

**Programme evaluation**

**of**

***Support to Democratic Elections in the Kyrgyz Republic  
(January 2004 – June 2006)***

**Prepared for  
UNDP/Kyrgyz Republic**

**by**

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## EXECUTIVE SUMMARY

The project, *Support to Democratic Elections in the Kyrgyz Republic (2004 – June 2006)*, arose out of requests made by the then President of the Republic, Mr Askar Akayev, to the Secretary-General. The programme strategy recognises the need for longer-term, sustainable development and was also set in the context that the Kyrgyz Government, having noted the comments and criticisms by the World Community with respect to recent elections of state and local government bodies, had committed itself to continue to strengthen electoral legislation and procedures in line with international standards.

Following its independence in 1991 the Kyrgyz Republic initiated a transition to a democratic system of governance with the election of Members of Parliament and the first elected President of the Kyrgyz Republic. (Internationally the country was then viewed as setting a good example to the other Central Asian states that also had been part of the USSR.) Subsequent parliamentary and presidential elections were held in 1996, 2000 and also in 2005 during the period of programme. However the process was also accompanied by several amendments to the constitution resulting in a shift of power from parliament to the president and a diminution in the role of political parties. From the turn of the century there has been a gradual shift towards authoritarianism, through the use of excessive presidential powers. Human rights were violated, as were the principles of free elections, the freedom of political parties and of the mass media as well as the independence of the judiciary. Corruption and professional incompetence became more apparent within the public sector.

The build-up of public resentment over the poor democratic quality of the parliamentary elections held on 27 February/13 March 2005 erupted into the storming of the White House on 24 March. President Askar Akaev fled the country and later submitted his resignation. With the flight of the President and key ministers, and despite the poor democratic quality of the elections, the new parliament gained both legitimacy and political recognition. The scheduled presidential election of October 2005 was brought forward to 10 July, resulting in an overwhelming vote for Kurmanbek Bakiev, a former opposition leader. It is reported that just prior to the election Mr. Bakiev made an agreement with another significant contender for the post of President: the latter to step down from the contest and, in return, would be given the post of Prime Minister should Mr. Bakiev be elected President. Following the election of Mr Bakiev, that agreement was enacted.

The overall political climate remains fragile. That is not the only sector for concern. At a meeting of the Security Council on 21 November President Kurmanbek Bakiev openly expressed his concern about the effectiveness of the countries law enforcement agencies and especially in the context of economic crimes. The blatant buying of votes is perhaps a reflection of that. In the ongoing, somewhat bleak economic climate some citizens view elections as an opportunity to obtain badly needed money or food rather than an opportunity for the exercise of the franchise in its own right. “They vote with their stomachs” is how some local commentators describe it.

Another review of the constitution is under consideration. (During the past fifteen years the former President initiated four rounds of constitutional change, leading to a concentration of powers in the hands of the President.) Controversy surrounds certain aspects of the proposed changes, which were published on 15 November. As well as the abolition of the death penalty they include the prevention of changes to the constitution being used to prolong a term of an

incumbent president, the abolition of the post of state secretary, the merging of the Supreme and Constitutional Courts and from 2010 the reintroduction of party lists at parliamentary elections. Initially it was reported in the media that the President was also considering the abolition of the post of Prime Minister and the creation of the post of Deputy President. The President has recently made public the intention to hold a referendum on certain key questions e.g. the system of governance (presidential or parliamentary republic) and the immunity automatically provided to certain office holders.

The President has indicated his desire for consultation on reform. As part of this process a two-day conference *Constitutional Reform in the Kyrgyz Republic: International Review* was held in Bishkek on 24-25 November with the support of UNDP Kyrgyzstan and the OSCE CiB, involving representatives from Kyrgyz State Authorities and NGOs. In addition to participants from both the two sponsoring organisations, the international representation included European Union, ODIHR and the Venice Commission.

The elections for the Heads of Local Self-Governance elections took place on 18 December 2005, involving some 1,600 candidates, and were conducted in a relatively calm environment with only isolated incidents. The UNDP election assistance project was the only one to provide substantial assistance to the preparations for the elections. In addition some practical difficulties have been experienced in the project management of the preparations for these elections due to several factors. The project was started in Autumn 2004 with a small team of national staff. Due to the late arrival of donor money the International Project Management Advisor could only be contracted from 15 January 2005, leaving him just six weeks to assist in the preparations for the parliamentary elections of 27 February. Immediately after the Parliamentary elections, and the resulting revolution, the then Chairman of the Central Electoral Commission, who was also the National Project Director, fled the country. (He later returned) A new Chairman was subsequently nominated. Also the Presidential Election scheduled for October 2005 had to be brought forward to July and the preparations for the Heads of local self-government (18 December 2005) effectively had to be put on hold until 17 October when it was finally decided that the elections would in fact take place.

**The Purpose of the evaluation** is to provide the UNDP with a clear analysis of the progress and lessons learned and to make strategic recommendations for the consolidation of good governance and democratic practices in Kyrgyzstan. It is intended that the analysis and recommendations made will provide the basis for further development of UNDP support to democratic elections in the Kyrgyz Republic.

**The intended audience:** UNDP, the Kyrgyz Government and the Central Electoral Commission as well as other donors/donor agencies, NGOs and civic society.

**Methodology/evaluation approach:** Three approaches were adopted:

1. An extensive desk review of documentation, including reports from observation missions, NGOs, and international partners was carried out.
2. Interviews with key actors in the field of electoral administration and processes, electoral system reform, electoral assistance, civic and voter education and the project staff and other key persons and institutions involved. The interviews took place in Bishkek and also in the Naryn and Issyk-Kul Oblast regions. The electoral process is a dispersed activity carried out within a compressed timeframe with both direct and indirect feedback. Feedback, whether in person or through documentation, will vary in

terms of range, accuracy and intent and this has to be borne in mind during the evaluation process.

3. A draft report was prepared and supplied to UNDP CO and after receipt of their comments and suggestions it was then revisited.

## KEY FINDINGS AND CONCLUSIONS

### Relevance of the programme

- The programme's rationale is well suited to the provision of the required assistance to the overall objective of democratic transition and governance.
- In the light of the March 2005 "Tulip Revolution" that relevance has been substantially enhanced. The successful resistance of the Kyrgyz people to authoritarian trends has afforded them a second opportunity to build a truly democratic state and for the Republic to re-emerge as a positive example for the rest of Central Asia.

### Programme design

- The programme is well tailored to the situation on the ground and has proved amenable to modification to suit changing conditions.
- Subsequent to the local governance elections held in October 2004, and after consultation with, and the agreement of the various stakeholders, additional activities were accommodated within the document framework to counter violations and irregularities that had been identified at those elections.
- The project document contains specific success indicators and associated activities.

### Programme Management

- Overall the project management appears to be both successful and competent and especially so bearing in mind the ongoing and varying challenges that are so evident in and about elections where situational change is not infrequent and often at short notice. Very innovative applications were introduced, for example in voter education. The additional activities introduced into the project, as indicated above, reflect this overall proactive and imaginative approach. One of the components of the project, the provision of computer hardware to the CEC, did fall behind schedule and accordingly not all of the computers were on line for the first stage of the parliamentary elections. That was, in the main, due to cash flow problems and the resulting knock-on delay in the placing of the required purchase contracts. As indicated above cash flow problems was also the reason for the inability to contract the International Advisor until just six weeks prior to the parliamentary elections.
- A substantial amount of funding was raised in addition to the UNDP contribution.
- Related to that was the lead taken in coordinating international support of the elections based on a sharing of working areas between the organisation involved (including OSCE, IFES, IRI, NDI and Internews) so as to avoid gaps and overlapping. Regular coordinating meetings were organised and an electoral assistance database set up.
- UNV became a cooperating agency and gave regional and district support as well as providing good feedback from the area offices.

### Quality of outputs

- The specified outputs are highly relevant and of good quality. Those obtained to date have been very significant in respect of three of the major components - **voter**

**education, civil society interaction and coordination of international assistance to the election process.**

- Significant outputs have also been obtained in respect of **technical support to the various levels of election commissions and the building of long-term institutional capacity**. Enhanced communications and IT facilities have resulted. As it had been agreed with the CEC and IFES that IFES would conduct the training for the precinct electoral commissions the UNDP Project concentrated its capacity building efforts on the higher electoral commissions tiers and specialist sections (media staff, system administrators, Oblast Commissions and training for judges dealing with complaints) including the production of manuals, guidelines and other management aids. At the parliamentary elections, the primary aim of obtaining free and fair elections did not materialise on the day. At those elections the flaws identified were: an undemocratic pre-election political environment, manipulations with regards to voters lists and patterns of vote buying. Those are matter external to the programme and outside the Programme's control. It is the responsibility of a CEC to oversee elections and to take corrective measures as and when required. It is self evident that the CEC was not successful in this respect at the parliamentary elections. That is not a reflection on the Programme but rather on the CEC and the other commissions as well as those who may have interfered in the process.

***Linkages and synergies***

- The project is aimed at the scheduled elections not in the context of isolated events but rather as an integral part of a holistic process of democratic transition and good governance. As such there is good linkage with other UNDP programs, associated programmes carried out by international donors and NGOs such as USAID, IFES, IRI and NDI as well as synergies obtained through the coordinating role in the identification of needs and correspondingly available donor support.

***Impacts, outcomes and sustainability***

- The programme has contributed significantly to enhanced knowledge and ability among the stakeholders. The application of the main three-tier approach (technical support to the commissions, voter education and interactions with civil society) is in essence a top-down, bottom-up approach that provides not only enhanced capacity but also additional checks and balances to the overall process. Stakeholders' perception is very positive.
- The project was the only one providing substantial support to the 18 December 2005 Heads of Local Self-Governance elections.
- The new situation arising from the March "Tulip revolution" provides an opportunity for further, necessary development and enhanced long-term sustainability. However there is the possibility that the political process could stagnate and, if so, the long term gains from the project could be seriously jeopardised.
- The programme has been carried out in close partnership with other international donors and NGOs. In that context it has been very successful in building up very fruitful relationships not just with international colleagues, but also with civic society in general.
- The position in relation to the CEC and subordinate commissions is less satisfactory. As indicated above the project can only provide the necessary training and other resources. The application is entirely in the hands of the recipients.

### Perceptions

- Aside from the deficiencies, or the negative actions, of some electoral commissions the overall perspective among the stakeholders is positive. The recipients of the assistance provided by the Programme also perceive the programme and its staff in a very positive light.

### Results

- Despite the initial failure of the 2005 parliamentary elections, the results of this programme are both positive and comprehensive except in relation to aspects of the performance of the various election commissions. Deficiencies in the application of the training and support provided to the commissions and indeed the planned abuse of the electoral system are all outside the control of the programme. On the other hand the significant advantages obtained in the field of voter education and in the empowerment of civil society organisations do provide a counterbalance to attempted electoral abuse.

### Recommendations

A new programme to be established having three objectives, ranked below in order of priority, as part of the continuum of the development of democratic governance and covering the period 2006 to 2010 – the latter being the year in which presidential and parliamentary elections are next scheduled.

#### **Objective 1. To support the Central Government in remedying the various deficiencies clearly identified at the 2005 parliamentary elections especially in the Election Code, the Electoral Appeals process, the selection of Election Commission members at all levels and the preparation and updating of the list of voters**

The rationale for this lies in the experience of the 2005 parliamentary elections when it was evident that the deficiencies identified in those sectors enabled and indeed facilitated significant electoral abuse. In addition, the situation in the Kyrgyz Republic is compounded by the lack of trust in the courts due to the inadequate professional competence, high levels of corruption and the willingness of many judges to carry out the political orders of the executive. At the 2005 parliamentary election the electoral appeal process failed significantly even allowing for the period of occupation of the Supreme Court by demonstrators. There is the need for a comprehensive legal and judicial reform and, should that be initiated at an early stage, this overall objective could be part of that process.

#### **Objective 2. To support the attainment of a developed political party process.**

UNDP is implementing a comprehensive Democratic Governance Programme, which provides assistance to various sectors at national, provincial and local levels including assistance to the parliament and selected ministries, national decentralisation strategy, local self-governance and the national e-government plan. In that context political party development is an important element in the overall enhancement of democratic governance. Since the end of the Soviet period the tendency has been for Kyrgyz political parties to emerge in and about elections to support their leaders and then, post election, to return to a less than active role.

The role of political parties was enhanced at the 2000 elections through the introduction of party lists. However the party list system was removed in 2003, allegedly to strengthen the political position of the then president in the upcoming 2004/5-election cycle. The Constitutional reform presently under discussion proposes the reintroduction of the party list system and proportional representation. It is far from clear that from various aspects, including organisational structure and membership both in terms of number and geographical coverage, that the individual political parties are presently up to the task in hand. Truly effective, nationally organised political parties could form an effective counterweight to the factors threatening political stability as, for example, the North-South divide, clan-oriented policy, regionalism and the infiltration of criminal elements into public life.

Some limited assistance has already been provided to political parties through international organisations and NGOs but it has been focused mainly on election campaigning, leadership development and an examination of political party law. It has been mainly centred on the cities of Bishkek and Osh. The expected introduction of elements of a political party based democracy will create new dynamics in the formation of emerging political party system. It is recommended that UNDP assist in this process by providing assistance in areas such as public information on the concept of political party based democracy and also on capacity building for political parties themselves.

The suggested political party programme could work in tandem with a related UNDP programme- “Political Parties and Women Empowerment”. There are no women in the present parliament and only one female minister. Out of the overall total of some fifty parties there are only five in which women hold key offices.

**Objective 3: To support the Central Electoral Commission in establishing an internal training centre.**

This is essentially a natural follow through of that part of the existing programme relating to the training of the Central Election Commission and its subordinate commissions.

The Central Electoral Commission has already received considerable input from the current programme. Clearly UNDP assistance cannot, and should not, continue on an ongoing basis at the same level in the same sectors. It is now time for the CEC to stand on its own feet. The core activities are a matter for the CEC and their funding that of the Government. However, having said that, there are good grounds for assisting the CEC in establishing its own in-house training centre.

There are significant electoral related changes in the offing. Also, due to the continuous turnover from election to election in the membership of the lower levels of commissions, mainly because of very low or indeed non-existing salaries or other payments, there will be an ongoing need for a considerable level of training. In addition there is the continuing need from election to election to update and produce training aids. It is important that the CEC has the ability to carry this out in-house in a structured and phased manner. A very small number of staff would be required: perhaps only two, with the assistance of designated trainers from the casually employed staff routinely used in and about elections. In this connection it is worth pointing out that the training of the CEC computer system administrators carried out in March this year was the first and only such training since the initial system installation in 1999.



## INTRODUCTION

On 25 October 2002, following the Secretary-General's visit to Kyrgyzstan, the then president of the Kyrgyz Republic, Mr Askar Akayev, wrote to him requesting assistance in the electoral field. In response to that request, an Electoral Assessment Mission (NAM) was scheduled for February 2003. However, as the date set for the NAM approached it became clear that the process leading to a referendum on constitutional amendments, scheduled for February 2004 was giving rise to mounting controversy and tensions. DPA decided to postpone the mission pending a reassessment of the situation in the country.

On 3 October 2003, at a meeting with the Secretary-General, the President reiterated his request for assistance. As tensions had subsided somewhat, a Needs Assessment Mission visited the country from 11 to 24 November 2003. With the announcement of the President's intention to step down in 2005, at the end of his second term of office, the attainment of a smooth transfer of power, after the holding of legitimate and fair elections would be seen as good proof of the country's progress in democratisation and the rule of law. In addition it would set a positive precedent for other Central Asian countries.

The Mission underlined that UN assistance would not only require compliance with certain standards of quality and transparency but also the enhancement of the credibility of the system. The Mission was of the view that without such action before the next election there was the distinct possibility of instability, not only affecting the country itself but the region as well. Against that background the provision of electoral assistance was seen as a key tool of conflict prevention.

Following on from the Mission's visit UNDP Kyrgyzstan had the support of an international expert in the preparation of a project document in consultation with the Central Electoral and with an agreed timetable. The resulting project, *Support to Democratic Elections in the Kyrgyz Republic*, covers the period 2004-2006. The project document is attached as annex A. The elections scheduled during the project period included:

- The local elections of 10 October 2004
- Parliamentary elections of 27 February/13 March 2005,
- The October 2005 presidential election and
- The elections of the Heads of local Self-Governments, 18 December 2005.

The project was not solely related to the successful completion of the scheduled elections. UNDP views elections not as isolated events, but rather as an integral part of a holistic process of democratic transition and governance. Hence the underlying strategy was “*to contribute to the consolidation of good governance and democratic practices in Kyrgyzstan by providing effective strategic support to the 2004-2005 election processes with the aim of promoting sustainable and effective institutional capacity to achieve recurring free and fair elections.*”

Whilst the core activities of the CEC would remain to be funded by the state the available assistance from donors and multi-lateral agencies was to be targeted at strategic technical interventions in support of longer-term development. Non-technical inputs would be provided where it was deemed to be both necessary and appropriate. Paragraph 3.3 below indicates the monies received from international donors and the Kyrgyz Government.

There were three major pillars in the original document:

1. The provision of technical support to the national and sub-national commissions.
2. Support to the CEC in conducting voter education campaigns.
3. Support to the CEC in its interactions with civil society organisations to ensure transparency and constructive cooperation in the framework of the electoral process.

With the agreement of the Kyrgyz authorities, and in the light of ongoing experience, a number of additional areas of activity were added:

4. The coordination of international assistance to the electoral process. Assistance was being provided from various resources, in particular from USAID funded organisations, the OSCE and bilateral from various embassies (for example from the Embassy of Japan and the Embassy of German). The overall coordination of that assistance avoided overlapping and gaps.
5. The strengthening of non-government stakeholders of the election process. With the agreement of the CEC, stakeholders such as the media, civil society organisations and political parties were included in the project activities.
6. The amending of the electoral code to address the problems that became apparent at the parliamentary and presidential elections. With the proposed reform of the Kyrgyz constitution involving a change in the electoral system the code will require further amendment. (Hence its inclusion in the suggested new programme.)
7. The provision of advice to the Central Electoral Commission on international standards for elections.

The project provided expertise and advice throughout the pre and post-election period in line with Kyrgyzstan's signatory of a number of international documents formulating standards for democratic elections.

This report reviews and assesses the impacts and outcomes of this overall project and recommends further activities for UNDP involvement in the furtherance of the democratic transition and governance in the Kyrgyz Republic. In accordance with its terms of reference the report will review, analyse and provide conclusions and recommendations on the issues detailed below.

- Performance of the project
  - a) Attainment of the project immediate objectives and outputs
  - b) Project implementation approach
  - c) Implementation of the project
- Overall project achievements
- Lessons learnt in the course of project implementation
- Recommendations for further support through UNDP and/or the Government

The full text of the Terms of Reference is appended to the Report as Annex.1 and the list of persons interviewed is appended as Annex 2: their assistance, cooperation and guidance greatly facilitated the preparation of the report, the contents of which are the author's sole responsibility.

## **PART ONE: APPROACH OF THE PROGRAMME**

### **1.1 Rationale of the programme**

The programme was initiated at the request of the then President of the Republic who made a direct approach on two occasions to the Secretary-General. The project does not view the elections scheduled for the period 2004 –2006 as isolated events but rather as an integral part of the holistic process of democratic transition and governance. Hence it dovetails into the UNDP CO overall good governance programmes by the combination of technical support to and capacity building of the Electoral Commissions coupled with wider public participation both of the electorate and of civil society in general.

The objective set was *To contribute to the consolidation of good governance and democratic practices...by providing effective strategic support to the 2004-2006 election processes with the aim of promoting sustainable and effective institutional capacity to achieve recurring free and fair elections.*

### **1.2 Evolution and Current Status**

The programme was initially designed with three major pillars:

1. The provision of technical support to the electoral commissions at all levels
2. Support to the Central Electoral Commission (CEC) in conducting voter education campaigns
3. Supporting the CEC in its interactions with civil society organisations to ensure transparency and constructive cooperation in the framework of elections.

As previously indicated, during the implementation of the project a number of additional working areas were identified:

4. The coordination of international assistance to the election process so as to maximise its effectiveness by matching potential donors to identified needs and so avoid overlapping and gaps in international assistance.
5. The provision of advice to the CEC on international standards for elections;
6. Assistance in the amending of the electoral code (and related laws).
7. Strengthening of non-government stakeholders of the election process.

The three original main pillars have been implemented, as also have sectors 4, 5 and 7. Whilst work did commence on sector 6 the experience of the 2005 parliamentary elections identified further aspects of the electoral code that need amending. A comprehensive document has been drawn up in conjunction with OSCE, IFES, IRI, NDI and Internews containing suggested improvements to the electoral code. A working group of three Kyrgyz experts has been selected through a country-wide tender in order to draft proposed amendments to take into account lessons learnt and also other amendments resulting from the expected constitutional reform.

The amending of the electoral code is only part of what has to be reviewed. The electoral appeal process failed at the parliamentary elections. Many perceive the judiciary and law enforcement agencies as paralysed by corruption and professional incompetence. There is the need for a comprehensive legal and judicial reform. The review of the legal code would best

be positioned as part and parcel of that much wider reform.

The problems that arose during the parliamentary elections have reinforced the need for a review of the selection and appointment of the members of the election commissions at all levels and this is a sector that needs particular attention together with the training of commission members. The latter is a continuing task because of the ever-changing membership of the lower commissions from election to election.

### **1.3 Execution modalities**

The programme followed the National Execution modality (NEX) with the Central Election Commission as the main implementing agency on behalf of the Government. The management of the project consists of the National Project Director, (currently Mr. Tuigunaaly Abdraimov, CEC Chairman), an International Project Manager Advisor (Dr. Oskar Lehner) and the Project Coordinator (Ms. Noorgul Baiburaeva). In addition a Consultative Counsel has been set up comprising representatives of the CEC, the Kyrgyz Government, UNDP CO, Civil Society organisations and political party representatives: the chair being one of the political party representatives, Ms Galina Kulikova.

The UNDP CO, by means of its Democratic Governance Programme, provides direct office support services to the CEC to allow for effective implementation, in particular where capacities are limited, in order to ensure a fully transparent and accountable management of funding, procurement and recruitment.

## **PART TWO: IMPLEMENTATION OF THE PROGRAMME**

### **2.1 Programme Components**

After the fall of the USSR, when the Kyrgyz Republic obtained its independence in 1991, the country gained a reputation for being the most free and most democratic in Central Asia. Kyrgyzstan became very open to the rest of the world and actively cooperated with international development and financial organisations. Indeed it was viewed as a model for the rest of the region. From the turn of the century there was a gradual decline towards authoritarianism with excessive presidential powers, manipulation of the political process, human rights violations, restrictions on the media and the lack of an independent judiciary. Government agencies, the civil service and law enforcement agencies became paralysed by corruption and professional incompetence.

UNDP and other multilateral and bilateral agencies have assisted in various projects including a project laying down the fundamentals of decentralisation that would lead to a democratic system with the full participation of the citizens. Hence when the former President requested assistance for the 2004/5 election cycle the resulting NAM recommended that a project be developed. That was in the context that, noting the comments and criticisms by the World Community with respect to recent elections of state and local government bodies in the Republic, the Kyrgyz Government had committed itself to continue the strengthening of electoral legislation and procedures in line with international standards.

The transition from authoritarian rule to democratic governance is not an easy one. Providing a Central Electoral Commission with the requisite training and technical assistance is not in itself a solution as the problem is multi-dimensional. Hence the project “*Support to Democratic Elections in the Kyrgyz Republic*” was designed to involve the various stakeholders as well. The project management showed flexibility and awareness, in the light of experience, by the identification and inclusion of a number of additional working areas.

#### **2.1.1 The initial project document.**

The initial project document had three main pillars covering the period June 2004 to June 2006:

1. **The provision of technical support to the national and sub-national commissions** with the intended outcome of:  
*An enhanced CEC and subordinate commissions managing the 2004-2005 elections in accordance with international standards and in an effective, efficient, economic, independent and impartial manner.*
2. **Supporting the CEC in conducting voter education campaigns,** the intended outcome being:  
*Positive attitudes among voters and the population in general with regards to the democratic process, in particular to elections, including appreciation of the voting process, the value of voting and of the right to vote itself and according to personal convictions.*

3. **Supporting the CEC in its interactions with civil society organisations to ensure transparency and constructive cooperation in the framework of electoral:** the intended outcome:

*The integrity of the electoral process established through transparent organisation of the 2004-2005 elections and good professional relationships with national and international media, political parties, national and international observers, other NGOs and the general public.*

Overleaf the report looks into the Programme's immediate objectives, outputs and intended outcomes. Then, In Part 3 a detailed listing follows.

***Objective 1. An enhanced CEC and subordinate commissions managing the 2004-2005 elections in accordance with international standards and in an effective, efficient, economic, independent and impartial manner.***

Output	Status	Comments (Results and Outcomes)
<p>Relocation of the CEC from the White House to a separate building with assistance provided by the project.</p> <p>Modernization of the “Shailoo” IT system and training of the system administrators thus enhancing both the operational capacity and communication system.</p> <p>In cooperation with other international organizations and NGOs comprehensive documents have been elaborated, providing advice on international standards and necessary improvements to the electoral law and its implementation – supplied to the Kyrgyz authorities and to civil society</p> <p>Three-sided polling booths obtained to enhance ballot secrecy and reduce carousel voting potential. Training prepared and distributed</p> <p>The preparation and printing of booklets and brochures for the election administration and, to assist transparency, copied to other stakeholders.</p> <p>Training sessions for election admin media staff.</p> <p>Post election Lessons Learnt conferences.</p> <p>Conference on out-of-country voting.</p> <p>Training seminars at Oblasts level</p> <p>System Administrators’ training</p> <p>Training in their role in the appeals process for judges and representatives of Prosecutor’s Office, Ombudsman’s Office and the Ministry of Interior.</p> <p>Develop polling station (results) form on self-copying paper (NCR).</p>	<p>Moved in June 2005</p> <p>Fully completed</p> <p>Work continues on the identification of the necessary updating of the election code both to bring it up to international standards and to take into account the necessary changes that will arise from the constitutional changes presently under consideration.</p> <p>In operation from October 2004 elections</p> <p>This and the remaining outputs in this sector fully obtained.</p>	<p>Removal of the CEC from the main government building housing the President. The removal enhances the perception of the independence and impartiality of the CEC by being in its own building outside the immediate control of the government security system and affording easier access to stakeholders.</p> <p>The enhanced IT system was not fully operational for the first stage of the 2005 parliamentary elections due to budgetary circumstances. It was functional for the second stage and operational for the presidential election.</p> <p>The new booths are of robust construction and should last for a good period thereby being more cost effective.</p> <p>The provision of this training equips the staff to be fully cognizant of their duties. The copying of the election administration booklets and brochures empowers the other stakeholders through full knowledge of the proper procedures to be followed. The transparency of the system has been enhanced.</p>

***Objective 2. Support the CEC in conducting voter education campaigns to ensure not only the availability of comprehensive, factual orientation regarding voting procedures but also to convey to the public the value of voting and the right of individuals to vote according to their own convictions.***

Output	Status	Comments (Results and Outcomes)
The preparation and implementation of a detailed campaign encouraging the public, candidates, political parties, and NGOs to check the voters lists.	The campaign for the Presidential elections and the elections of 18 December 2005 of the Heads of Local Government concluded this objective.	The overall results for this objective have been very successful and most likely to have a lasting effect despite the continuance of vote buying which is the result of dire economic circumstances.
The production and distribution of leaflets, posters and booklets with voter education information.	completed	Feed back from civil society has been very positive. Not only has the information been well targeted but it has also empowered the in-country NGOs and similar bodies.
Informational nationwide campaign in the media for the electorate at each election.	completed	
The establishment of a CEC Media Centre.	The media center set up and fully operationally	
At the local and presidential elections the production and distribution to households of a newspaper containing the biographies and the programmes of candidates.	All the others have been completed.	
Information on election day procedures along with anti-vote buying information.		
Voter information specifically targeted at women, handicapped and pensioners.		
For the 18 December elections a comprehensive voter education campaign for youth was organized at grass level involving one hundred volunteers presenting films in several hundred villages.		
Educative TV sessions in both Russian and Kyrgyz broadcast on both national and local TV.		
Discussion rounds with university students in 14 universities.		
Printing of copies of guidebooks, legal texts and brochures.		



***Objective 3. The integrity of the electoral process established through transparent organization of the 2004-2005 elections and good personal relationships with national and international media, political parties, national and international observers, other NGOs and the general public.***

Output	Status	Comments (Results and Outcomes)
<p>The updating of the “Shailoo” IT system to effect better communications and also the speedy electronic transfer of election results to the CEC and the display of each polling station result on a large screen at the CEC media center and also on the internet for easy and quick public access.</p>	<p>All of the work is completed.</p>	<p>The combined use of the Shailoo IT system and of the new web site has provided a very high level of transparency in the publication of election results that indeed is a positive example to other countries both in the region and elsewhere. The individual polling station protocols were shown as and when received both at the media center and also on-line. However the overall transparency was negated by the events in and about the parliamentary elections.</p>
<p>Design of a new web site.</p>	<p>Web site up and running at elections</p>	
<p>Training of the CEC media staff and members of the Oblast commissions on their relationship with the media.</p>	<p>Fully completed</p>	<p>The training of the CEC media staff in conjunction with the setting up of the Consultative Council has enabled much better inter-relationships than previously existed where there was more of a confrontational approach to the media. Media and other contacts have welcomed this move.</p>
<p>Training seminars for judges, prosecutors and members of Ministry of Interior and the Ombudsman institution regarding election disputes and election violations.</p>	<p>Also completed, as is the case with the other outputs, below, in this sector.</p>	<p>The event of the 2005 parliamentary elections prompted this training and illustrates the proactive approach of the project management. Such training provided a much-needed focus on how such matters should be properly addressed. Having said that it is difficult to assess how that will be applied on the ground. The existing applicable legislation needs an urgent review and updating and this report is recommending such an overall review as part of a suggested follow on project.</p>
<p>Conferences organized with Civil Society as well as the universities, involving both students and academics.</p>		<p>There has been a very positive feedback on the empowerment of civic society through education and debate. This had not only enhanced transparency but also ownership and augers well for a more active and proactive approach by all concerned at future elections. That coupled with the “Tulip” revolution post the 2005 parliamentary elections is likely to strengthen the informal safeguards against abuse in the future.</p>
<p>Competition organized for writing the best articles, producing radio and TV programmes on election related topics.</p>		
<p>A Consultative Council set up on the implementation of the project and comprising representatives of the CEC, the Government, UNDP CO, Civil Society organizations and political parties.</p>		

**2.1.2** As previously indicated, in the light of developments during the implementation of the project, four very focused sectors have been added. They are examined below.

***Objective 4: To coordinate international assistance to the electoral process.***

Output	Status	Comments (Results and Outcomes)
<p>In order to avoid overlapping and gaps in the international assistance, UNDP took over the role of coordinating the work of the international donors and organizations providing assistance. Regular meetings, involving all stakeholders, as well as a UNDP administered election assistance database were the basis for an enhanced channeling of international assistance.</p> <p>In addition to a coordinating role these meetings included information sharing and served as a channel between the international organizations and the Kyrgyz authorities to indicate working priorities.</p>	<p>This has been successfully completed. Of the overall project budget of USD 1,656,000 an estimated USD 200,000 will remain in the budget at the end of this year to be used until the end of the project in June 2006.</p> <p>Details of the overall budget and donations are shown in paragraph 3.4 below.</p>	<p>The output has been had a very positive impact not only in relation to the effective use of available resources but also to the amount of finance made available. In addition, the matching of cash flow to needs and priorities was much better facilitated by this approach than otherwise would have been the case, even though funding arrived over a period of months and some only became available after the conduct of the parliamentary elections.</p>

***Objective 5: To strengthen non-government stakeholders of the electoral process.***

Output	Status	Comments (Results and Outcomes)
<p>This was an overall recurring theme throughout the implementation of all aspects of the project including, for example:</p> <ul style="list-style-type: none"> <li>• Supporting the CEC in its interactions with civil society organizations (CSOs) including an interactive meeting/workshop.</li> <li>• Membership by CSOs in the Project's Consultative Council</li> <li>• Voter education programmes</li> <li>• Educational campaigns on the right to vote and according to the individual's own preference</li> <li>• Specific campaigns for students, women, handicapped and the elderly.</li> <li>• Campaigns to discourage vote buying.</li> <li>• Training for female candidates running in the</li> </ul>	<p>All completed</p>	<p>Very positive feedback obtained. It is evident that the role and status of non-government stakeholders in the process has been considerably enhanced.</p>

<p>Heads of local self-government elections</p> <ul style="list-style-type: none"> <li>• “Early warning for conflict prevention” project jointly implemented with OSCE and IFES.</li> </ul>		
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***Objective 6: To assist in the amending of the electoral code.***

<b>Output</b>	<b>Status</b>	<b>Comments (Results and Outcomes)</b>
<p>A series of lessons learnt conferences was sponsored in conjunction with OSCE and, as a result, a comprehensive document has been elaborated listing suggested enhancements to the electoral code.</p>	<p>This is an ongoing matter as currently there are proposals for constitutional reform that will impinge on the existing code. A working group comprising of 3 Kyrgyz experts has been formed. They will consider appropriate amendments resulting from any expected constitutional change as well as experience from past elections.</p>	<p>This is a crucial sector and especially that part relating to the electoral appeal process. The existing arrangements have been found to be defective in practice, as clearly illustrated at the 2005 parliamentary elections when the appeal process, in effect, failed.</p> <p>In addition the very necessary improvement in the preparation and maintenance of the list of voters will require changes in the electoral code as well as the provision of sufficient resources to the state institutions involved in the preparation of the lists.</p> <p>The reform of the electoral code is an important and urgent task that would be best handled in the context of the badly needed overall reform of the judicial and the law enforcement authorities.</p>

***Objective 7: To provide advice to the Central Electoral Commission on internal standards for elections***

<b>Output</b>	<b>Status</b>	<b>Comments (Results and Outcomes)</b>
<p>In cooperation with other international organizations and NGOs three comprehensive documents providing advice on international standards were prepared along with relevant improvements needed to the electoral code and its implementation.</p> <p>Study tour arranged for the CEC in Moscow and also a conference there on “Out-of-country” voting.</p>	<p>Both components completed.</p>	<p>This is the start of an ongoing process. The indications are that the visit to Moscow has been very beneficial and has widened the CEC perspective and understanding of the role of a CEC.</p>

## **2.2 Conclusions reached.**

### **2.2.1 Attainment of objectives:**

- **Objective 1.** Here the programme has performed well in the provision of technical support to the national and sub-national election commissions. However such provision was not intended as an end in itself, but rather as a means of enhancing the performance of the various commissions. In that context, especially in relation to the parliamentary elections, the outcome has been below expectations, as seen at the parliamentary elections. That was entirely outside the ability and design of the programme. The responsibility for implementation lies primarily in the hands of the Central Election Commission and indirectly, the Government.
- **Objective 2.** The Programme has been very successful with Objective 2 - supporting voter education campaigns. That success was due to a very comprehensive, innovative, and wide-ranging approach.
- **Objective 3.** Aside from the parliamentary elections Objective 3 has been successfully attained. That can be particularly illustrated by one example in relation to transparency, -the use of the CEC media center to publish individual polling station results live on screen, as and when received, and then to have them displayed on the Web.
- **Objective 4,** the coordination of international assistance, has been very successful both in terms of the volume, usage of the finance obtained and the avoidance of overlapping or gaps.
- **Objective 5,** the strengthening of non-government stakeholders of the electoral Process, has been one of the highlights of the programme.
- **Objective 6** is ongoing and the planned approach should greatly assist in the identification of the necessary modifications once the proposed changes to the constitution have been determined. The amending of the electoral code is a prime requirement for the enhancement of the overall electoral process.
- **Objective 7.** The CEC has been well advised on international standards for elections.

Despite the difficulties experienced in and about the parliamentary elections, over which the programme had no control, the programme is judged to be an overall success.

### **2.2.2 Management**

The Central Electoral Commission, on behalf of the Government of Kyrgyzstan, is the main implementing agency of this NEX project. The management consists of the Chairman of the CEC, currently Mr. Tuigunaaly Abdraimov, in his role of National Project Director, an International Project Management Advisor (Dr. Oskar Lehner) and the Project Coordinator (Ms. Noorgul Baiburaeva). A compact group such as this makes for an effective method of operation. This was also assisted by the delineation of the overall work plan into three distinct periods, based on the priorities set out in the project document work plans, containing specific activities and allocation of funds:

Project staff meet regularly with the National Project Director, several times weekly if necessary. In addition the UNDP Kyrgyzstan provides direct office support services to the CEC not only to allow for effective implementation where capacities are limited but also to

ensure a fully transparent and accountable management of funding, recruitment and procurement.

Project staff also met on a regular basis with donors and other organizations providing election assistance. A donor meeting (Election assistance Coordination Meeting) took place monthly under the joint chair of UNDP and OSCE. The Kyrgyz authorities, donors, civil society representatives and partner organizations participated. The purpose of the meetings is information sharing and coordination as well as providing a linkage for the Kyrgyz authorities to indicate working priorities. This networking and sharing is a very positive approach.

### **2.2.3 Efficiency.**

The administrative costs (salaries, office rent, UNDP overhead costs etc.) account for 11.8% of the budget whilst activity costs were 84.5% of the total outlay - a good efficiency ratio for this type of project.

## **PART THREE: ASSESSMENT OF THE PROGRAMME.**

### **3.1 Relevance**

UNDP views elections not as isolated events but rather as an integral part of a holistic process of democratic transition and governance. Kyrgyzstan is still in the transitional stage from being part of the former USSR to an established democracy. In the circumstances, support to achieving well-managed, transparent, democratic elections, which results are widely accepted, matches the needs of the situation. In addition the project is designed to link process-orientated electoral support, such as technical support, capacity development and wider popular participation to broader and longer-term good governance programmes. Hence it is very relevant and especially so following on from the events of 2005 whereby a second opportunity has been presented for enhanced democratisation.

### **3.2 Implementation**

The main implementing partner was, of course, the Central Election Commission. However projects were jointly implemented with one or several of the following organisations or NGOs:

International - OSCE Centre in Bishkek, OSCE academy, USAID, International Foundation for Election Systems (IFES), National Democratic Institute (NDI), Swiss Development Agency, International Republic Institute (IRI) and Internews.

Kyrgyz NGOs – Coalition for Democracy and Civil Society, Foundation for Tolerance International, Movement for Young Handicapped People, Association of Crisis Centres, Women Support Centre, NGO Peremena, Association of Pensioners, Public Union of Independent Lawyers and Scholars, Agency of Social Technologies, Public Union, “The Union of the Kind Power”.

The programme was centred on a number of scheduled elections:

- local elections of 10 October 2004
- parliamentary elections of 27February/13 March 2005
- presidential election of 10 July 2005: originally scheduled for October 2005 but brought forward due to the resignation of the former President.
- Heads of AiyI Okmatu elections of 18 December, under way at the time of the writing of this report.

Accordingly, the execution can be examined on the basis of activities in and about each of those four types of elections. Of course there were some core activities that applied overall but they can also be examined in the same context. The activities at the various elections have been identified as follows:

#### **3.2.1 Local elections of October 2004**

- Coordination of donor support, direct office support to and related liaison with CEC
- Purchase and distribution of 6,146 three-sided voting booths to enhance the secrecy of the ballot
- Production and printing of 22,400 copies of the following guide booklets and brochures for the election administration and copied to other stakeholders to enhance transparency:

- Election Code
- Commentary to the Election Code
- Manual for District Election Commissions
- Manual for Precinct Election Commissions
- Written Rules for Candidates
- Written Rules for observers
- Election Laws – Questions and Answers
- Commentary to the Electoral Code

### **3.2.2 Parliamentary elections of 27 February/ 13 March 2005**

- Coordination of donor support, direct office support to and liaison with the CEC.
- Evaluation by IT experts of the existing Shailoo IT system to advise on modernisation. The recommendations were referred to other independent IT experts for their comments. The resulting upgrade of the system involved:
  - 1 database server, 1 application server, 1 display server, 8 telecommunication racks, 1 high speed switch, 67 UPSs, 60 modems, 67 PCs/work stations, 67 printers and 120 CD-Rs.

The equipment was obtained just before the parliamentary elections but, due to time constraint, was only partly installed for the first round but fully operational for the second round.

- Conducting training for the CEC media staff and members of the oblast election commissions on media relationships.
- Publishing 4,900 copies of the Guide for Precinct Election Commissioners
- Publishing 4,900 copies of “Electoral Code of the Kyrgyz Republic”
- Publishing 430,000 copies of voter education leaflets in Russian and Kyrgyz.
- Nationwide media based informational campaign for the electorate
- Competition for the best TV, Radio or printed media, election related news item/programme.
- Co-organising, in association with the CEC, OSCE and the Coalition for Democracy and Civil Society,
- A conference “ Kyrgyzstan at the eve of the Parliamentary Elections”. The conference was held both in Bishkek and the City of Osh.

### **3.2.3 The 10 July 2005 Presidential Election.** (Due to the resignation of the former President, Mr Askar Akaev, the presidential election was brought forward from October, 2005.)

- Provision of IT equipment and furniture for a CEC media Centre
- Replacement of IT equipment damaged in the public disorder leading to the Tulip revolution.
- **Assistance to the CEC in**
  - media training for CEC and oblast commission staff.
  - designing a new CEC web site and purchase of server.
  - facilitating the transfer of the CEC from the White House to its own self- contained premises so as to enhance the perception of independence. This involved assistance in the procurement of office equipment.

- seven two-day training seminars, for judges, prosecutors and members of the MoI and the Ombudsman institution, on election disputes and election violations.
- procurement of Protocols (Polling result sheets) on multi-part self copying paper (NCR) to enhance the result transfer security and transparency.

#### **Voter education**

- Production and broadcasting of 24 TV reels and 25 radio reels of voter education in Kyrgyz and Russian.
- Production and broadcasting of six 10-minute educative TV sessions, in Kyrgyz and Russian, on national and local TV. This was carried out in cooperation with OSCE.
- Production and distribution to all households across the country of 1 million copies of an 8 page news-sheet containing the biographies and programs of all six presidential candidates and also election day voting procedures and anti vote buying propaganda.
- Production and distribution of 800,000 leaflets and 30,000 posters bearing voter education information.
- Conducting 18 voter education training sessions for 721 women activists across Kyrgyzstan
- Publishing 32,000 copies of booklets containing voter information including that for handicapped persons and pensioners.
- Discussion rounds with university students in 14 universities across the country.
- Conducting, in cooperation with the OSCE Academy, a conference on “ The Role of Universities in a Democratic Society”.
- Co-financing the conference “ Kyrgyzstan at the eve of the presidential elections”
- Co-financing the project “Early Warning for Conflict Prevention”.

### **3.2.4 The 18 December 2005 Heads of Ayl Okmatu elections**

UNDP was the only international organisation providing substantial assistance at these elections. The programme activities included:

#### **•Assistance to the CEC**

- Financing and conducting ten training conferences for election staff at Oblast level.
- Financing the updating of the voters list to take into account the necessary changes identified after the parliamentary elections in July.
- Training the Shailoo system administrators.
- Procurement of self-copying paper for the precinct commission protocols
- Printing of guide books, legal text and brochures for CEC use
- Conducting and financing seven two-day training sessions for law enforcement officials and Ombudsman Office officials on election appeals and election violations.
- Organise study trip for CEC members to Moscow including a conference on out-of-country voting.

#### **•Voter education**

- Training for women activists
- Countrywide training for female candidates in order to enhance female representation.
- Voter education material for handicapped persons (10,000 copies) and the training activists, who work with handicapped persons, on election procedures.
- Voter education material for pensioners – 10,000 copies.



- Production of 9 TV reels and 8 radio reels for voter education – in cooperation with OSCE
- Production in cooperation with OSCE of a 20-minute educational TV program about the functions and responsibilities of local self-government.
- Conducting five training sessions for journalists, at oblast level, on the legal provisions on election campaigning.
- Production of 9,000 copies of posters covering voting procedures, voters list and vote buying.
- Production, for distribution to every household, of 800,000 copies of a 4 page newspaper containing general voter education information.
- Production of 140 different special issues of rayon newspapers containing biographies and programmes of candidates – a total of 650,000 copies in all distributed to all households.
- Organising two conferences on “Civil Society Institutions and Elections” and “Kyrgyzstan at the eve of Local Self-governance Elections”.
- Early Warning for Conflict Prevention project (in cooperation with OSCE and IFES).
- Voter education for youth (100 volunteers visiting several hundred villages, presenting a film and involving young and first-time voters into discussion so as to raise their interest in participating in local politics.

All of the activities outlined above clearly indicate that the Programme was well designed and that management adapted a proactive approach to bring in additional aspects to meet the needs of the developing situation. Also in some instances the project management were able to obtain the services of local experts in lieu of internationals thus leading to cost savings. The execution of the programme was in accordance with the tenets of the Programme document.

### **3.3 Gaps identified**

With the benefit of hindsight one significant gap in the design of the programme can be identified. That is in relation to the preparation of the voters list. Understandably, the emphasis was on the role and development of the Central Electoral Commission and its subordinate commissions. However the CEC is not responsible for the initial preparation of the voters list: that since 2003 is the responsibility of the local authorities with the Ministry of Interior and the election administration having specific functions in the overall process. The voters list is one of the keystones in the building of any electoral system: an inadequate or seriously flawed list is a precursor of a defective election or at least the perception of such. Indeed a deficient voters list was one of the risks identified in the project document.

During the parliamentary election the poor quality of the voters list became obvious. In April 2005 an inter-agency working group was formed consisting of representatives of UNDP, IFES, IRI and NDI in order to analyse the reasons for the flawed voters lists and identified them as a combination of inadequate legislation, poor implementation and lack of resources aggravated by the fact that hundreds of thousands of Kyrgyz citizens for one reason or the other did not register where they in fact have their permanent residence. As amendments to the law were not possible prior to the presidential elections the working group concentrated on providing assistance in improving the implementation of the existing legislation. Several meetings were arranged with representatives of the CEC, the Ministry of Interior and local authorities. However, at these meetings the three state agencies could not agree on a common procedure on how to establish the voters lists. Lacking an approved procedure the UNDP project decided not to implement a planned training for local authorities and instead

concentrated on a comprehensive voter education campaign calling voters and candidates to use the opportunity to check the voters lists. It is now evident that insufficient resources have been provided for an adequate preparation of the voters list. Such provision is the responsibility of the government.

### **3.4 Resource mobilisation.**

The total budget of the project for the period June 2004 –June 2006 is USD 1.656,000 (67,234 million soms). That sum was mobilised from the following sources:

	<u>USD</u>	<u>available from</u>
• UNDP TRAC	200,000	October 2004
• Kyrgyz Republic	133,000	20 September 2004
• The Netherlands	150,000	2 December 2004.
• Sweden	95,000	20 January 2005
• UN DPA	200,000	25 January 2005
• United Kingdom/DFID	30,000	March 2005
• UNDP DG TTF	200,000	March 2005
• Belgium (in two tranches)	385,000	19 May and 29 September 2005
• Ireland	266,000	15 September 2005

Although UNDP contributed a considerable portion of the money from its own funds the project was also very successful in fundraising from donors. However funding arrived over a period of some months and a considerable amount of it did not arrive until after the parliamentary elections.

The general approach was that contributions could be agreed locally between UNDP CO and any donor through a standard UNDP Cost Sharing Agreement or donors could cover certain areas or activities within the project using a parallel funding approach. All donors, regardless of their level of involvement, and potential donors were invited to monthly meetings convened by a Donor Coordination Group under the joint chair of UNDP and OSCE. An electoral assistance database was established. Overall this was an effective way of enabling a broad level of information sharing on the elections.

### **3.5 Monitoring and evaluation**

Annual Work Plans and Annual Progress Reports were prepared in accordance with UNDP rules and standards. Quarterly reviews and progress reports were completed. In addition a Consultative Council was established, comprising of representatives from the CEC, the Government of Kyrgyzstan, UNDP CO, CSOs and political parties. The Consultative Council provided oversight of the programme and made periodic progress reviews of the programme implementation.

At the completion of the programme the results of a full evaluation and an independent Audit will be published and presented to all participating donors and also made available to the other stakeholders.

## **PART FOUR: CONTRIBUTION TO THE CAPACITY DEVELOPMENT OF THE PROJECT STAKEHOLDERS.**

### **4.1 Stakeholders identified**

The stakeholders identified within the Project Document are as follows:

- Central Elections Commission and the subordinate electoral commissions, that is those at Provincial, Districts, City and polling station levels
- Civil Society – in the context that Civil Society has an important role to play in ensuring that the public is well informed about the election system and their role and responsibilities. In addition CSOs can ensure that the elections are adequately monitored, thereby facilitating the acceptance of the results.
- Government of Kyrgyzstan On the one hand the Government has a role in the conduct of the elections, particularly in ensuring that an adequate and timely budget is available for the CEC in order to conduct activities as per the approved plans. On the other hand the fair and equitable administration of the electoral processes, resulting in legitimate elections, enables a government to sustain its operations and constitutional position within the overall political system.

The strategy of the project, recognising the need for longer-term, sustainable development, is set in the context of the overall objective:

*To contribute to the consolidation of good governance and democratic practices in Kyrgyzstan by providing effective support to the 2004-2005 election processes with the aim of promoting sustainable and effective institutional capacity to achieve recurring free and fair elections.*

### **4.2 Capacity development attained**

The capacity development of each of the identified stakeholders can be examined as follows.

#### **Central Elections Commission and subordinate commissions.**

It is evident from the programme outputs that much has been done within the project to enhance the capacity of the CEC. The CEC is the overall lynch pin in the electoral process. It is also the overseer of the other commissions and hence should be proactive in ensuring that the overall process is fairly, equably, consistently and effectively applied. Hence it is important, in any electoral assistance project, that the role of a CEC is enhanced as necessary and especially through technical assistance and training. It had been agreed between the CEC and IFES that IFES would conduct the training for the PEC staff at the parliamentary and presidential elections. Accordingly the UNDP project concentrated its capacity building efforts on the higher tiers or specialist sections – media staff, system administrators, Oblast Commissions and judges dealing with complaints. In that respect the project performed well.

There was considerable enhancement on the operational side of the CEC through the

procurement and installation of a replacement for the outdated “Shailoo” IT and communication system. The training of 67 system administrators reinforced that. The installation of the new GAS Shailoo system also significantly contributed to strengthening the integrity of the data transfer as previously the CEC used the servers of the White House that raised suspicion about the correct result aggregation. Another important development, assisted by the Programme, was the transfer of the CEC from the Government White House to separate offices nearby. This not only reflected on the perceived independence of the CEC but also for the first time provided adequate accommodation in a more suitable environment and for the longer term.

In the past there has been a perceived lack of confidence in the commissions overall and especially those at precinct/polling station level. Accordingly the programme provided for training aids, manuals and guidelines so as to enhance both the knowledge and capabilities of those involved at all levels. Hence solid support was provided to the CEC and the subordinate commissions. That and the actions mentioned above were significant.

At the parliamentary elections, the primary aim of obtaining free and fair elections did not materialise on the day. At those elections the flaws identified were: an undemocratic pre-election political environment, manipulations with regards to voters lists and patterns of vote buying. These are matter external to the programme and outside the Programme’s control. It is the responsibility of a CEC to oversee elections and to take corrective measures as and when required. It is self evident that the CEC was not successful in this respect at the parliamentary elections. That is not a reflection on the Programme but rather on the CEC and the other commissions as well as those who may have interfered in the process.

### **Civil Society**

The overall capacity of civil society has been significantly advanced. An examination of the range, scale and design of the programmes activities and outputs in this sector bears that out. The programme has certainly assisted the in-country NGOs and CSOs in their development.

The scale and range of voter education is impressive, resulting in a better-informed and interested electorate than hitherto. Overall a very satisfactory outcome has been achieved.

**Government of Kyrgyzstan** It is somewhat difficult to comment here. The government in power at the start of the Programme has been ousted. The new government has only been in power since July. However the various enhancements introduced into the CEC, especially in relation to communications and IT, remain in place. Thus the new government has indirectly benefited from the project in at least that respect. Additionally a significant amount of input in the form of operating manuals, guidelines and training aids have been issued and should form a good basis for future elections with whatever modifications that may be appropriate. Necessary amendments to the Election Code have been identified and recommendations either made or are in the process of being made. The significant problems with the voters lists have also been identified. It is now in the hands of the Government as to how, and when, these are to be considered and corrective action applied.

## **PART FIVE: RECOMMENDATIONS**

### **5.1 Kyrgyzstan is at a crossroads.**

The events of July 2005 resulted in the removal of a president and government that had become increasingly authoritarian and which has paid the consequences of its actions, or that of its supporters, in and about the parliamentary elections.

There is debate as to the way ahead, not least as regards constitutional reform. Whatever reforms are introduced at central and local government level there remains the need for an acceptable electoral system and process that meets international standards. There is the clear need for early progress towards effectively addressing the deficiencies that have been identified at the parliamentary elections. The following recommendations are offered to assist in that process.

### **5.2 Recommendations**

A new programme to be established having three objectives, ranked below in order of priority, as part of the continuum of the development of democratic governance and covering the period 2006 to 2010 – the latter being the year in which presidential and parliamentary elections are next scheduled.

***Objective 1. To support the Central Government in remedying the various deficiencies clearly identified at the 2005 parliamentary elections especially in the Election Code, the Electoral Appeals process, the selection of Election Commission members at all levels and the preparation and updating of the list of voters***

The rationale for this lies in the experience of the 2005 parliamentary elections when it was evident that the deficiencies identified in those sectors enabled and indeed facilitated significant electoral abuse. In addition, the situation in the Kyrgyz Republic is compounded by the lack of trust in the courts due to the inadequate professional competence, high levels of corruption and the willingness of many judges to carry out the political orders of the executive. At the 2005 parliamentary election the electoral appeal process failed significantly even allowing for the period of occupation of the Supreme Court by demonstrators. There is the need for a comprehensive legal and judicial reform and, should that be initiated at an early stage, this overall objective could be part of that process.

***Objective 2. To support the attainment of a developed political party process.***

UNDP is implementing a comprehensive Democratic Governance Programme, which provides assistance to various sectors at national, provincial and local levels including assistance to the parliament and selected ministries, national decentralisation strategy, local self-governance and the national e-government plan. In that context political party development is an important element in the overall enhancement of democratic governance. Since the end of the Soviet period the tendency has been for Kyrgyz political parties to emerge in and about elections to support their leaders and then, post election, to return to a less than active role.

The role of political parties was enhanced at the 2000 elections through the introduction of party lists. However the party list system was removed in 2003, allegedly to strengthen the

political position of the then president in the upcoming 2004/5-election cycle. The Constitutional reform presently under discussion proposes the reintroduction of the party list system and proportional representation. It is far from clear that from various aspects, including organisational structure and membership both in terms of number and geographical coverage that the individual political parties are presently up to the task in hand. Truly effective, nationally organised political parties could form an effective counterweight to the factors threatening political stability as, for example, the North-South divide, clan-oriented policy, regionalism and the infiltration of criminal elements into public life.

Some limited assistance has already been provided to political parties through international organisations and NGOs but it has been focused mainly on election campaigning, leadership development and an examination of political party law. It has been mainly centred on the cities of Bishkek and Osh. The expected introduction of elements of a political party based democracy will create new dynamics in the formation of emerging political party system. It is recommended that UNDP assist in this process by providing assistance in areas such as public information on the concept of political party based democracy and also on capacity building for political parties themselves.

The suggested political party programme could work in tandem with a related UNDP programme- “Political Parties and Women Empowerment”. There are no women in the present parliament and only one female minister. Out of the overall total of some fifty parties there are only five in which women hold key offices.

**Objective 3: To support the Central Electoral Commission in establishing an internal training centre.**

This is essentially a natural follow through of that part of the existing programme relating to the training of the Central Election Commission and its subordinate commissions.

The Central Electoral Commission has already received considerable input from the current programme. Clearly UNDP assistance cannot, and should not, continue on an ongoing basis at the same level in the same sectors. It is now time for the CEC to stand on its own feet. The core activities are a matter for the CEC and their funding that of the Government. However, having said that, there are good grounds for assisting the CEC in establishing its own in-house training centre.

There are significant electoral related changes in the offing. Also, due to the continuous turnover from election to election in the membership of the lower levels of commissions, mainly because of very low or indeed non-existing salaries or other payments, there will be an ongoing need for a considerable level of training. In addition there is the continuing need from election to election to update and produce training aids. It is important that the CEC has the ability to carry this out in-house in a structured and phased manner. A very small number of staff would be required: perhaps only two, with the assistance of designated trainers from the casually employed staff routinely used in and about elections. In this connection it is worth pointing out that the training of the CEC computer system administrators carried out in March this year was the first and only such training since the initial system installation in 1999.

## *Annex 1*

### TERMS OF REFERENCE

#### MID-TERM EVALUATION MISSION

##### **I. Background**

During the past decade Kyrgyzstan has gained the reputation to be politically more open and more pluralistic than other countries in Central Asia. Never the less during the years since independence in 1992 Kyrgyz Parliamentary and Presidential elections repeatedly failed to meet international standards for democratic elections.

After the political events in Georgia and Ukraine political analysts already expected a volatile situation in Kyrgyzstan during the 2004/5 election cycle. In fact, public anger over the poor democratic quality of the 27 February / 13 March 2005 parliamentary elections<sup>1</sup> turned into civil unrest. The storming of the White House on 24 March signaled the end of the era of President Askar Akaev. Key flaws of the election process were an undemocratic pre-election political environment, manipulations with regard to voter lists and patterns of vote buying.

After the resignation of the president early elections were scheduled for 10 July which led to a landslide victory of the former opposition leader Kurmanbek Bakiev. The presidential elections – although not free of irregularities – were assessed as marking a “tangible progress by the Kyrgyz Republic towards meeting OSCE commitments”.<sup>2</sup>

##### **Description of the Overall UNDP Program “Support to Democratic Elections in the Kyrgyz Republic” 2004-2006**

In Autumn 2004 UNDP Kyrgyzstan started its project “Support to Democratic Elections in the Kyrgyz Republic” (see attached project document Annex # 1), which should provide assistance to the 2004/205 election cycle: Local elections October 2004, Parliamentary elections 27 February 2005/13 March 2005, Presidential Elections 10 July 2005 (originally planned for October 2005) and elections of the heads of local self-governments 17 December 2005.

The main areas of activity of the election assistance project as a whole are:

- a.** The provision of **technical support to the national and sub-national election commissions** to assist in the management and implementation of the upcoming elections, as well as to help in establishing of internal processes and procedures that are sustainable, effective, efficient and appropriate for independent electoral commission. **Intended**

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<sup>1</sup> See Report of the OSCE / ODIHR Election Observation Mission  
[http://www.osce.org/documents/odihr/2005/05/14456\\_en.pdf](http://www.osce.org/documents/odihr/2005/05/14456_en.pdf).

<sup>2</sup> See Report of the OSCE / ODIHR Election Observation Mission  
[http://www.osce.org/documents/odihr/2005/07/15625\\_en.pdf](http://www.osce.org/documents/odihr/2005/07/15625_en.pdf)

**Outcome:** An enhanced Central Election Commission and subordinate commissions managing the 2004-2005 elections in accordance with the international standards and in effective, efficient, economic, independent and impartial manner.

**b.** Supporting the Central Election Commission in **conducting voter education campaigns** to ensure not only the availability of comprehensive, factual orientation regarding voting procedures but also to convey to the public the value of voting and right of individuals to vote in line with their own convictions. **Intended Outcome:** Positive attitudes among voters and the population in general with regards to the democratic process, in particular to elections, including appreciation of the voting process, the value of voting and of the right to vote itself and according to personal convictions.

**c.** Supporting the Central Election Commission in its **interactions with civil society organizations** to ensure transparency and constructive cooperation in the framework of electoral process. **Intended Outcome:** The integrity of the electoral process established through transparent organization of the 2004-2005 elections and good professional relationships with national and international media, political parties, national and international observers, other NGOs and the general public.

In the course of the project and due to the political dynamic of the past months several more areas of activities were identified:

- to strengthen non-governmental stake holders of the election process
- to assist in amending the Constitution and the electoral code taking into consideration lessons learnt from the recent Parliamentary and Presidential elections

The overall project has been designed based on the findings of a Needs Assessment Mission conducted in 2003/4 and in close cooperation with the Central Election Commission. The implementation is monitored by a 17 persons strong Consultative Council which comprises of representatives of the Kyrgyz authorities, international organizations and NGOs as well as activists from the civil society sector.

Furthermore all UNDP election assistance activities have been coordinated regularly with all other organizations providing assistance e.g. OSCE, USAID, DFID, IFES, NDI, IRI, Internews, in order to avoid overlapping.

The total budget of the project “Support to Democratic Elections in the Kyrgyz Republic” comprises of USD 1,658,000, which is provided by UNDP, UN DPA, as well as the governments of Netherlands, Belgium, Ireland, Kyrgyzstan, Sweden and the United Kingdom.

#### Future Work plan

The UNDP Election Assistance Unit together with the CEC is in the process of preparing a work plan for the following events:

- Heads of local-self governance elections (17 December 2005),
- Reform of the Constitution and the electoral code
- Establishment of a CEC training center
- Possible referendum on the amended Constitution (spring 2006)



## **II. Purpose of Mid-term Evaluation**

The objective of the Mid-term project evaluation is to provide UNDP CO with a clear analysis of the progress and lessons learned and to make strategic recommendations that could enhance the programme supporting Government's efforts to contribute to the consolidation of good governance and democratic practices in Kyrgyzstan with the aim of promoting sustainable and effective institutional capacity to achieve recurring free and fair elections.

The analysis and recommendations presented by the mid-term project evaluation will provide the basis for further development of UNDP support to democratic elections in the Kyrgyz Republic.

UNDP, the Kyrgyz Government, as well as other donor agencies, will benefit from the results of the evaluation. Central Elections Commission and other stakeholders will take into consideration the lessons learned and findings of the evaluation and will incorporate them into the future plans for project implementation.

## **III. Scope of the Mid-term Evaluation**

A mid-term evaluation will assess operational aspects, such as project management and implementation of activities and also the extent to which objectives are being fulfilled. It will focus on corrective actions needed for the project to achieve outcomes.

The evaluation mission will review, analyze and provide conclusions/recommendations on the following groups of issues listed below.

### **Group 1: Performance of the project**

- a) Attainment of the project immediate objectives and outputs as per the Project Document
- b) Project implementation approach
  - project adaptation to changing conditions;
  - changes in project design and work plan;
  - effective partnerships and parallel financing in the implementation of the project;
  - stakeholder participation;
  - cooperation and coordination with other organisations providing election assistance
- c) Implementation of the project
  - execution and implementation modalities;
  - project management arrangements, including stakeholder participation;
  - project financial planning and control;
  - cost-effectiveness of project operations;
  - potential gaps in the course of project implementation;
  - monitoring and evaluation.
  -

### **Group 2: Overall project achievements**

- contribution of the project to the capacity development of project stakeholders;

- project achievements beyond the planned project outputs;
- project impact in terms of contribution of the project to the stated development objective.

**Group 3:**        Lessons learnt in the course of project implementation

**Group 4:**        Recommendations for future support through UNDP and/or the Government

- sustainability of the results achieved
- future actions that will build on and reinforce the initial benefits from the project;
- based on the achievements of the project, recommendations for viable new project interventions in the future.

#### **IV. Products expected from evaluation**

- The draft evaluation report at the end of mission time.
- The output of the evaluation assignment will be a **Final Mid-Term Evaluation Report** prepared in English within two weeks after mission time.

#### **V. Methodology or evaluation approach**

The approach to be used by the evaluation team will include: extensive review of documentation and interviews. The evaluation mission will work closely with UNDP CO and Democratic Governance Programme and the government counterparts and other project beneficiaries.

##### Desk Review

The evaluation team will review the documents related to the project, prior to the start of the evaluation mission. The documents will be provided by the Election Project of the UNDP Democratic Governance Programme.

##### Interviews

- a. Meeting the key actors in the field of electoral administration and processes, electoral system reform, electoral assistance, civic and voter education;
- b. Interviewing the project staff and other key persons and institutions involved, with special attention to the Central Elections Commission of Kyrgyzstan.

UNDP Democratic Governance Programme will organize all in-country meetings, and will provide logistical support for translation/interpretation, office space and equipment, accommodation, and transportation

#### **VI. Evaluation team**

The mission will consist of one international expert in Electoral Reform and will be supported by one interpreter/assistant.

The mission will involve travel outside Bishkek.

The mission suppose to start its work before or from 10 of November 2005 and finish within two-three weeks (10 - 15 working days)

The mission will work under the overall coordination of UNDP Resident Representative in the Kyrgyz Republic.

## **VII. Qualification**

The international expert should have a master's level degree in public administration, social sciences or an equivalent degree. Furthermore, the expert should have 7-10 years of broad based experience in area of Electoral Reform and Democratic Governance.

He/she should have appropriate programme/project evaluation.

## ANNEX 2

### Persons interviewed

Jerzy Skuratowicz, UN Resident Coordinator, UNDP Resident Representative

Tuigunaaly Abdraimov, Chairman of the CEC Kyrgyzstan

Bolot Malabayev, Member of the CEC

Franz Eichinger, Ambassador of the Federal Republic of Germany

Cholpon Baekova, Chairperson of the Constitutional Court

Galina Kulikova, Coordinator of *Moya Strana* party of action

Markus Mueller, OSCE Ambassador, Head of OSCE Centre in Bishkek

Donald Lu, Deputy U.S. Ambassador

Kurmanbek Osmonov, Supreme Judge

Michael Hall, International Crisis Group Director

Jennifer Croft, USAID

Jason Lane, Head of Mission, DFID

David J. Mikosz, Head of IFES

Peter Sondergaard, IRI

Amy Schultz, NDI

Edil Baisalov, Director of *Coalition for Democracy and Civil Society*

Raya Kadyrova, President of *Foundation for Tolerance International (FTI)*

### Visits to Naryn and Karakol Oblasts

Sadatbek Medetbekov, Chairman of Kochkor district election commission

Mirlan, NDI Programme Assistant, Kochkor NDI center

Amankul Moldaliev, Chairman of Naryn Oblast Election Commission

Azat Kurmaev, NDI regional office, Naryn

Members of *Nur Jol Ber*, *Munaza*, *Nar Ust*, and *Pir Salamon* NGOs, Naryn

Aigerim Golomanova, OSCE regional office, Karakol, Issyk-Kul Oblast

Joomart Baryktabasov, Chairman of Issyk-Kul Oblast Election Commission

Ludmila Provoslavnaia, *Vesti Ysyk-Kulja* newspaper, Karakol, Issyk-Kul Oblast

Abdyjapar Egenberdiev, *Ysyk-Kol Kabarlary* newspaper, Karakol, Issyk-Kul Oblast

Oleg Pankratov, *Novaja Gazeta* newspaper, Editor-in-chief, Karakol, Issyk-Kul Oblast

Aisulu Seidalieva, Coalition for Democracy and Civil society, Karakol, Issyk-Kul Oblast

*EmTV* TV Company, Karakol, Issyk-Kul Oblast

Banura Abdieva, *Lider* NGO

Ozgorush Mambetov, Communist Party, Karakol, Issyk-Kul Oblast

Omurbek Asanbekov, *Moya Strana* party, Karakol, Issyk-Kul Oblast

Kalmakbek, *Ar-Namys* party, Karakol, Issyk-Kul Oblast