



# Central election commission of the Republic of Kazakhstan



Electoral system  
of the RK



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Electoral system of the RK

### Brief information about electoral system of the RK

The Constitution of the Republic of Kazakhstan of 1995 indentified free elections as the fundamental principle for organization of the government and the people as the only source of state power and bearer of sovereignty. The Republic of Kazakhstan is a unitary state with a presidential form of government.

Democratic elections are competitive, periodic and representative elections, in which the citizens, having bread freedom, elect their representatives in the power structures on the alternative basis. Competitive elections guarantee that different political parties and candidates take part in elections. And all of them enjoy freedoms of speech, assembly, movement, all that is needed to ensure that their political views are heard and that they can present alternative candidates to voters. The legislation of the Republic of Kazakhstan ensures the periodicity of elections, representative of various social groups in the government, openness and transparency of election authorities.

Article 33 of the Constitution of the Republic of Kazakhstan guarantees the right to elect and to be elected in the state and local self-government bodies as well as to participate in the republican referendum to the citizens of the Republic, who reached the age of 18 years regardless of their origin, social, property status, occupation, sex, race, nationality, language, attitude towards religion, belief, place of residence or any other circumstances. The right to elect and be elected, to participate in the republican referendum does not extend to the citizens, who were judged as incapable by a court or who are held in places of confinement on a court's sentence.

As a member of many prestigious international organizations Kazakhstan adheres to all of its obligations to conduct free and competitive elections. Elections of the Head of State and formation of Parliament of the Republic of Kazakhstan as well as local representative bodies are held in our country in conditions of openness and transparency in compliance with national legislation and universally recognized principles for democratic elections, stipulated in the Universal Declaration of Human Rights (1948), International Covenant on Civil and Political Rights (1966), European Convention for the Protection of Human Rights and Fundamental Freedoms (Protocol No. 1, 1952), Document of the Copenhagen Meeting of the Conference on the Human Dimension of the OSCE (1990).

The right to elect and to be elected is regulated by the Constitutional Act "On Elections in the Republic of Kazakhstan", adopted in September 1995.

According to the provisions of the Constitution and this Act the elections of the President, deputies of the Mazhilis of Parliament and of local representative bodies as well as members of local self-government bodies of the Republic of Kazakhstan are held on the basis of universal, equal and direct suffrage by secret ballot.

The President of the Republic of Kazakhstan is elected for a five-year term. The President of the Republic may be a citizen of the Republic by birth, not younger than forty years old, fluent in the state language and living in Kazakhstan for the last fifteen years.

The Parliament of the Republic of Kazakhstan is the highest representative body and consists of two chambers: the Senate and the Mazhilis, acting on the permanent basis. Member of Parliament may be a person, who is a citizen of the Republic of Kazakhstan and permanently lives on its territory the last ten years.

The Senate is composed of 47 deputies. Fifteen Senate deputies are appointed by the Head of State, taking into account the need to ensure representation in the Senate of national, cultural and other important interests of the society. Another 32 Senate deputies are elected representing by two persons from each region, cities of Astana and Almaty. Half of elected Senate deputies is re-elected every three years. Election of Senate deputies is held on the basis of indirect suffrage by secret ballot. A Senate deputy may be a person, who reached the age of thirty years, has a higher education and length of service of not less than five years, and has been a permanent resident for not less than three years on the territory of the respective region, city of republican status and the capital of Republic.

The Mazhilis is composed of 107 deputies, 98 of which are elected under the proportional representation system based on party lists and 9 - by the Assembly of People of Kazakhstan. A Mazhilis deputy may be a person, who reached the age of twenty-five years. Political parties form the lower house of Parliament through proportional system of elections (by party lists). Earlier election of deputies of the Mazhilis of Parliament in our country was held under a mixed electoral system (67 deputies were elected in single-seat constituencies and 10 – by party lists).

### State symbols of the RK



National Flag of the  
Republic of  
Kazakhstan



National Emblem of  
the Republic of  
Kazakhstan



National Anthem of  
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Kazakhstan

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The world has not yet established a perfect electoral system. Even the old states with age-old democratic traditions reveal shortcomings in the organization and conduct of new election campaigns.

Therefore, it is not casual that the Constitutional Act “On Elections in the Republic of Kazakhstan” is constantly improved and corrected in accordance with the realities of the modern world. Together with the electoral law the electoral process improves as well and the legal culture of voters and other stakeholders of election process are being increased.

Since the initial adoption of the Constitutional Act “On Elections in the Republic of Kazakhstan” in September 1995 it was amended fifteen times. In total, more than 792 amendments were introduced.

The developed in such a way the country’s electoral legislation allowed developing the electoral system that meets the basic principles of electoral law, formulated in the OSCE 1990 Copenhagen Document, which are based on the Constitution of the Republic of Kazakhstan and included in the general part of the Constitutional Act on Elections and detailed in its chapters and articles.

Most conceptual changes have been introduced in the Elections Act in 2004, 2007 and 2009. In particular, in 2004 non-alternative elections and early elections have been excluded; a new principle of formation of election commissions – election by local representative bodies upon presentations by political parties – was introduced; the principle of compilation of voter lists has been changed: voters are included in voter lists according to the registration of place of residence; guarantees for equal access of candidates to media have been introduced; the rights of domestic and international election observers have been significantly expanded, etc.

In June 2007 due to introduction in May 2007 of changes to the Constitution the Elections Act defined a new procedure of forming the Mazhilis of Parliament and significantly expanded the opportunities of political parties to participate in the work of election commissions. In particular, a political party not having a representative in an election commission is eligible to nominate its representative to the commission with the advisory vote for the period of preparation and conduct of election campaign, who is endowed with all rights of an election commission’s member.

One of major changes, introduced in the electoral legislation of the Republic in 2009, is the introduction of legal mechanism to form the Mazhilis of Parliament with participation of at least two political parties, even if the other party does not pass the statutory 7-percent barrier. The reason for introduction of this mechanism was the fact that based on the results of election of deputies of the Mazhilis of Parliament in 2007 all mandates were received by one political party, since the other parties were not able to overcome the statutory 7-percent barrier.

In addition, amendments were made to the articles, regulating the campaigning procedures и providing candidates and political parties with equal conditions for access to the media. A uniform date for conduct of by-election of deputies of local representative bodies (maslikhats) was set as well.

Additions of 2011 included the issues of calling and holding early presidential election. In particular, they established that early presidential election shall be called by the decision of the President and shall be held within two months since the day of calling in accordance with the rules stipulated for regular election of the President, and the subsequent regular election following the early presidential election shall be called after five years. Thus, the terms for the conduct of election events shall be defined by the Central Election Commission.

Additions in 2013 were related to calculation of the constitutional term of office of deputies of the Senate and the Mazhilis, who were elected at early elections.

During the years of independence in Kazakhstan the country’s citizens participated in two referendum campaigns, six presidential election campaigns, five – for the election of Mazhilis of Parliament (lower chamber), five – election of local representative bodies (maslikhats). In addition, since 2009 twice a year voters take part in by-election of deputies of maslikhats.

Last five years for our country were the busiest with electoral events.

In April 2011 and April 2015 elections of the Head of State and in early 2012 elections of deputies of the Mazhilis of Parliament and local representative bodies (maslikhats) were held. In August 2013 election of heads of local administrations (akims) was held in 2457 administrative-territorial units and in October 2014 election of deputies of the Senate of Parliament of the Republic of Kazakhstan was conducted.

