



**USAID**  
FROM THE AMERICAN PEOPLE



# INFORMATION NEWSLETTER

**BRIEF INFORMATION ON THE REGULATIONS  
OF THE ELECTIONS OF THE JOGORKU  
KENESH DEPUTIES  
(IN ACCORDANCE WITH AMENDMENTS  
FROM 29 AUGUST, 2021)**

## BRIEF INFORMATION ON THE ELECTION OF DEPUTIES OF JOGORKU KENESH OF THE KYRGYZ REPUBLIC

The law introduced a new electoral system for the election of 90 deputies of the Jogorku Kenesh - a mixed (parallel) system:

**54** deputies are elected by proportional system (open lists) in a single electoral district;

**36** deputies are elected by majoritarian system in single-mandate constituencies.

The right to nominate candidates for deputies of the Jogorku Kenesh belongs to:

according to the proportional system - to political parties;

according to the majoritarian system - to political parties and citizens through self-nomination.

A citizen of the Kyrgyz Republic who has reached the age of 25 on the day of the elections, eligible to vote, and has a higher professional education may be elected deputy of the Jogorku Kenesh.

Regular **elections to the Jogorku Kenesh are called by the President no earlier than 100 calendar days and no later than 90 calendar days before the Election day.** Election day is the Sunday of the month in which the constitutional term, for which the current convocation of the Jogorku Kenesh was elected, expires.

## PROCEDURE FOR FORMING VOTER LISTS

Citizens of the Kyrgyz Republic who have an active electoral right on election day and who have passed biometric registration in accordance with the legislation are included in the voter lists for elections of deputies of the Jogorku Kenesh **in a single electoral district.**

Citizens of the Kyrgyz Republic who have an active electoral right on election day, who **are members of the local community** and who have passed biometric registration are included in the voter list for elections of deputies of the Jogorku Kenesh **in single mandate constituencies.**

The voter's membership in the local **community is determined by the mark of registration of the place of residence in the citizen's passport / recorded in the passport chip, or by the registration of the address of the place of residence in the State Register of National Passports of the Kyrgyz Republic (SRNP), made no less than 90 days before Election day.**

Voters **residing outside the territory of the Kyrgyz Republic** are considered to be assigned to a **single electoral district**, i.e. they can vote only for candidates for deputy by proportional system (open lists) in a single electoral district.

## OBSERVERS

A candidate, a political party that has nominated a list of candidates, has the right to appoint an observer who has the right to observe the preparation of the elections, voting process, counting of votes, the determination of the voting results and the determination of the election results, in the manner prescribed by law.

To each precinct election commission, a candidate, a political party may appoint no more than two observers, who have the right to alternately observe the voting process and other electoral activities at the polling station. Simultaneous exercise of the powers of an observer in the premises of the election commission, in the voting room by two or more observers representing the interests of one registered candidate, one political party is not allowed.

### **An observer has the right to:**

- 1) monitor the formation of the composition of the election commission at any level;
- 2) monitor the process of forming voter lists;
- 3) monitor the course of registration of voters;
- 4) monitor the information support of the elections;
- 5) get acquainted with the lists of voters held by the election commission, the register of applications (claims) for voting outside the polling station;
- 6) be present in the voting room on Election day at any time of the day;
- 7) be present when voters vote outside the polling station;
- 8) publicly, including through the media, express their opinion, make a statement on the preparation and course of elections;
- 9) move freely and be present at any polling stations and election commissions;
- 10) observe the procedure of organization and voting established by this constitutional Law, without violating the secrecy of voting, including the issuance of ballots; counting the number of voters included in the voter list, ballots issued to voters, canceled ballots; observe the counting of votes at a distance and under conditions that ensure the visibility of the content of the ballots; to get acquainted with any filled or unfilled ballot paper when counting votes; observe the drawing up of the protocol on the voting results and other electoral documents by the election commission ;
- 11) appeal with comments and suggestions on the organization of voting to the chairperson of the precinct election commission to which he/she was assigned, and in his/her absence - to the person replacing him/her;
- 12) get acquainted with the protocol of the election commission to which he/she was assigned;
- 13) receive from the election commission copies of the protocols and documents attached to them;
- 14) appeal against decisions and (or) actions (inaction) of the election commission to which he/she was assigned, in the manner prescribed by this constitutional Law;

15) be present at the recount of votes at the respective election commissions;

16) wear badges that do not contain signs of pre-election campaigning with the designation of his/her status, last name, first name and patronymic, the name of the organization that sent the observer to the election commission;

17) personally carry out photo, video, audio recording, without violating the secrecy of voting of voters, without interfering with the course of voting, summing up the voting results.

**An observer has no right to:**

- 1) issue ballots to voters;
- 2) put a signature on behalf of the voter at his/her request to receive ballots;
- 3) fill in a ballot paper on behalf of a voter at his/her request;
- 4) take actions that violate the secrecy of voting;
- 5) directly participate in the counting of ballots carried out by members of the election commission;
- 6) take actions that interfere with the work of the election commission;
- 7) carry out campaigning among voters;
- 8) participate in decision-making by the respective election commission.

## REPRESENTATIVES OF THE CANDIDATE, POLITICAL PARTY. STATUS OF CANDIDATES

Candidates, political parties **have the right to appoint no more than two** authorized representatives: an **authorized representative for issues related to participation in elections and an authorized representative for financial matters.**

The registration of authorized representatives **is** carried out by the Central Election Commission **based on a written application from a candidate or a submission from a political party and an application by the citizen himself/herself confirming his/her consent to be an** authorized representative. The Central Election Commission issues a certificate of standard form to the authorized person.

**Candidates, political parties** that have nominated the list of candidates, **after registration have the right to appoint** their representative to the relevant election commission with the submission of documents proving his/her identity, information about the place of his/her main job (occupation), full address of permanent residence and contact information. **A representative in an election commission cannot be simultaneously a representative in another election commission.**

Deputies of the Jogorku Kenesh, local kenesh, candidates for deputies of the Jogorku Kenesh, local kenesh, persons holding political, special state positions and political municipal offices, state civil and municipal employees, members of electoral commissions, judges, law enforcement and fiscal officials, foreign citizens and stateless persons **cannot be authorized representatives and proxies, representatives in election commissions.**

### **Candidate status:**

Candidates who are **political officials**, with the exception of the deputy of the Jogorku Kenesh or the President, the deputy of the local kenesh; the head of a state, municipal enterprise, institution, enterprise with a state (municipal) participation of more than 30 percent and their subdivisions, **terminate the exercise of official or office powers from the moment they are nominated** for elections to the Jogorku Kenesh.

Candidates who are civil servants, regardless of the type of public service (civil, military, law enforcement, diplomatic), municipal employees, media workers, **suspend the exercise of official or office powers from the moment they are nominated** for elections to the Jogorku Kenesh.

Heads of state bodies, local self-government bodies, enterprises, institutions, organizations, commanders of military units and other relevant officials of the bodies in which the candidate works, **within 3 calendar days from the date of the candidate's application, must suspend the execution of his/her official powers by means of formal request, with the preservation of the average wage at the expense** of the institution, enterprise, organization, regardless of the form of ownership.

**Candidates or their authorized representatives, authorized representatives of political parties shall submit** to the Central Election Commission a certified copy of the relevant orders (directions) **no later than 5 calendar days from the date of the nomination of the candidate, the list of candidates.**

## **INFORMING THE VOTERS AND PRE-ELECTION CAMPAIGN** **(CANVASSING)**

**- It is not allowed to conduct campaigning events, distribute campaign materials inside and close (less than 100 meters) to religious buildings, structures and related territories,** objects with hazardous and harmful production, power plants, railways, oil pipelines and from high-voltage power lines, objects of the penitentiary system, state and municipal health organizations, preschool institutions, preschool educational and general educational organizations.

**Visualization and other use in campaign materials of parts and elements of information (images) containing direct and indirect borrowing or references to religious topics is not allowed.**

**- It is forbidden to hold concerts and theatrical performances in stadiums and streets of settlements, as well as sports events.**

**- Involvement of employees of institutions and organizations financed from the republican and local budgets, employees of territorial public self-government** in the implementation of activities that contribute to the nomination and (or) election to the candidate, as well as the collection of signatures, election campaigning by **employees of territorial public self-government** will be classified as a type of abuse of administrative resources. In addition,

**employees of territorial public self-government are prohibited** to campaign, produce and distribute any campaign materials.

**From the moment the elections are called, it is prohibited to bribe voters:** pay money; hand over gifts and other material values; conduct a preferential sale of goods; distribute any goods free of charge, with the exception of printed campaign materials, badges, T-shirts, hats, scarves containing the symbols of the political party that has nominated the list of candidates, the image of the candidate in accordance with the list approved by the Central Election Commission; provide services free of charge or on preferential terms.

**The following individuals have no right to conduct and participate in election campaigning:**

- state civil and municipal employees;
- persons replacing public political positions, with the exception of deputies of the Jogorku Kenesh, special state and political municipal offices, with the exception of deputies of local keneshes;
- members of election commissions;
- observers, international observers;
- religious leaders;
- founders and members of organizations engaged in charitable activities;
- persons under the age of 18;
- foreign citizens and organizations;
- stateless persons.

Total amount of free airtime allocated by the **state television and radio** organization for campaigning in the elections of deputies of the Jogorku Kenesh **in a single electoral district** must be **no less than one hour** on working days.

Total amount of free airtime **for candidates in single-mandate constituencies** must be **no less than thirty minutes** on working days **on the channels of regional television and radio organizations**.

A candidate, a political party **does not have the right to use the airtime, printed materials, the space provided for campaigning** on the channels of organizations that carry out television broadcasting, **provided to them free of charge** for placing campaign materials, in order to:

- 1) spreading the call to vote against the candidate (candidates), political party;
- 2) description of possible negative consequences if this or that candidate is elected;
- 3) dissemination of information, which clearly contains prevailing information about any candidate (any candidates), a political party that has nominated a registered candidate, in combination with negative comments;
- 4) dissemination of information that contributes to the creation of a negative attitude of voters towards a candidate, a political party that has nominated a registered candidate.

## **Abuse of administrative resources**

Abuse of administrative resource is the unlawful use of human, financial, material, media, institutional resources by candidates, officials, heads of state and municipal organizations, members and founders of mass media and online outlets in elections, obtained as a result of their control over state civil and municipal employees or employees of state, municipal enterprises, institutions, enterprises with a share of state (municipal) participation of more than 30 percent, over finances and their distribution, which can be transformed into political or other forms of support for certain candidates, political parties, violating the equality of all candidates.

### **The types of abuse of administrative resources include:**

1) involvement of persons who are subordinate or in any other employment dependence, other state or municipal employees, employees of state or municipal educational organizations and health care institutions, **employees of institutions and organizations financed from the republican and local budgets, employees of territorial public self-government** for the implementation of activities, contributing to the nomination and (or) election of the candidate;

2) the use of premises occupied by state bodies or local self-government bodies for the implementation of activities contributing to the nomination and (or) election, if other candidates cannot use the same premises under the same conditions;

3) the use of telephone, facsimile and other types of communication, information services, office equipment that ensure the functioning of state institutions or local governments, for the implementation of activities that contribute to the nomination and (or) election;

4) free or preferential use of vehicles that are in state or municipal ownership for the implementation of activities that contribute to the nomination and (or) election;

5) collection of signatures, election campaigning by state or municipal employees, employees of institutions and organizations financed from the republican and local budgets, **employees of territorial public self-government;**

6) preferential access (in comparison with other candidates) to mass media with the purpose of collecting signatures or pre-election campaigning;

7) campaigning performance during a mass (public) event organized by state bodies and (or) local self-government bodies, **or with the participation of representatives of state bodies and (or) local self-government bodies;**

8) releasing of reports on the work done during the election campaign in media, in printed campaign materials, distribution of congratulations and other materials on behalf of the candidate which were not paid from the funds of the corresponding election fund.

## THE PROCEDURE FOR ELECTING DEPUTIES IN SINGLE DISTRICT:

**54 deputies** are elected according to a proportional system with open list of political parties.

**The nomination of lists of candidates** for deputies of the Jogorku Kenesh begins **from the day of elections call and ends 45 calendar days before the Election day.**

A political party for elections by proportional system nominates a list of candidates from a political party in the amount **not exceeding 54 candidates (Article 60).**

When compiling the lists, the following quotas are provided for women, ethnic minorities, youth and PWDs **(Article 60):**

- no more than 70 percent of candidates of the same gender, while the difference in the sequence in the lists of women and men candidates nominated by political parties should not exceed three positions ;

- no less than 15 percent of candidates are not older than 35 years, while no less than 3 candidates out of them must be included in the list of the first 25 candidates;

- no less than 15 percent of candidates of different ethnicity, while no less than 3 candidates out of them must be included in the list of the first 25 candidates;

- no less than 2 candidates - persons with disabilities, while one of them must be included in the list of the first **25** candidates.

After the list of candidates has been submitted to the Central Election Commission, **its composition and order of placing** candidates on it cannot be changed. If a candidate leaves the list of candidates, the sequence number of the retired candidate **is not subject** to replacement by another candidate from the list.

### Registration of the list of candidates

The following documents are submitted to the CEC of the Kyrgyz Republic **no later than 40 calendar days before election day, before 18:00 local time**, to register the list of candidates:

1) the decision of a political party to nominate a list of candidates, certified by the signature of the head of the political party and the stamp of the political party;

2) Special forms completed by each candidate included in the list of candidates, containing information about the candidate with biographical and other data, a copy of passport, **a notarized copy of a document on higher professional education**, a certificate from the place of work or study, information on the lack of citizenship of another state , on a criminal record, written consent to the processing of personal data for the presence or absence of citizenship of a foreign state (including previous citizenships, other citizenships);

3) a document certifying the payment of the electoral deposit.

## Grounds for refusal to register:

- 1) failure to submit the documents required in accordance with this constitutional Law for the registration of the list of candidates;
- 2) non-observance of the order of nomination stipulated by this constitutional Law;
- 3) the candidate lacking passive electoral right;
- 4) the presence of the fact of registration of a candidate in the list of candidates of another political party, the presence of the fact of registration of a candidate in more than one electoral district;
- 5) failure of a political party to establish its electoral fund;
- 6) the candidate's belonging to the citizenship of another state.

**It is not allowed to register** the same person in more than one list of candidates in a single electoral district, in more than one single-mandate constituency, or simultaneously in a list of candidates and a single-mandate constituency.

**It is not allowed to register a list of candidates of a political party** if there is a fact of recognition of the voting results as invalid in case of violation of the **electoral legislation (section 4/1 of Article 37, Article 61)**.

**Registration of the list of candidates for deputies ends 30 calendar days before the election day.**

## Registration of a candidate is canceled in the following cases:

- 1) submission by the candidate of **an application for withdrawal** of his/her candidacy within the time limits established by the constitutional Law;
- 2) the use of other funds by the candidate in financing his/her election campaign, in addition to the electoral fund, constituting more than 0.5 percent of the total amount of funds received in the candidate's electoral fund, or the candidate's excess of expenditures from his/her electoral fund by more than 0.5 percent of the established maximum amount of all expenses from the electoral fund of the candidate;
- 3) violation of the requirements established by constitutional law on the status of a candidate and on the registration of a candidate;
- 4) violation by the candidate, his representatives of the requirements on prohibition of abuse of administrative resources in order to elect a candidate;
- 5) confirmation of the facts of the direct involvement of the candidate and his/her representatives in violations of the rules of conducting election campaigning (*abuse of freedom of media: propaganda of war and interregional conflicts, calls for seizure of power, holding public events with state and political figures of other states, etc., as well as the prohibition of agitation using religious themes*);
- 6) confirmation of the facts of commission to or involvement of the candidate, his/her authorized representative, proxies, observers, as well as close relatives in bribery of voters or charitable activities;
- 7) entry into force of the court's conviction against the candidate.

## Registration of the list of candidates is canceled in the following cases:

- 1) the withdrawal of the list of candidates by political party and refusal to participate in the elections, if such a statement of the political party was received in writing by the CEC of the Kyrgyz Republic at least 5 calendar days before the election day;
- 2) the use by a political party in financing its election campaign, in addition to the funds of the election fund, of other monetary funds that make up more than 0.5 percent of the total amount of funds received by the electoral fund of a political party, or the political party exceeds expenditures from its electoral fund by more than 0.5 percent of the established maximum amount of all expenditures from the electoral fund of a political party;
- 3) violation of the requirements established by constitutional law on the status of a candidate and on the registration of a list of candidates;
- 4) violation by the leadership of a political party, candidates of the requirements provided in Article 21/1 of this Constitutional Law on prohibition of abuse of administrative resources in order to elect a list of candidates;
- 5) confirmation of the facts of the direct involvement of the leadership or employees of the executive body of a political party, candidate, representatives of a political party in violations of the rules of election campaigning (*abuse of freedom of media: propaganda of war and interregional conflicts, calls for seizure of power, holding public events with state and political figures of other states, etc., as well as the prohibition of agitation using religious themes*);
- 6) confirmation of the facts of bribery of voters or their involvement in bribery of voters by the leadership, employees of the executive body of a political party, candidates, authorized representatives, proxies of a political party, observers representing a political party.

**Political parties** which have nominated lists of candidates in a single electoral district, from their electoral funds pay an electoral deposit to the account of the CEC of the Kyrgyz Republic in the ten thousandfold amount of the calculated indicator established by law (**1 million soms**).

## The deposit is refunded:

- 1) to those **who received no less than 1 percent of the votes of voters**, who took part in elections in a single electoral district after submitting, no later than 10 calendar days after the elections, to the Central Election Commission a report on the amount and all sources of establishment of their fund, as well as all expenses incurred;
- 2) if the Central Election Commission **made a decision to refuse to register the** list of candidates for deputies of the Jogorku Kenesh;
- 3) to those **who refused to further participate in the elections** before the text and form of the ballot paper have been approved;
- 4) if the **elections are considered null and void or invalid**, after the submission to the Central Election Commission of a report on the amount and all sources of establishment of their fund, as well as all expenses incurred.

The deposit is **NOT refundable** and must be credited to the budget:

- in case of cancellation of the registration of a candidate, a list of candidates of a political party before the election day as a result of a violation of the law;
- if the election of a political party was invalidated.

**The electoral fund of a political party that has** nominated a list of candidates is formed by the following funds:

1) own funds of the candidate included in the list of candidates, which cannot exceed the calculated indicator by more than 15,000 times (**1 million 500 thousand soms**);

2) own funds of a political party, which cannot exceed the calculated indicator by more than 1,000,000 times (**100 million soms**);

3) donations from individuals, the amount of which cannot exceed the calculated indicator by more than 2000 times (**200 thousand soms**);

4) donations from legal entities, the amount of which cannot exceed the calculated indicator by more than 30,000 times (**3 million soms**);

**The maximum amount of funds received and spent from the electoral fund of a political party** that has nominated a list of candidates cannot exceed the calculated indicator by more than 3,000,000 times (**300 million soms**).

## Election of deputies in a single electoral district

1) The distribution of deputy mandates in an electoral district is allowed for political parties that have overcome **5% - the republican electoral threshold, 0.5% - the regional electoral threshold**.

In the distribution of mandates received by a political party, **initially no less 30 percent of the total number of** mandates received by a political party shall be distributed **among the women candidates who received the largest number of votes**. In case, **if woman candidates** from the list of political party candidates **have not received votes, the remaining mandates according to the female quota are distributed in a sequence corresponding with the order of positions of female candidates on the list of a political party** established when registering the list with the Central Election Commission.

**Then 70 percent of the total number of mandates are distributed among the candidates whose sequence number received the largest number of votes in relation to other candidates**. In this case, the positions of candidates in the lists of candidates of a political party move in descending sequence depending on the number of votes received by each candidate.

**In case of equality of the received votes among candidates from the list of candidates of one political party, the sequence of positions of candidates on the list of candidates is determined in accordance with the order of positions of candidates on this list**, established when registering the list with the Central Election Commission.

A political party may be granted **no more than 50 percent** of the total number of deputy mandates in the Jogorku Kenesh **according to a proportional system (no more than 27 mandates)**.

## 2) Replacement of a vacant mandate:

In case of early retirement of a deputy elected as a result of the distribution of deputy mandates between political parties according to the lists of candidates, his/her mandate, by decision of the CEC of the Kyrgyz Republic, is transferred to the next candidate in queue in the manner determined by section 4 of Article 64 of this constitutional Law, taking into account the requirements of section 4/1 of this article.

## PROCEDURE OF ELECTION OF DEPUTIES IN SINGLE-MANDATE ELECTORAL DISTRICTS.

36 deputies are elected in single-mandate districts.

**Nomination of candidates in single-mandate electoral districts begins from the day of official publication of the list of constituencies and ends 45 calendar days prior to the election day.**

### **Formation of Constituencies:**

1) The Central Election Commission **forms and approves the scheme and boundaries of electoral districts**, the list of settlements (streets, houses) included in each electoral district, the number and center of each electoral district, the number of voters in each electoral district **no later than 7 calendar days after the appointment of the election day.**

2) For the period of preparation and conducting elections of deputies of the Jogorku Kenesh, the Central Election Commission shall **form district election commissions from among the members of the respective territorial election commissions** functioning in the respective electoral districts. District election commissions **terminate their powers** by decision of the Central Election Commission **after the official publication of the results of elections** of deputies of the Jogorku Kenesh.

3) When forming single-mandate districts, the approximate equality of constituencies in terms of the number of voters should be observed with an acceptable **deviation from the average rate of voter representation, as a rule, by no more than 20 percent**, the formation of an electoral district from non-bordering territories is not allowed, and **as a rule, the administrative-territorial division of the republic is taken into account.**

### **Nomination of candidates for deputies in single-mandate constituencies.**

1) **Nomination of candidates** for deputies in single-mandate constituencies **from political parties is** carried out at congresses with an indication of the constituency in which each candidate will run.

Political parties **may nominate no more than one candidate for a single mandate constituency.** The decision to nominate a candidate is made by secret ballot.

### **2) Nomination of a candidate for deputy in a single-mandate constituency**

by **way of self-nomination** is carried out by the candidate submitting to the CEC KR an **application on his/her intention to run as a candidate in this constituency**.

**A candidate can only be nominated in one constituency.**

## Candidate registration

The following documents must be submitted to the CEC of the Kyrgyz Republic no later than 40 calendar days before election day, before 18:00 local time, to register a candidate for deputy in a single-mandate constituency:

1) the decision of a political party to nominate a candidate in a single-mandate constituency, certified by the signature of the head of the political party and the stamp of the political party, or an application of the nomination of a candidate by way of self-nomination;

2) Special forms completed by each candidate included in the candidate list, containing information about the candidate with biographical and other data, a copy of passport, a notarized copy of a document on higher professional education, a certificate from the place of work or study, information on the lack of citizenship of another state, on criminal record, written consent to the processing of personal data for the presence or absence of citizenship of a foreign state (including previous citizenships, other citizenships);

3) a document certifying the payment of the electoral deposit.

The candidate from his personal funds pays an **electoral deposit** to the special account of the Central Election Commission in one thousandfold amount of the calculated indicator established by the legislation (**100 thousand soms**).

The deposit is refunded :

1) **to those who received at least 5 percent of the votes of voters who took part in voting** in a single-mandate constituency, after submitting, no later than 10 calendar days after the elections, to the Central Election Commission a report on the amount and all sources of establishment of their fund, as well as all expenses incurred;

2) to those who refuse to further participate in the elections before the text and form of the ballot paper are approved.

3) if the **elections are considered null and void or invalid**, after the submission to the Central Election Commission of a report on the amount and all sources of establishment of their fund, as well as all expenses incurred .

The deposit is **NOT refundable** and must be credited to the budget :

- in case of cancellation of the registration of a candidate before election day as a result of violation of the law;

- if the election of the candidate was invalidated.

## Grounds for refusal to register:

- 1) failure to submit documents required in accordance with this constitutional Law for the registration of a candidate;
- 2) non-observance of the order of nomination stipulated by this constitutional Law;
- 3) the candidate lacking passive electoral right;
- 4) the presence of the fact of registration of a candidate on the list of candidates of another political party, the presence of the fact of registration of a candidate in more than one electoral district;
- 5) failure of the candidate to establish his/her own electoral fund;
- 6) the candidate's belonging to the citizenship of another state.

**It is not allowed to register** the same person in more than one list of candidates in a single electoral district, in more than one single-mandate constituency, or simultaneously in the list of candidates and in a single-mandate constituency.

**Registration of a candidate is not allowed** if there is a fact of recognition of the voting results **as invalid in case of violation of the electoral legislation.**

**Registration of candidates for deputies ends 30 calendar days before election day.**

**Registration of a candidate is canceled** in the following cases:

- 1) submission by the candidate of an application for withdrawal of his/her candidacy within the terms established by the constitutional Law;
- 2) the use of other funds by the candidate in financing his/her election campaign, in addition to the electoral fund, constituting more than 0.5 percent of the total amount of funds received by the candidate's electoral fund, or the candidate's excess of expenditures from his/her electoral fund by more than 0.5 percent of the established maximum amount of all expenses from the electoral fund of the candidate;
- 3) violation of the requirements established by constitutional law on the status of a candidate and on the registration of a candidate;
- 4) violation by the candidate, his/her representatives of the requirements on the prohibition of abuse of administrative resources in order to elect a candidate;
- 5) confirmation of the facts of the direct involvement of the candidate and his/her representatives in violations of the rules of conducting election campaigning (*abuse of freedom of media: propaganda of war and interregional conflicts, calls for seizure of power, holding public events with state and political figures of other states, etc., as well as the prohibition of agitation using religious themes*);
- 6) confirmation of the facts of commission or involvement of the candidate, his/her authorized representative, proxies, observers, as well as close relatives in bribery of voters or charitable activities;
- 7) entry into force of the court's conviction against the candidate.

**The electoral fund of a candidate for deputies of the Jogorku Kenesh in single-mandate constituencies** is formed at the expense of the following funds:

1) the candidate's own funds, which cannot exceed the calculated indicator by more than 1,500 times (**150 thousand soms**);

2) funds allocated to the candidate by the political party that has nominated him/her, which cannot exceed the calculated indicator by more than 10,000 times (**1 million soms**);

3) donations from individuals, the amount of which cannot exceed the calculated indicator by more than 2,000 times (**200 thousand soms**);

4) donations from legal entities, the amount of which cannot exceed the calculated indicator by more than 5,000 times (**5,000 thousand soms**).

**The maximum amount of money** received and spent from the candidate's electoral fund cannot exceed the calculated indicator by more than 100,000 times (**10 million soms**).

### **Election of deputies in single-mandate constituencies:**

1) An elected deputy of the Jogorku Kenesh in a single-mandate constituency is a candidate who has received the largest number of votes (**simple majority of votes**) of the voters who took part in voting in this single-mandate constituency. **If the number of votes** received by candidates **is equal, the candidate who had submitted a complete package of documents for registration earlier in date and time is considered elected** in a single-mandate constituency. (**Article 64**);

2) Instead of the retired deputies of the Jogorku Kenesh in single-mandate districts, **new elections are held** in the corresponding single-mandate constituencies, called by the President within two months after the appearance of a vacant deputy mandate. In case of retirement of deputies of the Jogorku Kenesh one year or less before the expiration of the term the Jogorku Kenesh has been elected for, elections of deputies instead of the retired ones are not held (**Articles 59 and 65**).

## **BALLOTS**

On the day of voting, the voter receives 2 ballots at the polling station:

### **► One - in a single-mandate electoral district**

In elections of deputies of the Jogorku Kenesh in a single-mandate constituency, the ballot paper contains the last name, first name and patronymic of registered candidates, years of birth of candidates in the sequence determined by casting lots.

### **► Second - in a single electoral district**

In elections of deputies of the Jogorku Kenesh in a single electoral district, the ballot paper consists of two parts.

The first part of the ballot paper contains the names of political parties in the

order determined by casting lots.

The second part of the ballot paper contains 54 empty squares numbered on the left outer side of the square. The number of the empty square corresponds with the sequence number of the candidate in the registered list of candidates of the political party.

A ballot paper is considered **VALID** if the voter:

- **put a mark in the box related to a political party, but did not mark the sequence number** of a candidate from the list of candidates, or **put a mark in the box of a retired candidate, then the voter's vote is counted in favor of this political party.**

The ballot paper shall be considered **INVALID** if the voter:

- **put a mark in the box related to the political party, but at the same time put more than one mark** in the squares with the sequence numbers of the candidates.

- **did not put a mark in the box relating to the political party, but at the same time, put a mark in the box with the sequence numbers of the candidates.**

## SUMMING UP VOTING RESULTS AND DETERMINATION OF THE ELECTION RESULTS

### Counting of votes

In elections of deputies of the Jogorku Kenesh, **first of all**, the counting of votes cast for candidates for deputies **in single-mandate constituencies is carried out**, secondly, the counting of votes cast for political parties and their candidates **in a single electoral district is carried out.**

In elections of deputies of the Jogorku Kenesh **in a single-mandate constituencies**, votes are counted **by votes cast for each candidate.**

In elections of deputies of the Jogorku Kenesh **in a single electoral district, the counting of votes is carried out:**

1) **separately for each political party and the "Against all" position.** The counting of sorted ballots is carried out loudly, by transferring them one by one from one pile to another so that the persons present at the counting process could hear and see the voter's mark on the ballot paper. **Simultaneous counting of ballots from different piles is not allowed.**

2) Then, from the ballots sorted by political parties separately for each political party, **in the order indicated in the first part of the ballot paper, the votes are counted according to the sequence number of the candidate from the list of candidates.**

### The elections are declared INVALID:

1) if the number of votes cast for the candidate who received the largest number of votes in relation to another candidate is less than the number of votes cast against all candidates. In this case, new elections are held;

2) if none of the list of candidates received the number of votes required to take part in the distribution of mandates;

3) if the number of votes cast for the list of candidates that received the largest number of votes in relation to another list of candidates is less than the number of votes cast against all lists of candidates. In this case, new elections are held.

The number of voters who took part in elections is determined by the number of ballots of the established form taken from the ballot box, and, if additional control is needed - also by checks on the passage of identification.

**The district, territorial election commission has the right to recognize the results of voting at the polling station as invalid:**

1) if during the voting, counting of votes, determination of the voting results, violations took place that do not allow to sum up the voting results with certainty;

2) if during the voting, counting of votes, determination of the voting results, violations took place that affected the expression of the will of voters;

3) by decision of the higher-level election commission;

4) by a court decision;

5) if the ballots in the ballot boxes are invalidated.

If the results of voting at a polling station are recognized as invalid, the results of the elections are determined based on the results of voting at other polling stations. If the voting results at one or several polling stations are declared invalid, which affect the election results, a re-vote is carried out at these polling stations within 2 weeks from the date of the appointment of a re-vote by the relevant election commission.

**The Central Election Commission has the right to recognize the results of voting on a candidate, a list of candidates as invalid if during the preparation for elections, voting process, counting, determination of voting results **there were violations** committed by a candidate, a political party, which **did not allow to sum up the voting results with certainty, or affected the expression of the will of voters.****

In case of **invalidation** of the results of voting for a candidate, a list of candidates of a political party after election day as a result of confirmed violation of electoral legislation, the votes cast for a candidate or political party **shall be recognized as invalid**, and the ballots shall be considered invalid. **Such a candidate, a political party is not allowed to participate in the next elections.**

For the purposes of calculating the distribution of deputy mandates, the votes cast for a candidate, the list of candidates of a political party, for which the voting results **were declared invalid, are not taken into account among the number of voters who took part in the voting.**

The Central Election Commission **recognizes the election results as invalid:**

1) if the results of voting at a part of the polling stations covering **more than one third of the voters** from the total number of those who took part in the voting are **invalidated;**

2) **if the invalidated voting results** for a candidate (s), the list of candidates of a political party (parties) **cover more than one third of the voters** from the total number of those who took part in the voting.

**Electoral deposit:**

- **Provides for refunding of electoral deposit** to candidates who received at least 5 percent of the votes cast in a single-mandate constituency, as well as if the elections are declared invalid (*Article 41*).

- **In case of cancellation of the registration** of a candidate, a list of candidates of a political party before election day as a result of violation of the law, the electoral deposit made by a candidate, a political party **is not refundable and is subject to be credited to the budget.**

- The electoral deposit made by the political party, **election of which was invalidated, is not refundable and is subject to be credited to the budget.**

## **PUBLICATION OF VOTING RESULTS AND ELECTION RESULTS**

Official publication of election results, as well as data on the number of votes **received by each of the Presidential candidates, candidates for deputies in single-mandate constituencies, a political party and candidates from the list of candidates, votes cast against all candidates, against all political parties**, including data, which are contained in the voting results protocols of the directly lower-level election commissions, on the basis of which the election results were determined, **is made by the Central Election Commission within 2 weeks from the day the election results were determined.**