

## INTERNATIONAL ELECTION OBSERVATION MISSION Republic of Uzbekistan – Presidential Election, 24 October 2021

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### STATEMENT OF PRELIMINARY FINDINGS AND CONCLUSIONS

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#### PRELIMINARY CONCLUSIONS

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The 24 October presidential election demonstrated that recent reforms, which have gradually introduced welcome improvements, have not yet resulted in a genuinely pluralistic environment. Remaining restrictions on fundamental freedoms and the right to stand continue to run counter to OSCE commitments. While multiple candidates contested the election, there was no meaningful engagement with each other or with voters, and candidates refrained from challenging or criticizing the incumbent. The general lack of distinction between the incumbent's campaign and official activities blurred the line between state and party. Despite some opening of the media environment, in particular online, the space for citizens to freely and fully express their opinion remains controlled. Election preparations were handled efficiently and professionally. However, while election day was peaceful, significant procedural irregularities were observed and important safeguards were often disregarded during voting, counting and tabulation.

Despite the recent improvements, the legal framework still contains a number of shortcomings and does not yet fully comply with international standards and OSCE commitments for democratic elections. The electoral legal framework was subject to extensive reforms in recent years and amendments adopted positively addressed a number of previous ODIHR recommendations. Fundamental human rights and freedoms are constitutionally guaranteed, but continue to be restricted by subordinate legislation and not implemented in practice.

The Central Election Commission (CEC) conducted its work professionally and efficiently in line with the legal deadlines, notwithstanding challenges presented by the COVID-19 pandemic. For the first time, the CEC held open sessions and published its decisions in a timely manner, thus contributing to the transparency of the electoral process. The CEC organized a comprehensive and inclusive voter awareness campaign in several languages throughout the country and well in advance of election day. Several provisions facilitating access of persons with disabilities were put in place. The central role of the traditional community structures *Mahalla* committees, since 2020 part of the government system, in the organization of the electoral process negatively impacts the ability of lower level commissions to function independently.

Some 21 million voters were registered. Voter lists were available for public scrutiny. The centralized Single Electronic Voter Register (SEVR) introduced in 2019 was updated and improved for this election. Contrary to international good practice, voters could be added to the voter lists on election day at polling stations without judicial oversight. Restrictions on the right to vote for those with intellectual and psychosocial disabilities remain, contrary to international standards.

Five party-nominated candidates contested the election, including the incumbent; one candidate was a woman. Candidate registration entails excessively strict requirements, including limitations on nominees of political parties, contrary to paragraph 7.5 of the OSCE Copenhagen Document. This along with party registration rules that are burdensome and open to arbitrary application, unduly limit the right to stand, the pluralistic environment of the election, and the range of political options which voters could choose from. Recently, two parties were denied registration as they were found by the authorities not to have met the requirements.

Despite constitutional guarantees of equality and a recent significant increase in the number of women parliamentarians, women remain generally underrepresented in public and political life. Women constituted nearly half of the lower-level commissioners, but were insufficiently engaged at the leadership level as all DEC (District Election Commissions) chairpersons were male. Although gender issues were mentioned in a number of campaign speeches, they did not feature prominently in the campaign discourse.

The campaign was low-key in all regions as well as online. Although there were five candidates, the campaign was not truly competitive as there was no direct meaningful or genuine engagement between them, and with the citizens, which limited the possibility for voters to compare and contrast their options. Campaigns focused on a range of socio-economic issues but no single topic dominated the campaign. Contrary to OSCE commitments, the distinction between the incumbent as president and as candidate was oftentimes blurred and he enjoyed the advantage of the incumbency as a candidate.

Election campaigns of political parties are financed from the state budget. All other sources of funding are prohibited, diminishing individuals' rights to freely express political support, contrary to international good practice. Campaign finance reporting obligations include a new interim report, introduced in line with prior ODIHR recommendations, and a final report to be submitted after the election. However, no parties complied with the requirement to publish the interim report. This, as well as the lack of public disclosure of campaign-related contracts and timely audit of reports undermine transparency of campaign financing.

Improvements in the media climate have paved the way for more critical reporting on local government and social issues, in particular online. However, the ODIHR EOM media monitoring noted a virtual absence of critical reporting about higher public officials and candidates. The State Television made an effort to provide candidates with similar amounts of coverage, mainly positive in tone. In covering the campaign, most monitored private media provided more coverage to the incumbent than to the other four contestants combined, with all monitored media also providing additional extensive coverage of the activities of the president. The overall restrictive legal framework for media, cases of pre-trial detention, intimidation and harassment of journalists and bloggers and an established practice of blocking websites contributed to self-censorship and further limited the amount of information and analysis available to the public.

The election dispute resolution mechanism was improved and in line with a previous ODIHR recommendation, parallel dispute resolution avenues have been eliminated. However, recent reforms remained untested in this election as no complaints were submitted to the lower-level election commissions and the courts. The CEC received only voters' requests for information. According to some ODIHR EOM interlocutors, public trust in the judiciary remains low.

Uzbekistan is a culturally diverse country with ethnic minorities comprising up to 16.2 per cent of the population. There was no ethnic minority candidate for this election. None of the candidates focused on inter-ethnic relations in their campaigns. No cases of negative rhetoric or discrimination against national minorities during the campaign were reported or observed.

Contrary to international standards and OSCE commitments, citizen election observation by civil society is not permitted, limiting transparency and public scrutiny of the electoral process. The authorities accredited 966 international observers.

On election day, observers negatively assessed the voting process in 11 per cent of the visited polling stations. Although peaceful and orderly with a reported turnout of 80.8 per cent, the process was impacted by significant irregularities as large numbers of voters were registered on election day without safeguards, voted without identification documents or on behalf of others. In multiple polling stations

observed, indications of ballot box stuffing were also reported. Counting procedures were often not followed and the figures in the result protocols did not reconcile in many polling stations observed. The tabulation process was assessed negatively in nearly half of the DEC's visited, and observers noted that some result protocols were completed only at the DEC premises or corrected without a formal DEC decision.

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## PRELIMINARY FINDINGS

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### Background and Political Context

On 23 July, the CEC adopted a resolution to hold the presidential election on 24 October 2021.<sup>1</sup> The election took place against the backdrop of continued reforms in the social, political and economic spheres initiated by President Shavkat Mirziyoyev under his 2017-2021 Development Strategy, referred to in the wider political discourse as “New Uzbekistan”. It was held during continuing COVID-19 pandemic measures and following recent instability in neighbouring Afghanistan.

Uzbekistan has a strong presidential system, in which the Head of State shares legislative powers with parliament through the issuing of binding decrees, resolutions and ordinances. Furthermore, the president plays a key role in the appointment of the Prosecutor General, Chairperson of the State Security Service and other high-ranking officials and judges.

The political landscape is unchanged since January 2019 when the most recent party, the Ecological Party of Uzbekistan (EPU), was registered by the Ministry of Justice (MoJ). The five registered political parties are all represented in the legislative chamber of the parliament (*Oliy Majlis*) and each nominated a presidential candidate.<sup>2</sup> A speech by the president at the United Nations Human Rights Council, which Uzbekistan had been elected to in October 2020, was seen by some as a further move towards a more pluralistic and competitive political sphere.<sup>3</sup> Nevertheless, none of the parties can be considered as in opposition to the president's policies and no party has proposed an agenda distinct to his. No new political party was registered ahead of this election. In 2021, the MoJ denied registration of both the Social Democratic Party Truth and Progress, and the Peoples' Interests, due to not meeting the requirements for party registration.<sup>4</sup> This lack of genuine competition, combined with the burdensome requirements for party registration,<sup>5</sup> challenge the pluralistic nature of the political environment in which the election is taking place in contravention to paragraphs 3 and 7.6 of the 1990 OSCE Copenhagen Document.<sup>6</sup>

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<sup>1</sup> Prior to a recent constitutional change, the elections had been scheduled for December.

<sup>2</sup> Liberal Democratic Party of Uzbekistan (LDPU), Democratic Party of Uzbekistan (DPU) *Milliy Tiklanish*, People's Democratic Party of Uzbekistan (PDP), Social Democratic Party of Uzbekistan (SDPU) *Adolat*, and Ecological Party of Uzbekistan (EPU).

<sup>3</sup> President outlined intended reforms which he said would also be aimed at “ensuring fundamental human rights and freedoms through the development of civil society institutions and greater respect for freedom of speech”. (President Mirziyoyev's [speech](#) at the United Nations Human Rights Council, 22 February 2021).

<sup>4</sup> The MoJ informed the ODIHR EOM that neither party submitted sufficient number of signatures. The leader of the Social Democratic Party Truth and Progress, Khidirnazar Allakulov, informed the ODIHR EOM about alleged provocations during the registration process and physical harm done to some family and party members. Other aspiring candidates the ODIHR EOM met with, Jahongir Otajonov (Erk Democratic Party), and Aleksey Garshin (Free Motherland) decided not to participate in the presidential contest after complaining about intimidation.

<sup>5</sup> See *Candidate and Party Registration* section.

<sup>6</sup> In Paragraph 3 of the [1990 OSCE Copenhagen Document](#), the OSCE participating States recognized “the importance of pluralism with regard to political organizations”. Paragraph 7.6 refers to “the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations”. See also articles 4 and 27 of the 1996 United Nations Human Rights Committee [General Comment \(General Comment\) No. 25 to the 1966 International Covenant on Civil and Political Rights](#) (ICCPR).

Although the number of women in the legislative chamber of the parliament doubled from 16 to 32 per cent in the 2019 parliamentary elections, women remain underrepresented in public life.<sup>7</sup> Only 1 out of 24 ministers in the current government is a woman and all governors (*Hokims*) are men.

## Electoral System and Legal Framework

The president is directly elected for a five-year term from a single nationwide constituency. Where there are more than two candidates, a candidate needs a majority of all votes cast to be elected; if this is not achieved, a second round is organized within one month among the two leading candidates, but not earlier than 15 days after the election. The turnout requirement of 33 per cent of all registered voters applies only to the first round. The Constitution limits the term of office to two consecutive terms.

The election-related legal framework consists of the 1992 Constitution, the 2019 Election Code, 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 legal framework underwent a process of reform: all election-related laws, including the Constitution and the Election Code, were amended in 2021.<sup>8</sup>

Despite improvements, the legal framework maintains a number of shortcomings and is not fully consistent with international standards and OSCE commitments pertaining to democratic elections. Recent amendments addressed some prior ODIHR recommendations, including relaxation of procedures for organizing campaign events, prohibition of campaigning by some civil servants, introduction of interim campaign finance reporting, and elimination of alternative fora for dispute resolution.<sup>9</sup> Some long-standing ODIHR recommendations remain unaddressed, including on limitations on suffrage rights, lack of provisions for independent candidacy and alternative sources of campaign financing.<sup>10</sup> The primary legislation retains wide formulations, which necessitated vast supplementary regulation by the CEC. This gives undue regulatory influence to the CEC.<sup>11</sup> Further, some ambiguities and gaps remain in the legislation.<sup>12</sup>

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<sup>7</sup> The 2020 UN Human Rights Council in its [Concluding observations on the fifth periodic report of Uzbekistan](#) (paragraphs 12 and 13), noted that it remained “concerned by the persistent inequalities between women and men, including in employment, political and public life. In this respect, it is concerned at the continued low representation of women in the judiciary, the legislative and the executive bodies, especially in high-level decision-making positions”.

<sup>8</sup> Besides the election-related legal framework, recent amendments concerned, *inter alia*, the anti-corruption system, the legislative process, the judiciary, public administration, and local self-governance.

<sup>9</sup> Other changes relate to restructuring and enlarging lower-level election commissions, out-of-country voting, publication of results and other technical aspects of the electoral process.

<sup>10</sup> See paragraphs 7.3 and 7.5 of the [1990 OSCE Copenhagen Document](#) and Article 25 (b) of the ICCPR, as well as paragraph 15 of the General Comment No. 25 to the ICCPR. See also paragraph 24 of the [1990 OSCE Copenhagen Document](#) and paragraph I.1.1.1.d.iii. of the [2002 Code of Good Practice in Electoral Matters](#) that require compliance of limitations on, *inter alia*, the right to stand to the proportionality principle. See also ODIHR and Venice Commission [Joint Guidelines on Political Party Regulation 2nd Edition](#).

<sup>11</sup> See *Election Administration* section. See paragraph II.3.3.f of the [2002 Code of Good Practice](#).

<sup>12</sup> The law does not detail, *inter alia*, some procedures for candidate nomination and registration, conditions for campaigning, deadlines for campaign finance reporting, procedures for withdrawal of candidates, and coalitions of political parties.

Constitutionally guaranteed fundamental human rights and freedoms, including of speech and association, continue to be restricted by subordinate legislation.<sup>13</sup> Extremism is broadly defined, allowing discretionary interpretation and application.<sup>14</sup> Criminal and administrative laws prohibit and penalize unregistered associations and peaceful assemblies organized or conducted in violation of legally prescribed procedures.<sup>15</sup> In 2021, constitutional amendments rescheduled the presidential election.<sup>16</sup>

## Election Administration

The election was administered by the permanent Central Election Commission (CEC), 14 temporary District Elections Commissions (DECs) and 10,761 temporary Precinct Election Commissions (PECs).<sup>17</sup> The CEC conducted its work in a professional and efficient way, meeting all legal deadlines. The decisions of the CEC were made in an open manner in public sessions, streamed online and promptly published on the commission's website, enhancing transparency. The CEC also conducted regular live video conferences with the DECs. The CEC has wide regulatory powers and issued a number of resolutions, including on central aspects of the electoral process.<sup>18</sup> Voting material, including for early voting, as well as other equipment was provided to PECs on time.<sup>19</sup>

CEC members are appointed by the Oliy Majlis upon recommendations of regional assemblies. The CEC appoints DEC members upon nominations from regional assemblies and DECs in turn appoint PECs based mostly on proposals from *Mahalla* committees. PEC members may not be members of political parties nor be related to any of the candidates. Out of 266 DEC members, 39 per cent (or 104) were women, though there were no female DEC chairpersons.<sup>20</sup> Some 54 per cent of the total of 142,044 PEC members were women and 45 per cent of PECs were chaired by a woman.

ODIHR observers generally found that the DECs operated openly, were fully equipped and sufficiently staffed, and polling stations were ready well ahead of election day. Nevertheless, the observers noted

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<sup>13</sup> See the [2020 UN Human Rights Committee Concluding observations on the fifth periodic report of Uzbekistan](#), in particular paragraphs 20, 44, 46, 48 and 50 for the assessment of legal restrictions on fundamental freedoms. Paragraph 25 of General Comment No. 25 to the ICCPR states that “[the] full enjoyment of rights protected by article 25, [...] requires the full enjoyment and respect for the rights guaranteed in articles 19, 21 and 22 of the Covenant, including freedom to engage in political activity individually or through political parties and other organizations, freedom to debate public affairs, to hold peaceful demonstrations and meetings, to criticize and oppose, to publish political material, to campaign for election and to advertise political ideas”. See also *Candidate and Party Registration* and *Media* sections.

<sup>14</sup> See the [2020 UN Human Rights Committee Concluding observations on the fifth periodic report of Uzbekistan](#). See also the 2020 Venice Commission and [ODIHR Joint Opinion on Draft Law on Freedom of Conscience and Religious Organizations](#).

<sup>15</sup> Decree of the Cabinet of Ministers No. 205 of 29 July 2014 requires authorization for organizing public assemblies. Criminal sanctions are applicable for a repeated violation of the rules for organizing public assemblies that had entailed administrative liability, and is punishable with up to three years of imprisonment (Article 217 of the Criminal Code).

<sup>16</sup> In February 2021, the parliament rescheduled the election from December to October through a constitutional amendment. Constitutional amendments are adopted by at least two thirds of each chamber of the parliament, or a referendum.

<sup>17</sup> DECs were set up by 14 August and PECs by 28 August, including 327 special PECs in hospitals, nursing homes, other medical facilities (165), military units and schools (143), detention centers (12) and prisons (8). An additional 54 polling stations were set up for voters abroad.

<sup>18</sup> The CEC adopted some 17 resolutions for this election. These related *inter alia* to election campaigning, candidate registration, campaign financing and reporting. Some resolutions were adopted or amended as late as July-August 2021. See paragraph II.3.3.f of the [2002 Code of Good Practice](#).

<sup>19</sup> Early voting took place from 14 to 20 October at PECs. Voters were allowed to cast their ballot in an envelope which was sealed and stored in a safe.

<sup>20</sup> The highest number of women was in DEC Namangan (53 per cent). This is followed by the DEC of the Republic of Karakalpakstan (47 per cent) and Andijan and Ferghana DECs with 43 per cent of women among their members.

inconsistencies with PEC formation throughout the country, with informal and unclear criteria applied when nominating PEC members.<sup>21</sup>

At the local level, *Mahalla* committees played a central role in the electoral process including in nomination and formation of PECs, setting up PEC premises, compilation and verification of voter list data, facilitation of candidate's campaigns, voter education as well as election observation. The extensive involvement of *Mahallas* in almost all stages of the electoral process negatively impacts the independence of lower level election commissions from state structures.<sup>22</sup>

The CEC held cascade training sessions between May and August both in person and online. According to ODIHR EOM interlocutors, the format, length and schedule of training sessions was not uniform; furthermore they took place too far in advance of the election day. For election day, the CEC prepared a detailed COVID-19 protocol and put in place measures to facilitate access of persons with different types of disabilities to voting in all polling stations, including the possibility of assisted voting by a person of choice and provision of access ramps, voting booths adapted for wheelchairs, Braille ballot sleeves and magnifying glasses.

The CEC organized a comprehensive and inclusive voter education campaign in a variety of formats that was promoted throughout the country and well in advance of election day. The CEC put in place a telephone info-line and messenger and social network channels, allowing voters to ask questions which were answered in real-time. The CEC in cooperation with media outlets launched an interactive web-portal and mobile application with the geolocation data of all polling stations and the Ministry for Development of Information Technologies and Communications (MDITC) bot gave voters directions to the nearest polling station.

## Voter Registration

All citizens aged 18 years or more have the right to vote, with the exception of prisoners serving sentences for grave crimes as well as citizens incapacitated by a court ruling, including on the basis of intellectual and psychosocial disability, which is at odds with OSCE commitments and international standards.<sup>23</sup> Uzbekistan uses a passive system for registering voters based on permanent or temporary residence. Eligible citizens are automatically added based on continuously updated data from the country's civil registry. The central Single Electronic Voter Register (SEVR) unified extracts of data

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<sup>21</sup> The criteria for selection included *inter alia* reputation, life experience, trustworthiness, "moral standards" of the nominees or experience from previous elections.

<sup>22</sup> *Mahallas* are Uzbek community structures involved in numerous aspects of citizens' everyday life. According to the 1999 Law on the Institutions of Self-Government (revised in 2013), they, among others, provide financial assistance and advice on marriage, facilitate the timely collection of taxes, assist law enforcement agencies in maintaining public order and safety, and act as a guarantor for loans by business entities. Although remaining formally independent, in 2020, as a result of the local self-governance reform, initiated by the president, *Mahallas* were de facto integrated into newly established central and local governmental structures composed of regional departments of *Mahallas*, subordinate to the new Ministry for the Support of Mahallas and Family. Paragraph 20 of the General Comment No. 25 to the ICCPR requires that "[a]n independent electoral authority should be established to supervise the electoral process and to ensure that it is conducted fairly, impartially and in accordance with established laws which are compatible with the Covenant". The States parties to the 2002 CIS Convention committed themselves "to ensure establishment of independent, impartial electoral bodies to organise the conduct of democratic free and fair, authentic and periodical elections". Section II.3.1.b of the [Venice Commission's 2002 Code of Good Practice in Electoral Matters](#) states "Where there is no longstanding tradition of administrative authorities' independence from those holding political power, independent, impartial electoral commissions must be set up at all levels, from the national level to polling station level".

<sup>23</sup> See Articles 12 and 29 of the 2006 UN Convention on the Rights of Persons with Disabilities (CRPD). See also paragraph 9.4 of the 2013 CRPD Committee's Communication No. 4/2011, which states that Article 29 does not foresee any reasonable restriction, nor does it allow any exception for any group of persons with disabilities.

from different databases of several government agencies and ministries.<sup>24</sup> Ahead of this election, synchronization of data allowing for updates in real time further improved the register.

Between March and May 2021, the SEVR was updated based on data collected in a door-to-door exercise conducted by different state institutions, including ministries and *Mahalla* committees. The preliminary SEVR had 21,266,011 registered voters and was disaggregated into voter lists (VLs) for each PEC. The PECs received electronic access to their respective voter lists by 15 September and were responsible for verifying the accuracy of the data through door-to-door activities. ODIHR observers around the country reported that *Mahalla* committees were also actively involved in this process.<sup>25</sup> Voters also had the opportunity to check and update their data, in person and online, as well as to verify the full voter list for a given polling station.<sup>26</sup> This included the possibility for voters to change their polling station.<sup>27</sup> Changes to the voter lists are not permitted within five days of the election.

Contrary to prior ODIHR recommendations and international good practice, eligible voters not on a voter list but included in the SEVR could be added by the relevant PEC to the voter list on election day, without judicial procedure or control.<sup>28</sup> Notwithstanding this shortcoming that potentially allows for multiple entries, ODIHR EOM interlocutors did not express concerns regarding the accuracy and integrity of the voter lists.

### Candidate and Party Registration

The right to be elected is reserved for citizens of at least 35 years of age with full proficiency in the Uzbek language and that have resided in the country for at least 10 years prior to election day. Criteria regarding the length of residency are not in line with international obligations and standards.<sup>29</sup> The right to stand also excludes individuals incapacitated by the court, convicted prisoners, those with an unexpunged criminal record for intentional crimes, and clergy. Independent candidates are not allowed to run.<sup>30</sup> These excessive restrictions on the right to stand run counter to international standards.

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<sup>24</sup> The CEC has oversight of the SEVR, which was created ahead of the 2019 parliamentary elections. The SEVR is operated and maintained by the MDITC.

<sup>25</sup> Some ODIHR observers noted that during door-to-door verification of VLs voters were repeatedly asked if they were going to cast their vote on election day. One PEC in Andijan informed ODIHR observers that voters who have not yet voted would be contacted on an hourly basis on election day by the PEC.

<sup>26</sup> The PECs' VL verification took place between 15 September and 9 October. Afterwards, VLs were exhibited at the polling stations for public scrutiny; applications for corrections could be filed until 19 October.

<sup>27</sup> Voters could change the residence address or indicate election day presence other than in their regular residence. Their record would then be automatically moved from their regular voting location and included at the new polling station of their choice. The CEC informed ODIHR EOM that some 4,300 such requests were received and processed.

<sup>28</sup> Voters can be added to an annex to the main VL based on their identification and proof of residence. According to section I.1.2.iv of the Venice Commission's 2002 Code of Good Practice in Electoral Matters, "polling stations should not be permitted to register voters on election day itself".

<sup>29</sup> Paragraph 15 of the [General Comment 25 to the ICCPR](#) confirms that "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". Article 2.b of the 2002 CIS Convention states that "The right of a citizen to elect and be elected ... shall be given effect without any limitations of discriminatory nature on the basis of gender, language, religion or faith, political or other beliefs..." See also paragraph 24 of the 1990 OSCE Copenhagen Document, which provides that any restrictions on rights must be "strictly proportionate to the aim of the law". See also paragraph I.1.1.d.iii. of the Code of Good Practice, which states that the proportionality principle must be observed when depriving an individual of the right to be elected.

<sup>30</sup> Paragraph 7.5 of the [1990 OSCE Copenhagen Document](#) prescribes that "the participating States will: respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination." Article 25 (b) of the ICCPR states that "Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (b) To vote and to be elected".

On 15 September, the CEC registered five presidential candidates, four men and one woman, each nominated by one of the five registered political parties: Bahrom Abduhalimov (SDPU), Alisher Kadirov (DPU), Shavkat Mirziyoyev (LDPU), Narzullo Oblomurodov (EPU) and Maksuda Varisova (PDPU). All candidates collected the requisite number of signatures and in line with international good practice voters could support more than one candidate.<sup>31</sup>

The requirements for political party registration remain burdensome and open to arbitrary application.<sup>32</sup> To register a party, a 50-member interim board has to be established. The board has 3 months to collect 20,000 supporting signatures from citizens residing in at least 8 of 14 regions and apply to the MoJ with the statutory documents approved by the constitutive assembly.<sup>33</sup> Only parties registered at least seven months prior to the election are eligible to nominate a candidate. Party registration and candidate nomination is thus subject to unreasonable restrictions to the right to participate in public affairs contrary to international standards and OSCE commitments.<sup>34</sup>

## Campaign Environment

The election campaign officially started on 20 September and ended on 22 October at midnight. The silence period the day before and on election day was respected by all contestants. The COVID-19 pandemic and related measures did not prevent campaigning.

The campaign was low-key in all regions and lacked a genuine competitive nature. There was no direct meaningful engagement between the candidates or their campaigns, and the possibility of debates between the candidates, provided for in law, was not utilized. Although candidates highlighted particular aspects of their own programmes, the incumbent did not face significant opposition from the other four contestants and no candidate convincingly challenged or spoke critically about the president's policies.

Campaigning was conducted at the community and district level, via candidate proxies, regional and district party representatives as well as party youth activists. Each candidate nominated the maximum number of 15 "trusted representatives" (proxies) who assisted with the campaign, represented the candidate's interests, and campaigned on behalf of the candidate in each region. The proxies were registered by the CEC; of the 75 registered proxies, 14 were women. On social networks, proxies were the most visible campaigners in their respective regions.<sup>35</sup>

All candidates and party representatives met by the ODIHR EOM highlighted equal campaigning conditions, including for the production and distribution of campaign materials, organization of

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<sup>31</sup> Some 200,000 signatures (1 per cent of the electorate) were required. The CEC established an expert group for authentication of the submitted signatures, which conducted sample checks.

<sup>32</sup> The Law on Political Parties provides that registration may be denied if a party's charter, objectives or methods contradict the Constitution or [unspecified] legislative acts. ODIHR and Venice Commission Guidelines on Political Party Regulation recommend that "grounds for denying a party's registration must be clearly stated in law and based on objective criteria".

<sup>33</sup> The MoJ has one month to decide on the application and may deny registration on a broad set of reasons. The application may be re-submitted within one month. The Supreme Court reviews complaints against denials of registration. Paragraph 88 of the ODIHR and Venice Commission [Joint Guidelines on Political Party Regulation 2nd Edition](#) states that the "Deadlines that are overly long constitute unreasonable barriers to party registration and participation".

<sup>34</sup> See paragraph 7.6 of the OSCE Copenhagen Document and paragraph 25 of General Comment 25 on article 25 of the ICCPR. See also the 2020 UN Human Rights Committee [Concluding observations on the fifth periodic report of Uzbekistan](#), in particular paragraphs 50 and 51.

<sup>35</sup> ODIHR EOM social network observation of countrywide campaign events showed that meetings with voters were mostly conducted by proxies (70 per cent), followed by party representatives (18 per cent) and the candidates (12 per cent). Proxies of the LDPU and SDPU were the most active. The LDPU conducted the highest number of campaign events, followed by SDPU, EPU, PDPU and DPU.

meetings with voters, and access to free airtime and print space in media. While there was no regulation for the type, form or method of campaigning, campaign materials were strikingly similar. Each party distributed a variety of traditional campaign materials. Billboards across the country displayed images of all candidates. Other billboards showed the incumbent in his role as president.<sup>36</sup>

Larger indoor events were also organized and mostly led by candidates themselves.<sup>37</sup> All five candidates held similar campaign events, directed at preselected audiences of their own supporters. Attendance at observed campaign events was generally balanced between men and women, while the majority of speakers were men.<sup>38</sup> Despite declared commitments to women's rights and some discussion, gender issues did not feature prominently in campaign discourse. As noted by ODIHR EOM long-term observers, meetings with voters took place in an overall choreographed setting, included long speeches and presentations of campaign videos. Following amendments to the election law, DEC's no longer had to facilitate meetings of candidates with voters. Following a prior ODIHR recommendation, the previous system of authorization of public campaign events was altered to notification of local authorities three days in advance of holding of the event.

Campaign platforms focused on the improvement of the socio-economic situation and poverty reduction, public services, healthcare, education, justice, the ecological system, food security, youth unemployment and job creation, as well as provision of uninterrupted electricity supply and water management. No single issue dominated the campaign.

Almost half of the campaign events observed by ODIHR observers were accessible for people with disabilities. In a few meetings with voters sign language was provided, including via video link. Three candidates had provisions for improvements for persons with disabilities as part of their social protection programme.<sup>39</sup>

Recent improvements to the legal framework prohibit the misuse of administrative resources, including involvement of state officials in campaigning. Nevertheless, the safeguards against misuse of administrative resources and advantages of incumbency are not yet sufficient and do not ensure a level playing field.<sup>40</sup> Further, the law allows for the use free-of-charge of resources from public institutions, associations, enterprises and *Mahalla* committees for campaign purposes, available upon request and without limits.<sup>41</sup> Without proper safeguards, this is potentially open to abuse. The president enjoyed a significant advantage of incumbency, with his visits to various regions merging both campaign and

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<sup>36</sup> For example, the ODIHR EOM observed such billboards in Parkent district, Tashkent region, with scenes from the recent state visit of the President of Turkmenistan.

<sup>37</sup> The ODIHR EOM observed 86 campaign events across the country. According to ODIHR EOM observations countrywide, COVID-19 measures were respected (46 per cent), partly respected (31 per cent) and not respected at all (23 per cent)

<sup>38</sup> According to ODIHR EOM observations countrywide, 47 per cent of campaign event attendees were women, whilst only 28 per cent of speakers at rallies were women.

<sup>39</sup> The LDPU candidate suggested increasing the employment of persons with disabilities (PWD) threefold. The SDPU candidate aimed to support women with disabilities. The PDPU highlighted support for PWD throughout their manifesto, including in the spheres of legislation, healthcare, social protection, housing, etc.

<sup>40</sup> Drafts of the amendments to the Election Code included a more comprehensive set of measures against misuse of administrative resources, including a prohibition on the use of public premises and recruitment of subordinates for campaigning by public officials, which were not adopted. See 2016 OSCE and Venice Commission [Joint Guidelines](#) for Preventing and Responding to the Misuse of Administrative Resources during Electoral Process.

<sup>41</sup> This includes premises, equipment, and the use of public transport for free by candidates. See paragraphs 251-253 of the [2020 OSCE ODIHR and Venice Commission Joint Guidelines on Political Party Regulation](#).

official duties and benefiting from extensive media coverage.<sup>42</sup> Prominent billboard ads celebrating 30 years of independence promoted the incumbent widely. All social network channels of the LDPU candidate were run by the official president's press service. Such practices blurred the line between state and party activities contrary to paragraph 5.4 of the 1990 OSCE Copenhagen Document.<sup>43</sup>

Digital campaigning was used by all candidates.<sup>44</sup> Social networks of candidates and political parties mostly promoted their candidate's manifestos and shared images of meetings with voters. The response to the majority of posts was low-key with almost no discussion between viewers; postings did not generate much engagement with voters. The general tone was respectful and neutral.

## Campaign Finance

Campaign finance is regulated by the Election Code and the Law on Financing of Political Parties. CEC regulations further elaborate the legal provisions, including the determination of reporting deadlines and templates, the requirements to return private campaign donations, as well as allowing for parties to prepay their election-related expenditures from party funds subject to compensation from state campaign funds.

All expenses related to the election campaigns of political parties are financed from the state budget in the amounts determined by the CEC. In 2021, a total of UZS 15.5 billion (EUR 1.25 million) was allocated for election campaign expenses, and each of the five political parties nominating a candidate received some UZS 3.1 billion (EUR 250,740).<sup>45</sup> Unused campaign funds shall be returned to the state budget after the election. Other sources of funding for campaigns, including funds of political parties and candidates, and private monetary or in-kind donations, are prohibited, diminishing individuals' rights to freely express support, contrary to international good practice.<sup>46</sup> Notwithstanding the legal prohibitions, the ODIHR EOM was informed that local authorities requested private companies to provide free of charge services for the campaign.<sup>47</sup>

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<sup>42</sup> ODIHR observers reported significant additional logistical support for events attended by the president, including security, transport, visibility and attendance of high-level officials. This was observed among others in Ferghana, Andijan, Syrdarya, Bukhara, Tashkent and Jizzakh regions on 28 September, 29 September, 7 October, 12 October, 6 October and 21 October respectively. By law, candidates may use public transport for free. The incumbent used the plane and helicopter provided for him in his capacity as president.

<sup>43</sup> Paragraph 5.4 of the [1990 OSCE Copenhagen Document](#) mandates "a clear separation between the State and political parties; in particular, political parties will not be merged with the State". See also the [2020 OSCE ODIHR and Venice Commission Joint Guidelines on Political Party Regulation](#).

<sup>44</sup> Since the start of the campaign, the ODIHR EOM has been following the online activities of candidates and their political parties on Telegram and the social networks YouTube, Facebook and Instagram. Of all party channels, the LDPU had the highest number of "likes" and viewers. The social network presence of the five candidates varied. Whilst the PDPU candidate was absent on Instagram, Facebook, YouTube and Telegram, the LDPU and SDPU candidates were present on all of them. The LDPU candidate had by far the most followers (on Instagram 3.6 million) compared to the second highest number of the DPU candidate (on Telegram 25,000). The EPU (Instagram, Telegram) and DPU (Instagram, Facebook, Telegram) candidates had a select social network presence.

<sup>45</sup> The CEC transferred campaign funds to the accounts of political parties within one working day after the registration of the party's candidate.

<sup>46</sup> See paragraphs 204 and 209 of the [2020 OSCE ODIHR and Venice Commission Joint Guidelines on Political Party Regulation](#) which reiterate that "[f]unding of political parties is a form of political participation, and it is appropriate for parties to seek private financial contributions" and that "all individuals should have the right to freely express their support for a political party of their choice through financial and in-kind contributions".

<sup>47</sup> ODIHR EOM was informed that the advertising companies and owners of billboards and LED screens around the country were required to provide their equipment free-of-charge to display campaign ads and voter education materials, causing the average loss of 15 per cent of daily advertising time per customer. Such instances were observed in Tashkent and Tashkent region, Bukhara, Khiva, and Samarkand. In some instances, free campaign advertising was contracted as social advertising, under the Law on Advertisement.

Following a prior ODIHR recommendation, campaign finance reporting obligations include a new interim report to the CEC due five days prior to election day, and a final report to be submitted within 20 days after the announcement of the election results. Both reports shall contain information about expenditure of funds for campaign purposes and be published on the websites of the political parties and in print media. None of the parties complied with the requirement to publish their interim reports, and the CEC did not provide information whether the reports were submitted. The transparency of campaign financing is however, hampered by the lack of obligation to disclose contract conditions and financial documentation along with the financial reports. The Chamber of Accounts conducts only an *ex post* financial audit due in the beginning of the next calendar year. In line with a previous ODIHR recommendation, the results of the audit shall be published.<sup>48</sup>

## Media

The Uzbek media environment is characterized by a large number of state-owned media outlets competing with private media in a small, yet developing advertising market.<sup>49</sup> Improvements in the media climate have paved the way for more critical reporting on local government and social issues, especially in online media and on social networks. However, ODIHR EOM media monitoring found a virtual absence of critical reporting about higher level public officials and candidates.<sup>50</sup> ODIHR interlocutors noted systematic improvements in communications from national and local governments with the media through the development of press-services which now host regular press conferences. Nevertheless, some interlocutors complained about a selective approach by public institutions in providing information, as well as a virtual absence of detailed information on public spending.

The Constitution provides for freedom of speech and prohibits censorship, yet media are held legally accountable for published information, including third party content and user-generated comments, and are required to obtain pre-approval for publications on religious matters.<sup>51</sup> Although the December 2020 amendments to the Criminal Code removed imprisonment as a penalty for defamation and insult, they still remain a criminal offence, punishable with fines, corrective labour or limitation of freedom, contrary to international standards.<sup>52</sup> Furthermore, criminal prosecution for defamation and insult of the president was expanded to online media and social networks.<sup>53</sup> Journalists and bloggers also face

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<sup>48</sup> Parties must also submit annual financial reports to the legislative chamber of the *Oliy Majlis*, the MoJ, the Ministry of Finance and the Tax Committee.

<sup>49</sup> According to the media regulator, a total of 736 state and 1,180 private media outlets operate in Uzbekistan. The media seller International Media Service [estimated](#) (link in Russian) the total advertising market for 2020 as some EUR 42,000,000.

<sup>50</sup> Coverage of Mr. Kadirov's idea to introduce additional taxes on Uzbek migrant workers drew notable criticism from other candidates, media and bloggers, but this is one of a few notable exceptions. During the official campaign period ODIHR EOM monitored the prime time coverage of six TV stations and six websites. TV: *O'zbekiston* (state-owned), *O'zbekiston 24* (state-owned), *MY5*, *Sevimli*, *UzReport*, *ZO'R TV*. Websites: *Daryo.uz*, *Gazeta.uz*, *Kun.uz*, *Podrobno.uz*, *Qalampir.uz*, *Repost.uz*.

<sup>51</sup> On 13 July, blogger Fozilhodzha Arifhodzhaev was arrested and is facing charges for promoting ideas of Islamic fundamentalism after he shared a post of another blogger on Facebook about whether a Muslim may congratulate non-Muslims on non-Islamic holidays.

<sup>52</sup> Paragraph 47 of the CCPR [General Comment No 34](#) to the ICCPR notes that "States parties should consider the decriminalization of defamation and, in any case, the application of the criminal law should only be countenanced in the most serious of cases and imprisonment is never an appropriate penalty".

<sup>53</sup> The Criminal Code does not provide a clear definition of "insulting the dignity" and is usually determined by a linguistic analysis. On 19 April 2021, the State Security Service [initiated](#) (link in Russian) a criminal case against blogger Validjon Kalanov for insulting the president. The joint declaration by the UN Special Rapporteur on Freedom of Opinion and Expression and the OSCE Representative on Freedom of the Media "[Current Challenges to Media Freedom](#)" (pages 22-23) call on the state to consider "the repeal of criminal defamation laws in favour of civil laws" and to repeal "laws which provide special protection for public figures". Strengthened sanctions for some actions targeting officials, including insult of the president, *de facto* extended imprisonment for slander-related offences from 3 to 5 years.

penalties for “insulting the dignity of citizens”, and for dissemination of false information, including criminal prosecution for spreading panic and for publishing false information about the spread of dangerous infectious diseases. The legal framework is therefore still restrictive, and along with cases of intimidation and harassment of journalists and bloggers, limits the space for independent reporting, and results in widespread self-censorship.<sup>54</sup>

Although access to a number of previously blocked websites of local and international media outlets and human rights organizations was positively restored in 2019, many still remain inaccessible throughout the country,<sup>55</sup> contrary to international standards.<sup>56</sup> The media regulator, the Agency of Information and Mass Communications, overseen by the presidential administration, is tasked with maintaining a register of blocked websites; however, it is not publicly available and was not provided to the ODIHR EOM upon official request. Furthermore, since 2 July, access to the social networks Twitter, TikTok and VKontakte as well as to instant messengers Skype and WeChat has been throttled.<sup>57</sup>

The Election Code provides only a general framework for media conduct during the campaign. It was further elaborated by a CEC resolution adopted in April 2021. The national state television and newspapers complied with their legal obligations to provide each contestant with complimentary 3.5 hours on each of five TV channels of the National TV and Radio Company (NTRC) and weekly space in national print media.<sup>58</sup> The CEC in its resolution also allotted extensive time and space to the contestants on 13 regional TV stations and in 26 regional newspapers.

The CEC required the five national state television stations to reserve time for debates among the contestants on every Saturday during the campaign period; however, no such debates took place, which was a missed opportunity for the voters to see contestants involved in a live discussion. During the election week, candidate representatives participated in two pre-recorded debates, answering the questions from the host, with very limited engagement between each other.

The ODIHR EOM media monitoring of six main TV stations concluded that two NTRC channels, *O'zbekiston* and *O'zbekiston 24*, made an effort to provide all five political parties and their nominated contestants with similar amounts of politically relevant coverage in their prime-time newscasts, between 11 and 14 per cent, which was predominantly positive in tone. Contrary to their legal obligations, private TV stations *MY5*, *Sevimli* and *UzReport*, focused on the activities of Mr. Mirziyoyev in their coverage of the contestants.<sup>59</sup> On all three stations the incumbent received more prime-time news coverage, 34, 39 and 93 minutes respectively, mainly positive in tone, while the other four contestants combined

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<sup>54</sup> In particular, blogger Otabek Sattoriy, who was reporting on alleged illegal construction, was sentenced to 6.5 years for extortion and libel in 2021. Blogger Miraziz Bazarov, who was advocating for LGBT rights, was severely beaten in March, and is under house arrest since April, prohibited from communicating online or in person, facing libel charges. Blogger Dadakhon Khaidarov, who was critical of the local governor of the region, was taken by the police in August 2020 and detained for 10 days for organizing civil disorder, yet was released without formally facing charges, according to media [reports](#) (link in Russian).

<sup>55</sup> The ODIHR EOM identified over 60 websites of local and international media outlets, services and human rights organizations that were inaccessible throughout the campaign. Some of these website managers informed ODIHR observers that they were not formally notified by Uzbek authorities of any access limitations.

<sup>56</sup> Paragraph 43 of the CCPR [General Comment No 34](#) to the ICCPR notes that any restrictions of any internet websites should not violate freedom of expression, and that “permissible restrictions generally should be content-specific” while “generic bans on the operation of certain sites and systems” are not compatible with the principle of freedom of expression.

<sup>57</sup> On 2 July, the communication supervisory body UzKomNazorat [announced](#) (link in Russian) access limitations to five networks that did not [comply](#) with the January 2021 amendments to the Law on Protection of Personal Data. The law required internet services to store data on Uzbek users on servers within the country.

<sup>58</sup> The NTRC also aired 30 second advertisement spots of every contestant on 5 television channels, 4 times per day, each day of the campaign.

<sup>59</sup> A CEC Resolution required all the media to provide equal coverage of the contestants.

received 23, 15 and 70 minutes of mainly positive coverage. *ZO'R TV* chose to refrain from any coverage of the contestants.

In all online media monitored by the ODIHR EOM, Mr. Mirziyoyev in his capacity as a candidate received more coverage than all other contestants combined. All monitored media also provided extensive coverage of the activities of Mr. Mirziyoyev, including his regional trips. While coverage of a candidate performing his official duties is not considered as campaigning according to a CEC resolution, monitored media often did not create a clear distinction between the president in his official capacity and as a candidate.

## Complaints and Appeals

Recent amendments to the legal framework for election disputes have improved guarantees of effective remedies. The 2021 amendments to the Election Code eliminated parallel avenues for election-related disputes, addressing a prior ODIHR recommendation, and shortened the procedural deadlines. Further, in April 2021, following the adoption of the new Law on the Constitutional Court, individuals and legal entities have the right to directly request the Constitutional Court to examine the constitutionality of legal acts that allegedly violate their constitutional rights, after all other legal remedies have been exhausted. While some ODIHR EOM interlocutors highlighted improvements in judicial training and public recruitment notices, some others expressed that a lack of transparency, particularly in judicial employment and limits in institutional independence continue to diminish public trust in the judiciary.<sup>60</sup>

The Election Code allows all stakeholders to file election related complaints. Nevertheless, a CEC resolution established a restrictive list of applicants (candidates and authorized representatives of political parties) entitled to challenge PEC decisions on results and to request recounts; this is contrary to international good practice.<sup>61</sup> Election commissions, including the CEC, review complaints about violations of the Election Code in the first instance, with their decisions subject to judicial review. While the law does not define complaint submission deadlines, which may lead to protracted disputes, election commissions shall decide on complaints within three days.<sup>62</sup> Complaints against actions or decisions of the election administration shall be submitted to the administrative courts within five days, and reviewed within three days. The law does not explicitly provide for challenging inactions. The Supreme Court has jurisdiction over complaints against the CEC. Election-related judicial decisions are examined by a single judge under an expedited procedure and are subject to immediate enforcement.

The CEC received 331 applications from citizens, none of which were qualified as complaints by them. While 213 were voters' requests for information on organizational aspects of the electoral process.<sup>63</sup> No complaints were filed with the lower levels of the election administration or with the judiciary, which was attributed by some ODIHR EOM interlocutors to the low level of trust in the dispute resolution mechanism and the lack of genuine competition in the election.

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<sup>60</sup> The president maintains extensive influence on the formation of the judiciary, including the powers to appoint 20 of the 21-member Supreme Judicial Council, to appoint and dismiss the presidents and vice-presidents of the regional and Tashkent city courts, and nominate justices of the Supreme and Constitutional courts. The influence of the court presidents and vice-presidents remains high, as their functions are broadly defined in the law. See paragraph 5.12 of the [1990 OSCE Copenhagen Document and the UN Basic Principles on the Independence of the Judiciary](#).

<sup>61</sup> Paragraph II.3.3. of the [2002 Code of Good Practice in Electoral Matters](#) recommends that "All candidates and all voters registered in the constituency concerned must be entitled to appeal. A reasonable quorum may be imposed for appeals by voters on the results of elections." See also paragraph 18.2 of the [1991 OSCE Moscow Document](#).

<sup>62</sup> Exceptions include all complaints submitted within 6 days prior to as well as on election day, which shall be decided immediately. The latter rule also applies to complaints submitted to administrative courts.

<sup>63</sup> Including on registration of candidates and proxies. Others were not related to the election.

While complaints submitted to the courts require a public hearing with the presence of the parties concerned, the same is not required for complaints considered by election commissions. The complaints can be distributed among election commission members for resolution, but the decision shall be adopted in session. The law requires election commissions to maintain a complaint log and to inform applicants about the decision. The law does not require the publication of decisions on complaints, diminishing transparency of dispute resolution.

### Participation of National Minorities

Uzbekistan is a culturally diverse country with ethnic minorities comprising up to 16.2 per cent of the population. Tajiks, Kazakhs, Russians and Karakalpaks are the largest national minority communities.<sup>64</sup> There was no ethnic minority candidate for the presidential election. None of the candidates focused on inter-ethnic relations in their electoral platforms and campaigns. ODIHR long-term observers noted that the vast majority of campaign materials were in Uzbek, and in some districts materials in other languages were also used. Most campaign events observed by the ODIHR EOM were held in Uzbek only, and few included some messages in minority languages: Russian, Karakalpak, Kyrgyz, and Tajik. No cases of negative rhetoric or discrimination against national minorities during the campaign were reported or observed.

The Election Code provides that ballots shall be published in the official language as well as in the languages spoken by the majority of the population of the respective district upon the DEC's decision. According to the CEC, 94.6 per cent of ballot papers were printed in Uzbek (in Latin and Cyrillic alphabets) and in some constituencies in Karakalpak (2.5 per cent) and Russian (2.9 per cent). No ballots were requested by DEC's in other minority languages in electoral districts with sizable ethnic communities.<sup>65</sup> ODIHR EOM media monitoring noted that the get-out-the-vote-campaign was conducted in nine languages.

### Citizen and International Observers

The Election Code provides for observation of elections by party agents, international organizations, media representatives and by members of *Mahalla* committees. Contrary to international standards, citizen election observation by civil society is not provided for, limiting transparency and public scrutiny of the electoral process.<sup>66</sup> The CEC accredited 966 international observers and 1,672 journalists.<sup>67</sup>

### Election Day

Early voting was available between 14 and 20 October and a small number of voters took part.<sup>68</sup> Election day was peaceful and orderly and the CEC shared updates about the voting process via press conferences throughout election day, contributing to transparency. Almost half of the PEC members were women and women chaired 38 per cent of all observed polling stations. Positively, 80 per cent of

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<sup>64</sup> The last official census was conducted in 1989. A new census, planned for November 2020, was cancelled due to concerns about the COVID-19 pandemic. It has been postponed until 2023.

<sup>65</sup> For example, Tajik is broadly used in the Bukhara and Samarkand regions.

<sup>66</sup> Paragraph 8 of the Copenhagen Document; Article 20 of the [General Comment 25 to the ICCPR](#) reads "There should be independent scrutiny of the voting and counting process" which was recently reaffirmed by Paragraph 44 of the [2018 UN's HRC Guidelines for States on the effective implementation of the Right to Participate in Public Affairs](#).

<sup>67</sup> The ODIHR EOM was informed of two foreign media outlets that were not issued timely accreditation for the election and one case of a foreign media outlet receiving no response to their request for long-term accreditation in Uzbekistan.

<sup>68</sup> According to the CEC, 301,094 voted early in Uzbekistan as well as 120,524 in embassies abroad.

visited PECs were independently accessible for persons with disabilities and COVID-19 regulations were generally enforced. Shortly after the polls closed, the CEC announced a preliminary voter turnout of 80.8 per cent.

The international election observation mission (IEOM) observed the opening in 128 polling stations. Polling stations opened on time or with slight delays, and the overall opening process was assessed positively in almost all visited polling stations. Nevertheless, the observed PECs often did not announce basic statistics including the number of registered voters (in 18 polling stations) or the number of received ballots (in 26 polling stations).

The IEOM observed voting in 1,267 polling stations. Turnout was significantly higher in the morning and overcrowding was observed mostly due to inefficient queue management and poor organization of the COVID-19 protocols in place.<sup>69</sup> IEOM observers noted indications of voters being compelled to vote in the vicinity of 5 per cent of polling stations observed. The polling station layout was overall assessed as adequate to facilitate voting and the secrecy of vote. Nevertheless, incidents compromising the secrecy of the ballot were observed; voters voting together in one booth were noted in 5 per cent, and voters showing their marked ballot in 3 per cent of polling stations observed.

Party agents as well as accredited representatives of *Mahalla* committees were present in almost all of the polling stations visited. Observers also noted unauthorized persons in 11 per cent of polling stations visited. IEOM observers reported 25 incidents of party agents, *Mahalla* committee representatives and other unauthorized persons unduly interfering in the voting process.

Overall, voting was negatively assessed in 11 per cent of polling stations due to significant procedural irregularities, impacting the integrity of the vote. Voter identification procedures were not uniformly applied; for instance in 6 per cent of cases, PEC members did not always check voter IDs. In the vast majority of polling stations observed, voters were added to the annex of the voter list on election day often without voter verification in the computerized SEVR, an important safeguard preventing voters from voting multiple times. Many of the polling stations observed where additions to the voter list had been made had hundreds of voters added. In observed polling stations, significant indications of irregular voting were observed, including of seemingly identical signatures on the voter list in 17 per cent, ballot box stuffing in 4 per cent, proxy voting in 6 per cent, multiple voting in 5 per cent, and voters without valid ID were allowed to vote in 5 percent.

The IEOM observers reported that no complaints were filed to lower-level election commissions or courts and the Ministry of Interior and the Prosecutor General reported no violations on election day.

Closing and counting was assessed negatively in 33 out of 105 polling stations observed by the IEOM, highlighting further significant procedural errors and omissions. During the count unauthorized persons were present in 15 polling stations. The sequence of checks that had to be completed before the ballot boxes were opened was not followed in many cases.<sup>70</sup> Once ballot boxes were opened, IEOM observers noted indications of ballot box stuffing, including bundles of ballots folded together, in 20 PECs. PECs often did not follow ballot reconciliation procedures; in 41 cases the validity of contested ballots was not decided by a vote of the PEC members and in 20 cases the number of ballots did not match the number of signatures on the voter list. PECs also had difficulties filling in the protocols (21 cases), and

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<sup>69</sup> Throughout the day, overcrowding was reported in 7 per cent of all polling stations visited, decreasing in the afternoon.

<sup>70</sup> For example, the number of total ballots received was not determined in 24 cases, unused and spoiled ballots were not counted in 20 cases, and not cancelled in 20 cases as well as the number of total ballots issued was not determined in 32 cases.

the numbers did not reconcile (20 cases). Most IEOM observers were granted full co-operation from the PEC during the procedures.

The tabulation at the DEC was assessed as bad or very bad in 6 out of the 14 DEC's, mostly due to issues with the organization as well as the transparency of the process, which resulted in overcrowding and tension or unrest in some DEC's.<sup>71</sup> IEOM observers noted it was evident that some PEC's were completing their protocols at the DEC premises or correcting them without formal decision of the DEC. IEOM observers in 3 out of 14 DEC's reported that they did not have a clear view of the procedures or could not observe without restrictions. The CEC did not share any preliminary results, affecting transparency.

***The English version of this report is the only official document.  
Unofficial translations are available in Uzbek and Russian.***

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<sup>71</sup> For example, arithmetical mistakes in many of the results sheets led to long lines and eventually chaotic operations at the DEC in Tashkent.

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## MISSION INFORMATION & ACKNOWLEDGEMENTS

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Tashkent, 25 October 2021 – This Statement of Preliminary Findings and Conclusions is the result of a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the OSCE Parliamentary Assembly (OSCE PA) and the European Parliament. The assessment was made to determine whether the elections complied with OSCE commitments and other international obligations and standards for democratic elections and with national legislation. Each of the institutions involved in this International Election Observation Mission has endorsed the 2005 Declaration of Principles for International Election Observation.

Mr. Reinhold Lopatka was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and Leader of the OSCE short-term observer mission. Ms. Daniela De Ridder headed the OSCE PA delegation, and Ms. Heidi Hautala headed the delegation from the European Parliament (EP). Mr. Eoghan Murphy is the Head of the ODIHR EOM, deployed from 15 September.

This Statement of Preliminary Findings and Conclusions is delivered prior to the completion of the electoral process. The final assessment of the elections will depend, in part, on the conduct of the remaining stages of the electoral process, including the count, tabulation and announcement of results, the handling of possible post-election day complaints or appeals, and a possible second round. ODIHR will issue a comprehensive final report, including recommendations for potential improvements, some eight weeks after the completion of the electoral process. The OSCE PA will present its report at its next meeting. The EP will present its report at a forthcoming meeting of its Delegation for relations with Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan, Turkmenistan and Mongolia during the second half of November.

The ODIHR EOM includes 17 experts in the capital and 28 long-term observers deployed throughout the country. On election day, 365 observers from 44 countries were deployed, including 28 long-term and short-term observers deployed by ODIHR, as well as a 98-member delegation from the OSCE PA and a 12-member delegation from the European Parliament. There were 42 per cent of women among observers. Opening was observed in 128 polling stations and voting was observed in 1,267 polling stations across the country. Counting was observed in 105 polling stations, and the tabulation in 14 DECs.

The International Election Observation Mission (IEOM) wishes to thank the authorities for their invitation to observe the elections, and the Central Election Commission and the Ministry of Foreign Affairs for their assistance. The IEOM wishes to also express their appreciation to other state institutions, political parties and civil society organizations and the international community representatives for their co-operation.

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