



**PRELIMINARY REPORT ON THE RESULTS OF LONG-TERM
OBSERVATION OF THE PREPARATIONS FOR THE EARLY
PRESIDENTIAL ELECTION OF THE KYRGYZ REPUBLIC,
SCHEDULED FOR JANUARY 10, 2021**

**OBSERVATION PERIOD FROM OCTOBER 25 TO
DECEMBER 28, 2020**

COMMON CAUSE PUBLIC FOUNDATION

JANUARY 2021

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1. ABBREVIATIONS

ARB	Address and Reference Bureau
ARBB	Automatically Reading Ballot Box
OSCE/ODIHR	OSCE Office for Democratic Institutions and Human Rights
GDP	Gross Domestic Product
SRS	State Registration Service
LTO	Long-term observer
USRP	Unified State Register of Population
USVR	Unified System of Voter Registration
JK KR	Jogorku Kenesh of the Kyrgyz Republic
SCNS	State Committee for National Security
RRCG	Rapid Response Coordination Group
KR	Kyrgyz Republic
PWD	People with disabilities
MIA	Ministry of Internal Affairs
UN	United Nations
PBC	Public Broadcasting Corporation
PIN	Personal Identification Number
MM	Mass media
TEC	Territorial Election Commission
CEC	Central Election Commission
PEC	Precinct Election Commission
Foundation	Common Cause Public Foundation

2. SUMMARY

The Common Cause Public Foundation (hereinafter – the Foundation) has prepared a preliminary report on the results of long-term observation of the preparation for the early elections of the President of the Kyrgyz Republic (hereinafter - the President), scheduled for January 10, 2021.

The preliminary report refers to the period from the moment of appointment of early elections, from October 25 to December 28, 2020, and covers the procedures of nomination and registration of candidates for the post of President of the Kyrgyz Republic, formation and activities of election commissions of all levels (CEC, TEC, PEC), procedures of formation and updating of voter lists, period of informing and pre-election campaigning, and detection of violations of election legislation and appeals (applications and complaints) to the appropriate authorities.

On October 24, 2020, the CEC sets the date for the early presidential election of the Kyrgyz Republic for January 10, 2021.

In general, describing the reporting period, the Foundation notes that the pre-election period falls under a difficult time for the republic. The economic and political crisis, the pandemic, the winter period and other such circumstances affect the quality of the procedures.

The electoral legislation of the Kyrgyz Republic has a solid base of normative legal acts regulating individual issues related to the organization and conduct of elections at the republican and local levels. However, it contains several unreasonable restrictions, as well as gaps and ambiguities, especially with regard to the media, the rights of public observers, rules for election campaigns and funding.

Cancellation of voting at the changed voting address (Form No. 2) makes the upcoming election distinctive. Under current regulations, on January 10, 2021, only the voters residing or located outside of the Kyrgyz Republic on election day will be able to vote on Form No. 2. The Foundation notes that by deciding to cancel the possibility to change the voting address, without introducing an alternative option, parliamentarians practically deprived citizens who do not live at their place of registration of the right to exercise their active voting rights.

In this regard, the Foundation considers it necessary to restore the possibility of changing the voting address, provided the voter provides supporting documents on the need to change the voting address. At the same time, it is recommended to limit the right to change the voting address within one oblast and increase the processing time of applications.

The Foundation also notes that despite several recommendations of international observation missions, candidates for the post of President of the Kyrgyz Republic must, in fact, overcome two electoral barriers - pay the electoral deposit and collect at least 30,000 valid voter signatures. In this regard, the Foundation believes that the removal of the barrier in the form of the electoral deposit and leaving in effect the requirement to collect 30,000 voter signatures would be the most democratic approach. In this case, candidates with little financial resources will be able to compete in elections.

On the whole, assessing the activity of the election commissions for the period covered by the Preliminary Report, the Foundation notes that the activity of the CEC is carried out transparently and within the established procedures, and the principle of collegiality is observed in decision-making. All information about the activities of the CEC is publicly available and posted on the official website <https://shailoo.gov.kg/>. Some observers, however, expressed their dissatisfaction with the organization of the CEC meetings as they were appointed inconsistently and suddenly, with untimely notification and with the delay in the start of the meetings, as well as with the

delayed provision of copies of decisions adopted by the participants of the electoral process. The Foundation notes that there are certain shortcomings in the work of some territorial election commissions, including lack of transparency, incompleteness of material and technical resources, and violations of sanitary standards.

Not all candidates for President of the Kyrgyz Republic have equal conditions for campaigning. Candidates Sadyr Zhaparov, Adakhan Madumarov, Babyrzhan Tolbaev and Kursan Asanov are campaigning most actively.

In the course of monitoring the activities of the authorities dealing with electoral disputes, the Foundation notes that there are a number of problems that need to be resolved. For instance, the applications and complaints received by the CEC of the Kyrgyz Republic were handled in a timely manner and in compliance with the legal deadlines. Moreover, the decisions rendered always contained a justification for refusal or satisfaction. However, lower-level election commissions (TECs, PECs) did not always consider incoming applications and complaints within the established deadlines. A similar situation is noted with the work of law enforcement agencies. The established practice shows that when signals about violations were received, the law enforcement agencies limited themselves to reporting that the facts were not confirmed and wrote them off to the indexed registered records. At the same time, these reports did not contain justifications for the decisions made. In view of this problem, the Foundation deems it necessary to consider the possibility of establishing responsibility for the full and timely consideration of received applications (appeals, complaints, etc.) and to strengthen the work of law enforcement agencies in considering received complaints and applications. That said, the Foundation notes that there are no effective mechanisms for public observers to monitor the activities of law enforcement agencies and that appropriate mechanisms need to be introduced.

The analysis of the complaints received by the Foundation shows that they mainly concern the facts of premature campaigning, violations of campaigning procedures, vote buying, abuse of administrative resources, and obstruction of the exercise of electoral rights. The Foundation is greatly concerned by the increasing number of reports from long-term observers (hereinafter - LTOs) about facts of abuse of administrative resources by supporters of certain candidates. Furthermore, despite the introduction of a new article in the Misdemeanors Code establishing the liability for the abuse of administrative resources, no changes have been introduced to establish the publicity of the charges in such cases. In practice, this can lead to problems in bringing the perpetrators to responsibility.

A big problem for the last election cycles was the introduction in 2017 of the category "public observers" from non-profit organizations and the limitation of the rights of public observers to appeal decisions, actions (inaction) of election commissions. In connection with the mentioned circumstance the Foundation deems it necessary to revise both the requirement about the number of public observers being present at a polling station at the same time and to give public observers the power to appeal the decisions and (or) actions (inaction) of election commissions, including decisions on determination of vote returns and establishment of election results.

According to the LTOs, the social and political situation in the country on the eve of the elections is relatively calm, but there is some apprehension in connection with the upcoming elections and the economic recession. There are tensions of a local nature in two regions. There is a worsening of the epidemiological situation in Osh oblast, and there are border conflicts in Batken oblast. There were cases of citizens' outrage in 18 districts in connection with the cancellation of the voting address change (Form No.2).

This preliminary report covers the observation only for the presidential election in the Kyrgyz Republic and does not cover the observation of the referendum (nationwide vote), because the

referendum was announced after the beginning (start) of long-term observation of the presidential election in the Kyrgyz Republic.

The Foundation decided to pilot social media monitoring ahead of the early presidential election on January 10, as election campaigns are being increasingly conducted on social media, especially in COVID-19 circumstances. Given the nature and scale of the monitoring initiative, the Foundation decided to focus on only one social media platform - Facebook. Based on the preliminary SMM research, we can distinguish the following: the most popular candidate, according to public opinion polls, Sadyr Japarov has not placed paid ads from his Facebook page for the campaigning at all. The candidate Adakhan Madumarov, the leader of the opposition party “Butun Kyrgyzstan”, is not fully transparent about his expenses on ads as he has not specified the source of the financing for the political ad in the Facebook Ad Library. The largest spenders on Facebook ads among candidates are Aimen Kasenov (\$1756), Babur Tolbaev (\$536) and Abdil Segizbaev (\$199). None of the seventeen presidential candidates use the verified Facebook pages. Taking into consideration the comparison of the Facebook Ad Library report for the 2021 elections with the 2020 Parliamentary Elections, the current Presidential campaign has had less financial resources spent on Facebook paid political ads than the 2020 Parliamentary campaign.

3. INTRODUCTION

The Common Cause Public Foundation is a non-profit organization established to monitor elections of various levels in the Kyrgyz Republic, implement civic education projects, and promote greater citizen participation in decision-making processes. The Foundation supports the conduct of free and fair elections and the development of civil society and democracy in Kyrgyzstan¹.

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

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

Long-term observation is conducted for the purpose of:

- Ensuring a fair electoral process in accordance with international standards and the national legislation.
- Analysis of electoral legislation in order to develop recommendations for its further improvement.
- Detecting violations and falsification of elections and reporting on them.
- Providing verified, timely and unbiased information about the pre-election and post-election periods.

In general, the long-term observation covers the procedures of nomination and registration of presidential candidates, the formation and activities of the election commissions at all levels (CEC, TEC, PEC), the period of informing and campaigning, the activities of election commissions on

¹ <https://commoncause.kg/about>

the election day and summing up the results of the early presidential election and referendum, which will be held on January 10, 2021.

Foundation's long-term observation is carried out by the head office based on the data of 58 long-term observers and 8 regional coordinators who are present in all regions of the country, as well as 7 regional lawyers, who are tasked to assist with the violations and complaints in the elections. Observers collect information from precinct election commissions, candidates' headquarters and their representatives. Moreover, they monitored the campaigning process and TEC activities. In addition, the Foundation recruited 5 legal experts who analyze the electoral legislation and monitor the work of the Central Election Commission of the Kyrgyz Republic (hereinafter the CEC) since the announcement of the presidential election and referendum. They will also do analytical work on the assessment of the revealed irregularities on the election day.

The Foundation launched a pilot monitoring of social networks to assess the presence of candidates on the most popular social network in the Kyrgyz Republic, Facebook, and to assess election irregularities on the same platform. The preliminary monitoring results presented here are based on the candidates' Facebook pages and ads included in the Facebook Ad Library report, and cover the reporting period from December 3, 2020, to January 1, 2021. A more detailed report on the results of social networks monitoring from the beginning of the presidential election will be published after the election.

The Foundation will continue to monitor the early presidential election until the results are determined and the results of the presidential election are officially published. At the end of the long-term observation, the Foundation will prepare a separate final report that will cover the entire election process.

4. ABOUT ELECTIONS

On October 15, 2020, President S. Jeenbekov made a public announcement of his voluntary resignation. The Jogorku Kenesh of the Kyrgyz Republic (hereinafter - JK KR)² accepted the resignation of President S. Jeenbekov on October 16. In accordance with the Constitutional Law of the Kyrgyz Republic "On elections of President of the Kyrgyz Republic and deputies of Jogorku Kenesh of the Kyrgyz Republic" (hereinafter - the Constitutional Law) the early election of the President are appointed by the JK KR not later than one week after termination of the powers of the President and must be held within 3 months from the date of termination of the powers of the current President. Since the JK KR did not appoint early elections within the specified time limit, on October 24, 2020, the CEC decided to schedule the date of the early presidential election for January 10, 2021.³ The meeting was attended by 8 out of 12 CEC members, so a quorum was present and the decision was taken unanimously.

Due to the fact that the elections are early, according to the Constitutional Law⁴ the period of nomination and campaigning has been reduced by a quarter⁵, so the period of candidate nomination is from October 25 and up to and including November 14, registration with the CEC was extended to December 14, and the period of campaigning is reduced to 25 days, that is, the election campaigning runs from December 15, 2020, to January 8, 2021. The pre-election day, January 9, 2021, is a day of election silence and takes place without campaigning.

² Jogorku Kenesh of the Kyrgyz Republic – The National Parliament

³ Constitutional Law "On Elections of the President of the KR and the Deputies of the JK of the KR", https://shailoo.gov.kg/ru/konstitucionnye-zakony-kr/konstitucionnye-zakony-kr/O_vyborah_Pr-1913/parts 1 and 2 of Article 48

⁴ Ibid.

⁵ Ibid., Part 2 of Article 48

Elections in the Kyrgyz Republic are held on the basis of universal, equal and direct voting rights by secret ballot. According to the Constitution of the Kyrgyz Republic, the President is elected by the citizens for a six-year term. The same person cannot be elected as President twice.⁶ If no candidate receives more than half of the votes cast in the first ballot, the second ballot shall be held within 20 days of the establishment of the election results between the two candidates who received the highest number of votes.⁷

On January 10, Kyrgyzstan will hold the early presidential election. The referendum to determine the country's form of government will take place simultaneously. Citizens will be asked to choose between a presidential and parliamentary form of government; besides, there is also a third option to vote "none of the above". Parliament passed the corresponding law "On the Appointment of the Referendum to Determine the Form of Government" of December 11, 2020⁸, which was signed by the acting President - the Speaker of the JK KR T.Mamytov.

According to the "Tizme"⁹ state voter portal, as of December 19, 2020, the number of voters was 3,556,864 people.

The total number of TECs located in administrative and territorial units of the Republic is 54. There were 2,474 PECs in total, including 48 polling stations that are located outside the Kyrgyz Republic.

The nomination procedure for presidential candidates began on October 25. However, in order to be registered, candidates must go through a number of specific procedures and meet a number of requirements of the Constitutional Law.¹⁰ As of November 14, 2020, according to the CEC, the total number of nominees was 65 people, 18 of them were registered, 17 men and one woman who met the requirements of the Constitutional Law and fulfilled all the requirements: citizenship of the Kyrgyz Republic, the age not younger than 35 and not older than 70, living in the republic for at least 15 years, have collected at least 30 thousand signatures, have no criminal record, speak the state language and have paid an election deposit in the amount of one million soms.

The estimated cost of preparing and holding early presidential elections in the Kyrgyz Republic, scheduled for January 10, 2021, is 549,161,070 million soms.¹¹

The electoral funds of candidates are shown in Diagram 1. Candidate S. Japarov's total proceeds as of December 25 were 51,461,000 soms, of which 50,439,859 soms had been spent. B. Tolbaev has 14,224,572 soms, of which 9,264,488 soms were spent.

⁶ Articles 61 and 62 of the Constitution of the Kyrgyz Republic, <http://www.president.kg/ru/konstituciya>

⁷ Constitutional Law of the Kyrgyz Republic " On Elections of the President of the KR and the Deputies of the JK of the KR", https://shailoo.gov.kg/ru/konstitucionnye-zakony-kr/konstitucionnye-zakony-kr/O_vyborah_Pr-1913/

⁸ Official website of the President,

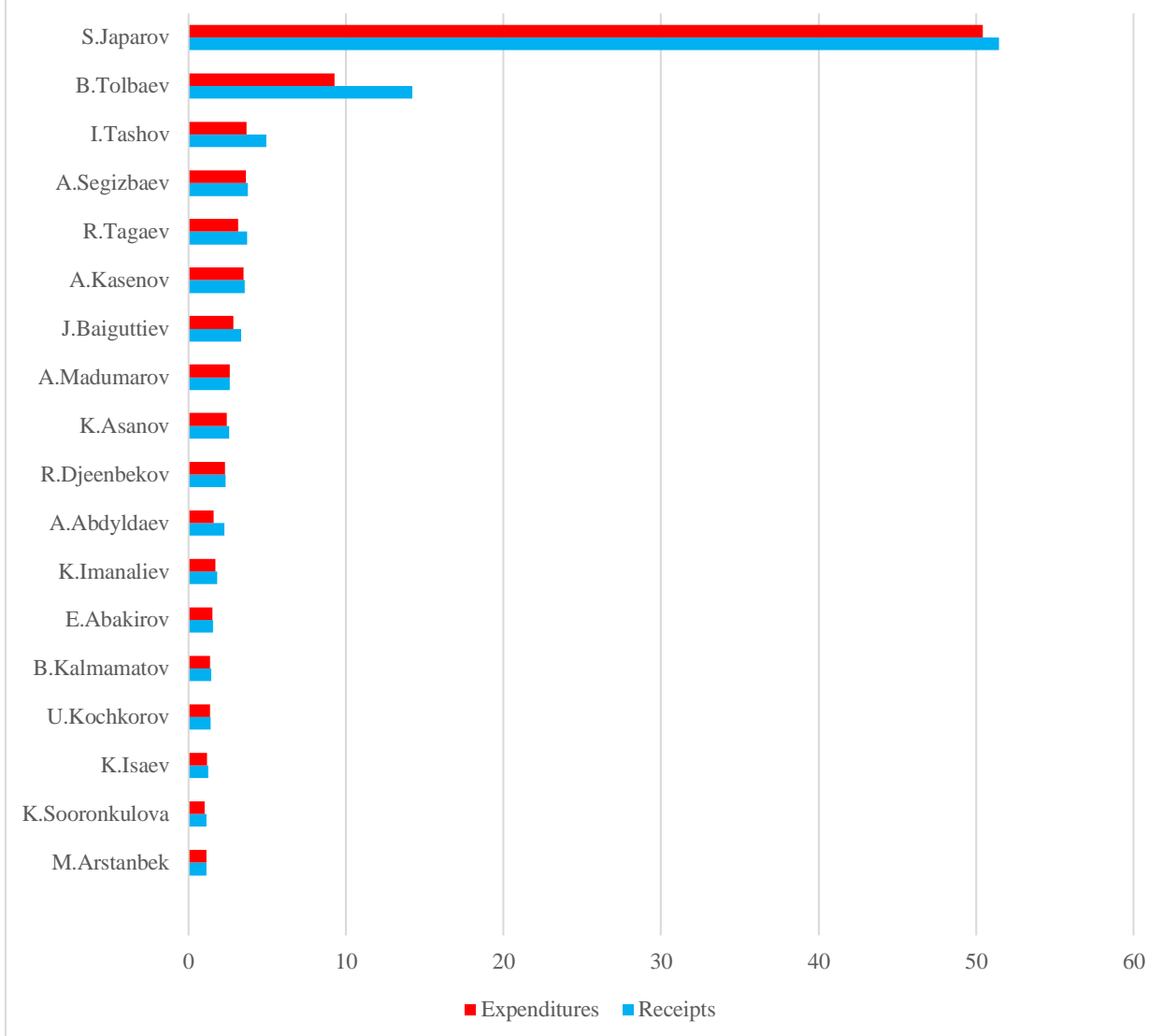
http://www.president.kg/ru/sobytiya/18321_podpisan_zakon_kr_o_naznachenii_referenduma_vsenarodnogo_goloso_vaniya_po_opredeleniyu_formi_pravleniya_kirgizskoy_respubliki

⁹ <https://tizme.gov.kg/>

¹⁰ 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", https://shailoo.gov.kg/ru/konstitucionnye-zakony-kr/konstitucionnye-zakony-kr/O_vyborah_Pr-1913/

¹¹ <https://shailoo.gov.kg/ru/vybory-yanvar-2021/smeta2/>

Diagram 1. Election Funds of Presidential Candidates for December 25, 2020



Appeals against decisions of election commissions are regulated by Articles 44 and 45 of the Constitutional Law.

According to the Part 2 of Article 44, voters, candidates, political parties, non-commercial organizations, their representatives and observers can submit applications (complaints) against decisions and (or) actions (inaction) of election commissions which violate electoral rights of citizens.¹²

Besides the norms of the Constitutional Law, the procedure for consideration and resolution of electoral disputes is also regulated by the Regulation on the procedure of consideration of applications (complaints) of voters and other subjects (participants) of the electoral process by election commissions during elections and referenda in the Kyrgyz Republic, approved by the

¹² See: 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" of July 2, 2011 No. 68 // <http://cbd.minjust.gov.kg/act/view/ru-ru/203244>

Resolution of the Central Election and Referendum Commission of the Kyrgyz Republic of July 7, 2017, No. 21213, as amended by the CEC Resolution of January 22, 2020, No. 12.

Resolution of the Central Commission on Elections and Referenda of the Kyrgyz Republic of July 10, 2017, No. 217, approved the Regulation on the Working Group for consideration of applications and complaints of voters and other subjects of the election process during the conduct of elections and referenda in the Kyrgyz Republic¹⁴.

The Resolution of the Central Commission on Elections and Referenda of the Kyrgyz Republic of February 4, 2020, No. 33, approved the Regulation on the procedure for operation of the Rapid Response Coordination Group (RRCG).

The Resolution of the Central Commission on Elections and Referenda of the Kyrgyz Republic of February 11, 2020, No. 4115, approved the Regulation on the procedure for consideration of cases of violations by election commissions.

According to Part 9 of Article 28 of the Constitutional Law: the Central Election Commission shall control the observance of the established procedure for election campaigning and take measures to eliminate the committed violations. If a candidate or political party violates the requirements set forth in Articles 22-28 of the Constitutional Law, the corresponding election commission has the right to issue them a written warning about the violation. In case of a repeated violation (two or more times) by a candidate or a political party of the rules of election campaigning established by this Constitutional Law, the corresponding election commission has the right to bring them to responsibility in accordance with the legislation of the Kyrgyz Republic.

According to the Constitutional Law, non-profit organizations may, in accordance with the procedure established by their charters, make a decision to participate in election observation and send their public observers. 9 non-profit organizations notified the CEC of their intention to observe the early presidential election scheduled for January 10, 2021.

The upcoming early presidential election and referendum are attracting close international attention. As of December 28, 2020, the CEC registered 311 international observers from 43 countries representing 31 international organizations.

The upcoming early Presidential Election and Referendum are an important stage for the citizens of Kyrgyzstan and are attracting close attention of the international community. As of December 28, 2020, the CEC registered 311 international observers from 43 countries representing 31 international organizations.

5. SOCIO-POLITICAL SITUATION

In general, describing the reporting period, the Foundation notes that the pre-election period falls under a difficult time for the republic. The economic and political crisis, the pandemic, the winter period and other such circumstances affect the quality of the procedures.

¹³ See: Regulation on the procedure of consideration of applications (complaints) of voters and other subjects (participants) of the electoral process by election commissions during elections and referenda in the Kyrgyz Republic, approved by the Resolution of the Central Election and Referendum Commission of the Kyrgyz Republic of July 7, 2017, No. 212 https://shailoo.gov.kg/ru/npacik/Postanovleniya_CIK_KR-BShKnyn_toktomdoru/212/

¹⁴ See: Resolution of the Central Commission on Elections and Referenda of the Kyrgyz Republic of July 10, 2017, No. 217, approved the Regulation on the Working Group for consideration of applications and complaints of voters and other subjects of the election process during the conduct of elections and referenda in the Kyrgyz Republic https://shailoo.gov.kg/ru/npacik/Postanovleniya_CIK_KR-BShKnyn_toktomdoru/217/

¹⁵ See: Resolution of the Central Commission on Elections and Referenda of the Kyrgyz Republic of February 11, 2020, No. 41 https://shailoo.gov.kg/ru/npacik/Postanovleniya_CIK_KR-BShKnyn_toktomdoru/11022020-41-o-polozhonii-o-poryadke-rassmotreniya-izbiratelnyimi-komissiyami-del-o-narusheniyah/

The upcoming presidential elections and the referendum to determine the form of government are a direct consequence of the last parliamentary elections, the results of which set in motion a chain of unexpected socio-political transformations. The parliamentary elections of October 4, 2020, were held with irregularities both during the pre-election campaigning and on the election day; there were manipulations with the mass use of Form No. 2, vote buying, and abuse of administrative resources. The existence of serious violations and risks of using Form No. 2 was pointed out by the Foundation in its preliminary report¹⁶ and in the statement of October 5, 2020¹⁷. On October 6, the CEC, against the background of protests and in order to stabilize the situation in the country, made a political decision to invalidate the results of voting at polling stations for the elections of deputies to the JK KR scheduled for October 4, 2020.

The issues put to the referendum caused division in society. One part of the population, mostly supporting presidential candidate Sadyr Zhaparov, is in favor of the presidential form of government, while the other part is against the presidential form of government since they believe that this form of government will bring the country to an authoritarian regime. A certain part of the population is in favor of mixed forms of government, with a tilt either toward a presidential or parliamentary form of government.

According to the LTOs, the social and political situation in the country on the eve of the elections is relatively calm, but there is some apprehension in connection with the upcoming elections and the referendum. There are tensions of a local nature in only two regions. There is a worsening of the epidemiological situation in Osh oblast, and there are border conflicts in Batken oblast. There were cases of citizens' outrage in 18 districts in connection with the cancellation of the voting address change (Form No. 2). Public observers of the Foundation note that people are concerned about not being able to vote in the elections.

All public, state and municipal agencies/enterprises/organizations work as usual.

Regarding the social and economic situation in the country, the Foundation notes that the coronavirus pandemic has contributed to the worsening economic situation in Kyrgyzstan. The COVID-19 pandemic hit the economy hard in the first half of 2020. The country's GDP shrank 5.3 percent in the period from January to June 2020. Then, by the end of November, the decline in the economy had reached 8.1%.¹⁸

The main reason for the deterioration is the decline in economic activities in connection with the restrictions imposed due to the spread of coronavirus infection and the socio-political events of October 2020.

Restrictions due to the epidemic have affected business activities in the country in two main areas. First, the deterioration of foreign economic conditions caused by the reduced demand for Kyrgyzstan's exports (except for gold), and second, the decline in budget revenues and the disruption of global value chains. The country's measures in health care, primarily quarantine measures imposed from mid-March to mid-May 2020, have led to a significant reduction in consumer and investment demand.

State support measures and borrowed funds from international financial institutions played an important role in mitigating the negative economic and social consequences of the epidemiological situation's worsening.

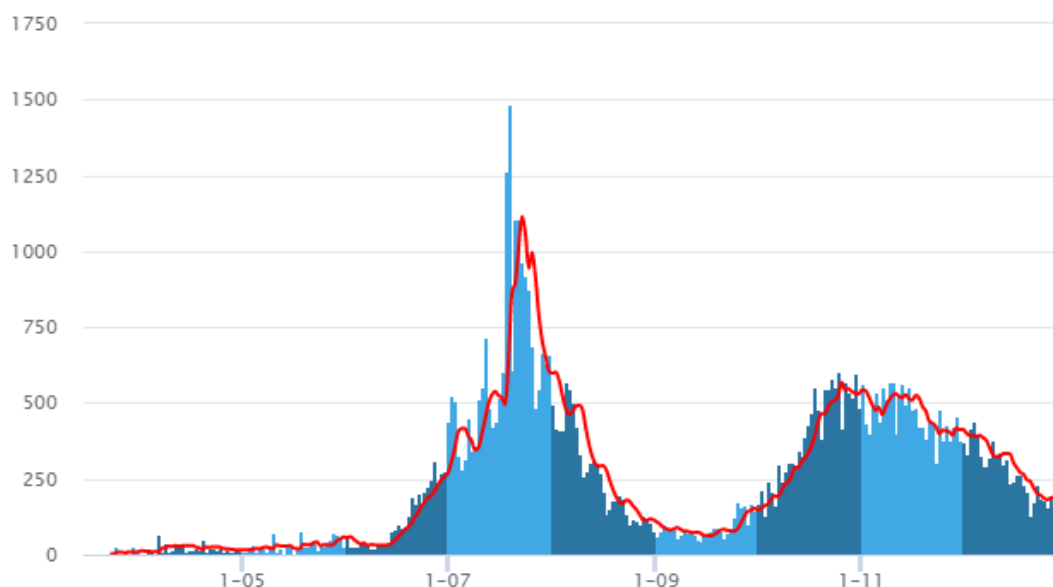
¹⁶ <http://commoncause.kg/analytics/31>

¹⁷ <http://commoncause.kg/news/67>

¹⁸ National Statistical Committee, <http://www.stat.kg/ru/news/v-noyabre-tekushego-goda-prodolzhaetsya-spad-ekonomiki-kotoryj-sostavil-bolee-8-procentov/>

As of December 27, there were 80,373 confirmed cases of coronavirus.¹⁹ After the October riots, the highest number of cases detected was on October 25, 2020, amounting to 606 cases. In December, there was a definite decrease in the number of cases detected (see diagram 2).

Diagram 2. Number of infections detected daily, 2020²⁰



Hence, the pre-election environment features political and social tensions and economic problems against the backdrop of the ongoing global COVID-19 pandemic.

6. ANALYSIS OF LEGAL FRAMEWORK

In general, the electoral legislation of the Kyrgyz Republic has a solid base of normative legal acts regulating individual issues related to the organization and conduct of elections at the republican and local levels. However, it contains several unreasonable restrictions, as well as gaps and ambiguities, especially with regard to the media, the rights of public observers, rules for election campaigns and funding. In order to improve the electoral legislation, relevant amendments and additions were made in 2017, 2019 and 2020, mainly in accordance with the Strategy for Improving Electoral Legislation for 2018-2020, developed by the Working Group under the President and based on the recommendations of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR). The OSCE/ODIHR made recommendations and detailed analysis on these changes in its report in October 2020.²¹

The main legislative base for elections and referenda is the Constitution of the Kyrgyz Republic, the constitutional laws "On Elections of the President of the KR and the Deputies of the JK KR", "On Referendum" regulating elections and referenda, as well as the laws "On Election Commissions", "On Political Parties", "On Peaceful Assemblies" and other normative legal acts²², including the CEC resolutions regulating certain provisions of the Constitutional Law within its competence.

¹⁹ Data from the Ministry of Health, <http://med.kg/ru/informatsii/3650-statisticheskie-dannye-po-covid-19-v-kyrgyzstane-na-27-dekabrya.html>

²⁰ Source: Aki-press, <http://akipress.org/>

²¹ <https://www.osce.org/files/f/documents/d/b/465753.pdf>

²² Also "Criminal Code of the KR", "Violations Code of the KR and Misdemeanors Code of the KR" regulating offenses during the election period

Kyrgyzstan adheres to the principles of democratic elections in the country, and is among the countries that are parties to major international election treaties:

- Universal Declaration of Human Rights, adopted by the United Nations General Assembly on December 10, 1948²³;
- International Covenant on Civil and Political Rights of December 16, 1966²⁴;
- Convention on the standards of democratic elections, electoral rights and freedoms in the member states of the Commonwealth of Independent States of October 7, 2002²⁵;
- Document of the Copenhagen Meeting of the Conference on the Human Dimension of the Conference on Security and Cooperation in Europe, June 29, 1990²⁶;
- Convention for the Protection of Human Rights and Fundamental Freedoms, signed in Rome on November 4, 1950²⁷, Protocol 1 to the Convention for the Protection of Human Rights and Fundamental Freedoms, signed in Paris on March 20, 1952²⁸;
- Code of Good Practice in Electoral Matters: Guidelines and Explanatory Report, adopted by the European Commission for Democracy through Law (Venice Commission of the Council of Europe) at its 51st and 52nd plenary sessions on July 5-6 and October 18-19, 2002 in Venice²⁹ and others.
- Convention on the Elimination of All Forms of Discrimination against Women,
- and recently in 2019, Kyrgyzstan ratified the UN Convention on the Rights of Persons with Disabilities³⁰.

Amendments and additions to the electoral legislation were aimed at increasing the inclusiveness of elections, protecting the electoral rights of certain categories of citizens, and increasing accountability for violations of the electoral law. In addition to making amendments and additions to 8 normative legal acts regulating the organization and conduct of elections at various levels, amendments were made to the Violations Code, the Misdemeanors Code and the Criminal Code of the Kyrgyz Republic. Strengthening liability for bribing voters³¹, introducing the responsibility of the person who receives material valuables as a bribe³², as well as introducing liability for the abuse of administrative resources³³ is a positive development.

²³ See: Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations on December 10, 1948 // https://www.un.org/ru/documents/decl_conv/declarations/declhr.shtml

²⁴ See: International Covenant on Civil and Political Rights of December 16, 1966 // https://www.un.org/ru/documents/decl_conv/conventions/pactpol.shtml

²⁵ See: Convention on the standards of democratic elections, electoral rights and freedoms in the member states of the Commonwealth of Independent States of October 7, 2002 // <http://cis.minsk.by/page/616>

²⁶ See: Document of the Copenhagen Meeting of the Conference on the Human Dimension of the Conference on Security and Cooperation in Europe, June 29, 1990 // <https://www.osce.org/ru/odihr/elections/14304>

²⁷ See: Convention for the Protection of Human Rights and Fundamental Freedoms, signed in Rome on November 4, 1950 // Convention for the Protection of Human Rights and Fundamental Freedoms, signed in Rome on November 4, 1950 // <http://docs.cntd.ru/document/1000003045>

²⁸ See: Protocol No. 1 to the Convention for the Protection of Human Rights and Fundamental Freedoms, signed in Paris on March 20, 1952 // <http://base.garant.ru/2540801/>

²⁹ See: Code of Good Practice in Electoral Matters: Guidelines and Explanatory Report, adopted by the European Commission for Democracy through Law (Venice Commission of the Council of Europe) at its 51st and 52nd plenary sessions on July 5-6 and October 18-19, 2002 in Venice // [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2002\)023rev2-cor-rus](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2002)023rev2-cor-rus)

³⁰ <https://economist.kg/2020/09/08/vse-chto-nuzhno-znat-o-mirovyh-standartah-po-vyboram-ih-prinyal-kyrgyzstan/>

³¹ See Article 192 of the Criminal Code of the Kyrgyz Republic

³² See Article 42³ of the Violations Code of the Kyrgyz Republic

³³ See Article 87¹ of the Misdemeanors Code of the Kyrgyz Republic

The latest changes to the constitutional law were made after the October events related to the parliamentary elections in 2020. The main reasons for dissatisfaction with the elections of deputies of the JK KR held on October 4, 2020, which led to protests and subsequently to the cancellation of election results, were the use of administrative resources by some election participants, bribery and abuse of the norm on the change of voting address (Form No. 2).

Given the challenges and demands of society on the need to change the electoral legislation, in order to prevent the repetition past elections' scenarios, as well as to create legal conditions for expanding the representation of political forces in the JK KR, amendments to the Constitutional Law of the KR were adopted on October 22, 2020, which provides for the following:

- exclusion of a voter's right to submit an application to change the voting address in the territory of the KR (Form No. 2), except for the voters residing and staying outside the country;

- return of the electoral deposit to presidential candidates and political parties, which have nominated lists of candidates to deputies of the JK KR, which have received at least 1 percent of the votes of electors who took part in the voting (previously, the law required at least 5 percent of the votes of electors who took part in the voting);

- reducing the electoral deposit size for political parties, which nominated lists of candidates, from 5 million soms to 1 million soms;

- lowering the electoral threshold for political parties from 7 percent to 3 percent of votes.

- authorized representatives, proxies, observers, representatives of candidates, political parties in election commissions have the right to exercise their powers, perform works and services directly or indirectly related to the elections free of charge.

It should be pointed out that the previously established norm in Article 15 of the Constitutional Law allowed a voter to change his voting address by submitting an application in the prescribed form (Form No. 2), to the relevant election commission, provided that the application was submitted directly in person and with the biometric identification.

This norm was established in view of the high level of internal migration and to ensure that citizens who do not live at their place of registration can fully exercise their active electoral rights.

However, some political parties participating in the elections of deputies to the JK KR started using "soft ratings" for candidates included in the nominated lists, setting up and assigning certain precincts to each candidate. However, candidates from political parties began to abuse this norm and have used Form No. 2 on a massive scale to move voters, in order to obtain the necessary number of votes in their favor and to have the possibility to bribe the voters, with ensuing control over the expression of their will, which eventually became one of the causes of dissatisfaction with the results of the election.

The deputies of the JK KR, by excluding the possibility of changing the voter's voting address from the electoral legislation without offering another alternative solution, practically deprived citizens living outside their place of registration (over 300 thousand people) of the right to exercise their active voting right.

On December 10, 2020, the JK KR adopted the Law "On the Appointment of the Referendum (Nationwide Vote) to Determine the Form of Government of the Kyrgyz Republic," (hereinafter-the Law on the Appointment of the Referendum) according to which the referendum (nationwide vote) must be held on Sunday, January 10, 2021, at the same time as the early presidential election.

The following question wording on the referendum ballot was approved:

"What form of government of the Kyrgyz Republic do you support:

- presidential republic;
- parliamentary republic;
- none of the above.

The initiation of this bill by the deputies and the subsequent Parliament's adoption of the Law "On the Appointment of the Referendum (Nationwide Vote) to Determine the Form of Government of the Kyrgyz Republic" caused some concern among civil society.

The Foundation, "Taza Shailoo" Association of Legal Entities and the "EAGL" Public Foundation, which conduct nonpartisan observation of election processes in the country, noted in their statement their extreme concern and alarm over the adoption of the above mentioned Law on the following grounds³⁴:

- The procedures for adopting the Law raise many questions and may cause threats to the country's stability and security and the functioning of the legal system in the future, which may lead to new protests and social unrest;
- Any issues brought before the citizens to choose must be carefully scrutinized. Important procedures, such as a detailed examination of draft bills subject to decision-making, should not be neglected, i.e. these kinds of documents must undergo a public discussion procedure with due observance of established deadlines;
- Simultaneous holding of the Presidential Election and the referendum will lead to a superficial study by voters of both the candidates and the election programs of the candidates and the issues raised in the referendum.

Thus, given the importance of the matter in question put to a referendum to determine the form of government, which certainly concerns every citizen and determines the future of the country, it is necessary to make all the preparations and create a proper environment for the free expression of the citizens' will in accordance with the existing law.

7. ACTIVITIES OF THE ELECTION COMMISSIONS

On the whole, assessing the activity of the election commissions for the period covered by the Preliminary Report, the Foundation notes that the activity of the CEC is carried out transparently and within the established procedures, and the principle of collegiality is observed in decision-making. All information about the activities of the CEC is publicly available and posted on the official website <https://shailoo.gov.kg/>. Some observers, however, expressed their dissatisfaction with the organization of the CEC meetings as they were appointed inconsistently and suddenly, with untimely notification and with the delay in the start of the meetings, as well as with the delayed provision of copies of decisions adopted by the participants of the electoral process. The Foundation notes that there are certain shortcomings in the work of some territorial election commissions, including lack of transparency, incompleteness of material and technical resources, and violations of sanitary standards.

The activity of election commissions is regulated by the legal acts where the main ones are the Constitution of the Kyrgyz Republic, the Constitutional Law "On Elections of the President of the KR and the Deputies of the JK KR", "On Election Commissions for Elections and Referenda of the Kyrgyz Republic", the CEC Regulations and other legal acts of the Kyrgyz Republic. The CEC is a permanent state body ensuring the preparation and holding of elections and referenda in the Kyrgyz Republic and, according to the established hierarchy in the electoral legislation, is in charge of the system of election commissions.

³⁴ <https://commoncause.kg/news/84>

The Unified System of Election Commissions of the Kyrgyz Republic is formed by:

- 1) Central Commission for Elections and Referendums
- 2) territorial election commissions for elections and referenda: district and city election commissions - by decision of the Central Election Commission;
- 3) precinct election commissions for elections and referenda³⁵

Election commissions operate on the principles of:

- 1) legality;
- 2) publicity;
- 3) openness;
- 4) independence;
- 5) collegiality;
- 6) justice;
- 7) impartiality.

7.1 CENTRAL ELECTION COMMISSION

In order to prepare the issues submitted to the CEC for consideration, during the organization and conduct of the early presidential election of the Kyrgyz Republic, a number of Working Groups were established and are functioning in the CEC: Working Group on Acceptance of Documents of Candidates, Working Group on Acceptance and Verification of Signature Sheets of Candidates, Working Group on Campaigning³⁶, Working Group on Complaints³⁷, Working Group on Migrants³⁸, Working Group on PWDs³⁹. The activity of each working group is governed by separate CEC regulations.

Thus, the competence of the Working Group on Consideration of Applications and Complaints of Voters and Other Subjects of the Electoral Process includes the study and preliminary analysis of the facts contained in the applications/complaints, consideration of them at the meetings of the Working Group and submission of the Working Group's draft decisions to the Central Election Commission for the adoption of an appropriate decision.

The competence of the Working Group on Monitoring of Compliance with the Rules of Election Campaigning during Presidential Elections of the Kyrgyz Republic includes consideration of copies of candidates' campaign materials, consideration and analysis of pre-election campaign materials, preliminary consideration of applications (complaints) about violations of pre-election campaigning rules and submission of draft decisions on taking measures and eliminating revealed violations for the consideration of the Central Election Commission.

³⁵ The Law of the Kyrgyz Republic "On Election Commissions for Elections and Referenda of the Kyrgyz Republic", https://shailoo.gov.kg/ru/ZakonodatelstvoMyyzambar/ZakonyMyyzambar/Ov_izbratel_kom_provedeni/

³⁶ Working Group on Monitoring of Compliance with the Rules of Election Campaigning during Presidential Elections of the Kyrgyz Republic

³⁷ Working Group on Consideration of Applications and Complaints of Voters and Other Subjects of the Electoral Process

³⁸ Working Group on Organizing the Participation of Citizens of the Kyrgyz Republic Residing or Located outside its Territory

³⁹ Working Group on Improving the Voting Rights of PWDs.

Working groups include both CEC members and experts from relevant fields. In this way, each working group carries out its activities within the limits of its powers as set forth in the relevant regulations.

In addition to the mentioned working groups the Control and Audit Group is established under the CEC to control the targeted spending of funds by election commissions, monitor the sources of proceeds, proper accounting and use of funds from the candidates' election funds.

Also, during the preparation and conduct of elections, election commissions form Rapid Response Coordination Groups (hereinafter - RRCG) at all levels of election commissions, which include representatives of law enforcement agencies. Responding promptly to violations of electoral legislation and informing citizens about the measures taken are the main functions of the RRCG.

During the preparation and conduct of elections of the Kyrgyz Republic, decisions of election commissions are formed by the RRCG at the levels of the CEC and TEC, which respectively include members of the CEC, TEC, CEC staff and representatives of law enforcement agencies (prosecutor's office, Ministry of Internal Affairs, SCNS of the KR).

Foundation experts monitored the work of the Working Group on Acceptance of Documents, the Working Group on Verification of Signature Sheets, the Working Group on Campaigning, the Working Group on Complaints and the RRCG

At the stage of receipt and verification of signature sheets for candidates for the position of President, public observers and authorized representatives were given the opportunity to observe the process of verification of signature sheets in a separate room with live broadcasting. The process of verification of signature sheets was carried out in accordance with the requirements and procedures established by law. A progressive regulation, which allowed for quality and timely verification of the signature sheets, was the norm that established the upper limit for the signature sheets that each candidate could submit - not more than 60 thousand⁴⁰. For example, in the presidential elections of 2017, some candidates for the position of President of the Kyrgyz Republic submitted a large number of voter signatures (Babanov O.T. - 107,000, Torobaev B.E. - 72,276, Sariev T.A. - 61,032), which greatly complicated the work of the CEC and caused the discontent.

In the current campaign, some candidates for President criticized the procedure of collecting signatures, for example, candidate K. Sooronkulova noted that she had only one week to collect 30,000 signatures. In addition, the representative of the candidate R. Tagaev noted that the procedure for collecting signatures is too bureaucratic and requires a lot of information from citizens who sign the signature sheets.

According to the results of monitoring of the groups, the Foundation notes that the Working Group on Campaigning considered 34 issues regarding violations of the rules of election campaigning. The working group on complaints considered 15 applications and complaints, 2 appeals, on which 9 decisions were made: 1 decision on imposing a fine on the candidate to the post of President of the KR Kalmatov B. for violation of rules of election campaigning, 1 decision on issuing a written warning to the candidate to the post of President of the KR Madumarov A. However, at the meeting of KR CEC in respect of candidate Madumarov A. it was decided to send the material on this violation to the official authorized person of KR CEC to consider the imposition of a fine on the coordinator in Batken region of the candidate to the post of President of the KR Madumarov A., Dargeshov N. Other applications and complaints were rejected.

In total, since the day of the appointment of the early election of the President of the Kyrgyz Republic, about 40 CEC meetings were held. The live broadcast of the CEC meetings is a positive

⁴⁰ Article 52 of the Constitutional Law "On Elections of the President of the KR and the Deputies of the JK of the KR"

development. In general, all the procedures during the acceptance of documents, verification of signature sheets, registration of candidates for the presidential election were open and transparent, and conditions to monitor the CEC working groups' activities were created. It should be noted that the process was conducted openly with observance of electoral deadlines, and decisions were made in a timely manner. Main problems encountered by the Foundation experts during the observation of the CEC activities were the holding of CEC meetings later than scheduled, untimely publication of meeting agendas, as well as the lengthy process of delivery of adopted decisions and their publication on the official website, in particular the untimely posting of adopted resolutions and decisions on the official website of the CEC.

Open data posted on the CEC website in public access on the Internet on conditions of free receipt, use and distribution, allows for analysis of complaints and applications received. Promptness and transparency of the posted information on the whole positively influences the image of the CEC.

The observers note that a lot of work has been done with regard to the activities of the CEC on informing the population. For instance, the CEC website has a number of resources aimed at informing voters, candidates and other subjects of the electoral process.

The main source of information for participants in the electoral process is the CEC website <https://shailoo.gov.kg/ru/>

The CEC is constantly improving the system of legal education, forming its new elements, deepening and modernizing its content, increasing the professional competence of participants in the electoral process.

The website contains links to state portals - web resources of the CEC, which contain formed and updated information on voter lists and lists of referendum participants with a breakdown by polling stations, districts, cities and the republic on the whole. The state portal has a web address at www.tizme.gov.kg

The web resource <https://talapker.shailoo.gov.kg/ru/> contains general information about the candidates, candidates' programs, candidates' election funds and other information about election participants.

The web resource <http://ess.shailoo.gov.kg/ServiceJSP.do> contains general information about the course of voting and election results.

However, as shown by the analysis of the website and web resources, there are some shortcomings and inconveniences in their work, which makes it very difficult for voters and observers to use the information on the CEC website. Examples:

- website and web resources navigation: highlighting of active menu items on the CEC website.
- button to send an electronic complaint, as the main menu of the website provides only a "send an appeal" box.

Loading time is another important factor to work out and create a user-friendly experience. The optimal page load time is 2-3 seconds, no more. However, during an active election period, the CEC web resources are not loaded at all or are loaded slowly.

In this regard, there are a number of recommendations that will make it easier to get information from resources, so it is necessary to:

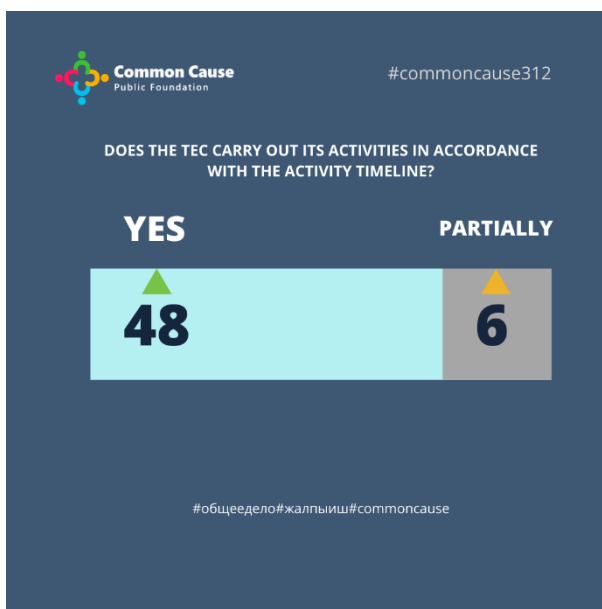
- refine the website to introduce the CEC website navigation, placement of banners on the CEC website, as well as highlighting the active menu items on the website;
- web resources www.tizme.gov.kg, <https://talapker.shailoo.gov.kg/ru/>, as well as <http://ess.shailoo.gov.kg/ServiceJSP.do> to be separated into a separate website with a link to the CEC website.

7.2 TERRITORIAL AND PRECINCT ELECTION COMMISSIONS

According to LTO reports, in general, territorial election commissions (hereinafter - TECs) and precinct election commissions (hereinafter - PECs) work within the CEC Calendar Plan for elections and referenda, but there are certain irregularities at individual polling stations.

According to LTO reports, in general, TECs and PECs work within the CEC Calendar Plan for elections and referenda, but there are certain irregularities at individual polling stations. For example, in 48 out of 54 TECs the activities are carried out in accordance with the Calendar Plan.

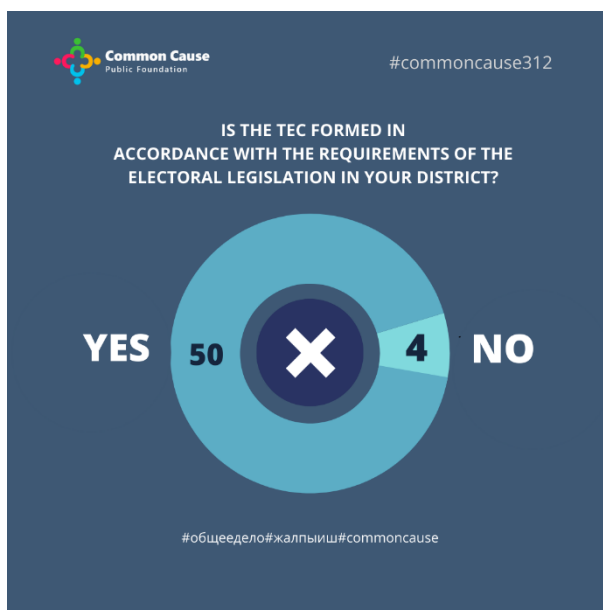
Infographic 1. TEC activities in accordance with the Calendar Plan (activity timeline).



Out of 54 observers, 11 were unable to attend the TEC meetings during the reporting period, 23 of them attended the meeting, no meetings were held in 20 districts, and in one district the observer was not allowed to attend the TEC meeting. In the TECs where the meetings were held, sanitary rules were observed in 13 districts, in 8 districts they were observed partially, in 2 TECs sanitary norms were not observed. The meetings were mostly conducted as usual. A quorum for decision-making was observed in all observed 23 TECs.

In 50 districts (regions) TECs were formed in accordance with the requirements of the electoral legislation, in 4 districts the TECs were not formed in accordance with the requirements.

Infographic 2. Formation of TECs in the districts



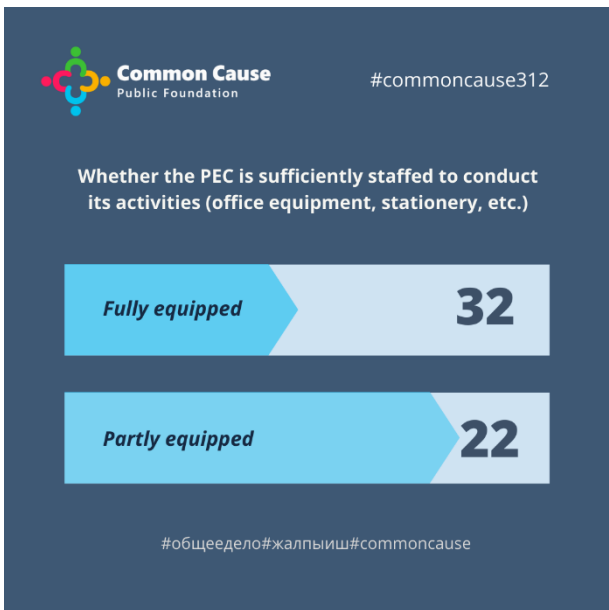
In general, most of the observed PECs were formed in accordance with the requirements. In 2 districts, the observation showed that PECs were not formed in accordance with the requirements, and in 4 districts the PECs only partially carry out their activities in accordance with the requirements of the electoral legislation.

Infographic 3. Formation of PECs in the districts



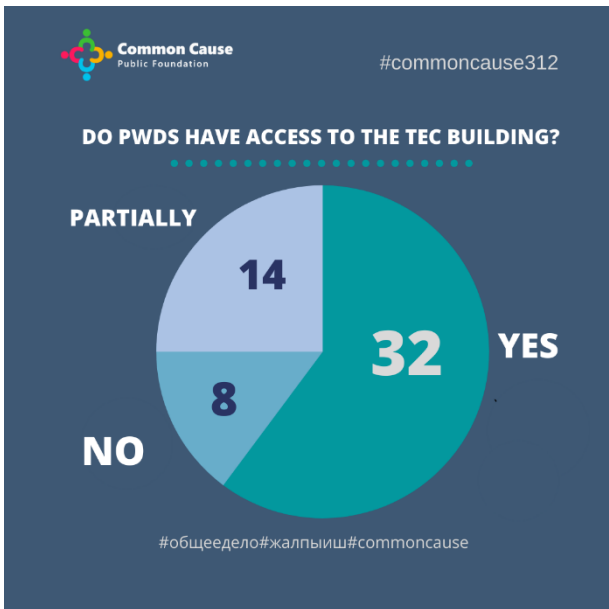
In 32 districts, the observed PECs are fully equipped with material and technical resources. In 22 districts, the observed PECs are partially equipped.

Infographic 4. Equipment completeness of PECs in the districts



In 32 districts the TEC buildings are accessible for PWDs, in 14 districts - partially, in 8 districts there is no access for PWDs to the TEC buildings.

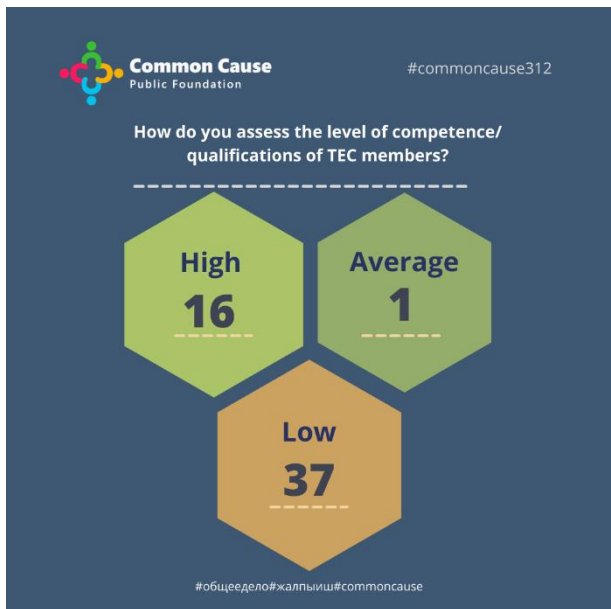
Infographic 5. Access for PWDs to the TEC buildings in the districts



During the monitored period, 51 TECs did not receive any complaints, while 2 TECs registered 2 complaints. Time limits for consideration of complaints were violated in one district. Both appellants received responses to their application.

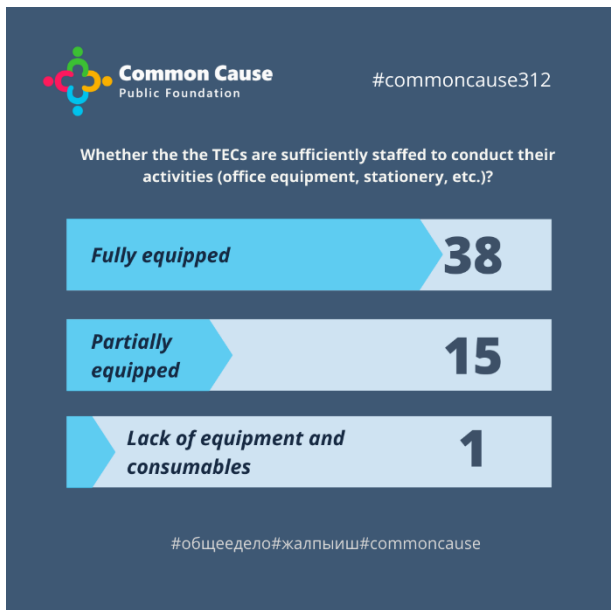
Observers also assessed the competency level of TEC members as high 16 times, medium 37 times, while the low level of competency of TEC members was noted 1 time.

Infographic 6. Assessment of the competency level of TEC members



In 38 districts, TECs were equipped with sufficient material and technical resources to conduct their activities, 15 TECs managed to prepare only partially, and only in one district there was a lack of equipment and consumables.

Infographic 7. Equipment completeness of TECs in the districts



8. VOTER REGISTRATION

In accordance with the adopted amendments and additions to the Constitutional Law on elections,⁴¹ a number of amendments and additions to the voters' lists forming procedure were made in August 2019. According to the adopted amendments and additions, forming and verifying the voters' lists goes through several stages.

The voters' list is formed on the basis of personal data (including biometric data) that are contained in the Unified State Register of Population (USRP).⁴² Initially, a preliminary voters' list is uploaded from the USRP to the USVR⁴³ and from the USVR further to the "Tizme" state voter portal. The list includes citizens of the Kyrgyz Republic who have reached the age of 18 and have submitted biometric data. The preliminary voters' list was published on the state portal tizme.gov.kg and posted at the polling stations by November 11, 2020 in accordance with the Law and the Calendar Plan⁴⁴. N. Shaildabekova, head of the CEC, explained that all citizens were included in the initial voters' list by their passport data and based on the USRP data. However, according to her, many voters have a certain address written in their passports while being listed as having a different address in the USRP. In addition, the State Registration Service (SRS) identified discrepancies for almost 270,000 voters with an old-style passport.

Then, the procedure on forming the verification voters' list took place in accordance with the established procedures. That list also included voters who have reached the age of 18 and voters who have gone through biometric registration for the first time. The changes based on citizens' complaints about errors or inaccuracies in the voters' list on Form No. 1, the information about deceased citizens and the citizens who have changed their permanent residence address were added.

As of December 18, 2020, verification voters' lists have been posted at the PECs for voters to see. For instance, according to the "Tizme" state voter portal, 3,556,864 people were on the verification voters' list as of December 19, 2020. 47.77% of them were men and 52.23% were women. There were 2,474 PECs in total; 48 polling stations out of them are located outside the Kyrgyz Republic.

The final voters' list is being formed at the moment. It has to be published on the KR CEC website by January 3, 2021 and posted at polling stations by January 5, 2021.

Compared to the parliamentary elections of October 4, 2020, the number of voters increased by 33,310, that is, by 0.9%. As for the PECs, judging from the verification list on the "Tizme"⁴⁵ website, their number has increased by 1 throughout the Republic. According to the CEC, the increase in the number of voters stems from population growth, ongoing efforts to collect citizens' biometric data and other factors. Nevertheless, citizens who have not submitted their biometric data and have not received passports based on that data will not be able to take part in the upcoming elections⁴⁶.

Various estimates suggest that between 300,000 and 450,000 citizens who have not undergone biometric registration will not be able to vote on election day. N. Shaildabekova, the CEC chairwoman, noted that the majority of citizens who had not undergone biometric registration were not included in the voters' lists. There is also a risk that people who have not specified their passport

⁴¹ The Constitutional Law of the KR "On Elections of the President of the KR and the Deputies of the JK of the KR"

⁴² The SRS forms, stores and updates the Unified State Register of Population

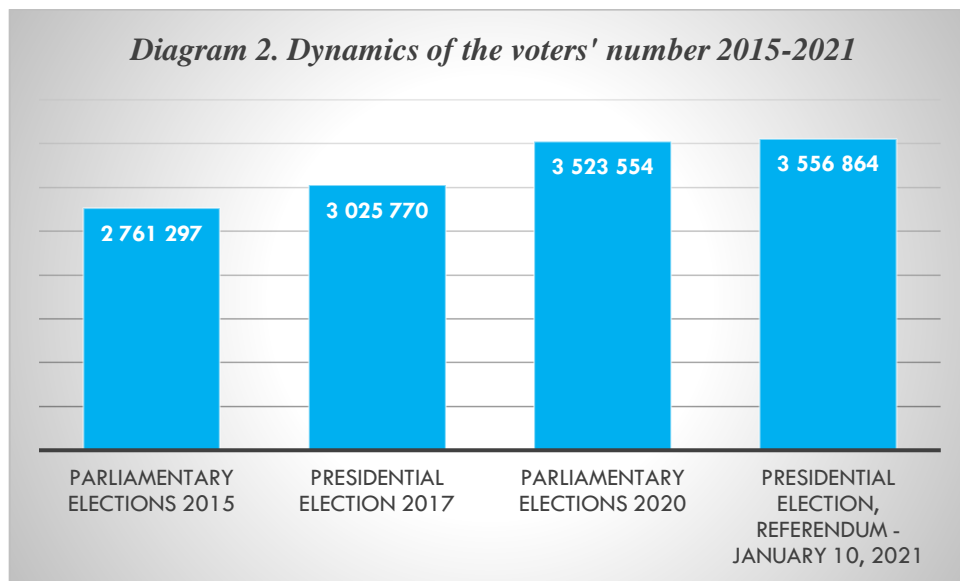
⁴³ Unified System of Voter Registration

⁴⁴ KR CEC Calendar Plan dated 25.10.2020 of Main organizational and practical measures on the preparation and conduct of the early presidential election of the Kyrgyz Republic scheduled for January 10, 2021

⁴⁵ <https://tizme.gov.kg/>

⁴⁶ <https://rus.azattyk.org/a/31015257.html>

data will not be able to vote in the election. In addition, as the Foundation noted earlier, the procedure for changing the voting address on Form No. 2 within the country has been canceled⁴⁷. As noted earlier, only voters who are abroad can vote on Form No. 2.



As of December 19, 2020, there is a trend towards a decrease in the voters' number in the cities if compared to the parliamentary elections; for example, the number of voters in Bishkek decreased by 86,762, that is, by 17.4%, and the number of PECs in Bishkek decreased by 5. At the same time, the city of Osh saw a decrease of 31,956 people, 17.6% percentage-wise. And the number of PECs in the city of Osh decreased by 6 - that is almost 7%.

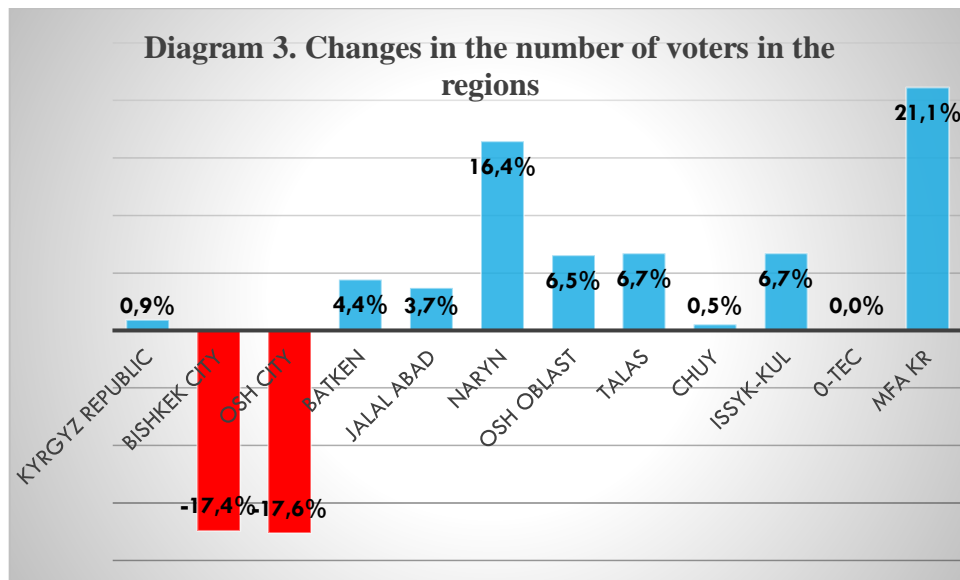
In the regions, on the contrary, there is a trend towards an increase; for example, the number of voters in Naryn oblast increased by 28,961 people (an increase of 16.4%). In Osh oblast, the number of voters increased by 44,642 people, which is 6.5%. In Talas oblast, the number of voters increased by 9,955 people, that is, by 6.6%. The number of PECs in the Talas oblast remains the same.

In the Chui oblast, the number of voters increased by 3,022 people, that is, by 0.51%. The number of PECs in the Chui oblast remains the same.

In Issyk-Kul oblast, the number of voters increased by 19,448, that is, by 6.68%. The number of PECs in the Issyk-Kul oblast remains the same.

The number of PECs outside the Kyrgyz Republic increased by 3 polling stations, and the number of voters increased by 21.1% and continues to grow. This is because there is a growing number of people abroad who are willing to vote in the upcoming presidential election. (See Chart 3)

⁴⁷ During the October 4 parliamentary elections, 496,239 applications to change the voting address on Form No. 2 were received.



Taking into account a large number of internal migrants as well as the persons whose registration mark in the passport does not match the actual registration mark, on December 3, 2020, the CEC introduced amendments and additions to a number of internal CEC regulations⁴⁸.

In accordance with the adopted amendments and additions, voters have the right to submit an application on updating their data or regarding their absence in the voters' list, attaching a copy of their passports. In this case, the registration (residence permit) is the criterion for assigning a citizen to one polling station or another.

In connection with the adopted amendments and additions, it was also decided that the Public Service Centers and departments for passportization and registration of the population would work seven days a week from 9:00 to 20:00 until December 31, 2020 (including that date).

Voters have to submit applications to update the data in the voters' list by December 29 (including that date). If the residence registration address (residence permit) specified in the passport does not match the residence registration address specified in the "Address and Reference Bureau" automated information system (hereinafter - ARB), voters must undergo biometric identification. Such voters will be included in the voters' list at the place of their registration in the ARB.

Voters with a 2004-style passport (AN series) who have changed their residence registration address in the ARB but have not changed their passport in accordance with the residence registration address can come to the polling station at the place of their permanent residence and submit an application to update the data in the voters' list (formerly - Form No. 1).

Voters with a 2017-style passport (e-ID) will be included in the voters' list of the respective polling station based on the permanent residence registration address in the ARB and the approved boundaries of polling stations.

From November 19 through December 29, 2020, voters can check and verify themselves on the voters' list, at the polling station, on the "Tizme" voter portal, by calling 119 (toll free), or by texting their personal PIN number to 119.

⁴⁸ This is about the Regulation on the Unified System of Voter Registration, the Regulation on the interaction between the KR CEC and the authorized state bodies on forming and verifying the voters' lists, the Regulation on ensuring the enforcement of voting rights of KR citizens residing or being abroad, the Regulation on the "Voter's Cabinet" service, the Instructions on the procedure of voter identification.

Moreover, in order to enforce the voting rights of election commission members, recruited persons providing citizen identification and ARBB maintenance services, law enforcement officials protecting public order on election day, healthcare professionals and other persons assigned to polling stations, the chairpersons of the respective election commissions transfer the lists of the above mentioned categories of persons to the TEC system administrator to include them in the corresponding polling station's voters' list.

Despite the measures taken to enforce citizens' voting rights, we have to note that the election commissions' awareness-building efforts among the country's population is generally insufficient.

9. ELECTION CAMPAIGN

Not all candidates for President of the Kyrgyz Republic enjoy equal conditions for campaigning. Candidates Sadyr Zhaparov, Adakhan Madumarov, Babyrzhan Tolbaev and Kursan Asanov are campaigning most actively.

In accordance with the electoral legislation of the country, the presidential election of the Kyrgyz Republic goes through several stages, beginning with the appointment and ending with the official publication of election results and the inauguration of the President-elect of the Kyrgyz Republic. Traditionally, at the nomination stage, a large number of citizens of the country run for office, and that number decreases at later stages. In total, 65 citizens submitted their documents to the CEC, to the Working Group responsible for accepting the documents of candidates for President. In the end, 20 candidates paid the electoral deposit and submitted their signature lists. Other candidates were denied registration or their documents were returned due to an outstanding conviction, failure to submit certificates of proficiency in the state language, failure to establish an election fund, failure to pay the electoral deposit, and failure to submit signature lists.

According to the results of the authenticity check of signatures in support of candidates for President of the Kyrgyz Republic, the number of submitted authentic signatures in support of candidates Choroev K. and Toktosunov K. were insufficient, and therefore, they were denied registration.

On December 12, 2020, 18 citizens of the republic were registered as candidates for President of the Kyrgyz Republic.

On December 19, 2020, the working group responsible for accepting the documents of candidates for President at the CEC held a drawing of lots among 18 registered candidates for President to determine the order of their inclusion in the ballot. It was attended by the authorized representatives of registered candidates for President of the KR, mass media representatives, as well as public observers.

According to the results of the drawing of lots, the order in the ballots was determined as follows:

1. Zhaparov Sadyr Nurgozhoevich;
2. Isaev Kanatbek Kedeykanovich;
3. Arstanbek Myktybek;
4. Sooronkulova Klara Syrgakbekovna;
5. Tashov Imamidin Asamidinovich;
6. Tagaev Rashid Bakirovich;
7. Segizbaev Abdil Keneshevich;
8. Madumarov Adakhan Kimsanbaevich;
9. Kasenov Aymen Abdytalipovich;
10. Kochkorov Ulukbek Toichubaevich;

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 period of campaigning, the most active candidate for President is S. Zhaparov. He also has the highest number of headquarters in the regions, the most campaign billboards, and the highest number of canvassers. At the same time, this candidate is associated with the largest number of complaints about the use of administrative resources, including law enforcement officers accompanying him on his trips around the country⁴⁹

Infographic 8. The number of headquarters, billboards and canvassers of presidential candidates during the campaigning period.

No	List of candidates	Headquarters	Billboards	Agitators
1	Sadyr Zhaparov	431	569	5636
2	Kanatbek Isaev	1	0	0
3	Myktybek Arstanbek	1	0	170
4	Klara Sooronkulova	1	0	80
5	Imamidin Tashov	2	0	0
6	Rashid Tagaev	1	0	0
7	Abdil Segizbaev	4	0	112
8	Adakhan Madumarov	21	22	299
9	Aimen Kasenov	1	0	0
10	Ulukbek Kochkorov	6	87	135
11	Zhenishbek Baiguttiev	1	4	0
12	Eldar Abakirov	2	0	0
13	Kursan Asanov	10	9	254
14	Arstanbek Abdyl daev	1	0	102
15	Ravshan Zheenbekov	1	0	0
16	Baktybek Kalmatov	1	0	0
17	Babyrzhan Tolbaev	2	10	64
18	Kanybek Imanaliev	1	0	0

⁴⁹ <https://factcheck.kg/sotrudniki-gosohrany-agitiruyut-za-sadyra-zhaparova/>

Adakhan Madumarov, a candidate for President of the Kyrgyz Republic, said on the central TV channel broadcast that he was planning to start his campaign from the Issyk-Kul oblast: *"But, unfortunately, it turns out that we have reached the point of wildness - people from my headquarters prevailed upon me not to come to Issyk-Kul oblast. They told me that some young men were threatening everyone. These men were saying that if anyone works for candidates other than Zhaparov, their houses will be burned down"*.

Ravshan Dzheenbekov, a candidate for President of the Kyrgyz Republic, was denied free movement within the country and banned from travelling abroad. Ravshan Dzheenbekov believes that "his rights as a presidential candidate have been violated, and that the court is fulfilling a political put-up job."

Former President of the Kyrgyz Republic Roza Otunbaeva, commenting on the pre-election situation, said that we can see it coming - the restoration of the regime of Kurmanbek Bakiev, the country's second president.

Various referendum campaigning groups are registered with the Central Election Commission. However, at the time of writing this report, the registration of initiative groups was ongoing and there was no active campaigning on the part of the groups.

Foundation's employees are holding meetings with all 18 candidates for President. As of December 28, 2020, meetings were held with 10 candidates. We don't always get to meet with the candidates themselves due to the very busy schedule of meetings and trips to the regions. In this regard, meetings are held either with authorized election representatives, or with chiefs of staff, or with PR specialists.

Meetings were held with the following candidates:

1. Abdyldaev A. B.
2. Madumarov A. K.
3. Tagaev R.
4. Sooronkulova K. S.
5. Tolbaev B. L.
6. Dzheenbekov R. B.
7. Segizbaev A. K.
8. Abakirov E. K.
9. Kochkorov U. T.
10. Kasenov A. A.

In general, the candidates noted the issues related to the abuse of administrative resources in the city of Bishkek and Osh and Jalal-Abad oblasts. They also noted the facts that in the city of Karakol and Ton district the candidates other than S. Zhaparov are not given the opportunity to hold meetings, the canvassers are intimidated, it comes to the point that some candidates cannot open the headquarters in this region.

According to some candidates, the legitimacy of the registration of the candidate for President S. Zhaparov is questionable. And there is also an inconsistent and biased treatment, as different candidates receive different penalties for similar violations. For example, candidate B. Kalmamatov and Channel 7 were punished.

The majority of candidates point out that they do not want to write complaints and petitions, to confront state and municipal bodies, to send complaints to the CEC, believing that no meaningful decisions will be taken by the relevant authorities.

Regional coordinators note that the overall socio-political situation in all oblasts of the Kyrgyz Republic is stable. All public, state and municipal agencies/enterprises/organizations work as usual.

TECs and PECs are operating within the framework of the CEC Calendar Plan for Elections and Referendum 2021.

For example, in Osh oblast, 590 canvassers are working for candidate S. Zhaparov in each district, 66 headquarters have been established, 127 billboards have been put up. In comparison, another presidential candidate, Madumarov A., has 180 canvassers and eight headquarters, with 12 billboards posted. Only S. Zhaparov held meetings with the population, A. Madumarov was not given the opportunity to meet with voters.

In Jalal-Abad oblast, presidential candidate A. Madumarov held two meetings with voters in Jalal-Abad and Suzak on December 24, with only 150-200 voters at each meeting.

On December 27, 2020, in Naryn oblast, presidential candidate S. Zhaparov met with residents of Naryn oblast: in the city of Naryn and in 5 districts. According to information from the At-Bashy district LTO, there were 2 minibuses and 3 cars at the bus station on that day to transport the population to the rallies. In Naryn, at the meeting with S. Zhaparov, the entrance to the stadium where the meeting was held was thoroughly screened by metal detectors, with masks and antiseptics distributed for free to the meeting participants, and the stadium was overcrowded with attendees.

In the western part of the Chui oblast, candidates S. Zhaparov, U. Kochkorov and A. Madumarov began holding meetings with voters. At the end of the week, candidate B. Tolbaev also joined and started holding campaign meetings. Among them, the meetings of candidate S. Zhaparov were distinguished by the mass participation of local residents.

In Batken oblast, the older generation is little informed about the candidates, as most of the campaigning for S. Zhaparov takes place in social media and online publications.

Only a few candidates: A. Madumarov, B. Tolbaev and K. Asanov, A. Segizbaev opened some headquarters and only a few billboards were put up.

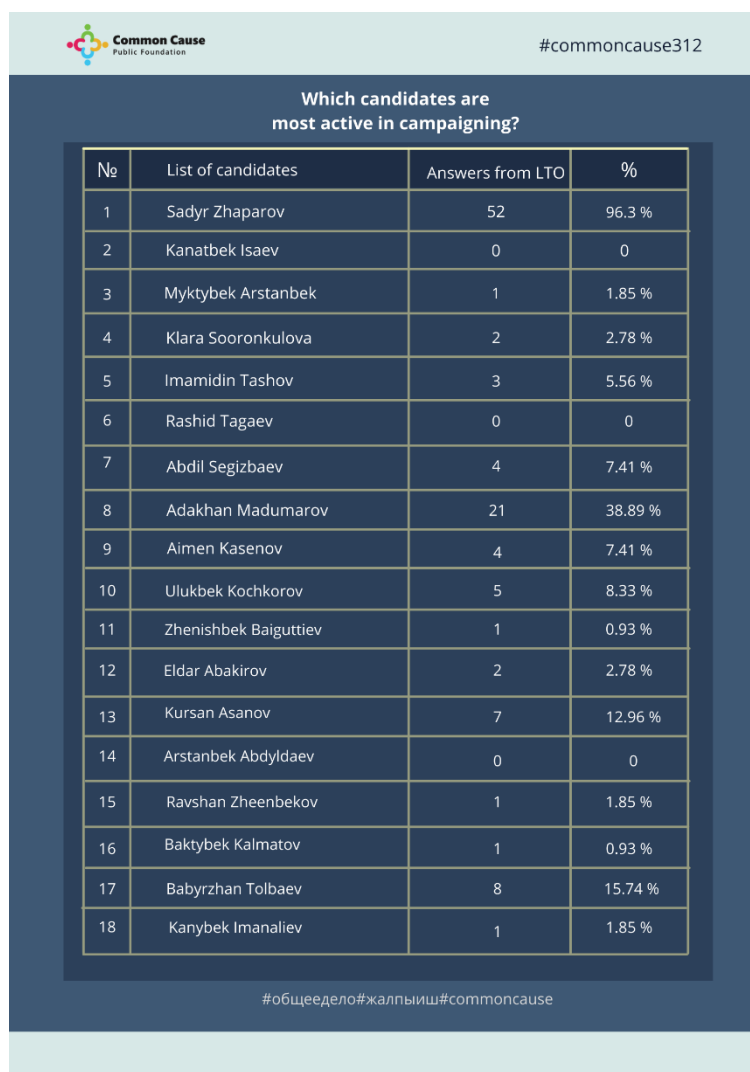
Based on the reports received from our 54 long-term observers, the situation in two districts is observed as "tense", there is a "tense" situation due to worsening epidemiological situation related to COVID-19 in Panfilov district of Chui oblast and Kara-Suu district of Osh oblast, and a "tense" situation due to cross-border conflicts is observed in Batken oblast.

There were cases of citizens' outrage in 18 districts in connection with the cancellation of Form No. 2. People are worried that they won't be able to vote in the elections.

Our observers noted print media (51.85%), social media (50%), meetings with voters (33.33%), mass events and leaflets (25.93%), door-to-door canvassing (16.67%) among the most common methods of campaigning.

Based on the report of the observers, we also learned about the candidates who are most active in their campaign activities. According to the observers' responses, 96.3% of the campaign activity falls on Sadyr Zhaparov, followed by Adakhan Madumarov with 38.89% of the responses, Babyrzhan Tolbaev with 15.74% of the responses and Kursan Asanov with 12.96%.

Infographic 9. Which candidates are most active in campaigning?



9.1 MEDIA COVERAGE

As of December 28, the CEC accredited 132 media outlets (hereinafter - the media) and internet publications to participate in the campaign for the early presidential election of the Kyrgyz Republic scheduled for January 10, 2021.

Candidates were provided with free TV airtime on state TV channels, and TV debates between presidential candidates started on the PBC on December 28, 2020.

Table 1. Schedule of TV debates of candidates for the post of President of the Kyrgyz Republic

PBC: TV debates 1st round		Presidential candidates	
Broadcasting Time			
December 28, Monday 20:00-22:30	Kanatbek Isaev Sooronkulova Klara Madumarov Adakhan	Kasenov Aimen Kalmamatov Baktybek Imanaliev Kanybek	
December 29, Tuesday 20:00-22:30	Myktybek Arstanbek Sadyr Japarov Rashid Tagaev	Arstanbek Abdyldaev Imamidin Tashov Eldar Abakirov	
December 30, Wednesday 20:00- 22:30	Babyrjan Tolbaev Kursan Asanov Ravshan Jeenbekov	Jenishbek Baiguttiev Ulukbek Kochkorov Abdil Segizbaev	
TV debates 2nd round			
January 6, Wednesday 20:00-23:00	Sadyr Japarov Adakhan Madumarov Kanatbek Isaev	Kursan Asanov Eldar Abakirov Aimen Kasenov	
January 7, Thursday 20:00-23:00	Sooronkulova Klara Abdil Segizbaev Arstanbek Abdyldaev	Ravshan Jeenbekov Rashid Tagaev Kanybek Imanaliev	
January 8, Friday 20:00-23:00	Ulukbek Kochkorov Babyrjan Tolbaev Baktybek Kalmamatov	Jenishbek Baiguttiev Imamidin Tashov Myktybek Arstanbek	

9.2 SOCIAL MEDIA MONITORING

The Foundation decided to pilot social media monitoring ahead of the presidential election on January 10, as election campaigns are being carried out on social media more often, especially in the context of COVID-19. Given the nature and scale of the monitoring initiative, the Foundation decided to focus on only one social media platform - Facebook. Facebook is the most popular social network in the Kyrgyz Republic. In December 2020, the number of Facebook users was 3,123,000, representing 49% of the country's total population (NapoleonCat, 2020). In December 2020, the attained involvement was 36.78%.

The monitoring results presented in this report are based on the candidates' Facebook pages and the ads included in the Facebook Ad Library report⁵⁰. Facebook Ads Library is a transparency tool that offers a comprehensive, searchable collection of all ads that are currently posted on Facebook.

⁵⁰ Facebook Ad Library

This tool is useful for monitoring the electoral process and campaigning in order to examine the possible interference in elections and increase confidence in the electoral process. Facebook made the tool available in Kyrgyzstan ahead of the 2020 parliamentary elections.

The reporting period includes December 3, 2020 through January 1, 2021. The results of the social media monitoring, including the content analysis, as well as election violations recorded during the monitoring, will be published at the end of January.

As of January 1, 2021, out of seventeen presidential candidates, sixteen candidates had Facebook pages that apparently operated as campaign pages: Adakhan Madumarov, Asanov Kursan, Abdil Segizbaev, Eldar Abakirov, Arstanbek Myktybek, Aymen Kasenov, Babyrzhan Tolbaev, Zhenishbek Baiguttiev, Imamidin Tashov, Kalmamatov Baktybek, Kanybek Imanaliev, Kanat Isaev, Klara Sooronkulova, Kochkorov Ulukbek, Ravshan Dzheenbekov, and Sadyr Zhaparov. Only one presidential candidate does not have a Facebook page: Arstanbek Myktybek. Instead of public pages, the above mentioned candidate uses a personal profile (account) for campaign purposes. None of the above pages and profiles are marked as verified. Accordingly, the Foundation is unable to verify whether those pages are official pages of campaign / candidate or not. However, since there are no other pages for campaigns / candidates for the early presidential election on January 10, 2021, the Foundation considers these pages as the main platforms used by candidates for online campaigning, and has included them in the monitoring.

- **Aimen Kasenov** - Facebook page was created on November 28, 2020. The page is currently displaying eight active ads in the Facebook Ad Library.
- **Babur Tolbaev** - Facebook page was created on August 3, 2016. The page is currently displaying four active ads in the Facebook Ad Library.
- **Kanat Isaev** - Facebook page was created on November 6, 2017. The page is currently displaying seven ads in the Facebook Ad Library.
- **Jenishbek Baiguttiev** - Facebook page was created on December 23, 2020. The page is currently displaying three ads in the Facebook Ad Library.
- **Arstanbek Myktybek** - Facebook page was created on May 30, 2012. The page is currently displaying three ads in the Facebook Ad Library.
- **Ulukbek Kochkorov** - Facebook page was created on July 28, 2017. The page is displaying two active ads in the Facebook Ad Library.
- **Ravshan Jeenbekov** - Facebook page was created on December 6, 2015. The page is currently displaying one ad in the Facebook Ad Library.
- **Klara Sooronkulova** - Facebook page was created on September 4, 2020. The page is displaying one ad in the Facebook Ad Library.
- **Baktybek Kalmamatov** - Facebook page was created on February 16, 2015. The page is displaying one ad in the Facebook Ad Library.
- **Eldar Abakirov** - Facebook page was created on June 3, 2017. The page is displaying one ad in the Facebook Ad Library.
- **Abdil Segizbaev** - Facebook page was created on November 17, 2020. The page is currently displaying two ads in the Facebook Ad Library.
- **Adakhan Madumarov** - Facebook page was created on November 25, 2015. Currently, no active ads are displayed from this page in the Facebook Ad Library.
- **Kursan Asanov** - Facebook page was created on November 24, 2020. No ads are displayed from this page in the Facebook Ad Library.
- **Imamidin Tashov** - Facebook page was created on November 4, 2019. Currently, no ads are displayed from this page in the Facebook Ad Library.
- **Kanybek Imanaliev** - Facebook page was created on May 5, 2017. Currently, no ads are displayed from this page in the Facebook Ad Library.
- **Sadyr Japarov** - Facebook page was created on May 27, 2015. Currently, no ads are displayed from this page in the Facebook Ad Library.

The Facebook Ad Library Report includes data for the last 30 days (December 3 - January 1, 2020). According to the Facebook Ad Library, independent candidate Aymen Kasenov (\$1,756) has the highest ad spending among the candidates. At the moment, he has eight active advertising posts and only 50 advertising posts in total, both inactive and active. He tags his ads as political and also tags himself as a source of funding. Active advertising mainly consists of video posts. Kasenov's targeting varies depending on the publications: some of them target women and men of a certain age, but as far as the regions are concerned, he mainly targets Bishkek and Osh.

According to the Facebook Ad Library, independent candidate Babur Tolbaev (\$536) has the second highest ad spending among the candidates. At the moment, Tolbaev has four active advertising posts and a total of 21 advertising posts, both active and inactive. He tags his ads as political and also tags himself as a source of funding. All active posts are videos. Tolbaev's targeting varies depending on the post, but it mainly targets women of all ages and young people of both sexes between the ages of 18 and 24 in Bishkek and the Chui oblast.

Independent candidate Abdil Segizbaev is also present in the Facebook Ad Library. He currently has three active advertising posts (two videos and one post) and a total of 19 advertising posts, including inactive ones. He tags his ads as political and marks himself as a source of funding, as does A. Kasenov. His advertising costs totaled 199 US dollars. In his ad, Segizbaev targets mainly men aged 35 to 44 from Bishkek.

Another independent candidate, Ulukbek Kochkorov, is also among the biggest sponsors in Facebook Ad Library. He currently has two active ads (videos) and a total of nine ad posts, including inactive ones. He tags his ads as political, but does not mark himself as a source of funding, instead he marked someone named Melisbek Abdibaitov as his sponsor. In total, he spent \$ 122 on advertising. In his advertising, Kochkorov focuses mainly on men aged 25 to 34 years from Bishkek.

Adakhan Madumarov, leader of the "Butun Kyrgyzstan" opposition party, was also among the largest sponsors of the Facebook Ad Library during the reporting period. However, at the moment he does not have active ads. One ad post that is currently inactive was shown on December 20-23, 2020 from his page. He tagged his ad as political, but the source of funding was not specified and remains unknown to the Foundation.

Therefore, Facebook Ad Library cannot provide us with the exact amount of his advertising costs. In his only ad (video) Madumarov targets mainly men aged 25-34 years from Bishkek.

Figure 1. Candidate for President A. Madumarov



Another independent candidate, Kanatbek Isaev, is also one of the biggest sponsors in Facebook Ad Library. He currently has seven active advertising posts (mostly videos) and 18 advertising posts in total, including inactive ones. He marks himself as a source of funding, but his ads were shown without a disclaimer. Thus, Facebook Ad Library cannot provide us with the exact amount of his advertising expenses during the election campaign. In his advertising, Isaev mainly targets men aged 35 to 44 from Bishkek.

It is important to note that Sadyr Zhaparov, the most popular candidate according to opinion polls, who also runs the most active offline campaign, did not place paid political advertising from his Facebook campaign page, according to the Facebook Ad Library. It should be noted that while he appears to have a page that works as a platform for his campaign, there are several separate accounts on Facebook under his name that appear to be campaigning for him, but the Foundation cannot verify whether these accounts actually belong to him or are linked to his campaign headquarters.

The Foundation analyzed the expenses of political parties participating in the 2020 parliamentary elections in the Facebook Ad Library. According to the Facebook Ad Library Report, seven political parties have spent the following amounts on advertising in the past 90 days: Respublica \$ 3,452, Zamandash \$ 1,713, Bir Bol \$ 1,454, Ata Meken \$ 1,040, Reforma \$ 758, Kyrgyzstan \$ 499, and Mekenim Kyrgyzstan \$ 348. However, it should be noted that these parties have not placed ads in the last 30 days. None of these parties has officially nominated a candidate for the early presidential election on January 10, 2021, but some of them support the candidates and post content on their pages in support of them.

Based on the conducted preliminary research, we can distinguish the following: Sadyr Zhaparov, the most popular candidate according to public opinion polls, absolutely does not use paid advertising in his campaign. Candidate Adakhan Madumarov, leader of the "Butun Kyrgyzstan" opposition party, is not transparent about the cost of his advertising, without indicating the source

of funding. Although no political party has officially nominated a single candidate, some of them tend to support specific candidates (mostly members of these parties) on their Facebook pages. Considering the comparison of Facebook's ad library report on the 2021 elections with the 2020 parliamentary elections, we can conclude that the current presidential campaigns spent less financial resources on paid political advertising on Facebook than the previous parliamentary campaigns.

10. VIOLATIONS AND COMPLAINTS

The analysis of the complaints received by the Foundation shows that they mainly concern the facts of premature campaigning, violations of campaigning procedures, vote buying, abuse of administrative resources, and obstruction of the exercise of electoral rights. The Foundation is greatly concerned by the increasing number of reports from long-term observers (hereinafter - LTOs) about facts of abuse of administrative resources by supporters of certain candidates. Furthermore, despite the introduction of a new article in the Misdemeanors Code establishing the liability for the abuse of administrative resources, no changes have been introduced to establish the publicity of the charges in such cases. In practice, this can lead to problems in bringing the perpetrators to responsibility.

Since 2015, with the introduction of biometric identification of citizens and automatic counting of votes, the impact of vote buying and abuse of administrative resources in order to influence the voters' will and vote has significantly increased.

Unlike a number of previous monitoring missions of local and international scale, the Foundation decided to monitor the early presidential election with a focus on monitoring the possible facts of vote buying, abuse of administrative resources, threats and pressure on voters. For the purpose of effective monitoring, a team of 58 early observers was trained; the main purpose of them was to monitor violations by the participants of the electoral process and, partially, to monitor the activities of the TEC. In order to quickly exchange information and respond, special so-called incident forms for 3 types of violations were developed for the LTOs:

- Vote buying
- Abuse of administrative resources
- Threats, pressure and violence against voters.

Since December 17, 2020, LTOs have started their work. In total, during the reporting period, the Foundation's LTOs submitted 31 reports on the abuse of administrative resources, 15 reports on vote buying and 7 reports on threats and pressure on voters.

10.1 ABUSE OF ADMINISTRATIVE RESOURCES

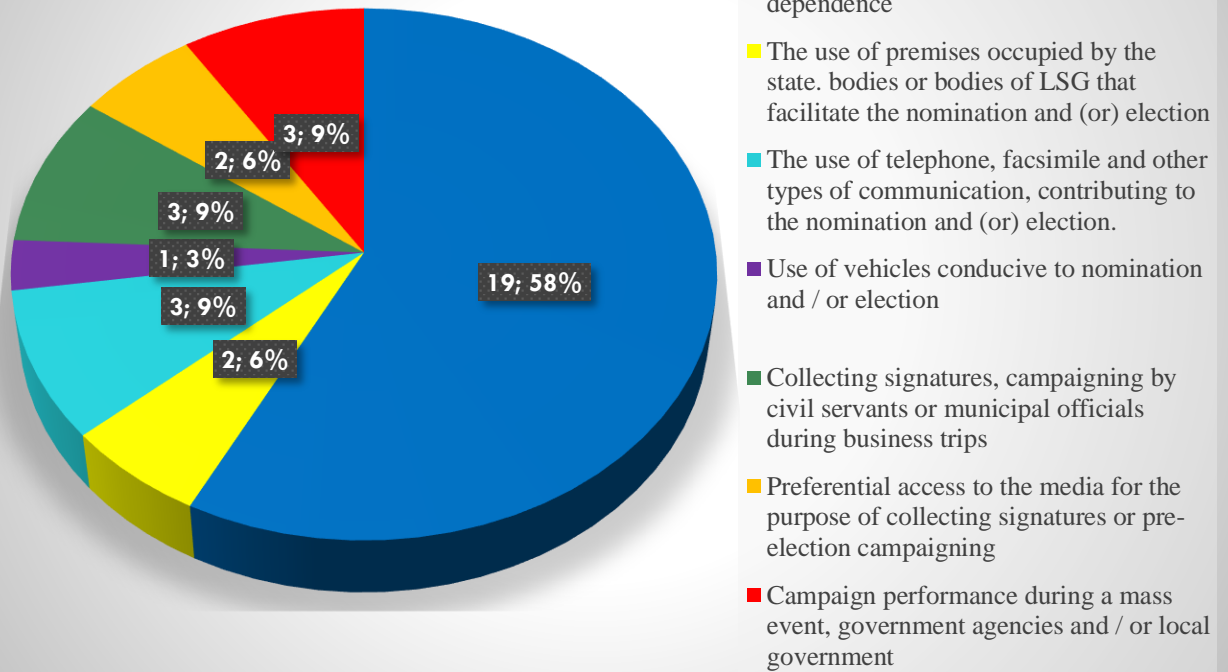
In total, during the reporting period, 31 reports were received from the LTOs. 6 submission letters out of them were sent to the RRCG ⁵¹to take appropriate measures.

The main nature of the reports includes the involvement of persons who are subordinate or in other official dependence to carry out activities that contribute to the election of a candidate, campaigning by state and municipal employees, preferential access to the media.

Out of 31 reports received, 19 of them (58%) contain information about the involvement of persons who are subordinate or otherwise dependent on the service to facilitate the election of certain candidates.

⁵¹ Rapid Response Coordination Group of the KR CEC

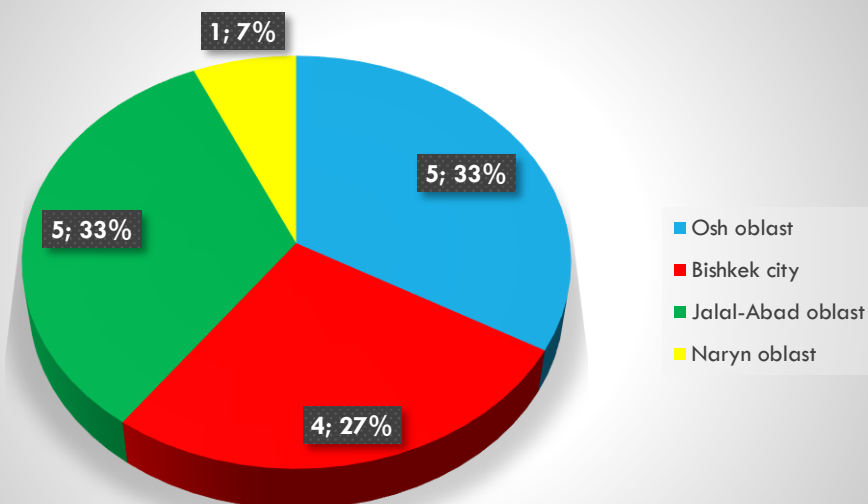
Diagram 4. Administrative resource usage



10.2 VOTE BUYING

In accordance with the reports sent by the LTOs, 15 submission letters were received on vote buying, of which 5 were sent to the RRCG for verification and, if confirmed, for prosecution of the perpetrators.

Diagram 5. Vote buying by regions



The received reports contain information about the arrangement of free transport for voters to meet with one of the candidates, the collection of passport data from voters for a cash reward, promises

to reduce interest rates on loans, the allocation of funds to the heads of local women's councils in exchange for votes, the arrangement of free feasts, etc.

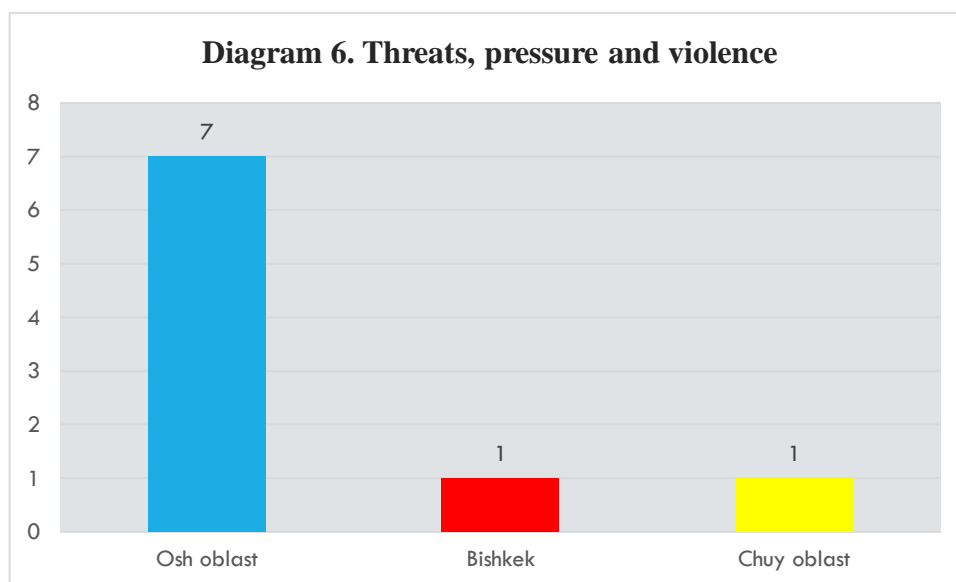
Out of 15 reports received, 6 contained information about vote buying in favor of one of the candidates for President of the Kyrgyz Republic.

10.3 THREATS, PRESSURE AND VIOLENCE

During the reporting period, 9 submission letters about violence, threats, pressure during the elections were received, 1 submission letter was sent to the RRCG.

The nature of the reports contains information about the pressure on state and municipal employees to support a certain candidate in the upcoming elections, the pressure on voluntary contributors of funds to the election funds of other candidates, the pressure on teachers and university professors under threat of dismissal, the threat and pressure on employees of financial institutions to vote in favor of a certain candidate.

Most of the submission letters were received from Osh oblast - 7, Bishkek – 1 submission letter and Chui oblast - 1 submission letter.

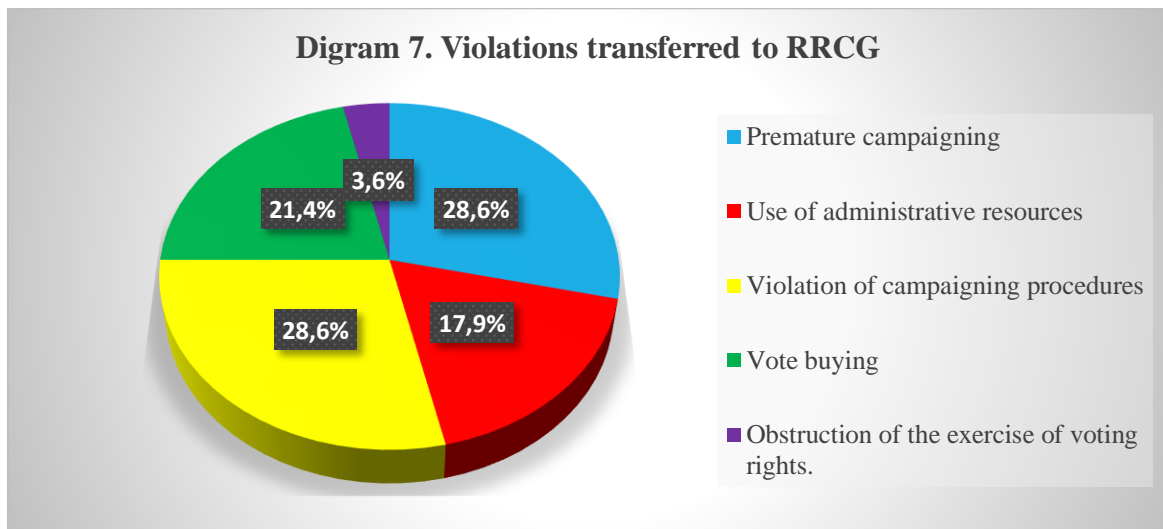


Given that all information on detected violations comes directly from public observers, it is very important to ensure the safety of observers. The Foundation would recommend that the CEC consider the possibility of protecting personal data on the agency's website in order to avoid pressure and threats against the LTOs and short-term observers (STOs) who have filled out incident forms and subsequently forwarded them to the RRCG. This is because the personal information of the LTOs and STOs are shown on the <https://shailoo.gov.kg/ru/> website in the <https://shailoo.gov.kg/ru/registry/> "registries" section.

The Foundation analyzes all the recorded violations. The analysis pays great attention to the nature of these violations. If the violations are minor or if the violations can not affect the pre-election period, the Foundation decides not to address them to the appropriate authorities. Some violations are eliminated immediately after contacting the PEC and TEC. It also happens that the subject matter of the recorded violations is already being considered by the relevant authorities or decisions have already been made on them.

In total, during the reporting period, the CEC received 45 complaints (including 14 filed by the Foundation), 15 of them were considered in the CEC working groups (working group on

complaints 9 and working group on campaigning 6)⁵². And the remaining 30 were transferred to the RRCG for further consideration by law enforcement agencies. Generally, complaints are related to premature campaigning, use of administrative resources, violation of campaigning procedures, vote buying and obstruction of the exercise of voting rights.



The Foundation notes that the analysis of the response to complaints will be reflected in the final report.

⁵² CEC Register <https://shailoo.gov.kg/ru/rreestr-obrashenij-postupivshih-v-kgor-na-dosrochnyh-vyborah-prezidenta-2021/>

11. RECOMMENDATIONS

In general, the electoral legislation is fully formed, i.e. there is a large number of normative legal acts of various legal force, adequately regulating certain issues related to the organization and conduct of elections at the national and local levels. At the same time, there are certain shortcomings and gaps that need to be addressed within the framework of the set goals and objectives on improving the electoral legislation.

The exclusion of the provision on changing the voting address from the constitutional Law without introducing an alternative option is a matter of concern; more than 300 thousand voters are practically deprived of the opportunity to exercise their active voting rights because of that. The provision on the opportunity to change the voting address is necessary to ensure the exercise of one's active voting rights in case of inability to vote at one's registration address (residence permit) (labor migration, students, business trips, temporary change of residence, problems with registration, etc.).

In connection with the above, the Common Cause Public Foundation recommends the following:

1. To the Jogorku Kenesh of the Kyrgyz Republic on introducing amendments and additions to certain regulatory legal acts:

- 1) Return the ability to change the voting address to Article 15 of the Constitutional Law, provided that the voter submits the supporting documents on the need to change the voting address, limit the right to change the voting address within the same oblast, increase the time frame for processing applications.
- 2) Revise the number of electoral barriers when submitting documents to participate in the presidential elections of the Kyrgyz Republic. We recommend eliminating the electoral deposit and leaving at least 30,000 voter signatures;
- 3) Review the requirement for the number of public observers to be present at a polling station at the same time;
- 4) Provide public observers with the powers to appeal against the decisions and (or) actions (inaction) of election commissions, including decisions on establishing the voting results and determining the election results;
- 5) Establish responsibility for the failure to comply with the established deadlines for consideration of received applications (appeals, complaints, etc.) by law enforcement agencies;
- 6) Amend the criminal law to provide for a public prosecution in cases of abuse of administrative resources.

2. To the Government of the Kyrgyz Republic

- 1) Strengthen the work with the civil sector, with the inclusion of representatives of the civil sector in the Republican Headquarters for the preparation and conduct of elections.
- 2) Implement the proposals of the civil sector through a legislative initiative.
- 3) Strengthen the work of law enforcement agencies in reviewing complaints and applications;
- 4) Strengthen the work of internal affairs agencies in ensuring public security, including preventive measures;

5) Strengthen the work of informing citizens of the Kyrgyz Republic about the upcoming elections (regardless of their status).

6) Provide mechanisms for public observers to monitor the activities of law enforcement agencies.

3. To the Central Commission for Elections and Referenda of the Kyrgyz Republic:

1) Ensure the timely delivery of Central Election Commission decisions to all participants in the electoral process;

2) Timely post the statutory instruments of the Central Election Commission on the website of the Central Election Commission when making amendments and additions to the existing statutory instruments.

3) Develop a consistent practice of accountability for certain types of violations of electoral legislation;

4) Strengthen the control over compliance of candidates and their headquarters with the rules of election campaigning in accordance with the electoral legislation of the Kyrgyz Republic;

4. Authorities that consider electoral disputes:

1) Law enforcement agencies must strictly comply with procedural deadlines for considering applications (submission letters), stating a reasoned justification for their decisions;

2) Improve the transparency of the electoral dispute resolution procedures;

5. To the candidates for President of the Kyrgyz Republic:

1) Conduct the election campaign on the principles of the rule of law, openness, priority of citizens' interests and rights, and mutual respect among the candidates.