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**Electoral Legislation Improvement Strategy**

**of the Kyrgyz Republic for 2018-2020**

**Bishkek,**

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# Glossary

|  |  |
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| NCSD KR | * National Council on Sustainable Development of the Kyrgyz Republic
 |
| АBB  | * Automated ballot box
 |
| USPR  | * Unified State Population Register
 |
| SC KR  | * Supreme Court of the Kyrgyz Republic
 |
| GPO KR  | * General Prosecutor's Office of the Kyrgyz Republic
 |
| SNSC KR  | * State National Security Committee of the Kyrgyz Republic
 |
| SMS under the GKR  | * State Migration Service under the Government of the Kyrgyz Republic
 |
| SRS under the GKR  | * State Registration Service under the Government of the Kyrgyz Republic
 |
| SSEP under the GKR  | * State Service for the Execution of Punishments under the Government of the Kyrgyz Republic
 |
| STS under the GKR  | * State Tax Service under the Government of the Kyrgyz Republic
 |
| SALSGIR under the GKR  | * State Agency for Local Self-Government and Interethnic Relations under the Government of the Kyrgyz Republic
 |
| SAYPKS under the GKR | * State Agency for Youth, Physical Culture and Sports under the Government of the Kyrgyz Republic
 |
| SFIS under the GKR | * State Financial Intelligence Service under the Government of the Kyrgyz Republic
 |
| SCITC KR | * State Committee of Information Technologies and Communications
 |
| JK KR | * Jogorku Kenesh of the Kyrgyz Republic
 |
| EC | * Election commission
 |
| ICT | * Information and Communication Technologies
 |
| KR | * Kyrgyz Republic
 |
| PWD  | * Persons with disabilities
 |
| MoI KR | * Ministry of Interior of the Kyrgyz Republic
 |
| MFA KR | * Ministry of Foreign Affairs of the Kyrgyz Republic
 |
| GS AF KR | * General Staff of the Armed Forces of the Kyrgyz Republic
 |
| MJ KR | * Ministry of Justice of the Kyrgyz Republic
 |
| MH KR | * Ministry of Health of the Kyrgyz Republic
 |
| MLSD KR | * Ministry of Labor and Social Development of the Kyrgyz Republic
 |
| MFD | * Multifunction device
 |
| CEC KR | * Central Elections Commission of the Kyrgyz Republic
 |
| NCO  | * Non-Commercial Organization
 |
| NLA  | * Normative legal acts
 |
| GKR | * Government of the Kyrgyz Republic
 |
| PP | * Political parties
 |
| OSCE | * Organization for Security and Cooperation in Europe
 |
| LSG  | * Local Self-Government Bodies
 |
| UN | * United Nations
 |
| UNDP | * United Nations Development Program
 |
| EU | * European Union
 |
| MM  | * Mass Media
 |
| CIS | * Commonwealth of Independent States
 |
| PEC | * Precinct election commission
 |
| HRM  | * Human Resource Management
 |
| TEC | * Territorial Electoral Commission
 |
| SCO  | * Shanghai Cooperation Organization
 |
| WG | * Working group on improving electoral legislation
 |
| CC KR | * The Criminal Code of the Kyrgyz Republic
 |
| CAR KR | * Code of Administrative Responsibility of the Kyrgyz Republic
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**Introduction**

The effectiveness and stability of the functioning of state bodies in a democratic state depend on the legitimacy of the elected institutions, to which citizens, through elections, trust the right to govern. Elections are one of the main tools for the exercise of democracy and expression of public opinion, ensuring the stability and efficiency of the state mechanism. Power formed through fair, just and competitive elections will be strong and credible in the eyes of voters and recognized by the international community.

The basis of fair and transparent elections of state bodies and local governments is in effective and clear legislation. It should most fully ensure the electoral rights of citizens and be developed taking into account international and national experience.

Currently, the electoral system of the Kyrgyz Republic is at the stage of its development, when the new electoral model has completed the whole working cycle associated with the election of deputies of the Kyrgyz Republic Jogorku Kenesh in 2015, the election of deputies of local keneshes (councils), the referendum in 2016 and the presidential election of the Kyrgyz Republic in 2017.

The holding of elections under the new model was made possible through a number of steps and actions taken by the state and society in order to ensure the electoral rights of citizens, fair, open, just and competitive elections. The new technologies introduced have made it possible to completely eliminate the methods of voting falsification such as mass ballot stuffing into the ballot box and “carousel”. The election results became known with a probability of up to 95% within two hours after the end of the voting.

The presidential election of the Kyrgyz Republic held in October 2017 showed that the elections were fully reliable and highly transparent, which became the basis for increasing the confidence of voters in the voting process and summarizing the results of voting. It served as a basis for increasing the competitiveness of elections.

After each election, starting with the first test of the electoral model in 2015, an analysis of the shortcomings that took place in practice, the observations contained in the reports of observers and legislative, organizational and technical measures were taken.

From 2015 to 2017, elections under the new model were held annually – including for the first time on one day of voting in a referendum and elections to local keneshes in 2016. Despite the fact that there was very little time between the elections, nevertheless, thanks to the close interaction of the Working Group with Jogorku Kenesh, the necessary changes to the legislation were timely adopted at each stage and for each level of elections and referendum. They were mainly focused on the introduction of new election procedures and the elimination of certain shortcomings of the legislation.

While noting the significant successes of the electoral reform in the Kyrgyz Republic, which have been recognized and highly appreciated by citizens within the country and by the international community, there are certain problems and shortcomings in the electoral process, primarily related to the regulation of the complex of legal relations arising between the participants in the electoral process.

A new electoral cycle will begin in Kyrgyzstan in 2020 with the next parliamentary elections and elections of deputies of local keneshes, and presidential election of the Kyrgyz Republic in 2023.

State bodies in cooperation with the civil sector and international partners, need to make effective use of the current three-year inter-electoral period for in-depth systemic analysis, eliminating not only certain imperfections of existing laws, but also for the development and adoption of new laws and practical measures that will contribute to:

1. Better implementation of citizens' electoral rights - both active right to free expression of will and passive right to be elected, through the creation of clear and equal rules for participation of all subjects in elections at all levels and strengthening of interaction and responsibility of state bodies and officials in the electoral process, designed to ensure the electoral rights of citizens;

2. The strengthening of the parliamentary system through the creation of legal conditions for the development of parties of the parliamentary type, as institutions of expression of interests of citizens and institutes of formation of representative bodies;

3. Changes that will improve the organization and financing of elections, the security of elections and the fight against irregularities in their process.

As a whole, the task is to do everything possible to consolidate and **make sustainable** the given vector of reforming the electoral system in the direction of increasing inclusiveness, transparency, legitimacy and democracy of elections.

In this regard, in order to further improve the electoral law and process, it is necessary to identify and implement long-term and short-term goals and tasks based on internal and external analysis and monitoring, focusing on the voters’ requirements.

This Strategy to improve the electoral legislation of the Kyrgyz Republic for 2018-2020 is a comprehensive selection of goals and ways to achieve them; a document that sets out the main long-term and short-term goals and tasks, activities, including the necessary changes in the electoral legislation, some practical measures to improve the organizational and technical support of the electoral process, as well as indicators of achievement of goals for the planned period.

Its implementation should become the basis for improving the observance of citizens' electoral rights, equal conditions for candidates and political parties and holding free democratic elections in Kyrgyzstan.

# Strategy Development Process

The Strategy was developed by the Working Group on improving the electoral legislation on the basis of broad public discussions in all regions of the Kyrgyz Republic.

The starting point in the development of the Strategy was the identification of the problems to be solved, preventing equal and unimpeded access of citizens of the Kyrgyz Republic to the exercise of their constitutional rights to elect and be elected, as well as the creation of conditions for citizens to express their free and informed will.

The problems were identified based on the analysis of the current electoral legislation, the existing law enforcement practice, the analysis of the conducted elections at all levels, based on the recommendations contained in the reports of international organizations[[1]](#footnote-1), in the reports of monitoring missions of civil society[[2]](#footnote-2), as well as on the proposals of participants in public discussions, including in the regions of the Kyrgyz Republic.

**Based on the findings of the analysis and public discussions, the main goals, directions and measures to improve the electoral law and the process were developed, which together outlined the following basic concept of the draft Strategy:**

**- To make stable the positive achievements of the electoral system reform (***credibility, transparency and competitiveness of elections)* **without a radical change in the type of elections** *(parliamentary and city elections remain proportional, aiyl keneshes (village councils) - majoritarian, elections of the LSG bodies - indirect***);**

**- To eliminate the existing shortcomings in legal relations during the elections through legislative measures and the system of civil education;**

**- To optimize the organization and expenditures of the budget for the elections, to improve the technological support and security of the elections.**

**Strategy Development and Approval Stages**

|  |  |  |
| --- | --- | --- |
| **Stage 1** | **Stage 2** | **Stage 3** |
| **April-May 2018**Approval of the Working Group composition on improving the electoral legislation of the Kyrgyz Republic.Development of a strategic platform by the Working Group (values, mission, vision), strategic goals, tasks and activities to achieve the goals. | **May-June 2018**Development and discussion of the main directions of improvement of the electoral legislation and the draft Strategy in the course of Public dialogues with the participation of a wide range audience (representatives of public authorities, LSG, political parties, NGOs, experts)Discussion of the draft Strategy during hearings in all the regions of the Kyrgyz Republic. Finalization of the draft Strategy taking into account suggestions, comments and recommendations on the draft Strategy. | **June 2018****Introduction of the Strategy for consideration by the National Council for Sustainable Development of the Kyrgyz Republic (NCSD)****Approval of the NCSD****July 2018-Autumn 2019**Planning and adoption of the necessary laws in the framework of the strategy – from June 2018 to the end of autumn 2019**.** |

**Analysis of the current state of electoral law and process in the Kyrgyz Republic**

A National Strategy for Sustainable Development of the Kyrgyz Republic for 2013-2017 was adopted on January 21, 2013. It outlines that one of the main principles of law-governed state ensuring rule of law is through holding free and democratic elections.

Following the decree of the President of the Kyrgyz Republic A. Atambaev “On measures to improve the electoral system” published on 22 May 2013, the Working Group on improving the electoral system of the Kyrgyz Republic was formed. The above-mentioned Law outlines the key tasks of the reform.

On April 25, 2014 the decision of the NCSD № 1 “Fair elections - the key to sustainable development of the country” was adopted. A new electoral model was approved, and provides for the formation of voter lists on the basis of the Unified State Population Register (**USPR**), identification of voters on the basis of biometric data, automatic counting of votes using automated ballot boxes (ABB) as a tool for controlling the manual counting of ballots.

The reason for a such a choice of a technological model was due to the extremely low level of confidence in the electoral processes, due to the fact that before the April revolution, the elections were accompanied by mass falsifications of voting results using dirty technologies, mass ballot stuffing on voting days, voting for another person (the so-called “carousel”), the participation of election commissions in the falsification of voting results, the use of administrative resources, vote buying.

Taking into account these challenges, an optimal electoral model has been developed, excluding the possibility of corruption and fraud on the part of the election organizers - in the election commissions, steps have been taken to implement it by taking legislative measures, measures to introduce new technologies and training EC members and other participants in the electoral process.

Thus, within the framework of legislative measures, the law of the Kyrgyz Republic “On biometric registration of citizens of the Kyrgyz Republic” was adopted on June 30, 2014, according to which the USPR was formed on the basis of personal and biometric data, the collection of biometric data of citizens of the Kyrgyz Republic was launched.

Amendments and additions to the constitutional Law of the Kyrgyz Republic “On elections of the President of the Kyrgyz Republic and deputies of Jogorku Kenesh of the Kyrgyz Republic” were adopted on April 9, 2015. According to the Law a new procedure for citizens' participation in voting based on identification by personal and biometric data was established, an automatic system of counting votes (Electoral Information System (EIS)) at the level of elections of the head of state and members of Parliament, was introduced.

Based on these changes, the elections of deputies of the JK KR in 2015 were held on the basis of a new electoral model.

Taking into account the successful implementation of the new electoral model in the electoral process, immediately after the parliamentary elections, measures were taken to introduce it into the process of election of deputies of local councils. In addition, based on the analysis of the shortcomings of the elections certain tasks were set to improve the electoral law and process.

On 21 January 2016, relevant amendments were made to the law of the Kyrgyz Republic “On elections of local keneshes (councils) deputies”, on 31 October 2016 amendements were made to the law of the Kyrgyz Republic “On referendum of the Kyrgyz Republic”, according to which a new electoral model was introduced in the process of elections of local kenesh deputies and in the process of voting at the referendum.

As part of the measures for technical equipment, a system of voter identification was introduced through the use of equipment for the collection of biometric voter data, voter identification, in the process of counting and summarizing the voting, a set of technological equipment (server, ABB) and software for the collection process on the Central server with ABB (EIS) was introduced. A website <http://ess.shailoo.gov.kg> was launched where everyone could see online the voting results on each electoral precinct, the turnout and the election results.

On the basis of the 2015-2016 campaigns’ analysis, and to resolve certain problems related to the voter list, to ensure the stability of the list of candidates after the vote and the preservation of gender, ethnic quotas and quotas of persons with disabilities, the issues of summarizing the vote, etc., the Working Group, the deputies of JK KR and the CEC KR have developed and adopted a number of new amendments to the electoral legislation of the Kyrgyz Republic.

Thus, in 2017, the following amendments to the legislation were made providing for:

- increase in terms of the refinement of the voter lists up to 60 days prior to the day of voting (at the presidential election and members of Parliament) to create favorable conditions for the participation of citizens in the voting process, introduction of new forms of reporting on action for the changes of the lists of voters (form 2,3) to exclude manipulation;

- expansion of forms of identification of voters by biometric parameters of the person - as a measure to ensure the completeness of voting;

- improvement of interaction of SRS under the GKR and the CEC KR on the formation and clarification of the voter list, the normative consolidation of the status of the joint portal of the voter lists “Tizme” with permanent open placement and updating of the list, as well as the reflection on the portal of the movements of voters from one to another PEC on the basis of applications;

- compulsory registration by precinct election commissions (PEC) of problems on (not) participation of voters in elections, introduction of new forms of reporting with indication of exact nature of problems, the order of accounting and responsibility for violation of the rights of the voter is established;

- publication and posting at polling stations of the voter lists who took part in the voting-in order to increase the transparency of the elections;

- regulation of the procedure for collection and verification of signatures of citizens in support of the candidate in the elections - taking into account a large number of court disputes due to the lack of regulation of these procedures in the last presidential elections;

- immediate sending of the scan version of the Protocol on the voting results and the report on the number of identified citizens from each precinct to the Central server and their display on the website, to increase the transparency of the vote results;

- introduction of remuneration for members of territorial and precinct election commissions - to ensure the stability of election commissions and taking into account the technological effectiveness of the new electoral model, as well as anti-corruption measures;

- increasing the responsibility of election Commission members for actions/omissions in the election process, etc.;

- regulation of the procedure for consideration of complaints and applications of citizens on violations of the electoral law.

At the same time, practical measures were taken to introduce a transparent and accessible mechanism for filing complaints (including by sending complaints to the website), monitoring and resolving electoral disputes, in which a special electronic Register of complaints and applications was created on the website of the CEC KR, in which one can get acquainted with the complaints submitted to the CEC KR, TEC, PEC, as well as on decisions and court acts taken.

In addition, in order to implement these provisions of the legislation of the GKR, CEC KR and local authorities carried out joint practical work to clarify the address register, expand the conditions for the delivery of biometric data by citizens, including additional mechanisms in the form of preferential registration of Kyrgyz citizens abroad, mobile forms of data collection, etc. The launch of the process of issuing biometric passports of the Kyrgyz citizen by the SRS under the GKR in May 2017, the special information and explanatory measures carried out by the CEC KR for certain categories of citizens also contributed to the increase in the number of citizens included in the voter lists.

**Main achievements in the electoral system of the Kyrgyz Republic**

The introduction of new technologies in the electoral process – the system of identification of voters by biometric data and automated ballot boxes (ABB) as a tool for controlling manual counting, as well as the regulation of a number of basic procedures during the voting and summarizing the voting and election results allowed to solve a number of problems, as a result of which the elections in the republic became a factor of aggravation of the socio-political situation in the country up to the revolutionary events.

Through the use of the new electoral model, the preliminary results of the elections became known with a probability of 95% within two hours after the end of the voting, which contributed to the peaceful conduct of the elections.

**Credibility** of the voters in the election results, which was the main goal of the reform, has increased, as reflected in the results of national polls in 2015 and 2017 and the practical absence of complaints about **the voting results.**

The main achievements of the reform of the electoral system were **credibility, transparency, increasing the competitiveness of elections, increasing the level of inclusiveness of elections, improving the legal and practical conditions for the free expression of the will of citizens:**

* The implementation of the “one voter - one vote” principle excludes the possibility of falsification of the number of those who participated in the voting (“carousels” were impossible because of the transparent procedure for the formation of the voter list and the biometric identification of voters, where mass ballot stuffing can not be hidden)
* Credibility and full transparency of the voting results counting became a reality due to the expansion of the instruments of external control and analysis of the PEC counting operations: the possibility of comparing the results of the automated management system, manual calculation, the introduction of the function of sending manual copies of the manual counting protocols and copies of the SRS reports on voter identification from each site immediately after the completion of manual counting make it impossible to falsify the results of voting;
* Immediate contactless sending of results from the automated management system on the sites to the server of the Central Electoral Commission of the KR and automatic summary on the server of the results of manual votes counting from the polling stations, creation of conditions for effective civil control (through operative publication of voting results and provision of all observers in PECs and TECs with copies of SRS reports about the identification, the results of the ABB and copies of the protocols of PECs and TECs on the results of voting) exclude the possibility of falsification and illegal change of the voting results in favor of the interested persons, which was previously abused by the authorities and election commissions of all levels, i.e. excludes corruption on the part of the organizers of the elections;
* The achieved authenticity and transparency of voting participation and voting results, coupled with effective measures to observe the secrecy of the vote, improved the conditions for the free expression of the will of citizens and became the basis for the progressive increase in the competitiveness of elections in the course of the elections in 2015-2017.
* The consecutive measures taken by the GKR and the CEC of the Kyrgyz Republic to establish the USPR, the specification of the address register and the transparent open functioning of the voters' portal have increased the inclusiveness of the voter list: the number of voters included in the voter list and those who participated in the vote for the period of the reform implementation increased significantly.

Passed in 2015-2017 elections to local keneshes, JK KR, presidentital election of the Kyrgyz Republic and the holding of a referendum were recognized as transparent and competitive, corresponding to generally democratic electoral standards, which was noted by international partners and missions of international observers - UNDP, CIS, EU, OSCE, SCO, IFES, etc.

**Current shortcomings in the electoral legislation and process in the Kyrgyz Republic**

Despite the existing achievements, there are problems that need to be addressed within the framework of the goals and tasks set for improving the electoral legislation.

A special need has arisen in comprehensive measures to enhance the political culture of the participants in the electoral process, both through the normative regulation of the legal relationship complex and through ***civil education.***

One of the problems is the low level of participation in the voting of Kyrgyz citizens ***temporarily staying or living abroad***. Issues of full participation of certain categories of citizens (***military personnel, persons held in places of detention awaiting the court sentence, voters in hospitals, sanatoriums, etc.***) also require more effective measures.

There is a lack of participation of women, ethnic minorities, PWD as candidates in the elections, and for the last category of citizens there are still difficulties in voting. The work on ensuring the accessibility of polling stations and equipping them with ramps and other special facilities for PWD needs to be completed. The legislation of the Kyrgyz Republic establishes norms for the representation of women, national minorities, as well as youth and PWD in the election of deputies of the JK KR, deputies of local keneshes. But in practice, these norms are not preserved after the election and registration of deputies, as well as in the process of early retirement and replacement of the vacant mandate due to the presence of a variety of mechanisms for regulating the lists of candidates by political parties and candidates themselves.

Access to the electoral process on the basis of the financial and social status of the candidates was regrettable. The large difference in the financial resources of the candidates creates a significant inequality of participants in the electoral process. At the same time, one of the urgent problems is the problem of ***forming a list*** of candidates from political parties, depending on the personal preferences of the party leader and the financial condition of the candidates.

***The absence of effective mechanisms to combat false reports*** during the pre-election campaign period allows candidates and political parties to use the illegal tools of “black PR”, which affects the will of voters. This is directly related to the lack of regulation of the issues of agitation activities of political parties and candidates in the media, unresolved issues of media responsibility for the distribution of unverified, false and unreliable messages, the lack of a clear division of the concepts of “information” and “agitation” material, as well as the low legal culture of individual candidates and political parties.

It is also related to the fact that the content of the candidates' policy statements is not the basis for the voters' choice due to the lack of serious programmatic competition between the candidates, political parties and the lack of awareness of the voters about the programs to determine their choice. The influence of regional and clan interests on the will of voters is observed in determining the choice of citizens.

The acting law of the Kyrgyz Republic “On political parties” does not create conditions for the formation and functioning of viable and competitive political parties of parliamentary type, which are the institution of formation of Parliament.

***The lack of transparency of funding* (sources of funds)** of political parties and candidates, and the process of making intra-party decisions (on participation in elections) creates prerequisites for the excessive influence of financial resources on the electoral process and distortion of the will of voters.

There is a lack of differentiation of requirements for candidates to the deputies of all councils and heads of local government bodies. The number of appeals of voters on issues related to the imperfection of the mechanisms of ***responsibility and accountability of deputies to voters has increased.***

One of the problems is the vote buying which has expanded massively in recent years, largely due to the reduced possibility of falsification of elections at the main stages of the electoral process and the inability to influence the choice of citizens through the organizers of the elections. The elections have shown the imperfection of the legislative framework, which does not prevent this phenomenon, moreover, does not create real mechanisms to bring to justice the violators. This phenomenon is the result of both the way candidates work to attract votes and the result of the ***low legal culture of citizens***.

***The misuse of public resources*** by some participants in the electoral process and the ***lack of effective accountability mechanisms for this violation*** are also problems that are not clearly defined in the laws.

Issues that need to be addressed are the holding of “unscheduled” repeated early elections to local keneshes, ***insufficient term of office*** of members of territorial and precinct election commissions and other issues of optimizing the organization of elections.

The interaction between state bodies on the issues of ensuring citizens' electoral rights, preparation and holding of elections should also be improved.

There are certain problems associated with amendments to the electoral legislation of the Kyrgyz Republic when there is *inconsistency, haste or obvious lobbying* in making changes to the legislation in favor of narrow political interests, as well as changes and additions to the normative legal acts on the eve of the elections, which complicates the electoral process for both the EC and other participants in the electoral process.

The range of other problems and shortcomings in the electoral law and process is described in more detail by the results of the analysis and public discussions in the attached ***SWOT analysis*** of the current situation in the electoral system of the Kyrgyz Republic (weaknesses).

# SWOT analysis-current situation in the electoral system of the Kyrgyz Republic

|  |  |  |
| --- | --- | --- |
| **STRENGTHS**  | **WEAKNESSES**  | **CLUSTERING PROBLEMS** |
| **Legislation on elections**1. Conformity of the legislation with international electoral standards (UN, CIS, OSCE);2. Existing limitations of active and passive electoral rights to a certain extent comply with international principles and ways of their implementation;3. Bringing in line the regulatory legal base of the CEC of the KR in accordance with the legislation of the Kyrgyz Republic;4. Regulation through the NLA of the work of the information security system;5. Measures at the legislative level aimed at representation in the kenesh of women, PWD, national minorities;6. Elections to the city keneshes according to the proportional system;7. An affordable mechanism for the creation and registration of PP;8. Absence of artificial and formal barriers for the functioning of PP;9. Availability of NLAs that establish mandatory requirements for providing access of PWD to electoral districts**Electoral Model** 1. The use of a new electoral model using biometric voter identification technologies and automatic counting of votes in the process of elections and referendums in 2015-2017;
2. High assessment of the new electoral model by citizens, international and national observers;
3. Gradual strengthening of the trust of voters and participants in the electoral process in the country;
4. Measures to achieve transparency of the electoral process (openness of the voter list, accessible and transparent mechanism for filing complaints, monitoring and resolution of electoral disputes, transparency of vote counting, summing up the voting results, online publication of voting results for each polling station, scan-versions of the protocols on the voting results on the website);
5. Availabiliity of special equipment for PWD (magnifying glasses, Braille type) at the polling stations
6. Software and IT security;
7. Sufficient competitiveness of elections.

**Interaction of participants in the electoral process**17. Involvement of all participants in the electoral process in the reform process;18. Readiness of public authorities and local self-government bodies for further measures to improve the electoral legislation;19. Constructive experience and fruitful cooperation of the working group with the JK KR in the adoption of bills aimed at improving the electoral legislation;20. Close interaction of the EC system with state bodies, LSG, by introducing questionnaire reporting on the work done to assist in the preparation and organization of elections;21. Launch of new approaches to human resources management in the formation and training of election commissions at all levels (partially solved the problem of staff turnover and is working to improve the level of education of members of the IC and increase their potential);22. The introduction of the system of remuneration to members of election commissions;23. Establishment of direct communication between the CEC and EC at all levels;24. International cooperation and coordination with partners;25. Activation and interaction of local keneshes;26. The transparency of the work of a number of local councils (Bishkek City Council, Osh City Council);27. The existence of a number of rules providing for the responsibility of IC for a number of violations;28. Improving the application of rules on prosecution (bribery, ballot stuffing);29. Existence of stable political parties (PP) | **Voting Rights****Active law****1.** Problems related to voter lists: the transfer from the SRS to the CEC of the KR, the need to increase the period for clarifying voter lists, the lack of legal responsibility for providing applicants with inauthentic information related to inclusion in voter lists;2. Incomplete voter lists. Not all potential voters were registered based on biometric data in USPR;3. Lack of registration of voters - PWD, the need for further measures to ensure the accessibility of polling stations, information and agitation materials for PWD;4. Problems related to the voting of certain categories of citizens (military personnel, voters at inpatient medical and preventive treatment institutions, personsin places of detention awaiting the court sentence);5. Lack of regulation of the issues of voting outside the polling station;6. Low level of citizens' participation in voting abroad.**Passive Law**1. Instability of lists of candidates from parties before and after the voting day, exclusion of women, youth, ethnic minorities and PWD from the list;
2. Formation of a list of candidates from political parties, depending on the preferences of the party leader and the financial condition of the candidates;
3. The absence of a mechanism for ensuring gender representation in the councils of AA. Steady decline in the representation of women in ayil keneshes;
4. Unsettled status of a “candidate” and “registered candiate” in the NLA. A gap in the legislation on the moment of termination of the status of the candidate and the emergence of the status of the candidate in the case of formation of a vacant place;
5. Absence of differentiation of requirements to candidates on criminal record depending on the type and severity of the committed crime;
6. Insufficient differentiation of requirements to candidates for deputies of all keneshes, heads of LSG bodies (experience, education, etc.).);
7. No requirements for candidates to declare their income and property;
8. No requirements on the electoral pledge in elections in local councils;
9. The ban on the nomination of candidates for deputies of local Keneshes heads of state or municipal enterprises, state or municipal institutions of education and health care, providing services to the population of the relevant ayil aimak or the city at the expense of the republican and local budgets, heads of social institutions (school principals, chief physicians, etc.);
10. Insufficient regulation of issues related to registration of candidates, grounds for cancellation and refusal of registration (candidacy (subscription) lists, electoral pledge, terms of electoral actions);
11. The influence of financial resources of candidates on the will of voters (the absence of spending limits from the election fund of candidates for the post of President of the Kyrgyz Republic, as well as an excessively high spending limit during the elections of deputies of the Kyrgyz Republic;
12. Lack of effective sanctions for violation of the procedure of election campaign financing
 | ***Electoral rights of the citizens*** |
| **Mechanisms for open and transparent elections. Informing voters and conducting pre-election campaigning**1. Wide access of voters to election programs of candidates and political parties;
2. Insufficient regulation of issues of campaigning activities, including in the media;
3. Lack of a clear separation of the concepts of “informing” and “information” material;
4. Unresolved issues of responsibility for the dissemination of false information (unfair competition);
5. Absence of differentiation of violations and types of responsibility of mass media, Internet publications;
6. Insufficient or imperfect forms of campaigning aimed at full provision of information about candidates, political parties, their program goals, which leads to obstacles in the formation of free, informed will (few debates, joint meetings of candidates with voters, access to programs candidates and political parties, etc.);
7. Absence of differentiation of violations and types of responsibility of mass media, Internet publications;
8. Excessive influence of financial resources on the will of voters;
9. Lack of awareness of voters during the inter-election period about the methods of their inclusion in the voter lists, their biometric identification, the work carried out to protect personal data, the systems used, etc.

**Legal culture**1. Insufficient level of awareness and legal culture of citizens of the Kyrgyz Republic about their electoral rights, knowledge of electoral legislation by the participants of the process;
2. Lack of educational programs on electoral processes, including bribery, voter lists, voting processes, the need to make an informed choice;
3. Influence of regional and clan interests on the will of voters;
4. Problems of introducing changes to the legislation (inconsistency, amendments on the eve of elections, lobbying when amending the legislation)
 | **Legal relations of the electoral process participants** |
| **Political parties**32. The acting law of the Kyrgyz Republic “On political parties” does not create conditions for the formation and functioning of viable and competitive political parties of parliamentary type;33. In accordance with the acting law of the Kyrgyz Republic “On political parties” a small number of citizens (10 citizens) can initiate the PP creation, which leads to the creation of a large number of PPs (227 PP), not carrying out activities aimed at achieving the goal of the PP, and not participating in elections of various levels;34. Non-disclosure of information on the activities of the PP, lack of accountability of the PP to the public, including non-transparency of funding (sources of origin of funds and expenditure) of political parties and candidates, including during elections;35. Weak development of parties as institutions for expressing the interests of certain groups of citizens;36. The lack of a clear ideological platforms;37. Lack of legislative mechanisms for party building and internal party procedures;38. Weak party work in the regions (during the elections of deputies of local councils, as well as in the inter-election period);39. Weak ties between parties and voters;40. Association of members of the party not based on ideology but on the basis of one person/leader (creation of PP is "the party of one man"), the dependence of the leader of the PP and PP from the most wealthy members of PP;41. Internal corruption in PP;42. No requirement to publish reports on the results of the audit of the financial activities of political parties during the election period;43. The need for measures to support the PP and stimulate party building. | **Political parties**  |
| **Responsibility for violations of electoral legislation**44. Imperfect mechanism of prevention, suppression of violations of electoral legislation and prosecution (anti-bribery or vote buying, administrative resource);1. Lack of a clear definition of the concepts of “administrative resource”, “bribery” in the NLA;
2. Unsettled issues of responsibility of candidates for concealment of information about the citizenship of another state, criminal record,
3. The absence of criminal and administrative responsibility in the legislation for a number of violations occurring in practice during the elections, the organization of the referendum;
4. Bringing to justice those responsible for violating the secrecy of the vote;
5. No liability for false information (statements) related to the list of voters with participation in voting;
6. No liability for intentional attempts (software and physical) to disrupt or falsify the data of electronic systems and equipment;
7. The absence of a mechanism of responsibility of the members for absence at sessions of local councils without good reason;
8. Lack of clear deadlines for submission of applications (complaints), appeals against decisions, as well as the beginning of their calculation;
9. Absence of the right of free movement of public observers, imperfect procedure of their accreditation;
10. The lack of legislative consolidation of mechanisms of interaction between the EC and law enforcement agencies and courts to resolve electoral disputes and suppress violations of electoral rights of citizens, electoral legislation.
 | **Responsibility of subjects of the election process** |
| **Organization of elections. Potential and effectiveness of EC**55. Lack of legislative consolidation of the principle of impartiality as one of the principles of the election commissions’ activity;56. Inadequate mechanism for protecting the rights of EC members; Inadequate term of office of members of territorial and precinct election commissions;57. Lack of financial resources for the technical equipment of the EC. Inadequate compliance of IT infrastructures in the field with modern requirements (absence of office equipment such as tablets, copiers, multifunction units on each site);58. The absence of a legislative ban on introducing changes to the electoral legislation on the eve of the upcoming elections;59. The multiplicity of unscheduled (early) elections of deputies of local keneshes and heads of LSGs, in connection with this, the dispersion of resources (financial, human and organizational);60. Imperfection of the mechanism of interaction between public authorities, local self-government bodies and the CEC of the KR during the organization and conduct of elections61. Insufficiency of security measures (information, cyber), etc.62. Insufficient level of public confidence in elections and procedures | **The organization and security of elections** |
| **OPPORTUNITIES**  | **RISKS/THREATS** |
| 1. Further improvement of electoral legislation in the Kyrgyz Republic;
2. Adoption of measures to ensure the conditions for the implementation of the electoral rights of PWD;
3. The use of modern ICT. Integration with the electronic management system “Taza koom” in order to improve the quality of voter lists, the process of identification of voters. Strengthening cybersecurity mechanisms;
4. Introduction of new standards of training in electoral law and certification of election Commission members from the CEC. Application of innovations in teaching methods and techniques;
5. The use of foreign experience in the effective use of financial resources in order to consistently reduce the cost of elections per capita;
6. Establishment of effective interaction of election commissions with the bodies of LSG in the organization of elections;
7. Optimization of the work of the CEC KR apparatus by means of ISO-9000 quality management system certification;
8. Bringing the norms of the new criminal code, the code of misconduct and violations into line;
9. Availability of a temporary resource for the analysis of NPA 1.
 | 1. Vote buying;
2. Use of administrative resources;
3. information security:
4. Hackers attacking the website;
5. Hacking of IES (information and electoral system);
6. Server breakdown;
7. Leaking of information from the CEC (access codes).
8. Dissemination of false information (within the country and from outside) on the functioning of the electoral system and the work of the CEC;
9. Opacity of funding (sources of funds) of political parties and candidates during elections;
10. Influence of regional and clan interests on the will of voters;
11. The threat of covert interference in the electoral process (by foreign countries and certain stakeholders);
12. Ignoring the electoral process by an overwhelming majority of voters;
13. Opportunities for sabotage of the EC during the election period by the engaged members of the EC;
14. Force majeure (natural disasters, earthquakes, floods, fires)
 |

**Strategic platform**

**Values**

Adherence to basic international standards and principles of electoral law is set in the Constitution of the Kyrgyz RepublicThus, the Constitution establishes:

1. The people of Kyrgyzstan are the bearers of sovereignty and the sole source of state power.

2. The people of Kyrgyzstan exercise their power directly in elections and referendums, as well as through the system of state and local self-government bodies on the basis of the Constitution and laws of the Kyrgyz Republic.

The Constitution further stipulates that elections are free and are held on the basis of universal, equal, direct suffrage by secret ballot.

The aim of this Strategy is the full implementation of the basic international principles of electoral law stipulated in the Constitution of the Kyrgyz Republic through the improvement of legal norms and mechanisms of electoral legislation, as well as the adoption of practical measures for their implementation.

The process of improving the electoral legislation will be based on the following values:

|  |  |
| --- | --- |
| Values | Definitions |
| Legality and Impartiality: | * Compliance with the legislation and exclusion of the possibility to influence personal interests, as well as the creation of equal conditions for all participants in the electoral process.
* Decisions are made by persons in the absence of their commitment to one of the possible options or to one of the parties interested in resolving the dispute.
 |
| Honesty and Trust: | * All participants in the electoral process are honest with the people, each other, civil society and partners.
* The electoral system and the election Commission enjoy the confidence and respect of the beneficiaries of the services and of civil society.
 |
| Openness and transparency | * Information on the activities of election commissions, state bodies and bodies of LSG, other organizations involved in the electoral process is open to the public.
* Citizens have access to information about the electoral process and procedures, their electoral rights, the possibility of use and control, as well as feedback mechanisms.
 |
| Independence and Competence: | * Decision-making by election commissions independently, without the influence or control of state bodies, political parties or third organizations.
* Availability of relevant knowledge and experience necessary for the effective operation of election commissions.
 |
| Inclusiveness (involvement) | * Ensuring that all participants in the electoral process have equal and unimpeded access to the exercise of their electoral rights.
* The ability of the electoral system as a whole to create maximum conditions for the access of all citizens to vote, free expression of will.
 |
| Responsiveness to the needs of participants in the electoral process: | * Taking into account the needs and constructive proposals of all participants in the electoral process.
 |
| Innovations: | * Improvement in the application of modern methods and technologies for the organization and modernization of the electoral process.
 |

# Mission

# Ensuring equal and unimpeded access of citizens of the Kyrgyz Republic to the exercise of their constitutional rights to elect and be elected, as well as creating conditions for citizens to express their free and informed will.

# Vision

A transparent and independent electoral system that creates conditions for open and fair electoral processes and provides equal opportunities in the implementation of active and passive electoral rights of citizens of the Kyrgyz Republic. The state shall respect the rights of its citizens to take part in the government of the country directly or through its representatives and shall work to create conditions for its implementation. Credibility of voters in elections is the basis of citizens' trust in elected institutions and officials.

**Strategic goals and tasks**

***Development of strategic tasks on the basis of the clustering of problems according to the SWOT analysis***

|  |  |
| --- | --- |
| **Strategic goals** | **Tasks** |
| **Strategic Goal №1.** **“Increasing the inclusiveness of the election process by improving the conditions for the full implementation of the active and passive electoral rights the of citizens, including women, youth, ethnic minorities, PWD, citizens of the Kyrgyz Republic, temporarily staying or living abroad, and other separate categories of citizens”** | * 1. ***Improving the conditions for the implementation of the active electoral right of the citizens of the Kyrgyz Republic***
	2. ***Improving the implementation of passive electoral rights of citizens of the Kyrgyz Republic***
	3. ***Improving the quality of elected bodies***
 |
| **Strategic Goal №2.** **Further improvement of mechanisms for open and competitive elections. Raising the level of legal culture and awareness of the electoral process participants”** | ***2.1. Improving the mechanisms of open and competitive elections. Improving the guarantee of equal rights for media coverage of election campaigns of candidates and political parties.******2.2. Improving the standard on the responsibility of candidates and the media for the dissemination of unreliable information (unfair competition) as a factor of influence on the freedom of expression of the will of citizens;******2.3. Improving the level of legal culture and awareness of the electoral process participants.*** |
| **Strategic Goal № 3. “Development of political parties of parliamentary type as institutions of expression and political realization of the interests of citizens and institutions for the formation of representative authorities”.** | ***3.1. Creating legal conditions for the development of political parties.******3.2. Ensuring the transparency of the activities of political parties*** |
| **Strategic Goal № 4. “Increasing the effectiveness of mechanisms for preventing and combating violations of electoral legislation. Improving the protection of electoral rights of citizens”** | ***4.1. Increasing the effectiveness of the fight against bribery and administrative resources as the main factors influencing the will of the voters******4.2. Imposing effective sanctions for other violations during the elections, identification of (new) composition of violations encountered in practice in the legislation******4.3. Improving the procedure for investigation of complaints of violations during elections, the procedure for electoral disputes settlement***  |
| **Strategic task 5****“Improving the organization of elections. Improving the capacity and efficiency of the EC, improving the interaction of state bodies and LSG bodies with the election commissions in the preparation and holding elections”** | ***5.1. Ensuring stability and unification of legislation regulating the electoral process******5.2. Increasing the capacity of election commissions, improving the technological support of elections******5.3. Improving the interaction of state bodies and LSG bodies, election commissions in the preparation and holding of elections, ensuring the security of elections*** |

**Setting tasks and planning activities**

**Strategic Goal №1.**

**“Increasing the inclusiveness of the election process by improving the conditions for the full implementation of the active and passive electoral rights the of citizens, including women, youth, ethnic minorities, PWD, citizens of the Kyrgyz Republic, temporarily staying or living abroad, and other separate categories of citizens”**

**Task 1.1. Improving the conditions for the implementation of the active electoral right of the Kyrgyz Republic citizens**

The source of the formation of the list of voters is USPR, which automatically identifies persons who are of legal age and over, who have passed the biometric data, with the transfer of the list to the CEC KR and “Tizme” - the joint information portal of the CEC KR and SRS under the GKR. The portal functions in the regime of regular updating, it contains data on voters in the context of sites, cities, regions and the republic as a whole, as well as statistics for data analysis, feedback service and reflection of the history of movements.

As of 15 October 2017, 3 137 595 citizens passed the biometric registration, of which 3 025 770 were included in the voter lists for the presidential election of the Kyrgyz Republic (the remaining 111 825 people (3.56%), did not reach the age of 18). Increase dynamics of those included in the voters list is as follows:

|  |  |
| --- | --- |
| * in 2015 (parliamentary elections)
* in 2016 (referendum)
* in 2017 (presidential election)
 | - 2 761 297 voters, - 2 851 952 voters, - 3 025 770 voters. |

The increase in the number of voters included in the lists for participation in the presidential election of the Kyrgyz Republic in 2017, compared with the list formed for the election of deputies of the JK KR in 2015, were 264,473 people or 10% of the growth. With the efforts made by the Government and the CEC KR, only **for the period from January to October 2017 the number of voters increased by 173,818 citizens**.

Therein, on 15 October 2017, voter turnout for the presidential election was 1,704,614 citizens of Kyrgyzstan, or 56.34% of the total 3,025,770 included in the voter lists of citizens (excluding canceled electoral districts)[[3]](#footnote-3).

On 4 October 2015, voter turnout for the parliamentary elections was 1,589,479 citizens or 57.56% of the total number of citizens included in the voter lists. Although voter turnout in 2017 is less than in 2015, in total **in 2017, 108 389 more people participated in elections than in 2015.**

**However, as of June 2018, the difference in the number of voters included in the lists (3 110 681), from the number of citizens holding valid passports at the age of 18 and over (3 877 527), is 766 846 people [[4]](#footnote-4).**

**This makes it necessary to take effective measures to improve the inclusiveness (involvement)** **of citizens in the election process. The analysis of the data showed the need to work on the involvement of certain categories of citizens in the electoral process, as well as the need to improve the general conditions and procedures for citizens' access to vote, improve the accessibility of voting for citizens with disabilities.**

**In this regard, it is necessary:**

- to transfer the functions on verification the voter list from the SRS under the GKR to the CEC KR, upon completion of the USRP database formation and full operation of the interagency data exchange system “Tunduk”. To solve the issues of identification and authentication of citizens when submitting applications as a basis for expanding the possibilities of filing applications of citizens-not only in the PEC, but also in other points (information centers, Public Service Centers). Increase the period for updating voter lists;

- to introduce mandatory accountability of certain categories of citizens through the legislative and regulatory legal assignment of the obligation of relevant state bodies to regularly (at least twice a year) provide information on quantitative and qualitative data. It should be noted that during the preparation of the presidential elections this practice was started, data were received on PWD, which are grouped in so-called “cards of needs” for the PEC, which, together with local authorities, allowed developing a good mechanism for improving PWD involvement in the electoral process;

- to ensure the availability of electoral districts (according to the results of monitoring of electoral districts, only one third of electoral districts are equipped with ramp, of which only 10% correspond to the current building codes and regulations of the Kyrgyz Republic). At the same time, the CEC KR in cooperation with the Government has started implementation of the PEC accessibility plan by distributing tasks among the relevant state bodies, taking into account the location of PEC in the buildings of educational, cultural and administrative institutions;

- to expand the list of reasonable excuses and categories of citizens who have the right to vote outside the premises (for example, citizens working on a rotational basis at mining enterprises);

- to increase the number of electoral districts for voting abroad, expand the information campaign, continue the practice of working with associations of citizens temporarily staying abroad.

**Task 1.2. Improving the implementation of passive electoral rights of citizens of the Kyrgyz Republic**

There is a lack of participation of women, ethnic minorities, and PWD as candidates for elections. Thus, over the last decade, the share of women in local keneshs has decreased from 24% to 11%. Total number of deputies is - deputies, including men-7,456, women-928. There are no mechanisms to ensure their representation in the aiyl keneshes.

Legislative unsettledness of the procedure for filling a vacant mandate leads to a violation of quota requirements for lists of candidates from parties before and after the voting day, results in the elution of women, youth, ethnic minorities and PWD from the list of candidates and legal disputes about the legality of de-listing.

**In this regard, it is necessary:**

- To implement mechanisms to ensure the stability of the list of candidates for deputies from political parties in local elections.

- To implement mechanisms of guaranteed minimum representation of women in the composition of aiyl keneshes and establish the procedure for transferring the mandate of a deputy of a city kenesh, in case of early termination of the powers of a female deputy to female candidates, and taking into account the low activity of women themselves, to implement a set of information and educational activities to increase the participation of women in elections.

**Task 1.3. Improving the quality of elected bodies**

Citizens' trust in elected institutions directly depends on the qualitative composition of deputies of keneshes and relevant officials, on the level of their competence and responsibility. Analysis of the nature of citizens' complaints during the elections, as well as the results of public discussions on the improvement of the electoral system, which were conducted in all regions of the country, pointed the need to increase the requirements for candidates at elections of all levels, responsibility and accountability of political parties and deputies of local keneshes, for providing unreliable information for the purpose of registration and election. At the same time, it is necessary to improve equal legal conditions for candidates at all stages of the electoral process.

**In this regard, it is necessary:**

- to eliminate conflicts and gaps in legislation related to the moment and conditions for the emergence of the status of the candidate, the terms of registration, the cancellation of registration, the timing of entering the electoral deposit, the opening of the electoral fund, etc..;

- in order to create equal legal conditions, establish the upper threshold for the number of signatures of citizens submitted to the CEC KR in support of a candidate for the President of the Kyrgyz Republic (not more than 1.5 times), and to improve the procedure for their verification;

- to implement differentiation of the time limits for the passive right of candidates of all levels, depending on the severity and nature of the previously committed crimes;

- to establish measures of responsibility for concealing or granting by the candidate for the purpose of election of unreliable information (on citizenship, on criminal record);

- to establish the mandatory publication of information on the incomes of the candidate and close relatives in the information of the CEC KR for the voters, to impose a requirement for the absence of foreign accounts and assets;

- in order to reduce the influence of the financial factor on the will of citizens, to restore **the upper limit of expenses from the electoral fund** for candidates for the President of the Kyrgyz Republic, consider a reduction in such expenses in the election of deputies of the JK KR and clarify the sanctions for violations of the rules and procedure for financing the election campaign;

- to implement an **electoral pledge** for the candidates to the deputies of the aiyl keneshes (councils).

**Strategic Goal № 2. “Further improvement of mechanisms for open and competitive elections. Raising the level of legal culture and awareness of the electoral process participants”**

The electoral legislation of the Kyrgyz Republic regulates the procedure for informing voters and conducting election campaigning, in accordance with which voter information subjects and subjects conducting electoral campaigning are identified, as well as a requirement for the content of information materials and the procedure for conducting pre-election campaigning is set.

The main objective of informing voters and pre-election campaigning is the formation of a free, conscious choice (expression of will) by the voter. Insufficient information of voters during the election campaign, imperfection of the forms of campaigning, which do not contribute to citizens' information about candidates, political parties and their programmatic goals, is an obstacle to forming an informed choice among voters and does not contribute to improving healthy political competition.

To achieve the goal of further improving the mechanisms of open and competitive elections and raising the level of legal culture and awareness of the electoral process participants, it is necessary to solve the following Tasks.

**Task 2.1. Improving the mechanisms of open and competitive elections. Improving the guarantee of equal rights for media coverage of election campaigns of candidates and political parties.**

As part of the task, the electoral legislation of the Kyrgyz Republic should stipulate:

- Establishment of a clear delineation of the goals and content of voter information and election campaigning. Absence in the electoral legislation of the Kyrgyz Republic of a clear definition of informing voters leads to the emergence of electoral disputes, when the actions for informing voters are equated with the activities for the implementation of election campaigning and conversely;

- Increasing of free airtime, print and electronic space in the state media and online publications, to organize debates between candidates (political parties), as well as to establish a requirement to publish the electoral programs of candidates, political parties on the website of the CEC KR and / or information materials for electoral districts.

**Task 2.2. Improving the standard on the responsibility of candidates and the media for the dissemination of unreliable information (unfair competition) as a factor of influence on the freedom of expression of the will of citizens;**

As part of the task, the electoral legislation of the Kyrgyz Republic should stipulate:

- Establishment of a compulsory pretentious and pre-trial settlement of disputes arising from the dissemination of information that infringes the honor, dignity or business reputation of a candidate and / or the business reputation of a political party, as well as the duty of the media, Internet publications, at the request of the candidate, political parties grant the right to publish a free response to a publication defaming the honor, dignity and business reputation of a candidate, the business reputation of a political party, with the publication of the terms of publication for the media, Internet publications terms of publication;

- Dissemination of unreliable information about candidates, political parties during the election campaign, was one of the ways of unfair competition between candidates, political parties that significantly influenced the will of citizens;

- Implementation of differentiation of formulations and sanctions for violations of the rules of election campaigning by candidates, political parties, media and Internet publications (electoral responsibility - warning, deprivation of accreditation, etc.);

- Implementation of administrative responsibility and differentiation of types of violations of the rules for conducting pre-election campaigning by the participants in the electoral process and their responsibility (dissemination of inaccurate information, non-presentation of the right to publish a response or explanation free of charge, etc.).

Despite the existence of a legal basis for media freedom, the media space in the Kyrgyz Republic has repeatedly been pressured through complaints from citizens, officials, candidates, political parties demanding the cancellation of their accreditation, which in turn raises self-censorship in the media and, accordingly, lowers the rating of liberty of speech in the country.

During the election campaign, subjects of the electoral process are allowed to violate the procedure for conducting pre-election campaign, different in the degree of violation (minor, coarse, repeated), while in the current electoral legislation there is no differentiation of types of violations and sanctions, which can lead to the application of a sanction disproportionate to the violation committed and restriction of electoral rights.

**Task 2.3. Improve the level of legal culture and awareness of the electoral process participants.**

To implement the task, it is proposed to establish the Center for Civic Education by the CEC KR, in order to clarify and confirm the values of democracy and parliamentarism among citizens, to strengthen tolerance, to form an informed and responsible choice among voters, inform and educate citizens, members of the EC (with certification) and other subjects electoral process on the essence of the electoral process, on the status and powers of elected bodies and individuals, on candidates and political parties.

Improving the level of legal culture and awareness of citizens about their electoral rights, electoral legislation will increase citizens' understanding of the significance of the ongoing socio-political processes and their participation in them, and will ensure the stability of the electoral process. Informing citizens about the methods of including them in voter lists, the passage of biometric identification, and the ongoing work to protect personal data, the systems used will increase the confidence of citizens in the electoral system and the elections as a whole.

**Strategic Goal № 3. “Development of political parties of parliamentary type as institutions of expression and political realization of the interests of citizens and institutions for the formation of representative authorities”.**

Political parties are an important institution of democracy that implements the political will of a certain part of the population whose main task is to participate in the management of state affairs in the forms prescribed by law. Political parties must express the interests of the people and become an accelerator of the development of civil society.

Law “On political parties” of the Kyrgyz Republic dated 12 June 1999 does not create conditions for the formation and functioning of viable and competitive political parties that unite its members on the basis of ideology, and not on the basis of one person (the leader of a political party).

To achieve this strategic goal, the following Tasks are supposed to be accomplished:

**Task 3.1. Creating legal conditions for the development of political parties.**

To implement the task, it is necessary to develop and adopt a new version of the Law “On Political Parties” of the Kyrgyz Republic providing for unified requirements for the establishment of political parties, mechanisms for party building and inner-party procedures, forms of state support for political parties participating in elections and receiving a certain percentage of the votes.

Adoption of the new Law “On political parties” of the Kyrgyz Republic will create legislative conditions for the formation and development of political parties of parliamentary type.

**Task 3.2. Ensuring the transparency of the activities of political parties**

- Establishment of a transparent procedure for nominating / adopting decisions on candidates and lists of candidates, as well as the hierarchy of holding a congress on the nomination of candidates / lists of candidates (district, oblast, center);

- Establishment of requirements for the annual publication by political parties of reports on their activities to the public, including financial reports, as well as the introduction of rules aimed at disclosing the sources of origin of funds contributed to the electoral fund of political parties, political party expenditures during the election campaign.

In the process of nominating and approving the list of candidates from a political party, transparency of decision-making by the members of a political party should be ensured and inner-party corruption eliminated, as a result of which the influence of financial opportunities and other negative factors on the formation of the list of candidates from the political party and, in general, on the election campaign.

The rules for financing election campaigns must establish the obligation to disclose the sources of funding for election campaigns before voting day, publish detailed final reports on election revenues and expenditures, and the results of inspections of these reports, as well as a range of restrictive and proportionate sanctions for violating campaign financing rules.[[5]](#footnote-5)

**Strategic Goal № 4. Increasing the effectiveness of mechanisms for preventing and combating violations of electoral legislation. Improving the protection of electoral rights of citizens**

At present, the new electoral model introduced in the Kyrgyz Republic has made it possible to completely eradicate methods of vote rigging, such as mass ballot stuffing into the ballot box and the “carousel”. However, the issues of prosecution for bribing voters, use of an administrative resource, concealment of information by candidates about the citizenship of another state and other violations of the electoral law. The current electoral legislation also contains ambiguous wording regarding the terms of appeal against electoral actions of the subjects of the electoral process. These and other problems should be solved by introducing more precise changes to the existing regulatory legal acts and by creating real mechanisms and effective sanctions to stop violations and bring to justice those responsible.

***Task 4.1. Increasing the effectiveness of the fight against bribery and administrative resources as the main factors influencing the will of the voters***

The analysis of the law enforcement practice of the past elections and the current legislation shows that the main problem of bringing to responsibility the perpetrators for bribing votes is the imperfection of normative legal acts.

So, under the acting Criminal Procedure Code of the Kyrgyz Republic the cases of bribery are referred to cases of private prosecution. In turn, this creates problems for applicants and subjects of complaints about such violations, since the cases of private accusation as an applicant imply the voter who received money and other material assets as bribes and the subject of consideration of cases of this category are only the courts. The attribution of cases of bribery to cases of private prosecution caused serious concern for international observation missions [[6]](#footnote-6) and the local community.

A new Criminal Procedure Code of the Kyrgyz Republic shall enter into force since January 1, 2019, according to which cases on bribery of voters are referred to categories of public prosecution cases. However Article 192 “Bribery of votes of electors” considering just candidates, close relatives and representatives thereof as a perpetrator remained the same in a new version of the Kyrgyz Republic Criminal Code, which enters into force since January 1, 2019.

**In this connection, it is suggested that:**

- provisions for struggling against bribery of voters (composition, subjects, sanctions, private-public category of cases etc.) should be improved;

- responsibility of a person accepting material valuables as a remuneration for voting for a candidate or other assistance in election statutorily introduced;

As for applying administrative resource during elections, it should be noted that prohibitions available are ineffective and public sector employees are not protected from pressure and intimidation. At the same time, there is a real mechanism for bringing offenders to responsibility.

**In this context, it is suggested that there should be established clear restrictions and effective sanctions through:**

- introduction of clear definition of a concept and forms of administrative resource, provisions against using the same and on bearing responsibility for its application, into legislation on elections;

- introduction of effective measures of legal responsibility (particularly limitation of a right to hold certain positions) for using administrative resource.

***Task 4.2. Imposing effective sanctions for other violations during the elections, identification of (new) composition of violations encountered in practice in the legislation***

During the last presidential elections of the Kyrgyz Republic in 2017, a number of attempts to control wills of voters by violating the secret ballot (“voting control”) caused great concern of participants in the electoral process. By confirming its commitment to the universally recognized principles of electoral law, the Kyrgyz Republic is committed to secure secret voting as one of the fundamental principles. In order to effectively prevent violations of secret voting and to bring those responsible to responsibility, it is proposed to form separate article in the KR Criminal Code covering the essence of such violation.[[7]](#footnote-7) At the same time, in order to bring the current legislation of the Kyrgyz Republic in line with international standards, Articles of the electoral legislation on “Secret voting” should be amended.

One of the specific problems arising in the country is that candidates for elective posts conceal information about their citizenship in another state[[8]](#footnote-8), unexpunged or outstanding convictions. At the same time, legislation on elections provides for liability through de-registration of a candidate or early termination of powers of an elected person. Considering that the state incur expenses due to unfair actions of individual candidates (organization of new elections, paying salaries), and the image of both elected bodies and election commissions is affected, additional penalties should be introduced to prevent such actions by candidates.

It should also be noted that there are a number of gaps in the legislation of the Kyrgyz Republic governing the procedure for bringing citizens to responsibility for false reports on that they are included or not included in the voters’ list, and there are no sanctions for intentional attempts to disrupt electronic electoral systems and equipment.

**To solve these problems, it is proposed to:**

- improve the rules on legal liability for violation of the secrecy of voting;

- introduce administrative/criminal liability (particularly with the restriction of a right to hold certain positions) for concealing or providing of false information on whether a candidate has other citizenship, criminal records, etc. for being elected;

- introduce administrative liability of citizens for false information (statements) related to the voters’ list with participation in voting (due to the planned extending the time for itemizing the voters’ list and expanding the application forms for voting, as far as the inter-agency electronic data exchange system is introduced in the country);

- introduce sanctions for deliberate attempts (program and physical) to disrupt operation or falsify data of electronic systems and equipment used in the electoral process (IES Information Electoral System, “Tizme” voters’ portal).

***Task 4.3. Improving the procedure for investigation of complaints of violations during elections, the procedure for electoral disputes settlement***

In order to enforce participants’ right to vote in the electoral process, it is necessary to resolve issues related to the procedure for considering applications (complaints) during organization and conducting elections, a referendum.

Thus, the current electoral legislation contains ambiguous interpretations of time limits for appealing electoral actions[[9]](#footnote-9), there is not established the time for calculating the commencement of appealing period, there is no clarity in the competence of the EC and the courts in cases involving appeals against actions (inaction) of state and local government bodies that violate electoral rights[[10]](#footnote-10).

During organization of elections and electing the President of the Kyrgyz Republic in 2017, an electronic Register of Complaints was created on the website of the KR CEC, where information on all claims (complaints) received during the elections, how they were considered by the EC and courts was displayed online with scan-copies of claims (complaints), decisions taken and judicial acts. Besides it, participants in the electoral process had the opportunity to submit an application (complaint) online. Introduction of the Complaints Register was greatly recognized and supported by citizens and approved by the international community.[[11]](#footnote-11). It is proposed to consolidate positive results and statutorily provide for mandatory maintenance of the specified Registry.

**In this connection, it is suggested that:**

- legislative consolidation of the competence for considering complaints (PEC, TEC, KR CEC, courts), setting clear deadlines for filing applications (complaints), appealing decisions made, and also starting their calculation from the day after their receipt;

-establishment of clear deadlines (harmonization) for filing applications (complaints), appealing decisions made, and also beginning their calculation from the day after their receipt;

- legal confirmation of mandatory maintenance of the Complaints Register on the official website of the KR CEC. Strengthening the complaints mechanism at all levels of commissions and interaction of the KR CEC with lower-level commissions (deadlines, procedure for consideration of complaints and filing the same by lower-level commissions to the KR CEC for publication).

In 2017, the Constitutional Law of the Kyrgyz Republic “On electing the President of the Kyrgyz Republic and deputies of the Jogorku Kenesh of the Kyrgyz Republic” was greatly amended, particularly there was introduced a new “public observer” concept. Restriction on a right to free movement introduced with that was perceived negatively. A new accreditation process, although simplified at most by the KR CEC, caused problems for a number of public observers with accreditation in the EC.

**In this regard, taking into account the importance of civilian control and monitoring of the electoral process, it is proposed** to replace the procedure for accrediting public observers to registration, as well as to provide public observers with a right to move freely between polling stations.

The practice of elections of deputies of local councils held in 2016, the referendum, and presidential elections in 2017 showed the effectiveness of establishment of **Coordination Rapid Response Groups** at the central, regional and district levels, which included members of the EC and law enforcement agencies. These response groups made it possible to quickly and promptly resolve emerging electoral disputes and effectively prevent violations, as well as constantly inform citizens about the process and measures taken to protect their rights.

**In this connection, it is suggested that:**

- coordination and interaction of the KR CEC and law enforcement agencies, the courts should be improved to resolve electoral disputes and prevent infringing electoral rights of citizens, electoral legislation. Determination of the procedure for working the **Coordination Rapid Response Groups** (CRRG- out of representatives of the EC, the Ministry of the Interior Affairs, the Prosecutor’s Office, the State Committee for National Security of the Kyrgyz Republic, mass media) at all levels: republican, regional, district.

**Strategic goal No.5.**

**“Improve preparation of elections. Improving the capacity and effectiveness of the EC, improving interaction of state bodies and local self-government bodies with election commissions during preparation and holding of elections”**

**Task 5.1. Ensuring stability and unification of legislation regulating the election process**

For a lawful and stable holding of elections, legal conditions being stable for doing so is very important. When the electoral system was reformed in 2014-17, amending the legislation shortly before certain elections was justified by the goal of introducing a new electoral model in elections of all levels, as well as by the need to eliminate the shortcomings of the first-time tested procedures.

Considering that the main stage of the reform was completed, **it is necessary to prohibit further revision of fundamental elements of electoral laws, in particular, those governing the electoral system itself and the basic standards for implementation of electoral rights of citizens less than a year before the elections.**

Short-term pre-election law changes shall negatively affect the electoral process, because they affect the quality of preparation and holding of elections, and most importantly, they worsen the awareness and understanding of new rules by election participants, and may cause a decrease in the electoral activity of citizens.

Amendments proposed in the framework of this Strategy are aimed at improving the electoral legislation, taking into account the results of the electoral cycle carried out according to the new model, ensuring the sustainability of the positive achievements of the reform and eliminating the shortcomings of the electoral law and process. Amendments are recommended to be made no later than autumn 2019 so that to establish clear rules and carry out work on informing and explaining to voters, candidates and other participants in the electoral process about all new norms a year before the start of the next election cycle.

The same goals are pursued by the work on **unification of legislation on elections of various levels and a referendum** as regards basic procedures for forming the voters’ list, participation in voting, vote tabulation, informing and campaigning during elections, the procedure for appealing violated rights, etc. This work has been partially carried out in the reforming and new technologies introduction process; it should be completed to make participation in elections of any levels to be clear and simple for citizens.

To improve preparation and planning of elections, to optimize state budget expenditures, it is proposed to introduce two single voting days in elections of deputies of local councils - in spring and autumn of each year. The present measure is expected to have positive effect on planning the work and quality of activity of **local self-government bodies**.

**Task 5.2. Improving the potential of election commissions, improving technical support for elections**

In order to improve the professionalism of members of election commissions, to improve the sustainability of the composition of commissions and performance under the conditions of a new election procedure, it is proposed to extend the terms of office thereof from 2 to 4 years. At the same time, it is necessary to introduce this change, coupled with new approaches in training, which involves carrying out full “contact” training at the beginning of work, and then annual e-learning and annual certification. These measures will help strengthen the capacity of election organizers, ensure the continuity of effective practices of previous elections, and also systematically reduce the costs of training and organizing the EC work.

The KR CEC will develop comprehensive instructions for the TECs and PECs on all electoral procedures, including e-learning based on the existing platform (provided by the OSCE, developed by the International Foundation for Electoral Systems). In addition, the KR CEC will develop internal provisions to verify and monitor compliance with minimum quality standards and competence of all members of commissions.

During the 2015-2017 election cycle, the IES system (Information Electoral System) is used to compile and display the voting results. In 2017, the Law of the Kyrgyz Republic “On e-governance” was adopted, which establishes the rules and regulations for using electronic control systems for government bodies. In the current inter-election period, the IES shall pass certification and audit as a part of this Law, measures are being undertaken to introduce the IES into the State Register of Electronic Control Systems, to include the IES in the Tunduk system.

As far as the “Tunduk” interdepartmental electronic data exchange system is implemented, citizens will enjoy more opportunities to obtain information related to elections, to rights of voters and candidates, how to voting, campaigning, to activities of elected bodies, etc. All this creates a good basis for expanding informational opportunities for citizens, for creating new databases (for example, in conjunction with the GALG&IER and SRS under the KR Government - for LSG bodies).There will be introduced user-specific services: “Voter’s Cabinet”, “Candidate’s Cabinet” etc., which will provide more opportunities for filing official statements and documents for registration in electronic mode and format.

To expand e-services and access to information for citizens, it is necessary to address the issues of accurate identification and authentication of applicants. This will require to improve technical support used in particular for identification of citizens when they apply to the EC.

Technological effectiveness of the election process in Kyrgyzstan requires taking effective measures to ensure cyber security. Ensuring cyber security in the country within the framework of the country’s digitization program will reduce the costs of government agencies using e-governance systems, including of the KR CEC.

**Task 5.3. Improving cooperation of state bodies and local self-government bodies, election commissions during preparation and holding of elections, ensuring the security of elections**

State bodies and LSG bodies, being directly involved in the electoral process, are obliged to ensure the legitimacy of elections, contribute to exercising of electoral rights by citizens.

In this regard, it is necessary to introduce a clear regulation of the procedure for interaction, coordination and limits of authorities of state bodies and local self-government bodies in the electoral process. The schemes and procedures for interaction between the EC and law enforcement agencies that were used in practice will be enshrined in a regulatory manner to ensure the security and legality of elections.

**Task 5.4. Introducing norms and practices of compulsory regular measuring public confidence in the electoral system**

One of the important indicators of the attitude of citizens to political processes is their confidence in ongoing electoral processes and participants, which further reflect confidence in the election results and in the elected bodies and individuals.

In this regard, it is necessary to introduce and conduct mandatory and regular measurement of the level of public confidence in the electoral system.

**EXPECTED RESULTS OF IMPLEMENTING THE STRATEGY**

**Combination of proposed legislative amendments and organizational and practical measures to improve the election process should bring the following results**

* increase voters’ list inclusiveness;
* increase in actual voters;
* reduction of electoral disputes related to dissemination of false information about candidates, political parties;
* increase of positive perception of citizens to political parties (based on survey results);
* reduction of expenses for organization of election campaign (the result is calculated exclusive of remuneration of EC members);
* increase in citizens’ confidence level;

# Goals and tasks tree

# Goals and tasks tree to improve the electoral system of the Kyrgyz Republic



**Action Plan to achieve the tasks of the Strategy**

| Serial No. | **Measures** | **Expected results** | **Implementation period (adoption of RLA)** | **Executives in charge** | **Register of RLA****Practical measures** |
| --- | --- | --- | --- | --- | --- |
| **1.** | **Strategic goal No.1.** **“Increasing the inclusiveness of the electoral process by improving conditions for full exercising of active and passive electoral rights of citizens, including women, youth, ethnic minorities, disabled people, Kyrgyz citizens temporarily staying or living abroad, and other individual categories of citizens”** |
| **1 1.** | **Task 1.1. To improve the conditions for exercising active electoral right by the Kyrgyz Republic citizens** |
|  | **Voters' list:**When (re) formation of the Unified State Population Register (SSPR), which is the basis for automatic formation of voter lists, the main set of actions to clarify the voters’ list, as well as identification of voters, shall be transferred from the SRS under the KRG to the KR CEC, where new order of interaction between the KR CEC and SRS under the KRG will be detailed. | Improving the implementation of active electoral rights. | 2019 –2020 | KR CECJK KRSRS under the KRG | Making amendments in laws of the Kyrgyz Republic and by-laws as regards clear designation of SSPR as the basis of the voters’ list, as regards terms, competence and interaction of the SRS under the KR Government and the KR CEC:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 14, 15, 16);2. The Constitutional Law of the Kyrgyz Republic “On the Referendum of the Kyrgyz Republic” (Article 30) (Article 13-17 of CL);3. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 12, 13). |
|  | **Voters’ list:** Gradual expansion of the period of clarification of the voters’ lists depending on the degree of formation and strengthening the “Tunduk” interdepartmental data exchange system and related extension of opportunities of filing (points). Providing a format for authentic identification of applicants (personal filing, identification during filing, authentication). Introduction of legal responsibility for provision of false information by applicants related to inclusion thereof in the voters’ list. | Improving exercising of active electoral right, improving inclusiveness of the voters’ list. | 2019 –2020 | KR CECJK KRKR GovernmentSRS under the KRG | Amending the laws:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 14, 15, 16);2. The Constitutional Law of the Kyrgyz Republic “On the Referendum of the Kyrgyz Republic” (Article 13-17 of CL);3. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 12, 13). |
|  | **PWD:** Making election precincts accessible for disabled people (access to election precincts, assistance of local self-government bodies in provision of a transport, admission of sign language interpreter etc.) | Creation of barrier-free environment for disabled people at the election precinct;Increase in disabled people taking part in elections; | The second half of 2018 - first half of 2019 | KR CECKR GovernmentKR MLSDLSGB | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 29);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 29).3. The Constitutional Law of the Kyrgyz Republic “On the Referendum of the Kyrgyz Republic” (Article 30); |
|  | **PWD and other certain categories of citizens** Improving cooperation of state bodies in enforcing the rights of citizens with disabilities: introduction of registration of voters with disabilities through standards on compulsory providing of information on the number of voters with disabilities, patients in hospitals, etc. on the relevant territory (in view of TEC, PEC), formation of a “needs map” together with local self-government bodies for voters with disabilities in the context of the PEC (for taking measures to participate in voting) to the EC (twice a year) by territorial subdivisions of authorized state bodies in the field of social development and health care. | Availability of quantitative and qualitative data on voters with disabilities who need special conditions for voting in the context of election precincts. | The second half of 2018 - first half of 2019 | KR CECJK KRKR GovernmentKR MLSDKR MHLSGB | Amending: 1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 14);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 12).3. The Constitutional Law of the Kyrgyz Republic “On the Referendum of the Kyrgyz Republic”; |
|  | **PWD:** Providing voters with disabilities with access to information and propaganda materials (preparation of information and propaganda materials in the audio format (on digital media), using of sign language translation or subtitling in television broadcasting of news releases and thematic programs, etc.) through introduction of norms on the mandatory nature of specified formats, as well as the use of special bulletins made in Braille font, magnifying loupes, “call buttons”, etc. | Increased coverage of information and election campaigning of voters with disabilities;Contribution to deliberate will expression of disabled people and publicity of elections; | The second half of 2018 - first half of 2019 | KR CECJK KRKR GovernmentKR MLSD | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 22);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 22).3. The Constitutional Law of the Kyrgyz Republic “On the Referendum of the Kyrgyz Republic” (Chapter 4); |
|  | **Citizens temporary being in abroad:** Increase in the number of election precincts abroad by changing their **establishment order**; Foresee the possibility of establishment of election precincts beyond the Kyrgyz Republic on the territory of the honorary consul’s consular district at the suggestion of the KR MIA as agreed with the host state. | Creation of conditions for exercising active election right of KR citizens being abroad;Increase in number of KR citizens abroad going to the polls; | The second half of 2018 - first half of 2019 | KR CECJK KRKR GovernmentKR MIASMS under the KRG | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 2.13);2. The Constitutional Law of the Kyrgyz Republic “On the Referendum of the Kyrgyz Republic” (Article 3); |
|  | **Citizens temporary being in abroad:** Conducting a special information campaign abroad in order to encourage citizens of the Kyrgyz Republic temporarily residing and staying outside the Kyrgyz Republic to participate in elections and referendums. Creation of a special interdepartmental group to coordinate work on this category of voters; | Creating conditions for exercising active electoral right of this category of citizens, increasing in those participating in elections; | on a permanent basis | KR CECKR MIASMS under the KRG | **Voters abroad:** To conduct information work abroad with a view to encourage citizens of the Kyrgyz Republic living and staying outside the Kyrgyz Republic to pass biometric registration, to register for consular registration and to participate in elections and referendums. |
|  | Encouraging Kyrgyz Republic citizens to actively pass biometric registration in foreign institutions;Establishment of biometric data collection points at airports, railway stations, car stations, including from citizens of the Kyrgyz Republic who are leaving the country. | Creating the conditions for increasing the number of citizens who have passed biometric data; | The second half of 2018 | KR CECJK KRKR GovernmentSRS under the KRG | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 14);2. Provision of the KR CEC “On the procedure of voting by certain categories of citizens” |
|  | Bring the legislation of the KR on elections in line with international standards on limiting active and passive electoral rights only in relation to persons convicted under a court sentence. | Guarantee for exercising of electoral rights by imprisoned citizens without a court sentence; | The second half of 2018 | KR CECJK KRKR MIANOMS under the KRG | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 3);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 3). |
|  | **Certain categories of citizens:**Enabling servicemen, voters who are in inpatient medical and preventive treatment institutions on election day to take part in voting through improved registration and reduction the 12-day period for providing information, as well as through information measures; | Guarantee for exercising active electoral rights; | The first half of 2019 | KR CECJK KRKR MLSDKR Central Command of Armed ForcesNOMS under the KRGKR MHKR MJ | Amending the Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 14); |
|  | **Certain categories of citizens:**Making amendments providing for expansion the list of valid reasons for voting outdoors (employees of DIA, people working on a rotational basis, under house arrest, etc.); | Exercising active electoral right by citizens who do not have the opportunity to vote on election day at a polling station. | The second half of 2018 | KR CECJK KRKR GovernmentKR MIAKR Central Command of Armed ForcesKR GPO | Amending the laws:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 14, 33);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 12, 33).3. The Constitutional Law of the Kyrgyz Republic “On the Referendum of the Kyrgyz Republic” (Article 33); |
|  | **Voters’ list:** Carrying out an information campaign to activate citizens’ registration on the basis of biometric data, on the procedure for inclusion and clarification of voters’ lists; | Increase in citizens who have passed biometric registration; | on a permanent basis | KR CECKR GovernmentSRS under the KRGLSGB | Carrying out an information campaign; |
| **1.2** | **Task 1.2. To improve exercising of passive electoral right by the Kyrgyz Republic citizens** |
| 1.2.1. | Ensuring the stability of the list of candidates for deputies from the AR before and after voting (changing the order, excluding from the list of candidates only if there is personal application or a notarized application for withdrawing from the list of candidates, changing the order delivered by an authorized person,).*Unification of the norms of local and parliamentary level of elections in this aspect;* | Correspondence of voting results to will expression of votersDecrease in electoral disputes | The second half of 2018 | KR CECKR MLSDSAYPES under KRGGALGIER under KRG | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 61, 65);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 51, 54). |
| 1.2.2 | **Women in local councils:**Creation of a mechanism for guaranteed minimum representation of women in village councils through the reservation of 30% of mandates for women; | Protection of women’s rights | The second half of 2019 | KR CECJK KR | Amending the Kyrgyz Republic Law “On election of deputies of local councils” |
| 1.2.3. | **Women in local councils:**Establishment of the procedure for delegating the mandate of a city council deputy, when the powers of a local council deputy are terminated ahead of schedule according to the following principle: when a woman withdraws, the mandate shall be delegated to a next listed woman, and when a man withdraws - to a next listed man. *Unification of the norms of local and parliamentary level of elections in this aspect;* | Preservation gender quotas after voting | The second half of 2018 | KR CECJK KR | Amending the Kyrgyz Republic Law “On election of deputies of local councils” (Article 52) |
| 1.2.4. | Encouraging active participation of women, youth, disabled people in elections as a candidate through additional **legal, institutional and educational initiatives**; | Improve representativeness of women, youth, disabled people in elective state agencies; | On a permanent basis | KR CECKR GovernmentLSGB | Practical measures |
| **1 3.** | **Task 1.3. To improve the quality of elected bodies** |
| 1.3.1. | **Requirements to candidates:**1. Elimination of conflicts and gaps related to the moment and conditions for origination of a candidate, registered candidate’s status, its termination, grounds for refusal and cancellation of a candidate’s registration; Besides it, establishment of the moment of termination of a candidate’s status and the occurrence of the specified status in case of a vacancy.(Distinguish between a **candidate** (nominated) **and a registered candidate** (*from the moment of nomination a candidate must fulfill a number of legal requirements for being registered as a candidate*). Clearly establish that **a candidate’s rights protected by law shall appear after the candidate passes registration**; | Elimination of conflicts and gaps in the legislation | The second half of 2018 | KR CECJK KR | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 21);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 17). |
| 1.3.2. | **Requirements to candidates of all election levels:**1. Establishing differentiation of requirements to candidates concerning the record of conviction depending on the type and severity of committed crime

2. Establishment of education related requirement: for candidates nominating for deputies of local councils - secondary or secondary special; for candidates nominating for deputies of the KR JK- the highest; | Improving the quality of elected bodies | The second half of 2018 | KR CECJK KR | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 1, 21, 53, 46,50, 51, 52, 53, 61);2. The Kyrgyz Republic Law “On election of deputies of local councils” (add Article 3-1); |
| 1.3.3. | **Requirements to candidates for presidency and deputy of the KR JK**Making a candidate obliged to provide information about his income and that of his close relatives and publish the same in the KR CEC information for voters.Establishing the requirement to elected candidate concerning absence of foreign accounts and assets; | Increase voters’ confidence in elections; | The second half of 2018 | KR CECJK KR | Amending the Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 50, 53); |
| 1.3.4. | **Requirements to candidates for local councils**:- introduction of an electoral deposit for candidates for village council’s deputies;- repealing of a ban on nomination of heads of the state or municipal educational and healthcare institutions for deputies of local councils, when such institutions provide services to the population of the respective rural district or city at the expense of the republican and local budgets. | Improving the quality of elected local self-government bodies | The second half of 2018 | KR CECJK KR | Amending:1. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 3, 50, adding Article 3-1);2. The Kyrgyz Republic Law “On local self-government” (Article 24);3. The Kyrgyz Republic Law “On the status of deputies of local councils” (Article 3); |
| 1.3.5. | Clear definition of the deadline for submission documents for registration (exclusion of collisions), as well as providing a legislative framework for mandatory submission of a document on payment of electoral deposit when submitting signature lists at Kyrgyz Republic presidential elections, and in case of elections of deputies of the Kyrgyz Republic Parliament and local councils - when filing documents for registration; | Elimination of collisions, better regulation of the procedure for nominating and registering candidates; | The second half of 2018 | KR CECJK KR | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 53, 65);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 51, 53, 60). |
| 1.3.6. | Establishment of the upper threshold for the number of submitted subscription lists and the requirement for double sampling; Introduction of the concept of “authorized persons to collect subscription lists” and introduction of differentiated responsibility for falsification of voters’ signatures in support of nomination of a candidate, the initiative of holding a referendum; | Reducing the impact of financial resources on the will of voters;Ensuring equal opportunity of candidates; | The first half of 2019 | KR CECJK KR | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 52);2. KR CC (Article 195) |
| 1.3.7. | Concrete definition of cases of returning the electoral deposit, particularly in case of refusal to register a candidate, refusal of the candidate from further participation in elections before approval of the voting card text; | Specification norms, reduction of electoral disputes; | The second half of 2018 - first half of 2019 | KR CECJK KR | Amending the Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 53, 61); |
| 1.3.8. | Establishment of ceiling amount of expenses from the election fund of candidates for presidency of the Kyrgyz Republic as well as reduction the ceiling amount of expenses from the election fund of PP during electing KR Parliament deputies.Specification of sanctions for violation of rules and financing procedure | Reducing the impact of financial resources on the will of voters; | The second half of 2018 - first half of 2019 | KR CECJK KR | Amending the Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 54, 62); |
| 1.3.9 | Establishment of responsibility of deputies of local councils for regular non-attending sessions of the local council without good excuse; | Increasing responsibility and accountability of deputies to electors; | The second half of 2018 | KR CECJK KR | Amending:1. The Kyrgyz Republic Law “On the status of deputies of local councils”;2. The Kyrgyz Republic Law “On election of deputies of local councils”; |
|  | **Strategic goal No.2.****“Further improvement of mechanisms of open and competitive elections. Raising the level of legal culture and awareness of the electoral process participants”** |
| **2.1.** | **Task 2.1. Improve mechanisms of open and competitive elections. Improve guarantees for the provision of equal rights for covering election campaigns of candidates and political parties by media.** |
| 2.1.1. | **Voters’ awareness raising and pre-election campaigning**Establishment of the concept “information material and clarification of the concept “voters’ awareness raising”; | Legislative dividing of the procedure for voters’ awareness raising and pre-election campaigning; | The second half of 2018 - first half of 2019 | KR CECJK KR | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 22);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 22). |
| 2.1.2. | Establishment of requirements for publication of election programs of candidates for presidency of the Kyrgyz Republic and programs of political parties in elections to the KR JK on the KR CEC website and (or) information materials thereof for voting stations; | Conscious choice of voters; | In the course of elections; | KR CECJK KR | KR CEC RLA |
| 2.1.3. | **Pre-election campaigning**Increase in the volume of debates between candidates (political parties), free air time on channels of state TV and radio organizations, increase in free print space in state-run periodical print media, and electronic space in state-run Internet publications;The procedure for organizing and conducting debates shall be established by the KR CEC. | Ensuring that voters will obtain task information about candidates, political parties and their programs, and promote their informed intent; | The second half of 2018 | KR CECJK KR | Amending the Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 24, 25); |
| 2.1.4. | **Pre-election campaigning** Formalize in legislation the duties of election commissions and local self-government bodies on organization of *joint* activities of candidates and political parties; Holding local elections; | Granting equal rights and opportunities to candidates and political parties during election campaigning; | The second half of 2018 | KR CECLSGB | Amending the Kyrgyz Republic Law “On election of deputies of local councils” (Article 26) |
| **2.2.** | **Task 2.2. Improve the rules on the responsibility of candidates and the media for dissemination of false information (unfair competition) as a factor affecting the freedom of expression of citizens** |
| 2.1.2. | Establishment of a mandatory procedure for pre-trial settlement of disputes arising in connection with the dissemination of information that infringe the honor, dignity or business reputation of a candidate and/or a PP;Obliging the media, Internet publications at the request of a candidate, political parties to publish **free of charge**, provide the opportunity (right) to respond to publications discrediting the honor, dignity and business reputation of candidates, PP with the establishment of deadlines for media and Internet publications; | Guaranteeing the right of candidates, political parties to refute or provide explanation on false information published about them; | The second half of 2018 | KR CECJK KR | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 28);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 28). |
| 2.2.2. | **Pre-election campaigning** Introduction:1. Differentiation of compositions and sanctions for violation of rules for conducting campaigning by candidates, political parties, the media and online publications (elective responsibility - warning, deprivation of accreditation, etc.)2. Administrative responsibility and differentiation of types of violation of rules for conducting pre-election campaigning by participants of the electoral process and their responsibility (distribution of unauthentic, false messages (black PR, preventing from publishing a refutation or providing explanation, etc.) | Reducing the number of violations of election campaigning rules by participants of the electoral processSettlement of election disputes | The first half of 2019 | KR CECJK KRKR MJ | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 22, 27, 28);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 22, 27, 28).3. The Kyrgyz Republic Code on Violations (Article 44);4. KR CEC RLA |
| **2 3.** | **Task 2.3. Raising the level of legal culture and awareness of the electoral process participants** |
| 2.1.3. | Establishment of a Center for Civic Education by the KR CEC for explaining and confirming the values of democracy and parliamentary government among citizens, strengthening tolerance, forming conscious and responsible choice among voters, informing and educating citizens, members of EC and other actors about the nature of the electoral process, the status and powers of elected bodies and individuals, about candidates and political parties, etc. | Improving the level of legal culture, participants of the electoral process, the stability of the electoral process  | The second half of 2018 | KR CECKR Government | Amending the Law of the Kyrgyz Republic “On election commissions”Practical measures |
| 2.3.2. | Development and implementation of a wide range of information and training programs (publications, audio and video formats) for specific electoral stakeholders (voters, candidates, parties, media, observers) under the aegis of the Center for Civic Education and on an electronic platform, including with certification of members of PEC  | Improving citizens’ awareness and understanding of social and political processes | The second half of 2018 - first half of 2019 | KR CECKR Government |  |
| 2.3.3. | Creation of public platforms under the aegis of the Center for discussion of various issues, holding meetings of citizens, youth sessions, political parties, deputies of local councils for sharing experiences, etc. | Improving opportunities for broad public dialogue | On a permanent basis | KR CECKR Government |  |
| ***3*** | **Strategic goal No.3. “Development of parliamentary type political parties as institutions expressing and politically pursuing interests of citizens and institutions in formation of representative government authorities”** |
| **3 1.** | **Task 3.1. Creating legal conditions for development of political parties** |
| 3.1.1. | Development of a new version of the Law of the Kyrgyz Republic “On political parties” providing for uniform requirements for establishment of a PP | Creating conditions for formation and functioning of viable and competitive political parties of parliamentary type | The second half of 2018 - first half of 2019 | KR CECJK KRKR MJKR GovernmentRG | Amended Law of the Kyrgyz Republic “On Political Parties” |
| 3.1.2. | Development of the form of state support for political parties participating in elections and receiving a certain percentage of votes in the amended Law of the Kyrgyz Republic “On political parties” | Support and development of PP enjoying support of voters | The second half of 2018 - first half of 2019 | KR CECJK KRKR MJKR GovernmentRG | Amended Law of the Kyrgyz Republic “On Political Parties” |
| 3.1.3. | Providing for requirements to candidates no to belong to another PP during electing deputies to the KR JK*Harmonization of legislation* | Stable communication between the deputy and PP | The second half of 2018 - first half of 2019 | KR CECJK KR | Amending the Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 61); |
| 3.1.4. | Preventing PPs registered at least 6 months before elections date from participating in elections | Stability and sustainable development of a PP | The second half of 2018 - first half of 2019 | KR CECJK KR | Amending the Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 61);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 53). |
| 3.1.5. | Conducting a nationwide forum of political parties to discuss the prospects and ways of developing political parties and actively involve them in the electoral process | Development of a set of measures aimed at enhancing the participation of political parties in elections at the national and local levels, considering what the political parties think | The second half of 2018 | KR CECRG |  |
| **3 2.** | **Task 3.2. Ensuring the transparency of activities of political parties** |
| 3.1.2. | Establishing a transparent procedure for nominating / making decisions on candidates and lists of candidates, as well as the hierarchy of the congress on the nomination of candidates/list of candidates (district, region, center) | Transparency | Within 2019 | KR CECJK KR | Draft Law of the Kyrgyz Republic “On Political Parties” |
| 3.2.2 | Establishment of requirements for annual publication of reports on their activities to the public, including **financial statements** by political parties | Transparency of the activities of political parties, including on financing issues | The second half of 2018 - first half of 2019 | KR CECJK KRKR MJSTS under the KRG | Draft Law of the Kyrgyz Republic “On Political Parties” |
| 3.2.3. | Development of RLA aimed at disclosing the sources of origin of funds deposited to the electoral fund of political parties, expenditures of political parties **during the election campaign** | Compliance with the international obligation to ensure transparency (UN Convention against Corruption).Achievement of transparency of sources forming election funds of political parties, as well as expenses of political parties during the election period.Reducing the impact of financial resources on the formation of a list of candidates from PP and in general on the election campaign | The second half of 2018 - first half of 2019 | KR CECJK KRKR MJSFIS under the KRGSTS under the KRGKR GPO | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 41, 42);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 15).3. Draft Law of the Kyrgyz Republic “On Political Parties” |
| 4.2.3. | Establishment of a norm on mandatory, periodic publication of reports on results of auditing the financial activity of political parties during the election period in the KRG of the KR CEC. | Making financial activities of a PP more transparent during the election period | The second half of 2018 - first half of 2019 | KR CECJK KRKR MJSTS under the KRGKR GPO | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 42);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 16); |
| 3.2.5. | Establishing the responsibility of political parties if they have no publications on their activities and reporting; | Transparency of activities of PP;Reducing the impact of financial resources on the election campaigning of PP; | The second half of 2018 - first half of 2019 | KR CECJK KRKR MJSTS under the KRG | Amendments to the Code of Violations of the Kyrgyz Republic; |
|  | **Strategic goal No.4.****“Making mechanisms for preventing and combating violations of electoral legislation more effective. Improving the protection of citizens’ electoral rights”** |
| **4 1.** | **Task 4.1. Making the fight against bribery and administrative resources more effective as main factors influencing the will expression of voters** |
| 4.1.1. | Improving norms on bribery of voters (composition, subjects, sanctions, private-public category of cases etc.);  | Reducing the impact of bribery on the free will of voters;Creation of conditions for effective struggle against bribery and bringing guilty persons to responsibility | The second half of 2018 - first half of 2019 | KR CECJK KRKR SCKR GPOKR MIAKR MJ | Amending the criminal and criminal procedure legislation |
| 4.2.1. | Legislative introduction of responsibility of a person accepting material valuables as a remuneration for voting for a candidate or other assistance in election; | Increase in “detectability of violations”, decrease in the number of bribery facts in the course of elections due to bringing “beneficiaries” of bribery to responsibility and the associated formation of negative public perceptions | The second half of 2018 - first half of 2019 | KR CECJK KRKR SCKR GPOKR MIA | Amendments to the Code of Violations of the Kyrgyz Republic; |
| 4.1.3. | Expansion of the practice of application of administrative responsibility for certain violations of legislation by territorial election commissions, clarification of the composition of administrative violations encountered in practice, introduction of parties preparing protocol of the KR CEC into the circle; | Improving the effectiveness of the fight against violations during the elections, improving the observance of legality during elections and protecting the electoral rights of citizens; | The first half of 2019 | KR CECJK KRGPOMIA | Amendments to the Code of Violations of the Kyrgyz Republic;Improvement of RLA of KR CEC on the procedure for bringing (drawing up a protocol, etc.) to responsibility; |
| 4.1.4. | Introduction of clear definition of a concept and forms of administrative resource, provisions against using the same and on bearing responsibility for its application, into legislation on elections; | Creating conditions for combating administrative resources and their influence on the free will of voters; | The first half of 2019 | KR CECJK KRKR GPOKR MIAKR MJ | Introduction of a special article “Inadmissibility of using the advantages of official or official position during the electoral process” into laws:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 21-1);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 17-1). |
| 4.1.5. | Introduction of effective measures of legal responsibility (particularly limitation of a right to hold certain positions) for using administrative resource; | Prevention of using administrative resourcesBringing offenders to responsibility  | The first half of 2019 | KR CECJK KRKR GPOKR MIAKR MJ | The Kyrgyz Republic Code on Violations (Article 44-1); |
| **4 2.** | **Task 4.2. Imposing effective sanctions for other violations during the elections, identification of (new) composition of violations encountered in practice in the legislation**  |
| 4.1.2. | Improving the rules on legal liability for violation of the **secrecy of voting**; | Strengthening secret voting guarantees and free will; | The second half of 2018 - first half of 2019 | KR CECJK KR | Amending: 1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 6);2. The Kyrgyz Republic Code on Violations (Article 191); |
| 4.2.2. | Introduce administrative/criminal liability (particularly with the restriction of a right to hold certain positions) for concealing or providing of false information on whether a candidate has other citizenship, criminal records, etc. for being elected; | Improving the quality performance of elected bodies and officials; | The second half of 2018 - first half of 2019 | KR CECJK KRKR GPOKR MIAKR MJ | Amending:1. KR CC;2. The Kyrgyz Republic Code on Violations; |
| 4.2.3. | Introduce administrative liability of citizens for false information (statements) related to the voters’ list with participation in voting (due to the planned extending the time for itemizing the voters’ list and expanding the application forms for voting, **as far as the inter-agency electronic data exchange system is introduced in the country**); | Improve the legal culture of the process; | The second half of 2018 - first half of 2019 | KR CECJK KR | Amendments to the Code of Violations of the Kyrgyz Republic; |
| 4.2.4. | Introduce sanctions for deliberate attempts (program and physical) to disrupt operation or falsify data of electronic systems and equipment used in the electoral process (IES Information Electoral System, “Tizme” voters’ portal); | Data protection, ensuring cyber security; | The first half of 2019 | KR CECJK KR | Amending:1. KR CC;2. The Kyrgyz Republic Code on Violations; |
| **4 3.** | **Task 4.3. Improving the procedure for investigation of complaints of violations during elections, the procedure for electoral disputes settlement**  |
| 4.1.3. | Legislative consolidation of the competence for considering complaints (PEC, TEC, KR CEC, courts), setting clear deadlines for filing applications (complaints), appealing decisions made, and also starting their calculation from the day after their receipt; | Improving the observance of law, security and public order during elections; Protecting the rights of citizens, increasing transparency and trust; | The first half of 2019 | KR CECJK KRKR SC | Amending:The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 44, 45);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 42, 43). |
| 4.2.3. | **Deadlines for appealing and considering**Establishment of clear deadlines (harmonization) for filing applications (complaints), appealing decisions made, and also beginning their calculation from the day after their receipt;Throughout the text of the KR Constitutional Law “On electing the President of the KR and Deputies of the Jogorku Kenesh” and the Law of the KR “On electing deputies of local councils” replace the concept of “participant of the electoral process” with the “electoral subject”; | Exercising rights of participants of the electoral process to appeal decisions and (or) actions (inaction) of the EC that violate the electoral rights of electoral subjects;A single terminology in the laws on elections and in the APC of the Kyrgyz Republic | The second half of 2018 | KR CECKR SCJK KR | Amending:The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (parts 7, 9 of Article 44);2. The Kyrgyz Republic Law “On election of deputies of local councils” (parts 8, 10 of Article 42).3. Administrative procedural code of the Kyrgyz Republic |
| 4.3.3. | Legal confirmation of mandatory maintenance of the Complaints Register on the official website of the KR CEC.Consolidation of the complaints mechanism at all levels of commissions and interaction of the KR CEC with lower-level commissions (deadlines, procedure for consideration of complaints and filing the same by lower-level commissions to the KR CEC for publication). | Public online displaying of all complaints and applications received by the election commissions and measures taken on them;Making activities of commissions and the level of public confidence in the electoral process more transparent; | The secondhalf of 2018 | KR CECJK KR | Amending the Kyrgyz Republic Law “On election commissions for holding of elections and referendums of the Kyrgyz Republic” (Article 7, 23); |
| 4.3.4. | Replacing the concept of “accreditation of public observers” with “registration of public observers”, as well as granting the right to public observers for free movement. | Securing guarantees of observers’ rights;Implementation of recommendations of international observers; | The second half of 2018 | KR CECJK KR | Amending the Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 10-1); |
| 4.3.5. | Improving coordination and interaction of the KR CEC and law enforcement agencies, the courts should be improved to resolve electoral disputes and prevent infringing electoral rights of citizens, electoral legislation; Determination of the procedure for working the **Coordination Rapid Response Groups** (CRRG- out of representatives of the EC, the Ministry of the Interior Affairs, the Prosecutor’s Office, the State Committee for National Security of the Kyrgyz Republic, mass media) at all levels: republican, regional, district. | Improving the observance of law, security and public order during elections; Protecting the rights of citizens, increasing transparency and trust; | The second half of 2018 - first half of 2019 | KR CECKR GovernmentKR SCKR GPOKR MIA | Amending the Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 43); |
| **5.** | **Strategic goal No.5.** **“Improve preparation of elections. Improving the capacity and effectiveness of the EC, cooperation of state bodies and local self-government bodies with election commissions during preparation and holding of elections”** |
| **5 1.** | **Task 5.1. Stability and unification of legislation regulating the election process** |
| 5.1.1. | Legislative restriction of making amendments to the legislation on elections for a period not later than one year before the forthcoming elections; | Provision of stable legislation before elections, improvement of preparation and conduct of elections, participation of all electoral subjects in elections; | The second half of 2018 | KR CECJK KR | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 67);2. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 63). |
| 5.1.2. | Making all amendments to the electoral law only based on the broad public and expert discussion; | The validity of proposed amendments, confidence in electoral process; | On a permanent basis | KR CECJK KR | Practical implementation of existing norms on obligingness of information and explanatory activities concerning socially significant decisions; |
| 3.1.5. | Establishment of a “single voting day” in elections of deputies to local councils in spring and autumn; At the same time, in the year of the presidential or parliamentary elections, voting in local elections will be combined with the day of voting in elections of the President or the deputies of the Jogorku Kenesh; | Improve planning and preparation of elections;Optimization of financial, institutional and human resources for preparation and holding of elections; | The second half of 2018 | KR CECJK KR | Amending the Kyrgyz Republic Law “On election of deputies of local councils” (Article 4)Approval of a clear procedure for tallying of votes by the KR CEC if the voting day is combined at elections of different levels; |
| 5.1.4. | Unification of all procedural rules on participation in voting, tallying and publication of voting results and results of elections and referendum (voters’ lists, identification procedures, voting procedures, counting of votes in PECs, TECs, etc.). | Improving election transparency, increasing confidence; | The second half of 2018 - first half of 2019 | KR CECJK KR | Amending: 1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic”;2. The Constitutional Law of the Kyrgyz Republic “On the Referendum”;3. The Kyrgyz Republic Law “On election of deputies of local councils”;4. The Kyrgyz Republic Law “On the status of a Deputy of the Jogorku Kenesh of the Kyrgyz Republic”;5. The Kyrgyz Republic Law “On the status of deputies of local councils”; |
| **5.2.** | **Task 5.2. Improving the potential of election commissions, improving technical support for elections** |
| 5.2.1. | Inclusion of the principle of impartiality as one of the guiding principles of the activities of election commissions; | Strengthening the neutral and independent status of election commissions, strengthening confidence; Bringing legislation in line with international standards; | The second half of 2018 | KR CECJK KR | Amending the Kyrgyz Republic Law “On election commissions for holding of elections and referendums of the Kyrgyz Republic” (Article 3); |
| 5.2.2. | Increasing the term of office of EC members from 2 to 4 years;Restoration of the norm on preservation of the average monthly salary by members of the EC at the main place of work during the election period: - President - 4 months; - deputies of the KR JK- 3 months;- local elections –3 months; | Building the competence and sustainability of election commissions;Cutting state budget expenses for training of new EC; Providing social guarantees for EC activities; | The second half of 2018 | KR CECJK KR | Amending the Kyrgyz Republic Law “On election commissions for holding of elections and referendums of the Kyrgyz Republic” (part 4 of Article 22 and part 1 of Article 19). |
| 5.2.3. | Introduction of new training standards and annual certification of PEC and TEC members, particularly by using the electronic platform for training and certification of EC members. | Improving professional skills and knowledge of EC members of the right to vote and process; Reducing training costs | The second half of 2018 - first half of 2019 | KR CEC | Amending the Kyrgyz Republic Law “On election commissions for holding of elections and referendums of the Kyrgyz Republic” (Article 23); |
| 4.2.5. | Establishment of a unified procedure for summarizing the voting results in the respective territory by territorial election commissions; | Uniform transparent practice of vote counting; | The second half of 2018 - first half of 2019 | KR CECJK KR | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic” (Article 36);2. The Constitutional Law of the Kyrgyz Republic “On the Referendum”;3. The Kyrgyz Republic Law “On election of deputies of local councils” (Article 17).4. KR CEC RLA |
| 5.2.5. | Introduction of the permanent training courses practice by the Center for Civic Education with certification for **candidates for members of election commissions**, observers from candidates and political parties; | Enhancement of the competence of members of the EC, reducing violations when working with ACS, counting of votes and compiling reports on voting results; | The second half of 2018 - first half of 2019 | KR CEC | Amending:1. The Kyrgyz Republic Law “On election commissions for holding of elections and referendums of the Kyrgyz Republic” (Article 23); 2. KR CEC RLA |
| 5.2.6. | Improvement of electronic programs used for conducting elections and referendum according to what the election process’s needs are, improving the display and application system for voters (”Tizme” voters’ list portal, election information portal – **Electoral** **Information System** (EIS), electronic registry of complaints, PEC map , etc.), with increase of its functionality and electronic interaction with voters, introduction of user services, a voter, candidate room, etc on the CEC website;  | Increase transparency and credibility, improve the process of voting and tally of votes;Expansion of opportunities for citizens to receive information, as well as to submit documents to the KR CEC in electronic format; | The second half of 2019 | KR CECKR GovernmentSRS under the KRG | KR CEC RLARLA of KRG |
| 5.2.7. | Improving the technical support of elections - automated control systems, compact devices for voters identification and e-learning, and coordination of activities of PECs, TECs; | Improving the organization of elections, technical support of elections; | The second half of 2019 | KR CECKR GovernmentSRS under the KRGKR SCITC | Amending the Kyrgyz Republic Law “On election commissions for holding of elections and referendums of the Kyrgyz Republic” (Article 7, 23); |
| 8.2.5. | Introduction of EIS into the State Register of electronic control systems, certification and audit, inclusion of EIS in the “Tunduk” inter-agency data exchange system (IADES), creation of joint information databases based on the IADES (for instance with GALGIER under the KRG and SRS under the KRG for LGB etc.); | Improving the legal and practical basis for using new technologies in the electoral process;Expansion of citizens’ opportunities for obtaining information; | The second half of 2019 | KR CECKR GovernmentKR SCITCGALGIER under KRG | RLA of KRG KR CEC RLA |
| 5.2.9. | Ensuring safe and reliable application of new technologies in the electoral process (within the framework of national and special (CEC) measures on cyber security); | Election stability, confidence building; | The second half of 2019 | KR CECKR GovernmentSRS under the KRGKR SCITCKR SCNS | KR CEC RLARLA of KRG |
| **5 3.** | **Task 5.3. Improving cooperation of state bodies and local self-government bodies, election commissions during preparation and holding of elections, ensuring the security of elections** |
| 5.1.3. | Regulation of the interaction procedure and limits of authorities of state bodies and local self-government bodies in the process of assisting election commissions to **prepare and conduct elections** (approving the procedure for interaction and coordination of actions, conducting training), developing interaction schemes within the framework of the inter-ministerial Headquarters for assisting in elections at all levels (PEC, TEC , KR CEC), including on the exchange of information on the criminal record and citizenship of candidates; | Improving the implementation of citizens’ electoral rights, the quality of election organization, cost optimization, reducing the impact of administrative resources, confidence-building; | The second half of 2019 | KR CECKR GovernmentGALGIER under KRGKR MJ | Amending:1. The Kyrgyz Republic Law “On election commissions for holding of elections and referendums of the Kyrgyz Republic” (Article 3);2. RLA of KRG3. KR CEC RLA |
| **5 4.** | **Task 5.4. Introducing norms and practices of compulsory regular measuring public confidence in the electoral system** |
| 5.4.1 | Introduction of mandatory and regular measurement of the level of public confidence in the electoral system (unified methodology); | Availability of mechanisms for identification the level of public confidence in the electoral system of the Kyrgyz Republic; | The second half of 2019 | KR CECJK KR | Amending:1. The Constitutional Law of the Kyrgyz Republic “On electing the President and Deputies of the Jogorku Kenesh of the Kyrgyz Republic”;2. The Constitutional Law of the Kyrgyz Republic “On the Referendum”;3. The Kyrgyz Republic Law “On election of deputies of local councils”; |
| 5.4.2 | Conducting regular and mandatory measurements of the level of public confidence in the electoral system of the Kyrgyz Republic; | Establishment of the level of voters’ confidence in the electoral system of the KR; | On a permanent basis | KR CEC - organizer |  |

# Mechanism for monitoring the strategy implementation

A very important step in achieving the goals and tasks of the Strategy for Improving the Electoral System of the Kyrgyz Republic for 2018-2020 is a Strategy monitoring system, which is also part of the change management system.

When the Strategy is approved, the authorized body should be identified for the NSSD, which will coordinate the Strategy implementation monitoring process. In order to implement the monitoring process in all government bodies involved in the implementation of the Strategy, responsible persons/departments should be appointed to send reports on implementation of the Strategy activities in the supervised area to the authorized body on a periodic basis. By analyzing the reports received from the state bodies, the authorized body will generate a consolidated report on a periodic basis, which will be provided to members of the NSSD.

Thus, the monitoring system will create a sustainable mechanism to monitor the progress of the implementation of the Action Plan of the Strategy. Undoubtedly, both positive and negative processes and factors can be identified due to monitoring the implementation of the Strategy, which, in turn, may require amendments to the Strategy, action plans and additional financing.

The main objects and tools of the monitoring system will be the ***Action Plan, Expected results***, which have relevant sections in this Strategy.

All stakeholders who participated in the development of this Strategy should create all conditions for successful monitoring of the Strategy implementation. At the same time, specialists authorized to carry out monitoring will be trained to formulate and select indicators, handle information and analyze the same. They will have full authority to request all the necessary information for monitoring and evaluation from all involved state and municipal authorities.

# Risks management

When implementing the Strategy to improve the electoral system of the Kyrgyz Republic for the years 2018-2020, risks may appear that may affect the implementation of the Strategy and achievement of the stated results. Risk management can be defined as follows:

* *risk management in the electoral system of the Kyrgyz Republic is a process carried out by all stakeholders, including the CEC of the Kyrgyz Republic, and responsible members of the district and territorial election commissions involved in the process of developing and implementing the Strategy;*
* *risk management is aimed at the decision-making process for those events that can adversely affect the organization itself and hamper the implementation of the Strategy and achievement of the set goals.*

While implementing the Strategy, there may appear risks of not achieving the stated goals and outcomes. In this regard, the following preventive steps and actions will need to be taken:

|  |  |
| --- | --- |
| **External environment risks** | **Preventive actions** |
| 1. Bribery of voters
 | 1. See the Task 4.1 and Measures from 4.1.1 to 4.1.4;
2. Extensive involvement of all stakeholders, groups, civil society and public discussion about the inadmissibility and prevention of bribery of voters;
3. Strengthening the accountability mechanisms of individuals involved in the process of bribing voters and considering an integrated approach to improving the legal culture of citizens;
 |
| 1. Non-transparency in financing the activities of political parties and candidates in the course of elections can lead to a bribery of voters.
 | 1. See the Task 3.2 and Measures from 3.2.1 to 3.2.4; as well as the Task 4.1 and Measures from 4.1.1 to 4.1.4;
2. Extensive involvement of all stakeholders, groups, civil society and public discussion about the inadmissibility and prevention of bribery of voters;
 |
| 1. Deterioration of the socio-economic situation in the country may lead to the incomplete implementation of the goals and Taks set in the SRIS for 2018-2020.
 |  |
| 1. Corrupt practices
 | Analysis and identification of possible corruption schemes |
| 1. Duration of the procedure for coordination and approval of necessary regulatory legal acts may cause delay in achieving the goals and tasks set forth in the SRIS for 2018-2020.
 | 1. Improve effectiveness of interaction between state bodies and LSGs upon preparing draft RLAs for improvement of the electoral system;
2. Clear definition of authorities responsible for each issue of organization of the election process and fixing the scope and liability in relevant regulatory legal acts;
3. A detailed review of the RLA implementation mechanisms at the stage of their development and close coordination of adopted acts with the authorities responsible for their implementation.
 |
| 1. Distribution of false information (inside and outside the country) on the functioning of the electoral system and the work of the CEC of the Kyrgyz Republic.
 | See the Task 2.3 and Measures from 2.3.1 – 2.3.2; |
| 1. Interference of political organizations and departments with the activities of the KR CEC;
 | Consolidation of measures of administrative and criminal responsibility in relevant laws and regulations if legal entities and individuals interfere with activities of the CEC of the Kyrgyz Republic and with the electoral process. |
| 1. The influence of regional and clan interests on the will expression of voters;
 | See the Task 2.4 and Measures 2.4.3; |
| 1. The threat of covert interference in the electoral process (from foreign countries and certain stakeholders);
 | Improve the effectiveness of interaction between relevant state bodies to prevent interference with the election process by foreign countries. |
| 1. Information security:
* Hackers attack on the site;
* Hacking into EIS (Electoral information system);
* Server breakdown;
* Information leakage from the CEC of the Kyrgyz Republic (access codes);
 | 1) Improve information security measures, usage of modern anti-hacker software; 2) Tight and daily monitoring of the server and access codes; |
| 1. The majority of voters ignore the election process.
 | Joint broad and integrated efforts of state and public organizations to create an environment conducive to the participation of all categories of voters in elections; |
| 1. Opportunities to sabotage the work of the CEC of the Kyrgyz Republic during the election period by committed members thereof;
 | 1) Application of the Law “On civil service” of the Kyrgyz Republic; 2) Signing the Ethics Code of Conduct by the members of the KR CEC;3) Strengthening the status and potential of the KR CEC as an independent and impartial body through educational and awareness-raising measures; |
| 1. Political instability in the country and further deterioration of the country’s image;
 | Extensive public discussion and involvement of all stakeholders and groups of citizens in implementation and evaluation of the ongoing reform; |
| 1. Force majeure (natural disasters, earthquakes, floods, fires);
 |  |

Budget for implementation the Strategy;

Sources of funding for introduction and implementation of the Strategy will be:

* state budget within approved expenditures for government agencies involved;
* programs and projects of external technical and financial donor assistance;
* sponsor support and other eligible legal sources acting on legal bases;
1. The report of the delegation of the parliamentary Assembly of the Council of Europe on the observation of parliamentary elections in Kyrgyzstan in 2015; the OSCE/ODIHR Election Observation Mission Final report on parliamentary elections in 2015; the OSCE/ODIHR Election Observation Mission Final report on presidential election in 2017; the Conclusion of a group of observers of the Interparliamentary Assembly of States — participants of the Commonwealth of Independent States during the presidential election of the Kyrgyz Republic on October 15, 2017; Statement by the Observation Mission of the Shanghai Cooperation (SCO) Organization on the follow-up to the preparations for and conduct of the presidential election in the Kyrgyz Republic on 15 October 2017; Joint opinion of the Venice Commission and OSCE / ODIHR on the draft law “On elections in the Kyrgyz Republic” as of 2014. [↑](#footnote-ref-1)
2. Rport on the results of independent observation of the presidential elections as of 2017, PF “Center for Media Development" Media monitoring during the election campaign, by the PF “Adilet”. [↑](#footnote-ref-2)
3. According to the Resolution of the CEC KR No. 524 dated 25 October 2017, when forming the summary table and the "On the Results of the Elections of the President of the Kyrgyz Republic" protocol, the exclusion of data on 8 electoral districts was taken into account, the results of voting on which were declared invalid, and according to the protocol "1. The total number of voters included in the voter lists was 3 014 434 voters. 2. The number of voters who participated in the voting in the elections of the President of the Kyrgyz Republic on 15 October 2017 - 1 697 868, which makes up 56.32% of the total number of voters included in the voter lists. [↑](#footnote-ref-3)
4. *The third public analytical report on activities aimed at increasing the inclusiveness of citizens in electoral processes was published on the websites of the CEC, SRS on 15 February 2018. «https://grs.gov.kg/kg/reports/» and «https://www.shailoo.gov.kg/ru/news/2080/».* [↑](#footnote-ref-4)
5. *Final Report of the OSCE / ODIHR Election Observation Mission for 2015 during Parliamentary elections, final report of the OSCE / ODIHR Election Observation Mission for 2015 during Presidential election.* [↑](#footnote-ref-5)
6. *The Final Report of the OSCE / ODIHR Observation Mission for the 2015 Parliamentary Elections, the Final Report of the OSCE / ODIHR Election Observation Mission for the 2017 Presidential Election indicates the need to consider the possibility of making vote buying a criminal offense subject to public prosecution* [↑](#footnote-ref-6)
7. *Currently, violation of secrecy of voting is one of the components of crime under Article 139 of the Criminal Code of the Kyrgyz Republic “Hindering from exercising electoral rights or the work of election commissions”.* [↑](#footnote-ref-7)
8. *On July 8, 2016, the Central Electoral Commission of the Kyrgyz Republic* [*issued a decree*](http://kaktus.media/doc/341257_cik_lishil_mandata_depytata_samatova_iz_za_rossiyskogo_grajdanstva.html)*on deprivation Zh.Samatova, the deputy of the “Respublika Ata-Jurt” faction, of the deputy’s seat in connection with his citizenship of the Russian Federation. On April 16, 2018, the CEC issued a decree on depriving D.Asylbek uulu, the deputy from the “Kyrgyzstan” Party in the Jogorku Kenesh of the Kyrgyz Republic, of the deputy’s seat in connection with the citizenship of the Republic of Kazakhstan* [↑](#footnote-ref-8)
9. *Part 7 of Article 44 of the Constitutional Law of the Kyrgyz Republic “On electing the President of the Kyrgyz Republic and deputies of the Parliament of the Kyrgyz Republic” establishes a 2-day appeal period; part 9 of the same article establishes a 3-day appeal period.* [↑](#footnote-ref-9)
10. *Parts 4,5,6 of Article 44 of the Constitutional Law of the Kyrgyz Republic “On electing the President of the Kyrgyz Republic and deputies of the Parliament of the Kyrgyz Republic” establish the jurisdiction of electoral affairs of the EC, Article 15 of the Kyrgyz Republic APC provided for that cases related to appealing decisions, actions (inaction) of state authorities and LSGs shall be considered by inter-district courts.* [↑](#footnote-ref-10)
11. *Conclusion of a group of observers from the Interparliamentary Assembly of Member-States of the Commonwealth of Independent States in electing the President of the Kyrgyz Republic on October 15, 2017,* the Final Report of the OSCE / ODIHR Election Observation Mission for the Presidential Election 2017 [↑](#footnote-ref-11)