

REPORT

ON THE RESULTS OF SHORT-TERM OBSERVATION OF THE ELECTIONS OF DEPUTIES TO THE JOGORKU KENESH OF THE KYRGYZ REPUBLIC



OBSERVATION PERIOD
October 04, 2020



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ABBREVIATIONS

KR	Kyrgyz Republic
ARBB	Automatically Reading Ballot Box
CEC	Central Election Commission
BTEC	Bishkek Territorial Election Commission
TEC	Territorial Election Commission
PEC	Precinct Election Commission
HO	Head Office
SRS	State Registration Service
LTO	Long-Term Observation
STO	Short-Term Observation
CEC	Central Election Commission
LSG	Local Self-Government
CP	Calendar Plan
NGO	Non-governmental Organization
PF	Public Foundation
PVT	Parallel Vote Tabulation
PP	Political Party
RC	Regional Coordinator
MM	Mass Media
KR CL	Constitutional Law of the Kyrgyz Republic
KR CC	Criminal Code of the Kyrgyz Republic
KR CCP	Code of Criminal Procedure the Kyrgyz Republic
KR APC	Administrative Procedure Code of the Kyrgyz Republic
KR CPC	Civil Procedure Code of the Kyrgyz Republic
OSCE	Organization for Security and Co-operation in Europe
OSCE/ODIHR	Office for Democratic Institutions and Human Rights
USAID	U.S. Agency for International Development

ABOUT US

The Common Cause Public Foundation is a non-profit organization established to monitor elections in the Kyrgyz Republic, to implement civic education projects, and to promote greater citizen participation in governance processes.

The Foundation has joined the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring. This is the core document of the authoritative Global Network of Domestic Election Monitors. 251 organizations in 89 countries have adopted it to provide nonpartisan monitoring of the electoral process.

Mission of the Foundation is to facilitate the creation of opportunities for citizens to influence the quality of decisions made in the country through involvement, discourse, and public oversight.

Our vision is a society where citizens, as equal members of society, participate in the decision-making process at all levels, and are aware of their importance in democratic processes.

The activities of the Common Cause Public Foundation are aimed at building constructive interaction with the authorities and population through dialogue, monitoring of important political processes, participation in decision-making processes and ensuring transparency of their implementation in order to protect the rights and freedoms of citizens, to take joint actions for sustainable democratic development of the country.

The purpose of the election observation was to provide citizens and stakeholders at the elections with a professional, nonpartisan and timely assessment of the compliance with international standards and national legislation, including the information on potential violations, voter turnout and election results.

ABOUT THE PROJECT

The project "Independent Observation of the Parliamentary Elections in the Kyrgyz Republic in 2020" is aimed at ensuring transparency of the election process and timely informing so that elections are truly fair and free.

The independent monitoring project includes the following components:

- ✓ Analysis of the electoral legislation of the Kyrgyz Republic;
- ✓ Training of long-term observers;
- ✓ Training of short-term observers;
- ✓ Organization of long-term and short-term observation of elections to the Jogorku Kenesh of the Kyrgyz Republic;
- ✓ Conducting quantitative and qualitative research on both elections and other political processes in the KR related to the preparation and conduct of elections;
- ✓ Implementation of civic education campaigns on citizens' voting rights and raising citizens' rights awareness.

This project is being implemented by the "Common Cause" Public foundation with the support of the USAID

RESULTS OF SHORT-TERM OBSERVATION

Methodology of election day observation

In these elections the Common Cause Public Foundation applied one of the most advanced methodologies for the monitoring of the election day procedures and processes – Statistical based observation (SBO). The methodology is based on the statistical principles of selective observation and is the most effective way to systematically collect data that allows assessing the quality of processes on the election day, as well as to determine the reliability and accuracy of official voting results.

SBO allows for a systematic and neutral assessment of all voting processes such as: opening of polling stations, voting, closing of polling stations, and counting of votes. At the same time, the results of such observation without comprehensive monitoring of all electoral processes do not provide accurate data since the information may be based on incorrect or inadequately collected information. The statistical observation does not provide an opportunity to assess the legislative framework and the motives of voters. Also, SBO does not provide an opportunity to assess the impact of events that took place during the pre-election period, which could have affected the election results to a certain extent.

SBO provides for the permanent presence of an observer at randomly selected polling stations from the opening of the polling station to the end of the counting of votes and the rapid transfer of information from observers to the Foundation's call center via SMS system based on the GSM standard cellular network.

The Foundation announced the recruitment of nonpartisan short-term observers to conduct observation and collected 1,176 applications across the country. All applications have been thoroughly checked and screened. The Foundation selected 300 primary and 75 reserve candidates to train and prepare for the election day observation.

On the election day, the Foundation deployed 300 short-term observers, 58 long-term observers, 58 mobile teams, and 8 regional lawyers to observe the opening, voting, vote counting, and summing-up procedures throughout the country. 300 nonpartisan short-term observers were sent to 300 PECs across the country, which were selected using a random, stratified, interval sample. This sample is representative due to this method of selection of PECs for observation.

Election Day

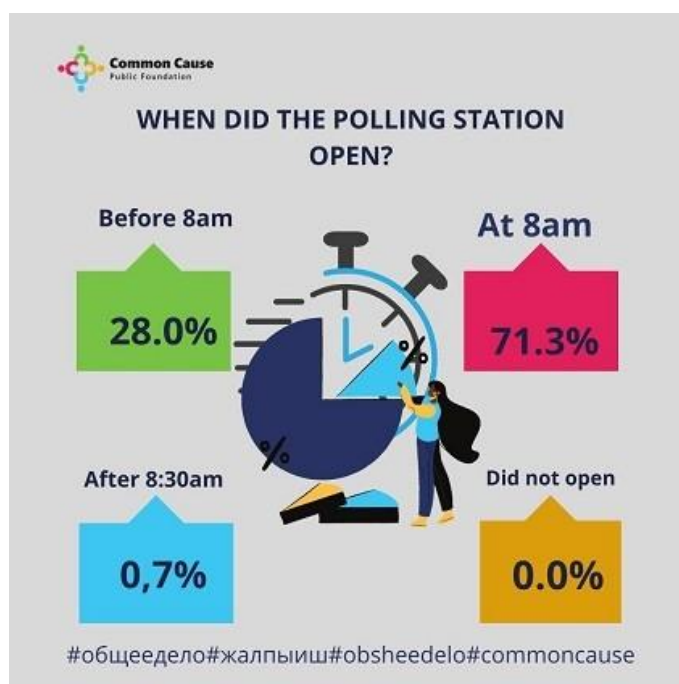
The procedures for opening, voting, closing, and summing up were mainly conducted in accordance with the law. It should be noted that with the introduction of ARBBs and biometric registration, the number of serious violations on the election day that could affect the election results decreased. Automation of the process of voter identification and the voting process largely avoids violations related to manipulation of the number of voters for one or another party or candidate. Thus, at polling stations, mostly there were procedural violations, which are more related to the level and quality of training of PEC members. For example, the most common violations on election day were violations of procedures for opening, drawing lots, and failure of the ARBB.

Taking into account the improvement in process technology, which in many ways made election day less problematic, special attention should be paid to violations that take place outside the voting premises. In order to assess the situation around the polling stations, the Foundation involved 58 mobile teams that conducted the observation around 452 PECs. The results of observation of mobile teams showed that at 6% of polling stations it was noted how various political parties organized mass delivery of voters by transportation and conducted illegal campaigning during the election day.

According to the statistical observation of the Common Cause PF, voter turnout in the 2020 elections was 56% with a 1.7% margin of error. For comparison, the turnout according to the CEC as of October 4 at 22:30 was 56.2%. Compared to the last parliamentary elections in 2015, the voter turnout (37.9%) increased by 18.3%.

Opening of polling stations

Observers reported the start of the elections with minor irregularities. Almost all observers of the Common Cause PF were granted access to observe the electoral process.

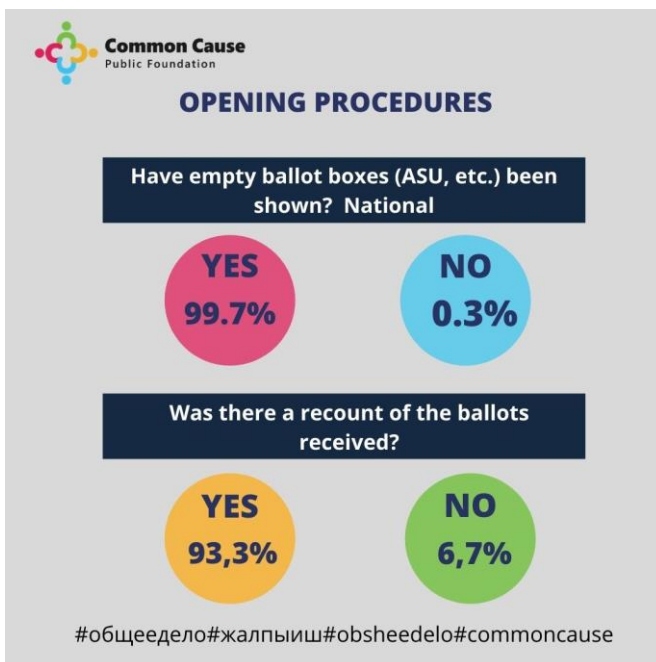
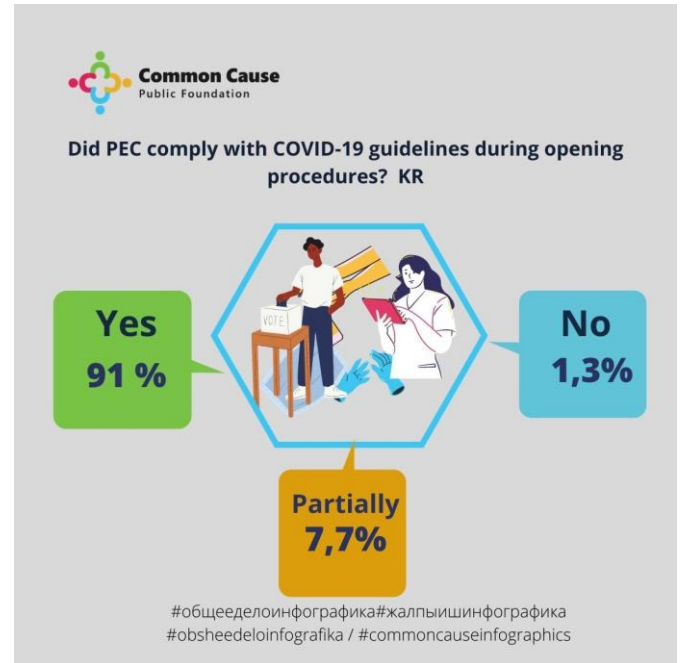


The majority of PECs (83%) held meetings before 07:30, 28% of polling stations were open for voting before 8:00, 71% - at 8:00 and less than 1% - a little later.

Observers reported that 68.3% of the polling stations were fully accessible for people with disabilities (PWD) and another 11.3% were partially accessible. 20.3% of the PECs were not accessible for PWD.

At most polling stations, 91% of PECs observed COVID-19 precautions during the opening. In 7.7% of PECs, these measures were partially followed.

96.3% of observers did not experience any obstacles in observing or receiving information for observation, and 98% of observers did not experience serious violations that could affect the results of voting (before 8:00).



At 96% of the polling stations, the drawing of lots was conducted in accordance with the law. At 99.7%, the empty ballot boxes were shown, and at 99% of them they were properly tamper-evident sealed. The signed checklist was dropped into the ballot box and the recount of the received ballots was carried out at 93.3% of the polling stations.

Voting and voter turnout

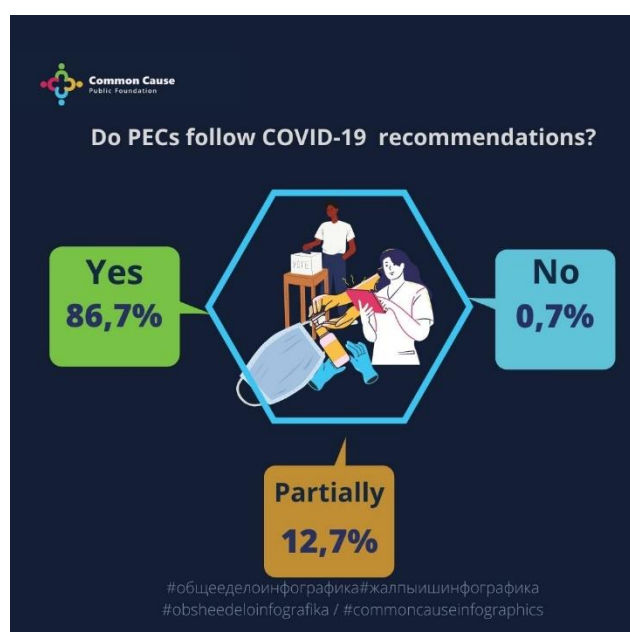
Observers reported that voting was generally calm, but that there were procedural and isolated serious violations. Almost all observers of the Common Cause PF had full access to carry out observation. However, at 4% of polling stations, observation was difficult due to improper work of PEC members.

The process of voting and voter turnout from 8:00 to 10:00. Voter turnout across the republic at 10:00, according to the data of observers, was 8.6% with an error of 1.1%. Voters followed the

Mission of the Public Foundation "Common Cause" is to facilitate the creation of opportunities for citizens to influence the quality of decisions made in the country through involvement, discourse, and public oversight

recommendations for COVID-19 precautions at 82% of polling stations, and at 17% these measures were followed partially. At 52% of polling stations, observers reported waiting lines due to the compliance with the COVID-19 precautionary measures.

The process of voting and voter turnout from 8:00 to 12:00. The voter turnout across the republic at 12:00, according to the data of observers, was 21% with an error of 0.6%. According to the data of the PEC observers, 54,096 voters registered at 300 polling stations according to Form No. 2, which is 13% across the republic with an error of 1.8%. Maximum number of registered applications on Form No. 2 per polling station was 1,309 people. At all 300 polling stations the voting went peacefully. There were no cases of intimidation, pressure or frightening of voters either inside or outside the polling stations. At 1.3% of polling stations, observers encountered obstacles to observation and other irregularities that may affect the results of voting. 98.7% of observers did not experience obstacles to observation or obtaining information for observation or other irregularities.

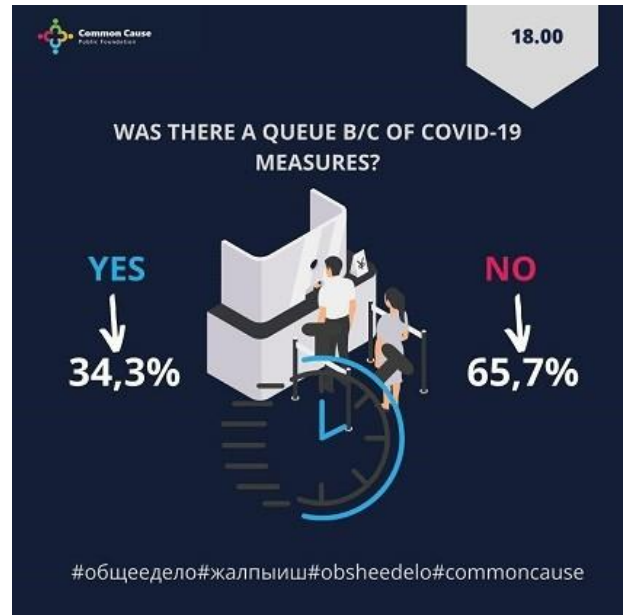


The process of voting and voter turnout from 8:00 to 14:00. According to the data of observers, the voter turnout across the republic at 14:00 was 30% with an error of 0.7%. 80% of PECs followed the instructions related to COVID-19 in their work, and 18% of PECs partially followed these measures. At 49.3% of polling stations, observers reported that there were waiting lines due to the compliance with the COVID-19 precautionary measures. 99.3% of observers did not experience obstacles in observing or receiving information for observation, and 98% of observers did not encounter serious violations that could affect the results of voting, however, 2% reported such incidents (before 14:00)

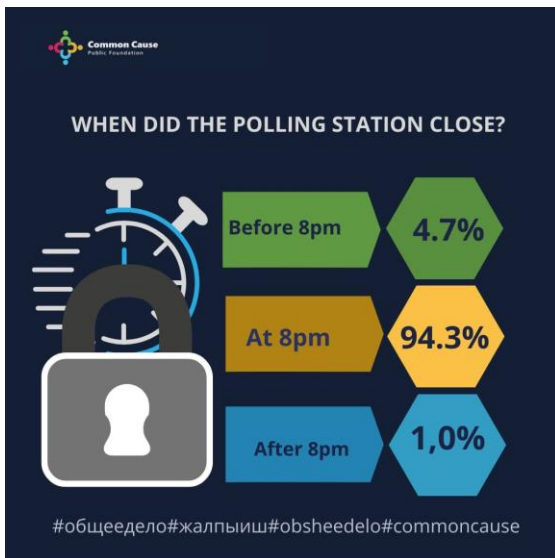
The process of voting and voter turnout from 8:00 to 16:00. According to the data of the observers, the voter turnout across the republic by 16:00 was 39% with an error of 0.9%. At most polling stations, 86.7% of PECs followed COVID-19 precautionary measures, while 12.7% of PECs observed these measures partially.

The process of voting and voter turnout from 8:00 to 18:00. Voter turnout across the republic at 18:00, according to observers, was 47% with an error of 1.0%. 78.8% of PECs followed the instructions related to COVID-19 in their work, and 19.7% of PECs partially followed these measures. At 34.3% of polling stations, observers reported that there were waiting lines due to the observance of precautions to prevent COVID-19.

The process of voting and voter turnout from 8:00 to 20:00. Voter turnout across the republic at 20:00 according to observers was 56% with an error of 1%. At 10% of the polling stations, there were more than 10 people who were unable to vote due to their absence in the voters' lists. Fewer people faced similar problems at 61% of polling stations. Voter identification, generally, was conducted without any complaints. There were no polling stations where observers would report that 10 or more voters had been allowed to vote without being identified. At 91% of polling stations there were no problems related to technical failures. However, at 8% of the polling stations, a small number of voters (five or fewer people in each of the polling stations) were unable to vote due to such failures. In almost all (99%) polling stations, there were no cases when someone was allowed to vote without being included in the voters' list. At 2 percent of polling stations, intimidation and/or pressure on voters was observed. At 4% of polling stations, the presence of persons who cannot be in the voting premises on the election day was noted. Vote buying and election campaigning in violation of the terms of campaigning were observed in 3% of PECs.



Closing and counting of votes

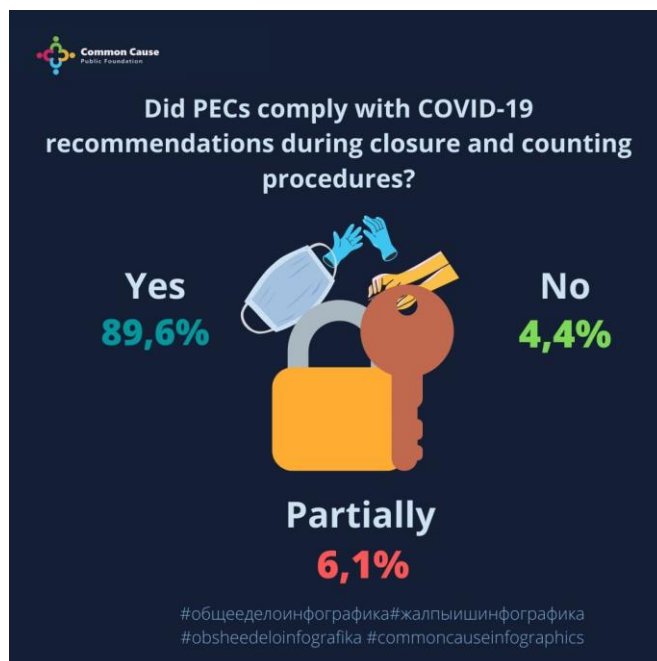


Observers reported the completion of the voting process with minor procedural irregularities and isolated cases of serious violations. All observers could easily observe the counting process. Almost all polling stations (94.3%) closed on time, while 4.7% closed before 20:00 and 1% after the official closing time. The Law on Elections allows people who are inside the polling station premises at 20:00 to vote, while people who are outside the polling station are not allowed to vote. At the time of closing, 8% of polling stations had waiting lines. At 5.7% of polling stations at 20:00, there were voters outside the premises who were unable to vote.

Unused ballots were cancelled in accordance with the law at 98% of polling stations. Mobile ballot boxes were opened in accordance with the law at 96% of polling stations. The counting of ballots was conducted openly and transparently. Manual counting of ballots was carried out openly and publicly at 99% of polling stations. Only 1% of the PEC polling stations did not consider the existing complaints before signing the protocol.

Protocols were drawn up at all polling stations where the observation was carried out. At 96% of the polling stations, observers were able to obtain a certificate on the number of ballots issued to voters and a certified copy of the manual counting protocol based on the results of voting, and at 99% - the copies of the protocols from identification devices and ballot boxes.

89.6% of PECs followed the precautions/recommendations related to COVID-19 during closing procedures and vote counting, while 6.1% of PECs followed these measures partially. 98.3% of the observers did not experience any obstacles in observing or receiving information for observation. 99% of observers did not encounter serious violations that could affect the voting results.



Mobile observation

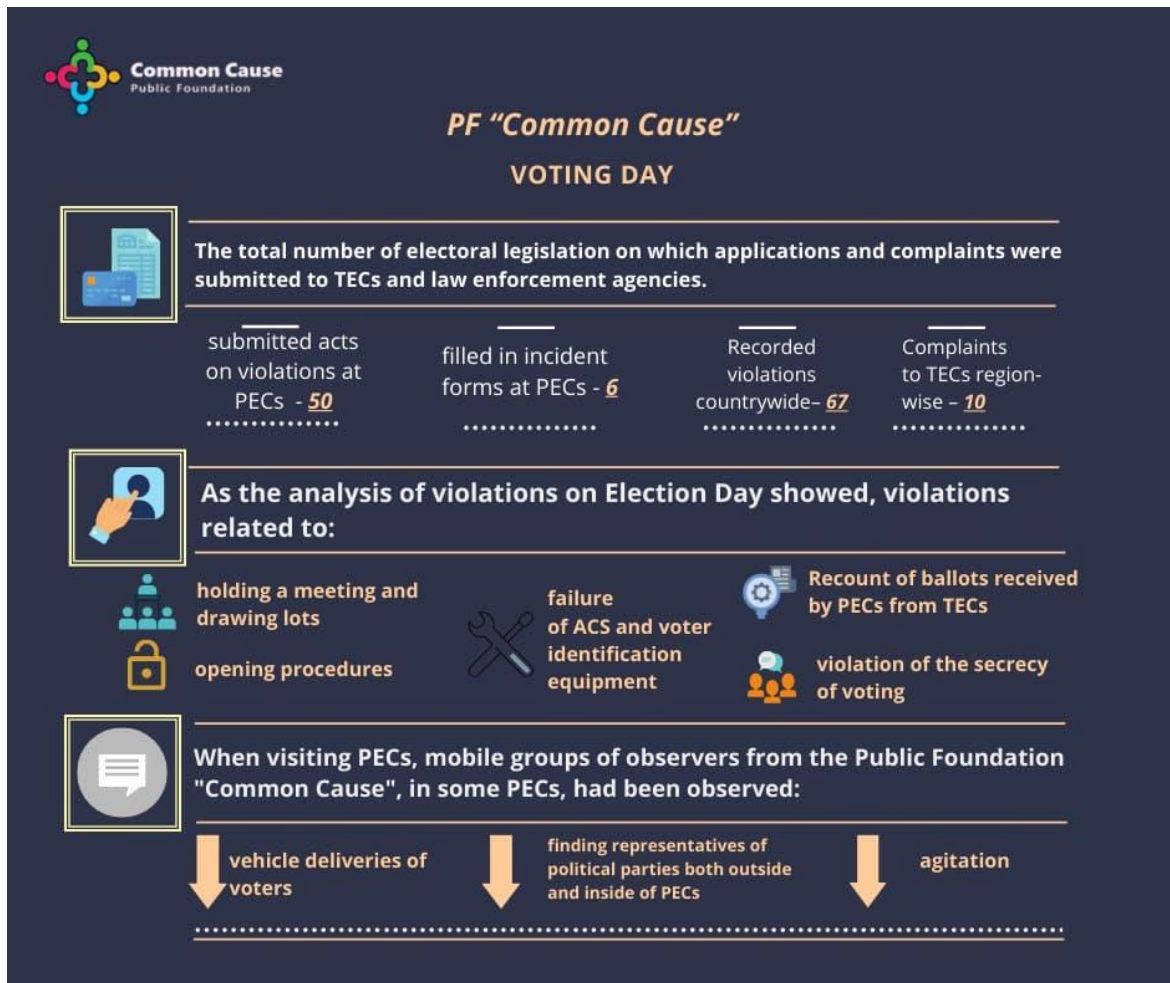
58 mobile teams visited 452 different PECs to monitor the situation around the polling stations. Mobile teams described the situation around 407 polling stations as peaceful, while a tense situation was recorded at 28 polling stations. It was difficult for mobile groups to assess the situation at 17 polling stations.

Due to the precautionary measures taken to prevent COVID-19, long waiting lines were observed at almost a third of polling stations. The presence of strong-bodied people was observed on 19 weekends, but their actions could not be considered illegal during the visits of mobile groups. Mass delivery of voters by transportation was observed at 29 PECs, and illegal campaigning was observed at 26 polling stations.

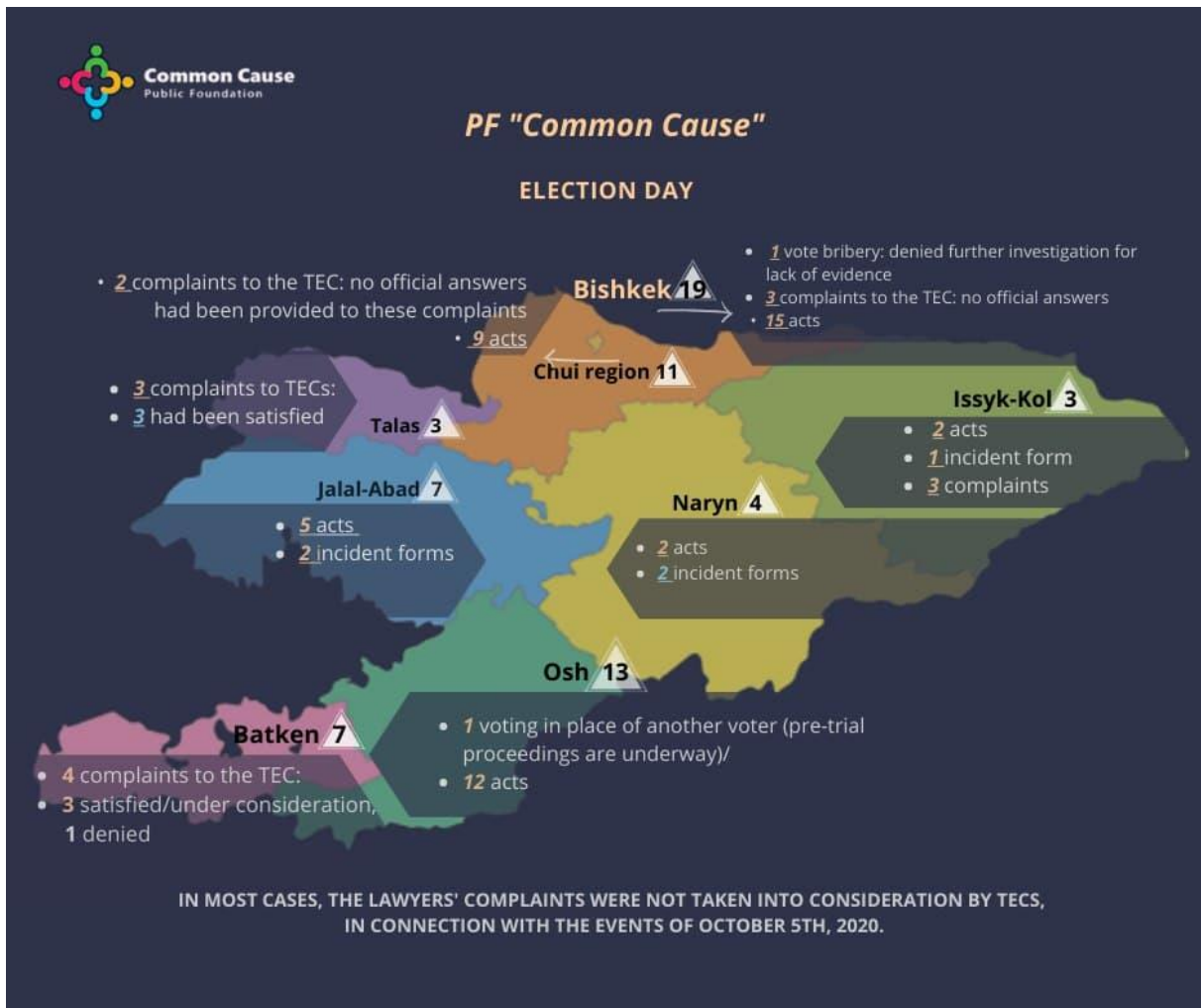
Violations on Election Day

On October 4, 2020 on the election day, 67 violations of electoral legislation were recorded by the Foundation. As analysis of violations on the election day showed, in most cases violations concerned procedures of opening, holding of meetings and drawing lots, recalculation of ballots received by PECs from TECs, violation of the secrecy of ballot, failure of ARBB and the equipment for identification of voters.

The total number of submitted acts on violations at PECs by public observers and lawyers was 50, complaints to TECs - 10, applications to the internal affairs bodies - 2 and completed incident forms – 6

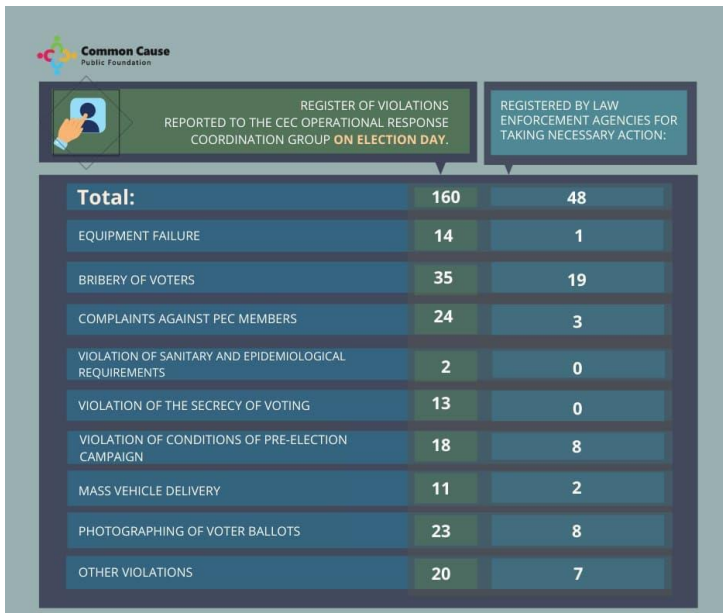


By region, the largest number of violations on election day were recorded in the city of Bishkek, as well as in Osh and Chui oblasts.



- A total of 13 violations were recorded in Osh oblast, on 1 violation an application was filed to the Internal Affairs Department of the Osh oblast, under the article of the Code of Misdemeanor "Voting instead of another voter," on this fact pre-trial proceedings are conducted, on 12 violations reports were drawn up.
- 7 violations were recorded in Jalal-Abad oblast, in 5 cases reports were drawn up and in 2 cases incident forms were filled in since the violations were eliminated on the spot.
- 7 violations were recorded in Batken oblast, a lawyer in Batken oblast filed complaints on 4 violations to the TECs, where 3 complaints were satisfied, 1 rejected, on 2 violations reports were drawn up and on 1 violation the incident form was filled in since the violations were eliminated on the spot.
- 10 violations were recorded in Chui oblast, on 2 violations a complaint was filed to the TEC, no official answers were provided on these complaints and on 9 violations the reports were drawn up.
- 4 violations were recorded in Naryn oblast, reports were drawn up in 2 cases and in 2 more cases incident forms were filled in since the violations were eliminated on the spot.
- 3 violations were recorded in Talas oblast, complaints on all violations were submitted to TECs, satisfactory answers were received on all complaints, PECs were issued warnings.
- 3 violations were recorded in Issyk-Kul oblast, in 2 cases reports were drawn up and in 1 case an incident form was filled in since the violation was eliminated on the spot.
- 19 violations were recorded in the city of Bishkek, on 1 violation an application was submitted to the District Department of Internal Affairs under the article of the Criminal Code of the Kyrgyz

Republic "Bribing voters", but later was denied the further investigation for the lack of evidence, on 3 violations complaints were submitted to TECs, on these complaints and the application no official answers were provided, and reports were drawn up on 15 violations.



	REGISTER OF VIOLATIONS REPORTED TO THE CEC OPERATIONAL RESPONSE COORDINATION GROUP ON ELECTION DAY.	REGISTERED BY LAW ENFORCEMENT AGENCIES FOR TAKING NECESSARY ACTION:
Total:	160	48
EQUIPMENT FAILURE	14	1
BRIBERY OF VOTERS	35	19
COMPLAINTS AGAINST PEC MEMBERS	24	3
VIOLATION OF SANITARY AND EPIDEMIOLOGICAL REQUIREMENTS	2	0
VIOLATION OF THE SECRECY OF VOTING	13	0
VIOLATION OF CONDITIONS OF PRE-ELECTION CAMPAIGN	18	8
MASS VEHICLE DELIVERY	11	2
PHOTOGRAPHING OF VOTER BALLOTS	23	8
OTHER VIOLATIONS	20	7

For comparison, the CEC online registry received about 160 messages on the election day, mostly related to vote buying, complaints against PEC members and violations of the secrecy of ballot. In addition, violations of campaigning conditions, equipment failure and mass delivery of voters by transportation were noted. These data partly reflect the results of the Foundation's static and mobile observation.

Appendix 1. Table of violations

Type of violation	Number of acts submitted to PECs	Number of complaints filed with TECs	Number of applications filed with the District Department of Internal Affairs / ROVD	Number of filed Incident forms	Total number of violations
Ballot boxes (ARD, portable boxes) were not sealed after demonstration	1				1
Untimely start of the meeting of PEC members / There was no meeting at all	8	1			9
Bribery of voters (Criminal Code of the Kyrgyz Republic)			1		1
Voting instead of another voter			1		1
Illegal termination or suspension of the voting process	1				1
Attack, threats, pressure and confrontation aimed at participants in the electoral process (Criminal Code of the Kyrgyz Republic)	1				1
Unused ballots were not counted and canceled		1			1
Voter could not vote due to a technical failure of the identification equipment	4				4
Zero receipt of the ARD was not shown	3			1	4
Photographing the ballot by the voter	3				3
There was no recount of ballots	6				6
Conducting and violation of campaigning on the territory of the PEC (Code of Violations of the Kyrgyz Republic)	3	1			4

Violation of the secrecy of voting	4			1	5
Copy of the act on the number of ballots issued to voters was not provided		1			1
Conducting and violation of campaigning on the territory of the PEC (Code of Violations of the Kyrgyz Republic)	3	1			4
Copy of the protocol of manual counting of the voting results was not provided	2				2
No draw was made	5	1			6
Presence at PECs of persons who cannot be at the polling station on election day (CC KR)				1	1
Work with the voter list was not carried out	1			1	2
There was no recounting and passing of ballots from portable boxes through the ARD				1	1
Register of voter applications outside the premises was not compiled properly		1			
Other	5	2		1	8
TOTAL	50	9	2	6	67