



Office for Democratic Institutions and Human Rights

REPUBLIC OF UZBEKISTAN

PARLIAMENTARY ELECTIONS
22 December 2019

ODIHR Election Observation Mission
Final Report



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**REPUBLIC OF UZBEKISTAN
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ODIHR Election Observation Mission Final Report¹

I. EXECUTIVE SUMMARY

Following an invitation from the Central Election Commission of the Republic of Uzbekistan (CEC), the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed an Election Observation Mission to observe the 22 December 2019 parliamentary elections. The ODIHR EOM assessed compliance of the election process with OSCE commitments, other international obligations and standards for democratic elections, and domestic legislation. For election day, the ODIHR EOM joined efforts with a delegation of the OSCE Parliamentary Assembly (OSCE PA) to form an International Election Observation Mission (IEOM). Run-off elections in 25 of the 150 parliamentary constituencies took place on 5 January 2020. The run-off elections were not observed by the ODIHR.

The Statement of Preliminary Findings and Conclusions issued by the IEOM on 23 December concluded that the elections “took place under improved legislation and with greater tolerance of independent voices but did not yet demonstrate genuine competition and full respect of election day procedures. The elections showed that the ongoing reforms need to continue and be accompanied by more opportunities for grass-root civic initiatives. The contesting parties presented their political platforms and the media hosted debates, many aired live, but campaign rules are still restrictive, and the range of political options remained limited. There is more acceptance of free expression, but few independent associations exist. Regrettably, the new legislation and modernized administration of elections did not improve the polling process, with international observers reporting numerous serious irregularities, such as voting on behalf of others and disregard for key procedures during counting.”

The Election Code adopted by the parliament in June 2019 incorporates several previous ODIHR recommendations and brings the legal framework closer in line with OSCE commitments and other international obligations and standards for democratic elections. Improvements include: abolishment of reserved seats; the introduction of a maximum deviation of 10 per cent from the average size of constituencies’ voting populations; the establishment of a nationwide voter register; the removal of the blanket restriction on voting by persons sentenced to a term of imprisonment, and allowing citizens to sign in support of more than one political party. However, some legal provisions are still at odds with OSCE commitments and international good practice, notably those related to suffrage rights. More generally, the exercise of some freedoms that are essential for the enjoyment of electoral rights continues to be unduly restricted by laws and subordinate normative acts.

The Central Election Commission (CEC) made a great effort to prepare the parliamentary elections in an improved manner. Noteworthy changes included redistricting the constituencies to ensure equal suffrage, compiling a completely new countrywide voter register, adopting numerous resolutions to operationalise the Election Code, improving access for persons with disabilities, training thousands of polling officials and conducting an intensive voter information campaign. Still, the potentially positive impact of the CEC’s efforts was negated by numerous and serious irregularities in the polling process, the failure of many Precinct Election Commissions (PECs) to follow voting and counting procedures, and inaction of the election administration in holding those responsible to account.

¹ The English version of this report is the only official document. Unofficial translations are available in Uzbek and Russian.

Voter registration is passive and is based on permanent and temporary residence. The elections utilised a new countrywide, centralized voter register, the Single Electronic Voter List (SEVL). It was designed to both lessen the possibility for multiple entries for the same person and to better ensure the universality of the vote. However, the CEC did not publish detailed voter registration data, thereby reducing transparency of the registration process. Citizens who found that they were not included in a voter list could request to be registered on election day by the PEC at a polling station. While intended to ensure inclusion, this is contrary to international good practice, and, because safeguards preventing a citizen voting at multiple polling stations were not systematically applied, some citizens could effectively vote anywhere.

All five registered political parties supplied the number of supporting signatures required and were certified by the CEC thereby allowing them to nominate candidates. The registration process was made more open by changing the legal provisions so that voters can sign in support of more than one party. However, the legal framework does not provide any detail on the verification procedures the CEC should apply or the grounds for disqualification. The CEC registered 750 candidates, one for each party in every one of the 150 constituencies. Six candidates withdrew close to election day, causing a reprint of ballots or striking the names of withdrawn candidates on ballots by hand.

Only 24 (16 per cent) of the deputies in the outgoing legislative chamber were women. All parties complied with the gender quota of 30 per cent of the total number of candidates nominated by each party. Collectively, parties nominated 310 women candidates (41 per cent). The number of women in the incoming parliament has doubled (48 or 32 per cent). In 2019, the number of female CEC commissioners rose from 3 to 7 and women constituted half of the PECs members, although only one third of them were appointed as Chairpersons. Gender equality was a marginal campaign topic and media attention focused almost exclusively on male candidates.

While there was more political space for parties and candidates to campaign, the regulations on campaigning adopted by the CEC created an inflexible and overly detailed framework for election campaigning. Overall, a literal interpretation of the requirement for equal opportunity, and funding constraints gave parties and candidates very limited scope to define their individual campaign strategies.

Under the Election Code, contestants must organize their campaign events in co-ordination with the election administration. Candidates' meetings with voters were largely confined to events organised by DECs at constituency level, and parties did not attempt to organise large campaign rallies. The funding limitations may have contributed to the campaign lacking visibility in public spaces. Observers reported a uniformity of format for campaign events, a high degree of homogeneity of materials and campaign methods, and a lack of individualistic approaches by candidates to campaigning. In general, parties and candidates did not engage their rivals in a genuinely competitive manner. Nevertheless, the political parties expressed their satisfaction with the opportunities afforded to them for campaigning.

The legislation requires that parties' and candidates' election-related expenses, including for campaigning, are financed from public funds. Neither parties nor candidates are permitted to receive campaign funds from private sources. The amount allocated by the CEC to candidates was only enough for them to cover small expenses and, overall, was insufficient for candidates to buy additional visibility material and engage in extensive voter outreach. The rules on campaign finance reporting and scrutiny lacked transparency.

The context of improved respect for freedoms of opinion and speech provided greater ability for the media to cover the elections. The Election Code affords political parties the right to access broadcast and print media on an equal basis and provides for free airtime. Results of media monitoring indicate

that monitored state-owned channels provided equal coverage to the five parties, but most of their news coverage was devoted to activities of the president. The volume of campaign coverage in the private media's news broadcasts was low. For the first time, public and private media aired debates involving the parties, many of which were broadcast live. However, it was not until a late stage of the campaign that journalists in traditional media analysed and discussed the political issues raised during the debates.

National minority issues did not feature prominently in the elections and the IEOM observers did not report any discriminatory practice or commentary on minorities during the campaign. All political parties nominated candidates from minority populations and informed the IEOM that some of their campaign materials were prepared in minority languages. Ballots in some constituencies were printed in Russian and Karakalpak languages. According to a CEC announcement, 20 members of the newly-elected parliament (13 per cent) are from national minorities.

The Election Code prescribes a generally reasonable framework for hearing and ruling on election complaints and for appeals. However, the dual system of appeals, which offers the complainant the possibility to choose the forum in which their complaint will be decided, could lead to confusion, overload the commissions and courts with repetitive claims and potentially result in contradictory decisions and rulings. The CEC received a large number of written addresses of various kinds and transferred most of them to other state institutions. As many of these submissions did not require resolution by the CEC or courts, the dispute resolution system remained largely untested.

The authorities accredited a large number of international observers. While party agents are able to observe the elections, private organizations and individual citizens are not entitled to observe the election process, thereby lessening the scope for independent scrutiny. *Mahalla* committees, a traditional Uzbek social structure vested with government powers, were the only nation-wide organization permitted to observe the elections. While the authorities frequently claimed that *Mahallas* were independent civil society organizations (CSOs), some ODIHR EOM interlocutors perceived them to function as a form of social control. The role of *Mahallas* in assisting the CEC to prepare the elections, nominating PEC members, organizing parties' campaign events, and in day-to-day life at community level raise questions about their ability to function as independent observers.

Voting was conducted in a calm environment but, overall, this phase was assessed negatively in 14 per cent of the polling stations observed, indicating significant flaws. Despite intensive voter education and training programmes, serious observed irregularities included allowing voters to vote without identification documents, voters receiving multiple ballots and being allowed to vote on behalf of others, and not checking if voters who registered on election day were registered at another polling station. The vote count was assessed negatively in 43 per cent of reports. In almost half of the polling stations observed, PECs did not follow correct counting procedures. Serious irregularities observed included: non-PEC members interfering in the counting process; inconsistent and unreasonable determination of the validity of votes; entering results data into pre-signed protocols; deliberate falsification of data in the results protocols and not displaying a copy of the results protocol publicly. After the vote count, a significant minority of PECs did not deliver the results protocols directly to the DEC, as required by law. In 15 of the 94 DEC reports where IEOM observed the tabulation of results, the process was assessed negatively. Some PECs delivered signed protocols in which no data results had been recorded and many PEC results protocols were completed or changed, often without a formal decision, at the DEC premises. In some 74 per cent of observations, DEC reports identified errors in the PEC protocols.

This report offers a number of recommendations to support efforts to bring elections in Uzbekistan fully in line with OSCE commitments and other international obligations and standards for democratic elections. Priority recommendations relate to the review of the existing legal framework to ensure

genuine political competition and full protection of freedom of political and civic association, assembly and expression, granting civic association and non-governmental organisations the right to independently scrutinise the electoral process, improving the integrity of the polling process and the honesty of the vote count, enhancing transparency through timely publication of preliminary and final election results disaggregated by constituency and polling station. ODIHR stands ready to assist the authorities to further improve the electoral process and to address the recommendations contained in this and previous reports.

II. INTRODUCTION AND ACKNOWLEDGMENTS

Following an invitation from the Central Election Commission of the Republic of Uzbekistan (CEC), the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established an Election Observation Mission (EOM) on 25 November 2019. Headed by Tana de Zulueta, the ODIHR EOM included 13 experts based in Tashkent and 30 long-term observers who were deployed throughout the country as of 3 December.

The ODIHR EOM assessed compliance of the election process with OSCE commitments, other obligations and standards for democratic elections, and domestic legislation. This final report follows the Statement of Preliminary Findings and Conclusions which was released on 23 December 2019.

For election day, an International Election Observation Mission (IEOM) was formed as a common endeavour of the ODIHR EOM and a delegation of the OSCE Parliamentary Assembly (OSCE PA). The OSCE Chairperson-in-Office appointed George Tsereteli, as Special Co-ordinator and leader of the OSCE short-term observer mission. The IEOM deployed 316 observers from 37 countries. The ODIHR EOM remained in the country until 29 December.

The ODIHR EOM wishes to thank the Central Election Commission (CEC) for the invitation to observe the elections and the Ministry of Foreign Affairs and the CEC for their assistance and co-operation. It also expresses appreciation to representatives of other national and local state institutions, the judiciary, political parties, media, the international community, and other interlocutors for their co-operation and for sharing their views.

III. BACKGROUND AND POLITICAL CONTEXT

On 20 September, the CEC called elections to the lower (legislative) chamber of the parliament (*Oliy Majlis*) and to regional and local councils (*Kengashes*) for 22 December 2019.² The legislative chamber of the *Oliy Majlis* has 150 seats.

The parliamentary elections were conducted in the context of the 2017 – 2021 Development Strategy, initiated by President Shavkat Mirziyoyev, which aims to transform Uzbekistan's economic, social and political life. Among other things, the political pillar of the reform agenda aims to strengthen the roles of parliament and political parties, enhance governance and public management (including media and civil society), ensure the rule of law and the independence of the judiciary, and guarantee citizens' rights and freedoms. The reforms, which President Mirziyoyev regards as an irreversible modernisation and democratisation process, are being implemented in stages.

² The ODIHR EOM only observed the 22 December parliamentary election although it assessed the impact of holding the regional and local elections together with the parliamentary elections.

The parliamentary elections were held under the slogan “New Uzbekistan – New Elections” and were seen as an important milestone in the ongoing reform process. In the run up to the elections, independent voices, although not numerous, became more audible and some citizens felt at liberty to post their political views online through blogs and social networks. In general, during this period, citizens were granted more space to air grievances and to discuss the political parties’ policy proposals while the authorities displayed a greater tolerance of criticism including that which was directed towards the state administration. Nevertheless, while some rules on the freedom of assembly were relaxed, public dissent, including on social media, could still result in prosecution or even detention. In addition, the security apparatus with capabilities for close surveillance remained in place and active, impacting on citizens’ behaviour.

The Constitution confers strong powers on the presidential office. The Head of State shares legislative powers with the parliament through the issuance of binding decrees, resolutions and ordinances. In 2014, the role of the parliament was reinforced by granting the largest parliamentary party the power to nominate the prime minister. A further change was approved in March 2019 such that the parliament considers and approves the prime minister’s nominations for ministerial positions, which are subsequently confirmed by the president. This represents a potentially significant revision of the balance of governmental power. Notwithstanding these changes, the outgoing legislative chamber had only 108 sitting members as most of the other 42 had been appointed to executive posts, without by-elections to replace them.³ In general, there is an underrepresentation of women in Uzbekistan’s public and political life. Only 16 per cent of the outgoing legislative chamber and 17 per cent of the Senate members were women.

The last parliamentary elections, which were held on 21 December 2014, were contested by the registered political parties. Of the 135 seats in which elections were held, the Liberal Democratic Party of Uzbekistan (LDPU) obtained 52 seats, the Democratic Party of Uzbekistan – *Milliy Tiklanish* (DPU) 36 seats, the People’s Democratic Party of Uzbekistan (PDPU) 27 seats, and the Social Democratic Party of Uzbekistan – *Adolat* (SDPU) 20 seats. At the time, the law reserved 15 seats for the Ecological Movement of Uzbekistan (EMU).⁴

Despite the registration of one new political party, the Ecological Party of Uzbekistan (EPU), and since no other new party has been registered since 2003, the political choice available to voters was largely unchanged.⁵ While the parliamentary parties formed majority and minority blocs following the 2014 elections, genuine organized political opposition is absent and none of the parties can yet be considered as in opposition to the president. Indeed, all five registered parties are supportive of presidential policies and, in general, do not propose different plans and actions to his. The limited degree of political pluralism, in particular the absence of authentic political opposition, meant that the 2019 elections were not a genuinely competitive contest between parties with distinct political viewpoints.⁶

³ In 2017, the President criticized the parliament for its inactivity, stating that only 27 of the 136 laws adopted by the *Oliy Majlis*, were initiated by the deputies of the legislative chamber. These mainly related to amending existing laws that were based on decrees and resolutions of the president.

⁴ On 22 January 2019, the Ecological Party of Uzbekistan (EPU) was registered by the Ministry of Justice as a political party. While EMU remains as a registered movement, its chair became the chair of the EPU and some EMU executive office holders took up similar positions in the EPU.

⁵ The LDPU was registered in November 2003. The DPU *Milliy Tiklanish* was established through a merger of *Milliy Tiklanish* and the National Democratic Party *Fidokorlar* in August 2008. In June 2019, *Ezgulik* human rights group through their Facebook page appealed to president, parliament, Ministry of Justice, and Ombudsman to relax the requirements for registration of political parties.

⁶ Paragraph 3 of the 1990 OSCE Copenhagen Document reaffirms the importance of pluralism with regard to political organizations.

During the pre-election period, local executive bodies, electoral administration structures and *Mahallas* assumed certain roles and functions that are usually the prerogative of political parties.⁷ While the authorities regard *Mahallas* as part of civil society, they are vested with government powers and some ODIHR EOM interlocutors perceived *Mahallas* to function as a form of social control in everyday life at community level.

IV. ELECTORAL SYSTEM

The bicameral parliament, which is the supreme state representative body, is composed of two chambers each with five-year term. The upper chamber, the Senate is composed of 100 members of which 84 are indirectly elected by 12 regional councils, the city of Tashkent and the Republic of Karakalpakstan, and 16 are appointed by the president. The lower, legislative, chamber is composed of 150 members elected in single-mandate election districts (constituencies). In contrast with the 2014 elections, and in line with an OSCE commitment in the 2019 parliamentary elections, all 150 members of the legislative chamber were directly elected.⁸

The increase in the number of constituencies from 135 to 150 required the CEC to conduct a comprehensive redrawing of the electoral boundaries.⁹ All constituencies are wholly within the borders of Uzbekistan's 12 regions, the Republic of Karakalpakstan and the city of Tashkent.¹⁰ In line with the principle of equal suffrage, the Election Code requires that the number of electors in a constituency shall not deviate by more than 10 per cent from the average.

In order to win a seat in the first round, a candidate must secure a majority of the votes cast; otherwise a second round (run-off) election is held within two weeks between the two leading candidates. Run-off elections are not subject to a turnout requirement. All of the 150 constituency contests are invalidated and the elections are re-run if the national election turnout is less than 33 per cent.

V. LEGAL FRAMEWORK

Uzbekistan is party to several international human rights instruments which establish fundamental freedoms that are essential for the holding of genuine elections.¹¹ The domestic legal framework includes the 1992 Constitution (last amended in September 2019), a new Election Code (in force since June 2019), the 1996 Law on Political Parties (last amended in October 2019), the 2004 Law on Financing of Political Parties (last amended in December 2019), the 1994 Criminal Code, the 1994 Code of Administrative Responsibility (both last amended in November 2019), presidential decrees

⁷ *Mahallas* are Uzbek community structures which are involved in many aspects of the everyday life and link the state and the community. The role and powers of *Mahallas* were formalized in the 1993 Law on the Institutions of Self-Government of the Citizens. According to this Law, *Mahallas* also provide financial assistance and advice on weddings, facilitate the timely collection of taxes, assist law enforcement agencies in maintaining public order and public safety, and act as a guarantor for loans by business entities, including family business. Not respecting *Mahalla* committee decisions are in some instances legally punishable.

⁸ Paragraph 7.2 of the 1990 Copenhagen Document provides that OSCE participating States "permit all seats in at least one chamber of the national legislature to be freely contested in a popular vote".

⁹ The redistricting was formalised by CEC resolution 954 of 7 October 2019.

¹⁰ The number of constituencies per region varies from 4 in Syrdarya to 17 in Ferghana.

¹¹ Uzbekistan is party to the International Covenant on Civil and Political Rights (ICCPR); the Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; and the UN Convention against Corruption. Uzbekistan has yet to ratify the 2006 Convention on the Rights of Persons with Disabilities (which it signed in 2009) and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

and resolutions and cabinet of ministers' resolutions. In addition, CEC regulations have the status of normative acts and the Commission's decisions are binding.

The legal framework for elections underwent significant revision in 2019, with the adoption of an Election Code which unified and replaced five separate laws and dozens of normative acts, thereby enhancing the clarity and accessibility of electoral legislation.¹² The Election Code was adopted following a comprehensive review of election procedures, during which the Uzbek authorities considered previous ODIHR recommendations, engaged in a constructive dialogue with ODIHR and requested the ODIHR and the Council of Europe's Venice Commission to provide an opinion on the draft of the law.¹³

The Election Code incorporates several past ODIHR recommendations and brings the legal framework closer in line with OSCE commitments and other international obligations and standards for democratic elections. Recommendations which were addressed include the abolishment of reserved seats, so that all members of the legislative chamber are directly elected; the introduction of a maximum deviation of 10 per cent from the average size of constituencies' voting populations, aimed at equalising suffrage; the establishment of a nationwide voter register; the removal of the blanket restriction on voting by persons sentenced to a term of imprisonment, and allowing citizens to sign in support of more than one political party.

While the adoption of the Election Code has created an improved legal framework for elections, some provisions replicated from previous legislation are still at odds with OSCE commitments and international good practice, notably those related to suffrage rights. These include restricting the right to seek election to candidates nominated by political parties, the five-year residency required for candidacy, and the denial of voting rights to persons deemed by a court to be "legally incapable" including on the basis of intellectual or psychosocial disability.¹⁴

More generally, the exercise of some rights and freedoms that are essential for the enjoyment of electoral rights continue to be unduly restricted by laws and subordinate normative acts which in practice limits the opportunity for citizens and candidates to enjoy their rights.¹⁵ The legislation on the registration and suspension of political parties, is burdensome and open to arbitrary application.¹⁶ These factors constitute a challenge to paragraph 7.6 of the 1990 OSCE Copenhagen Document.¹⁷

¹² Previously, separate laws regulated the conduct of presidential, parliamentary and local elections, citizens' suffrage rights, and the CEC activity.

¹³ See the ODIHR and the Venice Commission [Joint Opinion on the Draft Election Code of Uzbekistan](#).

¹⁴ Paragraph 7.5 of the OSCE Copenhagen Document requires the participating States to "respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination.

¹⁵ According to paragraph 25 of the 1996 United Nations Human Rights Committee General Comment No 25 on article 25 of the ICCPR, "[ensuring the] full enjoyment of rights protected by article 25, [...] requires the full enjoyment and respect for the rights guaranteed in articles 19, 21 and 22 of the Covenant, including freedom to engage in political activity individually or through political parties and other organizations, freedom to debate public affairs, to hold peaceful demonstrations and meetings, to criticize and oppose, to publish political material, to campaign for election and to advertise political ideas".

¹⁶ The Law on Political Parties provides that registration may be denied if a party's charter, objectives or methods contradict the Constitution or [unspecified] legislative acts. As the legislative acts to which parties' charters must comply is not specified, a risk exists that registration could be denied or withdrawn arbitrarily. ODIHR and Venice Commission [Guidelines on Political Party Regulation](#) recommend that "grounds for denying a party's registration must be clearly stated in law and based on objective criteria". The [UN Human Rights Committee](#) has in the past expressed concern over "unreasonable, burdensome and restrictive requirements for registering political parties and public associations" as well as about the fact that "opposition political parties were denied registration and participation in elections" in Uzbekistan.

¹⁷ Paragraph 7.6 of the 1990 OSCE Copenhagen Document refers to "the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations [...]". See also paragraph 26 of the General Comment No. 25 to the ICCPR.

Disproportionate or discriminatory legal provisions that impede the formation and functioning of political parties should be removed. To better ensure genuine political competition, the legislation covering the registration and functioning of political parties should be interpreted and implemented in a manner that promotes pluralism.

Positively, some progress has been made related to the right to civic association through the recent easing of administrative requirements for the functioning of non-governmental organizations (NGOs).¹⁸

Freedom of peaceful assembly, albeit enshrined in the Constitution, is not regulated by any specific law.¹⁹ While the Election Code allows candidates to conduct meetings with voters using a system of ‘notification’, a 2014 Cabinet of Ministers resolution requires prior authorisation for ‘mass rallies’ and requires organizers to submit the request and required documentation not later than 30 working days prior to the planned date of the ‘mass rally’.²⁰ Although the resolution expressly excludes ‘public gatherings’, ‘meetings’ and ‘demonstrations’ from its scope (and the definition of rallies), there is a widely held belief, albeit incorrect, that all large assemblies require prior approval by the authorities.²¹ This creates uncertainty regarding to which requirements assembly organizers and participants must adhere to hold the event lawfully.²²

Freedom of expression is guaranteed by the Constitution yet circumscribed by numerous legal provisions on criminal and administrative offences, which may inhibit effective election campaigning and impact on voters’ ability to make informed choices.

The legal framework on the freedom of political and civic association, assembly and expression should be reviewed to ensure that any restrictions on the exercise of these rights are clearly prescribed by law, have the character of exception, and are imposed only when necessary in line with democratic principles.

VI. ELECTION ADMINISTRATION

A. FORMATION AND COMPOSITION OF ELECTION COMMISSIONS

The elections were administered by the Central Election Commission (CEC), 150 District Election Commissions (DECs) and some 10,300 Precinct Election Commissions (PECs), including 55 abroad.

¹⁸ Changes relate to registration of grant contracts of NGOs, payments of state duties, annual reporting requirements, and the requirement to notify the Ministry of Justice about planned activities. The Ministry of Justice informed the ODIHR EOM that in 2018, there were 921 applications for NGO registration, out of which 811 were approved; in 2019, until 1 December, 605 requests for registration were received, out of which 462 were approved.

¹⁹ Article 33 of the Constitution of Uzbekistan provides that “citizens have the right to engage in public life by holding rallies, meetings and demonstrations in accordance with the legislation”.

²⁰ A 2014 Cabinet of Ministers Resolution No. 205 (2014) provides that prior authorization is necessary for holding rallies of over 100 persons at the local level and over 200 persons in major cities.

²¹ The Code of Administrative Responsibility penalises violations of the rules for conducting mass events. A draft Law on Rallies, Meetings and Demonstrations, tabled in June 2019, aims to establish a system of prior authorization of assemblies rather than notification, and introduce a series of severe restrictions on assemblies. See [ODIHR Comments on the Draft Law](#). The ODIHR EOM Interlocutors claimed that confusion concerning permits meant that rallies were seldom held.

²² The [UN Human Rights Committee](#) has in the past expressed concern over “arbitrary restrictions on the right to peaceful assembly in law and in practice, including the disruption of peaceful assemblies by law enforcement officers and arrests, detentions, beatings and sanctioning of participants”.

The Constitution requires that all election commissions are guided by the principles of independence, lawfulness, collegiality, transparency and fairness.

The CEC is a permanent and independent constitutional body and the Election Code confers the CEC with strong regulatory power. DEC and PEC are formed temporarily for each election. The right to propose DEC and PEC members rests with the regional and Tashkent city-level elected representative bodies and the Parliament of the Republic of Karakalpakstan. The CEC members are appointed for indefinite terms by the *Oliy Majlis*. The CEC approves the DEC members.²³ PEC members are proposed by *Mahalla* committees, public associations, enterprises, institutions and organizations, and are appointed by DECs.

The nomination procedures for DEC and PEC members raises potential concern about the independence of temporary lower election commission members and, after the election, the CEC expressed its concern to the ODIHR EOM regarding administrative interference in election day proceedings. While the CEC and DECs approve the final DEC and PEC membership (respectively), DEC and PEC nominees are proposed by other public and private entities.

To strengthen the independence of the election administration, consideration could be given to allowing the CEC the right to directly recruit DEC and PEC members through an open and competitive assessment process.

The CEC membership increased from 16 to 21 members, with a total of 11 members, including the Deputy Chairperson and Secretary appointed during 2019. The 1,600 DEC members and some 112,000 PEC members were appointed in a timely manner.

The 2019 changes in the CEC composition resulted in an increase in the number of female commissioners; rising from 3 (19 per cent) to 7 (33 per cent).²⁴ According to the CEC, women represented 46 and 49 per cent of DEC and PEC members, respectively.²⁵

In addition to their role in nominating PEC members, while not formally a part of the election administration, *Mahalla* committees were instrumental in preparing for the elections. In the period prior to the formation of DECs and PECs, they assisted the CEC at local level in the delimitation of constituency boundaries and compiling and verifying voter list data.

B. FUNCTIONING AND ACTIVITIES OF ELECTION COMMISSIONS

The CEC made a great effort to improve the electoral process and to prepare the parliamentary elections under the new legal framework. The increase in the number of constituencies from 135 to 150 required the CEC to undertake a comprehensive redrawing of the electoral boundaries. Given that DECs and PECs were not formed at the time when the constituency delineation took place, the CEC required significant assistance from local authorities, including *Mahalla* committees. At the time of delineation, the new constituencies had an approximately equal number of registered voters, thereby

²³ The Election Code states that the DECs are “formed by the CEC” and does not deal with the issue of a proposal not being approved. Prior to approval by the CEC, candidates for the membership of DECs are discussed at the meetings of Parliament (*Jokarghy Kenes*) of the Republic of Karakalpakstan, regions and Tashkent city Councils (*Kengashes*). Prior to approval (by DECs), candidates for the membership of PECs are recommended by citizens' self-governing bodies (*Mahallas*), public associations, enterprises, institutions and organizations, and nominees are discussed at the meetings of the district and city Councils.

²⁴ The law “On guarantees of equal rights and opportunities for women and men”, adopted in September 2019, requires gender balance in the election administration.

²⁵ Paragraph 26 of the [1997 UN CEDAW Committee's General Recommendation No. 23](#) requires States to include gender disaggregated data when reporting on the inclusion of women in political and public life.

respecting the new legal provisions setting a maximum deviation in size of voting populations and international standards on equal suffrage.

The CEC adopted a number of binding resolutions including on approving regulations, which have the status of normative acts; thereby adding a substantial level of detail to the legal framework.²⁶ The CEC also took some 80 decisions on individual issues among other things on the formation of DEC, party certification, candidate registration, and observer accreditation. The CEC's resolutions and its actions were in conformity with the legislation, but some regulations were adopted at a late stage.²⁷ While the CEC detailed most electoral procedures, counting and especially tabulation procedures remained under-regulated which may have been a factor in the arbitrary approach taken by PECs on counting votes and DEC on tabulating results, as reported by IEOM observers on election day.

The CEC should consider adopting a binding regulation defining all procedures for counting of votes and tabulation of results. To better ensure awareness of these procedures at all levels, the CEC could consider adopting manuals with easy to follow step-by-step instructions and disseminate information posters.

The CEC maintained an informative website and updated information regularly, although a few key regulations or their annexes were not posted in a timely manner. However, some essential information was not published, including detailed election results.

To enhance transparency, the CEC should publish on its website preliminary and final election results disaggregated by constituency and polling station as soon as possible after election day.

The ODIHR EOM observers met with the CEC and 142 DEC across the country and generally received requested information in a timely manner. With few exceptions, all DEC met by the ODIHR EOM reported holding sessions that were open to the public, in accordance with the law. However, given the *ad hoc* organization of DEC and PEC meetings, the ODIHR EOM was unable to observe a session at the district and precinct level before election day. The law does not provide for a consistent method for disclosing the DEC and PEC decisions and while some DEC decisions were displayed or published in the media, others were available to the ODIHR EOM upon request.

Electoral preparations were conducted efficiently and in a timely manner. Early voting took place between 12 and 18 December, with many polling stations ready well ahead of the start of polling. Election commissions met by the ODIHR EOM had a good understanding of the new Election Code, and all reported being fully equipped and sufficiently staffed and funded.

The CEC informed the ODIHR EOM that its training programme commenced in July, some six months before the elections. Fifteen training modules were developed and posted on the CEC website. Given that three elections were held simultaneously, over 170,000 members at various levels required training.²⁸

The CEC launched an intensive and visible voter information campaign, including through posters, billboards and public service announcements (PSAs) in the media. The media, including private

²⁶ Among other things, regulations dealt with the formation of polling stations in detention centres, penitentiaries and abroad; campaign expenditures and authorized campaign activities; measures to enhance the participation of persons with disabilities; rights and obligations of candidate proxies; rights and duties of party representatives and observers, and election day procedures.

²⁷ For example, the CEC regulations on the organization of early voting and on ensuring the voting rights of persons with disabilities, were only adopted on 3 December after many PEC training sessions had been conducted.

²⁸ In addition to the 112,000 PEC members appointed to conduct the parliamentary elections, a further 58,000 PEC members were appointed to organise local elections.

channels, relayed information on CEC activities and disseminated a wide range of election information, including calls for citizens to vote. Some PSAs focussed on specific legal provisions such as the need to vote in person. The media spots were aired in Uzbek, Russian and English.

While the training programme and voter information campaign were laudable efforts aimed at remedying previously observed shortcomings, unfortunately multiple and proxy voting were frequently reported by IEOM observers on election day.

The importance of voting in person and the legal penalties for violating this requirement should be emphasized during the training of election commissions and in the voter education programme.

While the law grants the right to vote early and at home, a CEC resolution provided an additional set of measures for persons with physical disabilities and visual impairments to exercise their right to vote at polling stations. These included designated parking spaces, ramps and voting booths adapted to wheelchairs, Braille ballot sleeves, lamps and magnifying glasses.

VII. VOTER REGISTRATION

All citizens aged 18 years or more have the right to vote, with the exception of citizens who have been declared “legally incapable” by a court decision, including on the basis of intellectual or psychosocial disability. Suffrage restrictions based on disability are at odds with international standards.²⁹ Citizens in pre-trial detention and, for the first time, following a constitutional amendment, those sentenced to a term of imprisonment not exceeding five years, were eligible to vote. While there is no out-of-country constituency, the Election Code also grants the right to vote to citizens abroad.

The authorities should consider ratifying the UN Convention on the Rights of Persons with Disabilities. The denial of voting rights to persons deemed by a court to be legally incapable should be reconsidered.

Voter registration is passive and is based on permanent and temporary residence.³⁰ The elections utilised a new countrywide, centralized voter register, the Single Electronic Voter List (SEVL). The process of compiling the SEVL began in 2017 and drew on a country-wide cadastral mapping exercise and six state-maintained databases, including from the State Personalization Centre which manages identity cards.³¹ It is derived from and is a part of the Electoral Process Management Information System (EPMIS). The SEVL is updated periodically once a year and during election campaigns

²⁹ Uzbekistan is signatory to the [UN Convention on the Rights of Persons with Disabilities](#) (CRPD). Articles 12 and 29 of CRPD require that “State Parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life” and ensure their “right and opportunity [...] to vote and be elected”. Paragraph 9.4 of the CRPD Committee’s Communication No. 4/2011 (*Zsolt Bujdosó and others v. Hungary*) states that “Article 29 does not foresee any reasonable restriction, nor does it allow any exception for any group of persons with disabilities. Therefore, an exclusion of the right to vote on the basis of a perceived or actual psychosocial or intellectual disability, including a restriction pursuant to an individualized assessment, constitutes discrimination on the basis of disability”. Paragraph 7.3 of the 1990 OSCE Copenhagen Document states that the participating States will “guarantee universal and equal suffrage to adult citizens”.

³⁰ Presidential Decree No VII-2240 of 1999 stipulates that temporary residence lasting three days to six months requires registration with an “internal affairs body” but does not require an excerpt of permanent residence. According to CEC resolution 994 of 3 December 2019, citizens are not required to submit any documentation to prove temporary residence in the territory of a polling station. Citizens who were outside their place of permanent residence on election day e.g. visiting their family were permitted to change their voter registration despite not being temporarily registered as resident at that location.

³¹ The others are the Ministry of Internal Affairs, the Ministry of Foreign Affairs, the Ministry of Health, and the State Committee on Land Resources, Geodesy and Cartography.

according to a schedule approved by the CEC in agreement with the Cabinet of Ministers and the Ministry of Information Technologies and Communication.

All DEC and PEC representatives met by the ODIHR EOM welcomed the introduction of the SEVL. The voter lists extracted from the SEVL were created for each polling station and provided to each PEC for door-to-door verification. By law, the verification process may be conducted together with *Mahalla* committee members. In practice *Mahalla* committees were extensively involved and the data they provided was not verified by the election administration. According to the CEC, during the verification phase some 1.7 million voter entries were removed from the in-country voter lists. The CEC informed the ODIHR EOM that these deletions mostly related to citizens permanently and temporarily residing out-of-country.

Citizens could also verify their voter registration data online and in voter lists that were displayed at polling stations starting 15 days before the 22 December election day. Citizens could notify PECs of any inaccuracy in their registration entry. Changes to the voter lists are not permitted within three days of the election. The legal framework is unclear whether changes to voter list entries can be requested by third parties, as well as with regard to the procedure for notifying a citizen of any change to his/her registration entry and the deadline for submitting requests to amend entries.³² The legislation is also silent on how court decisions taken after the 3-day deadline would be implemented. On election day, PECs had access to the SEVL via terminals connected to the EPMIS system.

The introduction of the SEVL is a significant achievement and an improvement on the previous approach to voter registration. However, despite adopting a completely new countrywide voter register, citizens who found that they were not included in a voter list could request to be registered at the polling station on election day, based on proof of identity and residency. While efforts to remove hindrances to voter registration can facilitate voter participation, the current practice of transfer of voter registration, including on election day, and allowing citizens to vote anywhere, is at odds with the rationale for creating the SEVL, and international good practice.³³ On election day, the inclusion of large numbers of voters in supplementary voter lists, often without checking their entries on the SEVL via the EPMIS system negatively affected the integrity of the election process.³⁴

To improve the integrity of the polling process and reduce the risk of multiple voting, consideration should be given to disallowing the registration of voters at polling stations on election day. There should be an administrative procedure, subject to judicial control, allowing for the registration of a voter who was not registered.

On 22 December, the CEC published the number of registered voters in each of the 14 administrative units. This data was removed from the CEC website two days later, and was not available at the time of writing this report. The CEC did not publish, at any stage of the electoral process, the number of registered voters disaggregated per constituency and per polling station.³⁵ This prevented analysis and

³² According to article 30 of the Election Code, “everyone can appeal to the PEC on an inaccuracy in the voter list”.

³³ Paragraph 1.2 (iv) of the 2002 Venice Commission Code of Good Practice in Electoral Matters (Code of Good Practice) recommends: “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”

³⁴ IEOM observers reported that on election day, many PECs did not make use of the terminal to crosscheck registration of voters elsewhere, some due to lack of connectivity to the servers. In its Resolution 976 of 12 November 2019, the CEC recognized that insufficient computers and training had been provided to the DEC and PEC members.

³⁵ The number of registered voters before and on election day are not provided independently given that the number of voters added to supplemental voter lists is not recorded in the polling station protocols.

verification of the voter turnout and election results, and overall reduced the transparency of the election process, contrary to international standards and good practice.³⁶

The legislation should require the CEC to publish voter registration data disaggregated at the constituency and polling station level, at different stages of the electoral process, including before and after the verification of the voter lists and after election day.

VIII. CANDIDATE REGISTRATION

Citizens aged 25 or older on election day who have resided permanently in the country for at least five years before election day, are eligible to stand as candidates.³⁷ The application of a residency requirement for national elections is at odds with international standards.³⁸ Those deprived of the right to vote because of a conviction for a serious crime or by a court decision on “legal incapacitation” grounds are also ineligible, contrary to international standards for universal suffrage. The formation of electoral coalitions is not provided for. A registered political party may nominate one candidate per constituency and voters may only vote for one candidate. At least thirty per cent of the total number of candidates nominated by a political party must be women.

Consideration should be given to removing the residency requirement for candidacy.

In order to nominate candidates, a political party must be registered with the Ministry of Justice at least four months prior to the announcement of the election and to have collected the supporting signatures of at least 40,000 eligible voters across Uzbekistan’s 14 administrative territorial units provided that no more than 8 per cent of the signatures collected are from one unit. Given that a party is not required to nominate candidates in all constituencies, the signature collection requirements may be burdensome, in particular, the ceiling of 8 per cent per region could create an eligibility barrier for a party that enjoys broad support nationally but lacks such support in one or a few regions. According to the CEC, all five registered political parties supplied the number of supporting signatures required and were certified by the CEC thereby allowing them to nominate candidates.

Consideration could be given to reducing the ceiling on the number of supporting signatures that can be collected from a single territorial unit.

In line with a previous ODIHR recommendation, the new legislation allows voters to sign in support of more than one party. The Election Code provides that at the request of a voter, a signature collector may enter the voter’s data into the signature collection form on his or her behalf. Without adequate oversight and other integrity guarantees, this could leave space for possible manipulation and signature forgery.

Consideration could be given to introducing integrity measures related to signature collection.

The Election Code stipulates that the CEC should verify a 15 percent sample of signatures including an equal number of signatures from each administrative unit. This allows for disqualification based on

³⁶ Paragraph 1.2 (iii) of the Code of Good Practice: “The electoral registers must be published.” Transparency and the right to information are also provided by Article 19.2 of the ICCPR and by Articles 5.1 and 13.1 of the United Nations Convention against Corruption.

³⁷ Active military or security personnel or professional clergy of religious organizations are not eligible.

³⁸ Paragraph 15 of the General Comment 25 on Article 25 of the ICCPR states that “any restrictions on the right to stand ... must be justifiable on objective and reasonable criteria. Persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as [...] residence...” See also paragraphs 7.3, 7.5 and 24 of the 1990 OSCE Copenhagen Document.

inaccuracies or invalid signatures in a limited sample, even if the remaining number of signatures would suffice to fulfil the legal requirement. While parties are granted two days to correct mistakes, the legal and regulatory framework does not provide any detail on the verification procedures the CEC should apply or the grounds for disqualification.³⁹

Consideration could be given to establishing clear procedures for the verification of the data contained in the signature collection forms and the grounds for disqualification. In line with international good practice, entries on the forms should be verified with an objective of establishing the number of signatures sufficient for registration rather than identifying inaccurate signatures in a selected sample.

On 15 November, the CEC registered 750 candidates – one for each party in every one of the 150 constituencies. Only about 30 per cent of sitting MPs were seeking re-election and the majority of candidates nominated by parties were running for the first time.

In June 2019, President Mirziyoyev criticised the political parties for not nominating a higher number of women candidates in past elections.⁴⁰ For the 2019 parliamentary elections, parties increased the proportion of women candidates from 32 per cent in the 2014 parliamentary elections to 41 per cent (310 women candidates), with 48 elected (32 per cent), constituting a significant percentage increase.⁴¹

By law, parties may withdraw a candidate until up to 15 days before the elections. A candidate may withdraw on his or her own volition any time before election day, including after early voting has started.⁴² The Election Code does not stipulate what should happen to ballot papers where a candidate withdraws or dies close to election day or how votes already cast during early voting are dealt with. Six candidates withdrew bringing the total of candidates to 744. Four of these candidates withdrew during the early voting period and votes already cast for these candidates were considered as invalid. In four of the constituencies, the PEC were instructed to manually strike out the name of the withdrawn candidates from all remaining ballots, while in two constituencies the CEC reprinted the ballots.

Considerations should be given to adjusting the deadline for candidate withdrawal to avoid the invalidation of votes cast, manually altering unused ballots or the reprinting of ballots.

IX. ELECTION CAMPAIGN

The Election Code, the Law on Financing of Political Parties and CEC resolutions regulate the conduct of the campaign and campaign finance. The Election Code contains provisions aimed at ensuring equal campaign opportunities for all contestants, including venues for holding meetings, access to media and production and dissemination of campaign materials. By law, contestants must organize their campaign events in co-ordination with the election administration and the local authorities are obliged to provide, without charge, venues to candidates and political parties for their

³⁹ Paragraph I.1.3 iii and iv of the Code of Good Practice states that “[checking] of signatures must be governed by clear rules [...]” and that “[t]he checking process must in principle cover all signatures; however, once it has been established beyond doubt that the requisite number of signatures has been collected, the remaining signatures need not be checked”.

⁴⁰ The comments were made during the president’s speech at the 20th plenary session of the Senate on 22 June 2019. During the same event, Tanzila Norboyeva was appointed as the first female chairperson of the Senate.

⁴¹ Only 16 per cent of the outgoing legislative chamber members were women. The actual number of women nominated by political parties ranged from 36 percent (EPU) to 48 percent (DPU).

⁴² Early voting begins ten days before and ends three days before election day.

meetings with voters. DEC's determine the locations where outdoor campaign materials are displayed and the local administration place the materials.

The legislation does not contain any provisions on the misuse of state resources during campaign period.⁴³ Offices of political parties were sometimes located in the premises of local executive bodies (*Hokimiyats*).⁴⁴

Specific and clear provisions addressing the misuse of state resources should be introduced in the legislation.

For these elections, a CEC resolution recommended that, within the election campaign, registered candidates are free to hold meetings with voters without prior authorization and that local executive bodies review and approve any requests 'as quickly as possible' and issue a single permit for multiple mass rallies.

A law regulating all practical aspects of public assemblies, including campaign rallies held during pre-election period, should be adopted in line with international standards and good practice. The law should require a simple notification rather than an authorisation procedure.

The campaign period officially commenced on 20 September and ended on 20 December. The parties conducted their campaigns in two stages. According to them, during the first stage from 20 September to 17 November, bigger rallies and mass events organized by party headquarters took place to introduce the candidates to voters. From 18 November, after candidate registration was completed, candidates campaigned individually mostly through small-scale indoor activities. There is a campaign silence period on election day and the day preceding it; it also refers to publication of opinion polls, including online. No breach of campaign silence was observed or reported.

The campaign took place in an environment characterized by an increased assertion of and tolerance towards the freedom of expression, though restrictions on this and other fundamental freedoms persisted. Political parties and candidates did not report to the ODIHR EOM that they had experienced any administrative obstacles in organizing campaign events, and the campaign period was calm and uneventful. In general, the campaign focused on central party platforms with minimal personalization by individual candidates.

The election administration, local authorities and *Mahallas* played an unusually active role in organizing the candidates' election campaigns. The DEC's organized and moderated campaign events for the candidates and the local authorities provided campaign meeting venues. *Mahalla* committees and some government-supported public associations mobilized voters to attend campaign events.

The regulations adopted by the CEC created an inflexible and overly detailed framework for election campaigning. The legal requirement to provide 'equal conditions' for contestants was interpreted by the CEC and other stakeholders as a requirement for absolute equality of campaign means and was applied in a literal way. The DEC's in consultation with *Hokimiyats* allocated, albeit free of charge, only 225 billboards to each party as well as a total of 74 electronic screens to all parties across Uzbekistan. The CEC informed the ODIHR EOM that the numbers were assessed by the election

⁴³ In this respect, the [Joint ODIHR and Venice Commission Guidelines](#) for preventing and responding to the misuse of administrative resources during electoral processes state that "[t]he legal framework should provide effective mechanisms for prohibiting public authorities from taking unfair advantage of their positions by holding official public events for electoral campaigning purposes [...]" See also [Joint Opinion on the Draft Election Code](#) of Uzbekistan. See also paragraphs 207-210 of the 2010 ODIHR and Venice Commission Guidelines on Political Party Regulations.

⁴⁴ This was observed by ODIHR EOM for instance in Jizzakh and Andijan.

administration as sufficient for political parties' needs. However, parties and candidates also placed a small amount of campaign material in public spaces using their modest state-provided financial allocations and conducted small-scale local meetings and door-to-door activities.

As a consequence of the emphasis on equality of campaign conditions and the authorities' rigid approach to organising parties' campaign events, there was only a very limited opportunity for parties and candidates to define their own campaign strategies and styles. Observers reported a uniformity of format for campaign events, a high degree of homogeneity of materials and campaign methods, and a lack of individualistic approaches by candidates to campaigning.⁴⁵ On rare occasions, the ODIHR EOM observers did however report audience members challenging the candidates, in particular with regards to provision of local services. Outside of media debates, the control of parties' and candidates' campaigns by the authorities reduced the visibility of the election campaign in public spaces. These factors may have made it more difficult for voters to distinguish between the contestants' electoral programmes.

The provisions on equal rights of candidates and parties should not be implemented in a way that prevents parties and candidates from defining and pursuing their own campaign strategies and methods, including organizing events and designing materials as they so decide, subject only to reasonable limitation.

The chairmen of the five parties and a large number of candidates informed the ODIHR EOM that, in their view, rather than being restrictive, the campaign and campaign finance rules created an environment that was conducive for campaigning, and none indicated that they would campaign differently if permitted to do so.⁴⁶ This, combined with limited campaigning, raises questions about the parties' intention to engage in a genuine competition.

With few exceptions, parties and candidates did not appear to target voters beyond their traditional electorates. The prevalent themes were social policies, delivery of services and economic development. In general, candidates did not challenge their rivals on their political platforms and no substantive criticism was heard. All parties repeatedly expressed support for presidential policies and the reform agenda. As a result, the campaign was not competitive and voters were presented with few discernible political alternatives, which limited their choice. The campaign appeared to generate only limited public interest.⁴⁷ On 17 December, following the release of the ODIHR EOM Interim Report on 13 December, the CEC issued a resolution calling upon candidates to intensify their campaign activities, including conducting more meetings with voters and assuring more ample presence in both traditional and social media. During the latter part of the campaign period, PECs were encouraged to notify the electorate about upcoming campaign events.

Gender equality was not a prominent campaign topic. Although women appeared in electoral events as both participants and speakers, overall, they lacked visibility.⁴⁸ Women are not conspicuous in party leadership positions and political parties did not actively promote women candidates. In the media, of the outlets monitored by the ODIHR EOM, 96 per cent of campaign coverage was devoted to male candidates. *Mahalla* committees and several state-financed public associations, including the Women's Committee of Uzbekistan, conducted a campaign to encourage voter turnout. ODIHR EOM interlocutors including independent women activists described systemic patriarchal attitudes and

⁴⁵ The ODIHR EOM observed 32 campaign events. These were generally attended by approximately 100 people.

⁴⁶ Only few candidates ODIHR EOM met with expressed an explicit wish for higher campaign funds, which would allow them among others to obtain additional billboards or to organize mass open-air events.

⁴⁷ On 10 December, the CEC chairperson in a press conference cited complaints received from voters that candidates were not visible and remained unknown to the electorate.

⁴⁸ The ODIHR EOM estimated that women constituted about half of the audience at campaign events. Women speakers were noted by ODIHR EOM in 23 out of 32 observed campaign events.

gender stereotypes as the main impediments to a more balanced representation of women in public life.⁴⁹

In general, the political parties made little effort to promote the electoral participation of persons with disabilities, and the issues related to the rights of persons with disabilities were marginal in campaign discourse. The websites of parties were not available in accessible formats such as high contrast or audio content. Positively, sign language interpretation was provided for during the free TV airtime allocated to contestants, but parties did not produce any campaign materials in formats that are more accessible for disabled voters. Campaign events were often located on the upper floor of buildings, restricting or preventing access for persons with limited mobility.

X. CAMPAIGN FINANCE

Under the law, all expenditures related to the preparation and conduct of elections, including campaigning, must be financed from the state budget. Financing of elections and other material support of candidates or political parties by foreign states, foreign nationals or legal entities is expressly prohibited. The provision of financial payments and gifts to voters during campaign events is forbidden.

All of the parties' and candidates' election-related expenses, including for campaigning, are financed from public funds. The CEC decided on the size of the allocations. Neither parties nor candidates are permitted to receive campaign funds from private sources, and any private funding, if received, must be returned to the donor. However, the law allows funds from political parties, associations, enterprises, institutions, organizations and citizens, to be donated to the CEC. These donations must then be spent during the campaign or be distributed equally among contestants. The CEC informed the EOM that no such donations were made during these elections.

The size of a contesting party's financial entitlement is determined by the number of candidates it registered to contest the elections. For these elections, the CEC allocated a total of UZS 8.12 billion (equivalent to approximately EUR 853,800) for all parties combined to conduct their campaigns, which amounts to UZS 1.62 billion (EUR 154,750) per party.⁵⁰ The CEC determined that parties are required to transfer 30 per cent of their allocated funds to their candidates meaning that each candidate received about UZS 3.25 million (EUR 350).⁵¹ Candidates informed the ODIHR EOM that this sum was enough to cover small expenses such as transportation costs of their proxies or to produce additional campaign materials, mostly fliers.⁵²

The ban on private financing of parties and candidates during the campaign prevents citizens from financially supporting their preferred party or candidate, which is at odds with international good

⁴⁹ See also paragraph 15 of the [2015 CEDAW concluding observations](#), which noted “[...] persistence of deep-rooted patriarchal attitudes and stereotypes concerning the roles and responsibilities of women and men in the family and in society, which discriminate against women and perpetuate their subordination within the family and society and which, among other things, are reflected in women’s educational and professional choices, their limited participation in political and public life, their unequal participation in the labour market and their unequal status in marriage and family relations.”

⁵⁰ 1 EUR equals approximately 10,400 Uzbek Soms. The CEC provided additional funding for candidates in the run-off elections.

⁵¹ The remaining 70 per cent was retained by the parties for other election related expenses, including campaigning.

⁵² The Election Code provides for up to 10 proxies for each candidate. According to an advertising agency in Tashkent, the current allocated sum is sufficient to place two billboard advertisements. A number of candidates expressed a wish for higher limits on campaign finance.

practice.⁵³ The amount of funding made available by the CEC to candidates caps the funding of campaigns at a low level and thus limits the parties' and candidates' scope to determine their own campaign strategy and methods, including related to production of additional campaign material and advertising, notably for constituency-level campaigning.

Consideration could be given to allowing parties and candidates more latitude to plan the financing of their campaigns, including by allowing individual parties and candidates to receive donations from private sources. The legislation could provide details on the amount, timeframe and method of contribution, as well as disclosure requirements for donations from private sources.

There are no legal requirements on pre-election campaign finance reporting, which would strengthen the transparency of campaign finance.⁵⁴ Positively, for the first time, political parties are obliged to publish information on their campaign expenditures on their official websites as well as in the press within one month of the publication of the final results.

Consideration could be given to requiring political parties to submit interim reports on campaign expenditures prior to election day to increase transparency.

Within 25 days of election day, political parties are required to report to the CEC on their campaign expenditures. The CEC should examine parties' financial reports within 5 days and submit the reports to the Ministry of Finance for further scrutiny. According to the Law on Financing Political Parties, by 25 January of every year, political parties must also present their annual financial reports to the Chamber of Accounts. In addition, under the Law on Non-Governmental Non-Commercial Organizations, political parties must present annual financial reports to the Ministry of Justice. The Chamber of Accounts as well as the Legislative Chamber of *Oliy Majlis* are empowered to carry out controls and audits over parties' finances. The scrutiny and audit requirements are cumbersome and the absence of an obligation for any of the oversight bodies to publish their scrutiny findings diminishes transparency.

Considerations could be given to amending the laws to streamline and simplify the requirements on political party financial reporting, and to ensure the timely publication of the findings by the oversight bodies.

Violation of the campaign financing rules are administrative offences, punishable by fines. In case of suspicious financial reporting, investigations can be initiated by prosecution offices. The competent authorities informed the ODIHR EOM that to date there have not been any violation of the campaign

⁵³ Paragraph 170 of the ODIHR – Venice Commission [Guidelines on Political Party Regulation](#) provide that “Funding of political parties is a form of political participation, and it is appropriate for parties to seek private financial contributions. In fact, legislation should require that all political parties be financed, at least in part, through private means as an expression of minimum support. With the exception of sources of funding that are banned by relevant legislation, all individuals should have the right to freely express their support for a political party of their choice through financial and in-kind contributions.” See also paragraph 176 of the 2010 ODIHR and Venice Commission Guidelines on Political Party Regulations which states that “legislation should attempt to create a balance between public and private contributions as sources of funding for political parties

⁵⁴ Article 7(3) of the 2004 United Nations Convention against Corruption reads “Each State Party shall also consider taking appropriate legislative and administrative measures ... to enhance transparency in the funding of candidatures for elected public office and where applicable, the funding of political parties.” The 2016 Venice Commission and ODIHR [Joint Guidelines for preventing and responding to the misuse of administrative resources](#) during electoral processes prescribe that “the legal framework should provide for transparency and accountability of the use of public money and public goods by political parties and candidates during electoral processes.” See Paragraph 194 of the 2011 ODIHR and Venice Commission Joint Guidelines on Political Party Regulation states that: “Transparency is also important because the public has the right to receive relevant information and to be informed. Voters must have relevant information as to the financial support given to political parties in order to hold parties accountable.”

finance rules. Thus, the effectiveness of the procedures and proportionality of the penalties have in practice yet to be tested.

XI. MEDIA

A. LEGAL FRAMEWORK

The Constitution provides for the right to access information, the freedom of thought and speech and prohibits censorship, but holds media liable for the “trustworthiness” of disseminated information. The main legal acts regulating the media – the Mass Media Law and Law on Informatization – limit media freedoms by holding intermediaries liable for third-party content hosted on their platforms.⁵⁵ The Criminal Code and the Code of Administrative Responsibility stipulate that slander, libel, “insulting the dignity of the citizens”, dissemination of “false information” and “interference in internal affairs” by journalists are offences punishable by up to three years in prison. On 13 December 2019, the President tasked the Agency for Information and Mass Communications (AIMC) to work on amending the laws such that libel, and insult are no longer punished by imprisonment.⁵⁶

The legal framework for media should be revised to ensure full protection of the principle of freedom of expression and equal access to information for journalists. Criminal defamation and insult provisions should be repealed in favour of civil sanctions, which should be strictly proportional to the harm caused.

The legal provisions that hold owners of websites and bloggers liable for third-party content hosted on their platforms should be repealed.

B. THE MEDIA ENVIRONMENT

The degree of freedom of expression in the media has recently improved. In May 2019, the AIMC restored access to approximately ten independent, internet-based media. However, the AIMC retains the authority to block access to the websites for non-compliance with legal provisions without prior notice.

In 2019, a number of journalists who were serving long terms of imprisonment related to their work have been released. A greater number of television and radio programmes on political issues are aired live, and according to the ODIHR EOM interlocutors, media increasingly covers sensitive issues such as corruption or forced labour. Notwithstanding positive developments, journalists’ safety remains a major concern as they face intimidation including the threat of violence. This often results in self-censorship.

Uzbekistan has a large number of media outlets.⁵⁷ Television and radio provide the main source of public information, but online news websites, social networks and messaging services, namely Telegram, are also important information sources. Six broadcast media with national reach cover political issues – four state-owned TV channels and the two largest private TV stations. Independent bloggers are active and are seen as the most important source of independent commentary.

The media’s coverage of the contestants’ election campaigns during the official campaign period is

⁵⁵ The Law on Informatization provides a definition of a ‘blogger’ and obliges owners of websites and bloggers to verify the truthfulness of published information, including third-party commentary.

⁵⁶ The AIMC is responsible for registering all privately owned media, including online media, and is tasked with supervising the mass media’s compliance with the legal framework.

⁵⁷ According to the AIMC there were some 1,765 registered media outlets operating in the country.

regulated by the Election Code and a CEC resolution. The Election Code requires the state-owned mass media to provide equal conditions to the contesting parties free of charge.⁵⁸ The private media, if they sell advertising space to the contestants, must provide equal conditions.

C. COVERAGE OF THE ELECTION CAMPAIGN

The ODIHR EOM monitored a sample of media outlets with national and regional reach.⁵⁹ Results of media monitoring indicate that the state-owned TV stations *O'zbekiston* TV and *O'zbekiston24* provided equal coverage to the five parties, but the bulk of their news coverage was devoted to activities of the president (63 per cent) of which 66 per cent had a positive tone. The private TV channel *UzReport* complied with the legal provisions requiring equal treatment of contestants. It devoted 6 per cent of its editorial coverage, including the news, to the president and 9 per cent to the government, exclusively positive in tone. State-owned radio stations *Yoshlar* and *O'zbekiston* allocated 30 per cent of their news coverage to the government and the president and provided balanced coverage of the five contesting parties, over 65 per cent of the latter being positive in tone. The state and private media also carried some paid advertisements placed by the parties.

In terms of overall airtime, the free space provided to the five parties on state TV and radio exceeded by a large margin the amount of coverage of the parties' campaigns received in news broadcasts. In the private media, the volume of campaign coverage in news and discussion programmes was also low. Responding to this, the CEC issued a resolution recommending that media representatives (journalists) devote more time to comparing and analysing the parties' platforms and provide more commentary on the debates.

To enhance the public's awareness of the parties' political programmes, the media should consider increasing their coverage of parties' and candidates' activities during the campaign and offer programmes that analyse political and policy issues.

Monitored print media provided exactly the amount of free space as prescribed by the CEC resolution, but in their editorial content did not devote any print space to the parties' and candidates' campaigns.

The coverage of women candidates and other female political figures was extremely low compared to their male counterparts. In broadcast media monitored by the ODIHR EOM, women received less than 5 per cent of the airtime given to political subjects.⁶⁰

The media's editorial policies should better ensure that female political figures, including candidates, receive coverage in the media's editorial content that is equitable with that given to men, including during election campaign periods.

For the first time, televised debates among the representatives of the five parties were organized. A total of 51 debates took place – 25 hosted by the CEC's International Press Centre (IPC) and 26

⁵⁸ Every contesting party was entitled to receive 30 minutes of free airtime weekly and 30 seconds per day in each of the four state-owned television stations. From 18 November to 15 December every contesting party was entitled to receive one page (the second page of the publication) for placing materials and space on the first page to make announcements. From 17 to 19 December, each party was allocated a half page of space for materials on one occasion.

⁵⁹ From 1 December, the ODIHR EOM analysed the content of three TV channels (*O'zbekiston*, *O'zbekiston 24* and *UzReport*), two radio stations (*O'zbekiston* and *Yoshlar*) and three print media outlets (*Xalq So'zi*, *Narodnoe Slovo* and *Pravda Vostoka*).

⁶⁰ See paragraph 181 of the 2010 ODIHR and Venice Commission Guidelines on Political Party Regulations which states that "the media can play a crucial role in combating gender stereotypes, by presenting a realistic picture of the skills and potential of male and female candidates and portraying women and men in a non-stereotypical, diverse and balanced manner".

organized by National Association of Electronic Mass Media (NAESMI). Most of the IPC debates were broadcast live on the state-owned television and those that were not were only edited for quality control purposes. Six of the NAESMI debates were broadcast on private channels.

The holding of debates between the contesting parties is an important step in the opening up of the media and political space. In a notable and welcome development, albeit late in the campaign, journalists and commentators in the broadcast media began to analyse and discuss the political issues raised during the debates. However, after the elections, the DPU – *Milliy Tiklanish* and SDPU – *Adolat* criticised the neutrality of the moderator of the IPC debates, claiming that his approach favoured certain parties over others. ODIHR EOM media monitoring analysis did not find any differential treatment towards the parties during the debates.

Parties sought to diversify their campaign methods by using social networks, particularly Facebook, and messaging services, particularly Telegram, but in general, there was a low level of campaigning online.⁶¹ Unusually, the CEC issued a resolution that the contestants should increase their visibility in social media (Resolution No 1008 of 17 December 2019). The ODIHR EOM is not aware of any political party or candidates placing paid advertisements or sponsored content in the main social networks.

Many media outlets gave extensive coverage to the organization of elections, and, the CEC was afforded 9 per cent of prime-time news airtime in the five broadcast media outlets monitored by the ODIHR EOM. Positively, media carried a wide range of CEC produced PSAs related to the elections and also broadcast PSAs produced in-house by the media outlets.

XII. PARTICIPATION OF NATIONAL MINORITIES

Uzbekistan is a diverse country with ethnic Tajiks, Kazakhs, Russians and Karakalpaks being the largest national minority communities.⁶² The Constitution guarantees equal rights and freedoms without discrimination among other things on the basis of race, nationality, and language. It also provides for representation of Karakalpakstan in the parliament, Cabinet of Ministers and the Constitutional Court.

All five parties nominated candidates from minority populations. None of the contesting parties specifically addressed voters from minority populations or featured inter-ethnic issues in their campaign platforms. All political parties informed the ODIHR EOM that they had printed campaign materials in minority languages, but with the exception of Russian and Karakalpak, ODIHR EOM observers did not see this material displayed. In line with a CEC resolution, free space was provided for publication of campaign materials in the *Ovozi Tojik* (in Tajik) and *Nurly Zhol* (in Kazakh) newspapers. Except in Karakalpakstan, minority languages were rarely used at campaign events observed by the ODIHR EOM. No discriminatory language or actions directed towards minority populations was reported or observed during the campaign.

The Election Code provides that ballots shall be printed in the official language, as well as in the languages spoken by the majority of the population of the respective constituency upon a DEC's decision. Ballot papers were printed in Uzbek (in Latin and Cyrillic alphabets), Russian and

⁶¹ The contestants' activities on social media were mostly limited to informing voters about campaign events and reposting news headlines from media.

⁶² According to the 2017 statistics published by the State Statistics Committee, Uzbeks constitute 83.8 per cent of the population. Minorities make up 16.2 per cent of the population, the largest ones being Tajiks (4.8 per cent), Kazakhs (2.5 per cent), Russians (2.3 per cent) and Karakalpaks (2.2 per cent). The last official census was conducted in 1989.

Karakalpak languages. No ballots for the parliamentary elections were printed in other languages even though other minority languages are widely spoken in certain areas.⁶³ While observers did not hear a significant number complaints on this issue from minority communities, the practice is at odds with OSCE commitments and international standards.⁶⁴ Although the Russian language does not have an official status, some electoral material, including voter education, legislation and CEC regulations were published in both Uzbek and Russian.

Consideration should be given to providing voter information and election materials in other minority languages, in addition to Russian and Karakalpak, especially in areas with concentrations of those minorities.

According to a CEC announcement, 20 (13 per cent) deputies of the legislative chamber elected in the 22 December 2019 and 5 January 2020 elections are from national minorities.⁶⁵

XIII. CITIZEN AND INTERNATIONAL OBSERVERS

The Election Code provides for observation of elections by party agents, international observers and invited international organizations, and, for the first time, by members of *Mahalla* committees. Journalists may also seek accreditation to enter polling stations. CEC resolutions expanded observer rights to include following the tabulation of election results at the DEC premises, although they do not specifically mention that observers may be present during the verification and correction of the PEC protocols.

It is noteworthy that *Mahalla* committees supported the work of election commissions at all levels during various stages of the electoral process, including redistricting, verifying and updating voter lists, and contributing to civic and voter education. In addition, they nominated PEC members and assisted in organizing campaign events for the candidates.⁶⁶ The multiplicity of electoral activities involving *Mahallas* raises a potential conflict when *Mahalla* committee members also serve as election observers, particularly as the role of election observers encompasses assessing all election phases, including those in which *Mahalla* committees were directly involved.

International and national media representatives are granted similar access to the election process. Independent, non-governmental civil society organizations, private organizations or individual citizens are not entitled to apply for accreditation and observe, which runs counter to international obligations and standards.⁶⁷

⁶³ For example, Tajik is used by many citizens in Bukhara and Samarkand provinces.

⁶⁴ Paragraph 32.5 of the 1990 OSCE Copenhagen Document states that “persons belonging to national minorities have the right to [...] to disseminate, have access to and exchange information in their mother tongue”. Paragraph 12 of General Comment No. 25 to Article 25 of the ICCPR states that “information and materials about voting should be available in minority languages”.

⁶⁵ According to data provided by the CEC on 6 January 2020, of the 150 elected deputies, 130 (87 per cent) are Uzbek, 5 are Karakalpak, 5 are Russian, 3 are Tajik, 3 are Kazakh, 2 are Korean, 1 is Kirgiz and 1 is Turkmen.

⁶⁶ The 2012 Venice Commission Code of Conduct for Non-Partisan Citizen Election Observers and Monitors states that non-partisan citizen observation should remain independent of government, including electoral authorities.

⁶⁷ Paragraph 8 of the Copenhagen Document states that “the participating States consider that the presence of observers, both foreign and domestic, can enhance the electoral process for States in which elections are taking place. They therefore invite observers from any other [OSCE] participating States and any appropriate private institutions and organizations who may wish to do so to observe the course of their national election proceedings, to the extent permitted by law.” Paragraph 20 of General Comment 25 on Article 25 of the ICCPR stipulates that “there should be independent scrutiny of the voting and counting process and access to judicial review or other equivalent process so that electors have confidence in the security of the ballot and the counting of the votes.

The authorities should grant civic associations and non-governmental organizations the right to independently scrutinise the electoral process, in accordance with OSCE commitments and other international standards.

In addition to party observers, the contestants can nominate ‘agents’ and ‘trusted agents’. However, the legal framework does not clearly distinguish the rights and duties of each category which could cause a degree of confusion. Allowing contestants to have three types of representative increases the possibility of overcrowding during the polling process.

In total, DEC accredited a total of 70,000 party observers and members of the *Mahalla* committees. According to the CEC, a total of over 130,000 party agents and trusted party agents were also accredited. For the 22 December elections, the CEC accredited 820 international observers and 1,135 journalists, including 135 international journalists.

XIV. COMPLAINTS AND APPEALS

The Election Code prescribes a generally reasonable framework for hearing and ruling on election complaints and for appeals. Violations of the electoral law may be reported by individuals and legal entities to election commissions, which are obliged to examine the complaint and respond within three days, or immediately if the complaint was received less than six days before the elections or on election day.⁶⁸ While all complaints must be recorded in a special register, and election commissions must inform complainants of the adopted decision, there is no legally prescribed obligation to publish the decisions on complaints.

The Code on Administrative Responsibility addresses administrative electoral offenses, such as interfering in the activities of the CEC and other election commissions, which are punishable by fines. The Criminal Code deals with serious electoral offenses, and applicable penalties include fines, correctional labour of up to three years, or imprisonment of up to five years.⁶⁹

Decisions of DECs and PECs may be contested either to higher election commissions or to a court, within 10 days, by political parties, candidates, proxies, observers and voters. This could potentially lead to protracted disputes on the validity of elections and results.⁷⁰

Consideration could be given to reducing the timeframe for submitting complaints and appeals in line with international good practice.

The timeframe for hearing and ruling on appeals by courts is the same as for complaints adjudicated by the election administration: within three days, or immediately if less than six days remain before the elections. CEC decisions can only be appealed to the Supreme Court. The dual system of appeals, which offers the complainant the possibility to choose the forum in which his or her complaint will be

⁶⁸ If the nature of the alleged violation is criminal, the person can address the police or prosecution office directly.

⁶⁹ Electoral crimes include violating the secrecy of the ballot; forgery of election documents; making false entries into ballots; knowingly miscounting votes; as well as impeding the free exercise of the rights to campaign, elect or be elected by way of violence, threats, deception, or bribe.

⁷⁰ Paragraph II. 3.3 g of the Code of Good Practice recommends that the “time-limits for lodging and deciding appeals must be short (three to five days for each at first instance)”.

decided, could lead to confusion, overload the commissions and courts with repetitive claims and potentially result in contradictory decisions and rulings.⁷¹

To avoid repetitive claims and potentially contradictory decisions and rulings, the dual system of appeals should be reconsidered.

The CEC reported to the ODIHR EOM that from 20 September until 20 December 2019 it had received 573 written addresses and submissions from individuals and legal entities. These concerned a broad range of issues, from candidate nomination and registration (mostly for the local elections) to general requests for information, suggestions for practical improvements and the need to repair infrastructure. The CEC responded to more than half of those addresses and appeals itself, including by providing legal advice and explanations, while over 200 complaints were transferred to other institutions.⁷² The General Prosecutor's Office reported to the ODIHR EOM that it had received 11 complaints regarding alleged unlawful interference in the election process by local executive authorities during the campaign.

XV. ELECTION DAY

A. EARLY VOTING

Early voting took place between 12 to 18 December with only a very small number of citizens using this opportunity.⁷³ While the format of the ballot ensures voter secrecy, the provision requiring a voter to sign on the envelope containing the ballot does not.

Consideration should be given to ways to enhance the secrecy of the balloting system for early voting for example by using a system of double envelopes.

B. OPENING AND VOTING

The IEOM observed the opening of 133 polling stations. Observers assessed this phase positively in 93 per cent of their reports. The process was reasonably well organized although 29 per cent of PECs did not report on the number of registered voters and 43 per cent did not announce the number of ballots received.

The IEOM observed voting in 1,272 polling stations. The majority, 77 per cent, were accessible for voters with reduced mobility and in 92 per cent the layout of polling stations facilitated voting for persons with a disability. Women formed over half of PEC members but only 36 per cent of PEC chairs were women. Party agents were present in almost all polling stations visited. *Mahalla* committees were present in over two-thirds of polling stations visited. Unauthorised persons were

⁷¹ Paragraph 3.3 c of the Code of Good Practice recommends that “the appeal procedure and, in particular, the powers and responsibilities of the various bodies should be clearly regulated by law, so as to avoid conflicts of jurisdiction (whether positive or negative). Neither the appellants nor the authorities should be able to choose the appeal body”. See also paragraphs 87-88 of the ODIHR and Venice Commission [Joint Opinion on the Draft Election Code](#).

⁷² Including to the prosecution offices (76), to political parties (62), to the Ministry of Internal Affairs (8), to the Legislative Chamber (7) and to the Supreme Court (2). As of 20 December 2019, a number of submissions were still pending resolution.

⁷³ The CEC announced that 59,266 citizens voted early in the country and 89,807 abroad. Early voting abroad included a combination of voting in the premises of Uzbekistan's diplomatic representations and mobile voting in some 110 sites, including universities and enterprises .

present in 18 per cent of polling stations and in one third of these (6 per cent of all polling stations observed), they were interfering in or directing the work of the PEC.⁷⁴

The CEC should take resolute actions to prevent unauthorised persons from being present in polling stations on election day and competent authorities should prosecute those who interfere in the polling process.

Overall, the voting phase was assessed negatively in some 14 per cent of observations, which indicates significant procedural flaws. Voter participation was higher during the morning and observers reported overcrowding and procedural violations much more frequently during this period than later in the day.⁷⁵

Voting was conducted in a calm environment although 3 per cent of IEOM observers reported indications that citizens were compelled to vote. The polling layout was conducive to a secret ballot but in 5 per cent of polling stations one or more voters showed their marked ballot papers to other persons and in 7 per cent voters were marking ballots in the same booth simultaneously (group voting).

The custody and control of ballot papers was relatively poor. In 13 per cent of polling stations unused ballot papers were not placed in clear view of PEC members and observers and in a similar number, the PEC did not keep a record of issued ballot papers. Ballot boxes were improperly sealed in 3 per cent of observations. While overall the process was largely transparent, in 9 per cent of polling stations, at least some domestic observers present did not have a clear view of voting process.

Contrary to the law, in 10 per cent of polling stations observed, voters without a valid identity document (ID) were allowed to vote. Notwithstanding the effort made to create an entirely new voter register, during early voting and on election day, some PECs added large numbers of persons to supplementary voter lists.⁷⁶ Usually, this occurred without the PEC checking the electronic EPMIS system to verify if the voter was registered in another polling station.⁷⁷ In many cases voters were added to supplementary lists without the PEC first verifying the printed voter list. Thus, in practice, some citizens could vote anywhere and safeguards preventing a citizen voting at multiple polling stations were absent. However, observers reported that in 11 per cent of polling stations visited, citizens without identity documents or who were registered at another polling station were, correctly, denied ballots.

Despite intensive voter education and training programmes, multiple and proxy voting was reported in 8 and 10 per cent of polling stations, respectively.⁷⁸ Proxy voting was additionally evidenced through series of apparently identical signatures on voter lists which were seen in 28 per cent of polling stations.⁷⁹ In 29 polling stations, observers reported clumps of ballots folded together which possibly indicate ballot box stuffing or multiple voting. These serious violations raise questions over PECs' commitment to ensure the integrity of the vote.

⁷⁴ Including representatives of *Mahalla* committees that had not been accredited as election observers, local officials, personnel of the institutions housing polling stations and 'volunteers', and other persons who do not have the legal right to be present in polling premises during polling.

⁷⁵ In total, overcrowding was reported in 15 per cent of polling stations observed. During observations that started between 9 and 10 hrs., more than half of polling stations were overcrowded.

⁷⁶ Observers reported a variety of pre-printed and supplementary voter lists in different formats. On average, approximately 80 voters were added to supplementary lists per polling station.

⁷⁷ In 12 per cent of polling stations observed, the PEC did not have the terminal to access electronic database.

⁷⁸ Observers frequently reported that voters presented ID of persons who were not present with polling officials handing to them the corresponding number of ballot papers.

⁷⁹ A few observers reported that PEC members had informed some voters holding multiple IDs that they could only vote for themselves because international observers were present.

The authorities should redouble efforts to eradicate the recurrent and serious problems of multiple and proxy voting, including prosecuting voters who attempt to vote more than once and PEC members that facilitate the practice.

C. COUNTING

Counting of votes was observed in 125 polling stations, with 43 per cent of reports assessing the process negatively. Many party agents were present but often did not know which party they represented and displayed limited interest in the counting process. In 24 per cent of polling stations observed, unauthorised persons were present during the count and in 17 per cent non-PEC members, including party agents, accredited citizen (*Mahalla*) observers, and local officials interfered in or directed the counting process, and on occasions actively participated in the actual counting of votes.

Prior to opening the ballot boxes to count the votes, PECs often did not follow mandatory procedural steps including: not determining the number of ballots received (53 per cent), not verifying the ballot box seal serial numbers (36 per cent), not counting and/or cancelling unused and spoiled ballots (39 and 42 per cent respectively), not determining the number of ballots issued to voters (48 per cent) and not entering this data into the protocol (45 per cent).⁸⁰

In 47 per cent of polling stations observed, the sequence of counting procedures, as set out in law, was not followed and despite the regulation that votes for the parliamentary elections should be counted first, votes for the different elections were often counted simultaneously.⁸¹ Other procedural errors included not counting the total number of ballots found in the ballot box for each type of election and not separating of votes by candidate correctly (19 per cent and 9 per cent, respectively).

During the vote count, IEOM observers saw clumps of ballots folded together, which could indicate multiple voting or ballot box stuffing, in 21 per cent of polling stations. Other problems included the determination of the validity of votes, which was done inconsistently (18 per cent) and at times unreasonably (24 per cent). In almost half of observations the counting of votes for each candidate was not done transparently (48 per cent).

IEOM observers reported that 59 per cent of PECs had difficulty in completing the official results protocol and in 33 per cent of observations, the numbers entered into the protocol did not reconcile. In 16 per cent of polling stations, PECs did not complete two copies of the protocol as required. Over half of observers reported that a copy of the results protocol was not displayed publicly, thereby reducing transparency. Other serious procedural errors included entering results data into pre-signed protocols (12 per cent), non-PEC members participating in the count (12 per cent), and evidence of deliberate falsification of data in the protocol (6 per cent).

After the vote count, 16 per cent of PECs did not transport the protocols directly to the DEC, as required by law. Some observers reported that the figures in the official protocols were changed between the polling station and the DEC, sometimes by unknown persons.

To ensure the honesty of the vote count, the CEC should put in place measures to ensure that PEC members adhere to legally established counting procedures. Any persons who knowingly falsify election results should face prosecution.

⁸⁰ The number of signatures on the voter list(s) should correspond to the number of ballots in the ballot box

⁸¹ The similarity of the parliamentary and regional ballots caused errors to be made during the sorting of ballots.

D. TABULATION AND ANNOUNCEMENT OF RESULTS

The IEOM observed the tabulation of polling results at 94 DEC. In contrast to their high presence at polling stations, party observers were present in only 17 DEC. Presence of unauthorised persons was reported from nine DEC, in three of which they were directing proceedings. Overall, the tabulation process was assessed in negative terms in 15 DEC.

IEOM observers reported procedural errors or omissions in 15 DEC visited. In over half of the DEC visited, PEC were observed either completing or correcting the data that they had entered into the protocols after the votes were counted at polling station level in many cases without a formal decision of the DEC instructing the PEC to do so. In seven DEC, observers witnessed PEC delivering protocols in which no data results had been recorded but which had been signed by PEC members. In some 77 per cent of observations, DEC identified errors in the PEC protocols and six DEC annulled one or more PEC protocol.⁸²

XVI. 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.⁸³ ODIHR stands ready to assist the authorities of Uzbekistan to further improve the electoral process and to address the recommendations contained in this and previous reports.

A. PRIORITY RECOMMENDATIONS

1. Disproportionate or discriminatory legal provisions that impede the formation and functioning of political parties should be removed. To better ensure genuine political competition, the legislation covering the registration and functioning of political parties should be interpreted and implemented in a manner that promotes pluralism.
2. The legal framework on the freedom of political and civic association, assembly and expression should be reviewed to ensure that any restrictions on the exercise of these rights are clearly prescribed by law; have the character of exception, and are imposed only when necessary in line with democratic principles.
3. Consideration should be given to removing the residency requirement for candidacy.
4. The provisions on equal rights of candidates and parties should not be implemented in a way that prevents parties and candidates from defining and pursuing their own campaign strategies

⁸² Of the 90 DEC observations for which responses were given, 24 observer teams reported that all protocols seen had errors, 12 reported that most protocols had errors and 31 reported that some protocols had errors.

⁸³ According to 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 ODIHR as follows: recommendations No. 1, 4, 10, 16, 17, 20, 21, 25 and 26 from the final report on the 2014 parliamentary election are fully implemented. Recommendation No. 11 is mostly implemented. The recommendations 2, 12, 13, 14, 15, 18, 19 and 22 are partly implemented. The recommendations 2 and 8 from the final report on the 2016 early presidential election are fully implemented; recommendations 3 and 10 are mostly implemented; recommendations 1, 7, 3, 9, 11, 13, 14, 17, 19 and 22 are partially implemented. See also paragraph 25.odihr.pl.

and methods, including organizing events and designing materials as they so decide, subject only to reasonable limitation.

5. The legal framework for media should be revised to ensure full protection of the principle of freedom of expression and equal access to information for journalists. Criminal defamation and insult provisions should be repealed in favour of civil sanctions, which should be strictly proportional to the harm caused.
6. The authorities should grant civic associations and non-governmental organizations the right to independently scrutinise the electoral process, in accordance with OSCE commitments and other international standards.
7. To enhance transparency, the CEC should publish on its website preliminary and final election results disaggregated by constituency and polling station as soon as possible after election day.
8. To improve the integrity of the polling process and reduce the risk of multiple voting, consideration should be given to disallowing the registration of voters at polling stations on election day. There should be an administrative procedure, subject to judicial control, allowing for the registration of a voter who was not registered.
9. The authorities should redouble efforts to eradicate the recurrent and serious problems of multiple and proxy voting, including prosecuting voters who attempt to vote more than once and PEC members that facilitate the practice.
10. To ensure the honesty of the vote count, the CEC should put in place measures to ensure that PEC members adhere to legally established counting procedures. Any persons who knowingly falsify election results should face prosecution.

B. OTHER RECOMMENDATIONS

LEGAL FRAMEWORK

11. A law regulating all practical aspects of public assemblies, including campaign rallies held during pre-election period, should be adopted in line with international standards and good practice. The law should require a simple notification rather than an authorisation procedure.
12. The authorities should consider ratifying the UN Convention on the Rights of Persons with Disabilities. The denial of voting rights to persons deemed by a court to be legally incapable should be reconsidered.

ELECTION ADMINISTRATION AND POLLING PROCESS

13. To strengthen the independence of the election administration, consideration could be given to allowing the CEC the right to directly recruit DEC and PEC members through an open and competitive assessment process.
14. The importance of voting in person and the legal penalties for violating this requirement should be emphasized during the training of election commissions and in the voter education programme.
15. The CEC should consider adopting a binding regulation defining all procedures for counting of votes and tabulation of results. To better ensure awareness of these procedures at all levels, the

CEC could consider adopting manuals with easy to follow step-by-step instructions and disseminate information posters.

16. The CEC should take resolute actions to prevent unauthorised persons from being present in polling stations on election day and the competent authorities should prosecute those who interfere in the polling process.
17. Consideration should be given to ways to enhance the secrecy of the balloting system for early voting for example by using a system of double envelopes.

VOTER REGISTRATION

18. The legislation should require the CEC to publish voter registration data disaggregated at the constituency and polling station level, at different stages of the electoral process, including before and after the verification of the voter lists and after election day.

CANDIDATE REGISTRATION

19. Consideration could be given to reducing the ceiling on the number of supporting signatures that can be collected from a single territorial unit.
20. Consideration could be given to introducing integrity measures related to signature collection.
21. Consideration could be given to establishing clear procedures for the verification of the data contained in the signature collection forms and the grounds for disqualification. In line with international good practice, entries on the forms should be verified with an objective of establishing the number of signatures sufficient for registration rather than identifying inaccurate signatures in a selected sample.
22. Considerations should be given to adjusting the deadline for candidate withdrawal to avoid the invalidation of votes cast, manually altering unused ballots and/or the reprinting of ballots.

CAMPAIGN AND CAMPAIGN FINANCE

23. Specific and clear provisions addressing the misuse of state resources should be introduced in the legislation.
24. Consideration should be given to allowing parties and candidates more latitude to plan the financing of their campaigns, including by allowing individual parties and candidates to receive donations from private sources. The legislation could provide details on the amount, timeframe and method of contribution, as well as disclosure requirements for donations from private sources.
25. Consideration could be given to requiring political parties to submit interim reports on campaign expenditures prior to election day to increase transparency.
26. Considerations could be given to amending the laws to streamline and simplify the requirements on political party financial reporting, and to ensure the timely publication of the findings by the oversight bodies.

MEDIA

27. The legal provisions that hold owners of websites and bloggers liable for third-party content hosted on their platforms should be repealed.
28. To enhance the public's awareness of the parties' political programmes, the media should consider increasing their coverage of parties' and candidates' activities during the campaign and offer programmes that analyse political and policy issues.
29. The media's editorial policies should better ensure that female political figures, including candidates, receive coverage in the media's editorial content that is equitable with that given to men, including during election campaign periods.

NATIONAL MINORITIES

30. Consideration should be given to providing voter information and election materials in other minority languages, in addition to Russian and Karakalpak, especially in areas with concentrations of those minorities.

COMPLAINTS AND APPEALS

31. Consideration could be given to reducing the timeframe for submitting complaints and appeals in line with international good practice.
32. To avoid repetitive claims and potentially contradictory decisions and rulings, the dual system of appeals should be reconsidered.

ANNEX I: FINAL RESULTS

According to official results, on 22 December, 125 candidates secured a majority of votes and were elected without the need for a run-off election. In the remaining 25 constituencies, the seats were filled in the run-off elections on 5 January 2020.

The CEC announced the following official results:

- Number of registered voters: 20,596,570 (1,697,647 abroad)
- Number of votes cast: 13,963,627 (112,411 abroad)
- Number of invalid ballots: 334,705

Party	Seats Won	Percentage
Liberal Democratic Party of Uzbekistan (LDPU)	53	35.4
Democratic Party of Uzbekistan – <i>Milliy Tiklanish</i> (DPU)	36	24
Social Democratic Party of Uzbekistan – <i>Adolat</i> (SDPU)	24	16
People’s Democratic Party of Uzbekistan (PDPU)	22	14.6
Ecological Party of Uzbekistan	15	10
TOTAL	150	100

The CEC reported a total voter turnout of 67.8 per cent, with participation of 73.3 per cent in Uzbekistan and 6.6 per cent abroad.

ANNEX II: LIST OF INTERNATIONAL ELECTION OBSERVATION MISSION (IEOM) OBSERVERS

OSCE Parliamentary Assembly

George	Tsereteli	President of OSCE PA Special Coordinator	Georgia
Kari	Henriksen	OSCE PA Head of Delegation	Norway
Hamazasp	Danielyan	OSCE PA	Armenia
Reinhold	Lopatka	OSCE PA	Austria
Lukas	Mussi	OSCE PA	Austria
Axel	Kassegger	OSCE PA	Austria
Marc	Demesmaeker	OSCE PA	Belgium
	Kyriakou		
Kyriakos	Hadjiyianni	OSCE PA	Cyprus
Zdenek	Ondracek	OSCE PA	Czech Republic
Josef	Hajek	OSCE PA	Czech Republic
Bjorn	Brandenburg	OSCE PA	Denmark
Andreas	Baker	OSCE PA	Denmark
Heljo	Pikhof	OSCE PA	Estonia
Johannes	Kert	OSCE PA	Estonia
Vilhelm	Junnila	OSCE PA	Finland
Inka	Hopsu	OSCE PA	Finland
Stephanie	Koltchanov	OSCE PA	France
Farimah	Daftary	OSCE PA	France
François	Jolivet	OSCE PA	France
	Bono-		
Aude	Vandorme	OSCE PA	France
Manfred	Grund	OSCE PA	Germany
Andreas	Schwarz	OSCE PA	Germany
Zsolt	Csenger-Zalán	OSCE PA	Hungary
Francesco	Mollame	OSCE PA	Italy
Pia	Califano	OSCE PA	Italy
Anna	Di Domenico	OSCE PA	Italy
Aidyn	Kaiyrbekova	OSCE PA	Kazakhstan
Mukhtar	Yerman	OSCE PA	Kazakhstan
Gumar	Dyussebayev	OSCE PA	Kazakhstan
Rada	Tumanbaeva	OSCE PA	Kyrgyzstan
Bakyt	Torobaev	OSCE PA	Kyrgyzstan
Andrejs	Klementjevs	OSCE PA	Latvia
Igors	Aizstrauts	OSCE PA	Latvia
Costel Neculai	Dunava	OSCE PA	Romania
Dănuț	Păle	OSCE PA	Romania
Ionuț	Sibinescu	OSCE PA	Romania
Aleksei	Kornienko	OSCE PA	Russian Federation
Artem	Turov	OSCE PA	Russian Federation
Gustavo	Pallares	OSCE PA	Spain
Yasmine	Posio	OSCE PA	Sweden
Margareta	Cederfelt	OSCE PA	Sweden
Manuchekhr	Salokhudinov	OSCE PA	Tajikistan
	Van		
Madeleine	Toorenburg	OSCE PA	Netherlands
Arjen	Westerhoff	OSCE PA	Netherlands
	Van Den		
Albert	Bosch	OSCE PA	Netherlands

Artur	Gerasymov	OSCE PA	Ukraine
Iryna	Sabashuk	OSCE PA	Ukraine

ODIHR EOM Short-term Observers

Martin	Rossmann	Austria
Andrea	Weiss	Austria
Iris	O'Rourke	Austria
Sona	Aliyeva	Azerbaijan
Gulnar	Khalilova	Azerbaijan
Sergei	Zhartun	Belarus
Dmitry	Shchepachev	Belarus
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Asim	Dorovic	Bosnia and Herzegovina
Pavel	Uhl	Czech Republic
Darab	Gajar	Czech Republic
Jakub	Krc	Czech Republic
Martina	Sefrova	Czech Republic
Jan	Udržal	Czech Republic
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Claus Thomas Michael	Dethlefsen	Denmark
Ewa Apolonia	Chylinski	Denmark
Lars	Hollaender	Denmark
Soeren Bo	Husum	Denmark
Sofia	Svensson	Denmark
Anja	Siljak	Denmark
Sulev	Laane	Estonia
Eva	Hahti	Finland
Juho	Korhonen	Finland
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Benoit	Bouyssou	France
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Guillaume	Pierre	France
Traore	Fanta	France
Damien	Hentry	France
Sylvain	Ollier	France
Sabine	Ohayon	France
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Marlene	Sieck	Germany
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Sabine	Pindur	Germany
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Susanne	Neymeyer	Germany
Amin	Louden	Germany
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Benjamin	Smale	Germany
Elena	Lopez Werner	Germany
Anna	Fritzsche	Germany
Miriam Brigitte	Danne	Germany
Marlien	Schlaphoff	Germany
Fabio	Freud	Germany
Iván	Kovács	Hungary
Adam	Lengyel	Hungary
Nóra	Balogh	Hungary
Anna	Pákai	Hungary
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Olga	Fedorova	Iceland
Mara	Morini	Italy
Franco	Galdini	Italy
Piero	Iaia	Italy
Mariano	Allodi	Italy
Anna Carla	Di Sario	Italy
Cécile	Michel	Italy, France
Yan	Fedotov	Kazakhstan
Yermek	Baizhanov	Kazakhstan
Saule	Kozubayeva	Kazakhstan
Anton	Danilov	Kazakhstan
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Olga	Kuprianowicz	Poland
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Sergey	Baburkin	Russian Federation
Evgeny	Loginov	Russian Federation
Vladimir	Novikov	Russian Federation
Sergey	Overchenko	Russian Federation
Boris	Bodrov	Russian Federation
Sviatoslav	Terentev	Russian Federation
Amir	Bilialitdinov	Russian Federation
Aleksei	Malenko	Russian Federation
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Alexander	Bedritskiy	Russian Federation
Aleksandr	Letoshnev	Russian Federation
Dmitry	Groshev	Russian Federation
Mikhail	Kokorev	Russian Federation
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Diana	Ainetdinova	Russian Federation
Lev	Tarskikh	Russian Federation
Vladimir	Popov	Russian Federation
Konstantin	Guz	Russian Federation
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Sergey	Zenkov	Russian Federation
Mariia	Zots	Russian Federation
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Aleksei	Markov	Russian Federation
Anna	Pereletova	Russian Federation
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Andrei	Molochkov	Russian Federation
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Yulia	Kudeneeva	Russian Federation
Anna	Gozhina	Russian Federation
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Pavel	Gvozdev	Russian Federation
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Stig Lennart	Glans	Sweden
Tommy	Karlsson	Sweden
Ulf	Ottosson	Sweden
Claes	Pile	Sweden
Pernilla	Berlin	Sweden
Eva	Rimsten	Sweden
Marko	Wramen	Sweden
Eva	Jakobsson	Sweden
Anna	Lidstrom	Sweden
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Gudlaug	Olafsdottir	Sweden
Heinz	Bachmann	Switzerland
Barbara	Egger Maldonado	Switzerland
Maja Barbara	Huerlimann	Switzerland
Mario	Barfus	Switzerland
Stefan	Ziegler	Switzerland
Daniele	D'Esposito	Switzerland
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Brian	Gifford	United Kingdom
Valerie	Solomon	United Kingdom
Roger	Bryant	United Kingdom
David	Taylor	United Kingdom
Stella	Hellier	United Kingdom
Adrian	IAnson	United Kingdom
Andrew	Caldwell	United Kingdom
Sherrida	Carnson	United Kingdom
Patricia	De'Ath	United Kingdom
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Susan	Trinder	United Kingdom
Fiona	Anderson	United Kingdom
Robin	Sellers	United Kingdom
Martin	Brooks	United Kingdom
Melanie	Leathers	United Kingdom
Peter	Shutak	United Kingdom
Paula	Keaveney	United Kingdom
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Steven	Davis	United Kingdom
Nirmala	Gopal	United Kingdom
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Matthew	Frear	United Kingdom
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Chris	Taylor	United Kingdom
Asa	Cusack	United Kingdom
Dally	Hakem	United Kingdom
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Melvin	Hager	United States
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Howard	Kanter	United States
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Melissa	Stone	United States
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Haris	Sofradzija	United States
John	Jones	United States
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Mark	Lasser	United States
Sherry	Murphy	United States
Dinka	Gyurova	United States
Octavius	Pinkard	United States
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Simone	Brocchi	Italy
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Gunn	Benjaminsen	Norway
Eldrid	Roeine	Norway
Laurentiu	Vlad	Romania
Boris	Diakonov	Russian Federation
Andrey	Karbovskiy	Russian Federation
Vsevolod	Perevozchikov	Russian Federation
Yuliana	Petrenko	Russian Federation
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Kajsa	Norman	Sweden
Björn	Tedeman	Sweden
Roman	Enzler	Switzerland
Alexandra	von Arx	Switzerland
Gabriella	Zullino	Switzerland
Alexander	Folkes	United Kingdom
Howard	Knight	United Kingdom
Andrew	McEntee	United Kingdom
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Max	Bader	Netherlands
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Karolina	Semina	Russian Federation
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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).