

President Tokayev's political reform programme

March 16, 2022

Conceptual framework for new political reforms

1. The final transition from a super-presidential form of government to a presidential republic with a strong Parliament
2. Practical implementation of the formula “A strong President - influential Parliament – an accountable Government”
3. A logical continuation of the previous 4 policy reform packages aimed at developing the “listening state” concept
4. The reforms are systemic and complex. They affect virtually all major political institutions.
5. The scale of the reforms involves making changes to more than 30 articles of the Constitution, seven constitutional laws and more than 15 laws.
6. The reforms set new moral and ethical standards both for the authorities at all levels and for the society.
7. The Presidential Programme takes into account the views and suggestions of public figures, experts and NGOs. Discussions were held with members of the National Council of Public Trust and in the regions. The programme incorporates recommendations from deputies of Parliament, the Constitutional Council and the Central Election Commission, and the Supreme Court.



Features and directions of political reforms

1. **Limiting the power of the president**
2. **Introduction of a mixed proportional-majoritarian electoral system**
3. **Reformatting the process of formation and functions of the parliament**
4. **Strengthening the role of the maslikhats**
5. **Simplifying the registration procedure for political parties. Expanding opportunities for the party system**
6. **Improving the electoral process**
7. **Independence and transparency of the judiciary**
8. **Strengthening the role of civil society institutions and the media**
9. **Protection of fundamental human rights**

A shift away from overconcentration of presidential powers



1. Prohibition for the President's closest relatives to hold positions of political civil servants and heads of quasi-public sectors
2. The President is obliged to terminate his membership in a political party for the duration of the presidential term.
3. Excluding the ability of the Head of State to repeal or suspend the acts of the akims of regions, cities of republican significance and the capital.
4. Prevention of the President's right to remove a district, city or rural district akim.
5. Reduction of the presidential quota in the Senate from 15 to 10 deputies.
6. The presidential appointment of the Chairpersons of the Constitutional Court and the Supreme Judicial Council requires the consent of the Senate.
7. President appoints the akim of provinces and cities of republican significance solely on an alternative basis with the consent of the maslikhat.

Strengthening the Parliament

Senate

- Reduction of the presidential quota in the Senate from 15 to 10 deputies (including 5 deputies recommended by the Assembly of the People of Kazakhstan). Transfer of the quota of the APK from the Majilis to the Senate.
- The Senate does not "adopt", but "approves/not approves" bills passed by the Majilis.
- The Senate consents to the President's appointment of the Chairpersons of the Constitutional Court and the Supreme Judicial Council



Majilis

- Mixed (proportional-majoritarian) system for the formation of the Majilis with a 70/30 ratio (70% from party lists, 30% from single-mandate constituencies)
- Introduction of an imperative mandate for deputies elected under the majoritarian system.
- Abolition of the Assembly of the People of Kazakhstan quota in the Majilis.
- The Audit Committee becomes the Supreme Audit Chamber. The Chairperson of the Chamber reports to the Majilis on its work twice a year.

Simplifying the registration procedure for political parties

✓ Reducing the registration threshold
from 20,000 to 5,000 members

✓ Reduction of the minimum number of regional offices
from 600 to 200 people.

✓ Reducing the minimum number of citizens' initiative groups to form a party
from 1,000 to 700 people.

✓ Increasing the period of formation of branches
from 6 months to 1 year

✓ Extending the duration of the constituent congress
from 2 to 3 months

✓ Mandatory withdrawal from the party of Chairpersons and members of the Central Electoral Commission, the Supreme Audit Chamber, and the Constitutional Court

✓ Legislative ban on akims and their deputies holding positions in party branches

Modernising the electoral process

- ✓ **Mandatory withdrawal from the party of chairpersons and members of the Central Electoral Commission**
- ✓ **Formation of Territorial Electoral Commissions on a permanent professional basis**
- ✓ **Legislative regulation of observers**
- ✓ **Creating a unified electronic voter database**



- ✓ **Gradual expansion of forms of alternative types of voting**
- ✓ **Establishing limits on donations to election campaigns in order to prevent the influence of specific individuals**
- ✓ **Strengthening the principle of inadmissibility of foreign interference in electoral process**

Local executive and representative government

The introduction of a majoritarian electoral system in district and city maslikhats and a mixed system of elections in regional maslikhats of all levels (proportional-majority - 50/50). Introduction of the imperative mandate

Introduction of the position of Chairperson of the maslikhat

The President submits on an alternative basis not less than two candidates for the post of akim for obtaining the consent of maslikhats

Strengthening the economic independence of local governments

Legislative ban on akims and their deputies to hold positions in party branches

Limitation on the number of deputy akims (no more than three, in exceptional cases - four)

Improving the judicial and law enforcement systems

- ✓ Transformation of the Constitutional Council to the Constitutional Court.
- ✓ Regulation of the status and guarantees of the activities of the Commissioner for Human Rights in the Constitution in a separate article (by analogy with the prosecutor's office). Right of the Ombudsperson on human rights to appeal to the Constitutional Court.
- ✓ Giving laws on the Prosecutor's Office, and on the Commissioner for Human Rights the status of constitutional laws.



- ✓ Online broadcast of the sessions of the Supreme Judicial Council. Publication of explanations of the Supreme Judicial Council on the results of the competition.
- ✓ Expansion of the category of cases involving jury trials. (Currently only especially grave crimes).
- ✓ Establishment of exclusive jurisdiction over cases of torture for the Prosecutor General's Office.
- ✓ Exclusion from the Constitution of the death penalty as a form of punishment.

Protection of fundamental rights of citizens

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- ✓ Regulation of the status and guarantees of the activities of the Commissioner for Human Rights in the Constitution in a separate article (by analogy with the prosecutor's office). Right of the Human Rights Ombudsperson to appeal to the Constitutional Court.
- ✓ Giving the law on the Commissioner for Human Rights the status of a constitutional law.



- ✓ Establishment of exclusive jurisdiction over cases of torture for the Prosecutor General's Office.
- ✓ Effective counteraction to offenses in the sphere of family and domestic relations.

Strengthening the role of civil society and media institutions

1. Creation of a new institution "National Kurultai" with the participation of representatives of public councils of regions, party leaders, deputies of the Parliament, leadership of the Civil Alliance, representatives the public and experts.

2. Public discussions of all national projects and strategic documents with participation of experts, NGOs, media.



3. Introduction of mandatory publication of financial statements, composition founders, property, sources of income and expenses of all non-commercial organisations.

4. Development and adoption of a new media law. Increasing the competitiveness of domestic media.

5. Reduction of exceptional functions of NCE "Atameken".