



HELSINKI COMMISSION REPORT

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IN BRIEF

Presidential Elections in Kyrgyzstan

Kyrgyzstan's presidential elections on October 15, 2017, provided for an orderly transfer of power despite curbs on political opposition and media freedom in the run-up to the election, as well as allegations of administrative pressure on voters, vote-buying, and other irregularities during the electoral process.

The OSCE Statement of Preliminary Findings and Conclusions¹ stated that the elections “contributed to the strengthening of democratic institutions by providing for an orderly transfer of power from one elected president to another. The election was competitive, as voters had a wide choice and candidates could, in general, campaign freely, although cases of misuse of public resources, pressure on voters, and vote-buying remain a concern....While televised debates contributed to greater pluralism, self-censorship and limited editorial coverage of the campaign signaled deficiencies in media freedom.”

OSCE Election Observation

The OSCE sent 335 international observers through both the Office for Democratic Institutions and Human Rights (ODIHR) and the OSCE Parliamentary Assembly. OSCE observers were joined by observers from the Parliamentary Assembly of the Council of Europe and the European Parliament.

Azerbaijani parliamentarian Azay Guliyev led the short-term observation mission as the OSCE Special Coordinator, while Ukrainian parlia-

mentarian Artur Gerasymov headed the OSCE PA observers and Ambassador Alexandre Keltchewsky of France led the ODIHR observers.

Observers were deployed throughout the country in keeping with OSCE's election observation² methodology, with a core team in Bishkek, teams of long-term observers deployed some eight weeks in advance, and short-term observers deployed on election day.

Peaceful—but Not without Controversy

The 2017 presidential election was particularly important as it marked only the second peaceful, normal transition of power in a country that has seen two revolutions—as well as major ethnic violence—since its independence in 1991.

Previous President Atambayev came into power in 2011 in the first regular elections since the overthrow of former President Bakiyev in 2010; his tenure followed the one-and-a-half-year limited term of interim President Roza Otunbayeva. Kyrgyzstan has a six-year, one term mandate for its president, so Atambayev could not run for reelection.

However, the period leading up to the campaign and election was not without controversy. Although the constitution adopted following the 2010 revolution was not supposed to be changed until 2020, President Atambayev pushed for and held a referendum in December 2016 that



Voting in a polling station near Kara Balta

amended the constitution. The amendments enlarged the powers of the prime minister, dropped a requirement that Kyrgyzstan implement international human rights law, and gave the president a greater hand in appointing judges.

Several opposition politicians were jailed in the months before the elections. In April 2017, four opposition politicians were charged with attempting to seize power; they claim the case was fabricated. In August, opposition leader Omurbek Tekebayev, who had planned to run for president, was convicted of taking a bribe from a Russian businessman in 2010 and sentenced to eight years in prison; he denied the charges and insisted they were politically motivated.

Ahead of and during the campaign, independent media also came under pressure. In 2017, the Prosecutor General's office initiated several cases against journalists and media outlets for allegedly damaging the honor and dignity of the president. Three lawsuits were filed against online news site Zanoza for comments critical

of the president, and two were filed against Radio Azattyk, a part of Radio Free Europe/Radio Liberty, for defaming the president. All outlets were found guilty. These cases had a chilling effect on independent media in Kyrgyzstan, as they sent a clear message that criticism of the president would be punished—even during an election campaign.

On election day, there were 11 candidates on the ballot. The OSCE Statement of Preliminary Findings and Conclusions criticized the registration process as “challenged by a burdensome nomination process, including the process of collecting of support signatures, and a restrictive approach in their verification,” but noted that it did provide real choice for voters.

Two candidates were viewed as the main competitors: Sooronbay Jeenbekov, supported by President Atambayev, and Omurbek Babanov, a wealthy businessman and the leader of an opposition party.

Several lawsuits were brought against Babanov and his supporters during the campaign, includ-

ing one for allegedly planning mass demonstrations, and one for a campaign speech made to the local ethnic Uzbek population in the southern part of the country in which the government alleged that he incited racial enmity. Babanov said his words were taken out of context.

In addition, a meeting between Babanov and Kazakhstani President Nazarbayev in September kicked off a storm of criticism against Babanov, fueled a border dispute between the two countries, and resulted in President Atambayev charging Nazarbayev with interfering in Kyrgyzstan's internal affairs by supporting the opposition candidate.

During the campaign, there also were allegations of use of administrative resources and pressure on voters to support Jeenbekov. In September, Deputy Prime Minister Duishenbek Zilaliev was dismissed as head of a task force supporting the electoral commissions after he called on state employees to vote for Jeenbekov. Some interlocutors told OSCE observers that civil servants—including not only government employees, but also doctors, nurses, teachers, and students—had also been pressed to support Jeenbekov.

Biometric Identification and Voting

On election day, the voting procedure was generally smooth. A new biometric, electronic voting system was established in 2015, and was updated for the 2017 elections.

Voters were required to register and obtain a biometric ID prior to election day. The biometric ID was then presented at the entrance to the polling station and scanned. Voters were identified through either their fingerprints or, failing that, facial recognition software. During this process, voters' photo and information ap-

peared on a screen, which was visible to observers. The background behind the image on the screen changed from yellow to green as the voter was identified, or to red if they were not. Once biometric identification was confirmed, voters were given a printed slip to take to the table with voter lists.

Polling station workers then located voters' names on the list, asked voters to sign the list, and exchanged the printed slip for a ballot. After filling out the ballot in a booth, the voter brought it to the ballot box, where it was scanned in and dropped down into the box. At the end of the day, the ballot box computer produced results based on the scanned ballots.

However, the ballots still had to be counted by hand—the hand count was the only official result—and the printed slips

reconciled with the number of ballots used.

The biometric, electronic voting process appeared to effectively eliminate possibilities for voter fraud, ballot stuffing, and tampering during counting in the polling station. However, there were concerns about the secrecy of the ballot, as booths offered little to no privacy, and ballots could not be folded before being scanned into the ballot box. Moreover, polling station committee members generally stood close to the ballot box, and easily could have seen how individuals voted.

OSCE observers reported that they saw evidence of vote-buying, particularly in the southern, ethnic Uzbek areas, including what appeared to be voters consistently showing polling station committee members their ballots. Observers also directly witnessed vote-buying outside polling stations near Bishkek.



Screen showing voter identification process

In the end, Jeenbekov received 54 percent of the vote, while Babanov received only 34 percent, avoiding what had been expected to be a contentious runoff if neither candidate had re-

ceived a majority of the vote. The results were not contested, and Jeenbekov was sworn in as president of Kyrgyzstan on November 24, 2017.

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¹ "Statement of Preliminary Findings and Conclusions, International Election Observation Mission, Kyrgyz Republic Presidential Election, 15 October 2017," Organization for Security and Cooperation in Europe, accessed January 3, 2018, <http://www.osce.org/odihr/elections/kyrgyzstan/350001?download=true>

² "OSCE Election Observation," Commission on Security and Cooperation in Europe, <https://www.csce.gov/osce-election-observation>.