



Office for Democratic Institutions and Human Rights

REPUBLIC OF UZBEKISTAN

PRESIDENTIAL ELECTION

24 October 2021

ODIHR NEEDS ASSESSMENT MISSION REPORT

24 - 28 May 2021



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ODIHR Needs Assessment Mission Report

I. INTRODUCTION

In accordance with its mandate and in anticipation of an official invitation to observe the 24 October 2021 presidential election in Uzbekistan, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) undertook a Needs Assessment Mission (NAM) from 24 to 28 May. The NAM included Alexey Gromov, ODIHR Senior Election Adviser, and Martina Barker-Ciganikova, ODIHR Election Adviser.

The purpose of the mission was to assess the pre-election environment and preparations for the presidential election. Based on this assessment, the NAM recommends whether to deploy an ODIHR election-related activity for the forthcoming election, and if so, what type of activity best meets the identified needs. Meetings were held with officials from state institutions and the election administration, as well as with representatives of political parties, media, civil society, and the international community. A list of meetings is annexed to this report.

ODIHR would like to thank the Ministry of Foreign Affairs (MFA) and the Central Election Commission (CEC) for their assistance and co-operation in organizing the visit. ODIHR would also like to thank all of its interlocutors for taking the time to meet with the NAM and for sharing their views.

II. EXECUTIVE SUMMARY

The 24 October presidential election will be held in the context of ongoing reforms in social, economic and political life of Uzbekistan. The president is directly elected for a five-year term. If no candidate receives a majority of the votes cast, a second round between the two leading candidates will be held within one month of the election day.

The election will take place under a recently revised legal framework. Amendments address some prior ODIHR recommendations, including those related to public gatherings for campaign purposes, prohibition on misuse of state resources, campaign finance and election dispute resolution. Many ODIHR NAM interlocutors pointed to the inclusive nature of the reform process. Nevertheless, other ODIHR recommendations including those related to certain aspects of fundamental freedoms of association, assembly and expression, suffrage rights, citizen election observation and registration of political parties remain unaddressed.

The Central Election Commission (CEC), 14 District Election Commissions, and 10,764 Precinct Election Commissions (PECs) will administer the election. Political parties are not represented in commissions but can observe all stages of electoral process. The CEC intends to launch an extensive cascade training for all lower-level commission members and a voter awareness campaign on various aspects of the election, with a particular focus on addressing the problem of proxy voting and other irregularities. Some ODIHR NAM interlocutors acknowledged that proxy voting was still a

phenomenon practiced throughout the country. Special measures to facilitate independent participation of voters with disabilities are envisaged.

Voter registration is passive. Citizens declared incapacitated by a court decision based on intellectual and psychosocial disabilities as well as prisoners convicted for serious crimes are not eligible to vote. Suffrage restrictions based on mental disability are at odds with OSCE commitments and other international standards. There are some 20.5 million voters registered, and voter lists are extracted from a centralized, electronic register. The law requires that voter lists be available for public scrutiny, and the PECs together with local authorities plan to conduct door-to-door verification exercise. No ODIHR NAM interlocutors expressed concerns regarding the accuracy of the voter registration.

The legal framework puts limits on eligibility to stand as a candidate, including pertaining to the length of residency and official language-proficiency requirements. Only registered political parties can nominate candidates, and some ODIHR NAM interlocutors pointed to burdensome requirements for party registration resulting in a lack of pluralistic views. Contrary to international standards and OSCE commitments, independent candidates are not allowed. All five registered parties informed the ODIHR NAM about their intention to nominate a candidate.

Women comprise some 32 per cent of members of the legislative chamber. Reforms initiated by the president and intended to increase women's participation in all spheres of life, including political, are currently ongoing. The legislation prescribes gender balance in the election administration.

The law guarantees equal campaign opportunities for all contestants, including in terms of holding meetings, access to the media and publication and distribution of campaign materials. In line with a prior ODIHR recommendation, recent legal amendments abolish the authorization procedure of campaign events in favour of a simple notification. The changes to the election legislation introduce the prohibition of the misuse of state resources for campaign purposes. Nevertheless, outside of the election context, other restrictions, in particular those related to holding of assemblies only in specifically designated places and at specific times, remain in place. ODIHR NAM interlocutors anticipate campaigning via social networks, messaging services and broadcast media as well as during traditional personal meetings. The campaign is expected to focus on ongoing reforms, post-pandemic recovery and social welfare.

All election related expenses are funded by the state, and each nominating party receives an equal amount of public funds to conduct the campaign. All parties informed the ODIHR NAM that the funds allocated would be sufficient for financing candidates' campaigns, but some would have welcomed an earlier transfer of the money to better prepare for the campaign. While private donations are allowed, they are subject to even distribution by the CEC among all contestants.

The media plan to cover the campaign with a variety of formats, including debates; media are legally obliged to provide equal conditions for all contestants. Online sources are increasingly used as a source of political information. Although defamation is no longer punishable by imprisonment, it remains a criminal offense and convictions for denigration of the president, including online, can still carry up to five years imprisonment. The legislation holds media accountable for third-party content and trustworthiness of the disseminated information. The authorities intend to monitor the campaign coverage.

In line with previous ODIHR recommendations, recent legal amendments make courts the sole forum for complaints on decisions of election commissions. The law sets short deadlines for filing and

adjudicating disputes. Several ODIHR NAM interlocutors referred to the ongoing judicial reform aiming, among others, to bring election dispute resolution in line with international standards.

All ODIHR NAM interlocutors underscored the need for an ODIHR election observation activity for the presidential election noting the added value of an independent assessment of ongoing reforms. Representatives of official bodies emphasized that they intend to administer the electoral process transparently and welcomed any recommendations for potential improvement of the process. Specific aspects that could benefit from review include the implementation of a revised legal framework, the work of election commissions at all levels, including the on-going efforts of the authorities to prevent proxy voting and the conduct of election day procedures, the voter and candidate registration, the conduct of the election campaign, its media coverage and election dispute resolution.

On this basis, the ODIHR NAM recommends the deployment of an Election Observation Mission (EOM) for the 24 October presidential election. In addition to a core team of experts, ODIHR should request the secondment by OSCE participating States of 28 long-term observers to follow the electoral process countrywide, as well as 250 short-term observers to follow election day procedures. In line with ODIHR's standard methodology, the EOM should include a media monitoring element.

III. FINDINGS

A. BACKGROUND AND POLITICAL CONTEXT

The presidential election will take place near the end of the 2017-2021 Development Strategy initiated by President Shavkat Mirziyoyev. The strategy aims to modernize the social, economic and political life among other things through strengthening the role of parliament and political parties, reforming governance and public management, developing the media and civil society, ensuring the rule of law and the independence of the judiciary, promoting gender equality and guaranteeing protection of citizens' human rights and freedoms. Most ODIHR NAM interlocutors referred to these benchmarks when discussing their participation in the election and stressed, that these "irreversible reforms" would ensure conduct of the election in full accordance with national and international law.

Uzbekistan has a strong presidential system.¹ The *Oliy Majlis* (the bi-cameral parliament) exercises legislative powers, appoints the Prime Minister upon the president's nomination and, following the 2019 constitutional amendments, pre-approves all ministers before their appointment by the president.

President Mirziyoyev won the 2016 presidential election, with 88.6 per cent of valid votes. The last parliamentary elections took place in 2019, and all five registered political parties obtained seats: Liberal Democratic Party obtained 53 seats, Democratic Party *Milliy Tiklanish* – 36 seats, Social Democratic Party *Adolat* – 24 seats, People's Democratic Party – 22 seats, and Ecological Party – 15 seats.

There are 48 women among the current 150 members of legislative chamber of the *Oliy Majlis* (32 per cent). Reforms aimed at increasing women's participation in public and political life are currently underway within the framework of the "Strategy to achieve gender equality in 2020-2030".

¹ The president issues binding decrees and resolutions, and plays a key role in the appointment of the Prosecutor General, Chairperson of the National Security Service and other high-ranking officials and judges.

Nevertheless, international bodies continue to note concerns about persistent gender inequalities and stereotypes.²

ODIHR has observed eight elections in Uzbekistan since 1999. The most recent ODIHR election observation mission concluded that the 2019 parliamentary elections “took place under improved legislation and with greater tolerance of independent voices but did not yet demonstrate genuine competition and full respect of election day proceedings. The elections showed that the ongoing reforms need to continue and be accompanied by more opportunities for grass-root civic initiatives. The contesting parties presented their political platforms and the media hosted debates, many aired live, but campaign rules are still restrictive, and the range of political options remained limited. There is more acceptance of free expression, but a few independent associations exist. Regrettably, the new legislation and modernized administration of elections did not improve the polling process, with international observers reporting numerous serious irregularities, such as voting on behalf of others and disregard for key procedures during counting”.³ The 2019 final report contains 32 recommendations to bring electoral process in Uzbekistan in line with OSCE commitments.⁴

B. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

The president is directly elected for a five-year term. In case two candidates compete, the one who receives more votes is declared winner. If only one or more than two candidates contest the election, a candidate needs more than 50 per cent of the votes cast to be elected; otherwise a second round between the two leading candidates takes place within one month from the election day. There is a turnout requirement of 33 per cent of all voters for the first round, with no such requirement for the potential second round. A constitutional limit of two consecutive presidential terms applies.

Presidential elections are primarily regulated by the 1992 Constitution and the 2019 Election Code (both last amended in 2021). Other applicable legislation includes the Law on Political Parties (last amended in 2019), the Law on Financing of Political Parties (LFPP), the Criminal Code and the Code of Administrative Responsibilities (all three last amended in 2021), as well as presidential decrees and resolutions. In addition, the Central Election Commission (CEC) issues binding regulations. Uzbekistan is a party to main international instruments related to the holding of democratic elections.⁵

In February and May 2021, the President signed two laws amending election-related framework. The amendments address some prior ODIHR recommendations, including those related to certain aspects of public gatherings for campaign purposes, prohibition of misuse of state resources, campaign finance and election dispute resolution. Other changes, mostly technical, relate to moving the date of

² The UN Human Rights Council (HRC), in its [Concluding observations on the fifth periodic report of Uzbekistan](#) (1 May 2020, CCPR/C/UZB/CO/5, paragraphs 12 and 13), noted that it remained “concerned by the persistent inequalities between women and men, including in employment, political and public life. In this respect, it is concerned at the continued low representation of women in the judiciary, the legislative and the executive bodies, especially in high-level decision-making positions. It is further concerned about the persistence of stereotypes regarding the place of women in society, including through the media”. On 22 February 2021, the President in his [address](#) to the UN HRC made pledges to “radically increase the role of women in the public, political, and business life of the country”.

³ See [previous ODIHR election-related reports](#) on Uzbekistan.

⁴ In paragraph 25 of the 1999 OSCE Istanbul Document, OSCE participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations”. See ODIHR Electoral Recommendations Database [Paragraph25.odihr.pl](#).

⁵ These include the 1966 International Covenant on Civil and Political Rights (ICCPR), 1979 Convention on the Elimination of All Forms of Discrimination against Women, 2003 Convention against Corruption, and the 2006 Convention on the Rights of Persons with Disabilities (CRPD, ratified by Uzbekistan in June 2021).

the elections from December to October, formation of precinct election commissions (PECs), out-of-country voting, election observation, publication of election results and other aspects of the electoral process. In general, ODIHR NAM interlocutors expressed satisfaction with the improved legislative framework and highlighted the inclusive and consultative reform process, although some noted that the inclusiveness of the reform process was affected by the COVID-19 pandemic.

Nevertheless, other long-standing ODIHR recommendations, including those related to certain aspects of fundamental freedoms of association, assembly and expression, suffrage rights, citizen election observation and registration of political parties, remain unaddressed.⁶ (see *Voter Registration, Candidate Registration, Campaign and Media*).

C. ELECTION ADMINISTRATION

The election is administered by the CEC, 14 District Election Commissions (DECs), and 10,764 PECs, including 61 PECs abroad. The CEC has wide regulatory powers and provides overall guidance and support for the activities of the lower-level commissions. It plays a leading role in all stages of the electoral process, including voter registration, registration of candidates, ensuring of equal campaign opportunities, including in the media, distribution of the ballots, validating and invalidating the election results. The DECs oversee the electoral process at the regional level; the PECs organize and conduct voting and counting at polling stations. State and local authorities are obliged to provide logistical and operational support to election commissions.

The CEC is a permanent body, while the DECs and PECs are formed temporarily for each election. The CEC members are appointed by the *Oliy Majlis* for indefinite terms based on proposals from regional representative bodies. Currently, the CEC has 21 members, with 7 members working on a full-time basis. Seven members of the CEC are women.⁷ The CEC members elect a chairperson from amongst themselves based on a nomination of the president.

The CEC forms the DECs no later than 70 days prior to election day based upon recommendations of the regional representative bodies. The DECs appoint PEC members no later than 40 days prior to election day based on proposals from the local councils who receive nominations from *Mahalla* committees, public associations and other organizations.⁸ One organization may not nominate more than a half of the PEC members for a specific PEC. Political parties are not entitled to nominate members to any commission. Sessions of election commissions at all levels are open to representatives of the media, political parties, and international observers. By law, all CEC decisions are to be published on the official CEC website on the same day.

The CEC, in co-ordination with other state institutions, intends to hold a comprehensive, interactive cascade training for members of election commissions at all levels, with a special focus on the use of the electronic voter register and addressing the problem of proxy voting as safeguards to ensure the

⁶ Regarding fundamental freedoms of association, assembly and expression see the [2020 UN Human Rights Committee Concluding observations on the fifth periodic report of Uzbekistan, in particular paragraphs 20, 44, 46, 48 and 50.](#)

⁷ Eight members, including the chairperson, were newly appointed in February 2021. The law “On Guarantees of Equal Rights and Opportunities for Women and Men” prescribes gender balance in election administration.

⁸ *Mahallas* are Uzbek community structures involved in numerous aspects of citizens’ everyday life. According to the 1993 Law on the Institutions of Self-Government, they, among others, provide financial assistance and advice on weddings, facilitate the timely collection of taxes, assist law enforcement agencies in maintaining public order and safety, and act as a guarantor for loans by business entities. There are 9,214 *Mahalla* units across Uzbekistan, each with a committee comprised of four regular members.

principle “one person – one vote”.⁹ Some ODIHR NAM interlocutors acknowledged that proxy voting was still a phenomenon practiced throughout the country. Amid the COVID-19 pandemic, the CEC in cooperation with the Ministry of Health aims to issue and implement guidelines on preventive and sanitary measures on election day.

The legislation provides for several alternative voting methods for a limited category of voters. Early voting for those away from the polling station of their residence on election day takes place between 10 and 3 days prior to election day. Voters who for health or other reasons are not able to come to the polling station may use the option of mobile voting. Special polling stations are established in places where voters temporarily reside such as penitentiary institutions, military units, hospitals and other health institutions. Voters staying abroad can vote in embassies and consular offices.

Authorities expressed their commitment to promote inclusive participation of different categories of voters.¹⁰ By law, each polling station must be equipped with ramps and specially designed voting booths for persons with physical disabilities. There is a possibility of assisted voting by a person of the voter’s choice. The CEC informed the ODIHR NAM that all polling staff would receive training to accommodate needs of voters with special needs. Representatives of some civil society organizations stressed that notwithstanding improvements, persons with disabilities are not adequately represented in the elected bodies.

According to the Election Code, ballots will be printed in Uzbek and other languages, based on a respective DEC decision, in areas where the majority of the population speaks such languages. Although the Russian language does not have an official status, the CEC informed the ODIHR NAM that electoral materials, including regulations, would be published in both Uzbek and Russian.

The CEC also intends to introduce a mobile application “*Saylov-2021*” containing an interactive map of all polling stations. The ODIHR NAM was informed about CEC’s plans to launch an inclusive awareness-raising and voter education campaign in a variety of formats targeted at voters with different disabilities, first-time voters, women and other groups.

D. VOTER REGISTRATION

Citizens aged 18 or older have the right to vote, except for those who have been declared legally incapable by a court decision, including on the basis of intellectual or psychosocial disability, and those serving a prison sentence for serious and grave crimes.¹¹ Suffrage restrictions based on mental disability are at odds with OSCE commitments and other international standards.

Voter registration is passive, based on permanent or temporary residence. The Single Electronic Voter Register (SEVR) is maintained and operated by the Ministry for Development of Information Technologies and Communications (MDITC) and overseen by the CEC. A number of government agencies, including the State Centre for Personalization, the Ministries of Interior, Justice, Defence, and Foreign Affairs, provide input data for compilation of the SEVR. The SEVR is updated in real-time mode and cross-checked for duplicate and outdated records. There are some 20.5 million voters

⁹ See [CEC resolution](#) of 27 April 2021.

¹⁰ The Law on Rights of Persons with Disabilities guaranteeing their non-discriminatory participation in life entered into force on 16 January 2021.

¹¹ Paragraph 7.3 of the 1990 OSCE Copenhagen Document states that the participating States will “guarantee universal and equal suffrage to adult citizens”. Deprivation of the right to vote on the basis of mental disability is inconsistent with Articles 12 and 29 of the UN CRPD.

registered. The MDITC informed the ODIHR NAM on enhanced data exchange between agencies, ensuring cyber/ICT security and plans to train DEC and PEC members how to use the SEVR.

Voter lists will be extracted from the SEVR and compiled separately for each polling station; a person may be included only in one voter list.¹² By law citizens are given the opportunity to verify their voter registration data online as well as in-person at polling stations starting 15 days before election day.¹³ The PECs together with *Mahalla* committees intend to conduct door-to-door checks of the voter lists and submit inaccuracies to the SEVR for correction. Mistakes in the lists may be appealed by citizens to the PECs, which shall decide on the matter within 24 hours. Changes to voter lists are permitted up to five days prior to election day. No ODIHR NAM interlocutors raised concerns about the accuracy of the voter register.

E. CANDIDATE REGISTRATION

Citizens aged 35 or older, who have resided permanently in the country for at least 10 years before election day and have full command of the Uzbek language are eligible to stand as candidates. Unreasonable criteria regarding the length of residency and language proficiency are contrary to international standards.¹⁴ Individuals convicted of intentional crimes, those declared incapable by the court, and professional servants of religious organizations are not eligible.

Only political parties registered with the Ministry of Justice (MoJ) at least four months prior to the announcement of the election have the right to nominate presidential candidates. A candidate must be supported by signatures from at least one per cent of the electorate (c. 200,000 voters) collected in at least 13 out of 14 administrative units. Voters can sign for more than one candidate. Contrary to international standards and OSCE commitments, independent candidates may not stand for election.

The CEC registers the candidates no later than 35 days prior to election day. All registered parties informed the ODIHR NAM that they would nominate a candidate. Although none of the parties raised issues with either the signature collection or other nomination procedures, several of them were unaware about the required number of signatures.

Some other non-registered political groupings publicly announced their desire to nominate candidates, including on social media. The MoJ informed the ODIHR NAM that one such organization, the Truth and Progress Party, submitted the party registration documents on 7 April 2021 but failed to present the legally required number of supporting signatures.¹⁵

While many ODIHR NAM interlocutors expressed satisfaction with the current *status quo* regarding the number of registered parties, some pointed to burdensome registration requirements and wide

¹² Lists of eligible voters temporarily residing at penitentiary institutions, military units, hospitals and other health institutions are compiled by the heads of these institutions.

¹³ Voters abroad can verify their registration and appeal non-registration through the website of the MFA.

¹⁴ Paragraph 15 of the UN HRC [1996 General Comment No.25](#) to the ICCPR states, that “any restrictions on the right to stand for election...must be justifiable on objective and reasonable criteria. Persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education, residence or descent, or by reason of political affiliation”.

¹⁵ According to the MoJ, the aspiring party submitted 7,500 out of 20,000 signatures required for registration. Other non-registered political groups, People’s Interests and *Erk*, have announced their aim to nominate a candidate.

discretionary powers of the MoJ for denial of registration of political parties as well as civil society organizations, potentially resulting into a lack of pluralistic views.¹⁶

F. ELECTION CAMPAIGN AND CAMPAIGN FINANCE

The Election Code, the LFPP and CEC instructions regulate the conduct of the election campaign and campaign finance. The campaign commences the day following the completion of candidate registration by the CEC. There is a campaign silence period on election day and the day preceding it; it also applies to publication of opinion polls related to election results, including online.

The legislation contains provisions aimed at ensuring equal campaign opportunities for all contestants, including for holding meetings, access to media and the publication and distribution of campaign materials. Dissemination of false information as well as information discrediting the honour and dignity of candidates is not allowed. Local authorities are obliged to provide, free of charge, venues to contestants for their meetings with voters. The 2021 amendment to the Election Code curtails the involvement of election commissions in the conduct of the campaign.

Following a prior ODIHR recommendation, the recent amendments to the Election Code alter the previous system of authorization of public campaign events to notification of local authorities three days in advance of holding of the event. The changes also prohibit the misuse of state resources during campaign, including involvement of state officials in campaigning. Nevertheless, the rules on public events still include other restrictions, in particular those related to holding of assemblies only in specifically designated places and at specific times, and the application of these rules during the election period is unclear.¹⁷

The campaign is expected to focus on ongoing reforms, post-pandemic recovery and social welfare. Parties expect to conduct campaign via appearances on media, including TV debates between candidates, distribution of party newspapers and other paraphernalia, and traditional face-to-face meetings. Parties informed the ODIHR NAM that they would seek to diversify their campaign methods by using social networks and messaging services, in particular *Telegram*, and distributing campaign materials in languages others than Uzbek.¹⁸ ODIHR NAM interlocutors raised no concerns regarding campaign outreach methods and activities amid COVID-19 pandemic.

Political parties with a faction in the legislative chamber of the *Oliy Majlis* are entitled to annual public funding distributed proportionally to the number of seats gained in the last parliamentary elections. According to the Chamber of Accounts, the parties, after registration of their candidates,

¹⁶ Regarding freedom of association, paragraph 48 of the [2020 UN HRC Concluding observations on the fifth periodic report of Uzbekistan](#) notes concerns about “unreasonable and burdensome legal and administrative requirements for registering NGOs and political parties” as well as “an extensive list of reasons to deny registration”. Regarding registration of NGOs, the MoJ informed the ODIHR NAM that since 2019, several NGOs were denied registration on technical grounds. On 4 March 2021, the president signed “Concept for the Development of Civil Society in 2021 – 2025” aiming to facilitate development of civil society and strengthen public control.

¹⁷ See also [ODIHR’s 2019 Comments](#) on the Draft Law on Rallies, Meetings, and Demonstrations of the Republic of Uzbekistan. The Comments concluded that “the Draft Law is generally not compliant with international human rights standards, [...] and there are severe and unjustified restraints on time and place, and the organizers of assemblies”.

¹⁸ According to the Agency of Information and Mass Communication, *Telegram* is used by some 31.5 million users, followed by *Odnoklassniki* with some 16 million, and Facebook with some 4.4 million users.

will receive additionally some UZS 3.1 billion each (some EUR 240,500) for campaign purposes.¹⁹ At the same time, the information regarding the exact sum has not yet been made public, and several political parties met with by the ODIHR NAM were unaware of the campaign fund limits. Nevertheless, all parties opined that the state funds would be sufficient to cover their campaign expenses. A few parties noted that they would have welcomed an earlier transfer of the state funds to better prepare for their campaigns. Some pointed to a legal loophole regarding paid political advertisements on social networks and instant messenger channels.

All campaign related expenses are financed from the state budget. Other sources of funding, including private funding and donations from foreign entities, are prohibited. Nevertheless, political parties, associations, organizations and citizens may donate funds to the CEC that upon receipt of such funds is required to distribute them equally among contestants.

Following the 2021 amendments to the LFPP, the election will be the first where political parties will have to submit to the CEC an interim campaign finance report before election day and a final report. At the time of the NAM, the CEC had yet to determine the form of the reports as well as deadlines for submission.²⁰ Political parties are required to publish the reports on their websites and in the print media. Parties must also submit annual financial reports to the legislative chamber of the *Oliy Majlis*, the Chamber of Accounts directly subordinate to the President, the MoJ, the Ministry of Finance and the Tax Committee. The Chamber of Accounts conducts a financial audit and in line with a previous ODIHR recommendation has to publish the audit's results.

G. MEDIA

The Constitution provides for freedom of speech and thought and the right to access information. Following an amendment to the Criminal Code in December 2020, defamation and libel are no longer punishable with imprisonment but remain criminal offences contrary to prior ODIHR recommendations. Most ODIHR NAM interlocutors acknowledged improved access to information, an increased possibility to critically report on certain political developments and an improved response from the authorities to such reports. Starting as of 2017, a number of journalists have been released from prison. In 2019, the Agency of Information and Mass Communications (AIMC) restored access to some independent, Internet-based media.²¹ New online platforms established by young journalists and bloggers have mushroomed in recent years, and social networks are ever increasingly used as a source of political information in urban areas.

Nevertheless, the March 2021 amendments to the Criminal Code expanded remaining criminal provisions on denigration against the president in printed and other mass media to include the Internet and telecommunication networks. Some ODIHR NAM interlocutors noted that adoption of these changes lacked proper public consultations with media representatives. Since March 2020, the Criminal Code and the Code of Administrative Responsibilities introduced sanctions for spreading panic and disseminating false information about the COVID-19 pandemic.²² The Law on

¹⁹ EUR 1 is some UZS 12,890 (Uzbekistani *Som*). For the 2016 presidential election, the allocated sum per each candidate was some UZS 0.7 billion. The Chamber of Accounts explained the increased amount with expectations of larger scale of campaign activities.

²⁰ ODIHR was later informed that on 2 July 2021, the CEC adopted Resolution No. 1080, that included instructions on the format and deadlines for campaign finance reports.

²¹ See [the 2019 statement](#) by the RFoM welcoming the unblocking of media and information websites.

²² The sanctions for denigration of the president can reach up to five years of imprisonment, and spreading panic and false information about the COVID-19 pandemic is punishable with up to three years of imprisonment.

Informatization holds bloggers and owners of websites and instant messaging systems liable for third-party content and trustworthiness of the information hosted on their platforms.

Several ODIHR NAM interlocutors pointed to continuation of self-censorship among journalists while reporting, including due to criminal provisions limiting freedom of speech, and to an increased need for training, in particular for bloggers, due to the low quality of journalism.²³ A few ODIHR NAM interlocutors raised concerns about an increase of intolerant speech inciting to ethnic and religious enmity, and misinformation in online media and social networks.

All media must provide equal conditions for all participants. In addition to equal free time and space in state media, contestants can purchase extra airtime and space for political advertisement both in public and private media. The CEC determines the exact amount, order and timing of airtime and space in consultation with political parties. The ODIHR NAM was informed that both the state broadcaster and private channels plan to organize debates between the candidates as well as a variety of election-related programmes. The AIMC oversees compliance of all mass media with the legal framework and plans to coordinate the coverage of the elections.²⁴ All ODIHR NAM interlocutors expressed satisfaction with media coverage during elections, but some did not exclude significant coverage of the incumbent candidate compared with other candidates.

H. COMPLAINTS AND APPEALS

Individuals and legal entities can report violations of the electoral legal framework, including campaign procedures and violations related to the organization of the election, to election commissions, which are obliged to decide and respond in writing within three days. The CEC may invalidate the election results fully or partially, if violations committed during the election are deemed to have affected the results.

In line with an ODIHR recommendation, May 2021 legal amendments provide for the adjudication of complaints regarding decisions and actions of all election commissions exclusively by courts, abolishing the previous dual system of submitting appeals in parallel to courts and higher-level commissions.²⁵ The courts have to rule on complaints within five days or immediately if a complaint has been submitted within six days before or on election day. The Supreme Court informed the ODIHR NAM about ongoing training for judges, enhancing access to public hearings and timely publication of decisions. Many ODIHR NAM interlocutors referred to the current judicial reform, including improved structure of courts, system of appointment of judges, and use of ICT technologies, as aiming to bring the election dispute resolution mechanism in line with international standards. Some ODIHR NAM interlocutors still raised concerns over the lack of independence of judiciary.

²³ Paragraph 44 of the [2020 UN HRC Concluding observations on the fifth periodic report of Uzbekistan](#) notes that “the Committee also remains concerned about the ongoing imprisonment of individuals on extremism-related and other politically motivated charges, including independent journalists, human rights defenders and bloggers, for the peaceful expression of critical views” and Paragraph 46 notes concerns about “reports of arrests, detention and sanctioning of activists for organizing and/or participating in peaceful protests”. According to media reports, [on 10 May 2021](#), blogger Otabek Sattoriy investigating alleged corruption by local authorities was sentenced to 6.5 years in prison for slander and extortion. Blogger Miraziz Bazarov, following discharge from the hospital after a physical attack by unknown assailants, was detained and put under house arrest on criminal charges of slander [in April 2021](#).

²⁴ According to the AIMC, 1,893 registered media outlets, including 638 Internet outlets, operate in the country.
²⁵ All decisions of the CEC can be appealed to the Supreme Court. The decisions of lower-level commissions can be appealed to regional administrative courts.

I. CITIZEN AND INTERNATIONAL ELECTION OBSERVATION

Observers from international organizations, political parties, *Mahalla* committees and media representatives are entitled to observe elections. Despite previous ODIHR recommendations, the legislation does not contain provisions for observation by citizen observers.²⁶ The 2021 amendments to the Election Code extend the period for organizations to notify the CEC about their planned observation activity from 15 to 10 days before election day. International observers are accredited by the CEC, while others are subject to accreditation at the DEC. All political parties informed the ODIHR NAM about intention to deploy a large number of their party observers on election day.

While most ODIHR NAM interlocutors opined that the *Mahalla* and party observers sufficiently safeguard the integrity of the electoral process, others noted a need for impartial independent election observation.

IV. CONCLUSIONS AND RECOMMENDATION

All ODIHR NAM interlocutors underscored the need for an ODIHR election observation activity for the presidential election noting the added value of an independent assessment of ongoing reforms. Representatives of official bodies emphasized that they intend to administer the electoral process transparently and welcomed any recommendations for potential improvement of the process. Specific aspects that could benefit from review include the implementation of a revised legal framework, the work of election commissions at all levels, including the on-going efforts of the authorities to prevent proxy voting and the conduct of election day procedures, the voter and candidate registration, the conduct of the election campaign, its media coverage and election dispute resolution.

On this basis, the ODIHR NAM recommends the deployment of an Election Observation Mission (EOM) for the 24 October presidential election. In addition to a core team of experts, ODIHR will request the secondment by OSCE participating States of 28 long-term observers to follow the electoral process countrywide, as well as 250 short-term observers to follow election day procedures. In line with ODIHR's standard methodology, the EOM should include a media monitoring element.

²⁶ Paragraph 8 of the 1990 OSCE Copenhagen Document states that “The participating States consider that the presence of observers, both foreign and domestic, can enhance the electoral process for States in which elections are taking place”.

ANNEX: LIST OF MEETINGS

Ministry of Foreign Affairs

Farhod Arziev, First Deputy Minister
Shigabuddin Ildar, Head, Department for cooperation with the UN and other international organizations
Nabijon Kuvondikov, Head, Division for Human Dimension and Public Diplomacy
Muzaffar Mukaramov, 2nd Secretary, Division for Human Dimension and Public Diplomacy
Timur Khamrokhoev, Department for cooperation with the UN and other international organizations

Central Election Commission

Zayniddin Nizamkhodjaev, Chairperson
Bakhrom Kuchkarov, Deputy Chairperson
Gulnoza Rakhimova, Member

Senate of the Oliy Majlis

Sodiq Safoev, First Deputy Chairperson
Shukrat Chuliev, Senator
Afzal Artikov, Head, International Relations Department

Legislative Chamber of the Oliy Majlis

Akmal Saidov, MP, First Deputy Speaker
Shukrat Bafoev, MP, Chair, Committee on Democratic Institutions
Djahangir Shirinov, MP, Chair, Anti-Corruption Committee
Dilnoza Muradova, Deputy Chair, National Human Rights Centre
Abror Gulyamov, Head, International Relations Department
Avazbek Khudayberdiyev, Deputy Head, International Relations Department

Supreme Court

Robakhon Makhmudova, Deputy Chairperson
Dilbar Israilova, Judge
Djakhongir Djuraev, Judge
Shahnoza Akhatova, Judge
Jakhongir Juldashov, Head of Secretariat
Otabek Ismailov, Head, Analytics Department

Chamber of Accounts under the President

Bakhodir Turabov, First Deputy Chairperson
Saidlazziz Saidkarimov, Deputy Chairperson
Yuldosh Gozibekov, Lead Inspector
Masharip Masharipov, Lead Inspector
Jalol Kurbonov, Lead Inspector

Ministry of Justice

Muzraf Ikramov, Deputy Minister
Avazbek Madaminov, Head, Department for Registration of Non-Commercial Organizations
Sardor Akhmatov, Head, Department for Legal Expertise of Normative Acts
Utkir Nazarov, Head, Department for Protection of Human Rights
Mukhammadabdullo Juraev, Senior Consultant, International-Legal Cooperation Department

Ministry for Development of Information Technologies and Communications

Oleg Pakos, First Deputy Minister
Obil Asadov, Telecommunication Networks Development

Anvar Mansurov, e-Government Development
Aziz Mukhitdinov, First Deputy Director, *Unicon.uz*

Ministry for Support of Mahalla and Family

Gulnora Marufova, First Deputy Minister
Elmurod Karshiev, Head, Department of Organizational Control and Information Analysis
Islomiddin Khalikov, Head, Department of Organization and Coordination of Safe Mahalla
Guljamol Shukurova, Head, International Relations Department

Agency of Information and Mass Communications

Asadjon Khodjaev, Director
Shukrat Akhmatov, Head, Information Policy Department
Mamur Parpiev, Head, Department for Development of Media
Kamilla Saltieva, Head, International Relations Division

Ombudsperson's Office

Feruza Eshmatova, Ombudsperson
Fatima Marakhimova, Head, Press service
Saidbek Alimov, Head of Secretariat
Baratova Sayyora, Ombudsperson's Representative in Tashkent

Political Parties

Alisher Kadirov, MP, Chairperson, Executive Committee; Nodirbek Tilavoldiyev, MP; Mirabol Abdurakhmanov, Member; Firuza Mukhammedjanova, Member; Democratic Party *Milliy Tiklanish*
Narzullo Oblomuradov, Chairperson, Executive Committee; Hayrillo Gapporov, MP; Olga Litvinova, MP; Firuza Tapieva, Head, International Department; Ecological Party
Aktam Khaitov, MP, Chairperson; Dimiod Shaumarov, Deputy Chairperson; Sardorbek Faysoev, Deputy Chairperson; Dilorom Fayzieva, MP; Liberal Democratic Party
Ulugbek Inoyatov, MP, Chairperson, Central Committee, Ulugbek Vafayev, MP, Deputy Chairperson; Maksuda Vorisova, MP, Deputy Chairperson; Dilbarkhon Mamadjanova, MP; Firdavs Sharipov, MP; Mikhail Ershov, Adviser, People's Democratic Party
Bakhrom Abdukhalimov, Chairperson; Zuhra Ibragimova, MP, Head of Faction; Abdukamol Rakhmonov, Deputy Chairperson; Umidjon Sulaymonov, Deputy Chairperson; Social Democratic Party "*Adolat*"

Media

Representatives of: National Television and Radio Company "Uzbekistan", National Agency for Information, Uzreport.News, Popular Word, *Yangi Uzbekiston*, newspaper *Ishonkh*, News from Uzbekistan, newspaper *Mahalla*, newspaper New Uzbekistan, *Zo'rTV*, TV *Mening Yurtim*, TV *Yoshlar*, *AIMK*, *anchor.uz*, *Darakchi.uz*, *factchecking.uz*, *Interfax.uz*, *Kun.uz*, *Nuz.uz*, *Uz24.uz*, *Xabar.uz*, *Zamon.uz*, *info.uz*, Centre for Re-Training of Journalists, Federation of Journalists.

Civil Society

Dilovar Kabilova, Director, Civic Initiatives Support Centre
Gulnara Babadjanova, Director, The In-Service Training Centre for Journalists
Sayyora Khodjaeva, Director, The Institute of Democracy and Human Rights
Irina Matvienko, Leader, "Don't Be Silent" (*Nemolchi.uz*) Project
Yuriy Aitov, Deputy Chairperson, Association of Persons with Disabilities of Uzbekistan
Ulugbek Mukhammadiev, Head of Department, Nationwide Movement *Yuksalish*
Shahodat Mirzalieva, Deputy Chairperson, Human Right Society *Ezgulik*

International and Diplomatic Community

Ambassador Pierre von Arx, OSCE Project Co-ordinator in Uzbekistan
Representatives of Embassies of OSCE Participating States, the UN office and the EU delegation