



**Office for Democratic Institutions and Human Rights**

## **REPUBLIC OF UZBEKISTAN**

### **PRESIDENTIAL ELECTION**

**23 December 2007**

### **OSCE/ODIHR NEEDS ASSESSMENT MISSION REPORT**

**28-30 November 2007**



**Warsaw  
4 December 2007**

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**REPUBLIC OF UZBEKISTAN  
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**OSCE/ODIHR Needs Assessment Mission Report**

**I. INTRODUCTION**

Following receipt of an invitation issued on 26 September 2007 by the Ministry of Foreign Affairs of the Republic of Uzbekistan to observe the presidential elections scheduled for 23 December 2007, the Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) undertook a Needs Assessment Mission (NAM) to the Republic of Uzbekistan between 28 and 30 November.

The purpose of the NAM was to assess the conditions and level of preparation for the elections, and to advise on the establishment of a possible observation activity and its format. The late deployment of the NAM was due to non-issuance of visas to the NAM before Monday 26 November. The NAM was led by Mr. Konrad Olszewski, Deputy Head of the OSCE/ODIHR Election Department who was accompanied by Mr. Mats Lindberg, OSCE/ODIHR Election Adviser.

The OSCE/ODIHR is grateful to the Uzbek authorities for their friendly reception and for making themselves available to meet the NAM. OSCE/ODIHR is also grateful to the OSCE Project Co-ordinator's Office in Tashkent for its excellent support during the NAM.

**II. EXECUTIVE SUMMARY**

The 23 December 2007 presidential elections are taking place in a static political environment. Despite the presence of more candidates than in previous presidential elections, among them one female candidate, one non-partisan candidate and one candidate described to the NAM as being from an opposition party, the political process in the Republic of Uzbekistan does not seem conducive to meaningful and effective competition. This is partly because of the *de facto* suppression of most opposition forces and independent civil society, as well as lack of critical media.

The OSCE/ODIHR recommendations issued after the 2004 parliamentary elections appear not to have been considered. Furthermore, among the most significant shortcomings, according to some of the interlocutors met by the NAM, is that the existing legal provisions for elections are applied selectively. No real opposition parties are allowed to register as legal entities, let alone register candidates for the elections. While all registered political parties expressed their profound satisfaction with the preparations for the elections, some civil society representatives met by the NAM claim that the result of the winner has already been decided. Also, not all domestic non-partisan election observers are allowed to monitor the elections.

The late issuance of visas delayed the conduct of an OSCE/ODIHR NAM and make it impossible to consider the deployment of a full scale election observation mission. Once the NAM mission was allowed, however, it was received in an open manner by the Uzbek authorities.

The OSCE/ODIHR recommends that a Limited Election Observation Mission be deployed immediately to Uzbekistan to assess the legal and administrative framework for elections and aspects of the election campaign, to maintain dialogue with the authorities and civil society, and to offer recommendations for improving the electoral framework in line with the OSCE Copenhagen Commitments. It further recommends that the OSCE/ODIHR request the secondment from participating States of 10 observers to be deployed on 8 and 9 December, immediately following the deployment of the core team. Due to the apparent limited nature of the competition, it is not considered necessary to deploy short term observers and the OSCE/ODIHR will not conduct any systematic and comprehensive observation of election-day proceedings.

### III. FINDINGS

#### A. POLITICAL PARTIES AND THEIR REGISTRATION.

There are five registered political parties in Uzbekistan with the following number of seats in the 120-member Parliament: the *Social Democratic Party "Adolat"* ("Justice", 10), the *Milly Tiklanish Party* (National Revival Party, 11), the *National Democratic Party "Fidokorlar"* ("Selflessness", 18) the *Liberal Democratic Party of Uzbekistan*, which is the party of the incumbent President (41), and the *People's Democratic Party of Uzbekistan* (28) which refers to itself as an opposition party though it does not present any criticisms towards the government or the Incumbent.

The NAM met with representatives of all four candidates in the presidential elections. In general, it was difficult to assess their position on the political spectrum, including concrete policy standpoints which could differentiate the presidential challengers from the policies of the Incumbent.

The *Liberal Democratic Party* (LDP) has nominated the incumbent President of Uzbekistan, Mr. Islam Karimov. LDP membership consists of representatives of the private business sector (60 per cent) and health care sector employees and personalities from the cultural sphere; half of the members are apparently less than 35 years old. It calls itself a Centre-Right party and its main policy is to support private ownership.

*Adolat* fields the only female candidate, Ms Dilorom Tashmukhamedova, who is the leader of the *Adolat* faction in Parliament. *Adolat* has some 60,000 members, 49 per cent of which are women, and mostly represents employees in the education and health care sectors. The party proclaims to support the rule of law, social democratic values as well as development of culture and science.

*The People's Democratic Party* (PDP) nominated Mr. Asliddin Rustamov, also a party leader in the Parliament. The PDP describes itself as an opposition party on the left,

advocating stronger social policies than the other registered political parties, which it refers to as a coalition of liberal parties.

In addition to the candidates representing political parties, the initiative group of some official non-governmental organizations supports Mr. Akmal Saidov, leader of the Human Rights Committee in the Parliament. According to this group, Mr Saidov's policy goals focus on restructuring of government bodies, strengthening civil society involvement in local and regional government and strengthening of the legal sector.

The *Fidokorlar* and *Tiklanish* parties did not succeed in gathering the necessary number of supporting signatures – some 815,000 or 5 per cent of the electorate – for their candidates. Apparently, the highest number of signatures, in excess of 900,000, has been gathered by the Akmal Saidov initiative group, a remarkable achievement given the absence of state financial support.

All of these parties assured the OSCE/ODIHR NAM that they had faced no obstacles in the registration process of their candidates and that they considered the legal and administrative framework for the elections to be fully appropriate.

There are a handful of non-registered political parties or civil society movements in Uzbekistan such as “Ozod Dehkun”, “Birlik” and “Erk” (which has split into two) which for many years have attempted to register with the Ministry of Justice. None of these have been registered due to alleged invalid signatures submitted or some other administrative errors. Most of their leaders are in exile now, and these groups did not attempt to nominate candidates in the forthcoming presidential elections.

Incumbent President Islam Karimov has effectively been in office since 1989. Some individuals met by the NAM claim that his current term should have expired ten months ago, and he should no longer qualify as a candidate as he already served two terms.

The last presidential elections in Uzbekistan were held on 9 January 2000, following which President Karimov's present term in office commenced with his oath on 22 January 2000. A 2002 referendum extended the presidential term to seven years. Therefore, according to the critics, President Karimov's present term in office should have ended on 22 January 2007. However, the Uzbek Parliament on 5 April 2002 adopted a law “on the date of next elections of the representative bodies of state power and President of the Republic of Uzbekistan”, which provides that the next presidential elections are scheduled for the first Sunday of the third week of December 2007, i.e. 23 December. This law would seem to contradict the seven-year term provided by the Constitution, but the CEC and the ruling party disagreed with such interpretation.

## **B. THE LEGAL AND ADMINISTRATIVE FRAMEWORK**

Presidential elections in the Republic of Uzbekistan are governed by the Constitution, the Law on Presidential Elections and the Law on Political Parties as well as some twenty other pieces of legislation with some provisions relevant to elections. According to the Central Election Commission (CEC), some changes were introduced

to the legislative framework based on OSCE/ODIHR recommendations from the 2004 parliamentary elections, but the nature of these were so far not fully specified.

The electoral administration consists of three levels with the CEC, 14 district electoral commissions (DECs) and over 6,000 precinct election commissions (PECs). The DECs and PECs are formed anew for each election. The current CEC has 22 members, most of them appointed in 2001.

Uzbek citizens residing abroad can vote at diplomatic missions and people who are travelling on election day can cast their vote in advance, after 16 November, which was the date on which the registration of candidates was concluded.

Election complaints are first dealt with by the appropriate election commission levels and if the complainant is not satisfied with the outcome, by the courts. However, thus far there were no formal election complaints.

Voter lists are prepared locally, based on the citizens' residency data. They were verified and updated by door-to-door teams prior to elections.

### **C. THE ELECTION CAMPAIGN**

As the electoral campaign is strictly controlled by the CEC, it is absent of usual dynamic campaigning, characteristic for competitive elections. The CEC distributes financial resources and free airtime on radio and television equally to all registered candidates. The total amount of financing per candidate is about 8 million Sums (4,500 EUR), which is paid out directly by the CEC to cover campaign expenses including campaign materials. Candidates are not entitled to collect funds or use their private financial resources for campaigning.

Candidates can apply for more financing or airtime, and if granted, the same amount is distributed to the other candidates as well. Similarly, private persons or enterprises can contribute to campaign financing, but only through the CEC which distributes the amount equally among all candidates. Perhaps as a result of the modest financing, the NAM hardly witnessed any campaign materials in Tashkent, though some contending parties explained to the NAM that posters were already up in the regions and would soon be visible in Tashkent.

### **D. MEDIA**

The OSCE/ODIHR NAM noted that there appear to be no TV and radio stations or any visible print media which would offer a critical viewpoint of the government or the Incumbent. Also existing regional media can hardly be described as independent. Some critically minded internet sites operate from outside the country but the internet sites of some international news agencies, including the BBC and Deutsche Welle, are apparently blocked frequently.

The National Radio and TV Company (NRTC), which has a *de facto* monopoly on nationwide radio and TV broadcasting in Uzbekistan, provides free airtime to the candidates. While the length and sequence of campaign material is determined by the CEC, the candidates are free to decide about the content of the broadcasts. There are

no televised debates between candidates foreseen. As instructed by the CEC, the NRTC keeps strict record on the time allocated to each candidate, but there is no media monitoring as such by the NRTC. The OSCE/ODIHR NAM was not made aware of any other media monitoring initiatives.

In addition to the broadcast time, each of the registered candidates has been allocated one newspaper covering his/her campaigning.

#### **E. ELECTION OBSERVERS**

The representatives of registered candidates are allowed to appoint election observers and the Uzbek legislation also provides for international observers. The Ministry for Foreign Affairs stated that there would be no geographical restrictions to the international observers' deployment within Uzbekistan. The NAM was informed that the non-governmental civic organization "Ezgulik" applied on 9 November to observe the elections but the CEC accreditation has not been granted yet. If accredited, "Ezgulik" considers sending some 1,000 persons to monitor the elections on election day.

All interlocutors met by the NAM welcomed the presence of OSCE/ODIHR election observers. While the representatives of the candidates said election observers would be welcome due to traditional Uzbek hospitality, the civil society representatives and the representatives of the diplomatic community encouraged an independent observation effort and a subsequent report.

#### **F. INTERNATIONAL COMMUNITY AND CIVIL SOCIETY**

The NAM met some representatives of the international community in Tashkent who largely expressed the opinion that despite the range of candidates which appear to present the electorate with a choice, the administrative and other practices of authorities to suppress the opposition are not conducive to democratic elections.

The NAM also met some representatives of civil society who alleged that regional governors as well as other election officials will make sure that the Incumbent candidate is re-elected. They expressed their concern that everything will be calm on election day, but that there would be no transparent and accountable tabulation of the votes.

### **IV. CONCLUSIONS AND RECOMMENDATIONS**

The late issuance of visas delayed the conduct of an OSCE/ODIHR NAM and make it impossible to consider the deployment of a full scale election observation mission. Once the NAM mission was allowed, however, it was received in an open manner by the Uzbek authorities.

The OSCE/ODIHR recommends that a Limited Election Observation Mission be deployed immediately to Uzbekistan to assess the legal and administrative framework for elections and aspects of the election campaign, to maintain dialogue with the authorities and civil society, and to offer recommendations for improving the electoral

framework in line with the OSCE Copenhagen Commitments. It further recommends that the OSCE/ODIHR request the secondment from participating States of 10 observers to be deployed on 8 and 9 December, immediately following the deployment of the core team. Due to the apparent limited nature of the competition, it is not considered necessary to deploy short term observers and the OSCE/ODIHR will not conduct any systematic and comprehensive observation of election-day proceedings.



## **ANNEX: LIST OF MEETINGS**

### **Central Election Commission**

Mr. Kuchkar Tagayev – Deputy Chairman of the Central Election Commission  
Mr. Mohamadjon Khodjaev – Member of Central Election Commission  
Mr. Janabay Sadikov - Member of Central Election Commission  
Mr. Komiljon Adilov - Member of Central Election Commission  
Mr. Khasan Abdurahmanov

### **Ministry of Foreign Affairs**

Mr. Durbek Amonov – Head of the Division for UN and International Organizations  
Mr. Komil Rashidov –Head of Legal Department  
Mr. Abdulaziz Abduganiev – Head of the Department for UN and International Organizations

### **Political Parties**

#### *Adolat*

Mr. Ravshan Khaydarov – Secretary of Political Council, the Head of Central Governing Body  
Mr. Ismoil Saifnazarov  
Mr. N. Giyasov

#### *The Liberal Democratic Party*

Mr. Baktiyor Yakubov- Deputy Head of Central Governing Body  
Mr. Bakhrom Muhitdinov – Candidate’s representative  
Mr. Fehrudin Saliev  
Mrs. Larisa Yun –responsible for international communication

#### *The People’s Democratic Party*

Mrs. Sharbat Abdullaeva - Deputy Chairman  
Mr. Ershov Mikhail – Head of Secretariat  
Mr. A. Saidov – responsible for organizational issues  
Mr. S. Azamov - member

#### *Initiative Group representatives (of Mr Akmal Saidov)*

Gulnara Ishanhanova – plenipotentiary representative  
Mohira Tashhodjaeva – representative in Tashkent city and Tashkent region  
Djurabek Amonov - representative in Tashkent city and Tashkent region

### **Oliy Majlis (Parliament)**

Representatives of the following political parties with seats in Parliament:

The Liberal Democratic Party  
Adolat  
The People’s Democratic Party  
Fidakor  
Milliy Tiklanish

## **National Radio and Television Company “Gosteleradio”**

Mr. A. Khodjaev – Chairman  
Mr. Inoyat Usmanov – Deputy Director

## **Civil Society**

Mr. Surat Ikramov – Chairman, Initiative Group of Independent Human Rights Defenders of Uzbekistan  
Mrs. Vasila Inoyatova – Ezgulik movement  
Mr. Yuldashev Tashpulat – independent political analyst

## **International Community**

Embassy of Bulgaria – Mr. Georgi Proynov  
Embassy of Czech Republic – Ambassador Ales Fojtic  
Embassy of France – Mr. Gautier Mangenot  
Embassy of Georgia – Mr. George Chkeidze  
Embassy of Germany – Amb. Matthias Meyer, Mr. Uwe Berndt  
Embassy of the United Kingdom – Amb. Iain Kelly, Mr. Ben Greenwood  
Embassy of Italy – Amb. Giovanni Ricciulli  
Embassy of Latvia – Mr. Maris Pucka  
Embassy of Poland – Mr. Sebastian Orzel  
Embassy of the Russian Federation – Mr. Kirill Belikov  
Embassy of Switzerland – Amb. Peter Burkhard  
Embassy of Turkey – Mr. Emre Karagol  
Embassy of Ukraine – Mr. Stanislav Nebrat  
Embassy of the USA – Mr. Brad Hanson, Mr. Timothy Buckley  
Embassy of Japan - Mr. Takayuki Koike, Mr. Takaaki Kato, Mr. Keisuke Saita  
Embassy of Israel – Amb. Ami Mehl  
Embassy of Algeria – Mr. Mohamed Adel Samet  
Honorary Consul of Belgium- Mr. Jean Claude - Beaujean  
The World Bank – Mr. Loup Beaujean, Country Manager