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Accountability System in the Kyrgyz Republic

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1. Research Goal

Goal of this research is to provide feasible recommendations for the accountability system actors to strengthen the system of accountability.

2. Research Objectives

In order to achieve the goal, the study addresses the following objectives:

- describe the power's system of accountability to the people of the Kyrgyz Republic, including the actors and processes;
- identify significant gaps and weaknesses in the existing accountability processes and propose measures to bridge them;
- formulate recommendations for the accountability system actors to improve the accountability system in the Kyrgyz Republic.

3. Relevance of Research

Issues of the authorities' accountability refrain in legislation, programs and political statements and media whenever it comes to democracy. However, everyone understands accountability in own way, assuming citizen participation in decision-making, transparency of the authorities actions, electoral system, and much more. Such active utilization of the term in different contexts suggests that accountability is a certain phenomenon, which has become a necessary attribute of democracy, but only manifested in a number of other factors and conditions that allows characterize the Kyrgyz Republic as a democratic state. In fact, accountability is a system of relationships between entities that constitute a state as such.

Meanwhile, numerous mostly foreign studies suggest that the problem of enhancing accountability is particularly relevant for the countries affected by recent (in historical context) political and economic transition, as well as for countries in fragile, conflict-affected or post-conflict situations. There is no doubt that Kyrgyzstan belongs to the number of such countries. Relevance of accountability for these countries is associated with lack of the power legitimacy¹, lack of understanding of the public (social) contract and nature of relations between the state and citizens.

Accountability as a tool for building the social contract is particularly salient in these countries, because there is often a loss of mutual confidence between the state and citizens, social and economic conditions do not promote social cohesion, there is no rule of law, there is evidence of neglecting the mutual commitments by both the state and citizens. Like any other contract, the social contract between citizens and the state operates effectively when parties understand mutual obligations and strictly enforce them.

In addition, understanding of public (social contract) often differs in different groups, which leads the part of society believe that the state is illegitimate and the other part is convinced of the opposite; political elites are divided and have no high capacity and achieving a political consensus is difficult; the state lacks capabilities to ensure the rule of law. Also, these countries are characterized by poor administrative capacity and imperfect procedures, which restricts the state to respond to the needs of citizens to a full extent. When the administrative capacity of the state is insufficient and the public sector, including NGOs is often supported exclusively by foreign aid donors, as in the cases of Afghanistan, Pakistan and the Kyrgyz Republic, as a result there are justified claims in relation to NGO accountability. For such countries, strengthening

¹ In this research the term "legitimacy" is understood from the standpoint of political science and means that public authorities are recognized by the population. In other words, the legitimacy means people's agreement with the power, when the people voluntarily recognizes the authority's right to make obligatory decisions.

accountability is vital to restore confidence between citizens and the state. Obviously, in the Kyrgyz Republic, as in many other countries with similar history and similar situation there is no clear understanding of the general nature of the public (social) contract that sets the stage for conflict and instability.

If drawing an analogy with civil law contracts, people in the case of social contract act as customer, and the state plays the role of executor of socially significant functions that constitute the meaning of statehood. In such circumstances, it is essential to determine how the executor - the state is accountable to the people as the customer.

In addition, strengthening of accountability has great importance and relevance in improving relations within society, because clear standards, reporting requirements increase the citizen capacity, develop their skills and traditions of joint decision-making, mutual accountability and respect for the opposite view, tolerance of diversity, cooperation and partnership in the broad sense. Ultimately, all this leads to social stability and harmonious development of society creating conditions for economic growth and comprehensive sustainable development. There are lots of practical examples of how this works in the world. This positive effect of enhancing accountability provides examples of different kinds - political, administrative, and social. In Porto Alegre, Brazil, a practice of budgets approval with citizen participation has been successful also due to this provision that was part of the social contract between the Labor Party and civil society, and it was negotiated before the Labor Party took over the power.

In addition, there are cultural norms in society, which can play a role in promoting social accountability. Two examples of dams' construction in China in 2008 show that appeal to cultural values and norms may be more effective than protests. In Pubugou, residents staged protests against the construction of dams with demands for compensation and greater rights in decision making. Authorities considered the protests as a threat to public safety and suppressed them in order to begin the construction work. At the same time in Dudzhangyan, activists considered the dam construction as environmental protection, preservation of cultural heritage and provided supported the government. Reference to the cultural values was decisive and led to success. In Mozambique, strengthening social accountability through inclusion of citizens in monitoring performance of the authorities has led to a better understanding of both authorities and citizens about their common needs and constraints, and further to a more constructive joint work. In Liberia and Colombia, involvement of citizens in development of the development plans led to finding solutions to problems of social instability. Gaining control over the observance of administrative accountability requirements in India has led to a substantial improvement in execution of the citizen right to education. Mongolia and Kyrgyzstan demonstrate success in development largely due to the fact that both support parliamentary form of government and improve the election process in the framework of strengthening political accountability.

It should be noted that the Kyrgyz Republic has made great efforts to introduce accountability elements in the government system, as evidenced by numerous examples of social, administrative and political accountability: developing parliamentary form of government, established basic democratic and legal institutions, improved election system, citizen participation is practiced in the process decision making, especially at the local level², fundamental human rights and freedoms are guaranteed. However, these elements are primarily fragmented, often not linked with each other, and therefore do not ensure efficiency, required impact on the stability and understanding of the public (social) contract, which it might have,

² Examples of introducing the accountability elements at the local self-government level within projects implemented in Kyrgyzstan with financial support from the Government of Switzerland are available at the following websites: www.vap.kg; www.dpi.kg in section 'projects', as well as in 'Municipality' magazine available at: <http://www.municipalitet.kg>

being linked to a clear and regularly operating system. For example, improvement of the electoral process is not accompanied by increased responsibility and accountability of political parties to the electorate. Introduction of a progressive concept of the state and municipal services is not accompanied by improvement in development planning based on citizen priorities. Creation of state information resources and policy on disclosure of information under jurisdiction of public bodies and local self-governments are not adequately accompanied by improved quality and accessibility of this information. This paper is dedicated to these and other gaps, which do not allow bringing all accountability fragments in an efficient system, as well as recommendations for their elimination.

Thus, strengthening accountability is important for the Kyrgyz Republic, especially in terms of building the accountability system that includes citizens and key government institutions, promotes development of common understanding and strict compliance with the obligations of the social contract between the state and citizens.

4. Methods and Assumptions

This study is a desk review in nature and carried out through literature review of scientific and research papers on the issues of accountability, implemented by international and other organizations over the last few years. The study also draws on the experience of development projects carried out in the Kyrgyz Republic. Materials of the recognized leaders in the field of development, including the development of accountability, such as the World Bank, the International Institute for Democracy and Electoral Assistance, the Organization for Economic Cooperation and Development, the US National Democratic Institute, the Carnegie Institute were also used.

Evaluation method is built on the concept of four dimensions of accountability as set out in the framework of the desk review on Democratic Accountability and Service Delivery: A Desk Review by The International Institute for Democracy and Electoral Assistance, by Andres Mejia Acosta with Anuradha Joshi and Graeme Ramshaw.

This concept has been developed by GPSA in relation to the dimensions of social accountability, but the authors of this study found no obstacles to application of the concept to evaluate the system of accountability as a whole, since the system is a reflection of the social contract between citizens and the state, and therefore contains multiple elements of social accountability, allowing to apply the concept to the overall system not limiting to social accountability issues. The evaluation process within the government accountability system in the Kyrgyz Republic was undertaken through an expert analysis by the Development Policy Institute and then discussed with a wide range of recognized experts of the Kyrgyz Republic.

5. Accountability: classification, dimensions and myths

5.1. Types of Accountability

Discussions about accountability in the literature have not formed a clear classification and consolidation of all definitions. But in general, many international studies distinguish democratic, political, administrative and social accountability. Each of them has its limits and the ultimate goal, but they do not act in isolation, rather act complementarily and mutually reinforce. In addition, by types of stakeholders there is horizontal and vertical accountability. There is also the concept of parliamentary, judicial, affiliate, narrative and other accountabilities, but they are synonymous or basic kinds and types of listed above, or underline some of their features³.

³ For example, partnership accountability is responsibility not to those who are "above", but towards those for whom and with whom one does this or that work. The purpose and meaning of the partnership accountability is a sincere desire on the part of the

Very brief and simplistic distinctions between the types of accountability are as follows. The concept of **democratic or vertical** accountability refers to both the citizens' ability to articulate their policy requirements and responsibility of officials to respond to these preferences. This is a summarizing term that includes political and social accountability.

The concept of **political** accountability of the authorities is a specific form of relationship, where the person elected directly is responsible for own public actions towards the voters, including, but not limited to the provision of public goods. In this respect, the idea of political accountability relates to a vertical relationship between the voters and representatives. Mechanisms for implementation of the political accountability of the authorities include dissolution of Parliament, recall of MPs, resignation of the government, the right to criticize.

But political accountability is not enough to ensure all citizens interests within the social contract, for instance, political accountability does not allow citizens to demand fulfillment of obligations in relation to service providers. It includes **social** accountability, which is not limited by formal procedures (elections) or regular intervals (election cycle), but creates a continuous process of citizens' influence directly on the persons with power through conducting of social audits (national control), access to information, public debate, public hearings, protests, demonstrations, journalistic investigations, service monitoring, complaints, appeals and so on. Results of strengthening social accountability vary and include, reduction of corruption, improving governance and policy making, strengthening citizen voice, empowerment of disadvantaged groups, responses of service providers and the authorities responsible for policy based on the citizen needs and, finally, achievement of the rights, health and development goals. Political and social accountability belong to **vertical** type of accountability. Vertical accountability mechanisms refer to citizens - constituents (voters, organized community and the media) and government agents, who are expected to respond to their actions (legislators, elected representatives, the executive authorities and local self-government).

Administrative accountability is the accountability of the primary administrative agency to the body, the higher the level of. This was the basic form of accountability in the administrative law of the communist era in the former USSR and in Eastern Europe and still remains a prominent feature of administrative law in the region. Administrative accountability is an essential attribute of an efficient management system within government agencies, providing management in general. For citizens strengthening of administrative accountability is particularly important with regard to access to services. Administrative accountability refers to **horizontal** type – relations, where various power structures are accountable to each other in order to ensure that none of them exceeds rights and interests of others and stand above the rule of law. Horizontal accountability involves not only the system of checks and balances between the authorities, but also such control and supervisory institutions like the Ombudsman, the Public Prosecutor's Office, Audit Chamber.

5.2. Four Dimensions of Accountability in Democratic Governance

1. Availability or lack of accountability rules and standards

The first dimension relates to **availability or lack of the rules and accountability rules and standards** that allow or disallow for development of effective accountability. These rules and standards include the following:

- regulation of the government performance,
- possibility for assessing compliance of the government activities with the rules and standards,
- citizens possibility to hold the authorities accountable;

dominant group (or individual representatives) to change position and practices towards equality with marginalized groups. At the same time the existing imbalance of power is not ignored, rather considered so that the representatives of the dominant group recognize oppression practices carried out by them.

- clear delineation of responsibilities and division of responsibilities between the authorities ('one function - one agency');
- mechanisms for timely dissemination of reliable and comprehensive information from the authorities among citizens;
- constitutional guarantees of civil and political freedoms;
- presence of legal standards on punishment of the authorities for inefficiency.

Efficiency of these rules and standards may vary from country to country, since in many respects it depends on the political context and political traditions, expectations and motivations of stakeholders, number of stakeholders in the accountability system and others. In India, the legislation change contributed to a significant improvement of accountability in the distribution of food and, ultimately, led to the increase of efficiency in the management of public funds and corruption prevention. In 2005, The Right to Information Act (RTIA) was adopted in the country, which allowed civil society organizations to compare the actual situation with the food distribution for the poor with the government data on financing the public distribution system (PDS). As a result, it was found out that some shop owners in collusion with corrupt local officials peculated some of the funds. Thus, the activists were able to create a social movement that caused effective response of the authorities, led to the punishment of the corrupt officials, and strengthened validity of the food distribution system.

However, formal existence of standards does not necessarily mean the presence of an effective accountability, it is important to have demand for the standards from citizens; political situation should contribute to execution of these standards. For example, in terms of political or natural disaster, the standards become not applicable or due to the traditions citizens are not willing to demand from the state. Head of the city administration of Buenos Aires, capital of Argentina, after the financial crisis of 2001, under pressure from the protest movement made a deal with his main political opponent in order to implement the budget process with citizen participation. However, neither civil society nor the political elite did not consider this as a viable reform since they lost confidence in the government as a whole. In fact, the rules for the citizen participation in the budget process have been established; however, to the detriment of citizens, the process was controlled by the officials committed to the interests of power. As a result, the practice was very fragmented and unstable, gradually declining from the reform. This example demonstrates failure of introducing the standards alone in achieving democratic accountability in a hostile political environment.

2. Availability of demand for accountability

The second measurement determines **availability or lack of demand for accountability on the end of citizens**. Existence of demand, first of all, requires that citizens understand their right to ask, they know whom to ask, in other words, presence of demand automatically implies that all parties understand who is accountable toward whom. With respect to Kyrgyzstan, this case would be appropriate in the statement that people need to understand what part of the authorities and what it is accountable for, and all power structures need to understand what issues they are accountable to citizens, and for some issues accountable to each other in the framework of administrative accountability. For example, do citizens participate in the budget discussions and planning, whether they actively go to votes, write letters to MPs and so on. In 1995, civil society organizations actively cooperated with the government and local authorities in Mexico on order to develop and implement social policies on sexual and reproductive health. Level of cooperation was such that it allowed to significantly change the situation in that area, and public organizations have gained greater political influence.

3. Authority's motivation to respond to demand for accountability

The third dimension determines whether the power has incentives, motivation to respond to the demand for accountability. For example, whether the head of AO is incentivized

to change local policies in accordance with the desires of the citizens, as their opinion will influence his election for the next term? Or is there motivation of members of the government in raising the level of satisfaction with the services, since it affects the officials' career? In other words, the accountability system should provide incentives for officials to be accountable to citizens, and this motivation should be political in nature and be linked to career development, the possibility of re-election. Also, motivation can be economic in nature and expressed in the amount of remuneration.

4. Possibility of compulsory execution of accountability requirements and unavailability of punishment

The fourth dimension explores effective sanctions and interventions in the accountability system that can be applied to the authorities in case of violation of rules and accountability standards. Even with regulations and standards, the demand from citizens and the authorities' motivation for accountability, principles and accountability requirements are commonly disregarded. Consequently, existing control and oversight bodies - judiciary, Constitutional Court, Ombudsman, standing committees of Parliament, anti-corruption bodies - must uphold and defend the principles and standards of accountability and impose penalties for their violation and punish the violators. For example, in India citizens enjoy, and the courts closely monitor compliance with the requirements of The Right to Education Act, which obligates the authorities to provide this service in most cases, without waiting for the sanctions. In Brazil, the Accounting Chamber closely monitors implementation of the accountability principles in the executive bodies' performance.

It is easy to notice that all four dimensions of accountability are linked, based on a large of legislation and principles arising from the constitution.

5.3. Four Myths about Accountability

In the democratic governance practice there are four widespread prejudices or myths of accountability that prevent objectively assess the accountability system and define real challenges and improve the situation.

Myth one: accountability is a set of tools and fragmented practices

With respect to governance and integration of the citizen interests and needs, it is used to speak about specific tools and give an example of fragmented initiatives. Of course, utilization of most tools in the governance demonstrates certain prerequisites for accountability in the country. This toolkit includes a wide range of actions that citizens, communities and CSOs that can hold the state accountable for: budget process with the citizen participation; independent budget analysis; transparent system of expenses and procurement; citizen and community scorecards; social audits; community charters; public hearings; e-governance and e-procurement; juries and community radio. However, the use of tools and fragmented practices even in the presence of success stories does not mean establishment of the accountability system. Therefore, examples of the tools' utilization and success stories make sense only within four main dimensions of accountability described above. Moreover, excessive number of fragmented practices may create an illusion that the accountability system is in place and functioning. For example, a large number of the budget public hearings in Kyrgyzstan in fact does not mean that the citizen interests are taken into account in formulation and execution of the budget, since there is no information on the results of monitoring and no data on what sanctions followed for authorities' neglecting of the interests.

Myth two: accountability equals to access to information and transparency

Transparency in governance and access to information are not enough for achieving accountability. The information itself does not guarantee accountability, especially if it is incomprehensible to the majority, cannot be analyzed, incomplete, fragmentary and

unsystematic. For example, if inspection results of the Audit Chamber are published this year, but not in the next year, or published in a different source or in incomparable form, so it can be assumed that there is no information. Moreover, availability of large amount of confusing information can create fake pressure on the citizens' demand for accountability as creates the illusion that the government system is open, however, it is open not in the proper form and not on the issues needed so that the citizens are confused and are not able to evaluate this information. Therefore, due to the feeling of incompetence, they cease to monitor and delve into this wealth of information. For example, an electronic portal for procurement in the Kyrgyz Republic provides large volume of information in the format not suitable for computerized analysis, which severely limits the possibility of public monitoring. Complaints portal Kattar.KG records the number of complaints and the number reflects the number of responses, but does not provide information about what were the results of these responses, possibly all answers to the requests and appeals were negative.

Myth three: accountability equals to citizen participation in decision making process

Despite the fact that citizen participation in decision making process and accountability implies relationship between citizens and the state, these phenomena differ from each other. Participation in political decision limits citizens by expressing their opinion about what should be done or about necessary changes. Participation itself is does not guarantee that officials will take into account these views, or undertake required changes to logical completion. While accountability means that the officials are responsible for taking into account opinions and implementing the changes, explain to citizens what has been done and to what extent it meets the expectations of the citizens. In the case of the officials' non-conformity with the requirements, they are punished: not re-elected, discharged or demoted, etc. Therefore, accountability should be the next necessary step after participation, since only system of accountability creates a guarantee that the citizen opinions voiced in the participatory process will be taken into account. Otherwise, participation with the citizens' voiced expectations or sufferings and no reflection from the authorities, results in de-legitimization of power followed by a blast of public outrage, favorable conditions for destabilization of the situation, which leads to political chaos.

Myth four: ideally established system of administrative and political accountability replaces social accountability

This misconception is often used by policy makers attempting to avoid responsibility to the citizens in the absence of real accountability, when politicians try to convince the public that the administrative accountability and executive discipline of executive bodies ensure the rule of law and protection of human rights and interests in decision making. Or when using the statement that availability of the party system by default means representation of the citizen interests. All pieces of accountability - administrative, political and social are equally important; therefore contraposition of the accountability types is not appropriate similarly to contraposition of supply and demand. Accountability will be achieved only with equal consideration given to both capacity building and the state's willingness to establish administrative, political and social accountabilities aimed at meeting the citizen demand. Social accountability is not an alternative to political and administrative accountability. Social accountability complements democratic governance reforms by creating mechanisms that strengthen direct links between citizens and officials in gaining best results of development, potentially improving political accountability. The state can provide synergies and mutual reinforcement of the accountability types at three levels:

- accountability mechanisms based on citizen participation may be incorporated into strategic plans of the government bodies (ministries, departments) with rules and procedures mandatory to lower-level officials accountable to citizens;

- special state agencies can be created to ensure the citizens' right to participate in governance and monitoring of respective performance or create relationships with citizens;
- accountability mechanisms can be integrated into the laws requiring specific department or government as a whole to involve community members in public policy making process.

6. Accountability System in the Kyrgyz Republic

Fundamental idea about the need to strengthen accountability is based on the need for a common understanding of the social contract provisions between government and citizens. But it is also based on the understanding that effective accountability mechanisms contribute to the improvement of services and living conditions fighting poverty and ensuring involvement of all social groups in the development. Accountability makes the power - through motivation or punishment - work for such purposes instead of addressing problems of the power holders.

Despite the fact that the very concept of accountability remains one of the most controversial in the social sciences, there are key and clear pieces that compose the system of accountability: accountability actors, processes (or framework, mechanisms) of accountability and impact factors (guarantees, control and oversight bodies) in order to apply sanctions, penalties for violation of the accountability principles and requirements.

Accountability itself represents relationships between the actors which are divided into principal and trustee - agent. As part of the basic model, there are numerous variations of "principal - agent". For example, when one agent is obliged to respond to expectations, needs and demands of competing principals similar to the case when an elected agent - legislator is responsible to the voters, thanks to whom he/she was elected, however, his/her next steps will depend on the political party or its leader. The idea of accountability itself is undermined, when the agents are not able to reconcile conflicting demands of different principals. Existence of unelected agents, for example, civil and municipal servants may also undermine the relationship of accountability, when they directly report to the elected officials who appointed them. There are such extremes when the state agents can acquire considerable autonomy to ignore the requirements of population and to avoid the control and oversight mechanisms. All these circumstances require establishment of the accountability system that includes principals and all major agents.

Accountability system of the power in the Kyrgyz Republic consists of four main groups of actors and processes binding them.

The first and main group of actors - citizens, people of Kyrgyzstan, according to the Constitution of the Kyrgyz Republic, is the source of power leading to the basic principle of the accountability system: the power of the Kyrgyz Republic is accountable to the people. Citizens are **principals** in the accountability system.

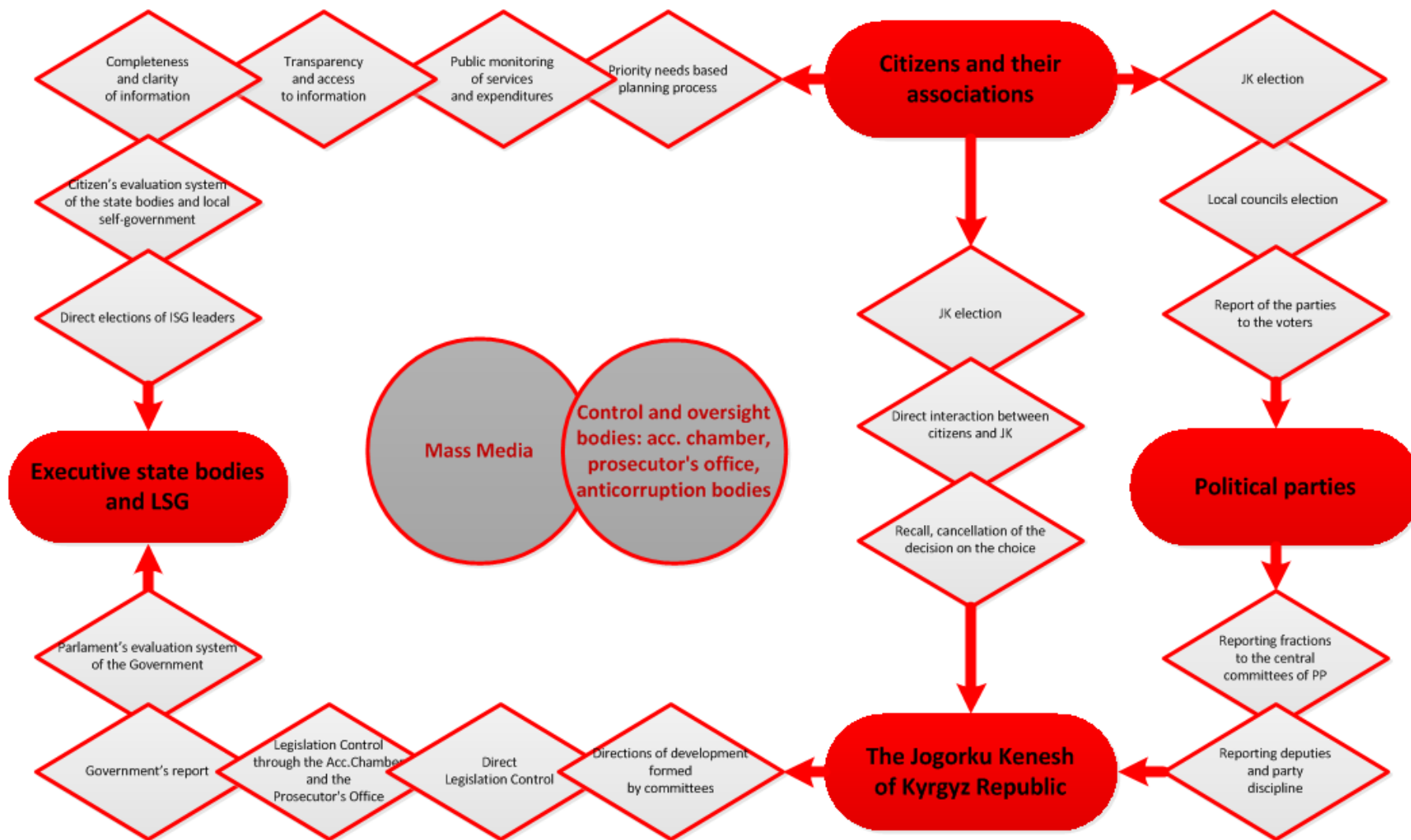
The second group of actors - political parties, which can also be **agents**, when it comes to their accountability to the electorate, and **principals** when it comes to accountability of delegated deputies of the Jogorku Kenesh to them.

The third actor - the Jogorku Kenesh (Parliament) of the Kyrgyz Republic, acting as **agent** in its relations with political parties and the people, and in the role of **principal** in the relationship with the Government and the executive authorities.

The fourth group of actors - executive authorities and local self-governments, which do not have a political initiative and may act only as **agents**, except for cases, when they delegate their powers to local self-governments and the private sector, acting as **principal** within administrative accountability.

All four groups are interconnected with accountability processes leading to implementation of the whole government accountability to the people of the Kyrgyz Republic. The actors and processes linking with each other are presented in the figure below.

Figure 1. Accountability system of power to people in the Kyrgyz Republic (oval – actors, diamond – processes, arrows – accountability direction (from principal to agent))



As shown in Figure 1, in the system except for principals, agents and linking processes, there are **observers - control and oversight bodies and the media**.

The control and oversight governmental bodies constitute a very important element of accountability, which ensures its sustainable operation, sending signals to the power and citizens in the event of threats and challenges. Of course, firstly, the control and oversight bodies monitor compliance with the regulated procedures set in the regulatory framework, but recently worldwide these structures are increasingly building contacts and partnerships with civil society. More supreme audit authorities consider innovative ways of involving citizens and strengthening capacity of civil society, moving away from traditional work in relative isolation preconditions. It creates a space for the supreme audit bodies and citizens to communicate and collaborate to ensure public oversight during all phases of the audit cycle. For example, in Korea, Chamber of Auditors during the audit planning phase relies on citizens' recommendations and encourages them to report on fraud or misuse of public finances. Citizens can appeal to the Chamber to request an audit. At the stage of the audit in the Philippines, the Audit Commission implements a special program of citizens' participation in the audit. At the stage of reporting in Tanzania there is a special working group consisting of representatives of the National Audit Office and civil society organizations, whose task is to present audit reports in a form understandable for citizens. In general, the audit reports are widely distributed in Tanzania instead of being complex documents. At the stage of post-audit for monitoring its consequences, the South African Research Center used the audit report on the accountability of public services in order to launch an information campaign to ensure that service providers included the audit bodies' recommendations in their strategic plans.

Important element of the system is the media, which acts as a "watchdog" sending signals to the public and government on emerging issues. But in the twenty-first century, the media must have a substantial analytical capability to maintain sustainable relations with research centers and expert community in order to analyze information and broadcast it to the audience in an understandable format.

An important principle of the system - justice. The concept of the social contract is perceived by the citizens as simple, if comparing it with the civil contract, and complicated if to refine its social responsibility and social justice mechanisms. It is quite difficult to explain to people why they need to pay taxes and fees for social insurance through the state or why there is a system of financial equalization between the territories, but to convince them that the stronger should support the weaker, and then the nation will develop steadily, much easier .

Similarly, the concept of accountability has different model systems. The first model - individual - considers accountability as 'power of customers' or 'power of taxpayers' when citizens are treated as 'customers' or 'clients' of power that reward the diligent work of the government through taxes and loyalty or punish for poor performance through 'discharge' or other alternative ways. The model considers citizens as individual persons rather than the population. The second model - collective, where accountability is democratic relationships of the state with active individuals or society, which covers all groups of citizens. This model makes the power to hold accountable to all groups, including the poorest, minorities, marginalized groups, and others. Accountability processes, including forms of direct citizen participation in decision making, compensate insufficient ability of the formal processes based on majority rule, such as elections, to hear voices of the marginalized groups. Experience of Switzerland speaks very clearly about it, where direct participation of minorities and marginalized groups in decision-making is widespread.

However, in both models, accountability is not the opposition of the state against citizens, rather the bridge between the stakeholders, the best way to address the main problem of the social contract – elimination of poverty and improving people's welfare. The second model looks more relevant and attractive for the Kyrgyz Republics, both due to traditions and presence of minorities and a high degree of marginalization of society.

As shown in Figure 1, between the groups of actors, in some cases, interests, there are certain processes which shape the relationships of accountability. It is easy to notice that in some cases the actor of the system are of both principals and agents, so many of the processes within the system are of a **bilateral** nature. All these processes can only be effective under certain legal environment. In order to understand how effective these processes are and whether they form a true relationship of accountability, we consider each pair of actors in more details.

6.1. Accountability in pair 'Citizens - Jogorku Kenesh of the Kyrgyz Republic'

6.1.1. Process evaluation

Processes	Availability or lack of rules and standards of accountability	Demand for accountability <small>(is mandatory pre-requisite for process evaluation, but not included in evaluation)</small>	Motivation of power to respond to demand for accountability	Possibility of compulsory execution of accountability requirements and unavailability of punishment, recall or re-election
Election of deputies to Jogorku Kenesh based on universal equal and direct election law under ballot voting	Yes	Yes	Yes	No
Regulated direct interaction with citizens, allowing to avoid discrimination of vulnerable groups	No	Yes	No	No
Mechanism of punishment or recall, refusal to elect	No	No	No	No

Average accountability index in this pair 33%

Election of deputies to Jogorku Kenesh based on universal equal and direct election law under ballot voting

According to the Constitution of the KR, people of Kyrgyzstan are the bearer of sovereignty and the only source of state power in the Kyrgyz Republic. The people of Kyrgyzstan shall exercise their power directly in elections and referendums, as well as through the system of state bodies and local self-government based on the Constitution and laws. The people of Kyrgyzstan carries out the election of deputies to Jogorku Kenesh on the basis of universal, equal and direct election under ballot voting (Article 2). In this case, key principles of the state power are the rule of the people's power represented and ensured nationally by elected Jogorku Kenesh and the President; and the principle of transparency and accountability of state bodies, local self-government to the people and exercising their powers in the interests of the people (Article 3). The state and its agencies, including Jogorku Kenesh, serve the whole society, and not a part of it (Article 5). In accordance with paragraph 3 of Article 4 of the Law "On Regulation of Jogorku Kenesh of the Kyrgyz Republic", one of the principles of the Jogorku Kenesh operation is the principle of responsibility to the people and the voters.

According to Article 21 of the Law "On Status of Deputies of Jogorku Kenesh of the Kyrgyz Republic" and Articles 151-152 of the Law "On Regulation of Jogorku Kenesh of the Kyrgyz Republic", Jogorku Kenesh, its agencies, and the deputies during the session and periods between sessions, shall organize the work with voters through:

- 1) meetings with the electorate;
- 2) consideration of proposals, complaints, petitions;

- 3) conferences, meetings, "round tables", seminars, sessions, including offsite meetings, open door days and other events;
- 4) consideration and adoption of legislative proposals from citizens and their associations;
- 5) consideration of citizens' inquiries to hold a parliamentary investigation on the citizen rights violations by public authorities, local self-government bodies;
- 6) holding parliamentary hearings on draft laws and public significant issues;
- 7) referral of the voter complaints in the form of parliamentary and deputy inquiries to state authorities, local self-government.

In general, elected MPs and Parliament have the motivation to respond to the needs of citizens, otherwise they run the risk of political trust and rating. Situation is worse regarding coercive mechanisms. Citizens may express no confidence in Jogorku Kenesh during the referendum, but the procedure is complicated and the number of participants required is large - 300 thousand people. This makes the referendum virtually impossible to hold. Suggestions of some deputies to reduce the requirements to 10 thousand are not supported by the majority of the Parliament members. **Therefore, the current accountability process is recognized existing, however, not in full.**

Regulated direct interaction with citizens, allowing to avoid discrimination of vulnerable groups

Analysis of the legal prerequisites for Jogorku Kenesh's accountability to the citizens shows that the legislation has **no forms of Jogorku Kenesh's direct social accountability to the citizens**, except for the provision on inquiries and holding parliamentary hearings. This is due to the election system of deputies to Jogorku Keneshs established in the legislation, namely, formation of the Parliament based on party lists. As a result, the Parliaments' accountability to the citizens is indirect and executed through political parties. Political parties contribute to expression of the citizens' political will and take part in the elections of deputies to Jogorku Kenesh (Article 4 of the Constitution). Therefore, the interaction of Jogorku Kenesh with the citizens to a greater extent is not direct but through factions in the Parliament. In accordance with Article 152 of the Law "On Regulation of Jogorku Kenesh of the Kyrgyz Republic" the faction holds responsible for its members' activities in working with the voters and execution of the representative function by the deputies of Jogorku Kenesh on the above forms and methods of cooperation between the Parliament and the voters. Lack of the legal prerequisites of the Parliament's direct accountability to the citizens raises the need to strengthen the factions' and the parliamentary parties' accountability to the citizens.

This accountability process is recognized non-existent.

Mechanism of punishment or recall, refusal to elect

There are no legal provisions for this process and will not evolve in the foreseeable future. Establishment of the legal conditions is possible only through the evolution of the party system, which should become aware of its own benefits from enhanced accountability systems, which create a solid foundation for the parties' development and then propose solution to the problem.

This process of accountability is recognized impossible and not included in the evaluation.

6.1.2. International practice

Worldwide there is a belief that the legislative power of the country is an institutional key to democratization. Therefore, there are many organizations operating in the world to measure the level of democratization by specializing in monitoring democratization and development of both the Parliament as a whole and individual members. Such organizations exist in more than

80 countries around the world, but Kyrgyzstan is not one of them. These organizations and their monitoring tools have a significant impact on establishment of the accountability relationships between parliaments and citizens, since the parliaments themselves virtually cannot establish contacts and relationships of accountability with each citizen. Therefore, these organizations are needed to become channels or corridors for these relationships.

There are two global trends in relation to the parliamentary monitoring: 1) 'parliamentary informatics', which determines level of ICT utilization in the parliaments; 2) 'strengthening of parliament', which determines volume of external assistance to the parliaments, as well as organizations involved in monitoring and strengthening.

Parliamentary informatics uses the tools of e-democracy and e-participation. For example, OpenCongress.org allows automatically collect open information from the official websites of the parliaments, databases and other sources, and then structure the data in formats that people can easily understand, search and analyze. Other resources visualize information, for example, create maps showing what regions the deputies' work. However, all of these tools have a big drawback - they contain little information in substance, it limits performance of the most effective tools of the parliamentary informatics.

In recent years the international community increases assistance to the parliaments, including support to the monitoring organizations and organizations promoting the accountability of parliaments to the citizens. Commonwealth Parliamentary Association, Southern African Development Community Parliamentary Forum, Assemblée parlementaire de la francophonie, and the Inter-Parliamentary Union have developed framework standards and tools for monitoring and evaluation.

Both trends gradually merge together, for example by creating a base of best practice (website of AGORA Portal for Parliamentary Development, a joint project of WBI, NDI, UNDP, EC and the International Institute for Democracy, has become a source of information for MPs, the parliament staff and experts in the sphere of the parliamentarian development around the world); developed standards for democratic parliaments and transparency of parliaments (guideline on parliamentary websites of the International Parliamentary Union is the fundamental for research on the parliamentary websites content, which received responses from more than 100 parliaments around the world as part of the World E-Parliament Report 2008, which was updated in 2010).

Most organizations - local and international that support development and democratization of parliaments focus on monitoring and evaluation of individual deputies - 86%. This is due to the fact that the monitoring of individual deputies becomes a means of developing a culture of accountability within the parliament. These organizations help citizens better understand the work of deputies, measure citizens' attitudes and satisfaction through surveys and other measurements, and generally create conditions for the parliaments' accountability to citizens in between elections. For example, organizations collect information about biography and activities of the deputies, life experiences, attendance, participation in debates, public statements, legislative work, and results of voting, work with the voters, etc. This information serves as the deputy's objective and reliable report, since it is provided by independent organization, not the deputy.

Other organizations help the development of political parties, factions, committees and the parliament as an institution in general. For example, PRS Legislative Research in India provides explanations of the various functions of the Parliament: budget process is described from the beginning to the end, including budget calendar and budget important concepts.

These organizations' important role is in enhancing transparency in relation to the parliaments and in relation to society as a whole. Projeto Excelências, Transparência Brasil on its website conducts monitoring of the parliament and local councils, including bills, attendance records of plenary sessions and committee meetings, travel expenses. MANS (Montenegro) has published the results of queries related to freedom of information (more than 17,000 of such requests) in its report on the parliament monitoring in order to demonstrate compliance with the

provisions of the law. Regional Index of Parliamentary Transparency (RIPT) is a joint initiative of Corporación Participa (Chile), Fundación Poder Ciudadano (Argentina) and Acción Ciudadana (Guatemala) that measures transparency and accountability of the parliaments in four dimensions and 62 variables. Similar measurements are carried out by A Plea for Open Parliaments in the Black Sea Region, an initiative of the Institute for Public Policy (Romania), Institute for Development and Social Initiatives (Viitorul - Moldova), Centre for Liberal Strategies (Bulgaria) and the Caucasus Institute for Peace, Democracy and Development (Georgia).

In recent years, a large number of inter-parliamentary organizations around the world accepted target indicators or tools for assessing the legislative branch’s accountability to the citizens. In most cases, the process involves local organizations with role in creating accountability relationships between the parliaments and citizens.

6.1.3. Recommendations

Jogorku Kenesh’s legislative activity should be adoption of draft laws to meet salient needs of the state and society taking into account the medium and long term development of the country. This requires strengthening accountability of the bills to political and socio-economic needs of the society, which is achieved by improving the quality of legislative work of the committees. Improvement and advancing of the interaction mechanisms with the public is required for discussion of the draft laws, in particular the processes of public hearings. Lack of feedback on the hearing results is the cause of public disappointment with Jogorku Kenesh, weakens its accountability to the source of power - the people of the country.

Experts noted low level of public involvement in the development of bills. Up to date, discussions of the bill have been held after their development. There is no clear mechanism for systematic involvement of stakeholders and the public in the development of the bill. Therefore, it is necessary to improve the consideration of opinions, public comments and suggestions on draft laws on the issues under consideration. A methodology needs to be developed for a comprehensive approach to public consultations (possibly through online platform with registered users on behalf of networks, coalitions, civil society organizations and groups). Provide public consultations at the stage prior to the bill development. Public participation in determining the necessity of the bill (possibly vote across the platform).

And the most importantly, it is necessary to undertake efforts to improve the efficiency of non-governmental organizations operating to create conditions for monitoring of the parliamentary performance and for establishment of the accountability relationships between the deputies and the institute as a whole with the citizens.

6.2. Accountability in pair ‘Citizens – Executive State Power and Local Self-Government’

6.2.1. Process evaluation

Processes	Availability or lack of rules and standards of accountability	Demand for accountability (is mandatory pre-requisite for process evaluation, but not included in evaluation)	Motivation of power to respond to demand for accountability	Possibility of compulsory execution of accountability requirements and unavailability of punishment, recall or re-election
Development planning based on citizen priorities	No	Yes	No	No
Matters of public monitoring of services and state spending	No	Yes	No	No

Transparency and access to information under jurisdiction of state bodies and local self-government	Yes	Yes	Yes	Yes
Completeness, clarity and accessibility for the analysis of the information under the jurisdiction of the state bodies and local self-government	No	Yes	No	No
System for citizens' evaluation of the LSG and state bodies' performance	No	Yes	No	No
Election of heads of executive bodies of local self-government	No	Yes	No	No

Average accountability index in pair 17%

Development planning based on citizen priorities

Requirement for the development planning based on the citizen priorities is not embedded in the legislation clearly and unambiguously. Only the Model Charter of the local community approved by the decree of SALSGIR on March 4, 2014 #01-24/19, envisages the requirements for taking needs of the population into account when addressing local issues. That principle of social accountability on the end of local self-government is enshrined in the model document that may be adopted per initiative of the LSG bodies, which requires LSG's political will and incentive from the main "conductor" of accountability - the country's top leadership⁴.

Practice is such that the national government program do not take into account real needs of the citizens, while local programs take into account only partially. There is no mechanism to combine national and local development programs, which makes it impossible to account the needs of citizens in the planning processes at the national. There is, however, practice of using statistical indicators of households in planning, which in some way may indicate the citizen needs, but sample survey and aggregated data limit targeted planning and turn the needs in rather abstract values.

Neither the government motivation, nor enforcement mechanisms of the citizens does not exist. **The process is recognized as non-existent.**

Matters of public monitoring of services and state spending

Regulated in the Constitution and other legislative acts. Thus, Article 52 of the Constitution states that citizens have the right to participate in shaping national and local budgets, as well as obtain information about the actual money spent from the budget. Article 14 of the Law "On State and Municipal Services" enables to assess the quality of public and municipal services by CSOs. Article 12 of the Law "On Basic Principles of Budget Law of the Kyrgyz Republic" establishes review and approval of the republican and local budgets made by Jogorku Kenesh of the Kyrgyz Republic, aiyl and city councils openly and publicly, with the exception for considering issues referred by the legislation of the Kyrgyz Republic to the state

⁴ Model Charter of the local community was developed in the framework of "Voice of Citizens and Accountability of Local Self-Government: Budget Process" project funded by the Government of Switzerland and implemented by the Development Policy Institute. This Project also developed Guideline in the framework of Comprehensive Training Materials on "Citizen Participation in Local Self-Government of the Kyrgyz Republic. Materials are available on the Project website: www.vap.kg

secrets category, the disclosure of which could harm the public interest, sovereignty, economic and national security. Also, these issues are reflected in decrees of Jogorku Kenesh of the Kyrgyz Republic in report on execution of the republican budget, aiyl and city councils; in the annual laws on the republican budget, which states that decisions of aiyl and city councils on local budgets for the next fiscal year and the next two years forecast shall be published in the media. Articles 110 and 113 of the Law "On Financial and Economic Bases of Local Self-Government" (hereinafter - the Law "On FEBLSG) establish that formation and execution of local budgets are carried out in compliance with the principles of transparency, public participation, accountability of local self-governments to the local community. Part 7 of Article 13 of the Law on FEBLSG, review and approval of the local budgets shall be open and public during open council meetings and public hearings. The Model Charter of local community also anticipates public hearings on the draft budget, creation of public groups for monitoring and evaluation of local self-government bodies and services they provide.

In practice, however, public monitoring of the services and public spending are not worked out well enough, there are no regulations and ways to incorporate the results of monitoring, which negates the power's motivation to be accountable in this process. **In this regard, despite the existence of legal prerequisite, the process is recognized as non-existent⁵.**

Process of transparency and access to information under jurisdiction of state bodies and local self-government

Regulated by the Constitution, in particular Article 3: "State power in the Kyrgyz Republic is based on the following principles: 1) supremacy of the power of the people, represented and ensured by the nationally elected Jogorku Kenesh and the President; 2) division of powers; 3) transparency and accountability of public authorities, local self-government to the people and exercise of their powers in the interests of the people; and Article 33, which states that everyone has the right to gain information about activities of public authorities, local self-governments and their officials, legal entities with the participation of state bodies and local self-government bodies, and organizations financed from the republican and local budgets. Everyone is guaranteed access to information under jurisdiction of the state bodies, local self-governments and their officials.

Procedures for releasing information are determined by the laws "On Guarantees and Freedom of Access to Information" and "On Access to Information under Jurisdiction of State Bodies and Local Self-Government of the Kyrgyz Republic".

In practice, this process is in place, in the last decade the volume of information disclosed by the powers increased tenfold, while the control system responds to the violation of these legal requirements. Important role played by the demand for information from civil society organizations, also for the previous period they significantly improved their capacity to work with the state information. A number of electronic services and databases is in place, including the public procurement portal, the portal of complaints and appeals. There is a motivation from the end of the state bodies, for example in the form of gratitude from the government, as well as enforcement mechanisms, as the prosecutor's office closely monitors the execution of the law, there is a practice of judicial decisions on this matter. **This process is recognized as functioning.**

⁵ 16 May 2016 the Budget Code of the Kyrgyz Republic was adopted, which enshrines accountability principles. Expert community and civil society in Kyrgyzstan hope for efficient execution of this legal act which will enter into effect in 2017.

At the same time, this process does not guarantee **completeness, clarity and accessibility for the analysis of the information under the jurisdiction of the state bodies and local self-government.**

The law provisions on access to information under the jurisdiction of the state bodies and local self-government of the Kyrgyz Republic make such an attempt to describe in detail the types of information to be made public. However, since the law has been adopted nine years ago, the law is outdated given modern information and communication technologies, availability of databases, management computerization. The law does not include requirements for open data in computer readable form and far from perfect on the types of information to be made public.

Neither the government's motivation, nor citizens' enforcement mechanisms does not exist. **The process is recognized as non-existent.**

System for citizens' evaluation of the LSG and state bodies' performance

Formally, the performance evaluation of the executive authorities, mayors of Bishkek and Osh and their managers, authorized representatives of the Government in the regions and local administrations is carried out in accordance with the Government decree as of June 17, 2016 #329 "On Performance Evaluation of State Executive Bodies of the Kyrgyz Republic, Mayors of Bishkek and Osh, and Their Leaders, Authorized Representatives of the Government of the Kyrgyz Republic in Regions". The evaluation subjects are:

- Extent of the results achieved as outlined in the Action Plan of the Kyrgyz Republic on implementation of the Government Program of the Kyrgyz Republic adopted by Jogorku Kenesh of the Kyrgyz Republic for the current year (results' weight values can be applied);
- Extent of the results achieved as outlined in the personal plan of the manager;
- Public trust index;
- Level of executive discipline.

Three of the four evaluation subjects suggest that the evaluation is carried out in the framework of administrative accountability and does not ensure accountability of the executive bodies to citizens. However, this decree includes evaluating of the public trust index, which measures the population's attitudes to the state bodies and their heads' activities. But the trust index does not measure the population's attitude to the activities of local self-government, except for the cities of Bishkek and Osh, which significantly reduces the value of the index as a tool for accountability, since the bodies of local self-government are the closest to citizens in the entire governance system. If citizens are not able to assess the performance of local self-government, that is, in fact, they do not evaluate the state. Further, the decree does not describe the future of the evaluation results and in practice these results are not transformed into personnel decisions. Perhaps, the evaluation results are utilized by the government to leverage on some political public servants, but there are no clear and understandable mechanisms to punish poorly performing officials. **The process is recognized as non-existent.**

Election of heads of executive bodies of local self-government

In accordance with Part 2 of Article 112 of the Constitution the heads of the executive bodies of local self-government shall be elected in the manner prescribed by law. In accordance with Articles 43 and 49 of the Law "On Local Self-Government" local councils elect the heads of executive bodies of local self-government. Accordingly, the citizens can not directly influence the heads of local self-government and political accountability is lacking. **The process is recognized as non-existent.**

6.2.2. International practice

Accountability of the executive branch to the citizens is required in respect of the quality of the government performance and, in particular, provision of services. This requires on the one hand, to strengthen existing rules and penalties, on the other – strengthen conscious and targeted demand from citizens. Measures to strengthen regulations and penalties include creation or strengthening of institutions responsible for monitoring and oversight, such as the Audit Chamber or anti-corruption bodies. On the demand side, the measures include implementation of social audits or creation of monitoring teams to oversee the government performance and service provision. In some cases, such efforts are supported by legal tools such as the law on freedom of information or acts on budgeting with the participation of citizens.

The expert community still remains an open question whether accountability promotes the improvement of services. Despite the lack of responses in the theoretical studies, practice confirms the positive impact of the accountability on the provision of services. There are numerous examples of researches showing explicit or implicit linkages between accountability and any type of services in the evaluation of all four dimensions of accountability (standards, demand, response, punishment). Analysis of the practice has shown that accountability affects the improvement of services, as all cases were accompanied by improved standards of services and accountability rules, active involvement of civil society organizations, incentives for the government to be accountable and effective sanctions to ensure responses from the authorities. However, it was concluded that even in successful cases, more attention was paid to clear rules and accountability standards as well as cultivation of demand, while motivation and sanctions were of a less attention. In other words, the focus was on the social dimension of accountability relationships, but little attention was paid to the political incentives to be accountable. It is important to also take into account the structural constraints that negate the effect of the best practices of accountability. For example, a long military dictatorship; presence of major stakeholders - unions, external donors; availability of long-standing issues of technical nature, in particular, lack of physical infrastructure, such as roads or water supply systems.

An interesting example of an international initiative that aims to launch local reforms on transparency and accountability is the Open Government (OG). OG obligates the participating governments to implement open government action plans developed with the civil society participation and have regular monitoring. While some observers have criticized the initiative for the fact that it allows the government to join OG even if they agreed to only a few proposals, the initiative still deserves recognition as it contributed to 194 ambitious reforms in 35 countries during three years. Currently Kyrgyzstan is not covered by OG, but it can be a significant incentive and compulsory mechanism for the government accountability.

However, it is important to understand that the government can join the accountability initiatives in one sphere and then withdraw in another. An example of the EITI shows that comprehensive citizen participation should be an integral, rather than a secondary part of these initiatives in order to avoid formal processes that only pretend to be accountability, but in fact it becomes the subject for bargain between the government and business. Another example is Russia, where use of information and communication technologies in accountability is developing rapidly. Initially, the Government reacted enthusiastically to the initiative of joining the OG initiative, however, in practice started supporting the introduction of platforms that facilitated direct contact between the officials and citizens, provision of electronic services and closely monitor user behavior. Some of these initiatives, such as platforms that encourage citizens to report on municipal issues have attracted a significant number of users and proven to be effective in responding to the complaints. But, in spite of the strong advantages of these initiatives, in practice, they have a very limited value in the context of accountability, as they were designed without citizen participation, rather in the interests of the parties responsible for the service provision – top-down. International researchers believe that such platforms are created mainly to comply with the legislation on access to information, in reality, do not fully meet the real needs of citizens and remain underutilized.

In Belarus, there are several mechanisms for government accountability in the water and heating sector in order to ensure active communication with citizens and respond to the complaints. However, the citizens point out two disadvantages: quality of the responses to the complaints and lack of transparency regarding the content of the citizens' complaints. That is, the complaints and responses are not published, and there are no transparent quality assurance mechanisms. A similar situation exists with respect to the governmental portal of complaints and suggestions KATTAR.KG in Kyrgyzstan. Also in Kyrgyzstan, little attention is paid to the state bodies' work with the public; no one was watching the procedures of public events, importance of the number of participants in gatherings, meetings with representatives of the authorities and LSG in the first place. There is no requirement to purposes of public events, since the purpose in many ways defines the format and content of such events, as well as imposes certain obligations on the organizers. Indeed, there is a difference: to study the public opinion on the draft decisions, or inform about the decisions taken. A common practice when the "power" agencies meet with the citizens, so that the later 'cool down', but initially not going to take into account the public opinion. Although the voting turnout is an important indicator for the authorities of any level, many do not realize the connection between the voting turnout and turnout to local gatherings and meetings, which, in fact, should be institutionalized element of accountability in the period between elections.

In Cambodia, the local self-government and citizens of the 1800 communities for several years worked in order to: 1) increase transparency and access to information at the local level; 2) release and explain budgets; 3) organize monitoring of local self-government and provision of services by citizens. Kyrgyzstan is implementing a number of projects, the largest and longest of which is the partnership initiative of LSG and citizens supported by the Government of Switzerland. However, in this case the experience of Kyrgyzstan appears to be more progressive, as the project objectives have more sustainable results than in Cambodia and are focused on the establishment of permanent joint planning and monitoring process by the citizens with perspective to reform the entire country planning.

In Ethiopia, for three years more than 90% of the municipalities published the budget and expenditure information. What was not possible at the national level, it was possible at the local level. Information about rights and responsibilities for planning and monitoring of basic services was distributed among more than 70 thousand citizens. 36% of the municipalities covered by the program developed joint action plans to improve services. In Kyrgyzstan, with the initiative of the Swiss government, a similar program is implemented to improve local services. Advantages of the program in Kyrgyzstan is that there is no objective of quantitative coverage, instead has a goal of building universal models of interaction between local self-government and the community for creation of services at the local level. Essential difference of the experience in Ethiopia was strengthening the role of the ombudsman institution in handling complaints, for which purpose the ombudsman offices have been opened in all regions, up to the village level. As a result, more than 40 percent of the complaints have been investigated and resolved and the rest were not complaints on the merits, or went beyond the competence of the ombudsman. In Kyrgyzstan, unfortunately, such an important guarantor of accountability as ombudsman office does not participate in the accountability process.

6.2.3. Recommendations

Out of six accountability processes required in the given pair, only one - access to information is present in full manner. Therefore, efforts should be made in relation to the start up the other five more processes.

With regard to development planning based on the citizen priorities, it is necessary to revise existing mechanisms and planning regulations in order to ensuring the link between local and national government development programs. Ministry of Economy of the Kyrgyz Republic sets such a task and implements some pilot projects in certain regions, but the results will need to be institutionalized in the regulatory framework and rolled out across the country.

Public monitoring of services and public expenditure needs to develop procedures and regulations, as well as increase the capacity of community groups in its implementation. It is also necessary to introduce incentives and penalties mechanisms for governments to ensure that they have used the monitoring results in decision making. It is also necessary to consider the possibility of including the ombudsman office in the monitoring process and create a legal framework for the monitoring by organizations of consumer rights protection through increasing their capacity in public and municipal services.

The process of comprehensiveness, clarity and accessibility of information requires more efforts from the government in designing formats of information, which should be openly discussed and understood by the wider public. Also, the government should reconsider its attitude to the databases in order to provide substantial information as well as information in computer-readable form. This requires adoption of a new law on access to information. It requires support for strengthening the analytical capacity of the media outlets and their interaction with the expert community.

The performance evaluation system of the state bodies and local self-governments and their managers also needs reform. First of all, it is necessary to develop criteria and mechanisms for evaluating performance of local self-government and set up mechanisms for regular assessment by citizens. It is not necessary to do centrally at the government level, but rather it is sufficient establish rules in the regulatory framework and to ensure oversight of its implementation. These mechanisms should include measurement of incentives and penalties. With regard to public authorities, the public needs to get clear mechanisms of the evaluation results' impact on the future career of the state bodies managers, as well as mechanisms to the evaluation's influence on the trust index. Consideration should include other evaluation tools by citizens in the system in addition to the trust index of the population, for example, a qualitative analysis of the portal KATTAR.KG.

In the summer of 2016, the Parliament postponed consideration of the issue on introduction of the direct election of the executive bodies' heads in local self-government. The government also does not support this reform. It is necessary to undertake an explanatory work backed up by analytical studies in terms of what consequences the introduction of direct elections will bring and consider the issue at all levels with wide citizen participation. It is even possible to hold a referendum on the issue among the population.

6.3. Accountability in pair 'Citizens - Political Parties'

6.3.1. Process evaluation

Processes	Availability or lack of rules and standards of accountability	Demand for accountability (is mandatory prerequisite for process evaluation, but not included in evaluation)	Motivation of power to respond to demand for accountability	Possibility of compulsory execution of accountability requirements and unavailability of punishment, recall or re-election
Elections of deputies of Jogorku Kenesh of the Kyrgyz Republic	Yes	Yes	No	No
Selecting the deputies of local councils of the Kyrgyz Republic	Yes	Yes	No	No
Political parties reports to electorate	No	Yes	No	No

Average accountability index in pair 11%

Elections of deputies of Jogorku Kenesh of the Kyrgyz Republic

Article two of the Constitution of the Kyrgyz Republic states that the elections of deputies of Jogorku Kenesh are held on the basis of universal, equal and direct election under ballot voting. The right to elect is entitled to citizens of the Kyrgyz Republic who have reached 18 years old. In accordance with Articles 4 and 70, the election of deputies of Jogorku Kenesh is carried out on a proportional system based on party lists for a period of 5 years. There is also the Constitutional Law "On Elections of President of the Kyrgyz Republic and Deputies of Jogorku Kenesh of the Kyrgyz Republic", which stipulates the procedures of the election process of the deputies to Jogorku Kenesh. In 2015, the election process has been greatly improved through the introduction of biometric data system, which increased the level of public trust in the electoral process. At the same time, the current system of elections of deputies of Jogorku Kenesh does not give citizens the opportunity to influence the personal composition of the deputies, voters vote for a list of candidates drawn up by the parties participating in the elections. Later the leader or leadership of the party, in the case of getting into the Parliament decides what candidates on the list will get the deputy mandate and who do not. The voters do not have any possibility to vote for specific candidates and influence the selection of deputies of JK. In addition, in accordance with Part 1 of Article 73 of the Constitution it is not permitted to recall the deputy. Under such circumstances, the deputies of Jogorku Kenesh have no motivation to be accountable to voters. They are motivated to be accountable strictly to own party.

The process cannot be considered fully operational: although rules and standards seem to be established, but cannot achieve true accountability due to lack of motivation among the deputies to be accountable and lack of feedback mechanism.

Selecting the deputies of local councils of the Kyrgyz Republic

Article two of the Constitution of the Kyrgyz Republic also states that the elections of the representative bodies of local self-government are carried out on the basis of universal, equal and direct election law under ballot voting. Meanwhile, deputies of local councils are elected by the citizens residing in the territory of the respective administrative-territorial unit in compliance with equal opportunities in accordance with the law. In addition, there is the Law of the KR "On Elections of Deputies of Local Councils", which provides different procedures for election of deputies in rural and urban local councils: rural councils - by the majority system, city councils - under the proportional system.

Such process of the local council deputies' election does not fully meet the requirements of accountability dimensions. In the first post-election years, the practice has shown that the party councils faced many challenges; fractionation did not allow to quickly and effectively finding compromise solutions, many difficulties arose with the election of the heads of executive bodies of local self-government. Deputies were divided into fractions, their personal ambitions became primary, while the city problems became secondary; it took too long to review the candidacy of mayor, deputy mayors and mayor's office, then they started reviewing the heads of city structures, although this matter is beyond the local council competence. Capacity of the members elected by party lists was lower than in the previous convocations, within the party lists there were deputies without education, work experience, while in a single-seat electoral system each candidate passes through the "sieve" of public opinion, which reduces risks ineligible deputies to fulfill the mission.

Moreover, this form of citizens' influence on the deputies of local councils has become very limited: urban party cells do not work, there are several offices, but they get active prior to elections; many municipalities do not hold meetings with voters and in the previous convocation it was a regular practice. Relations between mayor's offices and city councils in many cities are very difficult, deputies interfere with the mayor's office, due to delays in consideration by the city council, and the mayor's office cannot perform a particular task.

According to the opinion polls, the majority (51%) of the Kyrgyz Republic citizens believe that local councils are under the influence of political parties, not only in cities but also in villages. At the same time 55% of citizens believe that local councils should not be formed by

party principle. As nominees of parties and being supported in different forms, members of both urban and rural councils are more likely to follow the party discipline and to protect party interests instead of advocating for the interests of the group in the community. Observing the opposition factions in the discussion of candidates for the position of the executive body leader of the local self-government, citizens make their own conclusions. They begin to believe that they cannot entrust local councils such important and responsible matter and it is better to have direct elections or appoint the LSG leaders "from above". This is eloquently demonstrated by the dynamic of the citizens attitude towards the elections - in 2015 number of those who were willing to entrust the decision to local councils reduced and dropped very significantly, almost three times compared to 2010 - from 50 to 17 percent. In other words, five years ago every second Kyrgyzstan citizen believed that local councils can be entrusted the elections of the municipality head. Now only every fifth resident of the country think like that.

The process cannot be considered fully operational: although rules and standards seem to be established, true accountability cannot be achieved due to the growing influence of parties on the formation of the representative branch of local self-government, lack of motivation among deputies to be accountable and lack of mechanisms for revocation per citizens' initiative.

Political parties reports to electorate

Legislation does not provide mechanisms to provide reports by political parties to the electorate, as well as the responsibility for their failure. Political parties, which gained seats in the Parliament, shall exercise their interaction with voters through own factions in the forms stipulated by Article 152 of the Law "On Regulation of Jogorku Kenesh", namely: faction organizes activities for its members to work with the voters and execute representative functions of deputies of Jogorku Kenesh on the following matters:

1) timely, objective and complete review of complaints, proposals, applications received by the faction, undertake action on necessary measures and cooperation on these matters with the committees of Jogorku Kenesh;

2) deputies' in-person meetings with voters when there was a voter inquiry received by the faction;

3) assist the deputies to address complaints received by them in order to review them in a timely and comprehensive manner and undertake actions on necessary measures;

4) conducting deputy meetings - members of the faction meet with voters who reside in different regions of the country through coordination of the respective regions by the deputies;

5) per initiative and with participation of the faction members, hold meetings, conferences, sessions and other activities with the government agencies, local self-governments, representatives of political parties, NGOs and the media;

6) compilation and analysis of incoming inquiries addressed to specific deputies and the faction;

7) compilation and analysis of activities carried out with the faction participation aimed at implementing the representative function;

8) informing voters and the media about the progress of work with citizens and activities of the faction in Jogorku Kenesh.

According to this provision, the faction's work with voters should be determined by the faction's resolution. However, the factions' resolutions could not be found on the website of Jogorku Kenesh of the Kyrgyz Republic, which makes the issue unresolved. This is also confirmed by the Parliament Development Strategy project, which stresses the urgency for the factions to undertake their activities with the population, to enhance transparency and accountability to the electorate. There is no regularity in the faction performance in the regions in order to identify challenges of the local community and ensure a constant feedback from the electorate. There are no permanently operating representative offices in the regions. All this has largely a negative impact on the position of the party among the electorate.

In fact, the parties seek to increase influence in the local councils and national parliament, but no efforts are made to become accountable to the voters. For example, only after the decision

of the Constitutional Chamber in 2015, the legislation was amended to exclude the possibility of early termination of the deputy powers of municipal councils if recalled by the governing body of political party per proposal of the parliamentary factions. Formally, the parties argue that the enforcement mechanism will be applied to the next elections, and if the party did not fulfill its election program, it would not get the votes again. However, it cannot be recognized as a permanent process of ensuring accountability of parties to the voters.

Thus, the **process is recognized as non-existent**, since there are no standards and regulations, there is no motivation and punishment mechanisms as recall of deputies.

6.3.2. International practice

Political parties play a dual role in the accountability process: can be both democratic instruments in order to encourage the authorities to account (principal), and can be accountable agents that respond to the needs of the electorate through the election cycle (agents). There is consensus among academics that the political parties that focus on changing policies are more effective in regard to accountability than parties organized to promote personal interests or the interests of narrow groups. However, among these circles there is no agreement on to what extent the parties affect or do not affect the accountability relationships. Also the nature of the electoral system has a significant impact on increase or reduction of accountability in specific context. For example, the system of proportional representation of different interests can enable greater public participation in decision making, and thus, a large number of people will demand accountability. However, such systems make it difficult to identify agents that can be held accountable if the responsibility for the action or omission was distributed among numerous representatives, who are elected in one constituency. Conversely, plurality systems that support the candidates with the most votes will make it possible to identify those who will implement policies, but inevitably undermine the democratic representation of a broader range of interests. Thus, the conventional opinion about electoral systems is that proportional representation systems tend to be associated with the increase of political parties, whereas the majority systems have the effect of reducing the number of potential parties.

Recent studies have also shown that selection of various nomination rules of candidates has a significant impact on the person to whom the legislative agents are likely to be accountable, not only between voters and elected politicians, but also among the elected politicians. The rules that regulate elections of deputies through a closed list, give more power to the party leaders to influence their career growth, since the rules allows to select specific individuals and give more powers to the leaders beyond the party's control and can become, in principle, more responsive to the needs and the demands of their electorate.

In this context, human rights are an important aspect to consider. In relation to the Kyrgyz Republic, the conclusion of the European Commission for Democracy through Law (Venice Commission) on the draft law on elections of local authorities in 2011 states that the party elections system, which excludes individual candidates, that exists at the national level is contrary to international standards ratified by Kyrgyzstan. The ban for people to qualify for elective office without party affiliation is an obstacle to democracy. Implementation of such a system at the local level cannot be a good thing. Literally conclusions read as follows: The local electoral system did not provide an opportunity for independent candidates to be elected. Despite the fact that the election system is proportional and such a system does not require exclusion of the independent candidates and the distribution formula can be applied to the independent candidates, as well as political parties. Consequently, there is no reason to exclude individual independent candidates. Paragraph 7.5 of the OSCE Copenhagen Document recognizes the right of citizens to qualify for a public office individually or as representatives of political parties, or organizations without discrimination. Further, as noted by the UN Committee on Human Rights: "Those having the right to participate in the elections should not be excluded ... for belonging to a political party. The rights of persons to participate in the elections should not be unreasonably

restricted by the requirement for candidates to join parties or certain parties". (See General Comment 25, paragraph 15 Paragraph 17 of the UN Committee on Human Rights).

The whole international experience clearly shows that the interests of voters cannot and should not be sacrificed in the interests of the party structure, as it is happening in the Kyrgyz Republic. And although it is clear that Kyrgyzstan and parties in the country needs time to strengthen the party system, still there is a need to find ways to enhance the accountability of political parties to the citizens.

6.3.3. Recommendations

There is a need to develop and implement the feedback mechanism to identify voters' evaluation of the faction performance in the Parliament, government's performance in implementation of party programs, laws adopted by the Parliament in the framework of these programs, as well as on the program's impact on citizens. It is necessary to establish a regular system of interaction between the faction and the voters, faction reporting on the results of the meetings and publication of these materials in the media, create permanent representations of the factions in the regions.

There is an urgent need to develop and introduce mechanisms to recall the deputies by the citizens, at least at the level of local councils or other enforcement mechanisms to make the parties more accountable to citizens.

Development of legal norms on cooperation and accountability of parties to the citizens in between elections shall be among the immediate actions.

6.4. Accountability in pair 'Jogorku Kenesh of the Kyrgyz Republic - Executive Bodies and Local Self-Government'

6.4.1. Process evaluation

Processes	Availability or lack of rules and standards of accountability	Demand for accountability (is mandatory pre-requisite for process evaluation, but not included in evaluation)	Motivation of power to respond to demand for accountability	Possibility of compulsory execution of accountability requirements and unavailability of punishment, recall or re-election
Country's development areas formed by specialized committees of JK according to the needs and interests of citizens	No	Yes	No	No
Direct control over execution of the adopted legislation	Yes	Yes	No	No
Control over execution of existing legislation and public spending through the Audit Chamber and Prosecutor's Office	Yes	Yes	Yes	Yes
Government report on implementation of policies, development programs	Yes	Yes	Yes	Yes
Government performance assessment system	Yes	Yes	Yes	Yes

Average accountability index in pair 67%

Country's development areas formed by specialized committees of JK according to the needs and interests of citizens

Legislation does not define this role of JK committees, but there is a clear need for this. The legislative process is largely reactive in nature, as the deputies and the government respond relatively unsystematically to the challenges and problems in their legislative initiatives. This is due to the poor quality of the draft laws, large number of amendments to them, which are brought in many cases in a very short time after the adoption of the law.

The coalition majority in the Parliament does not have a coherent, logical and complete concept of the country development, which should be a fundamental of the "task" for the executive branch. In fact, the coalition takes the position and proposals of the Government, making various adjustments, but do not change the essence of the proposals. Specialized committees in this process play the role or a filter permeable or impermeable to the initiatives of the Parliament, while they should develop key directions of development in the sectors under their mandate and control. Solution could be a creation of the Parliamentary message to the government, which would provide strategic directions of the country development and assign tasks to the Government. **The process is recognized as non-existent.**

Direct control over execution of the adopted legislation

According to the Constitution and the Law "On Regulation of Jogorku Kenesh" control over the law enforcement is the JK function and its committees. But the efficiency of control activities is reduced due to non-structured and non-systemic parliamentary inquiries on various matters. There is a need for a normative definition of formats and range of matters for the parliamentary hour and parliamentary day. There is a need to develop reporting formats on the implementation of legislation.

One of the priorities of parliamentary control should be systematization, planning and consistent implementation of the control function of the Parliament. Taking into account the upcoming presidential elections in 2017, the Parliament should focus on monitoring and evaluation of activities of the Government for the preparation and holding of transparent presidential elections, guarantee full and fair application of electoral legislation, including during the election campaign.

Moreover, there is no common understanding of roles of the factions, committees, commissions and the office of Jogorku Kenesh. However, in the world practice the leading role in the parliamentary control belongs primarily to the parliamentary committees. Therefore, faction's exercising control functions and coordination of their work with the committees for the implementation of the control functions need to be clarified. **The process cannot be considered fully operational.**

Control over execution of existing legislation and public spending through the Audit Chamber and Prosecutor's Office

Article 104 of the Constitution and Articles 1 and 3 of the Law "On Prosecutor's Office" the prosecutor bodies are entrusted with the functions to oversee the strict and uniform observance of laws by the executive authorities, local self-government bodies and their officials. In this regard, the **accountability process works**, although the public have complaints to the law enforcement system in terms of corruption.

Article 107 of the Constitution and Articles 4 and 6 of the Law "On Audit Chamber" the Audit Chamber conducts inspections of the republican and local budgets execution, extra-budgetary funds, use of state and municipal property. In this regard, the **accountability process is in place**, although there is no audit of the public spending efficiency in practice.

Government report on implementation of policies, development programs

Articles 85-88 of the Constitution establish the accountability of the Government of the Kyrgyz Republic to Jogorku Kenesh of the Kyrgyz Republic. Article 32 of the Constitutional

Law "On Government of the Kyrgyz Republic" describes the basic principles of the accountability process:

1. Interaction of the Government with Jogorku Kenesh is carried out in the order established by the Constitution and legislation of the Kyrgyz Republic.
2. The Government has a permanent representative in the Parliament, who is personally responsible for ensuring the implementation of the constitutional powers of the Government in the Parliament through constant interaction with it.
3. The Government is responsible and accountable for its activities to Jogorku Kenesh within the limits stipulated by the Constitution and the present constitutional law.
4. Prime Minister shall report annually to the Parliament on the Government's work done in the previous year no later than 15th of May in the framework of the Government program approved by the Jogorku Kenesh.

The process is recognized as valid, although improvements are needed, for example, the reporting forms.

Government performance assessment system

According to the Constitution of the Kyrgyz Republic (article 85), at the initiative of one third of the total number of deputies of JK may consider motion of censure to the Government. This creates a solid basis for political accountability of the Government to the Parliament. However, even here there are problems in terms of formats and regulations. The Government asks the Parliament to provide the report format to reduce the influence of subjective factors in evaluating the performance and maintain the continuity. However, lack of the report format is also due to the lack of clear requirements to the governmental program, which should be based on the JK message or areas of development developed by the Committees. **Although the process has some shortcomings, the process was found functioning.**

6.4.2. International practice

Depending on what governance system operates in the country - presidential or parliamentary, it affects the conditions of how the Parliament and legislators can effectively request accountability from the executive branch. Obviously, the MPs will not seek to ensure the accountability from the government if the political system has a dominant majority party. However, if the political system has too many operating parties, the possibility to hold the executive power accountable to the political parties and the parliament is also unlikely. The best option occurs when there is more than or at least two competing parties. Also, the ability of the Parliament to demand accountability from the executive power depends on the political effectiveness of the standing committees, policies and procedures of the committee sessions and other processes. Transparency and level of institutionalization of procedures for adoption of regulatory legal acts, as well as experience and professionalism of the committee members directly affect the technical capability of legislators to analyze and process information. In this case, particularly the committees serve an effective entry point for civil society participation in decision making processes, so they also play a key role in strengthening accountability in the pair of "Citizens - Parliament".

An important role in strengthening the government accountability to the Parliament is played by organizations strengthening the accountability of the Parliament itself, which is discussed in details in Section 6.1.

These organizations can monitor and publish the indicators of the oversight activities undertaken by the Parliament: number of verbal and written questions to the government; number of visits by the ministers or Prime Minister to provide answers; number of requests to the Government or number of requests for information, which were (were not) responded and if responses met the deadlines set. Monitoring activities in the committees represents a different context for measuring of the parliamentary oversight. Information at the level of committees may

include number of committee visits outside the capital, number of NGOs or officials who appeared before the committees on oversight matters, or number of committees' reports on oversight. In countries with the Budget Committees, there is monitoring of the operational review of the government budget, as well as the deadlines for submission of information to the Committee. Transparency International Bangladesh (TIB) carried out a detailed study to determine how and to what extent the Bangladesh Parliament and its committees have been effective in their vital role in holding the government accountable in order to fight corruption effectively.

6.4.3. Recommendations

Similar to the case of the legislation execution oversight, development and implementation of standards for the Parliament to evaluate performance of accountable institutions would improve the quality and timeliness for monitoring the activities of the Government, the National Bank, the Prosecutor's office and the Audit Chamber.

Lack of an established format makes it impossible to prepare reports by the accountable bodies to meet the needs of the deputies, which complicates the evaluation process.

It is also necessary to strengthen the capacity of organizations that help Jogorku Kenesh achieve own accountability to citizens and accountability of the Government to the Parliament.

6.5. Accountability in pair 'Political Parties - Jogorku Kenesh of the Kyrgyz Republic'

6.5.1. Process evaluation

Processes	Availability or lack of rules and standards of accountability	Demand for accountability (is mandatory pre-requisite for process evaluation, but not included in evaluation)	Motivation of power to respond to demand for accountability	Possibility of compulsory execution of accountability requirements and unavailability of punishment, recall or re-election
Deputies' reporting to the parties and party discipline	Yes	Yes	Yes	Yes
Faction's reporting to the central party committees	Yes	Yes	Yes	Yes

Average accountability index in pair 100%

Jogorku Kenesh as a legal entity and the supreme management body may not be accountable to the political parties. Yet, between them there are accountability processes. So, members of the Parliament elected based on the party principle are accountable to the parties.

Party faction that forms the majority coalition and members of the opposition are accountable not only to their parties, but also to the relevant coalitions (in the case of gaining seats).

Deputies' reporting to the parties and party discipline

Articles 7 and 8 of the Law "On Political Parties" stipulate the rights and obligations of the parties shall be established in the statute. Members of political parties are obliged to comply with the party charter accordingly. As a rule, the party's charter provides liability for the party members for violation of the party discipline and provisions of the charter up to exclusion from the party. Therefore, accountability of the JK deputies, who are members of the party, is fully established to that particular party. At the same time, there could be members in JK, who are not members of the party through which they gained seat in JK. In this case, their accountability to the party is not based on membership in the party and membership of the respective party in the

faction. Under Part 3 of Article 70 of the Constitution, Jogorku Kenesh deputies shall form factions. According to Part 4 of Article 10 of the Law "On Regulation of Jogorku Kenesh" refusal of deputy elected from one political party to join the faction of the same party is not allowed. In the event of the deputy's resignation from the faction, this is the reason for the early termination of powers of the deputy (paragraph 1 of Part 3 of Article 73 of the Constitution). Thus, according to the law deputy accountability to the party is set sufficiently. At the same time, these MPs are not obliged to comply with the party rules, because they are not members of the party. Deputy of JK is not bound by an imperative mandate, a revocation of the deputy is not allowed (Article 73 of the Constitution), which allows the deputy of JK to have a certain freedom and not to be in a rigid and absolute accountability to the party. **Nevertheless, the process is recognized as valid.**

Faction's reporting to the central party committees

According to Article 3 of the Law "On Political Parties" one form for political parties to participate in state affairs is formation of factions in representative bodies, primarily in the country's parliament.

The parliamentary faction - the union of Jogorku Kenesh deputies elected from one political party. Faction may not include deputies from other parties. Questions are addressed in the factions first. Faction decisions on them are mandatory for its members (Article 10 of the Law "On Regulation of Jogorku Kenesh"). Faction is managed by its leader, who organizes and coordinates the work of the faction, oversees inter-faction discipline and supervises execution of decisions of the faction. Faction expresses a common position on the issues dealt with JK and solves other issues on behalf of the faction, including adoption of sanctions on members of the faction (Articles 11 and 12 of the Law "On Regulation of Jogorku Kenesh"). Faction's reporting to the central body of the party is not explicitly envisaged in the legislation, but at the same time it is a logical consequence of these legal norms. Reporting to the central body of the party should be clearly defined in the faction resolution, as this document should directly regulate these issues. **The process is recognized as valid.**

6.5.2. International practice

Accountability of political parties to the people, voters is a very complex and delicate issue. In many countries, the accountability relationships in the pair of "people - party" evolved historically for decades and even centuries. Therefore, direct comparison of the party accountability for example, in the UK and Kyrgyzstan is inappropriate given the significant differences in the democratic traditions. In general, in countries with a dominant party - one or two - accountability relationships within the party are often well structured.

But we cannot keep silent about two striking facts discovered in the last decade related to the development of party systems in countries with 'fresh' democracy: first, the parties are extremely unpopular, in general, they are the least respected institution in most countries; secondly, complaints that citizens impose to the parties are remarkably similar in different countries and regions.

Globally, according to the Carnegie Institution two parallel processes are observed in the last 20-30 years: falling credibility of political parties and public trust in them and simultaneous expansion of civil society and enhanced social accountability: 'Political parties face big problems in many parts of the world, they have become the most unpopular and least respected public institutions in almost every country except for China. This brings us to the question about leadership, which no longer comes from the political parties. This is due to decline of ideology. It seems that an aspiration for accountability is the only coherent political idea of the 21st century, and we passed the 20th century leaving the old defective political ideas behind. This is the only idea that is important for citizens, inspires people and contributes directly to changes. We see the tensions around formation of political parties, even in developed democracies, for example, in the United States two hundred years of development of the party system scrapped

due to dissatisfaction of citizens. Leadership comes from accountability taking other shapes, when we say about the movements without leaders, but in fact we are dealing with the coalition of leaders. On the other hand, when there is too much accountability, when people “knocks at the gates of the palace” politicians perceive this situation as chaos, threat. But usually it is the politicians themselves who create conditions for chaos, preventing the development of efficient state institutions accountable to citizens. If citizens have legitimate accountability mechanisms, they will not be "knocking on the gates of the palace."

6.5.3. Recommendations

Since accountability in this pair is exceptionally strong, there is no need to make recommendations for its strengthening. The only thing worth considering is how to adapt mechanisms of party programs and party building to the global trend, which is to strengthen the requirements and expectations of social accountability, that is, government accountability to the people.

Conclusion

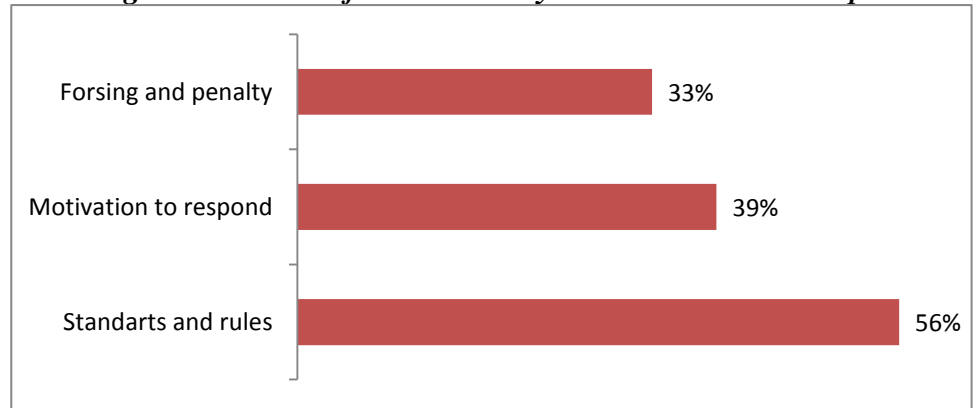
With any attempt to assess the level of accountability of the power to its citizens in any country, it is worth keeping in mind that **there is no universal or embodied in the reality ideal model of accountability in the world and cannot exist**, as accountability in addition to formal measurements is deeply tied to the context, traditions, geopolitical situation and multiple other factors. Therefore, any assessment can be undertaken and is being done with the sole purpose to see the accountability system as such in a particular country, identify the most significant gaps to develop measures to bridge them and bring accountability to balance that reflects a common understanding of the social contract between the government and citizens. All the components of the system - principals, agents and accountability processes arising between them may differ substantially from country to country.

However, the application of four dimensions of accountability, validity of which is described in the Methods section allows making general and comparable assessments with other countries.

The results of this evaluation demonstrated that the accountability system in the Kyrgyz Republic is created, as in each of the pairs of principals and agents there is one or more processes of accountability to a certain extent. **Therefore, the main good news is that the system of accountability in the Kyrgyz Republic is in place and functioning. The main bad news is that this system operates about 43 percent of its capacity, of expected by the key principal in the country - people as the source of power.**

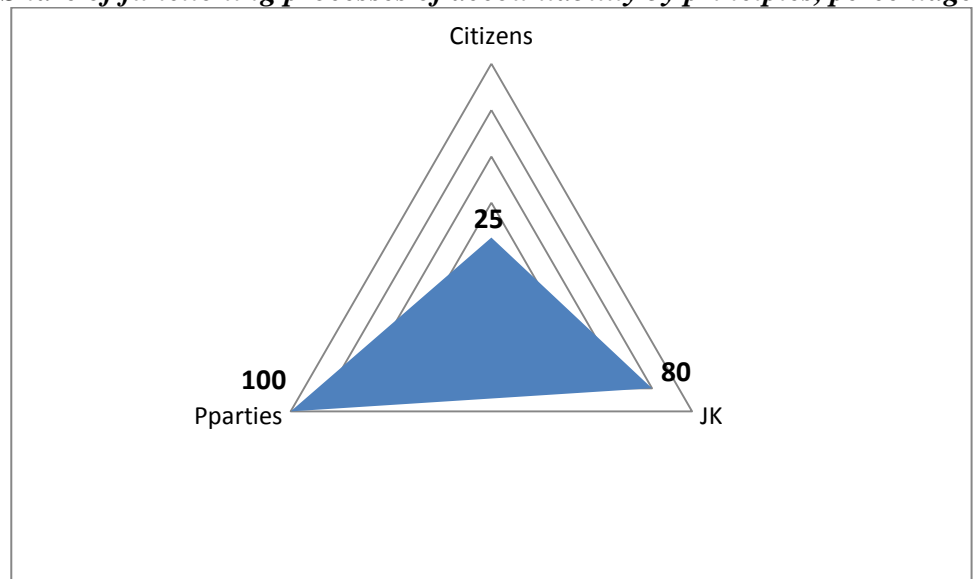
Well established situation relates to the standards and rules of accountability - 56% of the necessary standards and regulations support the accountability system in functioning mode. Mechanisms for motivating power to be accountable are present in 39% of the processes. Dimension that evaluates availability and viability of mechanisms in the processes, which obligate power to be accountable and punish for violation and disregard is in the worst shape.

Diagram 1. Results of accountability dimensions across all processes



Comparing opportunities of the principals to fully enjoy the processes of accountability refers to the imbalance in the accountability system, where the citizens were the least influential client compared to the Jogorku Kenesh and the political parties that are graphically reflected in Diagram 2. Thus, in the processes where citizens act as the principals, there were only 25% of processes, which were undertaken in full, whereas the corresponding figures in respect of the Parliament and political parties account for 80 and 100 percent, respectively.

Diagram 2. Share of functioning processes of accountability by principles, percentage



When reviewing availability or lack of the accountability processes between different pairs of "principal - agent", significant differences are found. Diagram 3 graphically shows comparison of the actual level of accountability with an abstract ideal model, which means that all existing and necessary accountability processes operate in full.

Diagram 3. Real level of accountability in pairs "principal - agent" in comparison with the situation if all accountability processes are in place, percentage

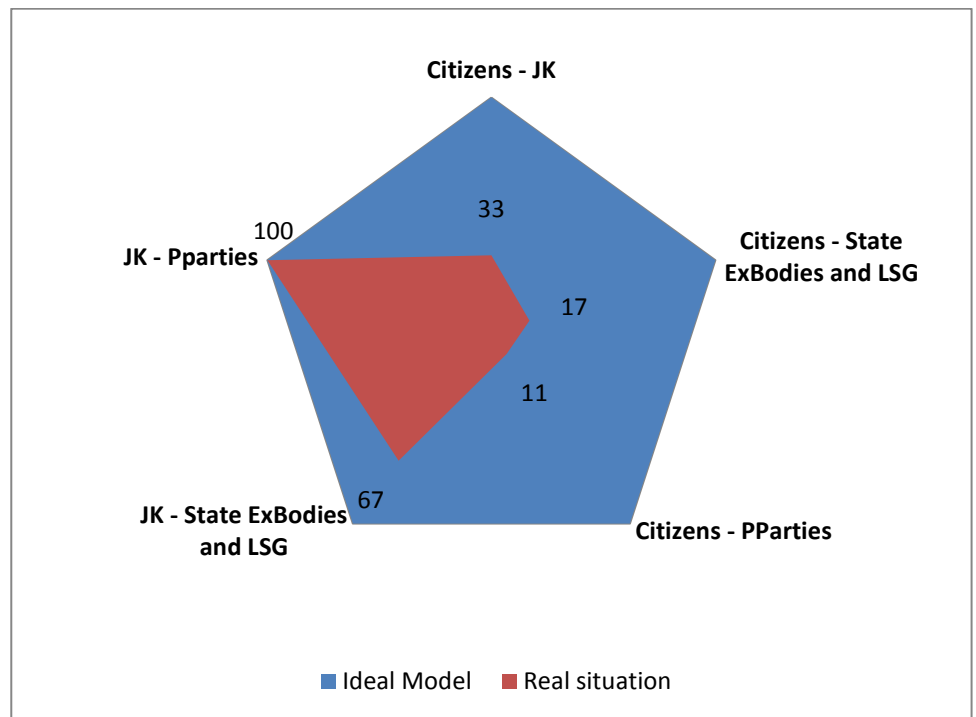
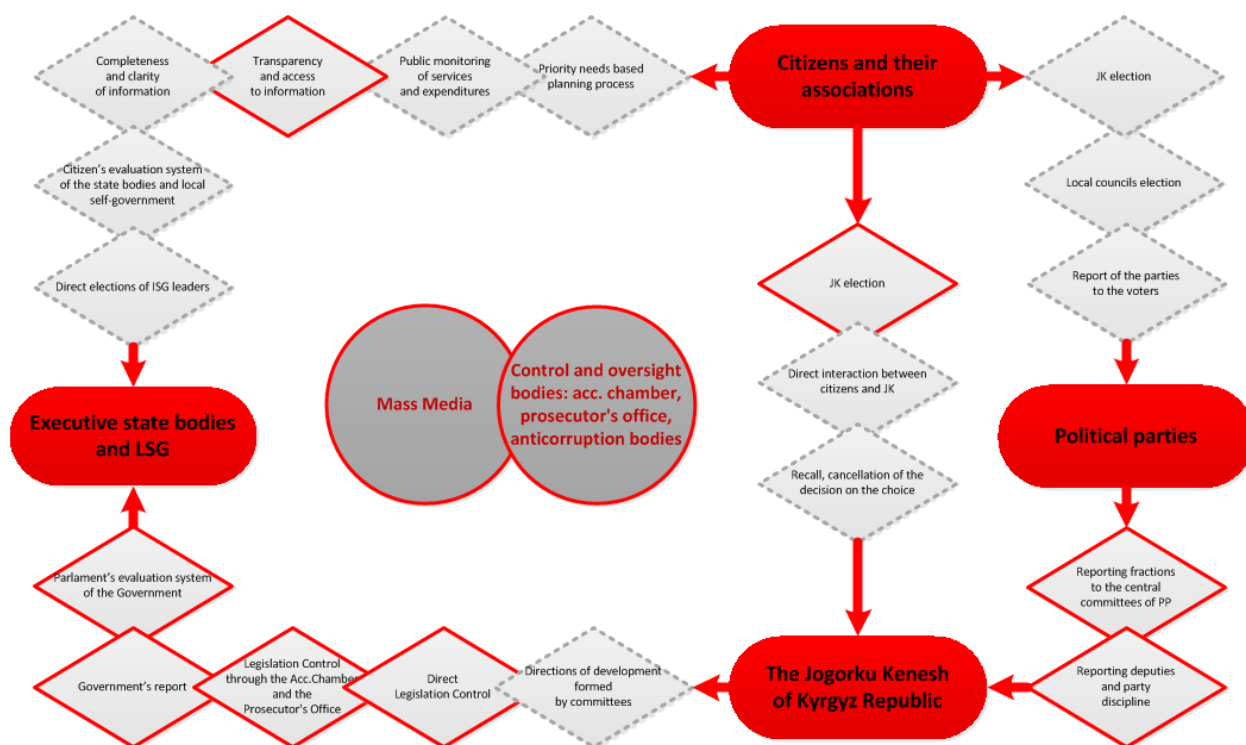


Diagram 3 shows that the highest degree of accountability is implemented in the pair of "Political Parties – Jogorku Kenesh", where the Parliament although is not fully accountable to the parties, but through deputies elected by the proportional system, has accountability relationships with the parties. From these two processes both are valid.

Relatively favorable is the situation in the pair of "Jogorku Kenesh - Executive Bodies and Local Self-Government", because 67% of identified processes are active. Obviously, there are areas for improvement and the Parliament Development Strategy is being discussed by the deputies in 2016, anticipates solutions to many problems for enhancing accountability.

At the same time, it must be noted that the worst shape of accountability level appears in pairs where citizens are the principal. Thus, Parliament is accountable to citizens is only for 33%, the executive government bodies and local self-government - 17%, and the political parties - 11%.

This makes obvious conclusion that in order to achieve a clear understanding and strict compliance with the social contract, which is the basis of democratic state, it is necessary to make special efforts to improve the accountability of government to citizens.



Particularly noteworthy are the processes listed in the table below. The table also provides information on whether there are practical initiatives to improve these processes in the country and what significant efforts are required due to lack of such initiatives. This information is addressed, first of all, to the donor agencies and NGOs that can provide support to address these challenges.

Process with citizens acting as principals	Availability or lack of development initiatives	Nature and sufficiency of support
Regulated direct interaction of Jogorku Kenesh with citizens, which allows avoiding discrimination of the vulnerable groups	No large scale initiatives, substantial proposals are included in the draft Parliament Development Strategy of the Kyrgyz Republic	Technical assistance is needed
Mechanisms to punish and coercion – recall of deputies of Jogorku Kenesh by the citizens	No initiative	Research and technical assistance are needed
Development planning executed by the executive bodies shall be based on citizen priorities	Short-term initiative by GIZ per request of the Ministry of Economy, is aimed at development of mechanisms to combine national and local development programs	Technical assistance to institutionalize scale up of the experience is needed
Public monitoring of services and state spending	UNDP initiatives available	Wide participation of CSO is needed
Completeness, clarity and accessibility for the analysis of the information under the jurisdiction of the state bodies and LSG	Initiative of Ministry of Economy and supervisory councils of state bodies in development of new draft of law on access to information	Wide participation of CSO and technical assistance are needed
LSG and state bodies performance assessment system by the citizens	No initiatives	Research and technical assistance are needed

Direct elections of heads of the LSG bodies	No initiatives	Research and technical assistance are needed
Elections of local council deputies, reducing influence of political parties	No initiatives	Research and technical assistance are needed
Political parties' reports to electorate	No initiatives except for a few proposals in the draft Parliament Development Strategy	Research and technical assistance are needed

Specific recommendations for each of the processes are listed in the relevant sections.

With regard to observers in the system, which include the control and oversight bodies and the media also need to undertake a number of measures so their oversight provides clearer signals about the problems and challenges. At least, requirements and criteria for monitoring current accountability processes should be introduced in the system of the state control and oversight in the short term perspective. For example, the responsibility of the Audit Chamber should consider compliance of the development plans with actual needs and priorities of citizens and responsibility of the prosecutor's office - monitoring the compliance of the government execution of the reporting requirements to citizens. Media needs primarily technical assistance - training, strengthening networking with experts, increasing the analytical capacity.

In conclusion it should be noted that this research is the first attempt in Kyrgyzstan to assess the power accountability system as a whole and therefore it cannot claim to make exhaustive and final conclusions. In addition, the research has leaves a number of open questions, answers to which have to be sought with joint effort. For example, what role the ombudsmen should have as the main defender of the autonomous rights and interests of citizens. It is not clear whether the organizations of consumer protection can act as a mechanism in the protection of rights of the consumers of public and municipal services. There is no answer to the question about what role the presidential institution has in the system of accountability and guaranteeing the social contract between the government and citizens.

In general, the very existence of the processes, high civic demand for them, recognized need to strengthen accountability by the state as evidenced by the reforms, all of this prove that the Kyrgyz Republic continues building the democratic state based on the social contract, where people of the country serves as the customer.

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Appendix. Summary table of the accountability processes evaluation in the Kyrgyz Republic

Processes	Availability or lack of rules and standards of accountability	Demand for accountability (is mandatory pre-requisite for process evaluation, but not included in evaluation)	Motivation of power to respond to demand for accountability	Possibility of compulsory execution of accountability requirements and unavoidability of punishment, recall or re-election
Election of deputies to Jogorku Kenesh based on universal equal and direct election law under ballot voting	Yes	Yes	Yes	No
Regulated direct interaction with citizens, allowing to avoid discrimination of vulnerable groups	Yes	No	No	No
Mechanism of punishment or recall, refusal to elect	No	No	No	No
Development planning based on citizen priorities	Yes	No	No	No
Matters of public monitoring of services and state spending	Yes	No	No	No
Transparency and access to information under jurisdiction of state bodies and local self-government	Yes	Yes	Yes	Yes
Completeness, clarity and accessibility for the analysis of the information under the jurisdiction of the state bodies and local self-government	Yes	No	No	No
System for citizens' evaluation of the LSG and state bodies' performance	Yes	No	No	No
Election of heads of executive bodies of local self-government	Yes	No	No	No
Elections of deputies of Jogorku Kenesh of the Kyrgyz Republic	Yes	Yes	No	No
Selecting the deputies of local councils of the Kyrgyz Republic	Yes	Yes	No	No
Political parties reports to electorate	Yes	No	No	No
Country's development areas formed by specialized committees of JK according to the needs and interests of citizens	Yes	No	No	No
Direct control over execution of the adopted legislation	Yes	Yes	No	No
Control over execution of existing legislation and public spending through the Audit Chamber and Prosecutor's Office	Yes	Yes	Yes	Yes
Government report on implementation of policies, development programs	Yes	Yes	Yes	Yes
Government performance assessment system	Yes	Yes	Yes	Yes
Deputies' reporting to the parties and party discipline	Yes	Yes	Yes	Yes
Faction's reporting to the central party committees	Yes	Yes	Yes	Yes
	TOTAL:	Y – 56%, N – 44%	Y – 39%, N – 61%	Y – 33%, N – 67%