



Office for Democratic Institutions and Human Rights

REPUBLIC OF UZBEKISTAN

EARLY PRESIDENTIAL ELECTION
9 JULY 2023

ODIHR Election Observation Mission
Final Report



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I. EXECUTIVE SUMMARY

Following an invitation from the Central Election Commission (CEC) of the Republic of Uzbekistan, based on the recommendations of a Needs Assessment Mission conducted on 17 and 18 May 2023 and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed an Election Observation Mission (EOM) to observe the 9 July early presidential election. 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.

The Statement of Preliminary Findings and Conclusions issued by the EOM on 10 July 2023 concluded that “The 9 July early presidential election was technically well-prepared but took place in a political environment lacking genuine competition. Ongoing reforms provided some improvements in line with previous ODIHR recommendations, but substantial changes are needed to provide a sound legal basis for the conduct of democratic elections. The Central Election Commission undertook measures to increase transparency of the process and implemented its mandate efficiently, but further safeguards for the independence of lower-level commissions are needed. In an environment where fundamental freedoms and the right to stand remain restricted, registered candidates were able to campaign freely. The low-key campaign lacked meaningful engagement with voters and candidates refrained from presenting alternative political views and the introduction of social measures and new projects gave the incumbent an undue advantage and blurred the line between party and state. Further reforms are needed to remove limitations and allow for the full participation of civil society in election processes. While online media provided some space for the discussion of social issues, restrictive legal provisions and interference with editorial independence of the media led to an absence of analytical reporting, undermining voters’ ability to make an informed choice. Conduct of election day was calm, but serious irregularities were observed, and important safeguards were often not followed during voting, counting and tabulation, challenging the integrity of the process.”

On 8 May 2023, President Shavkat Mirziyoyev set the early presidential election for 9 July, which followed a constitutional reform process widely promoted as intending to enhance various rights and freedoms and provide some improvements. The exercise of fundamental freedoms of association, assembly and expression remains excessively circumscribed by legislation and in practice. The burdensome requirements for party registration continue to restrict the pluralistic nature of the political environment. All registered political parties and their candidates endorsed the President’s policies.

The electoral legal framework has been undergoing a reform that also included revision of the Constitution, and in this process some prior ODIHR recommendations were addressed. However, several long-standing ODIHR recommendations key to a democratic process were not addressed, and restrictions and limitations on fundamental freedoms, the right to stand, the possibility for alternative sources of campaign financing, citizen election observation and the registration of political parties remain. Overall, the current legal framework does not fully provide a sound legal basis for the conduct of democratic elections.

The election administration handled technical preparations effectively despite the compressed timeline, and met all legal deadlines. The Central Election Commission (CEC) conducted regular sessions, and started publicly disclosing some information on electoral disputes for this election, contributing to the

¹ The English version of this report is the only official document. An unofficial translation is available in local languages.

transparency of the process. While overall informative and interactive, the training sessions did not sufficiently address previously observed malpractices during the vote count, important safeguards before opening of ballot boxes and corresponding legal responsibilities. Despite a longstanding ODIHR recommendation, the independence and neutrality of lower-level election administration in various aspects of the election process remained negatively impacted by the prominence of *mahalla committees*, closely aligned with state and local administration.

Some 19.5 million voters were registered in the final voter lists. Positively, recent constitutional changes lifted the blanket restriction on voting rights of those declared legally incapable in line with international standards and prior ODIHR recommendations. The legislation provides for several alternative voting methods, including early voting and also allows for voters to be added to supplementary voter lists on election day without ensuring sufficient safeguards against misuse of this procedure, including multiple voting. Some ODIHR EOM interlocutors, including members of election administration, raised concerns about this impacting the accuracy of the voters' lists. Voters had ample opportunity to request corrections, inclusions and deletions ahead of elections, in line with the law.

The legislation retains burdensome requirements for party registration and broad legal grounds for denial of registration or suspension of activities. These restrictions and other limitations on the right to stand, are contrary to international standards and OSCE commitments and negatively impacted inclusiveness of the candidate registration process. Four candidates stood for this election, including the incumbent. One candidate was a woman.

The presidential election took place in a constrained political environment lacking genuine political alternatives. Still, all registered candidates were able to campaign freely and were treated equally for the production and distribution of campaign materials, organizing of events and access to public funding. The campaign was low-key and observed events were often attended by public employees in office hours and appeared orchestrated. The campaign regulations include some prohibitions against the misuse of administrative resources and the participation of state officials during campaign but lack effective safeguards to prevent public officials from misusing their positions. In the campaign, the introduction of social measures, legislated by presidential decrees, and announcements of new projects and social benefit plans provided an undue advantage of incumbency and blurred the separation between State and party, at odds with OSCE commitments.

Reforms aimed at increasing women's participation in public and political life have been underway since 2016 and the number of women in the parliament has increased significantly. However, women continue to be generally underrepresented in political life and gender stereotypes persist. Women currently hold only 31 per cent of all the seats in the parliament, 1 out of 27 members of the Cabinet of Ministers and 3 out of 12 members of the Supreme Judicial Council. All regional *hokims* are men. While women were well represented in the election administration, their representation in leadership positions and at higher levels of election administration was lower. Although gender issues were discussed at times, the topic did not feature prominently in the campaign discourse and with the exception of the female candidate, women did not feature prominently in the campaign.

The funding for campaign purposes is allocated exclusively from the state budget and alternative sources for election campaigns are prohibited, contrary to international good practice. In line with previous ODIHR recommendation, as of 2021, the legislation requires interim and final reporting on campaign finances to the CEC. According to the CEC, all four parties submitted interim campaign reports within legal deadlines and positively, two of them published them on their websites prior to the legally required deadline. Overall, the effectiveness and transparency of campaign financing is negatively affected by the lack of comprehensive and timely oversight, and dissuasive sanctioning mechanisms.

Legal provisions related to defamation, false information and extremism are at odds with international standards, and arrests, detentions and convictions based on these provisions, including for the use of social media *de facto* limit freedom of expression. While online space provides room for the discussion on social issues, interference into editorial autonomy and self-censorship impede criticism of authorities. State-owned media outlets provided free airtime and space for contestants in line with the law. Editorial coverage of the campaign was limited, and the incumbent received disproportionately more news coverage, providing an undue advantage of incumbency. Overall, due to the absence of campaign coverage on commercial television and online, media did not facilitate a critical public discourse on political alternatives, undermining voters' ability to make an informed choice.

The law grants broad legal standing to file complaints to all stakeholders and guarantees resolution of disputes within reasonable deadlines. According to the prosecutor's office and the Ministry of Internal Affairs, no election-related offenses were reported. The Supreme Court received one complaint which was dismissed, however, no details were made public. On 11 July, the CEC reported about 231 appeals and complaints received. Of these, 128 were related to the electoral process, including the composition, functioning and locations of polling stations, and most were rejected on technical grounds. Overall, the consideration of complaints and appeals by the election administration does not fully ensure transparency, as it is limited to voting on the pre-drafted decisions and complaints are not heard in public. Despite certain recent legislative and practical measures taken, the independence of the judiciary is undermined by insufficient safeguards, and according to some ODIHR EOM interlocutors, the low number of election related cases filed is symptomatic of a lack of public trust in the judiciary.

The law allows election observation by observers from international organizations, political parties, *mahalla* committees and media representatives. Despite longstanding ODIHR recommendations and not in line with OSCE commitments, the legislation does not contain provisions for observation by citizen observers. The CEC registered 797 international observers. The District Election Commissions (DECs) accredited 53,677 observers from political parties and from *mahallas*. Registered observers are entitled to observe all stages of the process. Despite some recent positive legislative efforts, procedures for registering civil society organizations and restrictions on foreign funding impact the growth of civil society and limit their full participation in election processes.

The election day was calm but ODIHR EOM observers negatively assessed the voting process in a significant number of polling stations, with the administration of the voting process observed as bad or very bad in 13 per cent of observations. The process was impacted by shortcomings and serious irregularities, such as a large numbers of voters added to supplementary voter lists without proper safeguards, voters who voted without proper identification or on behalf of others and compromises of the secrecy of the vote. Further, in a number of polling stations observed, indications of ballot box stuffing as well as numerous observations of seemingly identical signatures on the voter lists were noted by the ODIHR EOM. The closing and counting process was also assessed as generally negative (in 39 of the 87 polling stations observed) mostly due to significant procedural errors and omissions and the disregarding of reconciliation procedures. The tabulation process lacked transparency in most of the DECs observed. Overall, the counting and tabulation processes raised questions about whether ballots were counted and reported honestly, in line with paragraph 7.4 of the 1990 OSCE Copenhagen Document. Throughout the day, ODIHR EOM observers consistently noted discrepancies between the number of voters casting their ballots and the officially reported preliminary turnout figures.

On 11 July, the CEC adopted a resolution on the election of Shavkat Mirziyoyev to the post of President but did not publish election results disaggregated by Precinct Election Commissions, detracting from important transparency safeguard. The inauguration of the President-elect took place on 14 July.

This report offers recommendations to support efforts to bring elections in Uzbekistan closer to OSCE commitments and other international obligations and standards for democratic elections. Priority recommendations relate to the need for reform of the existing legal framework and practices, in

particular with regards to the ability of citizens to exercise their fundamental political rights, the independence and impartiality of election commissions, candidacy requirements, and freedom of the media. ODIHR stands ready to assist the authorities in improving the electoral process and addressing the recommendations in this and previous reports.

II. INTRODUCTION AND ACKNOWLEDGMENTS

Following an invitation from the Central Election Commission (CEC) of the Republic of Uzbekistan, and based on the recommendation of a Needs Assessment Mission conducted from 17 to 18 May 2023 and in accordance with its mandate, the ODIHR deployed an Election Observation Mission (EOM) to observe the 9 July 2023 early presidential election. The ODIHR EOM, headed by Ambassador Urszula Gacek, consisted of a 11-member core team based in Tashkent and 24 long-term observers deployed on 14 June throughout the country. For election day, the ODIHR EOM deployed 198 observers from 26 countries. Women comprised 44 per cent of EOM observers. The ODIHR EOM remained in Uzbekistan until 18 July.

The ODIHR EOM assessed compliance of the electoral process with OSCE commitments, other international obligations and standards for democratic elections, and domestic legislation. This final report follows the Statement of Preliminary Findings and Conclusions which was released on 10 July 2023.²

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

III. BACKGROUND AND POLITICAL CONTEXT

Uzbekistan has a presidential system of government. Most executive and decision-making functions are with the president, who shares legislative power with the parliament, raising concerns about the effective separation of powers.³

On 8 May 2023, President Shavkat Mirziyoyev set the early presidential election for 9 July 2023.⁴ The election was preceded by the 30 April 2023 constitutional referendum and a subsequent adoption of an amended Constitution.⁵ The Constitution established a secular and social state, extended the presidential mandate from five to seven years and reset the term limit of the incumbent. Furthermore, the recent constitutional amendments granted absolute discretion to the president to call an early presidential election.⁶ The constitutional reform process was widely promoted as intending to enhance various rights

² See previous ODIHR election-related [reports](#) on Uzbekistan.

³ The president has the right to a legislative initiative under the Constitution, issues binding decrees and resolutions and appoints some of the members of the upper chamber of the parliament and also has a key role in the appointment of regional *hokims*, the prosecutor general, members of the Supreme Judicial Council as well as the chairperson of the State Security Service and other high-ranking officials. The *Oliy Majlis* can call referenda, adopts the budget, and is responsible for electing the prime minister upon nomination by the president.

⁴ According to the previous Constitution, the current term of the incumbent president ends in 2026. However, in his call for an early election, President Mirziyoyev cited that the new Constitution is reforming and rebalancing all branches of power, bringing new social, political and economic challenges.

⁵ According to official results, the voter turnout was 84.5 per cent with 90.2 per cent of the voters being in favour of the proposed changes.

⁶ The Council of Europe's European Commission for Democracy through Law (Venice Commission) [Opinion](#) on the Draft Modification to the Constitution of Azerbaijan states that "providing the president with the sole discretion to call early [presidential] elections is "incompatible with democratic standards" as it "may turn elections into plebiscites on the leadership of the country and provide legitimacy to authoritarian tendencies".

and freedoms, and provide some improvements.⁷ Some two thirds of the text of the Constitution was revised, however, fundamental freedoms of association,⁸ assembly⁹ and expression¹⁰ remain excessively circumscribed by legislation and in practice.¹¹ Moreover, several ODIHR EOM interlocutors noted cases where they perceived political interference in the judiciary and the arbitrary use of administrative and criminal penalties, detentions and imprisonment to silence voices critical to the authorities.¹²

The political landscape remains largely unchanged since 2016. President Mirziyoyev, won a second term in the 2021 presidential election with an overwhelming majority of 80 per cent of the votes, and is prominent in all aspects of political life. Following the 2019 parliamentary elections, the five registered political parties are represented in parliament, and all of them openly endorse the president's policies.

The burdensome requirements for party registration and broad legal grounds for denial of registration or suspension of activities, and the application of restrictions on holding assemblies continue to stifle the emergence of a genuine pluralistic environment.¹³ Besides the registration of the Ecological Party of Uzbekistan (EPU) in 2019, no other party has been registered since 2003. Several attempts for

⁷ The Constitution now contains additional safeguards in relation to persons deprived of liberty, the prohibition of the death penalty, prevalence of international treaties over national law in case of contradiction and the direct application of human rights. It also prescribes that all interventions by the state shall be proportionate and necessary to achieve legitimate aims provided by law.

⁸ Criminal and administrative laws prohibit and penalize unregistered associations. The 1999 Law on Non-Governmental Organizations is supplemented by numerous decrees and resolutions governing their operation and funding, requiring approval of foreign grants by the Ministry of Justice. The Criminal Code criminalizes the unlawful organization and active participation in unregistered associations, punishable with up to five years of imprisonment. Some ODIHR EOM interlocutors stated that due to existing barriers in legislation and practice, they have been repeatedly denied registration by the Ministry of Justice. In one [case](#), an organization was registered only after the UN Human Rights Committee found a violation of the founder's right to the freedom of association.

⁹ Despite an absence of legally prescribed procedures for holding rallies and demonstrations, administrative laws prohibit and penalize peaceful assemblies organized or conducted in violation of legally prescribed procedures, and if repeated, the act is criminalized and punishable with up to three years of imprisonment. Further, the Code of Administrative Responsibilities has sanctions up to UZS 33,000,000 for 'creation of conditions to hold unauthorized gatherings, meetings, rallies and demonstrations (EUR 1 equals 12,589.4 UZS). Paragraph 36 of the 2020 ODIHR and Venice Commission [Guidelines](#) on Freedom of Peaceful Assembly states 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".

¹⁰ Provisions of the Criminal Code on offenses of terrorism, religious extremism, public insult or slander against the president are vague and open to arbitrary application.

¹¹ International standards prescribe that any restrictions to those rights should be necessary and proportional to legitimate aims. See articles 21, article 22.2 of the [ICCPR](#). See also Paragraphs 4 and 27 of [the 1996 UN Human Rights Committee \(HRC\) General Comment No. 25 to the ICCPR](#). Paragraph 24 of [the 1990 OSCE Copenhagen Document](#) prohibits limitations of the human rights and fundamental freedoms "except those which are provided by law, [...] and [are] strictly proportionate to the aim of that law".

¹² The [2020 UN Human Rights Committee \(CCPR\) Concluding observations on the fifth periodic report of Uzbekistan](#) expressed concerns regarding the high number of persons detained on what appear to be politically motivated charges and cases of their torture, ill-treatment and rape. [The UN Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Working Group on discrimination against women and girls](#) raised concerns regarding the smear campaign and arbitrary detentions of human rights activists. In their annual reports, various human rights organizations including [Humans Rights Watch](#), [Uzbek Forum for Human Rights](#), and [Freedom House](#) reported cases where open dissent was followed by arrests, convictions and forced psychiatric admissions.

¹³ Paragraph 41 of [the ODIHR and Venice Commission Guidelines on Political Party Regulation](#) states that, "[i]t is the responsibility of the state to ensure that relevant general and specific legislation provides for the necessary mechanisms that, in practice, allow the exercise of the right to freely associate and form political parties with others." Paragraph 178 specifies that "[l]egislation should avoid restricting the number of parties through overly burdensome requirements for registration or expressions of minimum support. Not only do such restrictions inherently reduce the free function of political pluralism, they can also easily be manipulated to silence parties or candidates who express opinions unpopular to those in power". Paragraph 14 of the [CCPR General Comment No. 31](#) states that the requirement "to take steps to give effect to the Covenant rights is unqualified and of immediate effect. A failure to comply with this obligation cannot be justified by reference to political, social, cultural or economic considerations within the State".

registration of political parties have failed.¹⁴ Representatives of the unregistered party Truth, Development and Unity Democratic Party (TDUP), who openly opposes the incumbent, faced sanctions, including imprisonment, for organizing party meetings and reported hindrances in the collection of signatures in support of party registration.¹⁵

The legislative and administrative requirements for the registration of political parties should be revised to foster pluralism and ensure the exercise of freedom of association.

Reforms aimed at increasing women's participation in public and political life have been underway since 2016. Positively, the number of women in the parliament has increased from 24 in the 2014 elections to 47 in the 2019 elections of the 150 seats in the current Legislative Chamber and 22 out of 100 members of the Senate are women.¹⁶ The Chairperson of the Senate and the Deputy Chairperson of the lower chamber of the parliament are women. While this constitutes a positive change, women continue to be generally underrepresented in political life and gender stereotypes persist.¹⁷ Only 1 out of 27 members of the Cabinet of Ministers and 3 out of 12 members of the Supreme Judicial Council are women. All regional *hokims* are men. On 6 April 2023, the Senate confirmed amendments, which positively extended the scope of legal protection for victims of sexual abuse.

Additional measures to enhance the participation of women in public and political life should be considered, including the development of government action plans, training, educational and funding programmes, including among the judiciary and law-enforcement agencies. Further efforts could also be made by political parties including conducting gender audits, developing political party action plans and providing further support to women's participation in political life and party leadership.

IV. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

The president is directly elected from a single nationwide constituency. If no candidate obtains more than 50 per cent of the valid votes cast, a second round is held between the two candidates with the highest number of votes not earlier than 15 days, but not later than a month after the first round of the election.¹⁸

The presidential election is primarily regulated by the 2023 Constitution, and the 2019 Election Code.¹⁹ The legal framework has been undergoing a reform process, with both the Constitution and the Election

¹⁴ Since 2021, the Social Democratic Party Truth and Progress, the Peoples' Interests Party and the Truth, Development and Unity Democratic Party were denied registration for not meeting the formal requirements for collection of signatures, whereas the Free Motherland and *Erk* Democratic Party dropped their attempts to establish a party after complaints of intimidation and harassment.

¹⁵ The Supreme Court on 15 December 2022 sanctioned Vazira Egamberdieva, an activist of the TDUP, with five minimum wages fine (UZS 1,350,000) for holding an unauthorized meeting with party activists in her home. The Mirzo-Ulugbek District Court on 25 February 2022 sentenced Abdurasul Abdurakhmanov to 15 days of prison time for holding an unauthorized gathering in support of Mrs. Egamberdieva.

¹⁶ The November 2023 amendments to Election Code, increased the number of women that should be nominated by a political party for parliamentary elections from 30 to at least 40 per cent of the total number of candidates.

¹⁷ The UNDP [study](#) on Negative Impact of Gender Stereotypes and Patriarchal Attitudes on Gender Equality underscored that women's participation in the parliament improved by reaching 32 and 25 per cent of the seats in the Legislative Chamber and the Senate, respectively, however, women continue to be significantly underrepresented in the executive power (3.4 per cent), as well as in managerial positions (27 per cent) and in entrepreneurship (25 per cent).

¹⁸ A voter turnout requirement of 33 per cent of all registered voters applies to the first round.

¹⁹ It is further supplemented by the 1996 Law on Political Parties (LPP), the 2004 Law on Financing of Political Parties (LFPP), the 1994 Criminal Code and the 1994 Code of Administrative Responsibilities as well as presidential decrees and resolutions and binding regulations issued by the CEC.

Code substantially revised, among others.²⁰ The 2023 amendments to the Constitution and the Election Code addressed some of ODIHR's previous recommendations, including removing a blanket ban on active suffrage rights for people declared legally incapable by a court, and further defining the eligibility criteria for members of election commissions.²¹ However, several long-standing ODIHR recommendations remain unaddressed, including those related to the regulation and exercise of fundamental freedoms, limitations on the right to stand, the possibility for alternative sources of campaign financing, citizen election observation and the registration of political parties. Furthermore, some ambiguities and gaps remain in the legislation.²² Overall, the current legal framework does not fully provide a sound legal basis for the conduct of democratic elections.

To ensure a coherent electoral framework, the legislation should be reviewed to bring it further in line with OSCE commitments, international standards and good practices. The reform process should take place well in advance of the next election period and within an inclusive and transparent consultation process.

While the amended Constitution stipulates that international treaties hold superior legal force over the national law and requires direct application of human rights provisions, the subordinate legislation that regulates the exercise of fundamental freedoms has so far not been revised.²³ Freedom of peaceful assembly, albeit enshrined in the Constitution, is not regulated by any specific law,²⁴ while other applicable legislation contain excessive limitations, including administrative and criminal liability.²⁵ Despite some recent positive legislative efforts, the legal framework on the registration, operation and funding of civil society organizations imposes restrictions that violate the right to freedom of association and are not in compliance with international standards.²⁶ Several aspects continue to be regulated by

²⁰ The 2021 amendments to the Law on Financing Political Parties introduced interim and final reporting on campaign finance and publication of reports as well as publishing audit results by the Chamber of Accounts; the Code of Administrative Responsibilities was amended in 2019 to introduce election-related offences.

²¹ Several other changes were introduced in 2021, and these partially addressed some prior ODIHR recommendations, including relaxation of procedures for organizing campaign events, the prohibition of the misuse of state resources, and some related to campaign finance and election dispute resolution.

²² The legislation does not detail some procedures for candidate nomination and (de)-registration, including in cases when the same candidate is supported by two and more parties, third party campaigning, and an adequate procedure for verification of signatures.

²³ See, for example, the [2020 UN Human Rights Committee \(CCPR\) Concluding observations on the fifth periodic report of Uzbekistan](#) which expressed concerns 'about undue restrictions on the right to peaceful assembly in law and in practice'. The 2023 [decree](#) of the President on the priority measures to implement the new edition of the Constitution requests the Ministry of Justice to conduct a complete review of the legislation and to assess its compliance with the principle of proportionality provided in the Constitution.

²⁴ A draft law on rallies, meetings and demonstrations was proposed for two rounds of consultations. In 2019, based on the request from the OSCE Project Coordinator in Uzbekistan to review the draft, ODIHR provided a [legal comments](#) on the draft law and concluded that 'the Draft Law is generally not compliant with international human rights standards', 'the right is most limited and there are severe and unjustified restraints on the time and place, and the organizers of assemblies'.

²⁵ Paragraph 73 of [the CCPR's General Comment No. 37 on Article 21 of the ICCPR](#) states that "Where authorization regimes persist in domestic law, they must in practice function as a system of notification, with authorization being granted as a matter of course, in the absence of compelling reasons to do otherwise". The 29 July 2014 Decree of the Cabinet of Ministers requires authorization for organizing mass events, however, it explicitly excludes rallies, meetings and demonstrations. Despite that, there was no understanding among the relevant public institutions about non-applicability of this decree to pickets, rallies and demonstrations. This, coupled with the existing provisions on administrative and criminal liability for failure to comply with the established procedure on holding rallies and meetings, creates uncertainty regarding to which requirements assembly organizers and participants must adhere to hold the event lawfully.

²⁶ These restrictions include unreasonable and burdensome legal and administrative requirements for registering civil society organizations, approval of all events by the Ministry of Justice, the requirement for civil society organizations to obtain de facto approval from the Ministry of Justice when travelling abroad or receiving funds from foreign sources as well as mandatory partnering with public institutions to implement projects. On 4 October 2023, Cabinet of Ministers adopted a resolution aimed at facilitating implementation of projects of CSOs with foreign funding. See paragraph 21 of the [1989 Vienna Concluding document](#), paragraph 10.3 of the [1990 Copenhagen Document](#).

presidential decrees and by-laws and not by law.²⁷ The prevalence of regulating through subordinate legislation does not provide legal certainty and predictability of legislation.

The legislation governing fundamental rights and freedoms shall be 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.

V. ELECTION ADMINISTRATION

The presidential election is administered by the CEC, 14 District Election Commissions (DECs), and 10,784 Precinct Election Commissions (PECs), including 59 PECs established abroad.²⁸ The CEC is a permanent body. The current CEC has 21 members, seven of whom are permanent. Its members are appointed by the *Oliy Majlis*, based on proposals from regional representative bodies, for an indefinite term. According to the recent constitutional amendments, the CEC chairperson is elected for a five-year term by the CEC from among its members and can hold this position for no more than two consecutive terms.²⁹

The CEC is mandated with the organization and conduct of the elections, and is vested with broad powers.³⁰ Overall, the CEC effectively managed preparations for the election and met all legal deadlines despite a compressed timeframe. It conducted regular sessions and provided detailed regulation of different aspects of the electoral process.³¹ Positively, the CEC sessions included reporting on complaints and communications received, including by the lower-level election administration, enhancing transparency. While most CEC decisions and regulations were published in a timely manner, only summary information on complaints was publicly available.

DECs and PECs are temporary bodies. Due to the compressed timeline for holding an early election, the electoral calendar provided 10 days for the formation of 14 DECs and 10 days for subsequent formation of the PECs. By law, *mahallas*, public associations and organizations can nominate PEC members. Aggregated information on the nominating subjects was not always available, limiting the practical opportunity to assess representation of different entities within PEC compositions.³² Some DEC and PEC members met by the ODIHR EOM were neither aware of their nominating subjects nor the procedure for the nominations. While the list of the eligibility criteria for commissioners has been recently expanded,³³ the ODIHR EOM observed that in practice, *mahallas* continue to be prominent in

²⁷ The 2021 Decree of the President “On measures to fundamentally improve the system of financing the activities of judicial bodies” regulates remuneration of judges; mass events are regulated by the 2014 Decree of the Cabinet of Ministers, limitations on the operation of civil society organizations are imposed by the decrees of the Minister of Justice.

²⁸ Special polling stations (321) were established in penitentiary institutions, military units, hospitals and other healthcare institutions.

²⁹ However, this provision has not yet been implemented in practice. The current CEC Chairperson was appointed and subsequently elected as a chairperson in 2021.

³⁰ These powers include registration of candidates, ensuring equal campaign opportunities, including in the media, distribution of the ballots, validating and invalidating election results.

³¹ Some of these related to DEC and PEC membership criteria, voter identification with the use of biometric devices in fifty polling stations in Tashkent, organization of the work of DECs, election day procedures, the rights of observers, and the use of video cameras on election day. The CEC sessions were attended by media and international observers and streamed online.

³² Each PEC has between 5 and 19 commissioners. Information could only be accessed through individual decisions on the appointment of commissioners for each PEC. The ODIHR EOM LTOs reported that such information was not always available in the regions, including upon requests.

³³ According to the 2023 amendments to the Election Code, deputies of the Legislative Chamber and local *Kengashes* and members of the Senate, deputies of *hokims*, representatives of political parties, candidates as well as persons whose conviction for grave or particularly grave crimes has not been cancelled or expired are no longer eligible to be members of DECs and PECs. Existing requirements include that one organization may not nominate more than a half of members for a specific PEC. Political parties are not entitled to nominate members to any commission.

the lower-level election administration, negatively impacting their independence and neutrality, despite previous ODIHR recommendations.³⁴ While political parties expressed trust in the election administration, several ODIHR EOM interlocutors voiced concerns over the management of election procedures, especially by lower-level election commissions, and the accuracy of how they would report on voter turnout.

The nomination and appointment of election commission members at all levels should be revised to provide for the formation of election administration bodies independent from the state and local administrations as well as from the mahallas.

Training sessions observed by the ODIHR EOM were generally informative and interactive. These sessions mostly focused on possible violations during the voting process, but did not address malpractices during the vote count, important safeguards and corresponding legal responsibilities. The ODIHR EOM noted that the hastiness in the conduct of trainings, which were organized within limited time, could have impacted their quality.³⁵

A variety of voter education materials were produced by the CEC, emphasizing the importance of the secrecy of the vote and freedom of choice. However, the ODIHR EOM observed that voter information disseminated across the regions mainly focused on encouraging participation. Positively, significant efforts were made to increase the participation of persons with disabilities in the electoral process. This included provision of equipment for the improvement of accessibility of polling stations, including larger voting booths to accommodate voters in wheelchairs, Braille sleeves, provision of voter information materials in sign language and printed in large font as well as the inclusion of persons with disabilities in the compositions of the election commissions.

Overall, women were well represented in the regional and local election administrations, while their representation is lower at the higher levels of election administration and in leadership positions. According to the CEC, women comprised 52.1 per cent of PEC members, 41.4 per cent of DEC members, and only a third of CEC members. While some 38,6 per cent of PECs were chaired by women, only 1 of 14 DEC chairpersons was a woman. There are no women in the CEC leadership positions. The lack of term limits for CEC members, other than the Chairperson, is not conducive for enhancement of the role of women within the election administration as six out of seven permanent members appointed for an indefinite term are men.

The procedures for the composition of the election administration should be reviewed to enhance women's participation in decision-making and leadership positions.

VI. VOTER REGISTRATION

Citizens of 18 years of age or older have the right to vote. In line with international standards and addressing a previous ODIHR recommendation, recent constitutional changes lifted the blanket

³⁴ 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." In practice, *mahallas* continue to be closely aligned with local and state administration, including financially. Ahead of and during this electoral period the president issued several decrees in respect to allocation of funds to the *mahallas*. See, for instance, the 7 June decree setting additional measures for infrastructure of *mahallas* in Tashkent. In Jizzakh region, the ODIHR EOM reported the ongoing allocation of funds to *mahallas* for improvement of neighbourhood roads, water, electricity poles as well as support to small businesses.

³⁵ Several PEC members met by the ODIHR EOM after the trainings were not aware of the reconciliation procedures as well as the procedures to be completed before opening of the ballot boxes.

restriction on voting rights of those declared legally incapable. Following the adoption of the Constitutional amendments, these citizens were automatically enfranchised.³⁶

Voter registration is passive, and is based on permanent or temporary residence.³⁷ The Single Electronic Voter Register (SEVR) is compiled automatically on the basis of databases of several ministries and agencies.³⁸ Preliminary voter lists were compiled in the SEVR for each polling station. PECs were responsible for public display and verification of the voter lists and were collecting the data from the local bodies and *mahallas* and together with *mahalla* representatives conducted door-to-door visits to verify the factual addresses of the voters. Most PECs visited by the ODIHR EOM displayed the voter lists for public scrutiny, as required by the law. Citizens were given the opportunity to verify their voter registration data online and in-person in the polling stations. According to the CEC, 113,000 voters changed their voting addresses, and PECs did not receive any complaints related to voting addresses. The CEC reported that the preliminary number of voters on 13 May 2023 was 22,118,261 citizens. The final number of registered voters was 19,593,838.³⁹

Voter lists were finalized five days prior to election day. Some ODIHR EOM interlocutors, including DEC members, raised concerns over the integrity of voter lists as alterations are possible on election day. Despite a long-standing ODIHR recommendation, the legislation provides for voters to be added to supplementary voter lists on election day without ensuring sufficient safeguards against the possible misuse of this procedure.⁴⁰ On election day, the ODIHR EOM observed large-scaled inclusion of voters in the supplementary lists without checking their names in the electronic system. The CEC did not disclose the number of voters added in the supplementary voter lists.

To prevent multiple voting and in line with good practice, proper safeguards should be in place for the use of supplementary lists and only those voters who changed their residence between the final publication of the voter lists and voting day should be permitted to vote.

Fifty polling stations in Tashkent were provided with the electronic voter identification equipment, first piloted in the 2023 Constitutional Referendum, where voters' IDs or biometric passports are scanned to determine if the voter was registered in that polling station and matched with the voter's face on the video camera.⁴¹ There was no wide voter information on the use of technologies for voter identification. Overall, in polling stations observed on election day, the equipment functioned well.⁴² However, the ODIHR EOM noted several instances of power cuts as well as unstable connections, negatively

³⁶ According to the CEC, there were 6,608 persons with mental and psychological disabilities that were previously disenfranchised. In addition, 10,702 disenfranchised prisoners were enfranchised, following the constitutional amendments.

³⁷ Registration for out-of-country voting is active, including based on voters' applications. According to official information, approximately two million citizens currently live abroad.

³⁸ A number of government ministries and agencies, including the Ministry of Justice's Agency for Personalization, the Ministries of Interior, Defense, and Foreign Affairs.

³⁹ According to the CEC, citizens who were absent from the country continuously for longer than three months were taken of the final voter list.

⁴⁰ In particular, the PEC protocols do not account separately record the number of voters added on the supplementary voter list and the CEC does not publish the countrywide data on supplementary voter lists. Section I.1.2 of [the Venice Commission's Code of Good Practice in Electoral Matters](#) states that "a supplementary register may be a means of giving the vote to persons who have moved or reached statutory voting age since final publication of the register" and "there should be an administrative procedure - subject to judicial control - or a judicial procedure, allowing for the registration of a voter who was not registered; the registration should not take place at the polling station on election day". See also *Election Day* section.

⁴¹ The equipment was connected to a computer with an electronic copy of the voter lists to check if the voter had already been marked in the system as having voted.

⁴² The ODIHR EOM observed in 24 out of 50 polling stations with the biometric equipment.

impacting the process.⁴³ In several observations of polling stations piloting the technology, paper voter lists were not used by PECs undermining an important safeguard.

Any changes to the election procedures involving new technologies should be introduced upon wide public consultations, tested and followed by a public information campaign well before elections. Important safeguards, such as signatures of voters in the list of voters, should be in place to ensure accurate reconciliation of the voting results.

VII. PARTY AND CANDIDATE REGISTRATION

The right to nominate candidates only belongs to parties registered with the Ministry of Justice at least four months prior to the announcement of the election.⁴⁴ The timeline for an early presidential election does not allow for any new entity to be registered in order to nominate a candidate.⁴⁵

The right to nominate candidates should be expanded to public associations and groups of citizens. Candidate nomination deadlines should be aligned with the timeline for party registration.

Citizens at least 35 years old can stand for elections.⁴⁶ Despite the recent constitutional reform, the 10-year residency requirement for presidential candidates was retained, contrary to international standards. While candidates must be fluent in Uzbek language, the legislation does not contain clear criteria for evaluation of the language command, despite a previous ODIHR recommendation.⁴⁷ The legislation does not permit individual candidates to stand for elections. These excessive restrictions on the right to stand are at odds with international standards and OSCE commitments and limit the inclusiveness of the candidate registration process.⁴⁸

Restrictions on candidacy based on residency, language proficiency, and affiliation to a political party should be reviewed in line with international standards. In line with the OSCE commitments, individual candidates should be allowed to stand for elections.

On 15 May, the CEC confirmed the eligibility of all five registered political parties to nominate candidates. According to the CEC decision, a candidate had to be supported by signatures of at least

⁴³ In addition, in one instance the equipment was present but not used without explanation provided to observers. In another case, the ODIHR EOM observers reported that the scanner was not always able to read voters' biometric IDs.

⁴⁴ The legislation governing registration and functioning of political parties contains burdensome registration requirements, including a requirement to obtain at least 20,000 signatures of citizens from at least eight out of 14 territorial-administrative units of Uzbekistan, who intend to form a party, and broad references to unspecified pieces of legislation non-compliance with which might render denial of registration or suspension of operation that does not ensure predictability of the law.

⁴⁵ According to the May 2023 amendments to the Electoral Code, an early presidential election is to be held within two months from their appointment.

⁴⁶ Individuals convicted of intentional crimes, those declared incapable by a court, and professional servants of religious organizations are not eligible to stand.

⁴⁷ Paragraph 4 of the [CCPR General Comment No. 25](#) states that "any conditions which apply to the exercise of the rights protected by article 25 should be based on objective and reasonable criteria". There is no regulation on how to assess the language requirement, and the CEC informed the ODIHR EOM that no evaluation takes place unless there are doubts regarding the language command of a candidate.

⁴⁸ Paragraph 15 of the [CCPR General Comment No. 25](#) confirms that the "persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education, residence or descent, or by reason of political affiliation". Paragraph 7.5 of the [1990 OSCE Copenhagen Document](#) requires that citizens be permitted "to seek political or public office, individually or as representatives of political parties or organizations, without discrimination". Paragraph 3 of [the OSCE Copenhagen Document](#) states that political pluralism, fostered by the existence of a variety of political parties, with different priorities and programmes, is critical to the proper functioning of democracy. Paragraph 47 of [the ODIHR and Venice Commission Guidelines on Political Party Regulation](#) further states that "[p]olitical pluralism is critical to ensuring effective democratic governance and providing citizens with a genuine opportunity to choose how they will be governed".

221,183 voters.⁴⁹ The low visibility of the public signature collection was raised as a concern by some ODIHR EOM interlocutors.⁵⁰ Political parties reported that they collected signatures primarily from their own members.⁵¹ Four political parties submitted nominations to the CEC.⁵² A CEC regulation provides that at least 15 per cent of signatures collected for each candidate should be verified, without specifying how the sample should be selected. According to the CEC, the signatures were verified within three days and checked only in cases of doubt and the verification committees stated that the time was sufficient to complete the task. All four candidates were registered on 6 June.⁵³ One candidate was a woman.

VIII. ELECTION CAMPAIGN

The presidential election took place in a controlled political environment that was significantly restrained and lacking genuine political alternatives. None of the registered candidates publicly criticized or authentically challenged the incumbent.⁵⁴ Some parties used the campaign to galvanize their members but did not appear to make notable efforts to reach out to the general public.⁵⁵ The political engagement in the contest was restricted and dissenting voices were excluded from the mainstream public debate.

The election campaign period officially started on 7 June and ended on 7 July. The contestants held primarily small meetings with voters, mainly indoors. The legal framework foresees equal opportunities for candidates to campaign and the Constitution provides for the right to rallies, meetings and demonstrations. All registered candidates were able to campaign freely and were treated equally for the production and distribution of campaign materials, organizing of events and access to public funding. By law, registered political parties and candidates have to inform DEC and PEC and notify in writing the respective district *hokimiyat* about the place and time of their campaign meetings, at least three days in advance. Contestants' practices varied but none reported obstacles to holding meetings with voters. However, many interlocutors voiced concerns regarding the general political environment, in which unauthorized gatherings are not allowed.⁵⁶

Campaign regulations include some prohibitions against the misuse of administrative resources and the participation of state officials in the campaign.⁵⁷ However, their scope and implementation do not

⁴⁹ The law requires collection of at least one per cent of voters in all 14 administrative units to be registered. No more than 8 per cent may be collected in one of the country's 14 administrative units.

⁵⁰ The CEC calendar allocated 17 days for the collection of signatures.

⁵¹ According to the information, provided to the ODIHR EOM by the political parties, SPD has approximately 570,000 members, EPU - some 485,000 members, PDPU – some 565,000 members, and LDPU – 1,269,998. According to the CEC, all activities related to signature collection and verification were carried out in line with relevant procedures, and the CEC shared with the ODIHR EOM videos of collecting of the signatures, and samples of the signatures submitted.

⁵² The incumbent was initially nominated by two political parties and subsequently registered as a candidate of the Liberal Democratic Party of Uzbekistan (LDPU).

⁵³ The other three presidential candidates were, Abdushukur Khamzaev– nominated by the Ecological Party (EPU), Ulugbek Inoyatov –nominated by the People's Democratic Party of Uzbekistan (PDPU) and Robakhon Makhmudova – nominated by the Social Democratic Party of Uzbekistan Adolat (SDPU).

⁵⁴ In the Namangan and Tashkent region during events of the PDPU candidate Ulugbek Inoyatov, the campaign messages shifted to openly favouring President Mirziyoev. The absence of authentic competition in the campaign was also underlined by the lack of critical engagement with the other contestants in all of the events observed by the ODIHR EOM, including during the televised debates between the candidate's proxies.

⁵⁵ None of the parties widely circulated their calendar with campaign events and many of the meetings with voters observed by ODIHR EOM were not open with attendance allowed only upon invitation.

⁵⁶ On 7 June 2023, the leader of the TDUDP, Khidirnazar Allakulov, was briefly detained following an event for collecting of signatures. The Fergana Department of Internal Affairs released a statement that Mr. Allakulov injured two police officers and the Prosecutor's Office is investigating the case.

⁵⁷ Special "protection and inviolability" of the personality of the president are granted by the Constitution and provisions that forbid the dissemination of information that is misleading or defaming the "dignity and honour" of the candidates.

provide for effective safeguards to prevent state and local officials misusing their positions. The incumbent introduced various social measures, legislated by presidential decrees, shortly after their announcement.⁵⁸ Furthermore, statements about the allocation of public funds and plans for large-scale projects and social benefits were publicized during the campaign period.⁵⁹ These instances blurred the separation between State and party, challenging paragraph 5.4 of the 1990 OSCE Copenhagen Document, and provided an undue advantage to the incumbent.⁶⁰ The ODIHR EOM noted instances of campaign events where attendance was seemingly orchestrated.⁶¹ On several occasions, the ODIHR EOM observed the presence of public employees at campaign events, including during office hours.⁶²

The legal framework should include effective safeguards against the misuse of office by state and local officials, prohibit pressure on public employees, and provide for effective enforcement and proportionate sanctions for possible violations.

The candidates' platforms focused on topics related to water management and the environment, the economy, healthcare, education, the rule of law and legislative improvements. While gender issues were mentioned and discussed at times, the topic did not feature prominently in the campaign discourse or in the candidate platforms.⁶³ The subdued character of the campaign was mirrored online with a very low engagement rate with the contestants' posts.⁶⁴ Social media provides some diverse opinions mainly pertaining to social problems and low-level corruption. However, legislation allows for prosecution based on content published on social media platforms, which according to some ODIHR EOM interlocutors results in widespread self-censorship.

⁵⁸ On 1 June, the president established the National Social Protection Agency to enhance the citizen's social protection and improve the quality of social services; on 12 June the president approved amendments to the legislation for tax reductions in Karakalpakstan; on 14 June, a presidential decree cleared property tax and land tax debts and terminated legal proceedings relating to the collection of tax debts, penalties and fines. Paragraph II. B. 1.1 of the 2016 ODIHR and [Venice Commission's Joint Guidelines on Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes](#) stipulates that "the legal framework should provide effective mechanisms for prohibiting public authorities from taking unfair advantages of their positions by holding official public events for electoral campaigning purposes".

⁵⁹ Local authorities in Jizzakh informed the ODIHR EOM that *mahallas* in each district of the region received additional funding from the president during the campaign period. On 13 July, in Khorezm region the president announced 2,500 projects in the automotive, textile, chemical, green energy and construction industries worth USD 10 billion. On 23 July, in Kashkadarya the President announced plans to allocate USD 114 million to preschool education alongside the modernization of around 1,000 schools, and the opening of 37 polyclinics and 95 family medical centres; on 20 July, in Bukhara the incumbent campaigned on existing plans for new medical and pharmaceutical centres.

⁶⁰ Paragraph 5.4 of the [1990 OSCE Copenhagen Document](#) calls for "a clear separation between the State and political parties."

⁶¹ For example, the ODIHR EOM observed: in the Tashkent region, a directed event of Ulugbek Inoyatov with the head of the regional council as a main speaker in front of an audience organized by their respective *mahallas*; an orchestrated event with teachers held in support of Abdushukur Hamzaev in Samarkand; in Surkhandarya a directed event in support of President Mirziyoyev with organizers handing questions to the audience and staging applause; seemingly orchestrated upon invitation events of the incumbent were observed in Samarkand and Bukhara.

⁶² During an event of Ulugbek Inoyatov in Namangan *mahallas* organized attendance of teachers, doctors and nurses; an event in support of Shavkat Mirziyoyev in Samarkand was attended by public servants during office hours; in Andijan an event in support of Ulugbek Inoyatov was attended mostly by healthcare staff; for an event in support of Abdushukur Khamzaev, held at the Fergana Public Health Medical Institute, the institute employees had to sign an attendance list.

⁶³ Only 16 per cent of political actors in prime-time news, current events and discussion programs in the monitored TV stations were female.

⁶⁴ The ODIHR EOM monitored 27 social media accounts, including those of the candidates and the parties and accounts run by prominent bloggers and activists.

IX. CAMPAIGN FINANCE

Campaign finance is regulated by the Election Code and the 2004 Law on Financing of Political Parties (LFPP), and by CEC regulations.⁶⁵ Funding for campaign purposes is allocated exclusively from the state budget, and only allocated to the political parties that nominated a candidate.⁶⁶ Alternative sources for election campaigns are prohibited, diminishing voters' political participation and contrary to international good practice.⁶⁷ Third party campaigning is not regulated.

To promote political participation and pluralism, the campaign finance framework should be aligned with international good practice, including by allowing individuals to donate to political parties and candidates for campaigning.

Positively, as of 2021, the legislation requires parties nominating candidates to submit an interim report prior to election day and a final report on campaign spending to the CEC, based on the CEC's approved template.⁶⁸ Expenditures for campaigning online and on social networks must also be included in the interim report. However, the existing mechanism does not provide for effective oversight and audit of third party expenditures to support the campaign, and the political party that did not nominate a candidate but supported the campaign with its resources was not subject to reporting requirements.⁶⁹ According to the CEC, all four parties submitted interim campaign reports within legal deadlines and positively, two of them published them on their websites prior to election day.⁷⁰ The Chamber of Accounts conducts an *ex post* financial audit, including on campaign finances, due at the beginning of the next calendar year.⁷¹ In line with a previous ODIHR recommendation, the law requires the results of the audit to be published.⁷²

According to the CEC, while the law does not specifically set out the liability for not meeting reporting deadlines, non-compliance with the rules will fall under administrative sanctions for failing to comply with the CEC decisions. The Code of Administrative Responsibilities provides liability for such

⁶⁵ CEC regulations determine reporting deadlines and templates, require the return of private campaign donations, as well as allow for parties to prepay election related expenditures from party funds, subject to compensation from state campaign funds.

⁶⁶ Both direct and indirect public campaign financing is provided for in law and in practice and equipped premises are provided by public and self-governing bodies for campaign events free of charge. For this election, the CEC allocated UZS 19,655 billion for campaign purposes and each party received some UZS 4.9 billion. The allocated amount has increased as compared to the 2021 presidential elections when the campaign funding was equal to UZS 15.5 billion. ODIHR EOM interlocutors from political parties stated that they were consulted prior to the approval of the campaign budget.

⁶⁷ See Paragraphs 204 and 209 of the [Guidelines on Political Party Regulation](#) which reiterate that “[f]unding of political parties is a form of political participation, and it is appropriate for parties to seek private financial contributions” and that “all individuals should have the right to freely express their support for a political party of their choice through financial and in-kind contributions”. Paragraph 233 states that “subsidies [...] should not be the only source of income or create conditions for over-dependency on state support”.

⁶⁸ The interim report is due five days prior to election day and the final report shall be submitted within 20 days after the announcement of the election results. The CEC shall submit a compiled report on expenditures to the Ministry of Finance within a month.

⁶⁹ Milliy Tiklanish – National Revival Democratic Party that did not nominate a candidate supported one of the nominated ones assisted the campaign with its resources. The role of *mahalla* committees, including support of the campaign activities with its resources is also not subject to adequate scrutiny.

⁷⁰ Political parties are required to publish campaign reports on their web pages and in print media within a month after the publication of election results. Parties must also submit annual financial reports, including on campaign, to the *Oliy Majlis*, the Ministry of Justice, the Ministry of Finance and the Tax Committee. However, unlike the Chamber of Accounts, they are under no obligation to publish the findings.

⁷¹ The Chamber of Accounts also conducts audit of the CEC every 2 or 3 years. Control over the expenditures by the election administration for election-related funds is with the Department of the Financial Control of the Ministry of Finance.

⁷² The Chamber of Accounts published the overview of the results of the audit of party finance, including campaign finance for 2022 on 5 July 2023. The Chamber identified a number of discrepancies in the reporting; however, no legal actions were taken.

violations only for officials, and only provides general responsibility for failure to comply with the law subject to decision of the criminal court on imposing the fines. The legislation lacks clarity and legal certainty as it does not list specific types of violations covered by this administrative offence, including applicability to third parties.⁷³ Further, the deadlines established for the examination of the case in court are not in line with a fair trial standards.⁷⁴ Overall, the effectiveness and transparency of campaign financing was undermined by lack of proper regulation and thorough and timely oversight, and dissuasive sanctions for violations.

Consideration should be given to making third parties accountable to campaign finance regulations and establishing and applying effective, proportionate and dissuasive sanctions for violations related to campaign finance, with a stronger accountability mechanism.

X. MEDIA

A. MEDIA ENVIRONMENT

A large number of media outlets are registered by the Agency for Information and Mass Communication (AIMC).⁷⁵ The National Television and Radio Company (NTRC) operates 12 television stations with nation-wide coverage, as well as 14 regional broadcasters and 4 radio stations.⁷⁶ The general director is appointed by the government in consultation with the president.⁷⁷ Online news media are mostly located in Tashkent and increasingly provide the main source of information for urban and young people. The high number of state television stations still constitutes a significant source of information in the regions. Commercial media compete with numerous state funded media outlets in a growing, yet limited advertising market. Very few media outlets are considered self-sustainable and ODIHR interlocutors reported interference into editorial autonomy through the allocation of advertising or its withdrawal following critical reporting.

To promote a plurality of views, it is recommended to transform the National Television and Radio Company into a genuine public service media, with independent appointment of management and a clearly defined public mandate. The financing model of a public broadcaster should ensure its financial independence. As public service media it should be required to provide balanced and impartial reporting in news, current affairs and discussion programmes, including in election coverage.

Legal restrictions on the right to freedom of expression, their monitoring and implementation by the authorities and the interference into editorial autonomy, result in pressure leading to widespread self-censorship among journalists and bloggers, according to a number of ODIHR EOM interlocutors. While

⁷³ Fines for citizens are up to 10 base units, and for public officials – up to 20. The base unit for 2023 is UZS 330,000.

⁷⁴ According to the Code of Administrative Offences, the case shall be examined within 24 hours after the receipt of the protocol of offence.

⁷⁵ According to the AIMC, a total of 736 state and 1,180 commercial media outlets are registered in Uzbekistan.

⁷⁶ The legal [analysis](#) of the Draft Law on Mass Media of the Republic of Uzbekistan jointly prepared by the Representative of Freedom of Media and ODIHR highlights that there is a “pressing need of a systemic reform of state media structures and state media should be transformed/substituted by an independent and professional public broadcasting system, and state-owned press outlets should be prepared for and assisted in the process of privatisation. The continuous existence of a politically and economically dependent state media framework is neither democratic nor financially efficient. A public broadcaster should have independent appointment of management, multi-sourced funding and a clearly defined public mandate as well as to provide to provide balanced, fair and impartial reporting in the news.”

⁷⁷ Paragraph 16 of the [CCPR General Comment No.34](#) to the ICCPR stipulates that states should guarantee the independence and editorial freedom of public broadcasting services.

online and social media provide some room for discussion of social issues, criticism of high political authorities remains significantly inhibited.⁷⁸

B. LEGAL FRAMEWORK

The Constitution provides basic guarantees of freedom of expression and access to information.⁷⁹ Although imprisonment for defamation was removed from the Criminal Code in 2020, defamation, insult and the dissemination of false information are still criminalized and public slander and insult of the president carries up to 5 years of imprisonment.⁸⁰ Broad and insufficiently defined provisions in the Criminal Code on terrorism, religious extremism, separatism, storage and dissemination of extremist materials, and attempts to undermine public order, do not provide for legal certainty and further disproportionately restrict the right to freedom of expression contrary to binding international law.⁸¹ Recent arrests, detentions and convictions based on these provisions *de facto* limit this freedom.⁸²

Defamation and other related provisions, including ‘insult’ and dissemination of ‘false information’ should be decriminalized in line with international standards.

Owners of websites or other public ‘information resources’, including bloggers, are obliged to monitor third-party content for its compliance with the law and the veracity of the information hosted on their platforms. The law provides overly broad and insufficiently precise grounds for online content to be deemed illegal, contrary to international standards.⁸³ The AIMC monitors media’s and social media users’ compliance with legal requirements and issues warnings for alleged violations. Filtering and

⁷⁸ Several bloggers reported to the ODIHR EOM on repeated summons to local police stations where they were questioned about the content of particular posts. In one instance the officers in plain clothes particularly pointed out the comments to individual posts warning that the blogger, “according to the law, carries responsibility for them”. The interrogators were not known to the local police officers in the station. The blogger reported to have subsequently disabled the comments function on social media accounts and refrained from criticizing the president.

⁷⁹ However, in addition to the exhaustive list of permissible grounds of limitations as provided for in Article 19.3 of the [ICCPR](#), the Constitution permits limitations on the grounds of the “existing constitutional system”, as well as “if any state or other secrets, protected by law”, are involved.

⁸⁰ See paragraph 39 of the [2011 UNHRC General Comment No. 34 to the ICCPR](#). The law provides for defamation under aggravating circumstances, for excessive fines of up to UZS 165,000,000 and up to three years restriction of liberty. Furthermore, a 2021 amendment expanded public defamation and insult of the president to telecommunication networks and the internet, including online media and social networks.

⁸¹ In addition, the production, import, and distribution of “religious content materials” requires an obligatory prior examination by a state expert on religious issues, hereby amounting to prior censorship. The ODIHR and Venice Commission Joint [Opinion](#) on the Draft Law “On Freedom of Conscience and Religious Organizations” states that “In practice, the vagueness of such terms may allow States to adopt highly intrusive, disproportionate and discriminatory measures, as demonstrated by the findings of international human rights monitoring mechanisms, which point to persistent problems, in particular, with so-called “*extremism*” charges and the implications on the rights to freedom of religion or belief, expression, association, and peaceful assembly as well as the occurrence of unlawful arrests, detention, torture and other ill-treatment in the Republic of Uzbekistan.”

⁸² On 13 April 2023, the Mirabad district court extended the compulsory treatment in a psychiatric hospital of blogger Shohida Salomova. A psychiatric examination was ordered by court, after her detention on 18 December 2022 for defamation and slander of another blogger, under Articles 139 and 140 of the Criminal Code. According to [media reports](#) (access to Radio *Ozodlik* is restricted in the country), the detention followed her accusations of the president and his relatives of corruption and nepotism. She also provided free legal aid to victims of evictions. On 31 May 2023, the Nurota district court convicted a woman for ‘liking’ religious content on a social media page for storing and disseminating materials containing ideas of religious extremism that threaten public safety and public order by using the Internet. Due to mitigating circumstances, she was convicted to *inter alia* three years restriction of liberty, prohibited to leave her residence between 22:00hrs and 06:00hrs, coupled with the prohibition to use the Internet.

⁸³ The Law on Informatization restricts information that *inter alia* “demonstrates disrespect for society, the state, state symbols, including information expressed in an indecent form” and that “calls for riots, violence against citizens, as well as participation in meetings, rallies, street processions and demonstrations held in violation of the established order, as well as the coordination of these illegal actions.” Article 19.3 of the ICCPR stipulates that restrictions must be “provided by law”, meaning that they must be formulated with sufficient precision to enable and individual to regulate his or her conduct accordingly. In addition, they may only be imposed for one of the grounds including the “respect of the rights or reputations of others” or the “protection of national security or of public order or of public health or morals” and they must conform to the strict tests of necessity and proportionality.

blocking of websites for non-compliance is executed without judicial authorization, but may be appealed in court.⁸⁴ The register of restricted ‘information resources’ is not publicly available.

To ensure the effective exercise of freedom of expression, any restrictions on the operation of social networks, websites and other Internet-based resources should be transparent, clearly defined by law, subject to judicial oversight and conform to the strict tests of necessity and proportionality.

The Mass Media Law prohibits a foreign share of over 30 per cent in a mass media outlet and local mass media are prohibited from receiving foreign funding. The law requires local and foreign media representatives to receive accreditation by election commissions in order to cover the election campaign, contrary to international standards.⁸⁵

In order to promote pluralistic and unimpeded reporting on the election campaign, accreditation requirements for representatives of mass media outlets should be lifted.

C. MEDIA MONITORING FINDINGS

Legislation entitles contestants to free-of-charge airtime and space on state-owned national and regional media outlets.⁸⁶ The CEC decision provides general guidance to media and states that all media have to ‘in principle’ provide equal coverage in the news, however, the CEC informed the ODIHR EOM that the CEC decision on this does not entail a legal obligation for the media to provide an equal amount of news coverage. The AIMC monitors the media’s compliance with requirements and regularly reports to the CEC, however, not publicly. The CEC reported no violations and it received no complaints on media coverage.

ODIHR EOM media monitoring results show that state-owned media outlets provided free airtime to candidates in line with the law.⁸⁷ In state-owned *O‘zbekiston* and *O‘zbekiston24* news, the incumbent received 34 and 37 per cent of campaign coverage respectively, comparing to 22, 24 and 20 per cent and 21, 22 and 20 per cent, allocated to Ulugbek Inoyatov, Abdushukur Khamzaev and Robakhon Makhmudova respectively. In addition, the President received coverage in his institutional capacity.⁸⁸ The commercial television stations *My5* and *Sevimly* did not cover the campaign in the news and only the incumbent received news coverage, while on *UzReport TV* the incumbent received 93 per cent of a limited amount of campaign coverage. Virtually, no coverage of the candidates in a negative tone was monitored on the selected media outlets, reflecting the lack of genuine competition, but also the inability of media to facilitate a critical discourse in the public sphere. Two pre-recorded debates with proxies of the contestants were broadcast on state television. While political parties had an opportunity to present

⁸⁴ See paragraphs 2.a and b of the [2011 Joint Declaration on Freedom of Expression and the Internet](#) by the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media, the Organization of American States (OAS) Special Rapporteur on Freedom of Expression and the African Commission on Human and People’s Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information.

⁸⁵ See the [2003 Joint Declaration](#) by the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media, the OAS Special Rapporteur on Freedom of Expression and the ACHPR Special Rapporteur on Freedom of Expression and Access to Information.

⁸⁶ For the first week of the campaign, the four candidates were allocated 90 minutes free airtime on each of the 4 nation-wide state-owned TV stations, while for the following weeks they received 30 minutes. On regional state TV the total amount of free airtime was 100 minutes per station and candidate. In addition, they received space in state - owned newspapers.

⁸⁷ On 12 June, the ODIHR EOM started monitoring five television stations, including the state owned *O‘zbekiston* and *O‘zbekiston24* and the commercial *MY5*, *Sevimli*, and *UzReport* and five online media outlets: *Daryo.uz*, *Gazeta.uz*, *Kun.uz*, *Podrobno.uz* and *Qalampir.uz*.

⁸⁸ Including the president’s institutional coverage in the news, the incumbent received 55 and 53 per cent on *O‘zbekiston* and *O‘zbekiston24*, while the other candidates received 15, 17 and 14 per cent and 15, 16 and 15 per cent respectively. In campaign coverage in the news on *O‘zbekiston*, 63 per cent of the coverage of the incumbent as a candidate was direct speech time, comparing to 15, 12 and 10 per cent of direct speech time for the other contestants.

their platforms, the format did not allow for counter-arguments and follow-up questions which resulted in a lack of interaction.

XI. PARTICIPATION OF NATIONAL MINORITIES

The Constitution stipulates that Uzbekistan is a multi-ethnic country where all citizens have equal rights without discrimination based on nationality, ethnicity and language. The Law on Political Parties forbids the establishment of parties based on grounds of national origin. The majority of the population in the country is ethnic Uzbek and according to official data, the minorities amount to 16.3 per cent of the population. Some of the other sizeable ethnic groups include Tajiks, Kazakhs, Russians, Karakalpaks, Tatars, and Turkmens, among others.⁸⁹ Uzbek is the official state language and, by law, the state has to create the necessary conditions for the development of other minority languages.

According to the CEC, 95.1 per cent of ballot papers were printed in Uzbek and in some constituencies in Karakalpak (2.4 per cent) and Russian (2.5 per cent). Political parties informed the ODIHR EOM that they also printed and disseminated campaign materials in Russian and Karakalpak languages. National minority issues did not feature prominently during the campaign period and the contestants did not specifically address minority questions in their platforms. The ODIHR EOM did not observe any instances of nationalist rhetoric. Almost all of the campaign events observed by the ODIHR EOM were in the Uzbek language.⁹⁰

XII. COMPLAINTS AND APPEALS

The law grants broad legal standing to all stakeholders.⁹¹ The election administration has jurisdiction over all election related complaints, except for those against the actions and decisions of election commissions that shall be exclusively filed with administrative courts.⁹² Decisions of the CEC, including on the election results, can be challenged to the Supreme Court. The deadlines for election-related disputes are in line with international good practices.⁹³ Complainants are subject to filing fees that may pose additional barriers, in particular for legal entities.⁹⁴

Consideration should be given to reducing or eliminating the cost of filing complaints and appeals to the various courts to facilitate access to justice on election-related matters for individuals and legal entities.

⁸⁹ The last official census was conducted in 1989 and the information about ethnic minorities was updated by the State Statistics Committee in 2017. A new census is scheduled to take place in 2023.

⁹⁰ All of the 42 campaign events observed by the ODIHR EOM were held in Uzbek language and in one case both Russian and Uzbek were used. Out of 44 main speakers 11 were women.

⁹¹ Any person or legal entity can file an appeal with the election commissions. Decisions of the election commissions may be challenged in court by political parties that nominated a candidate, candidates themselves, candidate's proxies, observers and voters.

⁹² While the law does not explicitly provide for challenging the inactions of the election administration in court, the Law on Consideration of Appeals of Persons and Legal Entities (LCAPLE) as well as a CEC resolution provide for the right to challenge the unlawful refusal to accept and process appeals. In several cases, the CEC responded in writing to appeals related to the appointment of election commission members longer than three days after the receipt, considering that such appeals fall under the LCAPLE provided deadlines.

⁹³ Decisions of the election administration, including the final results, may be challenged in court within five days after their adoption and shall be decided within three days, or immediately if filed within six days prior to the election day. Mistakes or inaccuracies in voter lists may be raised by any citizen and shall be examined within 24 hours by the relevant PEC, and the decision is subject to appeal in court.

⁹⁴ For natural persons the filing fee is one base unit, equal to UZS 330,000, and for legal entities it is ten base unit, equal to UZS 3,300,000. See the ODIHR and Venice Commission [Joint opinion](#) on the Election Code of Georgia as revised up to July 2008, paragraph 115; paragraph 5.10 of the Copenhagen Document states, "...everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity".

In a positive development, as of 10 May 2023, the CEC started concisely reporting on received appeals and complaints. According to the CEC, as of 10 July, about 231 applications were received from citizens and none from legal entities and political parties.⁹⁵ Of these, only 128 were related to the electoral process, including the composition and functioning of the election commissions.⁹⁶ Most of these were rejected on technical grounds.⁹⁷ However, the consideration of complaints and appeals by the election administration did not fully ensure transparency, as it was limited to voting on pre-drafted decisions approving the measures taken on appeals and none of the complaints were heard in public sessions, and public information on the actual decision-making process remained limited.⁹⁸ The law requires DEC and PECs to maintain an appeals and complaints log. The ODIHR EOM observed that in many cases lower-level election commissions did not document received appeals and complaints.⁹⁹ The CEC set up a toll-free call-centre to respond to election-related inquiries, complaints and provide legal counselling in a real-time format. However, the information on the substance of 432 calls received and measures taken was not made public.

According to the Supreme Court, one complaint related to this election was received by the courts, and dismissed; no details on the case were provided to the public.¹⁰⁰ ODIHR EOM interlocutors attributed the low number of complaints to the lack of genuine competition in the elections on the national level. Access to information on investigations and court cases related to the exercise of fundamental freedoms, including in the context of political association and assembly, as well as electoral disputes, remains limited. Access to information and public scrutiny are limited due to the lack of transparency of the election dispute resolution process.

To ensure transparency of the election dispute resolution process and access to an effective remedy for all stakeholders, all election-related complaints should be handled by commissions collegially and in open sessions. Decisions of election commissions, courts and other relevant bodies should be reasoned, contain sufficient details and be publicly disclosed and published, in a timely manner.

Despite certain recent legislative and practical measures taken,¹⁰¹ the independence of the judiciary is undermined by insufficient safeguards in the legislation and in practice.¹⁰² According to ODIHR EOM interlocutors, this results in a low number of cases challenging interference in the exercise of

⁹⁵ In reported cases, the CEC generally respected the three-day legal deadline, but the concurrent applicability of the deadlines set by the Election Code and the LCAPLE in some cases affected the timeliness of electoral dispute resolution.

⁹⁶ The rest were not within the CEC's mandate. In some cases, based on complaints the CEC requested DEC to look into the composition of PECs to verify compliance with the requirements. In those cases when failures to comply were identified, the composition was changed. However, the CEC did not treat these as complaints.

⁹⁷ The Code on Administrative Responsibilities established liability for public officials for failure to accept and process appeals and complaints.

⁹⁸ Only a brief overview of appeals and complaints received in the reporting period and measures taken in response are attached to pre-drafted CEC resolutions adopted in public sessions. They do not contain sufficient details on the issues and steps taken.

⁹⁹ According to the DEC and PEC members, if the issue was solved, there was no need to document it in the log.

¹⁰⁰ The applicant challenged the CEC decision on the registration of one of the presidential candidates. The Supreme Court informed the ODIHR EOM that the decision is not publicly available and provided no information on the ground for dismissal. According to the applicant, the case was dismissed because of failure to meet the five day deadline to challenge CEC decisions.

¹⁰¹ The Law on Courts was adopted in 2021, when the Supreme Judicial Council was established and several electronic portals were introduced to facilitate access to the courts.

¹⁰² The UN Special Rapporteur on the independence of the judiciary in his country visit [report](#) published in 2020 expressed concerns over undermined institutional and personal independence of judges and that 'provisions regarding the composition and functions of the Council are not fully in line with international standards and do not provide sufficient guarantees to insulate the judiciary and judicial career processes from external political pressure'. See also paragraph 5.12 of the [1990 OSCE Copenhagen Document](#), [OSCE 1991 Moscow Document](#), and the [1985 UN Basic Principles on the Independence of the Judiciary](#).

fundamental freedoms, including denial of registration of civil society organizations (CSOs) and political parties.

Criminal and administrative liability is provided for election-related crimes and offences; however, some of the provisions lack legal certainty and do not set sanctions for all potential perpetrators and for all violations affecting the electoral process.¹⁰³

To ensure legal certainty, the system establishing sanctions for election-related violations should be reviewed, with dissuasive sanctions set for all potential perpetrators and for all violations affecting the electoral process with deadlines for the adjudication of the case ensuring the right to a fair trial.

XIII. CITIZEN AND INTERNATIONAL OBSERVERS

Observers from international organizations, political parties, *mahalla* committees and media representatives are entitled to observe elections. International observers are accredited by the CEC, while others are subject to accreditation at the DEC. The CEC registered 797 international observers. The DEC accredited 53,677 observers from political parties and *mahalla* committees. Despite longstanding ODIHR recommendations and contrary to OSCE commitments, the legislation does not contain provisions for observation by citizen observers, limiting transparency and public scrutiny of the electoral process.

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

Civil society organizations (CSOs) face difficulties to register and restrictions on foreign funding whereas other organizations are subject to extensive governmental control precluding genuine separation from the state.¹⁰⁴ Some ODIHR EOM interlocutors highlighted these as the main obstacles for the growth of independent civil society and its full participation in the election processes. In particular, the imposition of a state partner in order to enable the use of foreign funds constrains the ability to seek, secure and have autonomy in the use of resources essential for operation, impacting freedom of association.

To bring the regulations and practice governing the functioning of civil society organizations (CSOs) into full compliance with international standards, burdensome requirements for the operation and funding of civil society organizations should be reviewed.

¹⁰³ The Code of Administrative Responsibilities for certain offences related to the organization and conduct of elections provides for liability only for officials, for example, for failure to comply with the CEC decisions (including campaign finance) or interference in the activities of election commissions or obstruction of their work, or violations of rights of observers or party agents. Sanctions for these offences are fines ranging from 3 to 15 base units.

¹⁰⁴ Some CSOs met by ODIHR asserted that an attachment of a state partner to foreign financing discourages their donors. See paragraph 20 of [the 2023 Report of the UN Special Rapporteur on the rights to freedom of peaceful assembly and association](#) stating that “the ability of associations to access funding and other resources from domestic, foreign and international sources is an integral part of the right to freedom of association. Under international law, problematic constraints include, inter alia, outright prohibitions to access funding; requiring civil society organizations to obtain Government approval prior to receiving funding; requiring the transfer of funds to a centralized Government fund; banning or restricting foreign-funded civil society organizations from engaging in human rights or advocacy activities.”

XIV. ELECTION DAY

A. EARLY VOTING

Early voting took place between 28 June and 5 July.¹⁰⁵ Overall, the preparations for the early voting were positively assessed by the ODIHR EOM observers. At the same time, the organization and the conduct of the process raised a number of concerns with respect to compliance with the safeguards aimed at preserving the integrity of the process. In particular, in the vast majority of the polling stations observed, voters were only marked in the electronic system, without using paper voter lists. While the layouts of polling stations observed generally provided for the preservation of vote secrecy, in several cases the presence of video cameras directed at the voting booth was observed, creating concerns related to the secrecy of the vote. The envelopes with ballots of early voters were stored until the election day in lockers at the PECs, which did not ensure adequate safeguards against potential tampering. According to the CEC, 815,300 citizens voted early, inside the country and abroad.

B. OPENING AND VOTING

Overall, election day was calm. The ODIHR EOM observers positively assessed opening in 89 out of 95 polling stations visited. Most polling stations opened on time or with a short delay and procedures were generally followed. However, in 17 cases, unauthorized persons, mainly local officials, were present during the opening, and in 4 cases were seen interfering in or directing the work of the PECs. In polling stations observed throughout the day, more than half of the PEC members (55 per cent) were women.

The administration of the voting process was negatively assessed in 120 (13 per cent) of the 933 polling stations visited. This high figure is indicative of the shortcomings observed. The noted serious irregularities included in 28 per cent of observations seemingly identical signatures on the voter lists and in 36 cases indications of ballot box stuffing, such as stacks of ballots in the ballot boxes, were observed.¹⁰⁶ Further, the ODIHR EOM observed that voters were added to supplementary voter lists without proper verification in 28 per cent of PECs, compromising safeguards to prevent multiple voting.¹⁰⁷ Other irregularities were related to the non-observance of the procedures by the PEC members; in particular, the PECs did not check voters' ID documents, voters without proper IDs were allowed to vote, and cases of voters not signing the voter list before receiving the ballot were noted.¹⁰⁸ In addition, in some polling stations with biometric registration systems, paper voter lists were not used at all. ODIHR EOM observers reported cases of voter lists on forms that were not the official forms with handwritten names of voters present in polling stations. Overall, the poor handling of the voter lists by PEC members negatively impacted the electoral process jeopardizing an important safeguard of verification against malpractices.¹⁰⁹

Campaign materials were also noted in 7 per cent of observations. ODIHR EOM observers were not ensured a clear view of the voting procedures in three per cent of polling stations visited and were not given access to review the voter list in a 5 per cent of polling stations. Moreover, the ODIHR EOM

¹⁰⁵ According to the CEC, 634,584 voted early in Uzbekistan as well as 180,729 in embassies abroad.

¹⁰⁶ Moreover, the ODIHR EOM received credible reports of some cases of public employees being pressured to mobilize students to vote.

¹⁰⁷ In 10 percent of observations, PECs did not have access to the electronic database to conduct this check.

¹⁰⁸ In addition, in some polling stations with biometric registration systems, paper voter lists were not used at all. ODIHR EOM observers reported cases of voter lists on forms that were not the official forms (with handwritten names of voters) present in polling stations.

¹⁰⁹ Ballots should be reconciled against the number of signatures in the list of voters. [The paragraph 32 of the Explanatory Report to the 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 Electoral Code also requires voters to sign voter lists, including during the early voting.

observers noted unauthorized persons in 10 per cent of polling stations visited. ODIHR EOM observers reported 27 instances of party agents, *mahalla* committee representatives, and other unauthorized persons unduly interfering in the voting process.

To preserve integrity of the voting process and enable effective reconciliation during the count, the precinct election commissions should diligently use all safeguards, in particular, paper voter lists. Effective measures should be taken to prevent and sanction malpractices, including falsification of signatures in the voter lists, as well as undue interference with the electoral process in polling stations.

While polling station layouts were assessed as adequate to conduct polling in almost all polling stations, the secrecy of the vote was compromised in 11 per cent of observations, and ballots were not always marked in secret (15 per cent).¹¹⁰ Additionally, instances of group voting were observed in 3 per cent, multiple voting in 2 per cent and proxy voting in 3 per cent of polling stations observed.

The authorities should continue to develop effective safeguards against multiple voting and to ensure the secrecy of the vote, which should be implemented adequately and consistently. This could include enhanced training of election staff and targeted voter education.

Despite positive measures introduced to facilitate the access of persons with different types of disabilities, independent access for persons with physical disabilities was not ensured in 21 per cent of polling stations observed and in 18 per cent of observations polling stations were not equipped with the necessary materials, such as Braille stencils for ballots.

To guarantee equal suffrage and inclusiveness, the authorities should consider measures to enhance access to voting procedures for persons with physical disabilities and reduced mobility.

During the voting process the observers from *mahallas* and from political parties were present in 85,9 percent of polling stations observed, contributing to the transparency of the process. The CEC reported that there were no complaints filed with the election administration on election day.

The Ministry of Interior reported receiving no election-related complaints and the Prosecutor General reported on five communications, received through the hotline but none qualified as an election-related complaint and no violations were established. The CEC did not publicly announce the number of complaints received by the election and on the election day and stated that no electoral violations were established. The information presented at the briefings lacked details of public interest, including the substance of the issues raised and grounds for dismissal.

C. COUNTING AND TABULATION

Most of the polling stations observed closed on time. The closing and counting processes were reported as negative in a high number of observations, with 39 out of 87 polling stations assessed as bad or very bad due to further significant procedural errors and omissions. Counting procedures were not followed in more than a half of polling stations observed. In particular, some critical reconciliation steps before the opening of ballot boxes were omitted, challenging the integrity of the counting process.¹¹¹ The validity of the ballots was not determined in accordance with prescribed procedures in 22 cases, ballots were not counted one by one so everyone can see in 36 cases and the validity of contested ballots were not decided by vote of the PEC members in 48 cases. The ODIHR EOM observed 12 cases of indications of ballot box stuffing during the count, including bundles of ballots folded together. In 30 counts

¹¹⁰ In those polling stations where cameras were present, 13 per cent of observations indicated that the camera was positioned in a way which could compromise the secrecy of the vote.

¹¹¹ For example, PEC members failed to determine the total number of ballots received in 25 cases and did not determine the total number of ballots issued to voters on election day in 26 cases; unused and spoiled ballots were not counted in 16 and not canceled in 20 cases.

observed, PECs had difficulties completing the results protocol, and the ODIHR EOM noted that in 10 cases protocols were pre-signed and there was evidence of deliberate falsification of protocols or voter lists entries in 10 and 15 cases, respectively. In some cases, not all phases of the counting process were visible to observers.¹¹² Overall, the counting process raised serious concerns about whether ballots were counted and reported honestly, in line with paragraph 7.4 of the 1990 OSCE Copenhagen Document.¹¹³

In line with the international standards, election management bodies should follow and implement the procedures for counting in an honest manner. To ensure consistency and understanding of the election day procedures, the training for election officials should include all key aspects of the procedures, including the sequence and performance of the counting, as well as awareness of sanctions for malpractices, such as ballot box stuffing and other falsifications of voting results.

The tabulation process observed by the ODIHR EOM lacked transparency, detracting from meaningful observation. In particular, in six cases not all people present had a clear view of the tabulation procedures and in seven cases it was not possible to observe the process without restrictions. The ODIHR EOM observers were prevented from meaningful observation of the tabulation process as in eight cases they were not allowed to observe the data entry and DEC members did not provide a sufficient level of cooperation in five observations.

The CEC shared updates about the voting process through press conferences, contributing to the transparency of the process. The updates included information on the turnout, and at the close of the polls, the preliminary turnout countrywide was reported at 79.8 per cent. ODIHR EOM observers consistently noted discrepancies between the number of voters casting their ballots and the officially reported preliminary turnout figures.

Although the law provides for PEC protocols to be posted outside of PEC premises, this measure neither safeguards the integrity of election results nor provide for cross-checking of these protocols. Contrary to a longstanding ODIHR recommendation, the CEC does not publish results broken down by polling stations.

To enhance the integrity of election results, the CEC should publish on its website election results disaggregated by polling station.

XV. RECOMMENDATIONS

These 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 yet been addressed. 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.¹¹⁴

¹¹² The ODIHR EOM observers reported that they were not able to observe counting procedures without restrictions in 13 polling stations and they were not granted full cooperation from the PECs in 11 cases.

¹¹³ Paragraph 7.4 of the [1990 OSCE Copenhagen Document](#) provides that the participating States will ensure that the votes are counted and reported honestly.

¹¹⁴ 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 final report on the 2019 parliamentary elections ([2019 Final Report](#)) and 12 from the final report on the 2021 presidential election from were fully implemented. Recommendations 14, 15, 16 and 18 and 23 from the 2019 Final Report were mostly implemented. Recommendations 2,9,10, 11, 13, 17, 21, 30 from the 2019 Final Report and recommendations 9, 10, 11, 13, 16, 18, 22 from the 2021 Final Report were partially implemented.

A. PRIORITY RECOMMENDATIONS

1. The legislative and administrative requirements for the registration of political parties should be revised to foster pluralism and ensure the exercise of freedom of association.
2. To ensure a coherent electoral framework, the legislation should be reviewed to bring it further in line with OSCE commitments, international standards and good practices. The reform process should take place well in advance of the next election period and within an inclusive and transparent consultation process.
3. The legislation governing fundamental rights and freedoms shall be 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.
4. The nomination and appointment of election commission members at all levels should be revised to provide for the formation of election administration bodies independent from the state and local administrations as well as from the *mahallas*.
5. To prevent multiple voting and in line with good practice, proper safeguards should be in place for the use of supplementary lists and only those voters who changed their residence between the final publication of the voter lists and voting day should be permitted to vote.
6. Defamation and other related provisions, including ‘insult’ and dissemination of ‘false information’ should be decriminalized in line with international standards.
7. To ensure the effective exercise of freedom of expression, any restrictions on the operation of social networks, websites and other Internet-based resources should be transparent, clearly defined by law, subject to judicial oversight and conform to the strict tests of necessity and proportionality.

B. OTHER RECOMMENDATIONS

Background

8. Additional measures to enhance the participation of women in public and political life should be considered, including the development of government action plans, training, educational and funding programmes, including among the judiciary and law-enforcement agencies. Further efforts could also be made by political parties including conducting gender audits, developing political party action plans and providing further support to women’s participation in political life and party leadership.

Election Administration

9. The procedures for the composition of the election administration should be reviewed to enhance women’s participation in decision-making and leadership positions.

Voter Registration

10. Any changes to the election procedures involving new technologies should be introduced upon wide public consultations, tested and followed by a public information campaign well before elections. Important safeguards, such as signatures of voters in the list of voters, should be in place to ensure accurate reconciliation of the voting results.

Party and Candidate Registration

11. The right to nominate candidates should be expanded to public associations and groups of citizens. Candidate nomination deadlines should be aligned with the timeline for party registration.
12. Restrictions on candidacy based on residency, language proficiency, and affiliation to a political party should be reviewed in line with international standards. In line with the OSCE commitments, individual candidates should be allowed to stand for elections.

Election Campaign

13. The legal framework should include effective safeguards against the misuse of office by state and local officials, prohibit pressure on public employees, and provide for effective enforcement and proportionate sanctions for possible violations.

Campaign Finance

14. To promote political participation and pluralism, the campaign finance framework should be aligned with international good practice, including by allowing individuals to donate to political parties and candidates for campaigning.
15. Consideration should be given to making third parties accountable to campaign finance regulations and establishing and applying effective, proportionate and dissuasive sanctions for violations related to campaign finance, with a stronger accountability mechanism.

Media

16. To promote a plurality of views, it is recommended to transform the National Television and Radio Company into a genuine public service media, with independent appointment of management and a clearly defined public mandate. The financing model of a public broadcaster should ensure its financial independence. As public service media it should be required to provide balanced and impartial reporting in news, current affairs and discussion programmes, including in election coverage.
17. In order to promote pluralistic and unimpeded reporting on the election campaign, accreditation requirements for representatives of mass media outlets should be lifted.

Complaints and Appeals

18. Consideration should be given to reducing or eliminating the cost of filing complaints and appeals to the various courts to facilitate access to justice on election-related matters for individuals and legal entities.
19. To ensure transparency of the election dispute resolution process and access to an effective remedy for all stakeholders, all election-related complaints should be handled by commissions collegially and in open sessions. Decisions of election commissions, courts and other relevant bodies should be reasoned, contain sufficient details and be publicly disclosed and published, in a timely manner.
20. To ensure legal certainty, the system establishing sanctions for election-related violations should be reviewed, with dissuasive sanctions set for all potential perpetrators and for all violations

affecting the electoral process with deadlines for the adjudication of the case ensuring the right to a fair trial.

Citizen and International Observers

21. The Election Code and other relevant legislation should be amended to provide for genuine citizen election observation in line with the OSCE commitments.
22. To bring the regulations and practice governing the functioning of civil society organizations (CSOs) into full compliance with international standards, burdensome requirements for the operation and funding of civil society organizations should be reviewed

Election day

23. To preserve integrity of the voting process and enable effective reconciliation during the count, the precinct election commissions should diligently use all safeguards, in particular, paper voter lists. Effective measures should be taken to prevent and sanction malpractices, including falsification of signatures in the voter lists, as well as undue interference with the electoral process in polling stations.
24. The authorities should continue to develop effective safeguards against multiple voting and to ensure the secrecy of the vote, which should be implemented adequately and consistently. This could include enhanced training of election staff and targeted voter education.
25. To guarantee equal suffrage and inclusiveness, the authorities should consider measures to enhance access to voting procedures for persons with physical disabilities and reduced mobility.
26. In line with the international standards, election management bodies should follow and implement the procedures for counting in an honest manner. To ensure consistency and understanding of the election day procedures, the training for election officials should include all key aspects of the procedures, including the sequence and performance of the counting, as well as awareness of sanctions for malpractices, such as ballot box stuffing and other falsifications of voting results.
27. To enhance the integrity of election results, the CEC should publish on its website election results disaggregated by polling station.

ANNEXE I: FINAL ELECTION RESULTS¹¹⁵

Candidate	Votes	Percentage
Abdushukur Khamzaev	585,711	3,74
Shavkat Mirziyoyev	13,625,055	87,05
Ulugbek Inoyatov	629,116	4,02
Robakhon Makhmudova	693,634	4,43

Total number of voters	19,593,838
Number of voters who voted	15,651,405
Number of valid votes	15 533 516
Number of invalid votes	117,889

¹¹⁵ Data according to the final results published by the CEC

ANNEXE II: LIST OF OBSERVERS IN THE ELECTION OBSERVATION MISSION

ODIHR Core Team

Melikyan	Anna	Armenia
Chaliadzinski	Aliaksandr	Belarus
Imamović	Mišo	Bosnia and Herzegovina
Kolibarski	Svetozar	Bulgaria
Šehalić	Elma	Germany
Kotlaja	Slaviša	Montenegro
Bader	Max	Netherlands
Ramadani	Gent	Norway
Gacek	Urszula	Poland
Chetaykina	Svetlana	Russian Federation
Janjušević	Maša	Serbia
Järnbert	Mikaela	Sweden
Garibshoeva	Firuza	Tajikistan
Ovezdurdyev	Ruslan	Turkmenistan

ODIHR Long term observers

Gurbanov	Ravan	Azerbaijan
Bicanovska	Dita	Czech Republic
Mogensen	Kirsten	Denmark
Khrol-Lappalainen	Tatiana	Finland
Godbillon	Vincent	France
Bronny	Anja	Germany
Meier	Rebecca	Germany
MacDermott	Eithne	Ireland
Tenisci	Aldo	Italy
Djunushev	Erlan	Kyrgyzstan
Sainkhuu	Gandolgor	Mongolia
Bom	Egbertus	Netherlands
Husby	Trond	Norway
Seim	Øyvind	Norway
Balandina	Elena	Russian Federation
Bedritskiy	Alexander	Russian Federation
Fetisov	Ivan	Russian Federation
Volkov	Andrei	Russian Federation
Nunez	Astrid	Sweden, Spain
Chanda	Shumit	Switzerland
Mykhailovskyi	Tymur	Ukraine
Brown	Joan	United States
Polman	Mitchell	United States
Slegers	Jake	United States

ODIHR Short-term observers

Hayrapetyan	Alisa	Armenia
Hovnanyan	Tamara	Armenia
Hovakimyan	Lusine	Armenia

Pollak	Markus	Austria
Bratranek	Alfred	Austria
Rossmann	Martin	Austria
Tawil	Edward	Canada
Meijer	Rebecca-Lynn	Canada
Štěpánková	Lucie	Czech Republic
Bilek	Tomas	Czech Republic
Vesely	Jan	Czech Republic
Selchau	Mette	Denmark
Petersen	Ingegerd	Denmark
Hansen	Nana Sofia	Denmark
Bohlbro	Peter	Denmark
Lauritzen	Hans Jørgen	Denmark
Dakinah	Yari	Denmark
Poulsen	Mashu	Denmark
Alsøe	Andreas	Denmark
Martens	Mihkel	Estonia
Maki	Mikko	Finland
Karhilo	Jaana	Finland
Sulin	Jouni	Finland
Ruotte	Paul	France
Schneider	Clément	France
Godard	Maeva-Laureen	France
Lemoine	Mathieu	France
Hamidi	Sarah	France
Sabadel	Lena	France
Arnoult	Julien	France
Kasperski	Guillaume	France
Iffly	Catherine	France
Marsal	Stephanie	France
Mede-Karpenstein	Tina	Germany
Mueller	Christa	Germany
Gabriel	Isabella	Germany
Mattke	Angelika	Germany
Jürgenmeyer	Clemens	Germany
Osterhus	Reinhold	Germany
Zweig	Richard	Germany
Dr. Schulze	Claudia	Germany
Hansen	Janine	Germany
Höchst	Rainer	Germany
Bloss	Lasia	Germany
Pindur	Sabine	Germany
Menschenin	Maxim	Germany
Schiller	Volker	Germany
Schulze-Aboubacar	Ursula	Germany
Wahlen	Michael	Germany
Franke	Kai	Germany
Debenham	Tina	Germany
Hofmann	Dagmar	Germany
Ibach	Jasna	Germany
Rabener	Jennifer	Germany

Popovic	Tanja	Germany
Ehren	Ute	Germany
Ohlsen	Martin	Germany
Doehne	Thomas	Germany
Fischer	Frank	Germany
Otter	Rainer	Germany
Brysch	Erich Reinhard	Germany
Aischmann	Frank	Germany
Preuss	Jakob	Germany
Lohschelder	Sarah	Germany
Bzishvili	Zaza	Germany
Bürgers	Jana	Germany
Lesjak	Stefan	Germany
Kerl	Anke	Germany
Lavro-Gazdag	Olga	Hungary
Stock	László	Hungary
Marton-John	Bernadett Valéria	Hungary
Oskarsdottir	Erla	Iceland
Asgeirsdottir	Sigrídur	Iceland
Stefánsdóttir	Hjördís	Iceland
Kristinardóttir	Arndis Anna	Iceland
Gunnarsdóttir		
Peavoy	Diarmuid (Dermot)	Ireland
Verling	Ronan	Ireland
Fagan	Brian	Ireland
Donnellan	Anne	Ireland
O'Brien	Klair	Ireland
Briganti	Arianna	Italy
Citti	Walter	Italy
Cassola	Arnold	Italy
Kotlara	Anna	Latvia
Stankaitiene	Vytaute	Lithuania
Cekuolis	Jonas	Lithuania
De Haan	Peter	Netherlands
van Peski	Caecilia Johanna	Netherlands
Viken	Tonje	Norway
Endresen	May	Norway
Hvoslef	Erlend	Norway
Bogseth	Magnhild	Norway
Żyła-Góralczyk	Malwina	Poland
Mrowka-Jasiecka	Barbara	Poland
Pich	Beata	Poland
Kozłowski	Piotr	Poland
Wasowski	Krzysztof	Poland
Grodzki	Michal	Poland
Zajączkowska	Dominika	Poland
Paiu	Bogdan	Romania
Galagan	Mihai	Romania, Moldova
Vladychenko	Alexander	Russian Federation
Korchagin	Aleksandr	Russian Federation
Khalyapina	Alesya	Russian Federation
Obukhova	Nadezhda	Russian Federation
Nasrutdinov	Murad	Russian Federation

Baburkin	Sergey	Russian Federation
Knysheva	Anastasiia	Russian Federation
Kuznetsov	Ruslan	Russian Federation
Gozhina	Anna	Russian Federation
Kondratovich	Gleb	Russian Federation
Novikov	Vladislav	Russian Federation
Zhurovich	Anna	Russian Federation
Konkov	Alexander	Russian Federation
Postigov	Anton	Russian Federation
Ivakhin	Andrei	Russian Federation
Ostvald	Andrey	Russian Federation
Kovalevskii	Sergei	Russian Federation
Chashchikhin	Sergei	Russian Federation
Ainetdinova	Diana	Russian Federation
Zavorin	Ivan	Russian Federation
Bogdanova	Kristina	Russian Federation
Kulikova	Irina	Russian Federation
Pashedko	Aleksandr	Russian Federation
Astakhova	Mariia	Russian Federation
Driuchin	Dmitrii	Russian Federation
Alekseev	Andrei	Russian Federation
Vilkova	Maria	Russian Federation
Nefedova	Evgeniia	Russian Federation
Kozhokin	Evgeny	Russian Federation
Demidova	Natalia	Russian Federation
Loginov	Evgeny	Russian Federation
Kudeneeva	Yulia	Russian Federation
Minakova	Natalia	Russian Federation
Otmakhov	Mikhail	Russian Federation
Diakonov	Boris	Russian Federation
Magomedov	Kamil	Russian Federation
Pritchinn	Stanislav	Russian Federation
Kristofik	Roman	Slovakia
Alexandersson	Claes Johan	Sweden
Hansson	Lena	Sweden
Hammargren	Bitte	Sweden
Enarsson	Anna	Sweden
Hellgren	Ann-Sofie Alexandra	Sweden
	Birgitta	
Widmark	Anna Klara	Sweden
Comandini	Fabrizio Mario Giuseppe	Switzerland
Keller	Annette	Switzerland
Streule	Anita	Switzerland
Arslan	Sibel	Switzerland
Tunga Çağlı	Oya	Turkey
Jones	Ben	United Kingdom
Fagelson	Judith	United Kingdom
Robinson	Katherine	United Kingdom
Hampson	John	United Kingdom
Fitt	Leila	United Kingdom
Brodrick	Helen	United Kingdom
Martin	Neil	United Kingdom
Roed-Moor	James	United Kingdom

Wheeler	Richard	United States
Herrmann	Tyler	United States
Welsh	Joseph	United States
Lecato	Thomas	United States
Hall	Christopher	United States
Kornblum	Helen	United States
Alexander	Deborah	United States
Dunsmore	David	United States
Perl	Margaret	United States
Barber	Christopher	United States
von Kessler	Wilson	United States
McCabe	Kimberly	United States
Winters	John	United States
La Strada	Nicholas	United States
Hartsfield	Jermaine	United States
Lubin	Nancy	United States
Queck-Oscariz	Johann	United States
Bevelhymer	Carl	United States
Gentle	Anslem	United States
Smellie	Jordan	United States
Darrin	David	United States
Shekari	Melody	United States
Fawell	Blanche	United States
Sankow	Katerina	United States
Blair	Christopher	United States
Long	Andrew	United States
Gallagher	Katherine	United States
Richards	Jacquelyn	United States
Barilla	Anthony	United States
Bown	Hilary	United States
Ali	Syeda	United States
Villegas	Daniel	United States
Villalba	Laura	United States
Sienkiewicz	Eugene	United States
Heskin	Nieve	United States
Winter	John	United States
Petit	Urania	United States

Locally recruited Short-term observer

Cottrell	Simon	United Kingdom
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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.