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## From the Editors

January 15, 2012, elections to the Majilis - the lower chamber of Kazakh Parliament were held in Kazakhstan. As a result, the three political forces - the presidential party "Nur Otan", as well as loyal to the government "Ak Jol" and the Communist People's Party of Kazakhstan have the right to form a new composition of this legislative body.

At the same time, according to the OSCE and other international observers, there are several facts that call into question the democratic nature and transparency of the elections. First of all we are talking about the inadequacy of the election campaign which was held under a state of emergency in Zhanaozen (for more details, please read our previous issue), as well as significant restrictions on the rights of opposition parties which ran in the elections.

What are the conclusions drawn by the government of Kazakhstan from these evaluations? How can one explain the new wave of repression towards the independent media and civil society representatives which started immediately after the elections? Please read today's issue in order to learn about this, as well as about the key facts, evaluations and nature of the election season in 2012.

Sincerely,  
Analytical Department, „Open Dialog” Foundation

OPEN DIALOG  
FOUNDATION  
3 Maja St. 18/4  
20-078, Lublin  
tel. +48 507 739 025

kz.insider@odfoundation.eu

## Elections-2012 in Kazakhstan: results and trends

***The International criticism of the elections to the Majilis was met answered by the Kazakhstan authorities with the exertion of increased pressure on independent media, human rights activists and opposition politicians.***

January 15, in Kazakhstan elections of deputies to the Majilis of the Parliament were held according to the proportional system. According to official figures, the turnout was 75.07%, which is 10% more than during the elections in 2007 [1]. According to final election results, "Nur Otan" received 80.99% of the votes, "Ak Jol" - 7.47%, CPK - 7.19%. All three political parties have shown themselves to be advocates of President Nursultan Nazarbayev's policies.

According to the results of voting on party lists, parliamentary seats are distributed as follows: People's Democratic Party "Nur Otan" - 83, Democratic Party of Kazakhstan "Ak Jol" - 8, the Communist People's Party of Kazakhstan - 7 [2]. January 16, the National Assembly of Kazakhstan completed the formation of the lower house of the parliament, by selecting another 9 candidates [3].

The countries with developed democracy noted the low level of freedom in the elections to the Majilis. As mentioned in the preliminary report of the OSCE [4]: "The elections were well organised from a technical point of view ... but the authorities did not provide the necessary conditions for truly free elections... The December clashes in Zhanaozen and the introduction of emergency measures in the city have become a serious issue during the campaign." EU High Representative for foreign policy, Catherine Ashton [5] and Deputy Press Secretary of the U.S. Department of State Mark Toner [6] in their comments agreed with such an assessment of the elections.

The conclusions of the CIS Observer Mission [7] and the Parliamentary Assembly of Turkic-speaking countries [8] are diametrically different from the above as they declared that the elections in Kazakhstan were held in an open manner and in accordance with international standards.

Kazakhstan's leader; Nursultan Nazarbayev has responded very sensitively to the OSCE's summary. Already on January 18 the official media quoted his



Igor Vinyavskiy, editor of independent newspaper "Vzglyad", was arrested immediately after elections. Photo: rusrep.ru

speech given at the meeting of the political council bureau of "Nur Otan", in which the elbasy ("national leader") declared: "We will not invite hired experts who criticize our elections to Kazakhstan anymore" [9].

Comments, in which representatives of the Kazakh authorities have expressed their disagreement with the conclusions of the organizations of the democratic countries were supported by actions aimed at increasing the pressure on independent media, civil society activists and opposition politicians.

Restriction of freedom of the media became evident immediately, both at a legislative level and in

practice. One of the first innovations after the election was an act signed by President Nursultan Nazarbayev on January 18, "On Television and Radio Broadcasting." According to its provisions, foreign TV channels that broadcast on the territory of Kazakhstan, will have to undergo registration in the country and comply with all requirements of the law.

The activities of persons authorised by the government body, who will take the account of foreign and domestic TV and radio channels deserve special interest. According to the «Article 19" organisation "the act gives the government and local administrative bodies broad, almost unlimited power and control over broadcasting, which, in essence, allows for arbitrary political interference and political control" [10].

The aggravation of the situation related to the information channel Stan.kz immediately after the elections [11] (January 18, its journalists were detained by National Security Committee officers), also indicates the overall tendency on the part of the governmental authorities to attack the media which are beyond their control. But the most discussed event was the detention of the "Vzglyad" newspaper Editor, Igor Vinyavskiy [12], who was accused of instigating to a coup d'etat (based on two-

year-old materials).

These same tools have been also used against the leaders of opposition political organisations, in particular - the leader of the unregistered party "Alga" Vladimir Kozlov. The latter was arrested on charges of inciting social discord [13], immediately after his return from Strasbourg and Brussels, where he participated in a number of meetings with MEPs and representatives of the European Commission on the situation in Kazakhstan, and particularly - on the events in Zhanaozen. Along with Kozlov many other important figures of the opposition movement were detained, among them were; Mikhail Sizov, Zhanbolat Mamai, Serik Sapargali, Gulzhan Lepesova, Vadim Kuramshin.

Enforcement actions are accompanied by the NSC's powerful information campaign aimed at discrediting the "Popular Front" ("Halyk Maidana") movement and the "Alga" party. Thus, the Kazakh authorities want to make it appear that in Kazakhstan there are forces who wish to disrupt the stable development of the country. Interestingly, Kozlov, at the conference of the European Parliament, warned about possible attempts of the government to shift the blame for the events in western Kazakhstan to the opposition.



Vladimir Kozlov, leader of the oppositional party "Alga", was arrested after his return from Strasbourg and Brussels, where he participated in a number of meetings with MEPs and representatives of the European Commission on the events in Zhanaozen. Photo: hrca.org.ru

A new wave of repression in Kazakhstan has already been condemned by the OSCE Representative on Media [14], Freedom House [15], Human Rights Watch [16], the Commissioner of the Government of Germany for Human Rights and Humanitarian Aid [17], as well as many other international and human rights organisations.

As for now, the government remains uncompromised in selecting methods of action, which further aggravates the situation inside the country and lead to its further international isolation. The increase in anti-democratic tendencies can be stopped only by a clear position of the European Union and world public opinion on the events in Kazakhstan (especially - in Zhanaozen), by the condemnation

of Kazakhstan's illegal actions and infringement of individual rights by the countries of Europe and the U.S. government.

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## Crisis and elections in Kazakhstan

***Elections in Kazakhstan will not change the political situation in the country, but will exacerbate the manifestations of deep social crisis. Strengthening the sole ruling party, rather than guaranteeing stability, may produce social unrest.***

Elections to the Majilis, the lower house of parliament of the Republic of Kazakhstan, put an end to monopolist representation of a single party "Nur Otan" in this legislative body. At least this is how it will be presented to the international community. But it cannot be stated that the government of Kazakhstan has become more democratic. The system of forming and functioning of government at all levels continues to depend on the will of the president - and the legislative power is no exception.

The following elections to the Majilis of the Parliament were to be held in August 2012, but in November 2011, 53 deputies of the Majilis had requested that the President dissolve the lower house and hold elections. According to the official version, this step was taken in order to avoid an overlapping of the new wave of economic crisis with the instability of the pre-election period, and also – to select the Majilis, where it would be represented by at least two parties (the relevant amendments to the constitution were made in 2011).

But this version is far from being a complete and entirely sincere list of motives for early elections. In our view, more important arguments are the crisis of governance and Nazarbayev's attempt to keep the situation under control. Perhaps it was his last attempt.

Firstly, there is serious internal competition among the country's top leadership and the elite groups which are represented in it. Now the stability of the state largely depends on Nursultan Nazarbayev, but his health is deteriorating. Therefore, the question of whose interests and in what form they will dominate after his departure - remains open.

For example, a realistic scenario is that Nazarbayev planned to replace the current head of the President's administration, Aslan Musin with Krymbek Kuserbayev, the Governor of Mangistau region (where the tragic events took place on December

16.) And whose forces which are close to the President's administration helped to organise the provocation which resulted in riots, bloodshed, and destroyed the political perspective for many Musin's political rivals.

Nazarbayev also feels the urgency of the moment. Therefore, through elections and other means, he is attempting to eliminate the vertical dimension of power, to keep loyal people in key positions in order to ensure a reliable back-up and a carefree retirement period.

Secondly, those in power started to fear competitors represented by opposition leaders. The limited time of the election campaign (in fact, two months) coincided with the suspension of registration of the KKP and the incomplete registration of the opposition party "Alga!" and did not allow adequate preparation for elections for those parties which did not have any administrative resources.

Thirdly, in Kazakhstan there is a growing social tension, the peak of which was experienced after the elections were brought forward to an earlier date. The events in Zhanaozen, as well as the protests of oil workers throughout the whole of 2011 – were a prime example of a social, and not political, character of the conflict between the citizens of the country – employees - and the government officials. This is not the only area in which the crisis has matured – which can be proven by a warning strike of workers of the «ADAN DZO Logistic» automotive enterprise, property of the "Kazakhmys" corporation, which took place on January 10 [1].

The agony and uncertainty of the elite in their abilities can also be seen in the format in which the campaign was conducted. The last two weeks before the election showed that the government was ready to depart from the declared democratic rules in order to retain control over the country and its resources.

And so, after a political scandal, the registration of the "Rukhaniyat" party's list was cancelled, several

candidates were excluded from the lists, including co-president of the NSDP, Bulat Abilov, and journalist Gulzhan Yergaliyeva. Previously, a number of candidates to maslikhats declared withdrawal of their candidacies in protest against the actions in Zhanaozen.

It was also decided that the elections would be held in the city of Zhanaozen during the state of emergency, despite the provisions of the Constitution. It's worth mentioning that between 6 and 11 January a decision was in force which prohibited elections in this city. Thus, the candidates lost the period from 6 to 11 January during the campaign which, given the short time of the campaign, is quite important.

In addition, administrative tricks were also used to thwart the attentions of the representatives of the international community - Kazakhstan's Foreign Ministry refused to issue visas for observers from Poland who wanted to come for early parliamentary elections. Among the 24 persons who reported willingness to come to Kazakhstan there were known Polish journalists, experts, and a member of the European Parliament [2].

There were also reported problems with access to information. This did not only consist in a lack of awareness on the part of the society, but also the inability to monitor the real situation in the country by international experts. According to the report of the OSCE [3], the state TV channels primarily covered the activity the "Nur Otan" party. This is confirmed by the results of monitoring of the political pluralism carried out by a social foundation, "Ar. Rukh. Hak. ("Honour. Spirituality, Truth") from November 30 to December 10, according to which the print media reserved 52% of their space for covering the news related to "Nur Otan" [4].

Last but not least, an important aspect to be noted is the influence of external factors on the situation in Kazakhstan, their interests in the country, the perception of geopolitical players in the elections and possible scenarios for future development.

So far, neither private investors, nor the world-leading countries have called for a change of the political elite in Kazakhstan. The country's leadership is trying to portray the image of a stable partner using all available methods, but the surge in domestic

competition for power or attacks against this competition could become the factors which will change the external situation.

It should also be borne in mind that the situation in Kazakhstan is similar to the final years before the collapse of the Soviet Union. In the society there is a still-growing discontent with the political and social situation, which begins to manifest itself in the form of both peaceful protests and acts of terrorism. The government relies on the solution to the problem based on strengthening the repressive and administrative measures and seems to forget the last days of the USSR, whose collapse could not be prevented even by such a powerful apparatus as the KGB.

In this situation, the European Union, and the entire world community face a choice: to demonstrate an uncompromised attitude and to oversee a democratic transformation of the authoritarian regime, through fair elections, or create a new hot spot in the center of Asia.

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