. T. - Iriskulbekov E. B.	On recognizing the CEC Decision No. 77 of September 4, 2017 "On the complaints of the authorized representative of the candidate for President of the Kyrgyz Republic S.S. JeenbekovSmanbayeva Zh." as illegal.	September 25, 2017 The claims were rejected by the decision of the Interdistrict Court.	On October 2, 2017, by the Judgment of the Supreme Court, the Interdistrict Court's decision was upheld.
18	Citizen of the KR Isaev K. K.	On the cancellation of Resolution No. 428 dated 9.09.2017 "On the refusal to register K. K. Isaev as a candidate for President	On September 15, 2017, by the Decision of the Interdistrict Court the claim was rejected.	On September 20, 2017, by the Judgment of the Supreme Court, the Interdistrict Court's decision was upheld.

		of the Kyrgyz Republic".		
19	Authorized representative of the candidate for President of the Kyrgyz Republic Babanov O. T. - Iriskulbekov E. B.	On recognizing the CEC Decision No. 84 dated 24.09.2017 "On applications of the citizen of the KR Turdukulov A., authorized candidate for President of KR Babanov O.T. Iriskulbekov E., Director of the "Civil Platform" Public foundation Usupbekova A.".	On September 28, 2017, by the Decision of the Interdistrict Court the claim was rejected.	By the Judgment of the Supreme Court, the Ruling of the Interdistrict Court was upheld.
20	Citizen of the KR Kerimbekov B. M.	On recognizing the inaction on the part of the CEC, expressed in the failure to publish the Decisions and Resolutions dated September 23, 24, 2017 in a timely manner.	On September 29, 2017, by the Decision of the Interdistrict Court the claim was rejected.	By the judgment of the Supreme Court, the decision of the Interdistrict Court was upheld.
21	Authorized representative of the candidate for President of the Kyrgyz Republic Babanov O. T. - Ukushov M. K.	On recognizing the CEC Decision No. 102 dated 7.10.2017 ""On the complaint of the authorized representative of the candidate for President of the Kyrgyz Republic S.Sh. Jeenbekov. SmanbaevaZh. A." as illegal.	On October 11, 2017, by the Decision of the Interdistrict Court the claim was rejected.	Not appealed.
22.	Authorized representative of the candidate for President of the Kyrgyz Republic Babanov O. T. - Ukushov M. K.	On recognizing the CEC Decision No. 104 dated 20.10.2017 "On the speech of a candidate for the position of the President of the KR, Babanov O.T., in Amir-Temur micro-district (formerly On-Adyr) in Osh city" as illegal.	On October 14, 2017, by the Decision of the Interdistrict Court the claim was rejected.	Not appealed.
23	UmetalievaT.Dzh., Candidate for President of the Kyrgyz Republic .	On the cancellation of the CEC Decision No. 111 dated 23.10.2017	On October 26, 2017, by the Decision of the Interdistrict Court the claim was rejected.	October 30, 2017 By the judgment of the Supreme Court, the decision of the Interdistrict Court was upheld.
24	"Association of Voters of	On recognizing the action of the CEC, expressed in the failure	By the ruling of the Interdistrict Court dated October 28,	

	Kyrgyzstan" Public Association	to make a decision on the applications of the "Association of Voters of Kyrgyzstan" Public Association dated October 15, 20, 2017, as illegal.	2017, the proceedings on the administrative case on the application of the "Association of Voters of Kyrgyzstan" Public Association were terminated due to the expiration of the deadline for filing an application.	
25	"Association of Voters of Kyrgyzstan" Public Association	On recognizing as illegal and on the cancellation of the CEC resolution No. 523 dated 25.10.2017	On October 31, 2017, by the Decision of the Interdistrict Court the claim was rejected.	

**Table 2. Registry of administrative claims (applications) during the elections of deputies of the JK KR in 2020 (in Appendix No. 2, move to the end)**

No.	Applicant	Content of the application	The decision (ruling) of Bishkek Interdistrict Court	Judgment of the Supreme Court of the Kyrgyz Republic
1.	"Kyrgyzstan" Political Party	On recognizing the CEC Resolution No. 94 dated 25.08.2020 on return of the documents from the "Kyrgyzstan" political party on registering the list of candidates for the elections of deputies of Jogorku Kenesh of the Kyrgyz Republic as illegal.	By the decision of the Administrative Court dated 27.08.2020 The administrative claim is satisfied. The CEC decision No. 94 dated August 25, 2020 was declared invalid.	September 1, 2020 By the Judgment of the Supreme Court, the Decision of the Administrative Court was upheld.
2	"Aktiv" Political Party	On recognizing the Decision of the CEC No. 120 dated 3.09.2020 on the refusal to register the list of candidates from the "Aktiv" political party as illegal.	By the decision of the Administrative Court of 7.09.2020, the administrative claim was rejected.	September 14, 2020 By the Judgment of the Supreme Court, the Decision of the Administrative Court was upheld.
3	"Butun Kyrgyzstan" political party	On recognizing as illegal and on cancellation of the decision of the CEC No. 121 of 3.09.2020 on the refusal to register the list of candidates from the "Butun Kyrgyzstan" political party.	By the decision of the Administrative Court of 9.09.2020, the administrative claim was satisfied. The CEC decision No. 121 of September 3, 2020 was declared illegal and canceled.	The CEC decided not to file a cassation complaint.
5	Citizen Tobokeluulu Altynbek	On recognizing the actions of the "Respublika" PP as illegal, on invalidating the decision of the CEC of the Kyrgyz Republic No. 114 of September 3, 2020 and on collecting compensation for moral damage in the amount of 5,000,000 (five million) soms from the "Respublika" PP.	By the decision of the Administrative Court of Bishkek dated 10.09.2020 the application of Tobokeluulu Altynbek was not accepted.	On September 17, 2020, by the Judgment of the Supreme Court, the ruling of the Administrative Court was upheld.

6	"Coalition for Democracy and Civil Society" Public Association	On recognizing the decision of the CEC No. 158 of 18.09.2020 "On the complaint of the "Coalition for Democracy and Civil Society" Public Association" as invalid.	By the decision of the Administrative Court dated September 24, 2020, the claims were rejected.	Not appealed.
7	Citizen Mannanov I. A.	On recognizing the CEC Decision No. 196 of 24.09.2020 as invalid (illegal).	By the decision of the Administrative Court dated September 29, 2020, the claims were rejected.	October 3, 2020 By the Judgment of the Supreme Court, the Decision of the Administrative Court was upheld.
8	Citizen Ormukov T. I.	On recognizing the administrative act of 22.09.2020, the actions of the deputy chairman of the CEC of the KR Eshimov A. Zh. and the member of the CEC of the KR Asanaliev A. T. as invalid.	By the ruling of the Administrative Court of September 29, 2020, the acceptance of the administrative claim was denied.	October 3, 2020 By the Judgment of the Supreme Court, the Ruling of the Administrative Court was upheld.
9	"Aktiv" political party	On recognizing the Decisions of the CEC No. 219, No. 218 of September 28, 2020 as invalid.	By the Decision of the Administrative Court dated October 2, 2020, the claims were rejected.	Not appealed.
10	"Coalition for Democracy and Civil Society" Public Association	On recognizing the CEC Decision No. 220 of September 28, 2020 as invalid.	By the Decision of the Administrative Court dated October 2, 2020, the claims were rejected.	Not appealed.
11	Representative of Zholdoshbaeva G. K.- Ryskeldiev O.	On recognizing the Decision of the CEC No. 219 of 28.09.2020 "On the complaint of Ryskeldiev O. D., representing the interests of Zholdoshbaeva G." as invalid.	By the decision of the Administrative Court of October 2, 2020, the claims were rejected.	October 3, 2020 By the Judgment of the Supreme Court, the Decision of the Administrative Court was upheld.
12	"Coalition for Democracy and Civil Society" Public Association	On recognizing the CEC Decision No. 253 of October 02, 2020 as invalid	By the decision of the Administrative Court of October 6, 2020, the application was dismissed.	October 13, 2020 By the Judgment of the Supreme Court, the Decision of the Administrative Court was upheld.
13	"Coalition for Democracy and Civil Society"	On recognizing the CEC Resolution No. 249 of October 6, 2020.	By the decision of the Administrative Court of October 9, 2020, the application was dismissed.	-

	Public Association			
14	"Coalition for Democracy and Civil Society" Public Association	On recognizing the CEC Decision No. 252 of October 02, 2020 as invalid	By the decision of the Administrative Court on October 6, 2020, the application was dismissed.	-
15	"Coalition for Democracy and Civil Society" Public Association	On recognizing the CEC Decision No. 250 of October 02, 2020 as invalid	By the decision of the Administrative Court of October 6, 2020, the application was fully satisfied.	

**Table 3. Registry of administrative claims (applications) during the early presidential election in 2021.**

No.	Administrative Plaintiff	Content of the administrative claim	The decision (ruling) of Bishkek Administrative Court	Judgment of the Supreme Court of the Kyrgyz Republic
1	"Aktiv" Political Party	On the cancellation of the resolution of the KR CEC No. 263 dated October 24, 2020 <i>(for cancellation of the decision dated October 24, 2020 "On early presidential election of the Kyrgyz Republic" on January 10, 2021.)</i>	By the Decision of the Administrative Court dated October 27, 2020, the administrative claim was denied.	November 4, 2020 By the Judgment of the Supreme Court, the Decision of the Administrative Court was upheld.
2	K. A. Choroev, Candidate for President of the Kyrgyz Republic	On invalidating and canceling the Decision of the KR CEC No.287 of December 7, 2020. <i>("On invalidating the signature sheets of Choroev Kuban Amanbekovich, a candidate for President of the Kyrgyz Republic, prepared before the day of paying for the preparation of signature sheets from the election fund").</i>	By the Decision of the Administrative Court dated December 12, 2020, the administrative claim was denied.	December 17, 2020 By the Judgment of the Supreme Court, the Decision of the Administrative Court was upheld.
3	K. A. Choroev, Candidate for President of the Kyrgyz Republic	On invalidating and canceling the Resolution of the KR CEC No. 468 of December 14, 2020. <i>("On denying Choroev Kuban Amanbekovich a registration as a candidate for President of KR")</i>	By the Decision of the Administrative Court dated December 18, 2020, the administrative claim was denied.	-
4	K. S. Sooronkulova, Candidate for President of the Kyrgyz Republic	Administrative claim on invalidating the Resolution of the KR CEC No. 463 of December 12, 2020. <i>("On the registration of Zhaparov SadyrNurgozhoevich as a candidate for President of the Kyrgyz Republic")</i>	By the Decision of the Administrative Court dated December 18, 2020, the administrative claim was denied.	December 23, 2020 By the Judgment of the Supreme Court, the Decision of the Administrative Court was upheld.

5	K. S. Sooronkulova, Candidate for President of the Kyrgyz Republic	On invalidating the Resolution of the KR CEC No. 26 of January 20, 2021. <i>("On determining the results of the early presidential election of the Kyrgyz Republic scheduled for January 10, 2021")</i>	By the decision of the Administrative Court dated January 23, 2021, the administrative claim was dismissed.	-
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