

Kazakhstan: political situation

The Republic of Kazakhstan has a presidential form of government characterised by a monopoly of the executive branch and limited parliamentary power. Since independence in 1991, progress in Kazakhstan in terms of democratisation, human rights and the rule of law have not matched its economic development. As Kazakhstan approaches another snap presidential election on 26 April 2015, uncertainty about the political situation in the country continues.

Thriving power of the 'leader of the nation'

The President of Kazakhstan, [Nursultan Nazarbayev](#) – granted the title of '*elbashi*' (leader of the nation), lifelong power, and immunity from prosecution by a constitutional [amendment](#) in June 2010 – has ruled the country since the Soviet era. Although the [Kazakh constitution](#) (Article 42) stipulates that there is a two-term limit for the presidential post, President Nazarbayev is exempt from this restriction, having been granted exclusive rights to stand for the presidency an unlimited number of times after a constitutional [amendment](#) in June 2007. The President of the Republic is also Head of State and Commander-in-Chief, an all-encompassing authority which adds to the detriment of democratisation and pluralism in the country. The President's growing [domination](#) of the political system hinders any prospect of democratic consolidation.

Kazakhstan's regime – led largely by the President himself – is classified as '[consolidated authoritarian](#)' by Freedom House, as it leaves almost no room for a system of checks-and-balances. In January 2012, President Nazarbayev's [Nur-Otan Party](#) attracted 81% of votes and won 83 of 98 seats in the most recent [elections](#) to *Majilis*, the lower house of parliament. This overwhelming majority indicates that the legislature is too weak to act as a balancing power against the executive branch.

Parliament's subservience became apparent on 14 January 2011, when both houses unanimously [voted](#) to allow a referendum circumventing the forthcoming two elections, with a view to extending the tenure of President Nazarbayev to 2020. Sparking criticism from the [US](#), and the [EU](#) the President ultimately did [not approve](#) the bill. The EU's then High Representative for common foreign and security policy, Catherine Ashton, [welcomed](#) President Nazarbayev's decision and stated that he had acted in the best interests of Kazakhstan. The President's decision, however, did not satisfy the opposition, which regarded it as '[political theatre](#)' aimed at boosting the President's image. Following the Constitutional Council's [ruling](#) on 31 January that the bill was in violation of the constitution, President Nazarbayev [announced](#) a snap presidential election scheduled for 3 April 2011. Facing only three competitors, one of whom later [disclosed](#) that he had voted for the incumbent, the President received 95% of votes and secured another five-year term in office, at a time when authoritarian regimes in Tunisia and Egypt were being ousted by popular protest.

As the end of President Nazarbayev's incumbency approaches, political stability is jeopardised by the lack of clarity over the presidential succession. Concerns regarding the uncertainty of a peaceful transition of power remain high. President Nazarbayev himself [acknowledged](#) the need for a succession plan and confirmed his preference to hand over the presidency to a designated successor. However, on 26 February 2015, the President issued a [decree](#) setting the date for a snap presidential election on 26 April 2015. This move [increased](#) expectations that he will stand in the upcoming election. Although on 6 March, the President [announced](#) it may be 'time to change the scenery', leaving his candidacy unclear, on 11 March he nevertheless announced his decision to run for re-election. The Central Election Commission [declared](#) his candidacy on 15 March 2015. Turgun Syzdykov of the Communist People's Party of Kazakhstan, and Abulgazi Kussainov, the head of the Trade Union Federation are the other presidential [candidates](#). Given the lack of doubt that Nazarbayev will win the election, the succession issue will be put on [hold](#) for the immediate future.

Maijlis and Senate or a 'paper parliament'

Since the Kazakhstan political system concentrates power heavily with the executive, in particular the President, the bicameral [legislative organ](#) (*Maijlis* and *Senate*) has no tangible power. The Nur-Otan Party's overwhelming majority forces the parliament to act as an approval authority for legislation initiated by the President, rather than as a genuine legislative body. Although constitutional provisions supportive of legislative authority exist, such as the right to pass a vote of no confidence in the government, Nur-Otan domination renders such tools meaningless for oversight of the executive. Moreover, even if the Parliament passes a vote of no confidence and the government submits its resignation to the President, according to Article 70 of the Constitution, the President has the right to refuse to accept the resignation and compel the government to continue in office. Since the President has the final say over legislation, the legislature can be regarded as a '[paper parliament](#)'.

Adopted in June 2007, the constitutional [amendments](#) affecting the parliament – which introduced a proportional representation system using political party lists, along with a seven per cent threshold to gain representation, and increased the number of members of *Maijlis* from 77 to 107 – was detrimental to parliamentary pluralism. Since then, 98 of the members are elected – for a period of five years – through party lists, and nine are delegated by the [People's Assembly of Kazakhstan](#), a state body representing various ethnic groups, which vets all laws to ensure that they are in conformity with the constitution with regards to ethnic harmony and equality. The first elections for *Maijlis* after these amendments, in August 2007, yielded a one-party legislature. None of the other political parties passed the threshold and Nur-Otan obtained all 98 seats with 88% of votes. While President [Nazarbayev](#) insisted that the election was free and fair, an [OSCE report](#) concluded that the election failed to meet certain international democratic standards.

In order to open *Maijlis* to opposition representation, [amendments](#) to the election law, introduced in February 2009, guaranteed seats for the runner-up by removing the seven per cent threshold. The most recent elections for *Maijlis*, an election held seven months early, took place in January 2012 after the President dissolved the parliament in November 2011. Two 'soft opposition' parties, the [Democratic Party of Kazakhstan](#) and [Communist People's Party of Kazakhstan](#), passed the threshold, taking eight and seven seats respectively.

The upper house of the parliament, the Senate, is composed of 47 members, increased from 39 after the constitutional amendments mentioned above. For a period of six years, 32 members are indirectly elected by the local assemblies (two from each of the 14 *oblasts* plus the two major cities, Almaty and Astana). The remaining 15 members are assigned by the President. Half of the Senate members are renewed every three years. The Senate Speaker is Kazakhstan's second most important official, since the Speaker assumes the Presidency should the President become incapacitated or die. Thus, in October 2013, the approval of former Prime Minister and Foreign Minister, Kassym-Jomart Tokayev (known to be loyal to the President) as Senate Speaker, sparked [new rumours](#) about a possible succession.

Challenges to democracy: repression, corruption and weak governance

Intolerance of dissent and opposition [repression](#) demonstrate the Kazakh executive's upper hand in the political system (see our note on the [human rights situation in Kazakhstan](#)). The detention of [Vladimir Kozlov](#), leader of the unregistered political party *Alga*, is a case in point.

Kazakhstan is placed 161st of the 180 countries on the [2014 World Press Freedom index](#), which notes that media pluralism suffers from increasing repression by the regime. Kazakhstan's judiciary is also criticised for its protection of the interests of the regime, rather than those of individuals. Its weak performance in terms of rule of law is recognised by the [Rule of Law Index](#) – which placed Kazakhstan 71st of 99 states – and the World Bank's [Worldwide Governance Indicators](#). Kazakhstan's widespread corruption ranks the country 126th of 175 states on the [Corruption Perceptions Index](#).

Bilateral relations between the EU and Kazakhstan are governed by the [Partnership and Cooperation Agreement \(PCA\)](#) which entered into force in 1999. The European Parliament adopted a [resolution](#) on 22 November 2012 on the negotiations for an [enhanced PCA](#) with Kazakhstan. During President Nazarbayev's visit to Brussels on 9 October 2014, then Commission President José Manuel Barroso [announced](#) the successful conclusion of the negotiations and the agreement was [initialled](#) on 20 January 2015 in Brussels. Kazakhstan constitutes an important part of the '[Strategy for a New Partnership](#)' with Central Asia adopted in 2007, providing the political framework for the EU's engagement in the region. The current Latvian EU Presidency considers Central Asia a priority area and its [programme](#) includes a possible review of the strategy in order to increase EU visibility in the region.