

**UZBEKISTAN:
NEW VOTING TECHNIQUES
IN THE ELECTION CAMPAIGN OF
THE 2004 PARLIAMENTARY ELECTION**

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I n t r o d u c t i o n

This article is devoted to an analysis of the parliamentary election held on 26 December, 2004 in Uzbekistan. The election campaign officially began on 20 September. This time, in contrast to the campaigns of 1994 and 1999 when the people did not have a direct say in the country's de-

cision-making process, the political parties used new voting techniques and citizens elected candidates to a bicameral representative power body for the first time. This means that from now on Uzbekistan, which is an authoritarian state, will have a parliamentary house formed from representatives of the people and operating on a permanent and professional basis. What is more, the Uzbekistan government made a point of demonstrating that this election was held democratically and that it rendered broad assistance and support to the candidates running for deputy. At a Central Election Commission press conference held on 22 October, 2004, it was announced that five of the registered political parties were allowed to run for seats in parliament.¹ And on 1 December, the CEC an-

¹ A CEC press release named the following parties as those allowed to participate in the parliamentary election on 26 December, 2004: the People's Democratic Party of Uzbekistan, the National-Democratic Party Fidokorlar (Patriots), the Liberal-Democratic Party of Uzbekistan, the Social-Democratic Party Adolat (Justice), and the Democratic Party of Uzbekistan Milliy tiklanish (National Renaissance). This is a complete list of the political parties officially registered in the country: pursuant to Art 21 of the Law on Elections to the Parliament, only after state registration with the Ministry of Justice may a party

nounced that 74 candidates from the Social-Democratic Party Adolat, 61 from the Democratic Party Milliy tiklanish, 119 from the Liberal-Democratic Party, 89 from the National-Democratic Party Fidokorlar, 118 from the People's Democratic Party, and 56 candidates from independent citizen initiative groups were officially registered to run in the upcoming election.²

The government allocated a total of 3.3 billion sums (approximately 3.5 million dollars) to support the election campaign. As a result, according to a CEC press release the very next day after the election, 27 December, 12,197,000 (85.1%) of the 14,323,000 citizens registered to vote showed up at the polls. One hundred and twenty voting districts were formed in the country, and approximately 18,000 local observers and a large number of international observers invited by the republic's government were present at the election.

submit an application to the CEC requesting permission to participate in the elections.

² See: S. Ejkov, "Elections without Choice." The article was published on the website of the Uzbek nongovernmental noncommercial group, Committee for Freedom of Speech and Expression [www.freeuz.org], 2 December, 2004.

New Voting Techniques

Since all the political parties participating in the parliamentary elections were created by the government and essentially promote and support the policy of Uzbek President Islam Karimov, their platforms have never differed from each other and have never essentially touched on the socioeconomic problems inflicting society for so many years. But during the last campaign, these parties came forward with a variety of different and stimulating platforms, and they also made use of new voting techniques. Admittedly, in many cases, these techniques were initiated by the government, and in others sanctioned by it.

Here are a few aspects of the political platforms made public by the party leaders at their conventions. For example, approximately six weeks before the election, on 7 November, at the national convention of Uzbekistan's oldest party, the People's Democratic Party, its leader, A. Rustamov, said for the first time that this was a leftist structure aimed at creating a constructive opposition to the current government. He placed top priority on reducing public transport and municipal service costs, ensuring rural areas a continuous supply of natural gas and drinking water, and providing each family with the minimum consumer basket. The main items on the political agenda of the National-Democratic Party Fidokorlar, adopted at its national convention on 7 November, were laws On the Police and On Criminal Investigation Activity, economic guarantees to the employees of state-supported organizations and representatives of small and medium businesses and protecting them from excessive auditing, and youth unemployment problems.

The political platform of the Social-Democratic Party Adolat, which it ratified and made public at its conference, also proved revolutionary for Uzbekistan. Its goals included the following: adopting a Law on the Civil Service, establishing public control over the activity of the security services, searching for ways to integrate the country into the European Union, providing guarantees against law violations by public prosecutors, and protecting the interests of the Uzbek intelligentsia. And here the question arises: is this not the constructive opposition we have all been waiting for?

What is more, the mass media provided greater coverage of this election than ever before. CEC Press Secretary Sherzod Kudratkhojaev noted that during the 1994 parliamentary election, the Central Election Commission did not have its own press center, while in 1999 the election campaign was covered by 490 newspapers, 138 journals, 22 websites, and 26 television stations. During the most recent campaign, the CEC set up its own press center, and the election campaign was covered by 597 newspapers, 145 journals, 93 websites, and 43 television stations.³ They informed the electorate about the political party conventions, acquainted the voters with the debates of the party leaders, and so on. But after the multiple "cuts" and censorship by employees of the presidential administration, all these hot debates and other information reached the readers, viewers, and listeners in the form of boring deliberations on politics and the economy.

What is more, most of the political parties organized concerts of well-known Uzbek pop stars for the rural population, which was busy with the cotton harvest at the time. Some district branches of these political structures arranged charity dinners for children's and old people's homes, which was something out of the ordinary and not practiced before. And on the eve of the elections, several international conferences were held under the auspices of the government, at which such questions as voting techniques, election legislation, world experience in this sphere, and others topics were discussed with the participation of foreign experts and the republic's party leaders.

Reaction of the Political Opposition, Mass Media, and International Community

The December parliamentary election was held without the participation of the Uzbek opposition, since the Ministry of Justice refused to register the three main political parties representing it. During a press conference on 22 October, CEC Chairman Buritosh Mustafaev announced that five registered parties were allowed to run for deputy mandates, although some of them had committed certain violations, or to be more precise, about 6 percent of the names on the party lists submitted were fraudulent or had been incorrectly registered. Uzbekistan legislation permits up to 10 percent in technical flaws of this kind on party membership lists.⁴ But the parties the Ministry of Justice refused to register had supposedly committed an even higher percentage of violations, although their precise number was not made public.⁵ In July 2004, the Birlik Party succeeded in lodging a complaint with the country's Supreme Court, accusing the Ministry of Justice of a prejudiced attitude toward party registration. But the court ruled that in this specific case the Ministry had acted in keeping with the law and did not violate

³ See: Speech by Sh. Kudratkhojaev at the international conference on Voting Techniques and the Mass Media: Legal and Ethical Aspects. Tashkent: Uzbekistan Publishers, 7-8 October, 2004.

⁴ See: A. Shekhar, "Press Conference of B. Mustafaev, Chairman of the Central Election Commission" [www.centrasia.ru], 22 October, 2004.

⁵ The main opposition parties are: Birlik (Unity), Erk (Liberty), and Ozod dehqonlar (Free Farmers). Birlik was created at the end of the 1980s, Erk, at the beginning of the 1990s, and Ozod dehqonlar, at the beginning of the 1990s, then ceased its activity for a while, resuming it in 2004.

the rights of the Birlik members. The limited election observation mission of the Office for Democratic Institutions and Human Rights (OSCE/ODIHR) sent a request to the Ministry of Justice asking to take a look at copies of the registration documents of the opposition structures, but the Ministry denied this request.⁶

This prompted the opposition to call the upcoming parliamentary elections another farce of the Uzbek government aimed at creating its image as a supporter of “controllable democracy.” It also announced its boycott of the election, calling on the country’s citizens and international community to do so as well.⁷

In addition to candidates for deputy being nominated by political parties, Uzbekistan legislation also envisages their nomination by so-called “citizen initiative groups,” but each group must have at least 300 members. The opposition saw this alternative as their last chance to nominate their candidates for the parliamentary election. But many candidates nominated from these groups in different regions of the country reported on violations of their rights by the local election commissions, which did their utmost to deny registration of these candidates for deputy mandates. Pressure on opposition candidates by the local authorities became common occurrences.⁸ As a result, the Birlik Party was the only opposition group to try this approach and nominate five of its representatives, but the CEC did not register a single one of them.⁹

Between November and election day, the opposition groups, along with human rights organizations, staged several acts of protests, mainly in the republic’s capital, calling for a boycott of the elections.¹⁰ And several days before 26 December, Birlik published a statement calling on the population to come to the polls and vote against all the candidates. The party leaders explained that this tactic, first, would help to declare the election null and void, and second, to call for a new one, this time with the participation of the democratic opposition. But the government responded to this by organizing corresponding counter-measures. For example, on 27 November, secretary of the opposition party, Ozod dehqonlar, Nigora Khidoiatova was detained by the police on her way to the protest site and released only after a Human Rights Watch representative intervened.¹¹ Reports from local human rights groups also mentioned incidences of pressure and even harassment of the participants in these protest acts, tearing down and destroying their posters and placards, and so on.

Representatives of Uzbek opposition groups surveyed before this article was written evaluated the new voting techniques used by the five Uzbek political parties as “nametag and sham.” They were all convinced that the new voting techniques did not make any difference and did not demonstrate the formation of a constructive opposition within the political parties of Uzbekistan, since all these parties were created by President Karimov and support his policies.

Incidentally, speaking at one of the international conferences on this election (Samarkand, 4 November), a representative of the Uzbek Ministry of Justice said that the opposition in Uzbekistan should exist only between political parties, and not oppose ... the government.

As already mentioned, the election campaign was covered by a huge number of the republic’s mass media. But due to the sorry state of freedom of speech in the country, their activity could make little difference. It appears to be more a matter of the government imposing this task on many of the

⁶ “The Election Process in Uzbekistan Requires Major Improvements.” Statement of the OSCE/ODIHR Limited Election Observation Mission in the republic, 27 December, 2004, OBSC Center, Tashkent.

⁷ See: press releases of Birlik, Ozod dehqonlar, and Erk, published 15 October, 22 October, and 6 November, respectively, on the site of an independent Internet publication www.centrasia.ru.

⁸ See: Statement of Davra Kengashi (Uzbek Opposition Coalition) to the General Prosecutor and CEC Chairman on violations of the rights of candidates from initiative groups [www.centrasia.ru], 25 October, 2004.

⁹ Interview with Mrs. Vasila Inoiatova, Secretary of the Birlik Central Administration, 29 December, 2004.

¹⁰ See: “Uzbek Protest Demands Return of Former U.K. Envoy,” *BBC Monitoring Newsfile*, 9 December, 2004; “Uzbek Protest Urges OSCE not to Send Observers to Elections,” *BBC Monitoring Newsfile*, 27 November, 2004; “Opposition Groups Call on U.S. to Impose Sanctions on the Uzbek Government,” *BBC Monitoring Newsfile*, 2 December, 2004.

¹¹ See: *No to OSCE Observers during the Parliamentary Election in Uzbekistan. Picket in Tashkent* [www.centrasia.ru], 27 November, 2004.

mass media rather than their own free choice. The international community also expressed its concern about the situation that developed in the country during the election campaign. For example, on 18 October, 2004, Human Rights Watch asked the current OSCE chairman not to send a parliamentary election observation mission to Uzbekistan, since the voting would not be held in keeping with political pluralism.

The OSCE decided to send a limited observation mission.¹² (The OSCE/ODIHR group consisted of 21 international observers, who organized limited election monitoring.¹³) Despite some improvements in the election legislation since the 1999 election, such as the 30 percent quota for women deputies nominated by political parties, new financial regulations to support the political parties, and others, the mission concluded that the election fell significantly short of the OSCE commitments and other international standards for democratic elections. "Regrettably, the authorities' efforts to implement the election legislation provisions failed to ensure a pluralistic, competitive, and transparent election," said Ambassador Lubomir Kopaj, head of the OSCE/ODIHR Limited Election Observation Mission.¹⁴ According to Vladimir Rushailo, head of the Commonwealth of Independent States observation mission, 78 observers from CIS countries monitored the parliamentary election in Uzbekistan.¹⁵ In their preliminary statements, they noted that the voting was fair, legitimate, free, and without major violations of the election legislation.¹⁶

Here it is worth mentioning the reaction of the republic's authorities to international groups engaged in observing the Uzbek election, the Uzbek opposition, and the latest events in Georgia and Ukraine, that is, the Rose Revolution and Orange Revolution organized by the opposition of these countries.

On 26 October, 2004, a conference on the International Standards of Democratic Elections and Legislation of Uzbekistan was held with the participation of foreign and domestic experts at the Tashkent State Law Institute. At this conference, several high-ranking Uzbek officials verbally attacked acting head of the OSCE Center in Tashkent, Mr. Per Normark, because he dared to voice some of the country's shortcomings, such as the absence of political pluralism, the authorities' refusal to register political opposition groups, and the restrictions on freedom of speech and expression, which could adversely affect the results of the parliamentary election.

In an interview with RIA Novosti on 27 December, 2004, President Islam Karimov said: "...the conclusion of the OSCE mission on the parliamentary election in Uzbekistan cannot be a dominating viewpoint on this issue, since the OSCE is only one of the respected and leading organizations in Europe."¹⁷ He went on to say that there were also many observers from Asian countries at the election, and accused the OSCE of "attempting to artificially create an opposition in Uzbekistan." In his opinion, groups calling themselves the opposition have already discredited themselves in society and are rejected by it. In particular, the president accused the Birlik Popular Political Opposition Party of maintaining close ties with the Taliban movement and other extremist Islamic organizations, and even of taking part in the organization of the Tashkent bombings in February 1999. Commenting on the refusal to register the Ozod dehqonlar Party, the head of state said: "...a party incapable of uniting even 50 members

¹² The OSCE has a three-level approach to election observation: full observation, limited observation, and no observation, used depending on the situation in the country. If this organization decides not to send a full observation mission, this sends an important message: a full observation mission is only appropriate for countries where systemic conditions for holding fair elections have been created. According to Human Rights Watch, under the current conditions in Uzbekistan, elections cannot be fair, nor can they meet the requirements of even a limited observation mission of the OSCE.

¹³ See: "OSCE/ODIHR Sends its Limited Election Observation Mission to Uzbekistan," Kyrgyz Independent Information Agency, Aki Press, 3 December, 2004.

¹⁴ See: "The Election Process in Uzbekistan Requires Major Improvements."

¹⁵ See: "Over 70 Observers to Monitor Parliamentary Election in Uzbekistan," *ITAR-TASS World Service*, 30 December, 2004.

¹⁶ See: *Uzbekistan: Preliminary Conclusions of the CIS Observation Mission* [www.centrasia.ru], 27 December, 2004.

¹⁷ "If There is no Opposition, It should not be Artificially Created, Says the Uzbek President." Information of the Russian agency RIA Novosti. Reprinted by the independent Uzbek Internet publication TRIBUNE-uz on the website [www.tribune.uz.info], 27 December, 2004.

and whose leader is a woman by the name of Khidoiatova, who barely speaks Uzbek, cannot be registered.” The president also mentioned that the leaders of Georgia and Ukraine are primarily to blame for the situations that arouse in these countries, since they “... failed to ensure general consensus and understanding among their peoples.”

C o n c l u s i o n

The new voting techniques used by the political parties at the last parliamentary election and the government’s efforts to describe the election campaign as a broad-band public event in no way mean that the political climate in the country has significantly improved. These innovations are rather superficial changes permitted and promoted by the Uzbek authorities than systemic transformations. This becomes obvious if we recall the opinion quoted above of the Ministry of Justice representative, who said that official opposition in Uzbekistan can exist only between political parties and not pose a challenge to the country’s government. The December election in Uzbekistan cannot be called democratic and fair. If we look at the voting results, the Liberal-Democratic Party and People’s Democratic Party gained the majority in the parliament’s Legislative Assembly, since they nominated the largest number of candidates to run in the election (119 and 118, respectively).

Taking into account the authoritative nature of the government and the increasing trend toward a return to the old traditions of the Soviet legislature, it can be presumed that the new parliament will become another decorative attribute of the current Uzbek regime and not a representative body of the people engaged in adopting laws in the public’s interest, maintaining control over the executive power branch, and making the government accountable for its mistakes.

Admittedly, there are other opinions. For example, independent Uzbek journalist Sergey Ejkov claims that the new parliament is capable of becoming a real democratic legislative structure and of ultimately bringing the country to democracy. His main arguments are as follows. Despite the outward similarity of the election platforms of the political parties which openly support the policy of President Islam Karimov, in reality they are more radical in their thinking and when they get into parliament, they will put up a more active and competitive fight to implement their platforms. The leaders of these parties are not openly showing their displeasure with the government, since they are waiting until they get into parliament. This is all happening with the tacit approval of the head of state, since he understands that he will not be in power for long. Based on his arguments, Mr. Ejkov concludes that in the near future, the efforts of the new parliament could create greater opportunities for turning Uzbekistan into a democracy, while retaining its specific oriental traits.¹⁸ I might agree with Mr. Ejkov were it not for the fact that all the political parties registered in the republic are created by the government and do not truly represent the interests of the electorate.

In his interview on 27 December mentioned above, President Karimov said that the groups calling themselves the democratic opposition have been rejected by the people of Uzbekistan. Despite the low popularity of this opposition, I do not think we can say it has been “rejected by the people.” In light of the aggravated socioeconomic crisis and the government’s growing incompetence, the population’s sympathy for the democratic opposition will rise.

In the same interview, the president noted that the opposition must be sought among the youth. And indeed, taking into consideration the relatively competitive education system that has been preserved since Soviet times, the younger generation has real potential for forming a constructive opposition to the government, and being recognized by the country’s leadership at that. To further develop this potential, the Uzbek youth should take more active part in the projects and activities aimed at training future leaders. But since the first years of Uzbekistan’s independence, the government has been striv-

¹⁸ See: S. Ejkov, “A Bomb for the President.” Article published on the website of the Uzbek nongovernmental noncommercial group, Committee for Freedom of Speech and Expression [www.freeuz.org], 15 December, 2004.

ing to keep young people under strict control, in particular by means of the pro-government youth organization, Kamolot.

So based on the aforesaid, I conclude that the legislative chamber of the new parliament elected on 26 December, 2004 will be under the complete control of the executive power branch in Uzbekistan.
