

Kyrgyzstan: leading independent media organisation denied accreditation to monitor parliamentary elections

10 November 2021

International Partnership for Human Rights (IPHR), the Norwegian Helsinki Committee (NHC) and the Helsinki Foundation for Human Rights (HFHR) regret the decision of the Central Electoral Commission (CEC) in Kyrgyzstan to deny the public foundation “Kloop Media” (Kloop) permission to carry out a planned election observation mission involving 1500 trained observers during the upcoming parliamentary elections on 28 November 2021.

In an official letter dated 5 November, the CEC stated that *Kloop was not eligible to observe the elections*, as its organisational statutes do not specify that it will engage in election monitoring activities.

Kyrgyzstan’s Law on Elections does not set out any specific requirements for the statutes of election observation groups, but states that non-profit organisations have the right, in accordance with procedures established by their statutes, to decide to participate in election observation and deploy their civic observers. Kloop’s statutes allow the organisation to expand its activities into the field of election observation, although they do not specifically mention this area of work.

However, unlike the Law on Elections, new amendments to *regulations on the procedure for registering observers*, which were approved by the CEC on 5 September 2021, state that only organisations “specialising in electoral law and elections, as well as in the protection of human rights” are allowed to observe elections. Previously, such requirements only applied to foreign organisations monitoring elections but now, after the amendments were introduced, they also apply to local groups. It was based on these provisions that the CEC refused to grant accreditation to Kloop to monitor the parliamentary elections. As the amendments were only recently adopted and the CEC had failed to provide any public information about them, Kloop and other local organisations were not aware of the new requirements.

Without accreditation, Kloop’s election observation mission will not be able to take place as planned. Its observers will not be admitted into polling stations, and will thus not be able to carry out independent oversight of crucial electoral processes such as vote counting and district tabulation. Moreover, Kloop will not be allowed to file formal complaints regarding documented violations to the CEC, as only accredited organisations are allowed to do so.

Kloop has criticised the refusal to grant it accreditation to monitor the elections as unlawful and absurd, and on 8 November 2021, it *filed a lawsuit* against the CEC, arguing that the CEC’s decision violates the Law on Elections. Kloop and the undersigning organisations believe that the CEC’s decision is related to Kloop’s previous election monitoring activities. Since October 2020, Kloop has observed four elections and two referenda in Kyrgyzstan, with its large teams of trained monitors documenting scores of electoral violations and its lawyers filing several hundred complaints to the country’s electoral commissions.

Kloop's co-founder Rinat Tuhvatshin told IPHR: *“The CEC knows that Kloop is the only organisation which submits numerous legitimate and formal complaints about the violations we observe, and that in the past we have forced them to address the irregularities that we documented. Clearly they don't want to be in trouble again. We see the decision as a recognition of our achievements. We are glad that we are making them uncomfortable as this indicates that we are doing our job. We will monitor these elections in one way or another, but this decision has already demonstrated that transparency is not a priority for the Kyrgyzstani authorities.”*

A media organisation founded in 2006, Kloop provides independent coverage of developments in Kyrgyzstan and the wider Central Asia and works with tech-solutions to promote freedom of expression and democracy in the country. The decision to deny Kloop accreditation to monitor the upcoming parliamentary elections comes in the context of a *deteriorating climate for free speech and narrowing space for civil society* in the country, seen since last year's political crisis and the rise to power of President Sadyr Japarov.

The undersigned organisations and Kloop are not aware of other local organisations that have been refused accreditation by the CEC for monitoring the upcoming parliamentary elections. Kloop has previously been granted accreditation to monitor numerous elections at different levels: parliamentary, presidential, and local elections, as well as referenda.

The organisations signing this statement call on the Kyrgyzstani authorities to:

- abolish the new provisions of the regulations on registering election observers, which unduly limit the scope of organisations allowed to carry out election monitoring;
- immediately grant Kloop accreditation to observe the parliamentary elections;
- allow Kloop and other independent election observation groups to observe the parliamentary elections without hindrance and intimidation.