INTERNATIONAL OBSERVATION MISSION
OF THE PARLIAMENTARY ASSEMBLY OF TURKIC-SPEAKING COUNTRIES

Elections to Mazhilis of the Parliament of the Republic of Kazakhstan
Republic of Kazakhstan, 10 January 2021

STATEMENT

Following the invitation from the Ministry of Foreign Affairs of the Republic of Kazakhstan, the International Observation Mission *(hereinafter referred to as the Mission)* of the Parliamentary Assembly of Turkic Speaking Countries (TURKPA) conducted short-term monitoring of the Elections to the Mazhilis *(Lower Chamber)* of the Parliament of the Republic of Kazakhstan on 10 January 2021. The Mission comprised of members of the parliaments of Azerbaijan and Turkey, as well as the diplomatic staff of the TURKPA Secretariat *(see the list of Mission)*.

Elections to the Mazhilis of the Kazakhstani Parliament are primarily regulated by the Constitution (last amended in 2017) and the Constitutional Law on Elections in the Republic of Kazakhstan (adopted on 28 September 1995). The Constitutional Law regulates, in general, the relations arising from preparation for and conduct of the elections of the President, deputies of the Senate and the Mazhilis of the Parliament, maslikhats and members of other local self-government bodies of the Republic of Kazakhstan, as well as guarantees ensuring a free expression of the will of the country's citizens. The regulatory framework also includes the Law on Guarantees of the Electoral Rights of Citizens, the Law on Peaceful Assemblies (adopted in 2020), the Law on Political Parties (amended in 2020) the Law on Mass Media and regulations of the Central Election Commission. Kazakhstan is a party to major international and regional instruments related to the holding of democratic elections.

Elections in Kazakhstan are administered by the Central Election Commission (CEC), 232 Territorial Election Commissions (TECs) and 10061 Precinct Election Commissions (PECs). Out-of-country voting was conducted at 66 polling stations

established at Kazakhstani diplomatic missions. Commissions at all levels are appointed for 5-year term and, except PECs, consist of 7 members.

As far as the COVID-19 pandemic concerned, the CEC has efficiently cooperated with the Ministry of Health on the development of precautionary and protective measures on the voting day, such as social distancing at voting places, provision of disinfectant materials at polling stations and protective equipment to electoral officials. In the meantime, the Chief State Sanitary Doctor has issued the Resolution "On approval of measures to prevent the spread of coronavirus infection COVID-19 during the election campaign in the elections of deputies of the Mazhilis of the Parliament of the Republic Kazakhstan".

The CEC registered five political parties for participation in these elections with the lists containing 312 candidates, including 90 women. The latest amendments to the Law on Political Parties reduced the minimum number of party members required for party registration from 40000 to 20000 with the requirement to have branch in the country's each region and three cities of republican significance.

The Mission, within its observation programme, have held meetings with the Head of the Central Election Commission, Minister of Foreign Affairs and Chairman of the Senate *(Upper Chamber)* of the Parliament of Kazakhstan. During these meetings, members of the Missions were informed on preparations for the elections that included also organization of training for lower-level commissions and law-enforcement bodies, registration of voters and candidates and review of complaints.

Members of the Mission have also held meetings with representatives of the political parties contesting elections. The officials of the political parties briefed the observers on their election platforms and propaganda activities before elections.

On the election day, the Mission visited a number of polling stations in the capital city Nursultan, having observed the voting process at all stages, starting from the opening of polling stations till the counting of votes. The Mission had an opportunity to monitor the casting of votes, talk to voters, polling stations' officials and also to local observers on the ground.

On election day the polling stations were opened from 7:00 a.m. till 20:00 p.m. Voting was conducted in a generally calm atmosphere and according to the information of Central Election Commission nearly 63,3 % of voters took an active part in the election. According to the information of the CEC, 11,915,903 voters were registered to vote at election.

On the Election Day, on 10 January 2021, the TURKPA observers had the opportunity to monitor election in four regions of Nur-Sultan. Observers mission visited polling stations, gained opportunity to form a personal impression on voting process – from the opening of points up to calculation of votes and up to the definition of election results - at all stages of voting. Due to the joint quota introduced for the first time, the interest of women and youth in elections has increased greatly.

The Mission underlines significant developments of election-related legal framework in Kazakhstan over the last period, including 2017 constitutional reform. Remarkable legislative amendments were related to the formation of lower level election administration bodies, voter registration process and increased role of youth and women in the country's political life. Thus, for the first time ever, the Election Law of Kazakhstan introduced a joint quota of a minimum of 30% representation of women and youth on candidate lists of political parties participating in the elections.

The 2017 constitutional reform itself has increased the role of the Mazhilis as regards the formation and accountability of the government, as well as adoption of a vote of no confidence in government, as a part of exclusive responsibilities of the Mazhilis. Moreover, one of the significant changes in the electoral legislation of Kazakhstan is the introduction of the institution of parliamentary opposition and strengthening its role in the activities of the Mazhilis. In this context, the parliamentary opposition is given the right to initiate parliamentary hearings and determine the governmental agenda. Besides, an essential innovation in the national legislation of Kazakhstan has been the adoption of the new Law on Peaceful Assembly that contributed to the democratization of the country's political system.

The Constitution of Kazakhstan guarantees freedom of expression, media freedom and the right to access to information, as the Election Law guarantees political parties equal access to paid and free-of-charge media resources. In its turn, the Election Law provides that political parties have equal rights and conditions for participation in the elections strictly prohibiting the misuse of resources and vote-buying by different means.

One of the significant technological developments noted by the Mission during these elections in Kazakhstan is the improvement of the voter registration process. In this framework, the CEC with the Ministry of Digital Development and Innovations has elaborated and applied the system of online records check of data on citizens' place of registration. As a result, members of more than 4000 precinct election commissions

had an access through electronic portal to the information about place of residence that enabled them to check it with voters lists.

In view of above-mentioned, the Mission emphasizes that parliamentary elections were held in calm and, at the same time, highly competitive environment and have demonstrated an enhanced role of political parties in Kazakhstan. Wide participation of young people and women in these elections is stemming also from the newly introduced quota-related regulatory framework for contesting political parties that provides for the continuous engagement of both segments of society in the country's political life.

The Mission noticed that election administration bodies were well-resourced and professionally prepared for the conduct of elections providing also unimpeded access for people with disabilities. In the meantime, the Mission highly appreciates the excellent work of the CEC and lower election administration bodies against the backdrop of the COVID-19 pandemic. The measures elaborated to contain the spread of the pandemic did not create obstacles for polling places` accessibility.

The legislation provides for citizen and international observation of elections. Political parties are entitled to have observers and proxies with similar rights, while citizen observers may be nominated by public and non-profit organizations. The Mission highly appreciates the legal and logistical conditions provided for international observation of elections in Kazakhstan. In its activity, the Mission followed the objectivity, justness, transparency and impartiality principles in accordance with the TURKPA Regulations on Election Observation and relevant international instruments.

The Mission concludes that the elections to the Mazhilis of the Parliament of the Republic of Kazakhstan on 10 January 2021 were held in compliance with the national legislation of Kazakhstan and international election standards.