

**INTERIM REPORT**  
**15 September – 5 October 2021**

**8 October 2021**

**I. EXECUTIVE SUMMARY**

- The 24 October presidential election is being held against the backdrop of continued reform in the social, economic and political spheres. The president is directly elected for a five-year term from a single nationwide constituency. If no candidate receives a majority of votes cast, a second round between the two leading candidates will be held within one month of election day.
- The electoral legal framework is undergoing a process of reform. Amendments adopted so far address a number of previous ODIHR recommendations including a simplified notification procedure for campaign events, some safeguards against the misuse of office during campaigning, elimination of parallel dispute resolution avenues and a new interim campaign finance report requirement. Other long-standing recommendations on shortcomings in the protection of fundamental rights and freedoms remain unaddressed.
- The election is administered by a three-tiered structure comprised of the Central Election Commission (CEC), 14 District Election Commissions (DECs) and 10,760 Precinct Election Commissions (PECs). To date, CEC sessions have been open to the public and broadcast online. CEC decisions have been published and electoral deadlines respected. The CEC conducted cascade training for polling staff and launched a large-scale voter education campaign. All polling stations must be accessible for voters with mobility impairments; detailed COVID-19 prevention measures have been developed for election day. Of some 140,000 polling staff engaged in the election, 46 per cent are women; however, this ratio is lower among commission leadership.
- Some 21.2 million citizens have been included in the centralized Single Electronic Voter List. In country voter registration is passive. Door-to-door verification is ongoing with voters also able to rectify their data in person or online. Voters can be added to the voter lists on election day at polling stations. Prisoners serving sentences for grave crimes as well as citizens incapacitated by a court ruling, including based on intellectual and psychosocial disabilities, do not have the right to vote.
- Eligibility to stand as a candidate is limited, including by length of residency and official language-proficiency requirements. Only registered political parties can nominate a candidate and independent candidates are not allowed to run. By the legal deadline, the CEC registered five candidates, four men and one woman.
- The campaign officially started on 20 September and ends on 22 October. The law provides for equal campaign opportunities for all contestants. Campaigning is conducted at the community and district level, through door-to-door canvassing organized by local party representatives and proxies, and larger meetings with voters led by candidates. Social networks are also prominently used.
- All expenses related to election campaigns are financed from the state budget; each political party received some EUR 250,740 to organize their campaigns. All other sources of campaign funding are prohibited. Campaign finance reporting consists of a new interim report prior to election day and a

final report after the announcement of the results. The Chamber of Accounts will conduct only an *ex post* audit of campaign finance reports, due in 2022.

- Many ODIHR interlocutors highlighted recent improvements in the media climate; they also shared their concerns regarding longstanding issues, such as intimidation and harassment of journalists and bloggers, a restrictive legal framework for the media and blocking of some websites of international media outlets and human rights organizations. The CEC has supplemented the general requirements of the Election Code by allocating extensive free time and space in the state media. While the legal framework guarantees all candidates equal coverage, it does not treat coverage of official activities of contestants in their current position as campaigning.
- Election commissions review complaints about violations of the Election Code in the first instance, with their decisions subject to judicial review. Courts only review complaints against actions or decisions of the election administration. The Supreme Court has jurisdiction over complaints against the CEC, including those requesting the invalidation the election. To date, the CEC received no complaints, but only voters' requests for information on organizational aspects of the electoral process. No complaints were filed with the lower levels of the election administration or with the judiciary.
- The Election Code, further defined by CEC decisions, provides for election observation by international organizations, party agents, media representatives and members of *Mahalla* committees, but does not allow for general citizen observation, as previously recommended by ODIHR. Accreditation as an observer affords the right to follow all stages of the electoral process.

## II. INTRODUCTION

Following an invitation from the Central Election Commission (CEC) of the Republic of Uzbekistan, and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed an Election Observation Mission (EOM) on 15 September.<sup>1</sup> The EOM, headed by Mr. Eoghan Murphy, consists of an 11-member core team based in Tashkent and 28 long-term observers (LTOs) deployed throughout the country from 24 September. Mission members are drawn from 26 OSCE participating States. The ODIHR EOM has requested participating States to second a further 250 short-term observers (STOs) who will observe the voting, counting and tabulation of results.

## III. BACKGROUND

On 23 July, the CEC adopted a resolution to hold the presidential election on 24 October 2021.<sup>2</sup> The election is being held against a backdrop of continued reforms in the social, economic and political spheres under the motto “New Uzbekistan” initiated by President Shavkat Mirziyoyev. President Mirziyoyev came to power in 2016 with 88.6 per cent of valid votes. The run up to the election is further marked by the ongoing COVID-19 pandemic, and instability in neighboring Afghanistan.

Uzbekistan has a strong presidential system in which the president issues binding decrees and resolutions, and plays a key role in the appointment of the Prosecutor General, Chairperson of the State Security Service and other high-ranking officials and judges. The *Oliy Majlis* (the bi-cameral parliament) exercises legislative powers, appoints the Prime Minister upon the president's nomination and, following the 2019 constitutional amendments, pre-approves all ministers before their appointment by the president.

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<sup>1</sup> See previous [ODIHR election observation reports on Uzbekistan](#).

<sup>2</sup> Prior to a recent constitutional change, elections were scheduled for December.

The 2019 parliamentary elections saw all five registered political parties elected to the parliament: Liberal Democratic Party of Uzbekistan (LDPU) with 53 seats, Democratic Party of Uzbekistan - *Milliy Tiklanish* (DPU) – 36 seats, Social Democratic Party of Uzbekistan *Adolat* (SDPU) – 24 seats, People’s Democratic Party of Uzbekistan (PDPU) – 22 seats, and Ecological Party (EPU) – 15 seats. There are 48 women among the current 150 members (32 per cent) of the legislative chamber of the *Oliy Majlis*.

#### IV. THE ELECTORAL SYSTEM AND LEGAL FRAMEWORK

The president is directly elected for a five-year term from a single nationwide constituency. The rules defining the winner vary, depending on the number of competitors. Where only two candidates contest, the one receiving more votes is declared the winner; in all other cases, a candidate needs more than 50 per cent of the votes cast to be elected. If this is not achieved, the two leading candidates compete in a second round organized within one month, but not earlier than 15 days after the election. The turnout requirement of 33 per cent of all registered voters applies only to the first round. The Constitution limits the term of office to two consecutive terms.

The election-related legal framework consists of the 1992 Constitution, the 2019 Election Code, the 1996 Law on Political Parties (LPP), the 2004 Law on Financing of Political Parties (LFPP), the 1995 Criminal Code and the 1995 Code of Administrative Responsibilities. CEC resolutions on all aspects of the process further define electoral law. The legal framework is undergoing a process of reform: all election-related laws, including the Constitution and the Election Code, were amended in 2021, except for the LPP, which was amended in 2019. Uzbekistan is a party to the main international instruments related to the holding of democratic elections.<sup>3</sup>

Recent amendments address some prior ODIHR recommendations. The previous authorization for campaign events 30 days in advance was removed in favour of a 3-day notification requirement. Prohibition of campaigning by public servants and interim campaign finance reporting were introduced. The shared competences of the election administration and the judiciary in electoral dispute resolution were delineated, eliminating alternative fora. Other changes related to restructuring and enlarging of the lower-level election commissions, out-of-country voting, publication of results and other technical aspects of the electoral process. Some long standing ODIHR recommendations remain unaddressed, including the limitations on suffrage rights, restrictions on independent candidacy and alternative sources for campaign financing, and provisions allowing for citizen observers.

Constitutionally guaranteed fundamental human rights and freedoms continue to be restricted by subordinate legislation.<sup>4</sup> Despite prior ODIHR recommendations, libel and defamation remain criminalized, although imprisonment was repealed from the sanctions for these crimes in 2020.<sup>5</sup> Extremism is broadly defined, potentially allowing discretionary interpretation and application.<sup>6</sup> The 2021

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<sup>3</sup> Including the 1966 International Covenant on Civil and Political Rights (ICCPR), 1979 Convention on the Elimination of All Forms of Discrimination against Women, 1965 International Convention on the Elimination of All Forms of Racial Discrimination, 2003 Convention against Corruption, and the 2006 Convention on the Rights of Persons with Disabilities, and the 2002 Convention on the Standards of Democratic Elections, Electoral Rights and Freedoms in the Member States of the Commonwealth of Independent States (the CIS Convention).

<sup>4</sup> See the [2020 UN Human Rights Committee Concluding observations on the fifth periodic report of Uzbekistan](#), in particular paragraphs 20, 44, 46, 48 and 50 for the assessment of legal restrictions on the freedoms of association, assembly and expression.

<sup>5</sup> In 2021, freedom of speech was further limited with the criminalization of incitement to riot, and the strengthening sanctions for some actions targeting officials, including insult of the president.

<sup>6</sup> The [2020 UN Human Rights Committee Concluding observations on the fifth periodic report of Uzbekistan](#) assessed the definitions of “extremism”, “extremist activity” and “extremist materials” in the Law on Countering Extremism as “overly broad and vague” and expressed concerns about using such legislation to unduly restrict fundamental freedoms.

constitutional amendments precluded restricting the freedom of assembly by subsidiary acts, but freedom of assembly is not regulated by any specific law.<sup>7</sup> However, the criminal and administrative law prohibits and penalizes unlawful assemblies and unregistered associations. The legislation on registration of political parties, previously assessed by ODIHR as burdensome and open to arbitrary application, remains unchanged.<sup>8</sup> In 2020, the regulation on the freedom of movement within the country and abroad was liberalized, leading to the abolition of exit visas and facilitating the choice of the place of residence, which as a result impacted voter registration. In 2021, constitutional amendments rescheduled the presidential election.<sup>9</sup>

The 2019 law On Guarantees of Equal Rights and Opportunities for Women and Men formally prescribes the equality of opportunities, among others while forming election commissions.

In 2021, Uzbekistan ratified the 2006 UN Convention on the Rights of Persons with Disabilities (CRPD).<sup>10</sup> A new Law on the Rights of Persons with Disabilities that guarantees non-discriminatory participation in political life was adopted in 2021.

## V. ELECTION ADMINISTRATION

The election is administered by the Central Election Commission (CEC), 14 District Election Commissions (DECs) and 10,760 Precinct Election Commissions (PECs).<sup>11</sup> The CEC is a permanent body whose members are appointed for indefinite terms by the *Oliy Majlis* on the recommendation of the regional assemblies.<sup>12</sup> The current CEC has 21 members, 7 of whom are women. The chairperson of the CEC is elected from among CEC members on the recommendation of the president.

The CEC, supported by other state agencies and ministries, maintains the voter register, adopts administrative decisions on the implementation of the Election Code, decides on the electoral calendar, registers candidates as well as validates and invalidates the election results. The wide regulatory powers of the CEC further include setting up expenditure limits for the campaigns, allocating air time to candidates as well as adjudicating electoral complaints and appeals.

To date, the election administration has complied with all legal deadlines, and technical preparations are ongoing. CEC decisions and resolutions are taken by open, simple majority vote during public and online-streamed sessions; the decisions are posted online.

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<sup>7</sup> In 2019, ODIHR [assessed](#) that the draft law on Rallies, Meetings and Demonstrations failed to comply with international standards of the freedom of assembly. The draft law was not adopted.

<sup>8</sup> The law conditions political party registration to 20,000 support signatures from citizens residing in at least 8 of 14 regions, collected within 3 months by a 50-member interim board, and the approval of statutory documents by the constitutive assembly. The Ministry of Justice (MoJ) may deny registration to political parties on a broad set of reasons. In 2021, the MoJ [denied](#) (link in Russian) registration of the “Social Democratic Party Truth and Progress” due to a reportedly insufficient number of support signatures, as the verification of the 9,879 submitted signatures established that 2,292 signatures had been revoked by citizens and 42 belonged to the deceased. According to media reports, the group’s leader, Khidirnazar Allakulov, who expressed his intention to run for president in 2021, [complained](#) (link in Russian) about provocations during the registration process. Another aspiring candidate, Jahongir Otajonov, reportedly exited politics after similar complaints.

<sup>9</sup> Other changes extended the powers of the chairpersons of parliamentary chambers and altered the structure of the judicial system, in line with the ongoing judicial reform. Constitutional amendments can only be adopted by at least two thirds of each chamber of the parliament, or a referendum.

<sup>10</sup> The Republic of Uzbekistan signed the 2006 UN CRPD on 27 February 2009.

<sup>11</sup> Additionally, there are 54 PECs for voters abroad.

<sup>12</sup> *Jokargy Kenes* of the Republic of Karakalpakstan as well as regional and Tashkent city-level *Kengashes*.

The 14 DEC, one per each administrative unit, are temporary bodies that oversee the electoral process at the regional level and whose members are nominated by the CEC on the recommendation of the regional assemblies. The DEC were formed by mid-August and have between 15 and 21 members each.<sup>13</sup> Out of 266 DEC members, 39 per cent (or 104) are women, but there is no woman DEC chairperson. According to the CEC, persons with disabilities represent 5 percent of DEC members.

PECs organize and conduct voting and counting at polling stations. Following a recent amendment, the composition of PECs increased and they are now comprised of 5 to 19 members depending on the size of the polling station. The PECs were formed by DEC by mid-September based on proposals from the local councils (*Kengashes*) who receive nominations from *Mahalla* committees, public associations and other organizations.<sup>14</sup> PEC members may not be members of political parties nor be related to any of the candidates. State and local authorities are legally obliged to provide logistical and operational support to election commissions. Out of the total of 142,044 polling staff, 46 per cent are women.

The legislation provides for several alternative voting methods. Special PECs are also established for voters in hospitals, nursing homes, detention centers, prisons and military bases. Early voting is provided for and the requirement of signing the envelope containing the voter's cast ballot has been lifted, in accordance with a previous ODIHR recommendation to protect the secrecy of the vote.<sup>15</sup> In addition, several provisions for out-of-country voting have been introduced.<sup>16</sup>

By law, all polling stations must be accessible to voters with mobility impairments. There is the possibility of assisted voting by a person of the voter's choice. Mobile ballot box voting is available at the residence of a voter, requiring it for health or other reasons.<sup>17</sup>

The CEC has conducted a cascade training from June to September for all levels of the election administration. Additional election day protocols have been developed in the context of the COVID-19 pandemic. These include a provision that voters with elevated body temperature will not be allowed into the polling premises and instead provided the opportunity to vote with a mobile ballot box.<sup>18</sup>

The CEC conducts large-scale voter information and education campaigns in a variety of formats, including for first-time voters and has developed an interactive web-portal and mobile application with the geolocation data of all polling stations. Up to date, the CEC has also organized numerous outreach activities through co-operation with different media outlets. The CEC regularly broadcasts its sessions, press briefings, turnout promotion video-clips and social networks graphics material.

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<sup>13</sup> DEC differ in size depending on the number of registered voters in the region.

<sup>14</sup> One organization may not nominate more than half of the members for one PEC. *Mahallas* are Uzbek community structures involved in numerous aspects of citizens' everyday life. According to the 1993 Law on the Institutions of Self-Government, they, among others, provide financial assistance and advice on weddings, facilitate the timely collection of taxes, assist law enforcement agencies in maintaining public order and safety, and act as a guarantor for loans by business entities. Although remaining formally independent, in 2020, as a result of the local self-governance reform, initiated by the president, *Mahallas* were *de facto* integrated into newly established central and local governmental structures composed of regional departments of *Mahallas*, subordinate to the new Ministry for the Support of *Mahallas* and Family.

<sup>15</sup> Early voting starts 10 days and ends 3 days before election day. Voters who cannot vote on election day may cast their ballot at the location of their regular PEC in a sealed envelope which is stored in a safe until election day.

<sup>16</sup> Out-of-country voting also includes the possibility of early voting, mobile voting and early mobile voting for the most populated Uzbek diaspora areas.

<sup>17</sup> Other arrangements include designated parking spaces, ramps and voting booths adapted to wheelchairs as well as Braille ballot sleeves, lamps and magnifying glasses for voters with visual impairments.

<sup>18</sup> Each PEC will have a delegated health worker for election day. Voters, PEC members and observers will be required to follow COVID-19 prevention protocols, including temperature checks and wearing of masks.

## VI. VOTER REGISTRATION

In country voter registration is passive, and based on permanent or temporary residence using the civil register from which data of citizens aged 18 and above is extracted. The Single Electronic Voter Register (SEVR) is maintained and operated by the Ministry for Development of Information Technologies and Communications (MDITC) and overseen by the CEC. The CEC informed the ODIHR EOM that between March and May 2021, a door-to-door registration exercise led by different state institutions, including ministries and *Mahalla* committees was conducted. As a result, the CEC reported a preliminary figure of some 21.2 million voters. Prisoners serving sentences for grave crimes as well as citizens incapacitated by a court ruling, including on the basis of intellectual and psychosocial disability are not eligible to vote, at odds with international standards pertaining to democratic elections.<sup>19</sup>

Voter lists are extracted from the SEVR and created separately for each polling station; a voter can be included in one voter list only. A door-to-door verification exercise of preliminary voter lists by PECs is currently ongoing until 9 October. The revised lists are exhibited for corrections up until five days before election day and eligible citizens can verify or update their data in person or online.

Voters temporarily residing in locations of special polling stations are added to the respective voter list by the management of the facility. Contrary to international good practice and prior ODIHR recommendations, eligible voters omitted from the voter lists but featuring in the SEVR can be added by the relevant PEC to the voter list on election day, provided they prove their identity and residence. Their respective data will be checked in the SEVR system available through connected computer terminals in all PECs.

## VII. CANDIDATE REGISTRATION

Citizens of at least 35 years of age with residence in the country for at least 10 years prior to election day and with full proficiency in the Uzbek language are eligible for election.<sup>20</sup> Contrary to previous ODIHR recommendations, the right to stand excludes individuals incapacitated by court decision, convicted prisoners, those with an unexpunged record for intentional crimes, and clergy. Only political parties, registered for at least four months prior to the announcement of the election campaign, can nominate a candidate who may be a party member or without political affiliation. Contrary to previous ODIHR recommendations, independent candidates may not stand for election.

Candidates require public endorsement of their nomination from at least one per cent of the electorate, demonstrated via signature collection.<sup>21</sup> Voters can sign for more than one candidate. The CEC established an expert group for authentication of the submitted signatures, which conducted sample checks.<sup>22</sup>

By the 15 September deadline, the CEC registered five presidential candidates, four men and one woman: Bahrom Abduhalimov (SDPU), Shavkat Mirziyoyev (LDPU), Narzullo Oblomurodov (EPU), Alisher Kadirov (DPU), and Maksuda Varisova (PDPU).

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<sup>19</sup> See Articles 12 and 29 of the 2006 UN Convention on the Rights of Persons with Disabilities (CRPD). See also paragraph 9.4 of the 2013 CRPD Committee's Communication No. 4/2011, which states that Article 29 does not foresee any reasonable restriction, nor does it allow any exception for any group of persons with disabilities.

<sup>20</sup> The law does not establish a procedure for language proficiency assessment.

<sup>21</sup> Some 200,000 signatures are required. The law does not clearly prescribe the obligation to collect signatures from all administrative units. There is a legal limit of 8 per cent of signatures originating from 1 administrative unit, which requires the signatures to be collected from at least 13 of the 14 administrative units. Signatures may be collected at the place of work, service, study, residence and other places where campaigning and collecting signatures are not prohibited.

<sup>22</sup> The law requires that a minimum of a quarter of the submitted signatures are verified.

## VIII. CAMPAIGN ENVIRONMENT

The election campaign officially started on 20 September and will end on 22 October at midnight.<sup>23</sup> During the silence period and on election day, the publication of opinion polls, including online, is prohibited. The law provides for equal campaigning conditions, including for the production and distribution of campaign materials, organization of meetings with voters, and access to free airtime and print space in media. All party representatives met by ODIHR EOM highlighted equal campaign conditions and equal access to the media.

Candidates may nominate up to 15 “trusted representatives” (proxies) who assist with the campaign and represent the candidate’s interests. The trusted representatives are registered by the CEC and according to ODIHR EOM observation since the start of the campaign they have been actively involved in campaigning in most regions. Each candidate registered the maximum number of proxies.<sup>24</sup>

Local authorities and public associations are obliged to assist candidates and their proxies in organizing campaign activities on a non-discriminatory basis. As a result of a 2021 amendment to the Election Code, DEC’s no longer facilitate meetings of candidates with voters. Following a prior ODIHR recommendation, the previous system of authorization of public campaign events was altered to notification of local authorities three days in advance of holding of the event. The recent changes also prohibit the misuse of state resources, including involvement of state officials in campaigning.<sup>25</sup>

The campaign is underway in all regions, and is also prominent on social networks.<sup>26</sup> So far, there has been no direct or meaningful engagement between contestants. In person campaigning has been conducted at the community and district level, through door-to-door canvassing organized by local party representatives and proxies, and larger meetings with voters led by candidates, notwithstanding general COVID-19 precautions.<sup>27</sup> Each party is distributing a variety of campaign materials, including leaflets, party newspapers, and posters. Digital billboards in some regional centers are displaying campaign clips of all candidates on rotation. Social networks provide an opportunity for political parties and some candidates to inform voters of their proposals but also their campaign activities.<sup>28</sup> Campaign platforms focus on the improvement of the socio-economic situation, public services, healthcare, education, justice and the ecological system, with no single issue dominating the campaign so far.

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<sup>23</sup> The SDPU candidate started his campaign on 29 September; the other four candidates conducted meetings with voters from the beginning of the campaign period.

<sup>24</sup> Amongst the registered 15 proxies for each candidate, 4 women were registered by the DPU, 3 women were registered by the LDPU and SDPU, and 2 women by the PDPU and EPU.

<sup>25</sup> Heads of public authorities and administrations, local executive bodies, servicemen of the Armed Forces of the Republic of Uzbekistan, the State Security Service of the Republic of Uzbekistan, other paramilitary units, law enforcement officers, judges, members of election commissions, and clergy, are amongst those prohibited from campaigning. The provision of goods and services (except information services) as well as cash payments are prohibited. Candidates may use public transport for free. The president has continued to use the plane provided for him in his capacity as president.

<sup>26</sup> Since the start of the campaign, the ODIHR EOM has been following the social network activities of candidates and political parties that nominated them on Telegram and the social networks YouTube, Facebook, and Instagram.

<sup>27</sup> To date the ODIHR EOM observed 29 campaign events across the country.

<sup>28</sup> All five political parties have active Instagram, Facebook, YouTube and Telegram accounts, except for the EPU that is not present on YouTube. They mostly echo their candidates’ campaign messages. The candidates’ use of social networks varies; whilst the PDPU candidate is absent on Instagram, Facebook, YouTube and Telegram, the LDPU and SDPU candidates are present on all of them. The EPU (Instagram, Telegram) and DPU (Instagram, Facebook, Telegram) candidates have a select social network presence. All social network channels of the LDPU candidate are run by the president’s press service.

## IX. CAMPAIGN FINANCE

Campaign finance is regulated by the Election Code and the Law on Financing of Political Parties (LFPP). The 2021 amendments to the LFPP established interim campaign finance reporting obligations for the first time. CEC regulations further elaborate the legal provisions.<sup>29</sup>

All expenses related to the election campaigns of political parties are financed from the state budget. The CEC determines the amount in consultation with political parties.<sup>30</sup> In 2021, a total of UZS 15.5 billion (EUR 1.25 million) was allocated for election campaign expenses, and each of the five political parties nominating a candidate received some UZS 3.1 billion (EUR 250,740).<sup>31</sup> Interlocutors from all five political parties expressed satisfaction with the allocated campaign funds. Unused campaign funds shall be returned to the state budget after the election or in the case of a candidate's withdrawal. Other sources of funding for campaigns, including funds of political parties and candidates, and private monetary or in-kind donations, are prohibited. Such donations shall be returned to the donor.

Campaign finance reporting obligations include an interim report to the CEC due 5 days prior to election day, and a final report to be submitted within 20 days after the announcement of the election results. Both reports shall contain information about expenditure of funds for campaign purposes and be published on the websites of the political parties and in the print media. The Chamber of Accounts conducts only an *ex post* financial audit due in the beginning of the next calendar year. In line with a previous ODIHR recommendation, the audit's results will be published.<sup>32</sup>

## X. MEDIA

The media environment in Uzbekistan is characterized by a large number of state and private media outlets operating in a limited advertising market.<sup>33</sup> Several ODIHR EOM interlocutors highlighted an improvement of the media climate in the past years, including improved access to information and an increased possibility to critically report on some social and political issues.<sup>34</sup> However, ODIHR interlocutors pointed out that many longstanding issues remain, including intimidation and harassment of journalists and bloggers, and a restrictive legal framework for the media. In the opinion of most EOM interlocutors, both factors contribute to wide-spread self-censorship. Although access to many previously blocked websites of local and international media outlets and human rights organizations was restored in

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<sup>29</sup> CEC resolutions No. 969 (October 2019, amended in July 2021) and partially No. 1068 (April 2021, amended in July 2021) determined campaign and election financing rules and procedures, required the return of private donations, established campaign finance reporting deadlines and final report templates.

<sup>30</sup> Political parties with a faction in the parliament are entitled to annual public funding, calculated by multiplying the total number of registered voters by EUR 0.4 (EUR 1 is some UZS 12,495 (Uzbekistan *Som*). For 2020, the public funding for the statutory activities of parties totaled UZS 83.7 billion (EUR 6,610,560), which constituted 80 per cent of the total income of all parties (UZS 105.2 billion). Political parties can receive private donations for financing their regular statutory activities from legal entities limited to UZS 1,350,000,000 (EUR 106,500) and from individuals to UZS 135,000,000 (EUR 10,660). No foreign or anonymous donations are allowed.

<sup>31</sup> The CEC shall transfer campaign funds to the accounts of political parties within one working day after the registration of the party's candidate. All campaign-related expenses incurred by the political parties prior to the transfer shall be reimbursed from the public campaign fund upon its receipt.

<sup>32</sup> Parties must also submit annual financial reports to the legislative chamber of the *Oliy Majlis*, the MoJ, the Ministry of Finance and the Tax Committee.

<sup>33</sup> During the Central Asian Media Conference in September 2021, organized by the OSCE Representative for Freedom of the Media, the Deputy Minister of Foreign Affairs [announced](#) (link in Russian) that a total of 736 state and 1,180 private media outlets operate in Uzbekistan. The media seller International Media Service [estimated](#) (link in Russian) the total advertising market for 2020 as some EUR 42,000,000, including some 67 per cent (EUR 28,100,000) distributed among TV stations.

<sup>34</sup> The first ever interview of President Mirziyoyev with an Uzbek media outlet, the government owned *Yangi Uzbekiston*, was published on 17 August 2021.



2019, some still remain inaccessible throughout the country.<sup>35</sup> Since 2 July, access to the social networks Twitter, TikTok and VKontakte, as well as to instant messengers Skype and WeChat has been throttled.<sup>36</sup>

The Constitution provides for freedom of speech and the right of access to information. However, media are held legally accountable for published information and required to obtain pre-approval for publication on religious matters.<sup>37</sup> Although the December 2020 amendments to the Criminal Code removed imprisonment as a punishment for defamation and insult, they still remain a criminal offence, punishable with fines, corrective labor or house arrest. Amendments to the Criminal Code in the past two years expanded the responsibility for defamation and insult, including the defamation and insult of the president to online and social media, as well as for spreading panic and publishing false information about the spread of dangerous infectious diseases.<sup>38</sup> Journalists also face legal penalties for “insulting the dignity of citizens” and for the dissemination of false information, while bloggers and owners of websites are held liable for third party content and user generated comments.<sup>39</sup>

The Election Code provides a general framework for media conduct during the campaign and is further elaborated by a CEC provision adopted in April 2021. This legal framework provides for the allocation of free time only in state-owned print and broadcast media. On 17 September, the CEC allotted 3.5 hours to each contestant on each of 5 national state TV channels as well as 140 minutes on each of 13 regional broadcasters and provided space in 6 national and 26 regional newspapers. The CEC has also reserved time for debates among the contestants on every Saturday during the campaign period on five national state television stations; however, the contestants have yet to agree on holding such debates. The CEC provision entitles both state and private media to sell time and space to contestants under equal conditions and guarantees all candidates equal coverage. However, if a candidate is performing duties in relation to the position they currently hold, it is not considered as campaigning and therefore excluded from these provisions.

The Uzbek media regulator, the Agency of Information and Mass Communications, overseen by the president’s administration, is tasked with media monitoring of the campaign and submits daily reports to the CEC. However, only a final monitoring report is to be publicly released after election day. On 20 September, the ODIHR EOM commenced qualitative and quantitative media monitoring of six television channels and six online media outlets.<sup>40</sup>

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<sup>35</sup> For example, the websites of the Uzbek Edition of *Radio Liberty/Radio Free Europe*, Russian language *Current Time TV* or US-based *Foreign Policy* were reported as inaccessible by all ODIHR EOM observers throughout the country, as were the websites of human rights organizations International Federation for Human Rights Front Line Defenders, Committee to Protect Journalists and Eurasian (Russian) edition of Amnesty International.

<sup>36</sup> On 2 July, the communication supervisory body UzKomNazorat [announced](#) (link in Russian) access limitations to five networks that did not [comply](#) with the January 2021 amendments to the Law on Protection of Personal Data. The law required internet services to store data on Uzbek users within the country.

<sup>37</sup> As recently as June 21, 2021, the Chilonzor District Court in Tashkent fined two websites, *kun.uz* and *azon.uz*, for allegedly publishing religious material without receiving pre-approval of the state Committee for Religious Affairs. See the [report](#) of the Committee to Protect Journalists on the matter.

<sup>38</sup> On 19 April 2021, the State Security Service [initiated](#) (link in Russian) a criminal case against blogger Validjon Kalanov for insulting the president. On 20 November, 2020, the media regulator warned three major news websites [Gazeta.uz](#), [Podrobno.uz](#), and [Daryo.uz](#) (links in Russian) of “serious legal consequences” for publication of “unverified information”, after the websites reported about distinct discrepancies in the reported number of hospitalized COVID-19 patients by the Ministry of Health and by the president’s administration.

<sup>39</sup> The Criminal Code does not provide a clear definition of “insulting the dignity” and is usually prescribed by a linguistic analysis.

<sup>40</sup> TV: *O‘zbekiston* (state-owned), *O‘zbekiston 24* (state-owned), *Mening Yurtim*, *Sevimli*, *UzReport*, *ZO‘R TV*. Websites: *Daryo.uz*, *Gazeta.uz*, *Kun.uz*, *Podrobno.uz*, *Qalampir.uz*, *Repost.uz*.

## XI. PARTICIPATION OF NATIONAL MINORITIES

Uzbekistan is a multi-ethnic country. According to official statistics, ethnic Uzbeks constitute 83.8 per cent of the population while the other large ethnic communities are Tajiks, Kazakhs, Russians, and Karakalpaks.<sup>41</sup> The latter group predominantly resides in Karakalpakstan, which has the status of an sovereign republic.

The Constitution provides for equal rights and freedoms without discrimination based on ethnicity. According to the CEC, all five candidates for the upcoming presidential election are Uzbek. The Election Code provides for ballot papers to be printed in Uzbek as well as in the languages spoken by the majority of the population of the respective district upon the DEC's decision. Ballots in some constituencies will be provided in Russian and Karakalpak. Some electoral material, including related to legislation and CEC regulations, is published in Uzbek, Russian and Karakalpak. Most campaign events observed by the ODIHR EOM to date were held only in Uzbek, while some included messages in minority languages. In addition to Uzbek, Russian and Karakalpak, ODIHR observers noted some campaign materials in Kazakh and Tajik.<sup>42</sup>

## XII. COMPLAINTS AND APPEALS

Election-related disputes are regulated by the Election Code, the Code of Administrative Judicial Procedure, the Law on the Applications from Individuals and Legal Entities, and CEC resolutions.<sup>43</sup> The country is undergoing a process of judicial reforms which has altered, *inter alia*, the territorial jurisdiction of the administrative courts.<sup>44</sup> The 2021 amendments to the Election Code eliminated the parallel avenues for election-related disputes, addressing a prior ODIHR recommendation, and shortened the procedural deadlines.

Election related complaints can be filed by voters (individually and collectively, including by legal entities), candidates, the political parties that nominated them, proxies and observers. Only candidates and authorized representatives of political parties have the right to challenge PEC decisions on results and to request recounts. Election commissions, including the CEC, review complaints about violations of the Election Code at first instance, with their decisions subject to judicial review. While the law does not define complaint submission deadlines, election commissions shall decide on complaints within three days.<sup>45</sup> Complaints against actions or decisions of the election administration shall be submitted to the administrative courts within five days, and reviewed within three days. The law does not explicitly provide

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<sup>41</sup> The population has not been counted in over 30 years. A new census, planned for November 2020, was cancelled due to concerns about the COVID-19 pandemic. It has been postponed until 2023.

<sup>42</sup> The CEC informed ODIHR EOM that PECs were provided with materials in Tajik, Kazakh, Turkmen and Kyrgyz languages. These materials were also posted on the CEC website.

<sup>43</sup> CEC resolutions Nos. 1065 (adopted in April 2021, amended in July 2021) and 1066 (adopted in April 2021, amended in July 2021).

<sup>44</sup> The two lower levels (town and district) of administrative courts were abolished and inter-district administrative courts established. A system of online complaints submission was introduced through the electronic government portal. The president maintains extensive influence on the formation of the judiciary, including the powers to appoint 20 of the 21-member Supreme Judicial Council, to appoint and dismiss the presidents and vice-presidents of the regional and Tashkent city courts, and nominate justices of the Supreme and Constitutional courts.

<sup>45</sup> Exceptions are complaints regarding voter registration, which shall be reviewed within 24 hours, and all complaints submitted within 6 days prior to as well as on election day, which shall be decided immediately. The latter rule also applies to complaints submitted to the administrative courts.

for challenging inactions. The Supreme Court has jurisdiction over complaints against the CEC. Election-related judicial decisions are subject to immediate enforcement.<sup>46</sup>

To date, the CEC received no complaints, but only voters' requests for information on organizational aspects of the electoral process.<sup>47</sup> No complaints were filed with the lower levels of the election administration or with the judiciary.

### **XIII. CITIZEN AND INTERNATIONAL OBSERVERS**

Election observation is provided for by law and further defined by CEC decisions. International organizations as well as foreign states may apply for observer accreditation. The CEC has so far accredited 380 international observers. The law allows for observation by party agents, media representatives and members of *Mahalla* committees, but does not provide for general citizen observation, as previously recommended by ODIHR.<sup>48</sup> Accreditation as an observer affords the right to follow all stages of the electoral process.

### **XIV. ODIHR EOM ACTIVITIES**

The ODIHR EOM commenced its work on 15 September. The Head of the ODIHR EOM met with the CEC Chairperson, the First Deputy Minister of Foreign Affairs, candidates, political party leaders and representatives, media, and members of the diplomatic and international community. The OSCE Parliamentary Assembly (OSCE PA) as well as the European Parliament intend to deploy a delegation for election day observation. The OSCE Chairperson-in-Office has appointed Mr. Reinhold Lopatka as Special Co-ordinator and leader of the short-term OSCE observer mission for this election. Ms. Daniela De Ridder is heading the OSCE PA delegation. The ODIHR EOM and the OSCE Project Co-ordinator in Uzbekistan operate separately, under their respective mandates.

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

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<sup>46</sup> Under the Code of Administrative Judicial Procedure, these decisions can be reviewed if there are newly established circumstances, upon the initiative of the parties or the prosecutor. Such appeals are exempt from the expedited procedures established by the electoral legal framework; they can be launched within a month upon disclosure of new circumstances, and shall be reviewed by the same court within one month.

<sup>47</sup> As of 5 October, 1,417 voters' requests to change polling station were filed via the online voter registration portal, of which 880 were granted, 292 were rejected (mostly as repetitive) or withdrawn by applicants, and 245 were pending review.

<sup>48</sup> The law allows for observation by members of *Mahalla* committees since the 2019 parliamentary elections.