Free and fair elections - An important condition of democracy

By: Khudoyor Mamatov

The holding of free and fair, open and transparent elections in compliance with the principle of periodicity is evidence of the country's choice of the path of democratic development.

The frequency and compulsory nature of elections are reflected in the legislation of Uzbekistan. For example, in accordance with Article 90 of the Constitution of the Republic of Uzbekistan, the President of the country is elected by the citizens of the Republic on the basis of universal, equal and direct suffrage by secret ballot for a period of five years. According to the constitutional laws governing the activities of the Legislative Chamber and the Senate of the Oliy Majlis, their term of office is also five years.

In accordance with the above requirements, elections of the President of the Republic and the representative bodies of state power must be held every five years.

The precise definition and frequency of the term of such powers are usually in line with international practice.

Following this democratic principle, the Central Election Commission adopted a resolution «On determining the date for holding elections of the President of the Republic of Uzbekistan and announcing the start of the election campaign»dated July 23, 2021. According to the document, the presidential elections are scheduled for October 24, 2021, and the election campaigns began on July 23 of this year.

The right to freely vote allows voters and other participants in the electoral process to make decisions, participate in elections without any influence, freely express their will in the voting process without any control, and vote secretly. This important principle is enshrined in article 7 of the Electoral Code.

The right to free elections allows participants in the electoral process, members of the Election Commission to make decisions in the forms permitted by law and in legal ways, without fear of punishment or influence, regardless of the outcome of the elections and voting results.

In accordance with the Electoral Code, election commissions and their members carry out their activities independently of any state bodies, public associations and officials. Interference in the activities of election commissions is not allowed and entails liability in accordance with the law.

In order to conduct a fair election campaign, all legal foundations have been created in the electoral legislation of our country. As follows from the principle of equal suffrage, every citizen has the right to participate in elections on an equal basis. Every citizen has one vote and the right to express his will on an equal basis with other citizens.

Article 21 of the Universal Declaration of Human Rights states: "Everyone has the right to take part in the government of his country, directly or through freely chosen representatives".

The Constitution of the Republic of Uzbekistan determines that citizens of the country have the right to participate in the management of the affairs of society and the state, both directly and through their representatives, such participation is carried out through self-government, referendums and the democratic formation of state bodies, as well as the development and improvement of public control over activities government agencies.

Article 7 of the Electoral Code stipulates that free and secret voting is ensured by creating appropriate conditions that exclude the possibility of any control over the expression of the will of the voter.

Many more examples confirm the fact that the generally recognized democratic norms of international law, which do not contradict the national interests and values ??of Uzbekistan, are reflected in the national legislation. Indeed, the country's global prestige largely depends on the openness and transparency of the electoral system in which it operates, as well as on the observance of generally accepted democratic norms of international law.

In the development of democratic statehood, it is important that relations between the people and society are regulated not by the will of one person or group of persons, but by law. Therefore, the rule of law is recognized as one of the main features of a democratic rule of law. For the rule of law serves to ensure justice in the country.

Thus, year after year, Uzbekistan strengthens its position in the world community, raises its authority, demonstrates positive image dynamics to the whole world, boldly moves towards national progress through humanitarian and fair reforms.

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Kyrgyzstan: Call for president to veto "false information" law

The law empowers an unnamed "authorized state body" to shut down or block websites containing information deemed to be "false" or "inaccurate," without a court order, on the basis of a complaint by either a private person or legal entity, who are the subject of the information.

This statement was originally published on hrw.org on 3 August 2021.

Kyrgyzstan's President Sadyr Japarov should veto the new law on "false information" when it reaches him for signature, Human Rights Watch said today. The law authorizes the government to block certain types of information without a court order, in violation of the right to freedom of expression.

On July 28, 2021, Kyrgyzstan's caretaker parliament passed the Law on Protection from False and Inaccurate information. The law empowers an unnamed "authorized state body" to shut down or block websites containing information deemed to be "false" or "inaccurate," without a court order, on the basis of a complaint by either a private person or legal entity such as a company, who are the subject of the information. "False" or "inaccurate" information is defined as information that defames the honor and dignity or undermines the reputation of a private or legal entity, offenses that are already protected under existing defamation legislation.

"The new 'false information' law poses a serious threat to free expression and media freedom in Kyrgyzstan, and would deeply mar the country's human rights reputation," said Syinat Sultanalieva, Central Asia researcher at Human Rights Watch. "It paves the way to state-managed censorship and runs counter to Kyrgyzstan's national and international human rights obligations."

The law would open the door to restrictions on speech that do not meet the requirements for defamation, Human Rights Watch said.

The new law also requires real-name registration from all internet users and makes internet providers responsible for submitting this data to a state-run "single registry system." This enhances the authorities' capacity to surveil, target, and censor individual users, and therefore amounts to a violation of users' right to privacy, Human Rights Watch said. This provision could have chilling effects on government critics, particularly those who wish to expose corruption.

The law does not clarify which state body would be responsible for carrying out these provisions, nor does it specify sanctions for non-compliance.

The "false information" law appears to have been adopted in violation of the parliament's internal regulations. In July 2020, then-President Sooronbay Jeenbekov vetoed the law's predecessor, the draft Law on Manipulation of information. Shortly afterward, that draft was returned to parliament for further work. Under art. 62 of the Law on Parliamentary Regulations, parliament had 10 days to either agree with the veto, citing the president's objections, overcome the veto by holding a revote, or form a reconciliation group that would develop a compromise draft of the law that they would put to a new vote in parliament.

Parliament decided on the third option but established the reconciliation group nearly a year after the president's veto, on May 31, 2021, well after the 10-day limit. Lawyers at Media Policy Institute, a local media organization, expressed concern that the group did not invite representatives of civil society and media outlets to participate, as it was required to under the president's veto decision.

The reworked draft law was submitted to parliament for consideration on June 30, 2021, but members did not garner the required two-thirds support they needed to pass the bill in its first reading.

The draft law was put to another vote one month later, shortly after the president held a tea party at his residence for members of parliament. Following the gathering, 97 members of parliament voted for the bill, with only 5 opposed.

Human Rights Watch reiterated its deep concern that Kyrgyzstan's caretaker parliament has repeatedly overstepped its mandate to pass far-reaching laws that violate international human rights norms.

Kyrgyzstan is a party to the International Covenant on Civil and Political Rights, which guarantees the rights to privacy, freedom of expression, association, and peaceful assembly. Kyrgyzstan's international partners, in particular the European Union and United States, should quickly, publicly, and privately register their concerns with President Japarov about this threat to free speech and media freedom.

"President Japarov should veto the 'false information' law and keep his campaign promise to oppose censorship in the country," Sultanalieva said. "Kyrgyzstan has prided itself on the relative media and speech freedoms afforded its people compared with elsewhere in the region.

Sri Lanka tightens Covid restrictions as hospitals struggle

Sri Lankan authorities tightened coronavirus restrictions Friday as reports emerged of Covid patients dying while awaiting admission to overcrowded hospitals.

The government said state ceremonies and public gatherings were banned until September 1 because of the growing health crisis.

Public servants had previously been asked to return to work from Monday but that order has now been revoked and bosses told to decide who should report for duty on-site.

The fresh curbs come after the number of coronavirus deaths and infections in the last week doubled from a month ago.

Sri Lankan television anchor Thilakshani Maduwanthi shared images online of the state-run Colombo South hospital that showed three patients sharing a single bed.

She said two patients died in front of her and overworked staff were treating people under trees as the hospital could not cope with the influx.

"What we reported about India where people died outside overcrowded hospitals a few months ago is now happening right before my eyes," she said in a widely shared Facebook post.

Other posts on social media showed bodies piling up at two hospitals outside the capital.

Private gatherings have not been banned but the government has increased restrictions on attendance.

Only 25 mourners will be allowed at funerals, down from 150, and weddings will be cut to 150 people from 500.

Sri Lanka eased Covid restrictions last month as the government stepped up a vaccination rollout.

UK South Asians push for partition history in school curriculum

London, United Kingdom – Fozia Raja, a second-generation Pakistani Briton, remembers studying about the British rule in India at school.

"What they didn't focus on is Britain leaving India," the London-based human resources professional told Al Jazeera.

"And we know why they skim over that – because it is a tragic and inhumane account that had consequences on the lives of millions of people."

After nearly 200 years of its rule, the British colonial power withdrew from the subcontinent in 1947. The hurried transfer of power and the partition of British India along religious lines – a Hindu-majority India and Muslim-majority Pakistan – sparked mass-scale religious riots that left more than two million people dead and nearly 15 million displaced.

Outside of the violence and the famine it caused, the partition is also said to have caused the largest mass migration in history. To this day, the socio-political and economic repercussions of partition reverberate through the South Asian region.

Whatever Raja learnt of this momentous event was through the first-hand accounts of her grandmother, a victim of abduction during the riots and forced conversion.

"I didn't learn about the partition through the national curriculum. I learnt it at home, just like so many other South Asians," she said.

Like Raja, Fariha Munim, a second-generation Bangladeshi Briton learned about the partition at home.

"There was no mention of it in secondary or high school. I didn't even know that this event had happened," said the Bedfordshire resident who herself teaches history.

It was only in Munim's third year of university that a conversation at home led her to do her research on partition.

"My father asked me: 'Did you know that Bangladesh was once a part of Pakistan?'" she said.

"Studying partition helped me understand why later, Pakistan and Bangladesh became two different countries," she added. "I began to make sense of the impact of colonialism."

The British national curriculum, which is applicable only to state-funded schools, serves as a guiding map, but teachers and schools have the autonomy to include or exclude content indicated as "non-statutory".

In July last year, more than 260,000 people signed a petition to make the national curriculum more inclusive of BAME (Black, Asian, and minority ethnic) history, calling for topics on Britain's role in colonialism, the trans-Atlantic slave trade, institutional racism and mistreatment of BAME societies to be made compulsory for all United Kingdom students.

However, the petition was rejected by the Department of Education on the grounds that the national curriculum already had the flexibility to be inclusive of BAME history, and therefore, it was not necessary to change the curriculum.

While autonomy in the curriculum is favourable, some argue that such a move also runs the risk of BAME history not being taught at all.

Munim says the history curriculum tends to be Eurocentric and does not provide context on vital global histories that made Britain the country that it is today.

But things are changing.

As teachers of colour recognise the inaccuracy of the narrative and bring their personal experiences, it is affecting decisions of what and how to teach children.

A significant part of Munim's work this year was looking at how partition history can be embedded into the history curriculum at her school. Citing the example of Holocaust education, she believes that looking at human stories or humanising events can help us to learn more effectively.

Founded in 2020, the Partition Education Group (PEG) is the official campaign to include the partition of the subcontinent in the national curriculum.

PEG also aims to raise the profile of South Asian history and heritage in the UK through education, arts, culture and commemorations.

The group is also a part of a South Asian History Month campaign, which started on July 18 and will run up to August 17.

Raj Unsworth, PEG chair and former trustee in the UK education sector, says since the curriculum allows autonomy, the group is working with students, academics, subject specialists, museums, archives and art organisations to prepare teaching materials and resources in time for the partition's 75th anniversary, to be observed next year.

As per the 2001 census in the UK, South Asians are the largest minority group, accounting for 50 percent of all ethnic minorities in England and Wales.

Unsworth believes that teaching a shared history is important for social integration and a cohesive society.

"Racial discrimination stems from ignorance and lack of understanding," she told Al Jazeera.

India's daily new Covid-19 cases fall to 38,634; active cases stay above 400,000-mark

India recorded 38,628 new cases of the coronavirus disease (Covid-19) in the last 24 hours, which pushed the nationwide tally to 31,895,385 while the death toll climbed to 4,27,371 with 617 daily fatalities, according to Union health ministry update on Saturday.

India's active Covid-19 figures now stand at 4,12,153, according to data released by the ministry at 8am. The national Covid-19 recovery rate improved to 1.30 per cent, it stated.

The number of active cases fell by 2006

The number of people who have recuperated from the disease surged to 31,055,861, while the case fatality rate stands at 1.34 per cent, it said.

The total number of vaccine doses administered so far has reached 501 million under the nationwide vaccination drive.

Over 23 million balance and unutilised Covid-19 vaccine doses are still available with states, Union Territories and private hospitals which are yet to be administered, the health ministry said on Friday. More than 511.6 million vaccine doses have been provided to states and UTs so far through all sources and 20,49,220 jabs are in the pipeline, it added.

The Covid-19 vaccination drive has been ramped up through availability of more vaccines, advance visibility of vaccine availability to states and Union Territories for enabling better planning by them and streamlining the vaccine supply chain.

The new phase of universalisation of vaccination commenced from June 21.