

## REPUBLIC OF UZBEKISTAN

## PARLIAMENTARY ELECTIONS 27 OCTOBER 2024

# **ODIHR Election Observation Mission Final Report**



Warsaw 26 February 2024

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# REPUBLIC OF UZBEKISTAN PARLIAMENTARY ELECTIONS 27 October 2024

## ODIHR Election Observation Mission Final Report<sup>1</sup>

## I. EXECUTIVE SUMMARY

Following an invitation from the Central Election Commission (CEC) of the Republic of Uzbekistan, and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed an Election Observation Mission (EOM) for the 27 October 2024 parliamentary elections. The ODIHR EOM assessed compliance of the electoral process with OSCE commitments, other international obligations and standards for democratic elections, as well as national legislation. For election day, the ODIHR EOM was joined by a delegation of the OSCE Parliamentary Assembly to form an International Election Observation Mission (IEOM).

The Statement of Preliminary Findings and Conclusions issued by the IEOM on 28 October 2024 concluded that "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 lowkey 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 were held against the backdrop of a reform agenda launched in 2017, encompassing areas such as 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 their ability to exercise fundamental freedoms of association, peaceful assembly and expression, remain disproportionately constrained by legislation and in practice. The five registered political parties, supportive of the government's policies throughout the election period, did not offer voters a real choice, underlying a lack of genuine 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. Significant amendments in 2023 introduced a revised electoral system, new party list registration rules, modified rules on the formation and structure of election management bodies, and an increased requirement for gender representation. However, the relatively short timeframe for implementing these changes did not comply with

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

international good practice. While some prior ODIHR recommendations were addressed, the legal framework retains significant shortcomings, including limitations on the right to stand, burdensome registration requirements for political parties, and a lack of provision 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, but its public sessions were mostly formalistic and lacked substantive debate. A nationwide training programme for lower-level commissions, while informative and interactive, was implemented with varying quality. To enhance accessibility for voters with disabilities, the CEC adopted specific accommodations including adapted voting booths, wheelchair ramps, Braille templates, and additional assistive tools for visually impaired voters. Despite previous ODIHR recommendations, the independence of lower-level election commissions were compromised by the prominent role of *Mahallas*, which are local self-governing bodies closely aligned with the state and local administrations.

Some 20 million voters were registered for these elections. In line with international standards and addressing a long-standing ODIHR recommendation, the 2023 amendments to the Constitution lifted the blanket restriction on voting rights of those declared legally incapable and those deprived of liberty. Voter lists were available for public scrutiny, including online, enhancing transparency prior to election day. Contrary to international good practice and prior ODIHR recommendations, 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 the nationwide constituency. The legislation retains burdensome requirements for party registration and broad legal grounds for denying registration and suspending party activities. The legal framework does not allow for independent candidates, contrary to international standards and past ODIHR recommendations. This limitation on the right to stand, together with a restrictive environment for political party registration, constrained the pluralistic nature of the elections and limited the political competition.

Following legal amendments, the gender quota for candidate lists was increased from 30 to 40 per cent. Women held 48 of the 150 seats in the outgoing Legislative Chamber and were elected to 57 of the 150 seats in the new Legislative Chamber. Women comprised 45 per cent of candidates. At the time of these elections, the Chairperson of the Senate, one of seven deputy speakers of the outgoing Legislative Chamber, and one of four deputy prime ministers were women. However, despite ongoing efforts to increase women's participation in public and political life, women remain underrepresented in decision-making positions. 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 contestants, whose campaigns lacked substantive debate, 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. Campaigning on social networking platforms is not regulated, and while parties used social networks to reach out to the public, their campaign posts received limited online engagement from voters.

The regulatory framework for campaign finance lacks clarity and does not provide for effective oversight, transparency or 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, which is at odds with international good practice and a previous ODIHR recommendation. According to the CEC, all political parties submitted their interim reports within legal deadlines and published them on the parties' websites, although without adhering to the CEC's reporting format and reporting on expenditures inconsistently, making it difficult to analyse the spending. An overall lack of thorough and timely oversight undermined the transparency and effectiveness of campaign finance.

The regulatory framework for media contains broad and insufficiently defined provisions and unduly restricts the freedom of expression. Defamation and insult, including public slander and insult toward the president, remain criminalised despite international standards and previous ODIHR recommendations. According to ODIHR EOM interlocutors, difficulties in accessing public information, undue editorial interference and a limited advertising market have stifled independent journalism and resulted in widespread self-censorship. Several television channels and an online news website organized debates between contestants, but the media overall provided limited election-related news coverage, lacking analysis of party programmes to help citizens make informed choices. In the absence of a relevant legal requirement, paid political content transmitted by private TV channels and published online was not consistently labelled as such, undermining transparency and challenging media ethics.

The election administration has jurisdiction over all election-related complaints, except for those against the actions and decisions of election commissions, which must be filed exclusively with administrative courts. Positively, and in line with previous ODIHR recommendations, all complaints must be published in a special register, and election commissions must inform complainants of the adopted decision. While the CEC periodically published appeals, the registry offered minimal case details and denied access to full case texts. Complaints were not discussed publicly during CEC sessions, further detracting from the overall transparency.

Contrary to OSCE commitments and prior ODIHR recommendations, the electoral legislation does not contain provisions for citizen observation. International organizations, political parties, *Mahallas* and accredited media are entitled to observe elections, and 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 and serious procedural violations, particularly regarding the inadequate implementation of safeguards for verification of voter eligibility and the prevention of multiple voting. Discrepancies were consistently noted between the number of voters casting 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, with polling staff omitting critical reconciliation steps, which raised concerns about the integrity of the process. The IEOM observed the tabulation process in all 14 TECs and negatively assessed the process in half of these, mainly due to transparency issues that

hindered meaningful observation. Overall, the counting and tabulation processes raised serious concerns about whether ballots were counted and reported honestly, as required by paragraph 7.4 of the 1990 OSCE Copenhagen Document. On 28 October, the CEC announced the final election results but did not publish results disaggregated by precinct, further detracting from transparency by omitting a key safeguard.

This report offers recommendations to support efforts to bring elections in Uzbekistan fully in line with OSCE commitments and other international obligations and standards for democratic elections. Priority recommendations focus on revising the legal framework, in particular with regards to citizens' ability to exercise their fundamental political rights, bringing the rules for political party and candidate registration further in line with OSCE commitments, ensuring the independence of election commissions, adhering to the principle of a clear separation between state and party during campaigns, ensuring the integrity of voter registration on election day, enabling citizen election observation, and publishing disaggregated voting results. ODIHR stands ready to assist the authorities of Uzbekistan in further improving the electoral process and addressing the recommendations contained in this and previous reports.

## II. INTRODUCTION AND ACKNOWLEDGMENTS

Following an invitation from the Central Election Commission (CEC) of the Republic of Uzbekistan, and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed an Election Observation Mission (EOM) for the 27 October 2024 parliamentary elections. The ODIHR EOM, headed by Douglas Wake, included a 15-member core team based in Tashkent and 26 long-term observers who were deployed on 1 October throughout the country.

For election day, the ODIHR EOM was joined by a delegation of the OSCE Parliamentary Assembly (OSCE PA) to form an International Election Observation Mission (IEOM). Azay Guliyev was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and Leader of the OSCE short-term observer mission. Sargis Khandanyan headed the OSCE PA delegation. On election day, 318 observers were deployed from 33 countries, including 264 observers deployed by ODIHR as well as a 54-member delegation from the OSCE PA. The ODIHR EOM remained in the country until 3 November to follow post-election developments.

The ODIHR EOM assessed compliance of the electoral process with OSCE commitments, other international obligations and standards for democratic elections, as well as national legislation. This final report follows the Statement of Preliminary Findings and Conclusions which was released on 28 October 2024.<sup>2</sup>

The ODIHR EOM wishes to thank the CEC for the invitation to observe the elections, and the Ministry of Foreign Affairs and the CEC for their assistance. The ODIHR EOM also express its appreciation to other state institutions, political parties, civil society organizations, media, and the international community for their co-operation.

See previous ODIHR election-related <u>reports</u> on Uzbekistan.

## III. BACKGROUND AND POLITICAL CONTEXT

The elections to the lower (legislative) chamber of the *Oliy Majlis* (parliament) took place on 27 October 2024, alongside local and regional council elections (*Kengashes*).<sup>3</sup> There are five registered political parties, all of which were represented in the outgoing parliament.<sup>4</sup> Uzbekistan maintains a strong presidential system of government that continues to be centralized despite some prior reforms.<sup>5</sup> While the president shares legislative power with the parliament, most consequential decisions lie with the president, challenging the effective separation of powers.<sup>6</sup>

The 2024 parliamentary elections, conducted under a new mixed electoral system, completed a reform cycle following the adoption of a substantially amended Constitution and revisions to the electoral legal framework in 2023. The amended Constitution enhanced some provisions on human rights and freedoms, notably by establishing the supremacy of international treaties over national laws in case of contradiction, and ensuring the direct application of the Constitution. 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 ODIHR EOM observed the local and regional elections to the extent 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. On 17 October, a provision according to which *hokims* were simultaneously the heads of local councils (*kengashes*) was repealed.

The new Constitution introduced additional safeguards for persons deprived of liberty and prohibited the death penalty

Paragraph 87 of the 2020 ODIHR and Venice Commission Guidelines on Political Party Regulation (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 2023 Resolution No 527 of the Cabinet of Ministers simplified the registration of foreign grants for NGOs and clarified the permissible amount of foreign grants.

No law explicitly 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 the 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".

Despite repeated attempts, no new political party has been registered since 2003, except for the progovernmental Ecological Party of Uzbekistan in 2019.<sup>13</sup> The law on Political Parties stipulates a burdensome registration process and provides the Ministry of Justice with broad discretionary powers to reject applications on formalistic grounds. Several international organisations raised concerns about this limitation on the right to freedom of association.<sup>14</sup> Some ODIHR EOM interlocutors expressed regret at the lack of new political parties or a genuine opposition. Many acknowledged that the five essentially pro-government parties did not attract much voter interest or engagement and thus did not offer a real choice to voters, at odds with the OSCE commitments.<sup>15</sup>

Authorities should guarantee the right of individuals and groups to establish political parties, without undue legislative and practical restrictions.

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. <sup>16</sup> 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 held 48 of the 150 seats in the outgoing Legislative Chamber and 21 out of 100 members in the Senate. Furthermore, at the time of the elections, the Chairperson of the Senate, one of seven Deputy Speakers of the outgoing Legislative Chamber, and one of four Deputy Prime Ministers were women. Nonetheless, women remain underrepresented in decision-making positions. Only four out of 20 members of the Supreme Judicial Council are women. <sup>17</sup> All regional governors (*hokims*) are men. <sup>18</sup> Women were elected to hold 57 of the 150 seats in the new Legislative Chamber.

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 of efforts to register the party – including a denied attempt in 2023 under a different name - which allegedly followed continuous intimidation and physical attacks by police on him, his family members, and supporters. In 2021, activists from the Free Motherland and Erk Democratic Party likewise dropped their attempts to establish parties due to alleged intimidation and harassment.

The UN Human Rights Committee (HRC), in its <u>2020 Concluding observations on Uzbekistan's fifth periodic report</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 Paragraph 6 of the <u>1990 OSCE Copenhagen Document</u>, the participating States declared that "the will of the people, freely and fairly expressed through periodic and genuine elections, is the basis of the authority and legitimacy of all government".

Among many amendments initially proposed to the Constitution in 2022 were provisions aimed at eliminating the sovereign status of the Republic of Karakalpakstan and its right to secession. Opposition to these provisions led in July 2022 to large-scale protests and casualties in the autonomous republic as police dispersed the demonstration. The proposed provisions were withdrawn following President Mirziyoyev's visit to the region.

See webpage of the the Supreme Judicial Council for more details.

The UN Committee on the Elimination of Discrimination against Women (CEDAW), in its 2022 concluding observations on the sixth periodic report of Uzbekistan, recommended the introduction of "targeted measures, including special measures such as increased quotas and dedicated campaign financing, to increase the 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.

## IV. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

Parliamentary elections are regulated by the 2023 Constitution and the 2019 Election Code, last amended in 2023. The legal framework was further 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, the 2019 Law on Guarantees of Equal Rights and Opportunities for Women and Men (Equality Law) and the 2021 Law on Rights of Persons with Disabilities as well as several presidential and ministerial decrees, resolutions, and binding CEC regulations. Uzbekistan is a party to major international instruments related to holding democratic elections. <sup>19</sup> As per the Constitution, these treaties and norms of international law are an integral part of the country's legal system. <sup>20</sup>

The electoral legal framework was amended extensively following the previous parliamentary elections. These changes revised the electoral system, provisions related to the registration of party lists, and rules on the appointment of the CEC, and introduced a new tier of Territorial Election Commissions (TECs). The time between adopting these amendments and holding the subsequent parliamentary elections was relatively short, departing from international good practice. Positively, the gender quota for candidate lists was increased from 30 to 40 per cent, requiring the placement of at least two women among every five candidates on the party lists. The legislative process formally included public participation and consultation but provided very short timeframes for meaningful input from the public. <sup>22</sup>

The CEC was consulted and actively engaged in drafting the December 2023 amendments to the Election Code. <sup>23</sup> Regrettably, unlike in the past, the opinion of ODIHR regarding these amendments was not solicited, despite ODIHR's continued readiness to assist. Prior to the elections, the CEC developed a roadmap for implementing ODIHR recommendations and informed the ODIHR EOM of its long-term plans to continue advancing electoral reforms.

The adopted 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 the

These include the 1966 International Covenant on Civil and Political Rights (ICCPR), the 1966 International Covenant on the Elimination of Racial Discrimination (ICERD), the 1979 Convention on Elimination of All Forms of Discrimination against Women (CEDAW), the 2003 Convention against Corruption, the 2006 Convention on the Rights of Persons with Disabilities (CRPD).

Article 15 of the Constitution specifically recognizes the supremacy of these treaties over national law.

These important changes were adopted barely ten months before the parliamentary elections. Section II.2.b of the 2002 Venice Commission 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".

The public consultation was open online from 10 to 24 October 2023, taking account of a prescribed 15-day minimum. Nevertheless, many interlocutors informed the ODIHR EOM that they were unaware of or did not participate in these discussions. Some interlocutors noted that while electoral system changes were extensively discussed during earlier constitutional reform and pre-referendum consultations, these processes occurred before the drafting and passage of the December 2023 revisions to the Election Code. Paragraph 18.1 of the 1991 Moscow Document states that "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".

The CEC reported engaging at all stages of this process and informed the ODIHR EOM that this process was participatory, with 400 proposals and opinions received from the public online.

publication of disaggregated election results. Furthermore, ambiguities and gaps still need to be clarified in the legislation.<sup>24</sup> Several long-standing ODIHR recommendations remain unaddressed, including those on fundamental freedoms of association, assembly and expression.<sup>25</sup> The legal framework still requires substantial revision to be fully consistent with OSCE commitments and other international obligations and standards for democratic elections.

The legislation should be further revised to bring it fully in line with OSCE commitments, international standards, and good practices. The next legal review should be conducted well in advance of forthcoming elections through an inclusive and transparent consultation process.

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 legislation governing fundamental rights and freedoms should be comprehensively revised to ensure that any restrictions comply with the principles of legality, legitimacy, necessity and proportionality in line with OSCE commitments, international standards and good practices.

The parliament comprises two chambers, a Senate and a lower Legislative Chamber, both with five-year terms. <sup>26</sup> Following the 2023 amendments, the Senate has 65 indirectly-elected members, and the 150-member lower chamber is now elected under a mixed electoral system, replacing the previous majoritarian system. In these elections, seventy-five members were 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 7 per cent threshold. A minimum national turnout of 33 per cent is required for the elections to be valid.

In August 2024, the CEC established boundaries for the 75 new single-mandate constituencies. 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 deviated by more than 15 per cent from the national average due to geographic factors and the number of registered voters in more densely-populated regions.<sup>27</sup> All votes from abroad, which apply only to the nationwide constituency, are tallied Tashkent TEC.

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

The Senate is composed of four senators elected by deputies of local Councils (Kengashes) for each of the 12 regions and the City of Tashkent as well as 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 the UN HRC <u>2020 Concluding observations on the fifth periodic report of Uzbekistan Recommendations for Uzbekistan</u> and the UN HRC <u>2023 Universal Periodic Review</u>.

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

## V. ELECTION ADMINISTRATION

The parliamentary elections were administered by the CEC, 14 TECs, and 11,028 Precinct Election Commissions (PECs), including 57 abroad.<sup>28</sup> The CEC, a permanent body with wide-ranging responsibilities, oversees all stages of the electoral process.<sup>29</sup> The 2023 legal amendments reduced the number of its members from 21 to 9.<sup>30</sup> The CEC chairperson is elected for a five-year term from 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. Overall, women were 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. Women made up some 58 per cent of PEC members and over one-third of chairpersons in observed polling stations were women.

The 2023 amendments restructured the election administration by introducing 14 new TECs to oversee elections within their territories.<sup>31</sup> The CEC appointed members of TECs on 29 May 2024 based on the recommendations of regional representative bodies.<sup>32</sup> The TECs appointed PECs from 12 to 16 September with members proposed by the respective local councils upon nominations from *Mahallas* – which are local self-governing bodies – as well as public associations and other organizations.<sup>33</sup> The PECs were responsible for organizing and conducting the voting and counting processes and consisted of 5 to 19 members. The TECs did not provide consistently ODIHR EOM LTOs with aggregated data on PEC appointments, detracting from transparency. The ODIHR EOM noted the prominent influence of *Mahallas* at PECs and of the national Association of *Mahallas* at the TEC level.<sup>34</sup> Some ODIHR EOM interlocutors questioned the neutrality of this involvement within the election administration.

The nomination and appointment of the members of the Territorial Election Commissions and Precinct Election Commissions should be revised to ensure independence from the state and local administrations as well as from the Mahallas.

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, without debate in public sessions, with the outcomes agreed upon during working meetings before the official sessions. 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 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-

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 serve on a voluntary basis for a five-year term.

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

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 is silent on the role of the Association of *Mahallas* or *Mahalla* members within TECs/PECs.

level commissions, as practical and interactive but variable in quality. Several training sessions took place before the issuance of CEC guidebooks, and accessibility instructions were passed from the CEC to TECs and PECs.

The CEC and TECs conducted voter information campaigns and outreach which 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 accounts.<sup>35</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 and the adoption of a special instruction outlining specific accommodations. These measures included the provision of Braille templates and other assistive tools in polling stations, such as magnifying glasses and additional lighting for visually impaired voters. However, on election day, in 13 per cent of observed polling stations, Braille templates for ballots were unavailable, while in a few other instances, their use, through assistance, compromised the secrecy of the vote and consequently did not serve the purpose of facilitating autonomous voting for persons with visual impairments.

The CEC instruction also tasked local authorities to ensure physical accessibility through wheelchair ramps or, where ramps were not feasible, by equipping entrances with assistance call buttons. Local authorities were also tasked to install adapted booths for wheelchair users and to facilitate transportation for voters with disabilities as needed.<sup>37</sup> Despite positive measures to improve accessibility, 14 per cent of the polling stations observed by the ODIHR IEOM on election day were not suitable for independent access, and in 6 per cent of observations, the layout was not suitable for these voters.

Ballot papers were printed in Uzbek and local languages as decided by TECs.<sup>38</sup> Other electoral materials, including the CEC regulations or voter information, are published in Uzbek and occasionally in Russian and Karakalpak.

## VI. VOTER REGISTRATION

Citizens aged 18 or older have the right to vote. The 2023 amendments to the Constitution lifted the blanket restrictions on voting rights of those declared legally incapable, and those deprived of liberty,

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. While regional disabled persons' organizations were generally satisfied, some cited the consultation as not fully inclusive or timely.

The CEC reported that 698,954 persons with disabilities and 16,012 persons in need of care voted.

The ballot papers were available in the Russian language in 14 out of 14 TECs and in the Karakalpak language in one TEC (Karakalpakstan). The CEC reported that 94.8 per cent of ballot papers were printed in Uzbek, 2.9 per cent in Karakalpak, and 2.3 per cent in Russian.

in line with a long-standing ODIHR recommendation. The right to vote may be revoked by an individual court decision for a citizen declared incapable, including a citizen with intellectual or psychosocial disabilities or a citizen serving a prison sentence for grave and especially grave crimes.<sup>39</sup> The denial of the right to vote on the basis of a disability is at odds with international standards.<sup>40</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, and is maintained by the CEC. PECs were responsible for public display and verification of the preliminary voter lists. They conducted door-to-door visits together with *mahalla* representatives to verify voters' data and factual addresses from the local bodies and *mahallas*. Positively, citizens could also verify their data online, in addition to in-person verification at polling stations. Most PECs visited by ODIHR EOM observers had displayed the voter lists for public scrutiny 15 days before election day, as the law requires. Citizens could appeal errors in the lists to the PECs, and decisions on the matter were due within 24 hours. Voter lists were finalized five days prior to election day.

The final number of registered voters was 20,110,490.<sup>43</sup> 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>44</sup> Some ODIHR EOM interlocutors, including TEC members, raised concerns over the integrity and accuracy of voter lists. 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.

To prevent multiple voting and ensure the integrity of voter lists in line with international good practice, robust safeguards against the misuse of supplementary voter lists should be established and enforced, and the number of voters added to these lists should be published.

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

According to the CEC, thus far, there has not been any case of denial of the right to vote based on disability. Articles 12 and 29 of the CRPD 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, a "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".

The CEC informed the ODIHR EOM that voter registration is passive for citizens outside the country who have registered for other purposes with diplomatic offices maintained by Uzbekistan; citizens abroad who were not otherwise registered with embassies and consulates could actively register to vote in these elections.

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.

For these elections, 165,631 voters registered abroad, including 132,667 for early voting.

Section I.1.2 of the <u>Venice Commission's Code of Good Practice in Electoral Matters</u> 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".

## VII. 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>45</sup> The right to stand also disqualifies citizens with unexpunged criminal records for serious crimes. Independent candidates are not permitted, contrary to international standards and OSCE commitments and despite prior ODIHR recommendations. <sup>46</sup> Several ODIHR EOM interlocutors cited this limitation, in conjunction with challenges registering political parties, as a reason these elections were not considered democratic or competitive.

Only the five registered political parties had the right to nominate candidates. To nominate candidates, 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.<sup>47</sup>

The legal framework should provide opportunities for independent candidates to stand, including by expanding the right to nominate candidates to public associations and groups of citizens.

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. <sup>48</sup> All five political parties nominated the maximum permissible number of candidates. Positively, women comprised 45 per cent of candidates, exceeding the 40 per cent quota for gender representation.

### VIII. ELECTORAL CAMPAIGN

The election campaign started on 22 September and ended on 25 October. <sup>49</sup> By law, campaign rallies can be held after notifying the relevant local authority at least three days in advance; permission is not required. <sup>50</sup> No contestant raised any concern to the ODIHR EOM about campaign regulations. On 21 September, all political parties agreed to abide by ethical campaign rules developed jointly with the CEC. <sup>51</sup>

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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".

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.

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.

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.

In 2021, in line with a prior ODIHR recommendation, the previous system of authorization of public campaign events was altered to notification. The law distinguishes between smaller campaign events (meetings with voters) and larger (mass) events. Smaller rallies can be held by notifying the election commission, while mass events require written notification to local authorities at least three days in advance.

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. They also agreed to special marking of any campaign material developed with artificial intelligence.

Paragraph 15 of the <u>CCPR General Comment No. 25</u> 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.

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Overall, the campaign was low-key, and contestants avoided publicly criticizing or challenging the policies of the ruling party or each other. <sup>52</sup> Although contestants were able to campaign freely and the law guaranteed equal conditions, systematic limitations on fundamental freedoms engendered fear of political activity, public distrust in the electoral process, and widespread doubts about the genuine character of the contest. Several ODIHR EOM interlocutors stressed the declarative nature of party messages and the lack of affiliation between political parties and the electorate, which resulted in campaign events appearing as "staged". The low voter engagement during the campaign, combined with IEOM observations on election day, cast significant doubts about the credibility of the official turnout declared by the CEC.

All published party platforms focused on 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. Issues pertaining to women's rights and gender equality did not feature prominently in the campaign discourse, but women's socioeconomic participation was occasionally mentioned and discussed.<sup>53</sup>

The campaign was primarily conducted through small to medium-scale indoor meetings, billboards, posters, television, online and social network ads, and some outdoor activities, including rallies with concerts. Existing rules prohibit the misuse of administrative resources and the Election Code bans the participation of senior state officials (heads of government and administrative bodies) as well as judges in the campaign. However, there is no legal obligation for candidates to be released from official duties during the campaign. Five ministers and several other high-ranking executives ran as candidates. Five ministers are several other high-ranking executives ran as candidates.

To ensure the separation of state and party, provisions related to misuse of administrative resources and participation of state officials in the election campaign, including as candidates, should be clarified.

The TECs sometimes organized and moderated campaign events for the parties, and the local authorities provided campaign venues free of charge. *Mahalla* committees mobilized voters to attend some campaign events. ODIHR EOM long-term observers noted indoor meetings at state-owned institutions and workplaces during office hours. On a number of occasions, ODIHR EOM observers reported a lack of interest and enthusiasm among attendees, pre-arranged questions and answers, and

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 and in the televised debates between the candidates.

Some statements included support for motherhood (welfare payments) and childcare, education, and employment for women. ODIHR EOM long-term observers estimated that women made up around 52 per cent of the audience at the observed campaign events.

ODIHR EOM observed 38 indoor and eight outdoor campaign events. 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 were organized by TECs and 2 debates. ODIHR EOM also observed rallies that included concerts in Bukhara, Fergana, Jizzakh, Namangan, Samarkand, Tashkent and Zarafshan.

Two deputies of the Prime Minister, the head of the State Women Committee, and two heads of State Agencies were among the candidates.

Article 62 of the Law on Courts forbids judges to be members of a political party, support it financially, participate in political parties' actions, and engage in other political activities. The Minister of Justice, 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".

an audience that appeared to be there involuntarily, raising concerns about potential pressure on employees and students to attend.<sup>57</sup>

Authorities should ensure, through legal and administrative measures, that campaigning takes place without pressure on students and employees of state-funded institutions to attend campaign events.

Around half of the campaign venues observed by the ODIHR EOM provided independent access for persons with disabilities. Sign language interpretation was available during televised debates. The Association of Persons with Disabilities informed the ODIHR EOM that campaign events were sometimes organized on the second floors of schools, not offering independent access for persons with disabilities.

Questions pertaining to the rights of national minorities did not feature in any contestants' platforms. No discriminatory rhetoric against national minorities during the campaign was reported to or observed by the ODIHR EOM. Almost all campaign events observed by the ODIHR EOM were held in the Uzbek language.<sup>58</sup> All Political parties informed the ODIHR EOM that they also printed and distributed campaign materials in Russian and Karakalpak.

Campaigning on social networking platforms is not regulated, although the Election Code references social networks and the Internet as methods 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, profiles and channels of popular bloggers, on various social networks, garnered significantly higher engagement when covering other topics, such as the President's trips to regions, petty corruption, social issues, air pollution, energy supply, and relations with the Russian Federation.

### IX. CAMPAIGN FINANCE

The Election Code, the Law on Financing of Political Parties and CEC resolutions regulate campaign finance, which is exclusively state-funded and available only to registered political parties with CEC-approved candidate lists. <sup>59</sup> Private donations remain prohibited, at odds with international good practice and despite previous ODIHR recommendations. <sup>60</sup> It is illegal for foreign states, nationals, or legal entities to finance or provide material support to candidates or parties.

To promote political participation and pluralism, the campaign finance regulatory framework should align with international good practice. This includes allowing individuals to donate to both political parties and candidates, within uniform limits and disclosure requirements.

ODIHR EOM observed several instances of this in Andijan, Bukhara, Fergana, Navoi, Samarkand, and Tashkent. Paragraph 19 of the UN Human Rights Committee's General Comment No. 25 to ICCPR states that "voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind".

In three cases, both Russian and Uzbek were used.

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.

See Paragraphs 204 and 209 of the <u>Guidelines on Political Party Regulation</u>, 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 support".

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

For the first time in these elections, following 2021 amendments to the legal framework in line with a prior ODIHR recommendation, political parties were required to submit interim financial reports to the CEC five days before election day and final reports within 20 days after the announcement of the results. The reporting forms include 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 must publish their campaign reports on their website and in print media within a month after the publication of election results. The Chamber of Accounts conducts an *expost* financial audit, including campaign finance, due at the beginning of the following calendar year. ODIHR EOM observers reported that political parties were generally not aware of reporting requirements; however, no concern about campaign finance regulations was shared with the ODIHR EOM.

The regulatory framework for campaign finance lacks clarity and does not facilitate transparency or effective oversight. There are no mechanisms to verify if the reported expenditures correspond to actual amounts received while records of contracts, including labour cost, and prices are not required to be reported. The law does not specify exactly what data political parties need to disclose in their public reports. The CEC's reporting requirements only cover general information on expenditures and receipts in certain categories. Recently introduced administrative sanctions for non-compliance with campaign finance reporting are not automatic and would need to be brought to administrative court. Overall, and despite prior ODIHR recommendations, the regulatory framework lacks thorough and timely oversight and dissuasive sanctions that undermines the transparency and effectiveness of campaign finance.

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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.

The interim reports were published on political parties' websites. These reports did not adhere to the CEC's reporting format and expenditures were inconsistently reported, making it difficult to analyse the spending.

Parties must also submit annual financial reports 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.

Knowledge about the requirements for campaign financing reporting and respective deadlines differed among the political parties, some of whom either used old information and deadlines, or informed that those reports were to be posted on social networking platforms.

Articles 51-8 and 51-11 of the Code of Administrative Liability establish administrative penalties for violations of election or referendum related financing procedures and for improper submission of financial reports regarding state funds allocated for participation in the elections. See also Article 245 of the Code of Administrative Liability.

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. Paragraphs 272 of the <u>Guidelines on Political Party Regulation</u>, states that "[s]anctions should be applied against political parties found to be in violation of relevant laws and regulations and should be dissuasive in nature. Moreover, in addition to being enforceable, sanctions must at all times be objective, effective, and proportionate to the specific violation".

To enhance the transparency and effective oversight of campaign finance, the legal framework should be amended to establish comprehensive reporting, disclosure and verification requirements, and to provide for timely, effective, proportionate, and dissuasive sanctions for non-compliance.

## X. MEDIA

## A. THE MEDIA ENVIRONMENT

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 remains the primary source of information, followed by online media. Blogs and Telegram channels offer additional and, at times, alternative sources of information. The Law on Mass Media prohibits foreign ownership of more than 30 per cent of a media outlet, and local media are prohibited from receiving foreign funding.

Several factors, beyond legal constraints, inhibit media freedom, primarily online. These include reported undue external interference in editorial freedom, a limited advertising market affecting the media outlets' financial viability, and companies willing to withdraw their advertisements or 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. ODIHR EOM interlocutors reported a lack of unity among media professionals, which limits their ability to advocate for their rights, develop a common code of conduct, and develop self-regulatory mechanisms.

## B. LEGAL FRAMEWORK

The Constitution guarantees media freedom and forbids censorship, but the legal framework falls short of international standards.<sup>68</sup> It contains broad and insufficiently defined provisions, including regarding religious extremism, separatism, public order disturbance, "family values," and false information. The framework lacks legal certainty and unduly restricts the right to freedom of expression.<sup>69</sup> Website owners or other public 'information resources', including bloggers, are obliged to monitor third-party content for compliance with the law and the accuracy of the information hosted on their platforms.<sup>70</sup>

To provide effective protections for the freedom of expression, the legislation governing media should be comprehensively reviewed and revised, in a consultative process and in line with ODIHR recommendations. Any restrictions, including on Internet-based resources, should strictly comply with the principles of legality, legitimacy, necessity and proportionality and be subject to judicial oversight.

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".

See also recommendations contained in 2024 ODIHR and the OSCE Representative on Freedom of the Media (RFoM), <u>Joint Opinion on the Draft Information Code</u>.

Despite previous ODIHR recommendations and international standards, defamation and insult remain criminal offences. <sup>71</sup> While the 2020 amendments to the Criminal Code removed imprisonment as a penalty, they remain offences punishable with fines, corrective labour, or limitation of freedom. Furthermore, the Criminal Code foresees imprisonment of up to five years for public slander and insult towards the president. <sup>72</sup> A 2021 amendment to the Code extended the provision to any internet-based communication, resulting in a chilling effect on the media environment, making citizens liable for online content, and exposing them to potential conviction and imprisonment.

Defamation and insult should be decriminalised, and provisions on public insult and slander against the president should be repealed.

A 2021 Decree improving access to information and transparency within the public administration was a positive step, but according to ODIHR EOM interlocutors it is not consistently enforced.<sup>73</sup> Despite ODIHR recommendations, the legal framework protecting the freedom of expression and media freedoms has yet to be reformed to meet international standards.<sup>74</sup>

The Agency of Information and Mass Communications (AIMC), a media regulatory body, operates under the presidential administration. The president appoints its head, hindering its independence.<sup>75</sup> AIMC extends its oversight and monitoring from broadcast media to print and online media, blogs, social networks, and instant messaging apps such as Telegram. The regulatory body can terminate the activity of monitored information sources on vague and overbroad grounds.

Consideration should be given to transforming the Agency of Information and Mass Communications into an independent and impartial oversight body with a clear mandate, adhering to criteria of transparency and public accountability. The system for appointing its members should ensure diversity of representation and avoid conflicts of interest.

Despite previous ODIHR recommendations, the National Television and Radio Company (NTRC), which operates 12 television stations with nationwide coverage, 14 regional broadcasters, and four radio stations, remains a state media entity that has not evolved into genuine public service media. NTRC's chairperson and deputies are appointed by and report to the government, and its mission explicitly includes promoting state activities. During the monitored period, state-owned media

Paragraph 47 of the <u>General Comment, No 34 to the ICCPR</u>, 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 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".

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.

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 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.

Paragraph 39 of <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".

primarily covered the President's activities and achievements in regular and special programmes and the news.

Consideration should be given to transforming the National Television and Radio Company into a genuine public service provider by removing any requirement to promote state activities, introducing a clearly defined public mandate as well as provisions guaranteeing editorial independence, financial autonomy, clear separation from any government institution, and an open and competitive selection process of its board members.

Media coverage regulations for election campaigns detail free airtime and space on state-owned broadcast and print media, allow paid political advertising on state and private media and require fair and balanced editorial coverage of contestants by all media. <sup>76</sup> The CEC is responsible for the overall oversight of the media coverage, while the AIMC is required to submit daily monitoring reports to the election management body. The AIMC informed the ODIHR EOM that it monitors broadcast, print and online media, and digital platforms. The CEC informed the ODIHR EOM that it received regular monitoring reports from the AIMC and that no violations were detected and no complaints were received. However, neither the CEC nor the AIMC publicly disclosed information on the monitoring and enforcement mechanism, undermining the transparency of the process.

## C. MEDIA MONITORING FINDINGS

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. The 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. However, the information generally focused on the President, who received far more coverage than all five political parties combined. The President also received extensive coverage in other programmes covering his official activities.

Overall, private TV channels and online media provided limited 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 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 legal requirements, TV channels and online media

The Election Code, CEC Decree Nos. 1384, 1345, and 952 regulate media coverage of the elections.

ODIHR EOM conducted a quantitative and qualitative monitoring of four TV channels (state-owned *O'zbekiston* and *O'zbekiston24*, private *UzReport TV* and *Sevimili*) daily from 17:00 to midnight, and four private online media (*Kun.uz*, *Daryo.uz*, *Gazeta.uz*, *Podrobno*. Uz and *Qalampir.uz*) from 5 October 2024.

Coverage of political parties in *O'zbekiston24* news 'election block': LPDU 18 per cent, NRDP 21 per cent, PDPU 21 per cent, SDP 22 per cent, EPU 18 per cent. *O'zbekiston:* LPDU 23 per cent, NRDP 22 per cent, PDPU 20 per cent, SDP 18 per cent, EPU 17 per cent. The President received 49 per cent of the total news coverage of *O'zbekiston24* compared to 36 per cent for all political parties. Similarly, the President received 54 per cent of total news coverage on the O'zbekiston TV channel, against 30 per cent for all five political parties.

Article 13 of the <u>IFJ Global Charter of Ethics for Journalists</u> states, "The journalist shall not use the freedom of the press to serve any other interest.... He/she will avoid any confusion between his activity and that of advertising or propaganda...". Article 30 of CEC Decree No 1345 requires the media to provide fair and balanced coverage in their news and information programmes.

did not consistently label this material as paid for, to the detriment of transparency and undermining the right to seek and receive information. 80

Paid political content should be clearly marked as such, both offline and online, and broadcasters should exclude paid material in their information programmes, to clearly differentiate between editorial content and political advertising.

In a positive initiative, five private TV channels jointly organised and broadcast five weekly live debates between all party representatives.<sup>81</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 in organising an election debate for the first time.<sup>82</sup>

State-owned national TV channels made an effort to offer almost equal access to men and women candidates in their "election block". 83 Political parties sent mostly male representatives to the election debates organised by private TV channels, except for the last debate focusing on "gender," where all political parties sent a female representative.

## XI. ELECTION DISPUTE RESOLUTION

Individuals and legal entities may file complaints with the election commissions. Election management bodies review complaints about violations of the Election Code, with their decisions subject to judicial review. Complaints against actions and decisions of the election 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 court's discretion.

The election dispute resolution system provides clear avenues and deadlines for election-related disputes, both for the election administration and courts, align with international good practice.<sup>84</sup> Positively, and in line with prior ODIHR recommendations, all complaints to commissions must be recorded in a special register, concerned parties may attend the hearings and commissions must inform complainants of the adopted decision. Political parties, candidates, proxies, observers, and voters can file complaints on any issues or violation of the electoral law to TECs and PECs during the election campaign and potential appeals on these decisions must be reviewed by a court within five days.

Article 7.4 of the 2003 United Nations Convention Against Corruption notes that "[e]ach State Party shall, in accordance with the fundamental principles of its domestic law, endeavour to adopt, maintain and strengthen systems that promote transparency and prevent conflicts of interest". Paragraph 19 of the General comment No 25 to the ICCPR notes that "[...] Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind".

The National Media Association and the International Press Club organised the five live election debates 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. The debates were also streamed live on Telegram and YouTube and included sign language.

*Kun.uz* is the news website that organised an election debate.

The direct speech of male candidates on the *O'zbekiston24* news 'election block' accounted for 55 per cent, against 45 per cent for women candidates. Similarly, on the *O'zbekiston* TV channel, male candidates had 57 per cent of the direct speech, against 43 per cent for women candidates.

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.

The CEC periodically published a list of complaints from 26 July through election day and up to the announcement of the results. During this period, the CEC received and published on its website 199 complaints, of which 54 related to the parliamentary elections and primarily concerned candidacy procedures or requests for information.<sup>85</sup> However, the complaints registry provided limited information on each case, and the CEC did not grant access to complete case texts. Additionally, complaints were not discussed publicly, which further detracted from transparency and is contrary to international standards on effective legal remedy.<sup>86</sup>

To ensure the transparency of the election dispute resolution process and provide conditions for effective remedy, election commissions should handle complaints in open sessions and publicly disclose all related information.

Election commissions did not uniformly provide information or apply the requirements for registering complaints, while generally, ODIHR EOM observers reported that no complaints were filed with the lower-level election commissions. 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>87</sup>

## XII. ELECTION OBSERVATION

Contrary to OSCE commitments and despite previous ODIHR recommendations, the legislation does not contain provisions for citizen observation of the election process. <sup>88</sup> International organizations, political parties, *Mahallas* and media representatives are entitled to observe elections. The CEC accredits international observers, while others are accredited by the TECs. <sup>89</sup> For these elections, the CEC registered 851 international observers, over 10,000 *Mahalla* observers, and some 55,000 political party observers. In order to access polling stations and the CEC premises, media outlets must request accreditation at least ten days before election day. <sup>90</sup>

On 1 October, the CEC established a call centre for individuals to seek information and file complaints. Between 1 and 31 October, the call centre received 1,030 applications. The CEC reported that five alleged violations of electoral legislation were verified by the CEC and forwarded to law enforcement agencies. No requests were received by the Call Centre on matters requiring consideration at a CEC meeting.

Article 2.3 of the <u>ICCPR</u> requires each State to ensure that "any person whose rights or freedoms ... are violated shall have an effective remedy" and that "the competent authorities shall enforce such remedies when granted". Paragraph 5.10 of the <u>1990 OSCE Copenhagen Document</u> reads: "everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity".

The UN Committee on Economic, Social and Cultural Rights, in its <u>2022 Concluding observations on the third periodic report of Uzbekistan</u>, 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 <u>UN Human Rights Council 2020 Report of the Special Rapporteur</u> on the independence of judges and lawyers in Uzbekistan. The ODIHR EOM's meetings with human rights defenders confirmed that legal avenues for adjudication of disputes and challenges of state action are burdensome, and courts do not always follow procedures.

Paragraph 8 of the <u>Copenhagen Document</u> calls on the participating States to "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 established an online 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 representatives were accredited.

The Election Code and other relevant legislation should be amended to provide for genuine citizen election observation in line with the OSCE commitments.

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 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.<sup>91</sup>

Consideration should be given to removing requirements that limit the operational autonomy and freedom of association of civil society organizations, in line with international standards.

## XIII. EARLY VOTING AND ELECTION DAY

Early voting was conducted between 16 and 23 October. While ODIHR EOM did not conduct systematic observation of early voting, ODIHR EOM LTOs visited a number of polling stations in each region during the early voting period, They noted general adherence to procedures but observed at some polling stations identical signatures and instances where the full ballot-paper allocation (10 per cent) had been expended before the end of the early voting period. <sup>92</sup> According to the CEC, 1,148,615 voters participated in early voting both in-country and through diplomatic and consular offices abroad.

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

## A. OPENING AND VOTING

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. In 1 instance non-PEC members were directing or interfering in the work of the PEC while in another case ODIHR observers were not able to observe the opening procedures without restrictions.

The voting process was negatively assessed in 12 per cent of the 1,053 polling stations observed, a significant concern. IEOM observers reported frequent and 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 turnout figures.

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

See paragraph 20 of <a href="https://example.com/https://example.c

OEC resolution 1396 on 8 October stipulated that PECs should ensure ballot papers for 10 per cent of the total number of voters are received from district and city election commissions by 13 October.

before adding them to supplementary lists. The poor handling of the voter lists by PEC members negatively impacted the electoral process, jeopardizing an important safeguard against malpractice. 93 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), and improperly sealed ballot boxes (5 per cent); 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. In 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 voter lists and the supplementary voter lists, which negatively impacted the transparency of the process and hindered meaningful observation.

While 98 per cent of polling stations observed had a generally adequate layout for voting, 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 they could compromise secrecy. Family or group voting, which often negatively impacts women's participation, was noted in 3 per cent (35 cases) of observations.

To ensure the integrity of the voting process, the authorities should implement effective measures to eradicate serious deficiencies in the polling process and intensify efforts to prevent the recurring problems of multiple voting, proxy voting, and ballot box stuffing.

#### B. **CLOSING AND COUNTING**

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

Ballots should be reconciled against the number of signatures in the list of voters. Paragraph 32 of the Explanatory

Report to the 2002 Venice Commission Code of Good Practice in Electoral Matters states "the fairness of the ballot should be judged by two main criteria alone: the number of electors who have cast votes compared with the number of ballot papers in the ballot box. The first measure can be determined by the number of signatures in the electoral register". The Election Code also requires voters to sign voter lists, including during early voting.

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>94</sup>

## C. TABULATION AND ANNOUNCEMENT OF RESULTS

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. At some TECs, PEC members were observed bringing two forms for each protocol, exchanging protocols, erasing numbers in pencil and amending protocols, completing protocols in full, as well as replacing protocols. Observers reported significant procedural errors in 6 TECs, where members failed to consistently verify the reconciliation of figures in PEC protocols.

To safeguard the integrity of the electoral process and prevent malpractice, the Central Election Commission should develop more efficient and effective training programmes for the Territorial and Precinct Election Commissions to ensure the proper implementation of voting, counting and tabulation procedures. The Central Election Commission should enhance the training of polling staff, with a particular focus on handling the voter lists and registration of voters on election day.

On 28 October, the CEC announced the final results but did not publish election results disaggregated by precinct election commissions, detracting from transparency by omitting an important safeguard, contrary to a longstanding ODIHR recommendation.

To ensure transparency and accountability, the CEC should publish election results disaggregated by polling station, as soon as they become available, on its website and in accessible formats.

## XIV. RECOMMENDATIONS

The recommendations as contained throughout the text are offered with a view to further enhance the conduct of elections in Uzbekistan and to support efforts to bring them fully in line with OSCE commitments and other international obligations and standards for democratic elections. These recommendations should be read in conjunction with past ODIHR recommendations that have not

Paragraph 7.4 of the <u>1990 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.

yet been addressed. 95 ODIHR stands ready to assist the authorities of Uzbekistan to further improve the electoral process and to address the recommendations contained in this and previous reports.

## A. PRIORITY RECOMMENDATIONS

- 1. Authorities should guarantee the right of individuals and groups to establish political parties, without undue legislative and practical restrictions.
- 2. The legislation governing fundamental rights and freedoms should be comprehensively revised to ensure that any restrictions comply with the principles of legality, legitimacy, necessity and proportionality in line with OSCE commitments, international standards and good practices.
- 3. To ensure the separation of state and party, provisions related to misuse of administrative resources and participation of state officials in the election campaign, including as candidates, should be clarified.
- 4. The nomination and appointment of the members of the Territorial Election Commissions and Precinct Election Commissions should be revised to ensure independence from the state and local administrations as well as from the *Mahallas*.
- 5. The legal framework should provide opportunities for independent candidates to stand, including by expanding the right to nominate candidates to public associations and groups of citizens.
- 6. To prevent multiple voting and ensure the integrity of voter lists in line with international good practice, robust safeguards against the misuse of supplementary voter lists should be established and enforced, and the number of voters added to these lists should be published.
- 7. The Election Code and other relevant legislation should be amended to provide for genuine citizen election observation in line with the OSCE commitments.
- 8. The CEC should publish election results disaggregated by polling station on its website in accessible formats, as they become available to ensure transparency and accountability.
- 9. To provide effective protections for the freedom of expression, the legislation governing media should be comprehensively reviewed and revised, in a consultative process and in line with ODIHR recommendations. Any restrictions, including on Internet-based resources, should strictly comply with the principles of legality, legitimacy, necessity and proportionality and be subject to judicial oversight.

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". The follow-up of prior recommendations is assessed by the ODIHR EOM as follows: recommendations 12,19, 25, 26, 31 and 32 from the 2019 parliamentary elections Final Report were fully implemented. Recommendations 14, 15, 16 and 18 from the 2019 Final Report were mostly implemented. Recommendations 2, 9, 10, 11, 13, 17, 21 and 30 from the 20219 Final Report, 13, 19 and 21 from the 2023 referendum Final Report and 8, 13, 15, 17 and 25 from the early presidential election Final Report were partially implemented. See also the ODIHR <u>Electoral Recommendations Database chapter on Uzbekistan</u> regarding the status of recommendations.

## **B.** OTHER RECOMMENDATIONS

## **Legal Framework**

10. The legislation should be further revised to bring it fully in line with OSCE commitments, international standards, and good practices. The next legal review should be conducted well in advance of forthcoming elections through an inclusive and transparent consultation process.

## **Electoral Campaign**

11. Authorities should ensure, through legal and administrative measures, that campaigning takes place without pressure on students and employees of state-funded institutions to attend campaign events.

## **Campaign Finance**

- 12. To promote political participation and pluralism, the campaign finance regulatory framework should align with international good practice. This includes allowing individuals to donate to both political parties and candidates, within uniform limits and disclosure requirements.
- 13. To enhance the transparency and effective oversight of campaign finance, the legal framework should be amended to establish comprehensive reporting, disclosure and verification requirements, and to provide for timely, effective, proportionate, and dissuasive sanctions for non-compliance.

#### Media

- 14. Defamation and insult should be decriminalised, and provisions on public insult and slander against the president should be repealed.
- 15. Consideration should be given to transforming the Agency of Information and Mass Communications into an independent, impartial and collegial oversight body with a clear mandate, adhering to criteria of transparency and public accountability. The system for appointing its members should ensure diversity of representation and avoid conflict of interests.
- 16. Consideration should be given to transforming the National Television and Radio Company into a genuine public service provider by removing any requirement to promote state activities, introducing a clearly defined public mandate as well as provisions guaranteeing editorial independence, financial autonomy, clear separation from any government institution, and an open and competitive selection process of its board members.
- 17. Paid political content should be clearly marked as such, both offline and online, and broadcasters should exclude paid material in their information programmes, to clearly differentiate between editorial content and political advertising.

## **Election Dispute Resolution**

18. To ensure the transparency of the election dispute resolution process and provide conditions for effective remedy, election commissions should handle complaints in open sessions and publicly disclose all related information.

## **Election Observation**

19. Consideration should be given to removing requirements that limit the operational autonomy and freedom of association of civil society organizations, in line with international standards.

## **Election Day**

- 20. To ensure the integrity of the voting process, the authorities should implement effective measures to eradicate serious deficiencies in the polling process and intensify efforts to prevent the recurring problems of multiple voting, proxy voting, and ballot box stuffing.
- 21. To safeguard the integrity of the electoral process and prevent malpractice, the Central Election Commission should develop more efficient and effective training programmes for the Territorial and Precinct Election Commissions to ensure the proper implementation of voting, counting and tabulation procedures. The Central Election Commission should enhance the training of polling staff, with a particular focus on handling the voter lists and registration of voters on election day.

## ANNEX I: FINAL ELECTION RESULTS<sup>96</sup>

<b>Number of registered voters</b>	20,110,490 (including 165,631 abroad)
Number of votes cast	15,018,498 (including 140,388 abroad)
Number of invalid ballots	72,327
Voter turnout	74.72 %

Party	Votes received	Seats won in nation-wide constituency	Seats won in single-mandate constituencies	Total seats	Percentage %
Liberal Democratic Party of Uzbekistan (LDPU)	5,194,041	26	38	64	42.7
National Revival Democratic Party (NRDP)	2,812,493	14	15	29	19.3
Social Democratic Party <i>Adolat</i> (SDP)	2,420,857	12	9	21	14
People's Democratic Party of Uzbekistan (PDPU)	2,558,016	13	7	20	13.3
Ecological Party of Uzbekistan (EPU)	1,960,764	10	6	16	10.7
Total	14,946,171	75	75	150	100

<sup>96</sup> 

## ANNEX II: LIST OF OBSERVERS IN THE INTERNATIONAL ELECTION OBSERVATION MISSION

## **OSCE Parliamentary Assembly Short-term Observers**

Azay	Guliyev	Special Co-ordinator	Azerbaijan
Sargis	Khandanyan	Head of Delegation	Armenia
Christine	Schwarz-Fuchs	MP	Austria
Michael	Wanner	MP	Austria
Gaya	Mammadov	MP	Azerbaijan
Zvonimir	Troskot	MP	Croatia
Sandra	Krpan	MP	Croatia
Danica	Barisevic	MP	Croatia
Kyriakos	Hadjiyianni	MP	Cyprus
Lucie	Potuckova	MP	Czechia
Jens	Meilvang	MP	Denmark
Mati	Raidma	MP	Estonia
Eduard	Odinets	MP	Estonia
Malte	Kaufmann	MP	Germany
Emanuele	Loperfido	MP	Italy
Alessandro	Alfieri	MP	Italy
Vincenzo	Amendola	MP	Italy
Giuseppe	De Cristofaro	MP	Italy
Eugenio	Zoffili	MP	Italy
Fabrizio	Comba	MP	Italy
Valeria	Galardini	MP	Italy
Anna	Bilotti	MP	Italy
Stefania	Perozzi	MP	Italy
Susanna Donatella	Campione	MP	Italy
Alibek	Nautiyev	MP	Kazakhstan
Jelena	Nedovic	MP	Montenegro
Amer	Smailovic	MP	Montenegro
Iva	Lakicevic	MP	Montenegro
Sverre	Myrli	MP	Norway
Kazimierz	Kleina	MP	Poland
Jacek	Włosowicz	MP	Poland
Krysztof	Gadowski	MP	Poland
Konrad	Frysztak	MP	Poland
Krysztof	Truskolaski	MP	Poland
Florin-Alexandru	Alexe	MP	Romania
Artemi Vicent	Rallo	MP	Spain
Magnus	Oscarsson	MP	Sweden
Anne Marie-Louise	Hänel Sandström	MP	Sweden
Simona	De Ciutiis	MP	Sweden
Björn	Söder	MP	Sweden
Andreas	Lennkvist Manriquez	MP	Sweden
Ulrika	Westerlund	MP	Sweden
Halis	Dalkilic	MP	Türkiye
Murat	Baybatur	MP	Türkiye
	<del>-</del>		-

Hakan	Erdogan	MP	Türkiye
Arthur	Gerasymov	MP	Ukraine
Pavlo	Frolov	MP	Ukraine
Serhii	Alieksieiev	MP	Ukraine
Rupa	Huq	MP	United Kingdom
Janice	Helwig	MP	United States

Farimah **Daftary** Staff of Delegation France Freyja Koci Staff of Delegation Germany Juan Carlos Leunissen Staff of Delegation Netherlands Anzhelika Ivanishcheva Staff of Delegation Russian Federation Salokhudinov Staff of Delegation Manuchekhr Tajikistan

## **ODIHR Short-Term Observers**

Gertrude Brindlmayer Austria Winkelhofer Richard Austria Mirzayev Ayaz Azerbaijan Duffková Kateřina Czech Republic **Faltys** Jan Czech Republic Franc Petr Czech Republic Kramesova Katerina Czech Republic Kutilova Marketa Czech Republic Orisko Josef Czech Republic Staňková Tereza Czech Republic Casier Hilda Denmark Crone Mirja Denmark Hjortlund **Birgit** Denmark Hoxer Jorgen Denmark Poulsen Ingrid Denmark Poulsen Michael Denmark Soerensen Biarno Denmark Strand Michael Denmark Vauhkonen Mikko Finland Vieno Irmeli Finland Bérat Pierre France Caballero Jocelyne France Nordine Drici France Dziwniel Victoria France Thomas Ferrari France Ganoux Florence France Oberson Frederic France Pellerin Rémi France Romano Victoria France Tourancheau Isabelle France Vier Amaël France Bendeliani Marina Georgia Baykal Asena Germany Besselmann Peter Germany

Diffic Election Observation wi	ission i mai report	
Böhme	Marcus	Germany
Dr. Salih	Chaban	Germany
Eichstaedt	Dominika	Germany
Feo Kutsch	Katia	Germany
Goldstein	Mendel	Germany
Grundbacher	Kim	Germany
Haendel	Harald	Germany
Heidrich	Jörg	Germany
Hofmann	Dagmar	Germany
Hortig	Martin	Germany
Kuehl	Michael	Germany
Lingenthal	Rainer	Germany
Maiweg	Andrea	Germany
Mosharof	Lorena	Germany
Niessen	Sebastian	Germany
Nolting	Felix	Germany
Pysarenko	Anna	Germany
Schiermeyer	Ingo	Germany
Schiller	Stefan	Germany
Schöneberg	Gesa	Germany
Schwalb	Jens	Germany
Sell	Christina	Germany
Temme	Marlies	Germany
Theilmann	Susanne	Germany
Träger-Steintjes	Florian	Germany
Vorrath	Judith	Germany
Wolff	Martin	Germany
Barker	Patricia	Ireland
Byrne	Eibhlin	Ireland
Daly	Thomas	Ireland
Ní Fhágain	Órla	Ireland
Ward	Margaret	Ireland
Faccin	Ilaria	Italy
Lazzarich	Diego	Italy
Martini	Ermina	Italy
Alexander	Pieter	Netherlands
Lievense	Robbert	Netherlands
Schokkenbroek	Johanna	Netherlands
Christoffersen	Karin	Norway
Fordal	Lars Georg	Norway
Hoff	Kristin	Norway
Wessel	Nina	Norway
Krzyżanowska	Zuzanna	Poland
Marszewski	Mariusz	Poland
Ozierski	Przemyslaw	Poland
Polak-Żołądkiewicz	Magdalena	Poland
Popławski	Marcin	Poland
Ryszkowska	Marzena	Poland
Sauer	Adam	Poland
Sidorowicz	Magdalena	Poland
Wierzbicki	Andrzej	Poland
	J	

Poland **Z**biciak **Bogumił** Poland Zdaniuk Bartłomiej Ainetdinova Russian Federation Diana Aisin Russian Federation Arsen Alekseev Andrei Russian Federation Baburkin Sergey Russian Federation Baryshev Artem Russian Federation **Bedritskiv** Alexander Russian Federation Russian Federation Chizhov Vasily Degtiarev Konstantin Russian Federation Demidova Natalia Russian Federation Fedorinov Aleksandr Russian Federation **Filatov** Ivan Russian Federation Golubkova Natalia Russian Federation Russian Federation Gudkova Alena Kalashnikova Olga Russian Federation Khalyapina Russian Federation Alesya Kharitonova Maria Russian Federation Khodyreva Iulia Russian Federation Kondratovich Gleb Russian Federation Konovalova Anastasia Russian Federation Kudeneeva Yulia Russian Federation Kulbanova Irina Russian Federation Kulikov Dmitrii Russian Federation Leshchinskaia Sofia Russian Federation Merinov Vladimir Russian Federation Russian Federation Mosin Alexey Novikov Roman Russian Federation Ostashkova Tatiana Russian Federation Pritchin Stanislav Russian Federation Russian Federation Ratushniak Igor Revutskii Anton Russian Federation Sachuk Dmitrii Russian Federation Satiukova Elena Russian Federation Shaktar-ool Igor Russian Federation Shatokhina Russian Federation Larisa Shirkunov Roman Russian Federation Studenikin Aleksandr Russian Federation Russian Federation Taran Kira Telushkin Russian Federation Andrey Topolskii Aleksei Russian Federation Umrikhina Elizaveta Russian Federation Uvarov Ilia Russian Federation Verkholantseva Ksenia Russian Federation Kristofik Roman Slovakia López-Medel Bascones Jesus Spain Suarez Serrano Jose María Spain Aule Sweden Jan Roger Backlund Emma Sweden Carlberg Bengtsson Yvonne Sweden Sweden Ekstedt Carl

Sweden Hedvall Agneta Hols Lars Jonas Sweden Sweden Larserud Stina Hans Sweden Larsson Sara Lindblom Sweden Markus Tatjana Sweden Messing **Kjell** Sweden Nordin Björn Sweden Öholm Sweden Carl Sacko Nilsen Ina Sweden Svensson Jens Sweden Bosshard Michel Switzerland Egger Maldonado Barbara Switzerland Estermann Johanna Switzerland Huerlimann Maja Switzerland Störk Jürgen Switzerland Ziegler Stefan Switzerland Ekici Ufuk Türkiye **Yildirim** Seyfi Türkiye Addison Justin United Kingdom Batziou Athanasia United Kingdom Birch Jennifer United Kingdom Sherrida Carnson United Kingdom Clayton John United Kingdom Cook Deborah United Kingdom United Kingdom Corral Eva Costa Figueiredo United Kingdom Joao Cowley Madeleine United Kingdom **Fagelson** Judith United Kingdom Greider Alice United Kingdom Harris Yesim United Kingdom Harrison David United Kingdom United Kingdom Hazell Thomas Houlton Andrew United Kingdom Parmvir United Kingdom Jandu United Kingdom Jones Ben Daniel United Kingdom Lawrence United Kingdom Malik Shaama Pegler Mark United Kingdom Qureshi Murad United Kingdom Ruane Christopher United Kingdom United Kingdom Scott-Dunne Naomi Sutcliffe United Kingdom Tara-Jane **Thomas** Alice United Kingdom Uberi Mariam United Kingdom Way Philippa United Kingdom Wesson Paul United Kingdom Zmroczek United Kingdom Sally Ajdari Bujar **United States United States** Amador Jorge **United States** Banu Bogdan

Omar **United States** Bartos Belousof **United States** Eugene Bourguignon Jennifer **United States** Bows Stephen **United States** Brandt Christopher **United States** Brickner Michael **United States** Deyo Lisa **United States** Donahue Victoria **United States** Eleusizov Zamir **United States** Funcheon Gloria **United States** Gatto Thomas **United States** Ghelli Samantha **United States** Gridinsky Andrew **United States** Helgoe Barron **United States** Karppi Alexandra **United States** Kowalski Tamara **United States** Lettenev David **United States** Lindahl Hannah United States Merrill Ann **United States United States** Mitchell John Mykytyn Renata **United States** Paarlberg Michael **United States** Parkison **United States** Kathy Reynolds Bradley **United States** Schein Deborah **United States** Schneider Kimberly **United States United States** Scott Timothy Sutphin Eric **United States** Villegas Daniel **United States** Williams Audrey **United States** Yang **United States** Cana Zoubir Nadia **United States** 

## **ODIHR Long-Term Observers**

Christian Oliver Hynek Austria Svitil Pavel Czech Republic Uruba Valdemar Czech Republic Skovbo Stig Denmark Godbillon Vincent France Benedicte Williams France Haußmann Michael Germany Hötger Kati Germany Sackenheim Rudolf Germany **Boland** Ireland Mary Berardinelli Diletta Italy Erdenebat Mongolia Tsengel Van Rhijn Ruth Netherlands Paus **Nicolay** Norway Petersen Carl Norway

Vladimir Russian Federation Agronomov Bogdanova Kristina Russian Federation Diakonov Boris Russian Federation Rigin Sergei Russian Federation Buettner Gabriela Switzerland Karlen Switzerland Marie-Therese Pashkova Ukraine Nadiia **Brooks** Martin United Kingdom United States Ahn Shane **United States** Farley Stephen O'Rourke Iris **United States** 

## **ODIHR Core Team**

Wake	Douglas	United States
Shirinov Isakova	Rashad Gunel	Azerbaijan Azerbaijan
Chaliadzinski	Aliaksandr	Belarus
Rymer	Thomas	Canada
Fracassetti	Jasmina	Croatia
Ioannou	Dimitra	Greece
Tesfamariam	Pietro	Italy
Kim Bader Ryża Drózd	Marina Max Dorota Mikołaj Ignacy	Kazakhstan Netherlands Poland Poland
Gałkowski	Michał	Poland
Ovezdurdyyev	Ruslan	Turkmenistan
Taylor	Chris	United Kingdom

## **ABOUT ODIHR**

The Office for Democratic Institutions and Human Rights (ODIHR) is OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 150 staff.

ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. ODIHR implements a number of targeted assistance programmes annually, seeking to develop democratic structures.

ODIHR also assists participating States' in fulfilling their obligations to promote and protect human rights and fundamental freedoms consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas, including human rights in the fight against terrorism, enhancing the human rights protection of trafficked people, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance** and **non-discrimination**, ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website (www.osce.org/odihr).