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Comparative Studies of the Electoral Systems

Modul 2: Macro-Report

June 10, 2006

Country: **Kyrgyzstan**

Election date: **February 27, 2005 (1-round); March 13, 2005 (2-round); June 10, 2005**

ATTENTION: Information presented in this report is an important part of the CSES project. Your efforts on presenting this data base will be highly appreciated! Any additional documents, that you can offer (for instance: legislative acts on elections, party manifests, reports of the election commissions, mass-media reports) will also be highly appreciated, and accessible at CSES web-site.

Part I: Data-base on the elections when the research was conducted for the Module

1. Inform on the number of portfolios in the government (positions in the government), belonging to each party before the upcoming election. (in case all the positions belong to one parties, just write "all".)

<u>Names of the Political Parties</u>	<u>Number of Portfolios</u>
«Alga Kyrgyzstan»	«All»
«Adilet»	«1» - the first vice-prime minister
«My country»	«1» - vice-prime minister

1a. What was the quantitative membership of the government before the election?

«Quantitative membership – 38»

2. Inform on the number of portfolios in the government (positions in the government), belonging to each party after the last election. (in case all the positions belong to one party, just write "all").

<u>Name of the Political Party</u>	<u>Number of Portfolios</u>
«Ar Namys»	«1» - prime-minister
«El»	«1»- the first vice-prime minister
«New Kyrgyzstan»	«1»- Minister for education, science and youth politics
«Adilet»	«1» - Minister for economy and finance

2a. What was the quantitative membership of the government after the election?

«Quantitative membership – 33»

3. Political parties (most active during the election, that received, at least, 3 % of the votes):

Party Name	Year of Party foundation	Ideological Family	European parliament Political group (if possible)	International party Organisational membership
A. Alga Kyrgyzstan	March 16, 2004	(F) Left liberal	-	-
B. Ar-namys	June 9, 1997	(D) Social democratic	-	-
C. Asaba (Republic national party)	November 2, 1991	(J) National	-	-
D. Alta Meken (Socialist party)	December 16, 1992	(C) Socialist	-	-
E. New Kyrgyzstan	August 5, 2004	(K) Independent	-	-
F. Party of Communists of Kyrgyzstan (I. Masaliev)	September 17, 1992	(B) Communist	-	-
G. Communist Party of Kyrgyzstan (K. Azhybekova)	March 24, 1994	(B) Communist	-	-
H. Free Kyrgyzstan	October 4, 1991	(G) Liberal	-	-

Ideological family of the parties: (As a suggestion only. If a party does not suit any point of this classification, give alternative or other explanations).

- | | | |
|-----------------------|--------------------------|--------------|
| (A) Ecological | (G) Liberal | (M) Agrarian |
| (B) Communist | (H) Right liberal | (N) Ethnic |
| (C) Socialist | (I) Christian democratic | (O) Regional |
| (D) Social-democratic | (J) National | (P) Other |
| (E) Conservative | (K) Independent | |
| (F) Left liberal | (L) Purposing one aim | |

In the list below we offer the names of political groups and organisations a party can belong to. Will you indicate all the international connections of each party.

European Parliament political groupings:

- (1) European Peoples' Party
- (2) European Democrats
- (3) Party of European Socialists
- (4) European Liberal Party of Democracy and Reform
- (5) Left Confederal Group of the European Union
- (6) Left Nordic Green Grouping
- (7) Greens
- (8) European Free Alliance
- (9) Europe for Nations
- (10) Europe of Democratic and Various States
- (00) Not applicable
- (98) I do not know

- (12) Caribbean Democratic Union
- (13) International Christian Democratic organisation
- (14) Christian Democratic organisation of America
- (15) Asian Council of Liberals and Democrats
- (16) Democratic Union of Africa
- (17) Eastern-European Forum of Social-Democrats
- (18) Green Movement
- (19) Humanistic Party
- (20) International Communist Union
- (21) International Democratic Union
- (22) International League of Democratic Socialists
- (23) International Liberal
- (24) Party of Natural Laws
- (25) Pacific Democratic Union
- (26) Organisation of African Liberal Parties
- (27) International Socialist
- (28) Interafrican socialist
- (00) Not applicable
- (98) I do not know

International party organisations:

- (11) Azian-Pacyfic Socialist organisation

3a. Were there any important parties not represented in parliament before the election?

Yes. Alga Kyrgyzstan

3b. Were the important parties represented in the parliament after the election?

1. Alga Kyrgyzstan
2. El – Bejbechara
3. Communist party of Kyrgyzstan (I. Masaliev)
4. Ata Meken
5. My country

3c. Were there any other non important parties or independent candidates, who influenced the election, in your opinion?

1. Liberal Democratic party of Women of Kyrgyzstan
2. Adilet
3. Social-Democratic party
4. Agrarian party
5. Akyjkat

4a. Party ideological platform:

Will you indicate the belonging of the parties A-F on the reference left-right (in accordance with the opinion poll). In case this method does not suit, will you offer explanations on the essential differences and relatively close position of the parties.

Name of the party	Left										Right	
	0	1	2	3	4	5	6	7	8	9	10	
A. Alga Kyrgyzstan	25,7	3,9	2,7	2,1	1,1	2,8	1,1	1,0	1,0	0,9	5,5	
B. Ar-namys	11,9	2,8	2,3	3,9	2,6	5,7	2,4	1,6	1,8	2,4	12,4	
C. Asaba (Republic national party)	14,7	3,1	1,5	2,4	2,2	3,6	2,0	2,2	2,3	1,4	4,3	
D. Ata Meken (Socialist party)	13,3	3,1	2,3	2,8	1,9	2,6	1,8	2,8	1,9	1,3	6,5	
E. New Kyrgyzstan	10,2	2,2	2,0	2,7	1,6	3,1	1,6	1,4	0,8	0,6	6,5	
F. Party of the Communists of Kyrgyzstan (I. Masaliev)	9,2	1,8	2,4	2,3	2,0	4,2	2,0	2,0	2,2	1,6	13,2	
G. Communist party of Kyrgyzstan (K. Azhybekova)	13,5	2,6	2,5	2,5	1,6	3,0	1,9	1,7	1,3	1,2	4,6	
H. Free Kyrgyzstan	12,4	2,5	2,2	2,6	1,6	2,7	1,7	1,2	0,8	0,6	2,4	

4aa. Do you believe, that all the interviewed respondents in your country will agree with the results of placing the parties on the scale?

We believe, that the results of the opinion poll correlates with the scale.

4b. In case you ask the respondents to range the parties in accordance with an alternative method different from division into left and right, will you offer you ranging of parties in accordance with your criteria.

Name of the measuring: Left – 0; Right – 10.

Index for the left field: 0

Index for the right field: 10

Name for the party	Left										Right	
	0	1	2	3	4	5	6	7	8	9	10	
A. Alga Kyrgyzstan	18,1	3,3	1,9	1,3	0,9	2,0	0,8	0,9	0,8	0,6	5,5	
B. Ar-namys	8,6	2,3	1,8	2,1	1,7	3,9	1,7	1,7	1,5	1,6	10,9	
C. Asaba (Republic national party)	9,5	2,5	1,2	1,0	1,9	2,8	1,9	1,4	1,2	1,3	4,4	
D. Ata Meken (socialist party)	8,8	2,3	1,6	1,4	1,3	2,7	1,4	1,9	1,6	1,5	5,5	
E. New Kyrgyzstan	5,5	1,5	2,7	1,2	1,3	2,7	1,3	1,3	1,1	0,9	5,8	
F. Party of the Communists of Kyrgyzstan (I. Masaliev)	6,3	2,1	2,4	1,3	2,0	3,0	1,1	1,3	1,8	1,6	11,0	
G. Communist party of Kyrgyzstan (K. Azhybekova)	8,7	2,6	2,1	1,7	1,6	2,4	1,8	1,2	0,5	0,8	3,4	
H. Free Kyrgyzstan	7,5	1,6	1,5	1,3	1,4	2,9	1,5	1,1	0,8	0,6	3,5	

4bb. Do you believe, that all the interviewed respondents in your country will agree with the results of placing the parties on the scale?

We believe, that some the results of the opinion poll received at the basis of the scale do not correspond with the reality. As the party «Alga Kyrgyzstan» used to be a pro-governmental party when the president A. Akaev was in power, i.e. a left party. At present the party «Alga Kyrgyzstan» is an opposition party in relation to the authorities, i.e. not the adherents of the left wing.

The other data of the opinion poll correlate with the real situation.

5. In your opinion, what were 5 the most influential factors that influenced the results of the election (for example, the main scandals, economical events; presence of an independent candidate; some problems)?

1. Unemployment – 24,0 %
2. Economical crisis – 23,0 %
3. Corruption – 19,0 %
4. Poverty – 19,0 %
5. Political instability – 7,0 %

5a. Do you believe that the other experts in your country will agree with the importance of these factors?

6. Pre-election unions:

Sometimes pre-election alliances are created at the level of voters, as for example, in Finland. To find a documentary acknowledgement who unites with whom is a huge task, that is why we are asking to send just some information about existence of the alliances of such a kind at the level of voters. Sometimes, pre-election alliances are created at the national level. We would like to ask you to find out about these very alliances. We need information: who united with whom and what is the nature of the pre-election alliance.

a) Were pre-election alliances allowed in the course of the election?

Yes

If yes, will you fill in the charts below:

	<u>Name of the alliance</u>	<u>Participating parties (mark the dominance with "*")</u>
Alliance 1:	Peoples' movement of Kyrgyzstan	9 parties: «Zhany Kyrgyzstan»; «Democratic movement of Kyrgyzstan»; «Asaba»; «Erkindik»; «Free Kyrgyzstan»; «Kairan el»; «Republic»; «Communist party of Kyrgyzstan»; «Party of Communists of Kyrgyzstan»
Alliance 2:	Movement «Zhany Bagyt»	3 parties: «Ata-Meken»; «Kairan El»; «Ar namys».
Alliance 3:	Movement «Ata - Zhyrt»	3 parties: «My country»; «Social democrats»; party «El-Bejbechara».
Alliance 4:	«Alga, Kyrgyzstan»	4 parties: «Alga, Kyrgyzstan»; «Adilet»; «Elet»; «New force».

	<u>Name of the alliance</u>	<u>Participating parties (mark the dominance with "*")</u>
Alliance 1:	Tandem	Bakiev K.S and Kulov F.Sh.

7. Party leaders and presidential candidate:

1. Party of «Defence» - Akbarali Ajtkiev
2. «Democratic movement of Kyrgyzstan» - Zhypar Zheksheev
3. «Akyjkat – Justice» - Dujshebaev K.D.

At parliamentary election, will you indicate the leader of each party.

For presidential election, will you give the list of presidential candidates and their parties. In case the candidate was supported by more than one party, will you indicate them below.

<u>Candidate's party</u>	The name of the party leader or presidential candidate
A. Party of «Defence»	Akbaraly Ajtikeev
B. Tandem	Kurmanbek Bakiev with Kulov
C.	Bakir uulu Tursunbaj
D. «Akyikat – Justice»	Keneshbek Dujshebaev
E. Democratic movement of Kyrgyzstan	Zhypart Zheksheev
F.	Toktoajnym Umetalieva

Part II: Data base about the electoral institutions

In case it is possible, will you add the copies of the election code, voter's guide, reports of the election commissions or any other corresponding material.

A. QUESTIONS ON THE ELECTORAL CONSTITUENCIES

Definition: An electoral constituency is a geographic territory, in borders of this territory they count votes and assign places. In case a constituency cannot be divided into smaller constituencies to count votes in its borders and to assign places, such an electoral constituency is called a primary constituency. In case the constituency can be divided into smaller primary constituencies, and during the vote-counting process there is a transfer of votes and/or places from the primary electoral constituency to the larger constituency, the larger constituency is called secondary. If the constituency can be divided into secondary constituencies (also with the transfer of votes and/or places), such a constituency will be called a tertiary one.

Some electoral systems have electoral constituencies that are united not for increasing the number of places. In Lithuania, for example, there is 71 single mandate constituencies, where the election is held by simple majority, and also one general national constituency, where the election is held by proportional system (method of the largest remains (margin) with Hair's quota). Neither votes, nor places are transferred in this case from the single mandate constituency to the general national constituency. The elections are held independently in these constituencies (each voter has only one vote in each constituency). In this case, the national constituency is considered to be primary, not secondary, though it consists of 71 single mandate constituencies. It is possible to tell that in this case the electoral system consists of two segments.

1. How many segments does the electoral system have?

- 1 segment**
- 2 segments
- More than 2

Will you answer the following questions (from 2 to 11) for each segment of the electoral system for each elected parliament chamber:

2. How many primary electoral constituencies exist?

75-constituencies

3. For primary electoral constituencies, how many candidates were elected from each constituency?

One candidate from each constituency was elected.

3a. If different number of candidates are elected, will you call the constituencies, indicating the number of the elected candidates from each constituency. (will you use additional pages in case it is necessary)

Constituency

Number of the elected candidates

4. How many secondary election constituencies exist?

No

5. How many tertiary electoral constituencies exist?

No

In case it is possible, will you sum up the results received for the questions from 1-3 and from 4 - 5 in the table:

In Kyrgyzstan there is one-chamber parliament – the Zhogorku Kenesh of the Kyrgyz Republic, that is elected from 75 the single mandate constituencies using majority system.

Chambers		Lower			Higher		
Segments	Number	1	2	3 or more	1	2	3 or more
Primary	Number						

constitue ncies	No. of the elected*						
Secondary Constitue ncies	Number No. of the elected*						
Tertiary Constitue ncies	Number No. of the elected*						

*Would you inform on the total number of the elected candidates from all the constituencies, for each segment.

B. QUESTIONS ON VOTING

6. How do the voters vote?

In the Kyrgyz Republic the elections are held at the basis of universal, equal and direct suffrage and by secret vote. In the Kyrgyz Republic the elections are based on free and voluntary realisation of the voting right by the citizen of the republic. Nobody has a right to press on the citizen aiming at forcing him at participation or non-participation in the election, and also his free suffrage.

In the Kyrgyz Republic voting at the elections is secret, excluding any opportunity for any control for the ballot of the citizens. (40-article. Point 2. Election code of the Kyrgyz Republic.)

6a. How many times do they vote or can vote?

Once. Each voter votes personally, voting for the other voters is not allowed.

6b. Do they vote for independent candidates, for lists or both? (will you explain):

1. A voter receives a voting paper for participation in election, the voting paper is a document for strict reporting, its protection degree is determined by the Central election commission. The number of the voting papers cannot exceed the number of the registered voters more than 0,5 % per-cents.

2. The text of the voting paper is approved by the corresponding electoral commissions not later than 20 calendar days before the day of voting. The voting paper text must be placed only on its one side.

3. The voting paper contains in alphabetic order a surname, name and patronymic of the candidate, birth year, the main place of job or service (employment) and who nominates each candidate. In case the voting for lists of candidates is held the names of political parties, election alliances are placed in the order determined by ballot, and also a surname, name, patronymic, birth year, position (employment) of the first three candidates from the list of the political parties, electoral alliances.

4. An empty square is placed to the right of the information about the candidates, names of the political parties, electoral alliances indicated in point 3 of the present article. A line «Against all the candidates» («Against all the lists of candidates») with the empty square placed to the right of it, is placed at the end of the list of candidates, names of the political parties, electoral blocks.

5. Voting papers are printed in the Kyrgyz and Russian languages not less later than 10 calendar days before the day of voting. Each voting paper must contain information, explaining how to fill it in.

6. Voting paper contains the name of the body the election is taking place to, and also the number of the constituency or information about the single republic electoral constituency.

7. Voting papers are handed after rejection with a statement drawn by the printing house to the members of the electoral commission that placed an order for printing of the voting papers. After handing the voting papers in presence of not less than 3 members of the electoral commission, invited authorised representatives of the candidates, political parties, electoral

alliances, the cull and surplus voting papers are destroyed, and a statement signed by all the present persons is drawn about it.

8. Election commissions hand the voting papers to the lower election commissions, up to the district electoral commissions as a deed, drawing a statement. The heads of the electoral commissions are responsible for the right way of handing the voting papers.

9. Directing the voting papers to the corresponding electoral commissions is realised 10 calendar days before the day of voting, and to the district electoral commissions – a day before the day of voting. The number of the voting papers, handed over to the local electoral commission, cannot exceed by more than 0,5 % the number of voters included in the registration roll of the electoral constituency by the day of voting papers handing.

10. In case some candidates' withdrawal (lists of candidates) after the voting papers have been printed, the local (district) electoral commissions strike off the data about the corresponding candidates (lists of candidates) from the voting paper after the instruction of the constituency electoral commission.

11. The room where there are voting papers is sealed up and placed under guard of the internal affairs bodies. (article – 39. Electoral code)

7. Are the votes transitional?

No.

8. In case it is possible to vote more than one time, can these votes be accumulated?

9. Are there any other specific characteristics of voting, that are necessary to indicate?

Procedure of pre-term voting.

1. The voter who does not have an opportunity to arrive to the electoral station on the day of election, where he is included in the registration roll, has a right to vote pre-term – by filling in the voting paper in the room of the corresponding territorial (district) electoral commission from 9 to 1 days before the day of election. The election commission must provide secret of voting, exclude any possibility of distortion of voters' will, keep safe the voting paper, record the voter's voice when determining the results of voting and the results of election.

2. The voting paper, filled in by the voter who votes pre-term, is put into an envelope and sealed up. Two members of the territorial (district) election commission affix their signatures at the place of sealing. The signatures are attested by the seal of the territorial (district) election commission, and also by the signature of the voter who voted pre-term.

3. The sealed up envelope with voting papers is kept by the secretary of the corresponding territorial (district) electoral commission in the room of the territorial (district) electoral commission up to the moment when all the voting papers are handed over to the constituency electoral commission.

4. On the day of voting the head of the district electoral commission, in presence of the members of the district electoral commission, observers, other persons, before the voting starts, informs about the number of voters who voted pre-term, shows the sealed envelopes with the voting papers for the visual inspection and a list of the voters, who voted pre-term. After that he opens each envelope in turn and, observing the secret of suffrage, puts the voting papers into the fixed box for voting. The number of voters who voted pre-term is entered into the proceedings on the results of voting before the beginning of voting, and a mark "Voted pre-term" is entered in the registration roll in front of the surname of the voter who voted pre-term.

(Article 41. Voting code)

Order of voting out of the voting room:

1. The voters who are inscribed in the registration roll, but cannot arrive for voting because of the state of their health or because of the other reasons, vote at the place of their stay. District electoral commissions are to provide the opportunity for voting out of the voting room.

2. The voting out of the voting room is held only on the voting day and only at the basis of the written statement or oral statement. The statement (address) can be done any time after the district electoral commission is formed, but not later than 6 hours before the voting time finishes on the day of voting. The district electoral commission enters all the statements (addresses) in a special register. A reason why the voter cannot arrive to the voting room and information about the voter should be indicated in the statement for providing an opportunity to vote out of the voting room. When registering the oral statement, the time of its entry is indicated, and the commission member who receives the statement appends his signature. When the members of the commission arrive to the voter, the oral statement is confirmed by the written statement.

3. The voting out of the voting room is held by not less than two members of the district electoral commission, who receive the necessary number of voting papers on receipt, and also preliminary sealed portable boxes. The district electoral commission must have a necessary quantity, but not more than three portable boxes for voting. The voting out of the voting room is carried out in presence of not less than two trustees and authorised representatives.

4. The voter indicates the series and number of his passport or of the document proving his identity, and certifies receiving the voting paper by his signature. The members of the commission witness the fact of the voting paper delivery by their signatures on the statement.

5. The series and number of the passport or the document proving voter's identity, who voted out of the voting room, are entered in the voters list, and simultaneously a mark "Voted out of the voting room" is made in the corresponding column of the voters list (Article 41. Electoral code)

C. QUESTIONS ABOUT TURNING VOTES INTO SEATS.

10. How do the votes turn into seats?

1. The voting room is provided free of charge to the disposal of the district electoral commission by the executive power bodies.

2. Polling-booths or other specially equipped places for secret voting, equipped with light system and supplied with writing materials, excluding pencils, are placed in the voting room.

3. In the voting room electoral commission arranges a stand where information materials about all the candidates, political parties, electoral blocks is provided. Agitation slogans should not be presented in these materials. The samples of the filled in voting papers are placed on the stand, the sample voting papers should not contain the surnames of the candidates registered at this electoral constituency, names of the political parties, electoral blocks.

4. The voting room should be equipped so that the place of voting-paper issue, polling-booths and boxes for voting to be simultaneously in the field of vision of the members of the electoral commission, observers. (Article 41. Electoral code)

10a. Is there a legal threshold, a party should cross, before getting seats in parliament?

No: the right to recommend candidates for deputies at the Zhogorku Kenesh of the Kyrgyz Republic belongs to political parties, and also citizens by self-recommendation. (Article 54. The Constitution of the Kyrgyz Republic)

If yes, indicate the threshold?

10b. What election formula or formulae are applied?

11. In case there are lists, are they closed, open or flexible?

- closed
- flexible, but usually closed
- flexible
- flexible, but usually open
- open

Definition: The list is closed, if the seats are distributed among the candidates in the order of their appearance in the list (i.e. if x seats are planned for the list, the places are received by the candidates who are the first in the list). The list is considered to be open, if the question of getting a seat by the candidate from the list is determined only by the result of voting. The list is flexible, if the parties place their candidates in the order as they want to have them elected, but the voters can easily change this order by voting for a separate candidate.

Will you repeat the questions 2 – 11 from this part for each segment, each elected chamber of parliament.

D. QUESTIONS ABOUT THE POSSIBILITY OF CREATING A PRE-ELECTION ALLIANCE

Definition: A joint list is created to give an opportunity for the candidates from different parties to participate in election together. It is clear that a legal agreement is achieved between the lists in order to get more votes, and consequently, more seats for the alliance and, further for distribution of seats in accordance with the lists of the alliance.

12. What are the opportunities for creation of a pre-election alliance in the electoral system?

In general, Kyrgyzstan will get a strong impetus for development and will avoid destruction with the alliance Bakiev–Kulov. With competition of Bakiev and Kulov a further destruction of the country will be unavoidable. Kulov will not be recognised by the «Southern», and Bakiev by the «Northern». The trends of political situation development were like the «Tadzhik» scenario:

- confrontation between the regions because of their adherence to their candidates;

- appearance of the «field commanders», respected only in their areas (the majority of deputies follow this way, a winner is the one who is supported by the crowd);

- semi-criminal elements penetrated in authority structures (especially deputies of the Zhogorku Kenesh and danger of controlling the police staff appointments by the criminals);

- redistribution of influence zones between criminals and «field commanders»;

- civil war;

Only in case of Bakiev – Kulov tandem it is possible to restore economy and order in the country.

12a. Can parties participate in election by joint lists?

- Yes
- No**

12b. Is there a visible connection between lists?

- Yes
- No**

12c. Can a candidate participate in election when more than one party supports him?

- Yes
- No**

12d. Can parties recall their lists or candidates, persuading their voters to vote for the list or candidate of the ally?

- Yes
- No**

12e. Other?

13. Is it possible to join the lists?

No – We have a majority voting system.

13a. In case there is an opportunity to join the lists, is it regulated by the other laws different from the laws for the single party system? For example, the necessary threshold is higher, a different allowable number of candidates in the list, etc.

14. In case evidence is possible, what lists can participate in such agreements:

- Lists of one party in one constituency
- Lists of one party, but from different constituencies
- Lists of different parties, but in one constituency

15. If a candidate participates in election with the support of more than one party, is it reflected on the results of voting?

- No
- The party support is not indicated in the voting paper
- Yes, the name of the candidate appears together with the names of all the supporting parties
- Yes, the name of the candidate appears as many times as many different parties support him/her, each time separately with the supporting party
- Yes, other (will you explain):

Part III: Data base on the type of existing regime of government

Below we offer questions about the type of ruling regime in your country – presidential, parliamentary, mixed. There exist 2 potential problems necessary to mention at the beginning. The first one, in some countries there can exist a mis-correlation between *de jure* (or legal) situation and *de facto* (or real) situation. For example, in Great Britain the queen still has a right of veto for a bill, but this right has not been used since 1707. In case such outdated powers exists, would you answer the questions in accordance with *de facto* situation. In the opposite case, would you describe *de jure* situation. The second problem, the questions cannot reflect the situation in your country in an optimal way. In this case, would you answer in the way you can do it, indicating the existing complications, in your opinion.

A. QUESTIONS ABOUT THE HEAD OF STATE.

Definition: Head of state is the official of the highest rank belonging to executive power and government. Often this position is held by the president or the monarch, and it is nominal, but not effective. The head of the government is, usually the highest official in the legislative branch of power. In some systems it can be someone else, different from the head of the state (for example, prime-minister in the Westminster system), along with that, in the other systems the role of the head of the state and government is executed by one person (for example, in the USA the president is both the head of the state and the head of the government).

1. Who is the head of the state?

- President**
- Monarch
- Prime-minister is a nominal head of state
- Other (would you explain)

2. How the head of the state is elected?

- By direct vote**
- By indirect vote
- By the right of succession
- By a religious way
- Other (explain)

2a. If by a direct vote, in what way exactly?

- Majority of votes
- System of the last round or two round system**
- Other (explain)

2a1. If by the system of the last round, how candidates are selected for the last round?

- _____ (#) candidates with the highest votes pass to the 2 round
- Any candidate having at least _____ % of voices, passing to the 2 round**

2b. If by indirect voting, what is the exact way?

- By electoral college
- Election by the legislative body (parliament)
- Other (explain)

2b1. If by electoral college, how are the members of the electoral college selected?

2b2. Is the electoral college an advisory body?

- Yes
- No

2b3. What electoral procedure does the electoral college apply?

2b4. If by the legislative body, what chamber of parliament does it? What is the procedure of election?

3. Does the head of the state have the following powers? Will you mark where necessary:

3a. Brings a bill?

- Yes**
- No

3b. Demands an accelerated pass of a bill? (i.e., determines the final deadline for passing a bill by the parliament)?

- Yes**
- No

Definition: Head of state possesses a partial veto when he or she vetoes definite points of the bill, when the rest passes. In the USA such a veto is called «veto by points». The head of state has a veto package, when he or she vetoes all the bill offered by the parliament, but he cannot veto some parts and pass the others.

3c. Veto package?

- No**
- Yes, and a demand to refuse the following veto:

3d. A partial veto?

- No
- Yes, and a demand to refuse the following veto:** signs and publishes laws; sends back the laws with his objections to Zhogorku Kenesh of the Kyrgyz Republic for the second consideration;

3e. Does he promulgate decrees-laws?

- Yes:** introduces bills to the Zhogorku Kenesh of the Kyrgyz Republic
- No

3f. Does he have emergency powers?

- Yes:** When there is ground envisaged by law, the President of the Kyrgyz Republic gives notice about a possibility of introducing the state of emergency, and when necessary he introduces it in some areas without preliminary notification and immediately informs the Zhogorku Kenesh of the Kyrgyz Republic about it.
- No

3g. Does he conclude treaties and enter into international agreements?

- No
- Yes, if the following additional requirements are realised:** conducts negotiations and signs international treaties of the Kyrgyz Republic;

3h. Is he a Commander-in-Chief of the armed forces?

- Yes:** The President of the Kyrgyz Republic is the Commander-in-Chief of the armed forces, he appoints and displaces high headquarters of the armed forces of the Kyrgyz Republic.
- No

3i. Does he initiate referenda and plebiscites?

- Yes:** by his initiative he sets a referendum; takes a decision of setting a referendum after the initiative of not less than three hundred thousands of voters, the majority of the total number of the deputies of the Zhogorku Kenesh of the Kyrgyz Republic;
- No

3j. Does he address to judiciary branch about correspondence of the bill with the Constitution?

- Yes:** As a citizen of the Kyrgyz Republic he has a right to address to judiciary power.
- No

3k. Does he call special legislative sessions?

- Yes:** he has a right to call a pre-term meeting of the Zhogorku Kenesh of the Kyrgyz Republic and determine the issues for consideration;
- No

B. QUESTIONS ABOUT THE HEAD OF GOVERNMENT

Definition: In some states the head of government is elected via direct vote at election that can or cannot be held simultaneously with parliamentary election. In such cases, it is said that the head of government is elected independently from the parliament. In other cases, head of government is a leader of the party in office or ruling coalition in the parliament and that is why the election of the head of the government depends on seats **distribution in government**. In this case, the head of government is elected directly in parliament.

4. Is the head of government elected independently from the parliament?

- Yes
- No:** The President appoints the Prime-Minister of the Kyrgyz Republic after the agreement of the Zhogorku Kenesh of the Kyrgyz Republic, the President also appoints the government members of the Kyrgyz Republic after the proposal of the Prime-Minister of the Kyrgyz Republic and after the agreement of the Zhogorku Kenesh of the Kyrgyz Republic; at the basis of the proposal of the Prime-Minister of the Kyrgyz Republic the President appoints the heads of administrative offices and relieves them from their posts;

4a. Is the head of government also the head of state?

- Yes
- No:** Being the highest body of the executive power, entitled to solve all the questions, excluding the ones that refer to the competence of the President and the Zhogorku Kenesh, the government solves efficiently the main tasks set for it. First of all these are the questions of social-economic character.

4b. If the head of government is not elected independently from the parliament, in what way is he elected?

- Appointed by the head of state personally
- Appointed by the parliament personally
- Recommended by the head of the state and confirmed by the parliament**
- Recommended by the parliament and confirmed by the head of the state
- Other (explain):

5. What are the powers of the **head of the state** when creating the cabinet of ministers? Will you mark where necessary.

- Calls and appoints the ministers personally
- Recommends ministers for confirmation by the president
- Considers and confirms the appointment of ministers, recommended by the president
- Ousts and reappoints ministers at his own discretion
- Other (will you explain):** The head of the state determines the structure of the Government of the Kyrgyz Republic and recommends it for confirmation by the Zhogorku Kenesh of the Kyrgyz Republic;

6. What are the powers of the head of the government in carrying out the government policy?

Will you mark where necessary:

- To conduct the meetings of the cabinet
- Determines the list of problems for consideration by the parliament
- Determines the alternatives for voting in parliament and their sequence order
- Brings a bill for discussion by a party or parliamentary committees
- Calls a secret vote of confidence to the government
- Other (will you explain): 5. In accordance with the Constitution of the Kyrgyz Republic, the Kyrgyz legislation and Presidents' decrees, the Prime-Minister of the Kyrgyz Republic determines the main directions of governments' activity, manages its work and is personally responsible for its actions. (article– 71, the Constitution of the Kyrgyz Republic).

C. QUESTIONS ABOUT THE CABINET

7. How can the cabinet be dissolved? Will you mark where necessary:

- By the head of the state personally
- By the Prime-minister personally
- By parliament voting, when presence of the majority of deputies is required
- By competent majority voting at parliament, when participation in voting of the majority of deputies is required
- By a combination of the ways mentioned above (Will you explain):
- Other (Will you explain):

6. After passing a vote of non-confidence in the government of the Kyrgyz Republic, the President of the Kyrgyz Republic has a right to take a decision about resignation of the government of the Kyrgyz Republic or to disagree with the decision of the Zhogorku Kenesh of the Kyrgyz Republic. 7. If during three months the Zhogorku Kenesh takes a second decision about a vote of non-confidence in the government of the Kyrgyz Republic, the President of the Kyrgyz Republic announces about resignation of the Government of the Kyrgyz Republic or dissolves the Zhogorku Kenesh of the Kyrgyz Republic. (article– 72, the Constitution of the Kyrgyz Republic).

D. QUESTIONS ABOUT PARLIAMENT

8. Can parliament be dissolved pre-term? _____ No _____ Yes:

- By the head of the state personally
- By the Prime-minister personally
- By the majority voting at parliament
- By a combination of the ways mentioned above (Will you explain):
- Other (Will you explain):

1. The Zhogorku Kenesh of the Kyrgyz Republic can be dissolved pre-term after its decision about self-dissolvement, taken by the majority of not less than two third of the voices from the total number of the deputies of the Zhogorku Kenesh of the Kyrgyz Republic. 2. The Zhogorku Kenesh can be dissolved pre-term by the President of the Kyrgyz Republic in accordance with: results of referendum; in case the Zhogorku Kenesh refuses three times to give its agreement for appointment of the Prime-minister of the Kyrgyz Republic; other crisis caused by insurmountable disagreements of the Zhogorku Kenesh of the Kyrgyz Republic with the other branches of the state power.(article – 63, the Constitution of the Kyrgyz Republic). 3. A negative assurance of the Constitutional Court of the Kyrgyz Republic on the suggested accusation against the President of the Kyrgyz Republic about his dismissal, causes a dissolution of the Zhogorku Kenesh of the Kyrgyz Republic. (article – 51, the Constitution of the Kyrgyz Republic).

4. If the Zhogorku Kenesh rejects the nominated candidatures of the Prime-Minister of the Kyrgyz Republic three times, the President of the Kyrgyz Republic appoints the Prime-minister of the Kyrgyz Republic and dissolves the Zhogorku Kenesh of the Kyrgyz Republic. (article – 71, the Constitution of the Kyrgyz Republic).

9. If the parliament can be dissolved pre-term, are there any restrictions on when and how the parliament can be dissolved? Will you mark where necessary:

- Term of dissolution (for example: not earlier than a year after election) (will you explain):
- As an answer for actions or inaction of the parliament (for example: only in case when the parliament has insurmountable disagreements with the cabinet; if the parliament does not pass or does not approve the budget of the country) (will you explain):
- Other (explain): 4. The Zhogorku Kenesh of the Kyrgyz Republic cannot be dissolved: in state of emergency or martial law; during the period when the Zhogorku Kenesh of the Kyrgyz Republic considers the question of dismissal of the President of the Kyrgyz Republic; when less than six months are left before the authorities of the President of the Kyrgyz Republic expire. 5. In case of dissolution of the Zhogorku Kenesh of the Kyrgyz Republic, the President of the Kyrgyz Republic calls an election of the deputies for the Zhogorku Kenesh of the Kyrgyz Republic, and the newly elected Zhogorku Kenesh of the Kyrgyz Republic meet for the first time not less than six months after the moment of dissolution. (article – 63, the Constitution of the Kyrgyz Republic).

10. Does the second chamber of parliament exist? No Yes _____, it:
- It is elected by direct vote
 - It is elected by indirect vote. In the following way:

10a. If the second chamber of parliament exists, and it is elected by indirect vote, who elects its members?

- All regional and local representatives of the power bodies
- Partly regional and local representatives of the power bodies
- Not obligatory regional and local representatives of the power bodies

10b. If the second chamber of parliament exists, what special or exclusive legislative powers does it have (for example: a right to defeat a country budget, recommended by the government)?

- No
- Yes (explain):

10c. If the second chamber of parliament exists, does it have a right to remove of express vote of no-confidence to the cabinet?

- Yes
- No

E. FEDERALISM

11. Is there a constitutional division of powers between the central government and regional and/or local power bodies?

- Yes
- No:** the Kyrgyz Republic (Kyrgyzstan) is an independent, unitary, democratic republic build at the basis of constitutional, secular state.

12. Does a central government have a right to dismiss representatives of regional and/or local power bodies?

- Yes:** Executive power in the Kyrgyz Republic is realised by the government of the Kyrgyz Republic, subordinate to its ministries, state committees, administrative offices, other bodies of executive power and local state administration. (article– 69, the Constitution of the Kyrgyz Republic)
4. The Prime-minister of the Kyrgyz Republic, the Government of the Kyrgyz Republic or its member has a right to send a resignation, that is accepted or rejected by the President of the Kyrgyz Republic. 5. Prime-minister's resignation acceptance

leads to resignation of the cabinet and heads of the administrative offices. In case cabinet resignation is accepted, the Government of the Kyrgyz Republic and heads of the administrative offices can continue their action, on the instructions of the President of the Kyrgyz Republic, until a new government of the Kyrgyz Republic is formed and heads of the administrative offices are appointed. (article – 70, the Constitution of the Kyrgyz Republic).

No

F. RECOMMENDATIONS

Will you enumerate the resources, you used when doing this report, it will be useful for the members of CSES when studying the political system described in the report.

1. The Constitution of the Kyrgyz Republic. Bishkek – 2003.
2. Electoral Code of the Kyrgyz Republic. Bishkek.