



INTERNATIONAL ELECTION OBSERVATION MISSION PARLIAMENTARY ELECTION, REPUBLIC OF KAZAKHSTAN, 18 AUGUST 2007

STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

Astana, 19 August 2007 – The International Election Observation Mission (IEOM) for the 18 August parliamentary election in Kazakhstan is a joint undertaking of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the OSCE Parliamentary Assembly (OSCE PA), and the Parliamentary Assembly of the Council of Europe (PACE).

This statement of preliminary findings and conclusions is delivered prior to the completion of the election process, including the tabulation and announcement of final results, the handling of possible post-election day complaints or appeals, and the instalment into office of the newly elected *Majilis* of the Parliament of Kazakhstan.

The election is assessed in line with OSCE commitments and Council of Europe standards for democratic elections and national legislation. The final assessment of the election will depend, in part, on the conduct of the remaining stages of the election process. The OSCE/ODIHR will issue a comprehensive final report, including recommendations for potential improvements, approximately two months after the completion of the election process. The PACE delegation will present its report at its next plenary session.

The institutions represented in the IEOM stand ready to continue to support the authorities and civil society of Kazakhstan in the conduct of democratic elections.

PRELIMINARY CONCLUSIONS

The 18 August 2007 elections for the *Majilis* (lower house) of the Parliament of the Republic of Kazakhstan took place soon after major amendments to the Constitution and the Election Law, including the introduction of a new election system based on proportional representation. While these elections reflected welcome progress in the pre-election process and during the conduct of the vote, a number of OSCE commitments and Council of Europe standards were not met, in particular with regard to elements of the new legal framework and to the vote count.

There was an increased ability for political parties to convey their messages to voters, including through the media, and the central election administration worked transparently. However, a number of the new legal provisions conflict with OSCE commitments. On election day, the voting was assessed in positive terms; however, the process deteriorated during the counting of the votes.

The IEOM notes that the early elections interrupted an ongoing dialogue on election legislation, and the authorities have indicated that this process will be resumed.

Positive aspects included:

- In a noticeable improvement over previous elections, State authorities demonstrated a willingness to conduct a more democratic election process;
- Candidate list registration was inclusive, giving voters distinct electoral choices;
- Parties enjoyed greater access to media than in previous elections, in part due to initiatives by three media outlets to air debates and free airtime allocated by the Central Election Commission (CEC). This provided voters with increased access to diverse political views;
- The CEC conducted its work in a transparent manner, providing detailed information to observers on many aspects of the process, including the electronic voting system;
- The CEC adopted numerous decisions to regulate the election process, announced that it would post all results protocols on its website, and conducted an extensive voter education programme. Election administration and local authorities made efforts to improve the quality of voter registers;
- Mechanisms to hear election complaints were more inclusive than in previous elections, although their effectiveness was limited due to the fact that the CEC made few formal decisions on complaints received;
- Observers generally enjoyed good co-operation from State and electoral bodies.

However, the following issues raised concerns:

- A combination of restrictive legal provisions creates obstacles to the development of a pluralistic political party system, significantly decreases accountability of elected representatives to voters, and in some instances runs counter to international standards and commitments:
 - excessive requirements for registration of political parties as legal entities and administrative procedures which do not ensure registration in a timely manner;
 - undue limitations on the right to seek public office, including a ten-year residency requirement, a requirement for party membership for candidates, and lack of provision for independent candidates;
 - a high seven per cent threshold for representation in the *Majilis*;
 - provisions that political parties choose after the elections which candidates from their lists will become members of Parliament;
 - ownership of parliamentary mandates by political parties.
- Nine of the 107 seats in the Majilis were not contested by popular vote but will be chosen by the Assembly of People of Kazakhstan, an appointed body. This is not in line with OSCE commitments. Although the declared intention is to ensure a fair representation of national minorities, this objective could be achieved by other means;
- There were instances of favourable treatment of *Nur Otan* by authorities in the campaign, and there was not always a clear separation of local authorities, lower level election commissions, and the governing party. The composition of lower level commissions gave *Nur Otan* disproportionate representation in election administration;
- There was preferential treatment of the governing *Nur Otan* party in the State media, a case of censorship of an opposition party's free space in a State newspaper, and a decision to prevent airing some of the same party's campaign spots on television;
- There were concerns with the e-voting system, which was used only by approximately four per cent of voters who had the possibility of choosing e-voting.

Voting was conducted in a calm atmosphere, and observers assessed the conduct of voting positively at 95 per cent of the polling stations they visited. However, a variety of procedural and other shortcomings were noted, including polling stations missing the required number of ballots, the presence of unauthorised persons, and instances of multiple voting.

The counting of votes was not conducted transparently, and the counting process was assessed negatively in 43 per cent of polling stations visited. A wide range of irregularities were observed.

PRELIMINARY FINDINGS

Background

In May 2007, Parliament adopted significant amendments to the Constitution, a number of which affect the election process. These changes include: increasing the number of *Majilis* deputies from 77 to 107, increasing the number of appointed Senators, reducing the presidential mandate from seven to five years (at the expiry of the current term), removing term limits for the first President of Kazakhstan, permitting the President to engage in political party activity, and altering the future composition of the CEC.

The Election Law was amended on 19 June 2007, primarily to reflect the relevant changes to the Constitution and to define a new election system. After the passage of these amendments, the President dissolved the lower house of Parliament and called early *Majilis* elections for 18 August.

In a change from previous legislation, parties could not form election coalitions. As the calling of the election came as a surprise to some parties and as the deadline for submitting candidate lists fell less than one month after the election was called, parties had a short time to take decisions on merging party structures and adjust campaign strategies to the new electoral system. In June 2007, the opposition parties *Nagyz Ak Zhol* joined with the recently registered All National Social Democratic Party (ANSDP), and in July, *Ak Zhol* party merged with *Adilet*. In late 2006, well in advance of the changes to the election legislation, the *Asar*, Agrarian and Civic parties merged with the governing *Otan* party to become *Nur Otan*. The President of the Republic of Kazakhstan became the leader of the party on 4 July 2007.

The early *Majilis* election was held on the same day as the *Maslikhat* (local council) elections. The IEOM followed the *Maslikhat* elections only to the extent that they affected the *Majilis* election.

Legal Framework

Under the amended legislation, 98 deputies of the *Majilis* are elected in a proportional, closed list system in one nationwide constituency, subject to a high seven per cent threshold.

The legislation requires that only the members of a party can be its candidates and offers no possibility for persons to seek election as individuals (independent) candidates in *Majilis* elections. These factors limit the right of individuals to seek election in a manner which is not in line with OSCE commitments¹ and Council of Europe standards.

¹ Paragraph 7.5 of the 1990 OSCE Copenhagen Document states that: “the participating States will: respect the right of citizens to seek political or public office, individually or as representatives of political parties or

After the publication of final results, the parties passing the threshold choose which candidates receive mandates. Candidates are simply listed alphabetically on the list. Candidate lists are not displayed at polling stations, and official information about candidates provided to voters was minimal. These factors significantly lessen voters' knowledge of whom they are electing.

Following the amendments to the Constitution, *Majilis* deputies will lose their mandate if they resign from or are ejected from the party in whose name they were elected, as well as if the party terminates its activity. These provisions increase the dependency of elected representatives on their respective party leadership, giving the leadership a disproportionate level of control over their candidates. This also weakens accountability to the voters and decreases transparency in the parliamentary system.²

The amended Constitution increases from five to ten years the time that eligible candidates must have been permanently resident in Kazakhstan. The increase constitutes an unreasonable restriction on the right to seek public office.³

Nine *Majilis* deputies are not elected in a popular vote but will be chosen by the Assembly of People of Kazakhstan (APK) on 20 August. The APK is formed by the President of Kazakhstan, who is its Chair for life. The Council of the APK nominated only nine candidates to fill the nine seats. According to State authorities, these deputies will provide increased representation to national minorities. While the representation of national minorities is an accepted principle in a democracy, the mechanism chosen conflicts with paragraph 7.2 of the OSCE Copenhagen Document.⁴

Despite a constructive dialogue with the authorities, recommendations to improve the legal framework made on previous occasions were, in general, not addressed by the amendments. The CEC informed the OSCE/ODIHR EOM that it had drafted proposals that incorporate most of the recommendations made following previous elections but that the calling of early elections interrupted the process of putting the proposals into law. Issues identified previously include excessive restrictions on candidacy rights and disproportionate de-registration provisions, limitations on the rights to engage in political discourse and express opinions, as well as limitations on the right of peaceful assembly and freedom of speech.

However, a ban on public meetings between the end of the campaign period and the publication of final results was removed from the Election Law in December 2006, as previously recommended by the OSCE/ODIHR.

organizations, without discrimination". Point 17 of UN HRC General Comment 25 states "The right of persons to stand for election should not be limited unreasonably by requiring candidates to be members of parties or of specific parties".

² Paragraph 7.9 of the Copenhagen Document states that participating States will "ensure that candidates who obtain the necessary number of votes required by law are duly installed in office and are permitted to remain in office until their term expires or is otherwise brought to an end in a manner that is regulated by law in conformity with democratic parliamentary and constitutional procedures".

³ Venice Commission of the Council of Europe, Code of Good Practice in Electoral Matters, 2002.

⁴ Paragraph 7.2 of the 1990 OSCE Copenhagen Document states that: "the participating States will: permit all seats in at least one chamber of the national legislature to be freely contested in a popular vote".

One amendment from June 2007 provides that political parties not represented on an election commission may nominate a non-voting representative. The possibility to appoint a non-voting representative gave parties a chance to participate in CEC sessions. However, this option did not appear to be used below CEC level. The amendments did not change the system for composition of lower-level election commissions, and there are still insufficient guarantees for inclusive pluralistic representation on these commissions.

Registration of Parties and Registration of Candidate Lists

In an inclusive process, the CEC registered all seven parties that submitted candidate lists as follows:⁵ ANSDP (80 candidates), National Democratic Party - *Nur Otan* (126 candidates), the Patriots' Party (11 candidates), *Auyl* (33 candidates), *Ak Zhol* (98 candidates), *Rukhaniyat* (9 candidates) and the Communist People's Party of Kazakhstan (CPPK) (20 candidates). There were no complaints from the parties regarding the registration process. The Communist Party of Kazakhstan did not nominate candidates for the *Majilis* election in protest of the change to a proportional system in which parties decide which of their candidates will be seated in parliament.

To compete in elections, political parties must have previously registered with the Ministry of Justice, a process which includes the submission of signatures of 50,000 members. According to the Ministry, even if the number of signatures exceeds the required 50,000, a single error would be grounds for rejecting an application. This approach undermines the rationale for registering political parties that demonstrate significant levels of support. In addition there is no required timeframe for the Ministry to check signatures. Two prospective parties are still not registered and are not participating in the election.⁶

Election Administration

The election administration comprises the CEC, 16 Regional Election Commissions (RECs), 205 Territorial Election Commissions (TECs) and 9,727 Precinct Election Commissions (PECs). All commissions have seven members appointed for five year terms.

The CEC was elected by the *Majilis* on the proposal of the President.⁷ Commissions below the CEC are elected by local councils based on nominations from parties and public associations. Parties may nominate one member to each election commission. Some parties, notably *Nur Otan*, have considerably more representation on election commissions than other parties, due to the system for composition of election commissions.⁸ In addition, many persons formally nominated by other parties or by associations are in fact *Nur Otan* party members. The ANSDP and *Ak Zhol* told the OSCE/ODIHR EOM that they are under-represented on commissions; the EOM is aware of two instances where regional/city councils did not include any of the parties' nominees. Almost all election commissions are chaired by *Nur Otan* representatives. The pluralism of PECs was

⁵ In the ballot order as established by lottery.

⁶ Paragraph 7.6 of the Copenhagen Document states that participating States will “respect the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations and provide such political parties and organizations with the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities”.

⁷ The amended Constitution provides for a new composition procedure to apply after the elections.

⁸ Parties are represented in lower level commissions as follows: *Nur Otan* 19.7%, *Auyl* 12%, *Rukhaniyat* 10.5%, PPK 9.6%, *Adilet* 7.5%, *Ak Zhol* 4.7%, CPPK 6.1%, Communist Party of Kazakhstan 3%, *Nagyz Ak Zhol* 2.7%, and ANSDP 0.9%. Representatives of public associations comprise 22.8% of the membership.

affected on occasion by permitting the majority, or all members, of an election commission to be employees of a single employer.

The CEC was active and transparent in preparing for the extraordinary election. It elaborated numerous rules and regulations, maintained an updated and informative website, and conducted a voter information campaign, including regarding electronic voting. While the CEC held frequent sessions to which representatives of political parties, media and observers were invited, little discussion took place among members. In the pre-election period, most commissions were open to observers and provided observers with information as requested.

The CEC issued an instruction on 2 August that TECs should publish all PEC results for the *Majilis* election in a tabulated form no later than five days after election day, and that RECs should publish the TEC-level results within the same timeframe. In a welcome development, the CEC stated that it would publish all result protocols on its website.

The RECs organised training sessions for TECs and PECs, which varied in their effectiveness. The CEC published two separate guidelines for PECs, although neither was adopted as an official CEC document. The information contained in the two guidelines is not always consistent and consequently could cause a lack of uniformity in applying correct procedures.

In general, REC and TEC members appeared knowledgeable. RECs and TECs held few formal sessions and took very few formal decisions. In some regions, there did not always seem to be a clear separation between local authorities and lower level election commissions.

According to the CEC there are some 8.8 million registered voters. Voter lists were available for public inspection according to legal deadlines. On 9 August, in an additional effort to enhance the accuracy of the voter lists, the CEC enabled voters to check their voter registration details on its website. *Akimats* in Astana and Almaty established a telephone hotline for voter register information. In response to an OSCE/ODIHR recommendation, the CEC issued more detailed procedures for permitting voters who are temporarily away from their main residence to apply for a certificate to vote elsewhere.

Electronic Voting

In 2004, Kazakhstan introduced electronic voting (e-voting) as a voting option. The CEC has provided the OSCE/ODIHR EOM with extensive access to technical information on the e-voting system. The system was changed prior to the presidential election in 2005 and remains substantially the same for the *Majilis* elections. While new components of the system have been individually certified, the system as a whole has not been re-certified since 2004. There have been no independent audits to verify whether the deployed voting machines comply with what was certified. Most parties expressed scepticism regarding e-voting.

E-voting was used in 1,512 polling stations. Approximately 33 per cent of the total electorate was registered at these polling stations. Voters could choose whether to cast their vote electronically or by paper ballot. The e-voting system features a touch screen voting terminal which records votes on an e-ballot. Votes are downloaded from the e-ballot to a personal computer that is also used to identify voters and transmit turnout data to the CEC during election day. The e-voting system does not include a voter-verified auditable paper trail.

The use of an optional four-digit code remains a concern. The code, meant to allow a voter to check that his/her vote was recorded correctly, if provided to a third party, would show how a voter voted. This has the potential for violation of the secrecy of the vote as well as intimidation.

Campaign Environment

The election campaign took place in a generally calm environment. While initially the campaign was relatively low key, activity intensified during the latter stages of the one-month campaign period. All parties engaged in door-to-door canvassing, but relatively few rallies were held. *Nur Otan*'s campaign material was by far the most visible and began to appear on the opening day of the campaign. Two parties complained that they were unable to place orders for campaign materials before the start of the official campaign. The majority of parties expressed concern regarding the high cost of campaigning, including deposits for candidates, advertising and material. Most parties claimed to have difficulty in securing billboard sites in central locations throughout the campaign, while *Nur Otan* managed to secure the majority of billboard sites. Observers noted various parties' campaign posters displayed at officially designated stands.

Political parties were able to conduct their campaigns largely without undue interference by local state authorities. However, the ANSDP filed complaints *inter alia* alleging delays by the local government authorities in designating meeting venues. The OSCE/ODIHR EOM verified that, in some cases, venues for campaign events were not provided in a central location. Conversely, *Nur Otan* filed complaints with the CEC claiming that printed material of some parties - ANSDP, CPPK, and *Auyl* - did not contain information on the size of the print-run, as required by law.

Nur Otan posters were seen inside polling station locations prior to election day in at least 7 regions, in contravention of the Election Law, and on other occasions displayed on public buildings. Several instances were observed where its campaign offices were located in buildings used by the local government administration. This can lead to a perception among voters that the party and State structures are insufficiently distinguishable.

The *Nur Otan* campaign was extensive. In addition to widespread billboards, posters and rallies there were numerous social, cultural and charitable events which promoted the party. During the campaign, a network of *Nur Otan* offices, on occasion with the presence of candidates, intervened with local authorities to address concerns of citizens. As part of his official duties, the President paid several visits to the regions, which were widely covered in the media, in which he spoke of the achievements of the authorities.

Media Environment

The Constitution prohibits censorship and provides for free speech and the freedom of information. The Election Law requires media to provide "unbiased interpretation" of parties' campaigns. Nevertheless, some provisions of the media legislation are problematic, including provisions on libel and defamation.

Almost all parties complained about the high cost of advertising in the media. While no legal provision for free airtime exists for parties, the CEC adopted rules which *inter alia*, allow media to

hold debates. At the initiative of the CEC, parties were provided at no cost with 20 minutes on *TV Khabar*, one hour on state-funded radio, and space in both state-funded newspapers.

On 21 July, ANSDP complained to the CEC regarding *TV Khabar*'s refusal to air some of its paid advertisements, consisting of previously aired news clips and the slogan "Return the Country to the People". The CEC media complaint body and an expert group of the Ministry of Justice gave opinions that the spots could foment social strife, which is prohibited by law. This interpretation of the law appeared to unduly limit freedom of expression in this case. On the basis of the opinion, the CEC issued a decision in favour of *TV Khabar*, which was upheld by the Supreme Court, and the advertisements were never aired.

The ANSDP filed an official complaint alleging the censorship of an article submitted to *Kazakhstanskaya Pravda* (a state-funded newspaper) under the CEC initiative to provide free space. The General Prosecutor sent the newspaper a clarification of the law, stating that the editing had been "conducted without any legal basis". Nevertheless, the CEC did not take a formal decision on the complaint, and the article was never printed in full in the paper.

In the months before the election, political programmes were cut from KTK's and Channel 31, while during the campaign period electronic media generally covered the campaign in a limited way. To varying degrees, all media monitored presented the views of all contesting parties.⁹

In the majority of TV stations monitored by the OSCE/ODIHR EOM, there was clear preferential treatment in favour of *Nur Otan*. In their prime-time news coverage, State funded TV channels *Kazakhstan 1*, *TV Khabar* and privately-owned *TV Astana* showed similar tendencies, allocating 17, 20 and 24 per cent respectively of their political coverage to *Nur Otan*. This coverage was highly positive in tone. In addition, a large proportion (36, 34 and 33 per cent) of the news broadcasts in these media covered the government and President giving them almost exclusively positive or neutral coverage (99.8 per cent). In contrast, ANSDP received little coverage on these three channels (four, three and four per cent respectively) of mainly neutral coverage. All parties except PPK received more airtime on State-funded TV than ANSDP.

News coverage on private *Channel 31* was more balanced, allocating 19 per cent of news coverage to *Nur Otan*, 17 per cent to ANSDP, and 12 per cent to *Ak Zhol*. The tone was mostly neutral but on occasion it criticised *Nur Otan*, ANSDP and *Ak Zhol*. Private channel *KTK* showed little interest in covering the campaign but regularly aired comments that portrayed ANSDP in a negative light.

From 20 July, *Channel 31* broadcast regular pre-recorded debates, each featuring two contesting parties. Although the pre-recorded format gave rise to claims of unfair editing of the programmes, they overall provided citizens an opportunity to receive information on the political platforms of all contesting parties. Additional debates, involving all seven parties, were broadcast on *Kazakhstan 1* and *Khabar*.

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Television: State-funded - *Kazakhstan 1*, *TV Khabar*; Private - *Astana TV*, *Channel 31*, *KTK*.

Newspapers: State-funded - *Egemen Kazakhstan*, *Kazakhstanskaya Pravda*; Private - *Aikyn*, *Express K*, *Liter*, *Nachnem s Ponedelnika*, *Novoe Pokolenie*, *Panorama*, *Respublika*, *Svoboda Slova*, *Vremya*.

Overall, print media monitored offered more diverse campaign coverage than broadcast media, although most of the print media, including both State-funded newspapers *Egemen Kazakhstan* and *Kazakhstanskaya Pravda*, showed clear bias in favour of *Nur Otan*.

Complaints and Appeals

At the initiative of the CEC, two advisory bodies were established to consider complaints: the Working Group for Review of Complaints and the Public Council for Consideration of Media Disputes. These bodies held weekly sessions which were open to observers and party representatives and provided a forum to discuss numerous issues raised by parties. As of the end of campaign period, the CEC had received 61 complaints related to the *Majilis* election, as well as others related to the *maslikhat* elections. The most significant complaints in the pre-election period were related to campaigning in the media. In general, the CEC handled complaints transparently. However, it forwarded many complaints to prosecutors or other State bodies for clarification or investigation rather than taking decisions (see Media Environment section). Formal decisions were taken in two cases; in some cases, corrective action was taken without a formal decision.

Participation of Women

Some 15 per cent of candidates in the *Majilis* election are women. The number of women in the incoming parliament will depend, in part, on decisions taken by parties after the election on which candidates receive mandates.

Women were under-represented in the outgoing *Majilis*. Nine of the seventy seven deputies were women (some 12 per cent). In the current government four of the sixteen ministers are women. Women are better represented in the election administration; three of the seven CEC members, 26 per cent of REC members and 43 per cent of TEC members are women.

Participation of National Minorities

National minority issues have not played a significant role in the election campaign. National minorities are generally under-represented in candidate lists, with the share of Kazakhs in the lists being 1.5 to 2 times higher than in the population as a whole. Russians, the largest minority group (26 per cent), comprised 19 per cent of the outgoing *Majilis*. Given the overall percentage of ethnic Russians on party lists, this appears likely to decline further in the new *Majilis*.

The nine candidates for the nine *Majilis* seats chosen by the APK come from eight of the over one hundred minority groups in Kazakhstan, as well as from the Kazakh majority. While their presence may increase the overall representation of national minorities in the *Majilis*, it will not significantly increase the representation of the largest of these groups.

Although minority groups seem to be overall represented on election commissions, their participation in RECs and TECs in some regions appears to be low (e.g. West Kazakhstan, South Kazakhstan, Zhambyl). Minorities seem to be well represented on PECs in areas in which they are concentrated, for example Uighurs in Almaty region and Uzbeks in South Kazakhstan.

Election Observation

The electoral framework overall provides for international and domestic election observation in accordance with OSCE commitments. However, a recent Election Law amendment requiring all international observers to have prior experience of election observation is unnecessary for the conduct of effective and impartial election observation, and is restrictive. The domestic NGO “Republican Network of Independent Monitors” (RNIM), the “Public Committee for the Control of the Election” and “Elections and Democracy” conducted long-term observation, and RNIM and the Public Committee observed on election day. These organizations appeared to have good access to the election process during the pre-election period.

The OSCE/ODIHR opened its election observation mission in Astana on 13 July 2007. It was composed of 22 experts and 36 long-term observers deployed in the capital and around the country. On election day 449 short-term observers were deployed in an International Election Observation Mission (IEOM), including 61 parliamentarians and officials from the OSCE Parliamentary Assembly, and 7 from the Parliamentary Assembly of the Council of Europe (PACE). In total, there were observers from 45 OSCE participating States. The IEOM observed voting at over 1700 stations and counting at 141 polling stations throughout the country (out of 9,727 polling stations countrywide) and the tabulation of results in 111 TECs after polling stations closed. The election day statistics below are provided as of 14:00, with 2,222 forms processed. The statistics are preliminary, but unlikely to change significantly.

Election Day

Voting

Voting was conducted in a generally calm environment and observers assessed the process positively in some 95 per cent of polling stations visited. Most PECs visited fully co-operated with IEOM observers, but in some instances observers were asked to sit at a distance from the proceedings or were refused information. Domestic party observers were present at some 90 per cent of polling stations, and domestic NGO observers in 61 per cent.

Almost all polling stations observed opened on time. In some 12 per cent of polling stations visited, the number of ballot papers received was not recorded properly in protocols, and observers noted cases where some polling stations had less than the required number of ballots.

While the secrecy of the vote was largely respected, observers noted occasions where ‘group’ (family) voting took place in 12 per cent of polling stations visited. There were 25 direct observations of persons casting multiple votes, and an instance of organized multiple voting was observed in Karaganda. In 14 per cent of polling stations, observers noted apparently identical signatures on the voter list. According to CEC data, there were at least 1,324 multiple votes cast electronically. Unauthorised persons, mostly from local authorities, were present in 6 per cent of polling stations visited, and in a few cases these persons directed the work of the PEC or sought to influence voters.

On election night, the CEC announced an unofficial voter turnout of 64.56 per cent. However, significant regional variations were noted; in Almaty City, only 22.5 per cent of registered voters

participated compared to 86 per cent in Almaty Region. While e-voting was an option for some 33 per cent of electors, only an estimated 4 per cent (124,671) of these used this voting method.

Vote Count

Over 40 per cent of observer reports assessed the vote count negatively. The vote count was less transparent than during the voting process: IEOM observers were restricted in their activity in 15 per cent of counts observed; voters' choices (as per the ballots) were not announced aloud in 78 per cent; and marked ballots were not shown to observers in 67 per cent. In 11 per cent of counts observed, IEOM observers noted that PECs falsified signatures on the voter list or on protocols. PECs often disregarded correct counting procedures, such as not counting the number of unused ballots before starting counting votes or establishing the number of voters that participated before opening ballot boxes. In a few cases, observers noted that votes cast for a different party were counted for *Nur Otan*. During the counting, unauthorised persons, including police, were present in larger numbers than earlier in the election day. In 25 per cent of observations, protocols were not filled out correctly. In 40 per cent of counts observed, results protocols were not posted publicly as required by law.

*This statement is also available in Russian and will be available in Kazakh.
However, the English version remains the only official document.*

MISSION INFORMATION & ACKNOWLEDGMENTS

Senator Consiglio Di Nino (Canada), Head of the OSCE PA delegation, was designated by the OSCE Chairman-in-Office as Special Co-ordinator to lead the OSCE short-term observers. Mr. David Wilshire (U.K.) headed the delegation of the PACE. Ambassador Lubomir Kopaj is Head of the OSCE/ODIHR Election Observation Mission.

The IEOM wishes to thank the authorities of the Republic of Kazakhstan for the invitation to observe the elections, the Central Election Commission for providing accreditation documents, and the Ministry of Foreign Affairs and other state and local authorities for their assistance and cooperation. The IEOM also wishes to express appreciation to the OSCE Centre in Astana for their support throughout the mission, and to resident embassies of OSCE participating States and other international institutions for their cooperation and support.

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