



# INTERNATIONAL ELECTION OBSERVATION MISSION Uzbekistan – Parliamentary Elections, 27 October 2024

# STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

#### PRELIMINARY CONCLUSIONS

Uzbekistan's 27 October parliamentary elections, took place amid ongoing reforms, including significant amendments to the Constitution, but the political environment remained constrained, not providing voters with a genuine choice. While the electoral framework has gradually evolved, and elections were technically well-prepared, significant challenges in meeting international standards for democratic elections persist in such areas as political party registration, the right to stand, campaign finance transparency, citizen observation, and the publication of polling station results. Fundamental freedoms of association, peaceful assembly and expression remain disproportionately limited both by legislation and in practice. Positively, women were well represented among candidates and in election administration. All five registered political parties were able to campaign freely and with legally enforced equal conditions, but their campaigns were low-key and devoid of real challenges to the policies of the ruling party or to each other. Media coverage was limited by restrictions on free expression, resulting in minimal access for voters to diverse viewpoints. Election day was calm and orderly but negatively affected by numerous cases of identified violations, malfeasance, and procedural and technical problems. Important safeguards were repeatedly disregarded during voting, counting, and tabulation, challenging the integrity of the process and undermining transparency.

The 27 October 2024 parliamentary elections took place amidst reforms continuing since 2017, including on socio-economic development, public administration, the judiciary, and respect for fundamental freedoms. Despite the substantial enhancement of human rights provisions in the 2023 Constitution, the ability of citizens to fully participate in political life in conformity with OSCE commitments and international standards, in particular regarding respect for fundamental freedoms of association, peaceful assembly and expression, remain constrained by legislation and in practice. The five registered political parties were all supportive of the government's policies and did not offer the voters a real choice, which was reflected in the lack of political competition in the campaign.

Overall, the electoral legal framework is not fully consistent with international standards and OSCE commitments regarding the conduct of democratic elections. It was significantly amended in 2023 to include a revised electoral system, new party list registration rules, modified rules on the formation and structure of election management bodies, and an increased gender quota. However, the relatively short timeframe for implementing these changes raised questions about compliance with international good practices. While some prior ODIHR recommendations were addressed, the legal framework still retains significant shortcomings, including limitations on the right to stand, burdensome political party registration requirements, and a lack of provisions for citizen election observation. Several long-standing ODIHR recommendations on protecting fundamental freedoms of association, assembly, and expression remain unaddressed.

The electoral preparations at all levels were administered efficiently and within the established deadlines. The CEC held regular live-streamed sessions and swiftly published its decisions, contributing to transparency. A nationwide training programme for lower-level commissions, while informative and interactive overall, was implemented with varying quality. Voter information on the new electoral system was limited; however, information on candidates was prominent at polling stations. Despite previous ODIHR recommendations, the independence of lower-level election commissions remained

negatively affected by the prominent role of *Mahallas*, which are local self-governing bodies closely aligned with state and local administration in various aspects of the electoral process.

Some 20 million voters were registered for these elections. Voter lists were available for public scrutiny, enhancing transparency. The 2023 amendments to the Constitution lifted the blanket restriction on voting rights of those declared legally incapable and those deprived of liberty, in line with international standards and addressing a long-standing ODIHR recommendation. Despite a long-standing ODIHR recommendation, the legislation allows voters to be added to supplementary voter lists on election day without adequate administrative safeguards or judicial oversight against possible misuse of the procedure.

All five registered political parties nominated candidates. The CEC registered a total of 875 candidates, with 375 competing in 75 single-mandate constituencies and 500 candidates in a single nationwide constituency. The legislation retains burdensome requirements for party registration and broad legal grounds for denying registration and suspension of party activities. The legal framework also does not allow for independent candidates to stand, contrary to international standards and past ODIHR recommendations. These limitations on the right to stand constrain the pluralistic nature of the elections and limit political competition.

For these elections, the gender quota for women has been increased from 30 to 40 per cent. Women hold 47 of the 150 seats in the outgoing Legislative Chamber and comprised 45 per cent of candidates. Furthermore, the Speaker of the Senate, one of seven Deputy Speakers of the Legislative Chamber, and one of four Deputy Prime Ministers are women. However, despite ongoing efforts to increase women's participation in public and political life, women remain underrepresented in decision-making positions. Only 2 out of 27 ministers and 3 out of 12 members of the Supreme Judicial Council are women. All regional governors (*hokims*) are men. Women are well represented in the election administration but less so at higher levels, including the CEC, and in leadership positions.

The campaign was low-key and contestants did not publicly criticize or genuinely challenge the policies of the ruling party or each other. Although the contestants were able to campaign freely with equal campaign conditions, systematic limitations on fundamental freedoms engendered public distrust in the electoral process, and widespread doubts about the genuine character of the contest. The campaign was primarily conducted through small to medium-scale indoor meetings, billboards, posters, TV, online, and social network advertisements in the Uzbek language as well as a limited number of outdoor activities.

The regulatory framework for campaign finance lacks clarity and does not facilitate transparency, not providing for effective oversight and public scrutiny. Funding for campaign purposes is allocated exclusively from the state budget and only to registered political parties with an approved list of candidates from the CEC. Alternative sources of campaign funding such as private individual donations remain prohibited despite a previous ODIHR recommendation which is at odds with international good practice. According to the CEC, all political parties submitted their interim reports within the legal deadlines. Despite prior ODIHR recommendations, the lack of thorough and timely oversight and dissuasive sanctions undermine the transparency and effectiveness of campaign finance.

The media legal framework falls short of international media freedom and freedom of expression standards. It contains broad and insufficiently defined provisions including on religious extremism, public order disturbances and false information, not providing for legal certainty and unduly restricting the right to freedom of expression. Defamation and insult, despite previous ODIHR recommendations, remain criminalised, while imprisonment is still foreseen for public slander and insult towards the president. In addition, undue external interference in media editorial freedom and a limited advertising

market stifle open discourse and independent journalism and result in reported widespread self-censorship. Further, difficulties in accessing public information lead to limited analytical reporting on matters of public interest. State-owned broadcast and print media provided free airtime and space for contestants in line with the law.

Overall, media provided limited election-related news coverage, lacking analysis of party programmes to help citizens make informed choices. State-owned national TV channels, in line with the law, granted free airtime, organised debates and offered fairly balanced news coverage. However, some private TV channels aired paid content as news, challenging media and journalistic ethics and the CEC requirement for a balanced news coverage. In the absence of a relevant legal requirement, the paid political content published offline and online was not consistently labelled as such, undermining transparency. Five private TV channels jointly organised weekly live elections debates, and one news website succeeded to host an election debate.

The election administration has jurisdiction over all election-related complaints, except for those against the actions and decisions of election commissions, which must be exclusively filed with administrative courts. Notably, following a previous ODIHR recommendation, filing fees have been removed. Deadlines for election-related disputes, both for the election administration and courts, align with international good practice. Positively, and in line with previous ODIHR recommendations, all complaints must be recorded in a special register, and election commissions must inform complainants of the adopted decision and allow their presence at the decision meeting.

Despite previous ODIHR recommendations and contrary to OSCE commitments, the legislation does not contain provisions for citizen observation. International organizations, political parties, *Mahallas* and accredited media are entitled to observe elections. The CEC registered 851 international observers. Some ODIHR EOM interlocutors pointed out restrictions on foreign funding as a major obstacle to the development of civil society organizations, including those focusing on elections.

Election day was calm and orderly but marred by numerous cases of identified violations, malfeasance as well as procedural and technical problems. The IEOM observers assessed the voting process negatively in 12 per cent of the 1,053 polling stations observed due to frequent serious procedural violations, particularly regarding the inadequate implementation of safeguards for verification of voter eligibility and preventing multiple voting. Discrepancies were consistently noted between the number of voters casting their ballots and the officially reported preliminary turnout figures. The closing and counting processes were assessed negatively in 43 of 100 polling stations, mainly due to significant procedural errors and omissions. Counting procedures were not followed in over half of the observed polling stations, omitting critical reconciliation steps and raising concerns about the integrity of the process. The IEOM observed tabulation in all 14 TECs and assessed the tabulation process as bad in half, mainly due to transparency issues that hindered meaningful observation. Overall, the counting and tabulation process raised serious concerns about whether ballots were counted and reported honestly, as required by paragraph 7.4 of the 1990 OSCE Copenhagen Document.

#### PRELIMINARY FINDINGS

#### **Background**

On 26 July 2024, the Central Election Commission (CEC) called the elections to the lower (legislative) chamber of the *Oliy Majlis* (parliament) for 27 October 2024, to be held alongside local council elections

(*Kengashes*). There are five registered political parties, all of which are represented in the outgoing parliament. Uzbekistan maintains a strong presidential system of government that continues to be centralized despite some prior reforms. While the president shares legislative power with the parliament, most consequential decisions lie with the president, challenging the effective separation of powers.

The 2024 parliamentary elections, conducted under a new mixed electoral system, complete the cycle of electoral reform following the adoption of a substantially amended Constitution and 2023 revisions to the electoral legal framework. The amended Constitution enhanced some provisions on human rights and freedoms. Nevertheless, the ability of citizens to participate in political life remains disproportionately constrained by legislation and in practice, in particular regarding respect for fundamental freedoms of association, peaceful assembly and expression, at odds with Paragraphs 3 and 7.6 of the 1990 OSCE Copenhagen Document. The legislation on political party registration, remains burdensome and open to arbitrary application. Despite repeated attempts, no new political party has been registered since 2003, except for the pro-governmental Ecological Party of Uzbekistan

The local elections were observed by the ODIHR EOM only to the extent that they affected the parliamentary elections.

Following the 2019 parliamentary elections, the Liberal Democratic Party of Uzbekistan (LDPU) obtained 53 seats, the Democratic Party of National Revival (NRDP)- 36, the Social Democratic Party (SDP) - 24, the People's Democratic Party of Uzbekistan (PDPU) - 22, and the Ecological Party of Uzbekistan (EPU)- 15.

These reforms introduced new parliamentary oversight mechanisms, including, greater scrutiny of the government and the state budget, and the use of parliamentary inquiries. The Senate's role was also expanded, allowing it to appoint key judicial and government officials based on presidential proposals.

The president issues binding decrees and resolutions, appoints key officials, including nine of 65 Senators, all regional governors (*hokims*), members of the Supreme Judicial Council, the prosecutor general and the chairperson of the State Security Service. The *Oliy Majlis* can call referenda and adopts the budget, and its legislative chamber elects the prime minister upon the president's nomination.

On 19 January 2024, the Senate approved legislative changes aligning the parliamentary activities with the revised Constitution. The changes introduced self-dissolution provisions for both chambers, reduced the number of Senators from 100 to 65, modified the appointment process for the prime minister and the cabinet members, and granted legislative initiative to citizens, the Senate, the Ombudsperson, and the CEC.

The new Constitution introduced additional safeguards for persons deprived of liberty, prohibited the death penalty, established the supremacy of international treaties over national laws in case of contradiction, and ensured direct application of the Constitution.

Paragraph 68 of the 2020 <u>ODIHR</u> and <u>Venice Commission Guidelines on Political Party Regulation</u> (Guidelines on Political Party Regulation) recommends that "grounds for denying a party's registration must be clearly stated in law and based on objective criteria". The 1999 Law on Non-Governmental Organizations and related decrees and resolutions, contain strict requirements for civil society organizations (CSOs), including approval of foreign grants by the Ministry of Justice (MoJ), mandatory state body partnership, MoJ authorization of and its access to all events, and notification of the MoJ about work-related travel abroad. The <u>2023 Resolution No 527 of the Cabinet of Ministers</u> potentially simplified the registration of foreign grants for NGOs and clarified the amount of allowed foreign grants.

No law specifically regulates rallies, meetings, and demonstrations. However, administrative laws prohibit and penalize peaceful assemblies organized or conducted in violation of legally prescribed procedures. If repeated, the act is criminalized and punishable with up to three years of imprisonment. Further, the Code of Administrative Responsibilities sanctions facilitation of unauthorized gatherings, meetings, rallies and demonstrations. Paragraph 36 of the 2020 ODIHR and Venice Commission Guidelines on Freedom of Peaceful Assembly recommends that "Offences such as the failure to provide advance notice of an assembly or the failure to comply with route, time and place restrictions imposed on an assembly should not be punishable with prison sentences, or heavy fines".

Provisions of the Criminal Code on offences of terrorism, religious extremism, public insult or slander against the president are vague and open to arbitrary application.

In Paragraph 3 of the <u>1990 OSCE Copenhagen Document</u>, the participating States "recognize the importance of pluralism with regard to political organizations". Paragraph 7.6 ensures "the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations".

The UN Human Rights Committee (HRC) in its <u>2020 Concluding observations on the fifth periodic report of Uzbekistan</u> highlighted the remaining concerns "that current legislation continues to impose restrictions on the right to freedom of association, including (a) unreasonable and burdensome legal and administrative requirements for registering NGOs and political parties; (b) an extensive list of reasons to deny registration".

in 2019.<sup>12</sup> Some ODIHR EOM interlocutors expressed regret at the lack of new political parties or a genuine opposition and acknowledged that the five essentially pro-government parties do not offer a real choice to the voters and have thus far not attracted much voter interest and engagement.

Many ODIHR EOM interlocutors noted that, while ongoing reforms have facilitated a degree of freedom of action for citizens in non-political or non-sensitive matters, progress on civil and political rights, as well as meaningful democratic reform, has waned or stalled following the COVID-19 pandemic and the Karakalpakstan events in 2022. Some others suggested that this was due to a cautious recalibration of reforms. Several ODIHR EOM interlocutors cited continuing efforts and consultations with international partners to revise legislation on fundamental freedoms, albeit in most cases without clear timelines for substantial steps forward.

Women hold 47 of the 150 seats in the outgoing Legislative Chamber and 21 out of 100 members in the Senate. Furthermore, the Speaker of the Senate, one of 7 Deputy Speakers of the Legislative Chamber, and one of 4 Deputy Prime Ministers are women. Nonetheless, women remain underrepresented in decision-making positions. Only 2 out of 27 ministers and 3 out of 12 members of the Supreme Judicial Council are women. All regional governors (*hokims*) are men. <sup>14</sup>

# **Legal Framework and Electoral System**

The elections are primarily regulated by the 2023 Constitution and the 2019 Election Code, last amended in 2023. <sup>15</sup> The electoral legal framework was amended extensively since the last parliamentary elections. The changes included revision of the electoral system, provisions related to the registration of party lists, CEC formation rules and the introduction of a new tier of Territorial Election Commissions (TECs). The time between adopting these amendments and holding the elections was relatively short, departing from international good practice. <sup>16</sup> Positively, the candidate gender quota was increased from 30 to 40 per cent, requiring the placement of at least two women among every five

In 2021, the opposition Social Democratic Party Truth and Progress, led by Khidirnazar Allakulov, and the Peoples' Interests Party were denied registration due to not meeting signature requirements. Mr Allakulov informed the ODIHR EOM about his efforts to register the party – including a denied attempt in 2023 under a different name - which were allegedly followed by continuous intimidation and physical attacks by police on him, his family members, and supporters. Additionally, in 2021, activists from the Free Motherland and Erk Democratic Party dropped their attempts to establish parties due to alleged intimidation and harassment.

The initially proposed amendments to the Constitution aimed at the elimination of the sovereign status of the Republic of Karakalpakstan and its right to secession led, in July 2022, to large-scale protests and casualties in the autonomous republic as police dispersed the demonstration. Following President Mirziyoyev's visit to the region, the proposed amendments were revoked.

The UN Committee on the Elimination of Discrimination against Women (CEDAW) in its <u>2022 concluding</u> observations on the sixth periodic report of <u>Uzbekistan</u> recommended introduction of "targeted measures, including special measures such as increased quotas and dedicated campaign financing, to increase representation of women at all levels of government, in the *Oliy Majlis* and [...] in particular at decision-making levels". See also paragraphs 2, 3 and 5 of the OSCE Athens Ministerial Decision 07/02 on Women's Participation in Political and Public Life.

Further, it is supplemented by the 1996 Law on Political Parties (LPP), the 2004 Law on Financing of Political Parties (LFPP), the 1995 Criminal Code and the 1995 Code of Administrative Responsibilities, as well as presidential and ministerial decrees, resolutions, and CEC's binding regulations. In 2019 and 2021, Uzbekistan adopted the Law on Guarantees of Equal Rights and Opportunities for Women and Men and the Law on the Rights of Persons with Disabilities.

These changes were adopted barely ten months before the parliamentary elections. Section II.2.b of the Venice Commission 2002 Code of Good Practice in Electoral Matters states that "[t]he fundamental elements of electoral law, in particular the electoral system proper, membership of electoral commissions and the drawing of constituency boundaries, should not be open to amendment less than one year before an election".

candidates on the party lists. The legislative process formally included public participation and consultation but provided very short time frames for meaningful input from the public.<sup>17</sup>

The changes addressed a few prior ODIHR recommendations, including reviewing the electoral legal framework, eliminating blanket restrictions on voting by persons convicted of serious crimes, introducing administrative liability for multiple voting and violations of campaign finance reporting rules, and some legal measures to enhance the participation of women in public and political life. Notwithstanding the recent reforms, the legal framework still retains several key shortcomings, including limitations on the right to stand and burdensome requirements for the registration of political parties, as well as the absence of provisions for citizen election observation and publication of disaggregated election results. Furthermore, some ambiguities and gaps still need to be clarified in the legislation. Several long-standing ODIHR recommendations remain unaddressed, including those on fundamental freedoms of association, assembly and expression. The legal framework still requires substantial revisions to be fully consistent with OSCE commitments and other international obligations and standards for democratic elections. Positively, the CEC developed a roadmap for implementing ODIHR recommendations and informed ODIHR EOM of its plans to continue advancing electoral reforms.

The Constitution stipulates the supremacy of international treaties over national law and the direct application of international human rights law. Yet, the subordinate legislation regulating the exercise of fundamental freedoms has not been revised. Several aspects continue to be regulated by presidential decrees and other by-laws. The prevalence of regulating through subordinate legislation does not provide legal certainty of legislation.

The parliament comprises two chambers, a Senate and a lower legislative chamber, both with five-year terms. <sup>20</sup> Following the 2023 amendments, the Senate will have 65 members elected indirectly and the 150-member lower chamber will be elected under a newly introduced mixed electoral system, replacing the previous majoritarian system. Seventy-five members are elected in single-mandate constituencies under a majoritarian plurality system (first-past-the-post) and the other 75 from a nationwide constituency under a closed-list proportional system with a seven per cent threshold. A minimum of 33 per cent national turnout is required for the elections to be valid.

Following recent amendments, the CEC established boundaries for the 75 single-mandate constituencies in August 2024. The law requires the number of eligible voters across districts to be approximately equal, with a possible deviation of up to 10 per cent from the nationwide average number of voters per constituency. The CEC informed the ODIHR EOM that the number of voters in five constituencies

The CEC reported engaging in this process, and informed the ODIHR EOM that this process was participatory, with 400 proposals and opinions received from the public. The draft law was submitted for public discussion on 10 October 2023, and passed on 18 December 2023 on the 70<sup>th</sup> day after publishing. The Law on Normative Legal Acts gives a minimum of 15 days for public discussions. While public proposals can be accepted or rejected, rejections must be justified. Paragraph 18.1 of the 1991 Moscow Document "Legislation will be formulated and adopted as the result of an open process reflecting the will of the people, either directly or through their elected representatives". ODIHR opinion regarding these amendments was not solicited unlike the practice on previous occasions.

The law lacks clarity on several key areas, including the role of *Mahallas* in election administration, the use of state resources, participation of senior officials in the campaign, and on the delineation of constituencies.

The Senate is composed of four senators elected for each of the 12 regions, the City of Tashkent and the Republic of Karakalpakstan, by deputies of local Councils (Kengashes) and the *Jokargy Kenes* (the Supreme Council of the Republic of Karakalpakstan). The president appoints nine senators.

Paragraph 12 of the UN Human Rights Committee's <u>General Comment No. 25</u> to ICCPR states that "freedom of expression, assembly and association are essential conditions for the effective exercise of the right to vote and must be fully protected". See also UN HRC <u>2020 Concluding observations on the fifth periodic report of Uzbekistan Recommendations for Uzbekistan</u>, and the UN HRC <u>2023 Universal Period Review</u>. See also ODIHR <u>Electoral Recommendations Database chapter on Uzbekistan</u> regarding the status of recommendations.

deviates by more than 15 per cent from the national average due to the geography and number of votes in the more populated regions.<sup>21</sup>

#### **Election Administration**

The parliamentary elections were administered by the CEC, 14 TECs, and 11,028 Precinct Election Commissions (PECs), including 57 abroad.<sup>22</sup> The CEC, a permanent body with wide-ranging responsibilities, oversees all stages of the electoral process.<sup>23</sup> The 2023 legal amendments reduced the number of its members from 21 to 9.<sup>24</sup> The CEC chairperson is elected for a five-year term by the CEC among its members and can hold this position for no more than two consecutive terms. The current composition of the CEC includes only two women.

The 2023 amendments also restructured the election administration by introducing 14 new TECs to oversee elections within their territories. The CEC formed TECs on 29 May 2024, upon the recommendations of the regional representative bodies. The TECs appointed PECs from 12 to 16 September with members proposed by the local councils upon nominations from *Mahallas* - are local self-governing bodies involved in numerous aspects of citizens everyday lives - as well as public associations and other organizations. The PECs organize and conduct voting and counting and consist of 5 to 19 members. Aggregated data on PEC appointments was not consistently available at TEC levels, detracting from transparency. The ODIHR EOM noted the prominent influence of *Mahallas* at PECs and the national Association of *Mahallas* at TEC level. Some ODIHR EOM interlocutors questioned the neutrality of this involvement within the election administration.

While the CEC generally met technical deadlines efficiently, its sessions—attended by political parties, media, and international observers—were mostly ceremonial. Resolutions were passed unanimously, with key documents sometimes missing from the CEC website. TECs performed professionally but some gaps were noted in their understanding of the new constituency boundaries and the availability of election information, particularly on digital platforms.

The CEC implemented a nationwide cascade training for all lower-level election commissions. ODIHR EOM observers assessed the training, which focused on individual roles and procedures of the lower-level commissions, as practical and interactive but variable in quality. Several training sessions took

The deviation in districts was as follows: Navoi region, single-mandate constituency No 19 (23 per cent deviation), No 20 (22), No 21 (25). Tashkent City constituencies No 71 (18) and 72 (25). Section 2.2.iv of the Venice Commission 2002 Code of Good Practice in Electoral Matters recommends that "The permissible departure from the norm should not be more than 10%, and should certainly not exceed 15% except in special circumstances (protection of a concentrated minority, sparsely populated administrative entity)".

Special polling stations are established in penitentiary institutions, military units, hospitals and other health institutions.

The parliament appoints the members of the CEC for an indefinite term based on proposals from regional representative bodies. One CEC member must be a representative of the Republic of Karakalpakstan.

These include one for each of the 12 regions of the country and one in the City of Tashkent. The Central Election Commission of the Republic of Karakalpakstan exercises the powers of a TEC during national elections.

TECs consist of a chair, a deputy chair, a secretary and 12 to 18 other members. Based on a CEC decision, up to three TEC members serve on a permanent basis, while others, on a voluntary basis for a five-year term. The CEC conducted interviews to select experienced and qualified candidates for the positions of chairs, deputies, and secretaries.

Political parties are not entitled to nominate commission members. Each entity can nominate up to half of the PEC members for a specific PEC.

ODIHR EOM observers reported that such information was not always available at TECs, including upon request.

In addition, the CEC is responsible for registering candidates, ensuring equal campaign opportunities, including in the media, distributing ballot papers, and validating and invalidating election results. State and local authorities provide logistical and operational support to the election commissions.

The Election Code does not stipulate the role of the Association of *Mahallas* or *Mahalla* members within TECs/PECs.

place before the issuance of CEC guidebooks, and accessibility instructions were passed from the CEC to TECs and PECs.

Women are well represented in the election administration but less so at higher levels and in leadership positions. According to the CEC, 54 per cent of PEC members, 44 per cent of PEC chairs, 43 per cent of TEC members, and 1 out of 14 TEC chairs were women.

Voter information outreach by the CEC and TECs varied in quality, although candidate information posters were widely present and visible at polling stations in most regions. State-owned national TV channels and the private channel *UzReport* TV broadcast voter information spots produced by the CEC. *O'zebkistan24*, the main state-owned national TV channel, organised a weekly TV programme with CEC representatives and other guests to inform citizens about the ongoing election process. However, ODIHR EOM long-term observers reported limited information on the amended electoral system in the regions. The CEC and TEC provided information on their website and to a limited extent on their social networking platforms.<sup>30</sup>

For these elections, the CEC piloted a new voting and counting technology in 10 polling stations in Tashkent City allowing voters to choose between voting by machine or manually marking their paper ballots.

Efforts were made by the CEC to enhance the participation of persons with disabilities, including through consultation with relevant parties.<sup>31</sup> While regional disabled persons' organizations were generally satisfied, some cited the consultation as not fully inclusive or timely. Braille templates were available upon the basis of an established need although their use, through assistance, compromised the secrecy of the vote. Ballot papers were printed in Uzbek and local languages as decided by TECs.<sup>32</sup> Other electoral materials, including the CEC regulations or voter information are published in Uzbek and occasionally in Russian and Karakalpak.

Early voting was conducted between 16 and 23 October. ODIHR EOM did not conduct a systematic observation of early voting. However, ODIHR LTOs noted that while procedures were largely followed, they observed identical signatures at some polling stations. According to the CEC, 1,015,948 voters participated both in Uzbekistan and at embassies abroad.

## **Voter Registration**

Citizens aged 18 or older have the right to vote. The 2023 amendments to the Constitution lifted the blanket restriction on voting rights of those declared legally incapable, and those deprived of liberty, in line with a long-standing ODIHR recommendation. However, the right to vote may be revoked for citizens declared incapable by a court decision, including those with intellectual or psychosocial

CEC sessions were announced on Telegram, Facebook, Instagram, X, Ok.ru and YouTube. Russian and Karakalpak resources were merged with Uzbek.

Organizations representing persons with disabilities were consulted, and the Agency for Social Protection worked at regional and district levels to establish voters' accessibility needs.

The ballot papers were available in the Russian language in 14 out of 14 TECs and in the Karakalpak language in one TEC (Karakalpakstan).

disabilities, or those serving a prison sentence for grave and especially grave crimes.<sup>33</sup> The denial of the right to vote on the basis of a disability is at odds with international standards.<sup>34</sup>

Voter registration is passive and is based on permanent or temporary residence. The Single Electronic Voter Register (SEVR) is compiled automatically using databases from several ministries and agencies. <sup>35</sup> PECs were responsible for public display and verification of the preliminary voter lists. They verified data from the local bodies and *mahallas* and, together with *mahalla* representatives, conducted door-to-door visits to verify the voters' factual addresses. Positively, citizens were also given the opportunity to verify their data online, in addition to in person verification at the polling stations. Most PECs visited by the ODIHR EOM observers had displayed the voter lists for public scrutiny 15 days before election day, as the law requires. Citizens may appeal errors in the lists to the PECs, and decisions on the matter should be made within 24 hours.

Voter lists were finalized five days prior to election day. The final number of registered voters was 19,944,859.<sup>36</sup> Some ODIHR EOM interlocutors, including TEC members, raised concerns over the integrity and accuracy of voter lists as additions are possible on election day. Despite a long-standing ODIHR recommendation, the legislation allows voters to be added to supplementary voter lists on election day without adequate administrative safeguards or judicial oversight against possible misuse of the procedure.<sup>37</sup>

# **Candidate Registration**

Citizens aged 25 or older on election day with at least five years of permanent residency were eligible to stand as candidates.<sup>38</sup> The right to stand also disqualifies citizens with unexpunged criminal records for serious crimes. Independent candidates are not permitted despite past ODIHR recommendations,

Article 128 of the Constitution lifted this blanket restriction and currently provides for exclusive judicial deprivation of the right to vote for both incapacity and deprivation of liberty status. CEC informed the ODIHR EOM that all prisoners would be able to vote.

These include the Ministry of Justice's Agency for Personalization, the National Agency of Social Protection, and the Ministries of Interior, Health, Defence, and Foreign Affairs.

Registration for out-of-country voting is active based on voters' applications. For these elections, 165,631 voters registered abroad, including 132,667 for early voting.

In particular, the PEC protocols do not account separately for voters added to the supplementary voter lists, and the CEC does not publish countrywide data on supplementary voter lists. Section I.1.2 of the Venice Commission's Code of Good Practice in Electoral Matters states that "a supplementary register may be a means of giving the vote to persons who have moved or reached statutory voting age since final publication of the register" and "there should be an administrative procedure - subject to judicial control - or a judicial procedure, allowing for the registration of a voter who was not registered; the registration should not take place at the polling station on election day".

Paragraph 15 of the CCPR General Comment No. 25 confirms that the "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". Individuals were not eligible if they were serving a sentence or their record had not been expunged for committing grave crimes, or if they were serving as military personnel, employees of the State Security Service, the National Guard, the Ministry of Interior, the State Customs Committee, or professional clergy of religious organizations. In addition, individuals declared legally incapable by court decision or detained by court order were unable to be elected.

Articles 12 and 29 of the Convention on the Rights of Persons with Disabilities oblige states to "recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life" and to ensure their "right and opportunity [...] to vote and be elected." According to the UN CRPD Committee's 2014 General Comment No.1, "person's decision-making ability cannot be a justification for any exclusion of persons with disabilities from exercising their political rights, including the right to vote, the right to stand for election". In Paragraph 9.4 of its 2013 Communication No. 4/2011, the Committee states: "an exclusion of the right to vote on the basis of a perceived or actual psychosocial or intellectual disability, including a restriction pursuant to an individualized assessment, constitutes discrimination on the basis of disability".

contrary to international standards and OSCE commitments.<sup>39</sup> Several ODIHR EOM interlocutors cited this limitation as one of the reasons these elections are not considered democratic or competitive.

Only registered political parties had the right to nominate candidates. In addition, a political party must collect supporting signatures of at least 40,000 eligible voters across Uzbekistan's 14 administrative-territorial units, with no more than 8 per cent of the signatures collected from one unit. Political parties could nominate one candidate in each of the 75 single-mandate constituencies and at least 75 but not more than 100 candidates on the party lists. 40

The CEC registered a total of 875 candidates by the 21 September deadline, with 375 competing in single-mandate constituencies and 500 candidates on party lists. 41 All five political parties nominated the maximum permissible numbers of candidates. Positively, women comprised 45 per cent of candidates, exceeding the 40 per cent quota.

## **Campaign Environment**

The election campaign started on 22 September and ended on 25 October. <sup>42</sup> By law, campaign rallies should be held following a written notification of their place and time to the relevant local authority at least three days in advance; permission is not required. <sup>43</sup> Contestants were required to co-ordinate campaign events with the election administration while government bodies, local authorities, and public associations were obliged to provide free campaign venues. No contestant raised any concern to the ODIHR EOM about campaign regulations.

The campaign was primarily conducted through small- to medium-scale indoor meetings, billboards, posters, television (TV), online, and social network ads in Uzbek, Russian and Karakalpak, and some outdoor activities, including in the form of concerts. 44 ODIHR EOM long-term observers noted indoor meetings at state-owned workplaces during office hours, with some interlocutors raising concerns about the potential pressure on employees to attend. Despite existing rules against the misuse of administrative resources and the participation of senior state officials in the campaign in the Election Code, it also does not oblige candidates to be released from official duties during the campaign, leaving this at their discretion. Five ministers and several other high-ranking executives ran as candidates. 45

Paragraph 7.5 of the <u>1990 OSCE Copenhagen Document</u> requires; "respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination".

As per Art 42 of the Election Code, candidates have a right to withdraw their candidature at any time before election by officially informing CEC.

In 2021, in line with a prior ODIHR recommendation, the previous system of authorization of public campaign events (Article 48 of the Election Code) was positively altered to notification of local authorities three days in advance of holding a campaign event.

All of the 38 indoor and 8 outdoor campaign events observed by ODIHR EOM were held in Uzbek language; in three cases, both Russian and Uzbek were used. Out of some 70 main speakers, 24 were women. Out of 46 campaign events observed by the ODIHR EOM, 11 were organized by LDPU, 10 by SDP, 7 by PDPU, 6 by NRDP, 6 by EPU, 4 joint events organized by TECs and 2 debates. ODIHR EOM also observed concert rallies in, Bukhara, Fergana, Jizzakh, Namangan, Samarkand, Tashkent and Zarafshan.

The Minister of Justice, who was a candidate, confirmed to the ODIHR EOM that he spent most of his time not tending to his ministerial functions but promoting the party that nominated him. Paragraph 5.4 of the OSCE Copenhagen Document requires "a clear separation between the State and political parties; in particular, political parties will not be merged with the State".

Candidates on the party list were either members of the nominating political party or non-members, and members of other political parties were not allowed to be included in this list.

CEC Resolution 1345 provides that before the start of the election campaign, political parties can carry out clarification and promotion work about their programme and (or) election platform without inviting (calling) to vote in favour of the political party or its candidates at their own expense, including using sponsorship funds.

Overall, the campaign was low-key and contestants avoided publicly criticizing or challenging the policies of the ruling party or each other. 46 Although contestants were able to campaign freely and with equal conditions guaranteed by the law, systematic limitations on fundamental freedoms engendered public distrust in the electoral process, and widespread doubts about the genuine character of the contest. On 21 September, all political parties agreed to abide by the ethical campaign rules, developed jointly with the CEC. The parties committed to lawful conduct, respecting privacy, dignity and reputation, upholding public morality, avoiding extortion, intimidation or coercion, and other improper measures of influence and vote-buying.

All published party platforms focused on the similar topics, with some highlighting specific aspects: economic development (LDPU), social development (PDPU), the rule of law (SDP), environmental protection (EPU), national heritage and values (NRDP), as well as governance and public administration, education, healthcare, housing, water and sustainable economy. During the campaign events, candidates generally referred to national programmes in broad terms, occasionally addressing specific local issues. Women's issues were mentioned and discussed, but the topic was not prominently featured in the campaign discourse. <sup>47</sup>

The TECs sometimes organized and moderated campaign events for the parties, and the local authorities provided free campaign venues. *Mahalla* committees mobilized voters to attend some campaign events. On a number of occasions, ODIHR EOM observed a lack of interest among attendees and reported that the audience appeared to be there involuntarily.

Around half of campaign venues observed by the ODIHR EOM provided independent access for persons with disabilities. Sign language was used during televised debates. The Association of Persons with Disabilities noted that campaign events were sometimes organized on the second floors of schools, not offering accessibility. No discriminatory rhetoric against national minorities during the campaign was reported to or observed by the ODIHR EOM.

Campaigning on social networking platforms is not regulated although the Election Code includes social networks and internet as a method of campaigning. While parties used social networks, mainly *Telegram*, to reach out to the public, the low-key election campaign was also mirrored online with a low engagement rate of contestants' posts. In contrast, some non-election-related topics such as the President's trips to regions, petty corruption, social issues, air pollution, energy supply, and political tension with Russia have extensively featured in the social networks.<sup>48</sup>

## **Campaign Finance**

The Election Code, the Law on Financing of Political Parties and CEC resolutions regulate campaign finance which is exclusively state-funded and only available to registered political parties with CEC-approved lists of candidates.<sup>49</sup> Private donations remain prohibited despite a previous ODIHR

One indicator of the absence of authentic competition in the campaign was the lack of critical engagement among contestants in the events observed by ODIHR EOM, as well as at the televised debates between the candidates.

ODIHR EOM estimated that women made up around 52 per cent of the audience at the observed campaign events.

On two occasions, Uzbek politicians and MPs expressed opinions regarding statements made by Russian officials.

Resolution 1351 from 19 July 2024 generally repeats requirements contained in the Law on Financing Political Parties and determines reporting deadlines and templates, prohibits and requires the return of any private campaign donations, and allows parties to prepay election-related expenditures from party funds, subject to compensation from state campaign funds.

recommendation and at odds with international good practice.<sup>50</sup> It is illicit for foreign states, nationals, or legal entities to finance or provide material support to candidates or parties.

Campaign funding per party is determined based on the number of registered candidates with UZS 15 million (equivalent to approximately EUR 1,083) per candidate for these elections.51 Payments and gifts to voters during campaign events are forbidden. If a candidate withdraws, their designated and unused funds must be returned to the CEC within five days after the election results are announced.

By law, political parties must submit an interim campaign report five days before election day and a final report to the CEC within 20 days after the announcement of the results. <sup>52</sup> The reporting form also includes a reporting line on expenditures for campaigning online and on social media. According to the CEC, all five political parties submitted their interim reports within the legal deadlines. Political parties also must publish their campaign reports on their website and in print media within a month after the publication of election results. <sup>53</sup> The Chamber of Accounts conducts an *ex-post* financial audit, including campaign finance, due at the beginning of the following calendar year. <sup>54</sup>

The regulatory framework for campaign finance lacks clarity and does not facilitate transparency, not providing for effective oversight and public scrutiny. <sup>55</sup> Knowledge about the requirements for campaign financing reporting and respective deadlines for interim and final reports differed among the political parties who either use old information and deadlines, or informed that those reports are to be posted on social media. ODIHR EOM observers reported that political parties, were generally not aware of reporting requirements; no concern about campaign finance regulations was shared with the ODIHR EOM. Despite a prior ODIHR recommendation, the lack of thorough and timely oversight and dissuasive sanctions undermines the transparency and effectiveness of campaign finance. <sup>56</sup>

#### Media

The media environment is characterized by a large number of state-owned media outlets, which are a significant source of information, potentially diminishing the plurality of available views. Television

See Paragraphs 204, 209 and 233 of the 2020 OSCE ODIHR and Venice Commission Joint Guidelines on Political Party Regulation, which reiterate that "[f]unding of political parties is a form of political participation, and it is appropriate for parties to seek private financial contributions" and that "all individuals should have the right to freely express their support for a political party of their choice through financial and in-kind contributions". Paragraph 233 states that "subsidies [...] should not be the only source of income or create conditions for over-dependency on state

The CEC set this amount at 14.3 times the minimum wage per candidate. 1 EUR equals approximately 13,700 Uzbek Sums. Each political party registered 175 candidates. Subsequently the CEC transferred UZS 2.6 billion to each party.

ODIHR EOM requests for interim reports remained unanswered as 27 October.

Parties must also submit annual financial reports, including on campaign, to the *Oliy Majlis*, the Ministry of Justice, the Ministry of Finance, and the Tax Committee. None of these institutions is obliged to publish the findings.

- Of note, in April 2024, the Chamber of Accounts published an article on its <u>website</u> summarizing its audit and the amounts the parties received and spent. This is positive but does not comply with Article 18 of the Law on Financing of Political Parties which requires publication of the annual financial reports of political parties.
- There are no mechanisms to verify if the reported expenditures correspond to actual amounts received. Records of contracts and prices are not required to be reported. The law does not specify exactly what political parties need to include in their public reports. The CEC's reporting requirements only cover general information on expenditures and receipts in certain categories. While prices are supposed to be established based on competitiveness, they do not need to be reported. Additionally, recently added administrative sanction for non-compliance with campaign finance reporting are not automatic and would need to be brought to administrative court.
- The new introduction of administrative liability for noncompliance with campaign financing and reporting is potentially positive. The prescribed amount of the sanctions for political parties is EUR 112, and for officials, about EUR 225; these amounts are not dissuasive given that each party receives about EUR 1,083 of campaign financing per each candidate.

remains the primary source of information, followed by online media. Blogs and Telegram channels offer an additional and, at times, alternative sources of information.

The Constitution guarantees media freedom and forbids censorship, but, the legal framework falls short of international standards.<sup>57</sup> It contains broad and insufficiently defined provisions including religious extremism, public order disturbance, and false information, lacking legal certainty and unduly restricting the right to freedom of expression.<sup>58</sup> Defamation and insult remain criminal offences despite previous ODIHR recommendations.<sup>59</sup> Furthermore, the Criminal Code foresees imprisonment of up to five years for public slander and insult towards the president. A 2021 amendment to the Code extended the provision to any internet-based communication, resulting in a number of citizens being convicted and sentenced to prison.<sup>60</sup> Despite ODIHR recommendations, the legal framework for the media has yet to be reformed to meet international standards.<sup>61</sup> A 2021 Decree improving access to information and transparency within the public administration was a positive step, but it is not consistently enforced.<sup>62</sup>

Beyond legal constraints, especially online, several other factors inhibit media freedom. These include reported undue external interference in editorial freedom, a limited advertising market affecting the media outlets' financial viability as well as companies willing to withdraw their advertisements or to initiate lawsuits over defamation and false information in retaliation for critical reporting. These factors lead to reported widespread self-censorship and hinder analytical reporting on matters of public interest. A limited cohort of experienced journalists and cases of media ethics breaches further compromise the information ecosystem. <sup>63</sup>

The Agency of Information and Mass Communications (AIMC), a media regulatory body, operates under the presidential administration. Its head is appointed by the president, hindering its

Legal provisions affecting freedom of expression and media freedom are present in the Criminal Code, Administrative Code, Law on Mass Media, Law on Informatization, and Regulation of the Procedure for the Production, Import and Distribution of Religious Content Materials.

Paragraph 22 of the <u>General Comment No. 34 to the ICCPR</u> notes that "restrictions may be imposed: the restrictions must be "provided by law"... and they must conform to the strict tests of necessity and proportionality...Restrictions must be applied only for those purposes for which they were prescribed and must be directly related to the specific need on which they are predicated."

The 2020 amendments to the Criminal Code removed imprisonment as a penalty for defamation and insult, but they remain criminal offences punishable with fines, corrective labour, or limitation of freedom. Paragraph 47 of the General Comment No 34 to the ICCPR notes that "States parties should consider the decriminalization of defamation and, in any case, the application of the criminal law should only be countenanced in the most serious of cases and imprisonment is never an appropriate penalty".

Paragraph 38 of the General Comment No 34 to the ICCPR notes that "all public figures, including those exercising the highest political authority such as heads of state and government, are legitimately subject to criticism and political opposition. [...] Laws should not provide for more severe penalties solely on the basis of the identity of the person that may have been impugned".

In 2023, the Agency of Information and Mass Communications (AIMC) issued a revised Draft Information Code to amend and codify eight existing laws on freedom of expression, access to information and the media. ODIHR and the OSCE Representative on Freedom of the Media (RFoM), in a <u>Joint Opinion on the Draft Information Code</u>, noted that while the Code contains positive elements, it also includes provisions that need improvement to meet international standards and OSCE commitments on freedom of expression and media freedom.

The Decree 2021 on "Additional Measures to Ensure Openness of the Activities of State Bodies and Organizations, as well as Effective Implementation of Public Control" provides for procedures and deadlines for requesting and receiving information from public institutions and launched "open data" websites to facilitate access to information. Yet, media representatives underlined the limited public reporting by public institutions on their regular activities.

ODIHR interlocutors reported cases of journalists being convicted of extortion as a result of attempts to blackmail private and public entities in order not to publish sensitive information.

independence.<sup>64</sup> Despite previous ODIHR recommendations, the National Television and Radio Company (NTRC), remains a state media entity that has not evolved into genuine public service media. NTRC's chairperson and the deputies are appointed by and report to the government, and its mission explicitly includes promoting state activities.

Media coverage regulations for election campaign detail free airtime and space on state-owned broadcast and print media, require a fair and balanced editorial coverage of contestants by all media. <sup>65</sup> The CEC oversees media coverage, while the AIMC monitors the media and submits daily reports to the CEC. The CEC did not disclose any enforcement actions or complaints received and informed ODIHR EOM that violations were not detected.

According to ODIHR EOM monitoring, state-owned national TV channels offered free airtime to the contestants and organised election debates, in accordance with the law. 66 Regional TV channels were also required to provide some free airtime, and political parties did not report any difficulties in benefiting from this. State-owned national TV channels provided fairly balanced coverage of contestants in their 'election block" of the news, but in general the information remained focused on the president, who received far more coverage than all five political parties combined.

Overall, private TV channels and online media provided a limited amount of news about the elections, lacked analytical reporting on political parties' programmes and mainly covered campaign events. The private media primarily offered an additional platform for the parties to campaign, rather than providing valuable information to citizens. Contrary to media and journalistic ethics and challenging the CEC requirement for a fair and balanced news coverage, private TV channels included some paid news in their information. Similarly, articles on news websites often resembled promotional material provided by the parties. In the absence of a legal requirements, TV channels and online media did not consistently label this material as paid for, to the detriment of transparency and undermining the right to seek and receive information.

In a positive initiative, five private TV channels jointly organised and broadcast five weekly live debates between all party representatives.<sup>67</sup> The debates offered a good platform for the contestants to convey their messages and discuss their programmes, but they were broadcast in the late afternoon, at 17:00, rather than later in prime time, thus reducing their potential audience. A news website also succeeded, for the first time, to organise an election debate.<sup>68</sup>

## **Election Dispute Resolution**

Individuals and legal entities may file complaints with the election commissions. Election management bodies serve as the first instance for reviewing complaints about violations of the Election Code, with their decisions subject to judicial review. Complaints against actions and decisions of the election

Paragraph 39 of the <u>General Comment No 34 to the ICCPR</u> notes that "it is recommended that States parties that have not already done so should establish an independent and public broadcasting licensing authority, with the power to examine broadcasting applications and to grant licenses."

Regulation of media coverage of the elections is detailed in the Election Code, as well as in the CEC Decree No. 1384. No 1345 and No. 952.

ODIHR EOM conducted a quantitative and qualitative monitoring of four TV channels (state-owned O'zbekiston and O'zbekiston24, private UzReport TV and Sevmili) and four private online media (Kun.uz, Daryo.uz, Gazeta.uz, Podrobno. Uz and Qalampir.uz) from 5 October 2024.

The five live election debates were organised by the National Media Association and the International Press Club together with five private TV channels (*Sevimili*, *UzReport*, *ZOR TV*, *My5* and *Renassans TV*). State television contributed by providing simultaneous translation in its Russian and English language channels, *Dunyo Bo'ylab* and *Foreign Languages*. The debates were also streamed live on Telegram and YouTube and included sign language.

Kun.uz is the news website that succeeded in organising an election debate.

administration must be submitted exclusively to the administrative courts. The Supreme Court handles challenges related to election results. Following a previous ODIHR recommendation, filing fees have been removed, but court costs can still be allocated to either party at the discretion of the court.<sup>69</sup>

The election dispute resolution system provides clear avenues. Deadlines for election-related disputes, both for election administration and courts, align with international good practice. <sup>70</sup> Positively, and in line with prior ODIHR recommendations, all complaints to commissions must be recorded in a special register, and commissions must inform complainants of the adopted decision and allow their presence at the decision meeting. Political parties, candidates, proxies, observers, and voters can appeal TEC and PEC decisions to higher election commissions or a court within five days.

The CEC periodically published a list of appeals starting from 26 July through election day. As of 27 October, the CEC published 154 appeals, of which 50 were related to parliamentary elections and primarily concerned candidacy procedures or requests for information. However, the appeals registry provided only limited information on each case, and the CEC did not grant access to complete case texts. Additionally, complaints were not discussed publicly, which detracted from the transparency.<sup>71</sup>

Election commissions did not uniformly informed or applied the requirements for registering complaints, while generally. Some ODIHR EOM interlocutors reiterated that the judiciary's lack of independence continues to diminish public trust, resulting in a low number of cases challenging alleged violations of fundamental freedoms or election-related disputes in court. <sup>72</sup> No appeals were filed to administrative or criminal courts.

#### Citizen and International Observers

Despite previous ODIHR recommendations and contrary to OSCE commitments, the legislation does not contain provisions for citizen observation.<sup>73</sup> International organizations, political parties, *Mahallas* and media are entitled to observe elections. The CEC accredits international observers, while others are accredited by the TECs.<sup>74</sup> The CEC has registered 851 international observers, over 10,000 *Mahalla* observers, and around 55,000 political party observers. In order to access polling stations and the CEC premises the media outlets must request accreditation until ten days before election day.<sup>75</sup>

Some ODIHR EOM interlocutors pointed out restrictions on foreign funding as a major obstacle to the development of civil society organizations, including those focusing on elections. CSOs face restrictive

Art 106 of the Administrative Court still gives the right to allocate court costs to the judge adjudicating the case.

Election commissions and courts have a maximum of three days to decide on complaints or immediately if a complaint has been submitted within six days before or on election day.

On 1 October, the CEC established a call centre for individuals to seek information and file complaints. By 25 October the CEC received 612 appeals, including 12 complaints related to campaign activities.

The UN Committee on Economic, Social and Cultural Rights in its 2022 Concluding observations on the third periodic report of Uzbekistan expressed concern about "various shortcomings in relation to the independence of the judiciary" and recommended the State party to "intensify its efforts to ensure the independence and impartiality of the judiciary as a means of safeguarding the enjoyment of human rights" See also UN Human Rights Council 2020 Report of the Special Rapporteur on the independence of judges and lawyers in Uzbekistan.

Paragraph 8 of the Copenhagen Document "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. They, therefore, invite observers from any other CSCE participating States and any appropriate private institutions and organizations who may wish to do so to observe the course of their national election proceedings to the extent permitted by law. They will also endeavour to facilitate similar access for election proceedings held below the national level. Such observers will undertake not to interfere in the electoral proceedings."

The CEC set up an online accreditation platform to facilitate the accreditation process.

Foreign media had to apply for accreditation to the Ministry of Foreign Affairs. For these elections, 1,068 foreign and domestic media were accredited.

registration requirements and extensive government oversight that undermines their independence. The requirement for a state partner to access foreign funding particularly limits CSOs' operational autonomy and freedom of association.

#### **Election Day**

Election day was calm and orderly but was negatively affected by numerous cases of identified violations, malfeasance as well as procedural and technical problems. The CEC reported turnout at 74.7 per cent.

The opening of polling stations was assessed positively in all but 3 of the 97 observations. Procedures were largely followed, but in 9 cases, PEC members were unfamiliar with procedures, and in 5 instances, the opening procedures were not clearly visible to observers.

The voting process was negatively assessed in 12 per cent of the 1,053 polling stations observed, a significant concern. IEOM observers reported frequent serious procedural violations, particularly regarding the inadequate implementation of safeguards intended to verify voter eligibility and prevent multiple voting. Throughout election day, the IEOM observers consistently noted discrepancies between the number of voters casting their ballots and the officially reported preliminary turnout figures. Women made up some 58 per cent of the PEC members, with over one-third serving as chairpersons in the polling stations observed.

IEOM observers reported seemingly identical signatures on both main and supplementary voter lists in 24 per cent of observations. The integrity of voter verification was further compromised in 21 per cent of observed stations, where PEC members failed to check voters' names in the electronic register before adding them to supplementary lists. Additionally, 11 per cent of PECs lacked access to the Electronic Voter Register, undermining crucial safeguards designed to prevent multiple voting. In 11 per cent of observations, PEC members did not consistently check voters IDs, and in 7 per cent, voters were allowed to vote without a valid national ID or passport.

Other serious and procedural irregularities included cases of multiple voting and proxy voting (1 per cent each), indications of ballot box stuffing in 18 polling stations (2 per cent), unauthorised voter assistance (6 per cent), improperly sealed ballot boxes (5 per cent), and in 3 per cent of observations, the envelopes containing early votes were not stored securely.

Political party representatives, media, and *Mahalla* committee observers were present in 83 percent of observed polling stations and in 26 instances they were directing or interfering with PEC operations. IEOM observers noted unauthorized persons in 10 percent of polling stations, and 4 per cent of observations, voting procedures were not clearly visible to all individuals present while in 3 per cent, observers faced restrictions. In 57 instances (5 per cent), observers were not permitted to observe the voters' list and the supplementary voter list, which negatively impacted the transparency of the process and hindered meaningful observation.

While 98 per cent of polling stations observed had adequate layout, in 10 per cent of observations, it did not ensure secrecy. In addition, in 16 per cent of observations, cameras installed in polling stations were positioned so that it could compromise secrecy. Family or group voting was observed in 3 per cent (35 cases) of polling stations. Despite positive measures to improve accessibility for voters with disabilities, 14 per cent of polling stations observed were not suitable for independent access, and in 6 per cent of observation, the layout was not suitable for these voters. In 13 per cent of polling stations observed, Braille stencils for ballots were unavailable.

The closing and counting processes were assessed negatively in 43 of the 100 polling stations, mainly due to significant procedural errors and omissions. Counting procedures were not followed in more than half of the observed polling stations with PEC members failing to determine the total number of ballots received (28 instances) and neglecting to count and cancel unused and spoilt ballot papers (32 instances and 29 instances, respectively). Additionally, PEC members neither determined the total number of ballot papers issued to voters (36 instances) nor counted the signatures on the main and supplementary voter lists (22 instances). These omissions represent critical reconciliation steps and raise concerns about the integrity of the counting process at the polling stations observed.

Following the opening of the ballot boxes, IEOM observers reported indications of ballot stuffing in 11 cases. The ballots were not counted according to the established procedures in 38 instances, and in 25 cases, the number of ballot papers in the ballot box did not match the number of signatures on the voter lists. In 22 counts observed, the figures in the results protocols did not reconcile. Additionally, in 26 instances, PECs had difficulties filling out the results protocols. The IEOM noted 14 cases where official protocols were pre-signed, as well as evidence of falsification of voter list entries and data in the protocols in 10 and 11 instances, respectively. Results protocols were not displayed as required by law in 30 observed polling stations. Furthermore, in more than half of the observations, a copy of the results protocols was not promptly sent to the TEC via the polling station ICT system. In 7 instances, PECs had to revise the results protocols and submit new versions to the TEC.

IEOM observers faced restrictions in 15 instances, and in 16 instances they did not have a clear view of the counting procedures, undermining the transparency of the counting process. Overall, the counting process raised serious concerns regarding the honesty of the count, as required by paragraph 7.4 of the 1990 OSCE Copenhagen Document.<sup>76</sup>

The IEOM observed tabulation at all 14 TECs and assessed half of them negatively primarily due to transparency issues that hindered meaningful observation. Key concerns included restricted visibility of procedures in 11 TECs, lack of full co-operation with IEOM observers in 8 TECs, and denied access to observe electronic uploading of PEC results protocols in 10 TECs. Additionally, observers reported significant procedural errors in 6 TECs, where members failed to consistently verify the reconciliation of figures in PEC protocols.

The English version of this report is the only official document. An unofficial translation is available in the Uzbek and Russian languages.

Paragraph 7.4 of the 1990 <u>OSCE Copenhagen Document</u> states that participating States will ensure that votes are cast by secret ballot or by equivalent free voting procedure and that they are counted and reported honestly with the official results made public.

# MISSION INFORMATION & ACKNOWLEDGEMENTS

Tashkent, 28 October 2024—This Statement of Preliminary Findings and Conclusions is the result of a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the OSCE Parliamentary Assembly (OSCE PA). The assessment was made to determine whether the elections complied with OSCE commitments, other international obligations and standards for democratic elections, and national legislation.

Mr Azay Guliyev was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and Leader of the OSCE short-term observer mission. Mr Sargis Khandanyan headed the OSCE PA delegation. Mr Douglas Wake is the Head of the ODIHR EOM, deployed from 23 September.

Each of the institutions involved in this International Election Observation Mission (IEOM) has endorsed the 2005 Declaration of Principles for International Election Observation. This Statement of Preliminary Findings and Conclusions is delivered prior to the completion of the electoral process. The final assessment of the elections will depend, in part, on the conduct of the remaining stages of the electoral process, including the count, tabulation and announcement of results, and the handling of possible post-election day complaints or appeals. ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some eight weeks after the completion of the electoral process. The OSCE PA will present its report at its next meeting.

The ODIHR EOM includes 17 experts in the capital and 26 long-term observers deployed throughout the country. On election day, 322 observers from 33 countries were deployed, including 223 long-term and short-term observers deployed by ODIHR, as well as a 54-member delegation from the OSCE PA. Opening was observed in 97 polling stations, and voting was observed in 1,053 polling stations across the country. Counting was observed in 43 polling stations and the tabulation in all 14 TECs.

The observers wish to thank the authorities for their invitation to observe the elections, and the Central Election Commission and the Ministry of Foreign Affairs for the assistance. They also express their appreciation to other state institutions, political parties, and civil society organizations, and the international community representatives for their co-operation.

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