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## **ANALYSIS OF CURRENT INNOVATIONS AND FACTORS IN SHAPING RURAL ELECTIONS: A PERIOD OF TRANSITION**

**Abstract.** The article analyzes the current innovations of the new model of the local self-government system, where one of the important components is the organization and conduct of direct elections of rural akims. The election of rural akims in Kazakhstan remains one of the important directions in the framework of further decentralization of public administration and the introduction of the widespread practice of local self-government institutions. In this connection, the article considers and assesses the key measures for implementing the transition to direct elections, taking into account the experience of the first local election campaign in the summer of 2021.

**Keywords:** elections, village akims, local government, direct elections

**Жанар Санхаева, Гультнар Аскеева**

**АУЫЛДЫҚ САЙЛАУ ҚАЛЫПТАСУ БАРЫСЫНДАҒЫ ЖАҢА  
ЕНГІЗІЛІМ МЕН ФАКТОРЛАРЫН ТАЛДАУ: ӨТПЕЛІ КЕЗЕҢ**

**Аңдатпа.** Мақалада маңызды құрамдас бөліктердің бірі ауыл әкімдерінің тікелей сайлауын ұйымдастыру және өткізу болып табылатын жергілікті өзін-өзі басқару жүйесінің жаңа моделінің қазіргі жаңалықтары талданады. Қазақстанда ауыл әкімдерін сайлау мемлекеттік басқаруды одан әрі орталықсыздандыру және жергілікті өзін-өзі басқару институттарының кең таралған тәжірибесін енгізу аясындағы маңызды бағыттардың бірі болып қала береді. Осыған

байланысты мақалада 2021 жылдың жазындағы бірінші жергілікті сайлау науқанының тәжірибесін ескере отырып, тікелей сайлауға көшуді жүзеге асырудың негізгі шаралары қарастырылып, бағаланады.

*Түйін сөздер:* сайлау, ауыл әкімдері, жергілікті өзін-өзі басқару, тікелей сайлау

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**Жанар Санхаева, Гульнар Аскеева**  
**АНАЛИЗ ТЕКУЩИХ НОВОВВЕДЕНИЙ И ФАКТОРОВ В СИСТЕМЕ СЕЛЬСКИХ ВЫБОРОВ: ПЕРЕХОДНОЙ ПЕРИОД**

**Аннотация.** В статье приводится анализ текущих нововведений новой модели системы местного самоуправления, где одним из важных компонентов является организация и проведение прямых выборов сельских акимов. Выборность сельских акимов в Казахстане остается одним из важных направлений в рамках дальнейшей децентрализации государственного управления и введения повсеместную практику институтов местного самоуправления. В связи с чем, в статье рассмотрены и дана оценка ключевым мерам реализации перехода к прямым выборам с учетом опыта первой избирательной кампании на местах летом 2021 года.

*Ключевые слова:* выборы, сельские акимы, местное самоуправление, прямые выборы

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### **Introduction**

In recent years, Kazakhstan has given the go-ahead to reform the social environment of rural areas through a political transformation of governance at the grassroots level. Kazakhstan's villages will undergo a number of changes under the state Regional Development Programme 2020-2025, one of the objectives of which is the socio-economic development of rural settlements. The Programme defines the key priorities of rural development according to the system of regional standards, where the provision of rural areas with facilities and services on the basis of their prospects and potential is defined as a key characteristic [1, p.15]. This focus will contribute to the effectiveness of economic and social support measures.

It should be noted another important practice as the fourth level budget, which has been implemented since 2018. According to this budget

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policy all small villages with a population over 2 thousand people have the opportunity to independently approve the expenditure part of the budget of their community, pinpointing local problems that require immediate solutions for a particular locality.

Against the background of ongoing socio-economic transformations, in order to improve the efficiency of local governance, direct elections of rural akims have been held in Kazakhstan for the first time since 2021, which actualises the need to study the results and effectiveness of the first phase of the transition to decentralised governance.

However, while indirect elections of rural akims ensured and maintained control and coherence of socio-economic activities of the grass-roots level of government with the central level, the advantages of the new way of appointing local leaders through direct elections is to follow the key principles of decentralisation in order to increase opportunities for civic participation in their local affairs. Thus, the need to maintain a balance between ensuring effective decentralisation and the political stability of state development remains a key issue of direct elections.

### **Research methods**

Analysis of the current model of local self-governance, formed on the basis of the adopted legal acts and the Concept of development of local self-governance in the Republic of Kazakhstan until 2030, indicates the presence of a number of constraints to the effective system of organisation of Local Self-Governance, which include issues of direct elections of rural districts' akims.

To identify the strengths, weaknesses and neutrals of the proposed LSG model, an SNW analysis of selected segments and innovations in the Law on Elections in the Republic of Kazakhstan and some election-related legislation, as well as a block on the topic under study in the Local Self-Government Development Concept in the Republic of Kazakhstan until 2030 was conducted.

However, a comparative analysis of the two electoral systems - indirect and direct elections - has highlighted the key features of direct elections.

### **Research results**

The transition to the elected office of village akims in Kazakhstan has a long history, which can be roughly divided into three stages [2]:



### First stage

- The organisation and conduct of the pilot elections: 1999 and 2001.



### Second stage

- Introduction of indirect elections for rural akims: 2013 and 2017



### Third stage

- Transition to direct elections of rural akims: from 2021

## Picture 1. Chronology of rural akim elections

The main features of each phase are the following. The period of the first stage includes experimental elections of akims of rural districts. Thus, the first elections were held in 1999 in Chemolgan rural district of Karasai district of Almaty oblast. On 20 October 2001 the second experimental elections were held in 28 rural settlements.

The second stage (2012-2020) is characterized by the first indirect elections, in which two election campaigns took place in 2013 and 2017, with interim by-elections of rural akims to replace those who dropped out. It should be noted that during this period a significant legal and regulatory framework for the electoral system of local elections was formed: the Concept of Development of Local Self-Government in the Republic of Kazakhstan (2012), as well as the Rules for the Election, Termination of Office and Dismissal from Office of Akims (2013).

**Table 1: SNW analysis of individual norms and provisions of innovations in the LSG system**

	Qualitative assessment of the position		
	S - strong	N - neutral	W - weak
<b>Local authorities</b>			
- of a local community meeting		+	
- Kenes education	+		
<b>Nomination procedure</b>			
- party nominations			+
- self-nominated	+		
- district akims		+	
<b>Responsibility of rural district akims</b>			
- Before Kenes	+		
- to the higher akim on matters within his competence			+
<b>Decision on early termination of the powers of the rural district mayor</b>			
- District (regional city) Akim, by decision of the district (city) maslikhat			+
- Initiating (agreeing to) a community meeting	+		
- Kenes	+		

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The year 2021, which marked the first direct elections of rural akims, may be regarded as the beginning of the third stage of improvement of local election mechanisms. The key documents regulating electoral relations at the grassroots level are the RK Law on Local Government and Self-Government in the Republic of Kazakhstan, the RK Law on Civil Service of the Republic of Kazakhstan, the RK Law on Political Parties and the Concept of Development of Local Self-Government in the Republic of Kazakhstan until 2030.

As part of the current work to analyse and evaluate innovations, it is proposed to consider the following groups of criteria within the SNW-analysis: local self-government bodies; nomination procedure; responsibility of rural district akims; decision-making on early termination of powers of a rural district akim (Table 1) [3], [4].

Thus, as the SNW analysis of the key norms of innovations in the LSG system shows, the strengths are comparatively more than the neutrals and weaknesses, which may speak of the formation of a qualitatively new level of legal and regulatory framework for the functioning of local self-government, where the institution of elected rural akims plays a key role. In this sense, the existing legal order is aimed at activating the population at the local level through various instruments of influence. Hence, the election of akims through direct voting is seen as a qualitative change in public administration and local self-governance, which aims to strengthen public control and increase the responsibility of the population for the implementation of local policies.

**Strengths analysis.** The strengths of the innovation include the following:

- The formation of Kenes, a local collegiate body that will make decisions on issues of local importance to each resident of the village;
- self-nomination of candidates for rural district akim;
- the responsibility of rural district akims to Kenes;
- Initiating (agreeing) a decision by a local community meeting or/and Kenes on the early termination of the powers of the rural district akim.

In general, it can be assumed that the introduction of these innovations will increase citizen participation in decision-making on issues of local importance through the delegation of power by citizens to the institutions of local community assembly, Keneses and elected Akim. In turn, the mechanism of Keneses will ensure political accountability and responsibility of local authorities.

Analysis of neutrals. In general, the neutral parties determine the po-

tential risks of the implementation of LSG mechanisms. For example, the activities of local community assemblies, defined as a local self-government body in the Concept of Local Self-Government Development in the Republic of Kazakhstan until 2030, are currently of a formal nature rather than a meaningful force.

Also controversial is the adoption of procedures for the nomination of akims of rural districts by district akims:

*“If less than two candidates for a village, settlement or rural district are nominated on the day of the deadline for nomination, the nomination of at least two candidates **shall be made by the district** (regional city) **akim within a period not exceeding five days after the deadline for nomination provided for in paragraph 5 of this article**”*

*Article 113-3, paragraph 6*

On the one hand, this norm allows avoiding the risk of non-alternative elections or recognition of elections as not having taken place. On the other hand, there is a risk of abuse of power by rayon akims to promote “their candidate”. Hence it is important to continuously monitor the implementation of the norm in practice and evaluate its effectiveness.

**An analysis of weaknesses.** The weaknesses include the following aspects. The nomination of candidates for rural districts’ akims from political parties has two negative aspects. First, this initiative in 2018 did not receive public support, including among the expert community [5].

Secondly, the scale of party representation in the field remains an open question. According to the results of the election of deputies to maslikhats on 10 January 2021, which was held for the first time under the proportional system, the situation with the distribution of deputy mandates showed the predominance of one party in the regions. Thus, just over 3,000 deputy mandates [6] were distributed as follows:

- The Nur Otan party won some 2,500 mandates;
- The Auyl party - about 240 seats;
- The Ak Zhol party - about 210;
- The PPC party is around 90;
- The Adal party is about 30.

Weak party competition was also observed in the elections of rural akims. Nationwide, relatively more self-nominated candidates were nominated (61.8%) than political party candidates (38.2%). Parties were least able to present their candidates in Karaganda (30.2%), Akmola (30.7%)

and North Kazakhstan region (31.2%). This was also reflected in the election results. For example, Nationwide Social Democratic Party (1) and People’s Party of Kazakhstan (10) were the least successful candidates in the akimat corps.

Another weakness of the innovations is the strengthening of the norm on “the *responsibility of rural district akims to the superior akim on issues within their competence*”. It should be noted that this norm preserves the dependence of the rural district akim on the superior akim, who also has the right to dismiss him from his post early. Thus, the akim of a rural district must simultaneously represent the interests of voters and be a representative of the central executive power. Thus, the system of checks and balances at the local level needs to be reviewed.

Overall, the key innovations include changes to the principle of electoral law as well as to the method of nomination of candidates. As noted above, until 2021 rural akims were elected on the basis of indirect suffrage, where district deputies acted as electors. In the first direct elections, rural akims were elected directly by the inhabitants of the locality. Thus, 1,209,817 voters took part in the elections, which is 13% of the total number of voters of 14 region [7].

**Table 2. Key points of the two rural akim election systems**

	Indirect elections for rural akims	Direct elections for rural akims
Nomination of candidates	is carried out by the rayon akim in consultation with the local community at a face-to-face meeting with the population on an alternative basis	nomination by political parties, self-nomination, as well as by higher-level Akims
Principles of electoral law	On the basis of a secret ballot of the elected deputies of the district maslikhats	by secret ballot, voters directly and directly elect akims
Term of office	4 years	4 years

Overall, a brief SNW analysis of the key norms of innovations in the LSG system reveals the existing risks of implementing direct elections for rural akims. At the same time, the election results showed the existing gender imbalance in local election campaigns. Thus, 19.3% of women candidates nationwide were registered. Of these, Akmola (33.0%), Pavlodar (31.7%), North Kazakhstan (29.8%) and Atyrau (28.8%) Region had the most women candidates. However, the least number of women as

candidates was registered in Mangystau (2.9%), Turkestan (4.7%), and Kyzylorda regions (6.7%).

### **Discussion of results**

Based on the above, the following emerging trends can be identified:

- The continued dependence of rural akims on superior district akims and the ambiguity of the powers of Kenes and assemblies are additional factors in the low efficiency of the proposed LSG system and the inexpediency of direct elections in view of the continued dependence of rural akims more on superior bodies than on their voters.
- There is a risk of local strengthening of the Nur Otan party, which is now widely represented in both regional maslikhats at all levels and has more rural akim seats than other parties.
- The controversial nature of certain provisions of the legislation on the local electoral process reflects the underdeveloped and unprepared electoral system for the effective implementation of direct elections of rural akims.

### **Conclusions**

Thus, a detailed analysis of the forthcoming innovations points to the need to activate political parties on the ground both in the pre-electoral and electoral periods. This would strengthen party representation in the elections of rural akims, where in the first elections self-nominated candidates prevailed.

Also, as part of the modelling of the new LSG system, consideration should be given to reducing the influence of the district akim on the rural district akim, which may lose its relevance if the institution of Kenes as a whole is further introduced.

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