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Insights from an International Observer: **Constitutional Referendum in Republic of Uzbekistan**



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In November 2021, Uzbekistan President His Excellency Shavkat Mirziyoyev said that Uzbekistan's political modernization should be accelerated and constitutional amendments should be prioritized. On June 26, 2022, the Republic of Uzbekistan's constitutional panel made nearly 200 substantial revisions and additions to 64 articles. Six new articles and 16 updated standards are suggested. The new Constitution contains 155 articles, up from 128 in the previous version of the document. The number of norms increases to 434 from 275. Approximately 65% of the Constitution has been revised/reformed.

On March 9-10th 2023, the draft constitution was considered in the legislative Chamber and approved for submission to referendum. Then the Constitutional Court of Uzbekistan ruled the statement that the decision by the legislative Chamber to hold a referendum was in line to the constitutional requirements. On March 14, 2023, the Senate confirmed the decision of the legislative chamber regarding holding of the referendum on 30 April 2023.

President Shavkat Mirziyoyev gave a grand vision to establish legal frameworks that promote good governance, protect fundamental rights, effective management, and social guarantees, and provide a strong foundation for economic and social development. Uzbekistan is becoming a large economy and has undertaken significant reforms in recent years. Constitutional reforms provide a strong legal framework for these economic reforms to promote sustainable development and growth.

I was appointed as International Observer by the Election Commission of Uzbekistan and in that capacity visited various polling stations to observe the voting process, including the opening, and closing of polling hours , the counting of ballots, and the



transmission of results in the constitutional referendum in Uzbekistan on 30th April 2023. I monitored the overall conduct and assessed the arrangements and preparations for referendum and ensuring that it is conducted in a free, fair and transparent manner. Polling stations were established mostly in schools and universities. The respective School and university heads were also present to give a briefing about their school and university. Polling stations staffs were well-disciplined and well-trained.

I also met with government officials, civil society organizations, and other stakeholders to assess the overall electoral environment. The Republic of Uzbekistan's referendum was held in utmost accordance with recognized democratic values of openness and transparency. 90% of voters have approved the constitutional amendments and 84.54 % of people came out to cast their vote on 30 April.

The referendums was conducted following international norms and standards in an environment of openness and transparency. The referendum was well arranged by the Election Commission of Uzbekistan. It was organized using democratic principles

which completely complies with international norms and values, and all essential precautions were taken to guarantee voters' right to an open-to-use vote. In the referendum, each voter made his/her decision voluntarily. Some of the recognized shortcomings in these procedures were promptly identified and rectified.

International Observers:

In total, 383 international observers in all directly observed the referendum's preparation and implementation. The 199 observers were from 45 countries and 184 observers were from 14 international organizations. And the 44, 225 observers who were from local organizations, 10, 746 people from citizens' self-governing bodies and 3060 women.

The 14 reputable international organizations were the Association of World Election Bodies, the Shanghai Cooperation Organisation, the Inter-Parliamentary Assembly of Member Nations of the Commonwealth of Independent States (IPA CIS), the Parliamentary Assembly of Turkic States, the Organisation of Turkic Speaking





Countries, and the Office for Democratic Institutions and Human Rights of the Organisation for Security and Cooperation in Europe.

192 representatives of 127 international media houses were among the 964 media people who reported and covered the referendum directly.

The international expert community appreciated the extensive work being done by the Central Election Commission, along with other government agencies and non-governmental organizations responsible for holding the referendum, on preparation and holding the referendum according to high democratic standards, and identifying additional measures to improve referendum legislation and practice with the participation of international experts.

Participation of Youth:

A large number of youth came to cast their votes is important for the progress and development of the country. It was great to see that young motivated youths participated in the democratic referendum process. They have shown the importance of participating in the democratic process, and their vote can shape the policies and decisions that affect their lives.

An Overview of the Significant Changes in the Constitution:

These reforms are leading a path toward Uzbekistan as a sovereign, democratic, legal, and secular state. It is worth noting that constitutional amendments not only evolve Uzbekistan but also adhere to fulfilling peace to the entire region in order to strengthen cooperation with neighbouring states.

The primary goals of the constitutional reform are to ensure citizens' honor and dignity.

All tangible initiatives for the development and advancement of its people and country have been outlined by the Uzbek government.



On Human Rights:

- Rights and protections for those who have been charged with crimes they have not yet been found guilty, as well as prohibitions on extradition, the death penalty, and cruel and unusual punishment.
- ensuring the right to personal data protection; and adding that "everyone has the right to become acquainted with the information collected about them in state bodies, self-government bodies of citizens, public associations, and organizations, and to correct incorrect information, as well as the illegal right to request the destruction of data that has been collected or does not have a legal basis."
- Including labour safeguards such as equitable remuneration and a living minimum wage, as well as outlawing wage discrimination.
- stating that marriage "shall be based on traditional family values of the people of Uzbekistan"
- "Everyone has the right to protect their rights and freedoms in all ways not prohibited by law."

- Adding that the state shall provide housing for socially needy and low-income residents who require housing improvement (according to legislation), guaranteeing the promotion of disability rights, and preventing discrimination against the disabled.
- Citizens are guaranteed (by law) a minimum level of free medical care at the point of service, including urgent and emergency care.
- Freedom to all religious organizations
- Providing basic access to the Internet

On Government, the Legislature, and Judiciary:

- Effective, compact, and people-friendly state administration will be introduced with the basis of democratizing the entire system of state power.
- The Senate's control over law enforcement and special services agencies is strengthening

• The government is entrusted with the tasks of ensuring transparency and openness, improving the quality of public services, providing an effective social protection system,



and supporting civil society institutions.

- The new procedure for electing judges to the Constitutional court
- clarifying that a member of the Oliy Majlis cannot also be a member of the Supreme Council of Karakalpakstan.



- separating representational and executive authority in regional administration
- stating that the Constitutional Court might "consider complaints of citizens and legal entities regarding the verification of the constitutionality of the law applied to them by the court in a specific case"
- increasing the deadline for sending laws passed by the Oliy Majlis to the Senate (from the date of adoption of the law) from the current 10 days to 20 days; extending the deadline for submitting laws approved by the Senate to the president for signing and promulgation (from the current 10 days to the current 20 days).

Conclusion:

The Central Election Commission of Uzbekistan played an important role to inform citizens, youths, and referendum participants, including through the media, on the planning and conduct of the referendum, on voting deadlines and procedures, on measures for participation in the referendum, and on the Republic of Uzbekistan's referendum-related legislation.

It is important to acknowledge the members of the district commissions, the local observers, and all of the fellow citizens for their hard work in guaranteeing the referendum was conducted in a professional manner in accordance with the legislation of Uzbekistan and accepted international standards.