



Final Report
Silba - Election Observation Mission
Bishkek, Kyrgyzstan
15.10.2017

EXECUTIVE SUMMARY

Silba – Initiative for Dialogue and Democracy – had the honour of conducting an accredited Election Observation Mission (EOM) for the Presidential Elections in the Kyrgyz Republic on 15.10.2017. Silba deployed 38 short-term observers (STOs) throughout the capital Bishkek. The STOs visited more than 110 polling stations throughout Bishkek, covering more than half of the polling stations in the capital. Silba did not observe the mobile voting taking place on 14.10.2017.

From 10.10.2017 until 14.10.2017, Silba's STOs followed an extensive programme of workshops, briefings, lectures and meetings, in order for the STOs to develop a broad understanding of contemporary Kyrgyzstan and the Presidential Elections in a wider context. Prior to the EOM, Silba's STOs had also passed the necessary OSCE training course in election observation guidelines. These trainings and meetings meant that Silba's STOs had an excessive knowledge of Kyrgyzstan and the current situation in the country at the time of deployment in the polling stations the whole day on 15.10.2017.

Silba's STOs were deployed in 13 different groups, consisting of two to three people, and were assisted by a hired Kyrgyz interpreter with English, Russian and Kyrgyz proficiency¹. Each group and their interpreter rotated among polling stations throughout the day, covering four different districts (*rayons*) in Bishkek: Pervomayskiy, Sverdlovskiy, Leninskiy, and Oktyabrskiy. Within the respective districts, each group had selected different polling stations in advance, ensuring that no polling station was visited twice. The STOs covered a total 112 polling stations.

ACCREDITATION

Silba faced problems receiving accreditation from the Kyrgyz authorities in the period leading up to the Elections, yet Silba finally did receive accreditation on 10.10.2017.

According to the Kyrgyz Electoral Code (latest amended July 2017), international observers can only receive accreditation upon invitation from the Central Commission on Elections and Referenda of the Kyrgyz Republic (CCER). Since July, meetings had been conducted in Bishkek between Silba's representative in the country, and the international cooperation department of the CCER, and the dialogue was positive and facilitative. Silba was issued an official invitation from CCER to observe on 05.09.2017, and was asked to submit its list of STOs for accreditation before 10.09.2017. Silba sent the list of 48 STOs on 08.09.2017, and on 09.09.2017, Silba was informed that the CCER would only accredit two observers – the rest were rejected. The CCER did not provide a reason for the rejection. Notably, there is in the Kyrgyz Electoral Code no restrictions on the amount of international observers to become accredited overall, as well as no limitation to the number of foreign observers per organisation to become accredited in the country. Further, Silba followed the deadline given by the CCER.

¹ In one case, it was reported that the hired interpreter was party-aligned and acted biased. The group became unconfident whether the interpreter actually translated correctly. This reported notion has been taken into account when analysing the contributions for this report from the STO-group in question.

One group did not have an interpreter.



Final Report
Silba - Election Observation Mission
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15.10.2017

Despite the rejection, Silba decided to go forward with the trip, at the same time as continuing to request accreditation of the full group. Silba utilised a number of diplomatic channels to receive support in this request. Finally, Silba was informed by CCER on 10.10.2017 that Silba's full group would become accredited. Following this, the cooperation with CCER was facilitative, positive and helpful. Silba gives its compliments to the CCER for its cooperation.

OPENING PROCEDURES

Silba has data from STOs following the opening procedures in 12 different polling stations. The data gathered by Silba's STOs suggested that the opening procedures were generally conducted in a transparent and organised way, with very little restriction on observers.

Half of the deployed groups reported that unauthorised people were present inside the polling stations – including law enforcement officials.

The opening procedures, however, happened without significant disruptions, and in a transparent and orderly manner, according to Silba's STOs.

GENERAL OBSERVATIONS

Silba's observers visited 112 polling stations throughout the election day. In these polling stations, 92.8% of the chairpersons were female. Among the polling stations, more than 90% were rated as "well performing". Further, it was reported that the biometric identification system predominantly was working well and efficiently. There were, however, a number of irregularities reported, which included unauthorised presence inside and outside the polling stations, violations of secrecy of the vote, allegations of vote buying, improper training of PSO staff, sporadic negative attitudes towards observers, and cases of family voting. These cases will be explained in detail in the following:

Unauthorised presence

There was a significant problem throughout the majority of the polling stations observed, with unauthorised personnel especially inside the polling stations – this problem was observed in roughly half of the polling stations. This included particularly law enforcement personnel². Another STO-group had photo-documented how a policeman sitting behind the main computer at the polling station, a stark violation of the proper democratic procedures. This presence also included numerous groups of "civil guards", wearing characteristic clothing and who were stationed outside numerous polling stations.

Violations of secrecy of the vote and allegations of vote buying

Further, almost all of Silba's STOs noted that the positioning of the booths in the room, and the layout of the booths themselves, made it problematic to ensure the secrecy of the vote, and often failed. According to the observations, voters did not mark their ballots in secrecy in more than 50% of the polling stations observed. Improper guarantee of the right of secrecy of the vote is a pillar in proper conduct of democratic practices. Not ensuring to assure the secrecy of the vote could lead to a number of issues, including intimidation of voters on the basis of their vote cast, vote buying, and low voter turnout.

² One STO-group stated that the police presence seemed to intimidate the voters.



Final Report
Silba - Election Observation Mission
Bishkek, Kyrgyzstan
15.10.2017

To Silba's STOs, allegations of vote buying was observed and reported by third-parties a number of times. The STOs linked this to the lack of secrecy in the voting process. Silba's STOs reported that there was excessive "note taking" inside and outside of polling stations. The individuals involved in the note taking wrote down the names of people who entered and exited the polling stations. Upon being asked by Silba's observers, some of the note-taking people stated that they worked for a political party, but refused to say which. They also stated that they were sent to check if people were voting, and to "motivate" citizens to do so. Further, domestic observers inside the polling stations were taking notes of votes given. This was possible, as they often were situated close to the ballot boxes, and as the secrecy of voting was hard to maintain, it was possible for them to document the votes given. This was also possible because many voters, as reported by Silba's STOs, intentionally showed their ballot to the people taking notes. Cases of vote-buying were also reported to Silba's STOs by citizens inside and outside polling stations, but there was no conclusive evidence to support their statements³.

PSO staff improperly trained

In almost 20% of the polling stations, it further was the impression of Silba's STOs that the polling station officials were not completely aware of the proper conduct of voting procedures, and were not trained properly. For instance, in one case, the PSO staff complained about the lack of training compared to previous elections.

Negative attitude towards observers

In less than 10% of the polling stations, the observers noted a negative attitude towards their presence. In two separate cases, Silba's observers were pushed by unauthorised people inside the polling stations. In one case, it was due to the STO blocking the view of a domestic observer, who was note-taking; documenting the votes given on a piece of paper. In the other case, it was in a polling station marked as "tense" and "chaotic", where unauthorised individuals acted threatening towards Silba's observers to the point that they felt forced to flee the polling station.

Biometric identification

In one case, it was noted that a member of the PSO used her own finger to make the fingerprint scanner reach the failed 10 attempts, as to use the facial recognition procedure instead. Mostly, however, the biometric system was reported as well functioning, and preventing voting carousels, and functioning mainly without technical difficulties.

Family voting

There were also significant amounts of family voting observed, occurring in almost 20% of the polling stations observed. In some cases, it was merely family members assisting each other, whereas in others it was reported by Silba's STOs as direct pressure exercised on the (female) voter by a (male) relative. This could be highlighting issues of gender equality in the voting process.

³ In one case, an STO from Silba, for instance, spotted a voter exiting the polling station, who spoke on the phone about money and voting. Subsequently, the voter was given a small white envelope in a back alley by unidentified male persons. However, there is no evidence as to conclusively link this to vote-buying.



Final Report
Silba - Election Observation Mission
Bishkek, Kyrgyzstan
15.10.2017

Unsealed ballot boxes

In almost 20% of the polling stations it was reported that the ballot boxes were not sealed, or were sealed improperly. The electronic registration system for the ballot boxes, however, could prevent large irregularities as a consequence of this, because each cast vote was scanned electronically – presumably later revealing any discrepancies.

Silba's observers thus observed that there were issues reported throughout a large number of polling stations in the Kyrgyz capital, especially related to the secrecy of the vote, through inadequately designed logistics inside the polling stations, allowing third persons to easily see the votes cast and link them to named individuals, leading to concerns of vote-buying. Besides the aforementioned rather serious issue of the lack of secrecy of the vote, the positive and proper conduct, including transparency and generally well-performing polling stations, together demonstrates a somewhat adequate conduct of the voting procedure during the day. However, Silba was also pleased to see female representation among PSO's, and notes that overall, the voting procedure was clear, transparent and overall fair, besides the mentioned issues.

Silba therefore concludes that the voting procedures throughout the day were conducted adequately, however with some serious violations related to the secrecy of the vote.

CLOSING PROCEDURES & COUNTING

Silba has data from the closing procedures in 10 different polling stations. The data gathered by Silba's STOs suggested that the closing procedures were generally conducted in a transparent and orderly way, with very few reported irregularities.

The counting procedures were carried out efficiently and fast, with widespread transparency in most polling stations observed. According to the STO's, the electronic scanning of the votes made the counting procedure smooth and efficient.

There were little restrictions imposed on the STOs from Silba during the closing and counting procedures. There was, as was also the case throughout the day, however, unauthorised people – including law enforcement officials – present inside the polling stations with no apparent reason.

According to Silba's STOs, the closing and counting was conducted in a very satisfactory and transparent manner, with a very minor amount of irregularities reported.

CONCLUSION

Silba concludes that the Kyrgyz Presidential Elections of 15.10.2017 were conducted free and transparent, in an adequate manner, with serious irregularities concerning the secrecy of the vote - linked with potential vote-buying, and the presence of unauthorised people inside the polling stations. Silba, however, did not find concrete and direct evidence of state-sanctioned or candidate-funded vote buying, and thus the details given in the report should be seen as reflecting the observations, yet it must conclude that there were significant impressions of plausible vote-buying.

Besides these problems, Silba was pleased to see an overall peaceful, positive and transparent atmosphere, where democratic procedures were followed in a mostly proper way.



Final Report
Silba - Election Observation Mission
Bishkek, Kyrgyzstan
15.10.2017

Silba complements the electronic counting system, which, when utilised properly, allows for little discrepancies in counting, and allows for efficient and transparent democratic conduct. Silba also complements the biometric registration system, which gave an image of an efficient and secure way of registering voters.

Silba would like to emphasise that the image obtained in this report is non-conclusive for Kyrgyzstan as a whole, and only represents the situation perceived in the majority of the districts in the capital Bishkek on election day. Thus, Silba's observation can in no way be taken to reflect the situation in the whole country.

RECOMMENDATIONS

Following the conclusions in this report, Silba recommends to the Kyrgyz authorities to improve and secure the secrecy of voting: utilising properly designed voting booths and ensuring adequate positioning, making sure that third persons are unable to see the marked ballots cast by making restrictions on the proximity other people than voters could be to the ballot box.

Further, Silba recommends ensuring that all personnel inside polling stations, including domestic observers, receive proper identification to be worn, in order to prevent large amounts of seemingly unauthorised people inside the polling stations. Silba in this regard also recommends making efforts to ensure that law enforcement personnel are not present inside the polling stations, as this could have an intimidating effect on the voters.

Lastly, Silba recommends having more streamlined and clear accreditation procedures for international observers, with information available in English as well.

Silba looks forward to continuing positive, facilitative, and mutually beneficial cooperation with the CCER and welcomes conducting future EOMs in the Kyrgyz Republic.