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Elections in 2009 and 2010: Technical and Contextual Challenges to Building Democracy in Afghanistan

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Grant Kippen has spent 28 years involved in electoral politics and democracy strengthening activities. In 2003 and 2004 he was the Afghanistan Country Director for NDI. In 2005, he chaired Afghanistan's Electoral Complaints Commission (ECC) for the parliamentary and provincial council elections. Most recently, he returned from four months in Pakistan where he was the Complaint Adjudication Advisor to the Election Commission of Pakistan.

Overview

This paper assesses preparations for and attitudes toward the forthcoming elections in Afghanistan. Presidential and Provincial Council elections are due to take place in August or September of 2009, followed by *Wolesi Jirga* (the lower house of Parliament) and District Council elections in mid-2010. The paper provides background information about how the first set of elections was conducted in 2004 and 2005; it notes the lack of activity or preparations for future elections in the interim period. Following the background discussion, the paper focuses on two distinct, but overlapping, areas.

Technical Processes: This section discusses a number of the technical processes that need to be implemented immediately if the coming elections are to be seen as credible and legitimate. These include voter registration (which began in October 2008), candidate vetting, the formation and enforcement of candidate financing rules, and raising public awareness. Key issues and potential challenges for each of these processes are discussed in depth.

Contextual Issues: While technical processes are extremely important, they are not executed in a vacuum and must take account of the context. Implementing elections in any post-conflict context poses a significant challenge, but doing so in Afghanistan raises particular issues. Two major challenges considered here are the urgent need to build capacity on a large scale and the deteriorating security situation in the country.

Acronyms

ANA	Afghanistan National Army
ANP	Afghanistan National Police
ECC	Electoral Complaints Commission
ECT	Electoral Certification Team
ELECT	Enhancing Legal and Electoral Capacity for Tomorrow
EOM	Election Observation Mission
FEFA	Free and Fair Elections Foundation of Afghanistan
GoA	Government of Afghanistan
IDLG	Independent Directorate for Local Government
IEC	Independent Election Commission
IFES	International Foundation for Electoral Systems
IRI	International Republican Institute
JEMB	Joint Electoral Management Body
JEMBS	Joint Electoral Management Body Secretariat
JSDRC	Joint Secretariat of the Disarmament and Reintegration Commission
MOU	memorandum of understanding
NDI	National Democratic Institute
SNTV	Single Non-Transferable Vote
UN	United Nations
UNAMA	United Nations Assistance Mission in Afghanistan
UNDP	United Nations Development Programme

These elections can only be considered "successful" if they are perceived as such by the Afghan population. Only then will this electoral cycle contribute significantly to the strengthening of democracy in Afghanistan.

Ways Forward

Substantial support to the electoral process could be given by implementing the following recommendations.

1) Adopt a broad-based engagement strategy for all domestic stakeholder groups

The Independent Election Commission (IEC) and international community should adopt a holistic approach to the issue of engagement. This approach should focus on developing civic education and public awareness programmes tailored to build capacity at all levels, activities that have been missing during the interim period since the last election. These programmes should specifically target both male and female voters; political parties; candidates and their supporters and organisers; the media; civil society; and public officials, including the Afghanistan National Army (ANA), Afghanistan National Police (ANP), provincial and district governors and police chiefs, and civil servants. Such an approach should help to overcome misconceptions about electoral and democratic processes as well as public reluctance to participate in the process due to the security situation; these are the factors most likely to limit voter turnout.

This approach would seek to increase Afghans' knowledge and understanding of the electoral process, rather than simply focusing on the mechanics of casting a ballot. The programming would also provide a basic appreciation of the rights, roles and responsibilities of citizenship within a representative democracy. A more informed electorate could be an effective counterbalance to any shortcomings of the candidate vetting process. Components of this strategy could include:

- *Focusing on civic education*. Undertake broad-based civic education programmes, beginning well in advance of the elections

period (as much as a year prior to Election Day), to educate people on all aspects of the electoral process and introduce them to basic civic rights and responsibilities.

- *Making candidates advocates of the process.* Establishing a compulsory workshop for all potential candidates prior to the nomination period should increase candidates' knowledge of the electoral process, as well as their understanding of the roles and responsibilities of candidates and elected representatives. Completion of the workshop prior to filing nomination papers should be one of the conditions of candidacy. All participants would then more clearly understand the roles and responsibilities of becoming an elected official, as well as the rules of the electoral process. The workshop curriculum would include a primer on electoral law, the election Code of Conduct, campaign financing, candidate vetting, complaints procedures and penalties for electoral law violations, the roles and responsibilities of the IEC and Electoral Complaints Commission, security issues, and an overview of the electoral process phases (voter registration, pre-poll, polling day, counting and consolidation).

The IEC, in partnership with international organisations, should jointly develop and deliver the workshop and curriculum. The same curriculum could be used for training of the domestic media to facilitate their understanding of the process and promote greater transparency.

While these workshops will not solve all the problems encountered in the previous elections, they are one proactive approach to ensure that most, if not all, of the candidates participating in the next elections have a common understanding of the process.

- *Providing robust training programmes for political parties.* Political parties should be given specific training programmes but also be encouraged and supported to develop in-house training capacity so they do not rely solely on international assistance in this area. In addition to having a certain degree

of leverage and control over the actions of their candidates and supporters, parties can also provide a complementary channel, along with civil society organisations, to educate the population about the electoral process.

- *Improving the knowledge of Afghan security forces about the electoral process.* Given the importance of providing a secure elections environment and the critical role that Afghan security forces have in shaping that environment, they must also understand the context in which their efforts are directed. To this end, a civics-based training module for the ANA and ANP should be developed and implemented.

The module would provide Afghan security forces with a basic overview of the electoral process and their role within it, so they understand the linkages between providing a secure environment and facilitating the citizens' constitutional right to vote. International military forces are well placed to initiate this training module, and, in collaboration with their Afghan counterparts and agencies such as the IEC or the United Nations Development Programme's ELECT[1] project, develop and implement a brief training programme for all security personnel.

- *Educating public officials.* There is a great deal of concern about the negative role that public officials could play in the upcoming elections, particularly regarding the use of Government of Afghanistan (GoA) resources to support particular candidates' campaigns. To restore public confidence in government institutions and address central issues of legitimacy, credibility and transparency, every effort should be made to ensure the neutrality of public officials in the electoral process. This will not happen simply by issuing a presidential decree but rather through an aggressive and comprehensive education programme delivered at all levels of public administration.

The development and implementation of a

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1 *Enhancing Legal and Electoral Capacity for Tomorrow*

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training module should ensure that all public officials clearly understand all phases, roles and responsibilities of the various stakeholders and aspects of the electoral process. The module would emphasise their responsibility to remain impartial in the discharge of responsibilities as public officials during the election campaign. The training module should include: an overview of the electoral process and the responsible institutions; the basics of the election law; violations and penalties of this law; the roles and responsibilities of public officials in the electoral process; and the Code of Conduct for public officials. The media could play a key role in raising awareness for this training programme.

2) Consolidate efforts

The IEC and the United Nations should consider establishing an Electoral Certification Team (ECT) similar to those recently established for elections in Timor-Leste and Nepal. Such teams have successfully provided independent assessments throughout an electoral process, using a set of pre-established benchmarks.[2] This could be the case in Afghanistan, with the team also giving impartial, professional technical advice to create opportunities for the IEC and the broader stakeholder community to make any mid-course corrections deemed important. As the ECT would issue its assessments publicly, this would also enhance the legitimacy and credibility of the process. The mandate and approach of the ECT would be more technical and holistic than the process undertaken during the previous elections.

Given current public skepticism toward the GoA and issues of independence facing the IEC, a UN ECT in the coming electoral cycle could provide an extra measure of assurance to Afghans and the international community that the process

meets international standards, particularly if election observation missions are constrained for security reasons.

3) Improve the candidate vetting process

Confusion, skepticism and, eventually, public disappointment surrounded the candidate vetting process for the 2005 parliamentary elections. To avoid a similar situation, the IEC and the GoA, with support from the international community, need to ensure significant improvements to the process.

Initiatives currently underway will assist the Afghan authorities in designing a more robust process. However, much time will be required to ensure proper consultation and coordination among all relevant stakeholder groups, with time available before the coming election shrinking.

The separation of candidate vetting from nominations is a positive development resulting from the 2005 elections, and should be aggressively pursued. Once a vetting procedure has been finalised, it would benefit from a countrywide public awareness campaign. The public should be informed of the nature of the process, projected timelines and vetting criteria. This campaign would also clearly identify the GoA ministries and agencies that have a role in the process and define this role.

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2   UN Electoral Certification Team Timor-Leste, "Report 1," Annex 3, 2 November 2006, 1. In Timor-Leste, the UN Certification Team's objective was to, "be fully independent and impartial in making its findings and determinations. The team's mandate will be to assess whether the overall election process is proceeding satisfactorily, on the basis of electoral benchmarks to be developed by the certification team in consultation with the UN Secretariat and the Timorese electoral authorities."

I.   Introduction

In August or September 2009, Afghans will have their second opportunity to elect a President, and also Provincial Council representatives. Elections for the *Wolesi Jirga* and District Councils are scheduled to take place by mid-2010, marking the first complete election cycle in the post-Taliban period and an important milestone in the ongoing democratic transition for the people of Afghanistan.

With voter registration now underway, pressure is building on the Independent Election Commission (IEC), the Government of Afghanistan (GoA) and the international community to deliver successful elections, despite an apparent waning of the broader democratic transition process. These next elections face the major challenge of re-instilling public confidence in an mysterious process that failed to produce the changes promised during the initial phase of the last electoral cycle. Building support for a process that has produced marginal results for the most important stakeholder group in Afghanistan — its citizens — will be an ongoing challenge for generations to come.

Various technical challenges exist in the run-up to the elections. These include the complex processes of voter registration, candidate vetting, establishing and enforcing campaign financing regulations, and raising public awareness about the electoral process as a whole. The IEC will take the lead in organizing and implementing these processes in the forthcoming elections, but coordination between Afghan institutions and the international community will be paramount.

The success of the upcoming elections will require more than merely undertaking technical processes, and implementing these processes in themselves will be no small feat. Ensuring the involvement and participation of the Afghan people, throughout the country is fundamental. Simply delivering an election that meets a western-based set of technical standards will not sufficiently ensure the legitimacy and credibility of the process, particularly if it has no relevance to the voters or is seen to serve only the narrow interests of a select group of power brokers. Without full public engagement in the process, ongoing democratic development efforts will continue to be severely hindered.

Implementing an election in the context of Afghanistan presents particular concerns. To encourage citizen participation, two major contextual issues will need to be taken into account during the elections process. The first is the need to build capacity, both so the organisation and implementation of the electoral process can be truly Afghan-led, and so the experience in 2009 and 2010 more generally contributes to the democratisation process in Afghanistan. The second, and perhaps more urgent, issue is the deteriorating security situation in the country. Every effort needs to be made to avoid creating the perception that the upcoming elections were unrepresentative as a result of some areas being deemed inaccessible. This would only exacerbate existing disparities and fuel further tensions.

Essentially, much depends on what outcomes will be considered successful for the forthcoming elections. Measuring success through technical, Western standards will not be enough. Rather, the outcomes of these elections must be judged according to an Afghan perspective of legitimacy and credibility. It is vital that all parts of the country are given the opportunity to participate equally in the elections process; that candidates are provided with an equal opportunity to campaign for office; and that no stakeholder group can claim that they were not provided with the opportunity to participate. Only if these standards are met will the 2009 and 2010 elections mark a credible milestone in Afghanistan's democratic transition.

II.   Background

To many, the first set of elections in 2004 (Presidential) and 2005 (*Wolesi Jirga* and Provincial Council), was seen as the start of a new chapter characterised by hope, optimism and heightened expectations for the future of Afghanistan after decades of war and civil conflict. The 2004 elections were largely considered representative, with approximately 8.1 million people casting their vote on Election Day. As one senior political figure and former government member stated, "In the Presidential election, while there were a lot of problems, the result did reflect the will of the people."[3] However, the 2005 elections witnessed a drop in overall voter participation (6.4 million voters) and a number of serious challenges to the process including candidate vetting along with voting and counting irregularities.[4]

The optimism surrounding the initial elections appears to have been replaced by disappointment, skepticism and frustration among the Afghan population. The deteriorating security situation, rising ethnic tensions, and the increasing influence of local warlords and commanders now threaten to undermine the upcoming electoral process. Perceptions of the government as corrupt and incapable of meeting the basic economic and social needs of its citizens, as recognised in the Government's Afghanistan National Development Strategy, compound the situation. Furthermore, rule of law is limited, public institutions and governance structures are weak, and there are multiple and often parallel structures of state and non-state governance entities.[5] A number of observers have anticipated this: in the immediate post-

2005 electoral period, many warned of the harm to the nascent democratisation process that could result from a widening gap between public expectations and the limited capacity of the GoA and international community to live up to those expectations.[6] In its 2005 Election Observation Mission (EOM) report, the European Union noted that:

...[a] significant factor is closing the growing gap between the Afghan people's expectations related to state-building, reconstruction and development and the performance of the government and the international community. This cuts both ways. There are undoubtedly measures that can be taken by the government and the international community to improve the performance of state institutions and the delivery of services to the population. At the same time, in some respects expectations are unrealistic in terms of the speed or extent of positive change. In these areas, political and developmental objectives need to be honestly debated, to prevent the onset of widespread disillusionment that can result in public disengagement from the political process.[7]

Sadly,   in   the   intervening   three   years,

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3   Interview, Kabul, 14 June 2008.

4   See Michael Semple, "Afghanistan's Transitional Elections — Learning from the Parliamentary Elections of 2005," *Symposium on Strengthening Democratic Practices in South Asia, (*27-29 May 2008).

5   *Afghanistan National Development Strategy 1387-1391 (2008-2013),* xiii (Kabul: ANDS Secretariat, 2008). http://www.ands.gov.af/ands/ands_docs/index.asp (accessed October 2008).

6   See also Andrew Wilder, *A House Divided*, (Kabul: AREU, 2005).

7   European Union Election Observation Mission Report, *Democracy-Building in Afghanistan: An Integrated Dimension for the Way Forward* (2005), 3.

these predictions have not only seemed to materialise, but also accompanied a loss of any momentum gained from those earlier elections. Respondents in this study expressed frustration over the slow pace of democratic development.[8]

The risks and challenges facing the upcoming elections process are not necessarily different from those that were evident in 2004 or 2005. However, many of those interviewed for this paper noted that the lack of demonstrable progress on security, economic, social and governance issues has rendered these risks and challenges far more difficult to address or mitigate as the elections approach.

Afghanistan's Electoral Law, Electoral System and Political Structure

The current electoral law was originally drafted in 2004[9] and details various statutes on issues such as the nature of constituencies, the eligibility of candidates, technical procedures during elections and the role of the IEC. At present, a new draft of the electoral law is being discussed in the *Wolesi Jirga* that proposes a number of changes including the shift of vote counting from provincial to district levels and the requirement that voters carry national ID in order to be eligible to vote. Some articles in the new law have been discussed and approved, but there are many which remain highly contentious. One such article involves the issue of how many seats should be reserved for Kuchis, and this, among other issues, has contributed to a considerable delay in the legislative process for the new draft law. At the time of publication, it is uncertain whether the new law as it currently stands will be ratified, and particularly whether it will be ratified in time to affect the 2009 or even 2010 elections.[10]

The *Wolesi Jirga* has also passed a new political parties law, replacing the one that was passed under presidential decree in 2003. However, the new law was returned to Parliament as several sections were deemed to be unconstitutional and required alterations before the President would sign it into law. Once the new law comes into effect, political parties will be obligated to re-register in order to be officially recognised by the State. The timing of the new law coming into force could have a negative impact on the ability of political parties to participate fully in the electoral process, as their efforts may be focused on re-registration.

Afghanistan's chosen electoral system is the Single Non-Transferable Vote (SNTV).[11] Unfortunately, one of the major disadvantages of the SNTV system is that it ostensibly marginalises the role of political parties, in that there is no limit to the number of candidates who can stand in any one constituency and party nomination for candidates is not required. Indeed, in the 2005 parliamentary elections, candidates were not officially allowed to mention party affiliation on the ballot paper (although some candidates did so anyway). On the one hand, this led the majority of candidates to campaign as independents (and prevented many more from declaring any party allegiance they might have had). On the other hand, established parties were able to strategically manipulate the system by dispersing "their" candidates (who had not necessarily declared party allegiance) in order to gain as many seats as possible. In turn, this resulted in a parliament comprised of numerous contending voices with limited formal organisation of political interests, but with large parties informally represented in significant numbers nonetheless. Incidentally, the new draft of the electoral law does not propose any change to the electoral system. A provision for the alteration of SNTV with an inclusion of a party list was proposed, to form

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8   Interview, Kabul, 14 June 2008.

9   The law was subsequently overhauled in 2005 with the inauguration of Parliament. Since this time, a number of amendments have been made to the law. For more details see David Ennis, "Analysis of the Electoral Legal Framework of Afghanistan," International Foundation for Electoral Systems (IFES) (2006). http://www.ifes.org/publication/6edc69156bd6b8b2ff4b042d9fc49557/Analysis%20LegalFramework.pdf (accessed October 2008).

10   Article 109 (Chapter 5, Article 29) of Afghanistan's

Constitution states that "Proposals for amending the elections law shall not be included in the work agenda of the National Assembly during the last year of the legislative term." Given Article 109, agreement on a new electoral law ahead of the 2009 Presidential elections is unlikely.

11   For a more detailed examination of the challenges of the SNTV system see Andrew Reynolds and Andrew Wilder, *Free, Fair or Flawed: Challenges for Legitimate Elections in Afghanistan* (Kabul: AREU, 2004).

a kind of parallel system, but was rejected by Parliament in favour of retaining the previously used SNTV.

Admittedly, political parties in Afghanistan carry a negative public image,[12] but in countries with robust democracies, parties play a key role in the organisation of representative politics.[13] To date, political parties in Afghanistan have been provided with few opportunities to legitimise their role within the political process in Afghanistan and little external support, thus impeding their maturation. If parties do not begin to take a more central and overt role, the democratisation process will be hindered significantly. Therefore, parties must be fully engaged in the process to oversee the actions of their candidates, organise and maintain contact with their support base, and assist civil society organisations in educating the public.

During the 2005 elections, both the National Democratic Institute (NDI) and International Republican Institute (IRI) worked with political parties on a developmental basis. Following these elections, however, both organisational programmes and funding shifted focus to work with legislatures and elected representatives instead. Formally engaging political parties will give them the opportunity to demonstrate that they can make a positive contribution to the electoral process. Such engagement might also spur the evolution of the parties from personality-centric organisations to ones that are broad-based and issue focused. The potential contribution of the political parties to the electoral process could be put in jeopardy if they are forced to engage concurrently in a re-registration process, as would be required if the new Political Parties Law comes into effect within the next few months.[14]

Candidate Perspectives

In interviews, the majority of elected representatives and prospective candidates were concerned with the impact of the deteriorating security situation on the upcoming elections. Many also expressed deep suspicion toward the GoA and the potentially negative role that public officials could play in the process, particularly as the elections draw nearer.

While most of the elected representatives interviewed intended to seek re-election, at least one had decided not to run again. This representative considered voter expectations (particularly concerning economic and social reforms) too high to be met. Consequently, the representative argued, good candidates are being driven out leaving warlords and commanders in their place, which would only worsen the political situation.

Some elected parliamentarians belonging to smaller political parties view the 2009 elections as a testing ground for new electoral campaign techniques. Recognising the limitations of the SNTV system, they aim to develop strategies to overcome the challenges that organised parties have in running candidates. For example, rather than running a full slate of candidates within a particular province, smaller parties are holding preliminary discussions designed to reach an informal agreement on the total number of candidates they will collectively run.[15] Knowing the number of candidates that their vote base will be able to elect, these smaller parties are hoping that with strategic cooperation, they will be more able to collectively compete with the big name candidates. Indeed, despite the failure of the *Wolesi Jirga* to pass a new election law replacing SNTV, a number of elected representatives interviewed for the paper still appear to recognise that political parties should have a more formal role in the future of Afghanistan's political discourse.

Many of the same candidates also planned to run an issues-based campaign, as opposed to one focusing on personality. Running against the record and performance of the GoA,

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12   For a comprehensive analysis of the history of political parties in Afghanistan see Thomas Ruttig, *Islamists, Leftists — and a Void in the Center. Afghanistan's Political Parties and Where They Come From (1902-2006) (*Konrad Adenauer Stiftung, 2006).

13   Please see AREU's forthcoming briefing paper series on the role of political parties in Afghanistan for more information on this topic.

14   Islamic Republic of Afghanistan, *Political Parties Law*, Article 9(b), 2007.

15   Respondents indicated that this informal collaboration would not initially result in these smaller parties merging, but if the arrangement works well and they share similar policy platforms, it may lead to further consolidation. This being the case, on-going support to parties such as these is extremely important.

and also against other candidates who have a questionable record as parliamentarians, appears to be an emerging strategy.

Many representatives sense that the public mood is for change, and therefore predict that new candidates will stand for election. All must re-evaluate their positions and decide whether it is feasible to run again using the same political campaign as before or whether they must recast themselves as reformers. Analysts and observers expect that only a small minority of representatives elected in 2005 will be re-elected in 2009 and 2010, due to the low esteem that the public currently has for its parliamentarians. Given the way Afghan politics is traditionally played, though, most elected representatives will likely keep their options open until they are required to file their nomination papers for the next elections.

Managing Electoral Processes in 2008-10: Actors and their Roles

The process of organising and implementing the elections over the next two years will be a highly complex task, involving numerous actors. This section outlines the key players and their prospective roles within the electoral processes.

The Independent Electoral Commission (IEC)
In a notable shift away from international lead agencies, Afghan institutions — and primarily the IEC — will be responsible for organizing and delivering the forthcoming elections. In 2004 and 2005, the Joint Electoral Management Body (JEMB) oversaw elections, with operational support from the Joint Electoral Management Body Secretariat (JEMBS). Both Afghans and internationals staffed these bodies, with additional support from other international stakeholder organisations including United Nations Development Programme (UNDP) in 2004 and the United Nations Office of Project Services (2005).

The IEC was formed between elections to spearhead the management and administration of the electoral process. It faces a number of challenges, not least of which is its perceived connection to the government, bringing its independence and impartiality into question.

This could precipitate an ominous debut for the IEC, given the present lack of public confidence in most GoA institutions. The fact that the chairman is a presidential appointment — and certain statements he has made — have further compromised this independence. These statements, reflecting his personal views on candidate qualifications, were seen as a major breach in protocol directly impacting the independence of the IEC. His actions caused the Free and Fair Elections Foundation of Afghanistan (FEFA) to issue a press release requesting "the Independent Election Commission to announce its official stand over the statement of Mr. Luddin in order to help restore people's confidence in the impartiality of the IEC."[16]

The Government of Afghanistan
The GoA, through its many ministries and agencies, will play a supportive but also important role in the upcoming electoral process. This role will enhance the capacity of public institutions and governance structures. Many of those interviewed, though, did not see the participation of government ministries and agencies in a positive light and worried about their role and the potential negative impact of their involvement in the upcoming elections. One key aspect of GoA support to the elections, though, will be the mobilisation and training of Afghan security forces, namely, the Afghanistan National Army (ANA) and the ANP (Afghanistan National Police).[17]

Election Observation Organisations
Through the support of various international donors, FEFA has managed to continue operations since the 2005 elections. During the interim, it has engaged in various advocacy and research activities. FEFA recognises that the worsening security situation could potentially impact its ability to recruit and deploy observers throughout the country. This will likely have a significant impact on international

16 See FEFA Press Statement, 13 July 2008: *FEFA is concerned over the comments made by the head of Independent Election Commission on the criteria for Presidency, and regards such statement in breach of IEC's impartiality.*

17 The ANP will be responsible for security around the immediate area of the voter registration sites and polling stations, while the ANA will provide backup security for the ANP.

Election Observer Missions as well. It will be important, then, to reach out to political parties and candidate agents (acting on behalf of candidates)[18], so that they can take on a more informed and engaged role in monitoring the electoral process.

Electoral Complaints Commission

Regardless of whether the upcoming election will be contested under the current or a new electoral law, the Electoral Complaints Commission (ECC) will play an important role in investigating and adjudicating alleged offences and violations. The ECC's most significant challenge during the 2005 elections was its lack of time and resources for the effective planning and managing of its many programmatic activities. The key to the effective functioning of the ECC will be to start the planning cycle early,[19] and to give it the complete independence and resources it needs to fully meet its mandate. Working groups have been established to map out the ECC, with UNDP ELECT, the International Foundation for Electoral Systems (IFES), and the United Nations Assistance Mission in Afghanistan (UNAMA) responsible for these groups.

International assistance

The budget for the current four-phase voter registration process alone is over US$102 million. Budgets for the 2009 and 2010 elections as a whole are still being developed for the donor community, but preliminary estimates are in the range of US$120-$150 million per election. However, the greatest concern identified in the interviews was not a lack of pledged funds but rather the timeliness of those funds being made available for use.

The principal means of channelling these funds appears to be through a basket fund managed by the UNDP ELECT programme, which will be the lead support agency to the IEC. This fund will provide financial support to the IEC and a number of other election-related activities. Much of the bilateral funding pledged will be provided through this programme, and it is hoped that this mechanism will improve coordination among agencies. International nongovernment actors involved include NDI, IRI, The Asia Foundation and IFES, among others.

Issues of coordination

One of the benefits of UNDP ELECT is that it provides a central mechanism for the coordination of international assistance. Given the number of actors involved, however, coordination between national and international actors, government and nongovernment agencies, and among government agencies themselves will be key. The successful outcome of the electoral process partly depends on the coordination and support of a number of GoA ministries and agencies. While the security ministries and agencies (such as the Ministry of Defense and Ministry of Interior Affairs) are likely to be the most visible partners in the electoral process, a number of the other ministries will also have important supporting roles to the efforts of the IEC. They include: the Ministry of Education, Ministry of Women's Affairs, Ministry of Rehabilitation and Rural Development, and the Ministry of Religious Affairs. A key challenge for the IEC will be to have formal memoranda of understanding (MOU) in place with these ministries and organisations; these MOUs must clearly define the actions and resources needed to support the electoral process. During interviews in June 2008, there was reportedly no formal MOU between the IEC and the Ministry of Education for the use of schools as voter registration sites.[20]

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18   Candidate agents are selected by candidates to oversee and monitor activities on election day at polling stations, and to register any complaints with the election process on behalf of the candidate, who is prohibited from being present at the polling station. Candidate agents may also play a role in assisting with the candidate's campaign prior to election day. See www.jemb.org for further information.

19   Planning recommended to begin immediately at the time of publication (November 2008).

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20   Interview, Kabul, 14 June 2008.

III.   Technical Processes

The first phase of voter registration began on 6 October 2008, with less than 12 months remaining before voters go to the polls. As such, both the IEC and supporting international organisations are increasing their efforts. On some fronts, particularly security, work has already been underway for months to prepare for the voter registration process, which was originally expected to begin during the summer months. The following section outlines the technical processes which will need to be undertaken imminently in preparation for the elections next year.

1)   Voter registration

The development of a modern voter registry for the next electoral cycle has proven to be an elusive task despite being identified as a priority activity in the 2006 Afghanistan Compact.[21] Instead, preparations for the 2009 elections will involve updating the 2005 voter registry and adding new security features to updated voter registration cards. Indelible ink will once again be needed at the polling stations on Election Day to deter multiple voting. Voter registration cards issued during the previous electoral cycle, however, will remain valid in the forthcoming elections.

Other issues impacting the voter registration process include:

Legal framework — At the time of writing, the IEC does not yet know whether it will be operating under a new electoral law or the one that was in place in 2004 and 2005.

Hiring, training and mobilizing the registration teams — The IEC must be able to hire and sufficiently train the approximately 23,500 staff necessary to minimise or eliminate the problems associated with the 2004 and 2005 voter registration process.

Security — Providing security for the voter registration sites will be difficult given the deteriorating security environment. National and international security forces are engaged but questions remain regarding the effective coordination between the national security forces (ANA and ANP).

Voter population — The size, geographic distribution and large rural population of Afghanistan complicate the logistics and implementation phases.

Getting the message out — Public awareness and civic education programmes will be needed to inform the voter population. In particular, these programmes could target new voters, those who have lost their existing voter registration cards, and citizens who did not register for the previous elections. The media played a key role in raising public awareness about the elections in 2004 and 2005, and again will be an important channel for communicating public information messages throughout the voter registration process for the current electoral cycle.

Funding — The timely provision of funds to the IEC and UN will be critical to minimise problems with procurement and logistical operations.

Many respondents saw the upcoming voter registration process as an important benchmark

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21   Islamic Republic of Afghanistan, *The Afghanistan Compact* (London: February 2006), 7.

against which to gauge the population's interest in participating in the upcoming elections and ability to do so given the security situation.

2) Candidate vetting

Arguably the most contentious issue affecting the credibility and legitimacy of the electoral process among Afghans is that of candidate vetting. During the 2005 candidate nomination process, 557 candidates (out of a total 6,102 *Wolesi Jirga* and Provincial Council candidates) had challenges filed against their nominations, with 11 disqualified for having links to illegal armed groups. In the subsequent electoral period, a total of 23 candidates were disqualified for the same reason.[22]

Observers and analysts noted that a significant number of successful candidates in the 2005 elections were well known warlords, commanders, or drug traffickers. In *A House Divided,* Andrew Wilder cites various sources in estimating that these types of candidates accounted for somewhere between 40 percent to more than 80 percent of the newly elected members to the *Wolesi Jirga.*[23]

The 2005 candidate nomination process, of which vetting was a part, suffered from a number of problems. The first involved timing: due to the tight electoral calendar, the vetting took place within a relatively short period of time and the process itself was not well understood. The second problem concerned capacity. The ECC was legally constituted a short time prior to the start of the candidate nominations process, and was forced to undertake the challenge process without adequate preparation in terms of personnel or resources. The third problem related to transparency: ECC vetting relied solely upon the word of the separate Joint Secretariat of the Disarmament and Reintegration Commission (JSDRC). The ECC (a public institution) did not have the opportunity to review any evidence firsthand. This impacted the transparency of the process significantly, as the information provided by the JSDRC was not publicly available.[24] In addition, members

of the public speculated that deals had been made between various government ministries to protect their supporters and informants who were running as candidates. As the following quotations demonstrate, this perceived lack of transparency impacted the credibility of the candidate nomination process:

The international community needs to lead on the vetting process because people have no confidence in Afghan institutions. They are too weak, too corrupt and too willing to make deals that benefit themselves not the Afghan people.[25]

—a Provincial Council member

Disbandment of Illegal Armed Groups and Disarmament, Demobilization and Reintegration have not been effective and will have an impact on the elections.[26]

—a *Wolesi Jirga* member

Candidate vetting was a very politicised process last time…therefore there needs to be a completely different approach used for the next elections, particularly for candidate vetting. Part of the approach should be to focus on educating people about how they can vote for anyone they like.[27]

—an international official

This perceived lack of transparency in the last elections poses a serious challenge for the next ones. At the moment, however, a number of initiatives aimed at improving the candidate vetting process are underway. UNAMA is leading working groups for candidate vetting and verification. One of the main objectives of these efforts is to separate the vetting process from candidate nominations. The new electoral law presently being debated in the *Wolesi Jirga* sets out a new vetting process but contains little detail on specific procedures.

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22   Electoral Complaints Commission of Afghanistan, "Final Report" (Kabul: ECC, March 2006), 20.

23   Andrew Wilder, *A House Divided*, 14-15.

24   JSDRC membership included the Ministry of Interior,

the Ministry of Defence, the National Security Directorate, the International Security Assistance Force (ISAF), the Combined Forces Command Afghanistan (CFC-A) and UNAMA.

25   Interview, Herat, 21 June 2008.

26   Interview, Kabul, 24 June 2008.

27   Interview, Herat, 21 June 2008.

As the previous quotations indicate, the vetting process will likely be a priority for many Afghans in determining the credibility and legitimacy of the upcoming electoral process. The question being raised is how to treat candidates with known links to corruption, the drug trade, human trafficking or documented human rights violations. Given the seriousness of this issue, along with the consultation and coordination that will need to take place among the many vetting process implementers, time will be important to a viable and transparent process prior to the next elections.

3)   Campaign financing

Both the 2004 and 2005 elections had campaign financing regulations, although the regulations were introduced mere days before the official 2004 presidential campaign period began. This made compliance difficult for the candidates. During the 2005 elections campaign finance reporting guidelines were issued by the JEMB/ JEMBS, but no systematic audit was conducted during or following the election period to determine whether candidates had complied with the regulations.

Drug-related funds have a pervasive influence on the Afghan economy, and there are allegations of candidates accepting foreign support for their campaigns. As such, the proper accounting and reporting of funds used for electoral campaign purposes was identified as a key problem by study respondents for this study:

> *The use of black money will be prevalent in the 2009 elections unless steps are taken to address the issue now.*[28]

> —a senior GoA official

> *There are a lot of bribes and corruption going on…and candidates spend a lot of money on their campaigns and they want to use their elected positions to make money.*[29]

> —a human rights activist

In March 2008, FEFA released a report entitled *The Transparency of Political Wealth* which examined the issue of political and electoral

financing in the country.[30] The report made strong recommendations with respect to electoral financing. These included establishing a separate administration within the IEC to investigate, evaluate, control and report on candidates' financial affairs; *and* undertaking a broad public outreach awareness programme so that citizens understand the monitoring process and their rights and responsibilities to file complaints and objections regarding possible violations. Evidently, electoral campaign financing is one area where considerable work needs to be undertaken by the IEC with the support of the international community.

One area of particular concern is the perception that candidates are able to draw upon government resources to support their campaigns. During the 2004 and 2005 elections, there were many instances and allegations of government resources being used to support the campaigns of particular candidates. While a presidential decree banned officials from using their office or government resources in election campaigns, the measure was seen as having little impact. Given the central government's present weak authority and governance structures outside of Kabul, coupled with the recognised corruption within public institutions, many of those interviewed predicted that the use of government resources in the upcoming election campaign would be a serious issue.

When asked how government resources were being used for electoral purposes, respondents repeatedly cited the activities of the Independent Directorate for Local Government (IDLG). The IDLG is allegedly being used to direct the re-election efforts of the President. Critics of the Directorate are quick to point out that the IDLG unofficially places sympathetic public officials in positions from which they can support Karzai's re-election efforts. One respondent also connected the issue to ethnic concerns:

> *The IDLG is using ethnicity to push Karzai's re-election campaign.*[31]

> —a political activist in Herat

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28   Interview, Kabul, 7 June 2008.

29   Interview, Herat, 21 June 2008.

30   Free and Fair Election Foundation of Afghanistan, *The Transparency of Political Wealth* (Kabul: FEFA, March 2008), 34-37.

31   Interview, Herat, 22 June 2008.

While no formal complaints appear to have been made to government authorities about the IDLG's unofficial activities, the allegations threaten the credibility and legitimacy of the upcoming electoral process. This emphasises the need to establish very clear directives, as well as an effective monitoring and enforcement process, regarding the roles and responsibilities of public officials involved in the process.

4)   Raising public awareness

One of the most pressing challenges facing the upcoming elections identified in the interviews was the urgent need to provide long-term, civic education programming about the electoral process to the people of Afghanistan. A women's activist in Herat argued that:

> *Afghans' understanding of democracy and elections is very limited and they need to improve their understanding and awareness. Afghans don't understand that they need to work at building democracy... they think it is imported from Western countries.*[32]

One Provincial Council member further emphasised the need to focus on long-term strategies, stating:

> *Democracy is not a postcard to be sent to Afghanistan.*[33]

Other respondents noted that the civic education programmes undertaken in 2004 and 2005 were symbolic and insubstantial, and that more time will be needed to improve and expand these efforts in the run-up to the next elections.[34]

The objective of civic education programming this time around, then, would be to build a better appreciation and awareness of the electoral process among voters. Ideally, this would not only lead to a better public understanding of the basic concepts and activities, but also empower voters to become more engaged with processes of democratisation. As this paper discusses earlier, providing voters with a better understanding of the process may help to reduce the inflated expectations voters currently have towards their elected representatives and government.

Following the 2005 elections, EOMs also recommended the implementation of long-term and inclusive civic education programmes focused on the electoral process. Unfortunately, because no funding was allocated for this purpose, little if any work has been done during the interim period. Now, however, funding for such programmes will come from the donor community, with the IEC and supporting international organisations (such as UNDP ELECT and IFES) implementing the programmes. With elections less than a year away, there is an urgent need for these types of programmes to begin immediately. The sooner they are initiated, the better chance they have of reaching the broadest possible segment of the voting population prior to the next elections.

This section has outlined the key technical processes that will be taking place in preparation for the elections, and has identified some of the related key issues that lie ahead. It is also important to situate the technical processes within the contextual environment of Afghanistan.

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32   Interview, Herat, 22 June 2008.

33   Interview, Herat, 21 June 2008.

34   Interview, Kabul, 16 June 2008.

IV.   Contextual Issues

Conducting elections in any democracy often means addressing a unique set of risks and challenges; in a post-conflict country like Afghanistan, the magnitude and complexity of such challenges can be daunting. Two fundamental contextual issues which will significantly affect the way the elections play out over the next two years are capacity and security.

1)   Capacity

For the IEC, the most immediate challenge in assuming control over the electoral process will be to quickly transition from a mostly inactive entity into a fully-functioning, operationally-focused organisation with a presence in every district in the country. In the voter registration process alone, this means hiring and training over 23,500 people to staff an estimated 800 registration sites, managing procurement and logistics to support the process, and retain financial and administrative systems to oversee a voter registration exercise valued, alone, at over US$100 million.

A number of senior officials who were in place for the 2005 elections have since moved on to other non-electoral employment. This lost expertise complicates the current situation. Several observers have commented on the IEC's presently limited capacity and are already expressing frustration. One Afghan close to the process highlighted this frustration, asking:

Where was the international community in the interim period and why was not more done to build capacity?[35]

Challenges in personnel capacity also exist at the local level. In 2005, 540 internationals worked for the election authority itself: that number has fallen to only 130 currently present in country. Nonetheless, international advisors working with IEC officials will be able to partially compensate for a lack of experience in Kabul. The greater challenge, then, will be working with a substantially larger pool of electoral officials at the provincial and district levels.

The hiring and training of electoral officials, who will be expected to perform their duties impartially and transparently, will be critical. With a bleak employment situation throughout the country, many people see the electoral process as an income-earning opportunity, but their personal economic situation also leaves them potentially vulnerable to bribes and intimidation. One respondent summed up the situation by stating that election officials need to be better trained than in 2004 and 2005 and not driven simply by money, given that large amounts of money were exchanged with election officials last time.[36]

IEC officials acknowledge the challenge of recruiting and training election workers, but in a worsening security environment and with little time until the election, they have limited ability to tackle this problem. As this could negatively impact the credibility and legitimacy of the upcoming election process, the IEC must make every effort to ensure proper recruitment and training.

2)   Security

For most of the past 30 years, violence has permeated nearly every aspect of Afghan society and indiscriminately impacted the lives of its citizens. The first set of elections was plagued by violence in certain provinces, and six candidates lost their lives in the 2005 election campaign. Multiple suicide bombings targeted both electoral officials and civic education contractors. Local armed militia groups and local government authorities supporting particular candidates gave rise to alleged acts of intimidation and violence against others contesting these positions. Due to the limited presence of Afghan or international military forces, there were also instances of voter intimidation and areas where candidates could not campaign freely.[37]

Over the past three years, the security situation

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35   Interviews, Kabul, 7-8 June 2008.

36   Interview, Herat, 22 June 2008.

37   National Democratic Institute for International Affairs, *The September 2005 Parliamentary and Provincial Council Elections in Afghanistan (*Kabul: NDI, 2005), 6-7.

has deteriorated dramatically.[38] Levels of violence and insecurity have risen steadily, most notably in the southern, southeastern and eastern regions of the country. While hostilities are mostly confined to these areas, the conflict is expanding geographically, and civilians are increasingly caught in conflict. Many respondents, noting the worsening security situation, believe that it could jeopardise elections taking place next year.

During interviews, security was cited as the overarching challenge to the next elections. First, respondents discussed the general security environment, largely defined by the ongoing fighting between the Taliban-led insurgency and the Afghan security forces (ANA and ANP),[39] with the support of international military forces. The second dimension pertained to the rise in criminal activities, thought to be driven by the increasing influence of local warlords, drug lords, commanders and illegal armed groups. Most of these latter groups operate at the regional or district level, with some having alleged ties to government officials. Respondents see the rise in criminal activity as likely to have a disproportionate amount of influence over the upcoming electoral process:

> There are groups and factions that are active now who benefit directly from the instability and insecurity. They benefit politically and economically. They are implementing a deliberate strategy of instability now, in advance of the elections, because they will use this to consolidate power in the electoral process. These people have grown up with insecurity — it is all they know — and they cannot function in any other environment.[40]

—an elected representative in Herat

Commanders now have authority so the credibility, security and transparency of the

elections will be difficult.[41]

—a civil society activist

The deteriorating security situation has the potential to affect the electoral environment in a number of different ways including:

Inhibiting free and open campaigns
A lack of local ANP presence may force candidates into paying extortion fees for nomination papers or protection during the campaign. Some candidates could also use local commanders and government forces to intimidate the local population into supporting their candidacy.

Offering insurgency opportunities
International military forces and Afghan security forces are currently developing security mechanisms for voter registration and election-day activities. However, they may not have the operational resources to provide a uniform secure environment over the course of the campaign period. A shortage of security personnel could provide windows of opportunity for commanders and militias to threaten the security situation, particularly at the local level.

Preventing election support programmes
A volatile security environment and rise in violence will dramatically impact the ability of domestic and international non-governmental organisations to deliver essential electoral support programmes, such as civic education and public awareness campaigns. This environment will affect the recruitment and training of programme personnel; the quality, effectiveness and coverage of programming for targeted populations; and programme delivery timelines. Rising security costs will leave reduced funds for programmatic activities.

Limiting election monitoring and reporting
The ability of domestic and international EOMs to monitor and report on the electoral process throughout the country will be constrained by the security environment. Restrictions on mobility due to the security situation will affect deployment and observation plans. The effectiveness of their observations and

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38   See the 1 August 2008 statement by ACBAR (Agency Coordinating Body for Afghan Relief) on the Protection of Civilians in Afghanistan. Also reference the recent killing of four IRC workers on 13 August 2008.

39   ANA strength as of April 2008 approximately 50,000 and ANP approximately 76,000. Source: North Atlantic Treaty Organization, "Progress in Afghanistan," Bucharest Summit, 2-4 April 2008.

40   Interview, Herat, 21 June 2008.

41   Interview, Herat, 22 June 2008.

reporting will be compromised, as will their ability to accurately assess the credibility and legitimacy of the electoral process.

The issue of ethnicity

Given the multi-ethnic composition of the Afghan population and the political, social and economic tensions that have existed among these groups over the years, it was not surprising that ethnic politics was another factor cited in interviews.[42] Respondents saw this as contributing to the rise in violence and insurgency, affecting both the security and political environment in the country.

> *The North/South gap in the country is growing, as are the conflicts between the tribes…and the Northern Alliance/Pashtun conflict is the only motivation for the GOTV (Get Out The Vote) activities.*[43]
>
> —a civil society official

One international official warned that the international community may inadvertently be playing into the domestic ethnic politics, further compounding the rising tensions:

> *Pashtuns feel that the international community and military forces are against them and are suspicious that both are pro-Tajik.*[44]

One of the key challenges to the coming electoral process is to ensure that the elections are as representative as possible. In general, security levels are lowest in provinces in the south and east — areas which are predominantly Pashtun in ethnic composition. Due to high security

risks, there is a fear that carrying out free and fair elections in these areas will be extremely difficult. It will require significant resources to ensure that the population can vote safely, and if a considerable commitment to providing these resources is not made by the government and international community, the end result could be that Afghans living in these areas could be (or could perceive themselves to be) disenfranchised from the process. This could exacerbate existing ethnic tensions between Pashtun and non-Pashtun Afghans, resulting in the former suspecting the international community of delivering electoral assistance partially in favour of non-Pashtun ethnicities.

Given the monumental security issues challenging the success of the electoral process, it must be asked: can elections take place under such arduous circumstances? The answer depends on the reasons — perceived or real — for the current insecurity. Some observers see the present insecurity as politically motivated, designed to obstruct the introduction of an accountable and responsible system of government.

Others view the rise in violence, particularly at the local level, as an attempt by some actors to exert influence on an unfamiliar process. Some commentators argue that the insecurity indicates frustration with the current government, and that once elected representatives are replaced the security situation will improve. As democratic processes are relatively unfamiliar in Afghanistan, turning to violence to induce change is not a surprising course of action. Still others maintain that the rise in violence results from external actors trying to exert influence on Afghanistan's domestic situation.

Whatever the reasons for the increasingly volatile security situation, however, the question remains: how can the instability be prevented from impeding the electoral process? The answer, according to a former government minister, lies in engaging all stakeholders to restore confidence in the electoral process.[45] Commenting generally on the stability of democratizing states, Larry Diamond asserts that:

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42   Ethnicities in Afghanistan's population include: Aimak, Baloch, Hazara, Nooristani, Pashai, Pashtun, Tajik, Turkmen, Uzbek and others. "Kuchis" or nomads form autonomous groups; the majority of them are Pashtun, but there are Baloch nomads and others. The actual percentages made up by each ethnic group are contested, with various sources differing widely. See Conrad Schetter, *Ethnizität und ethnische Konflikte in Afghanistan* (Berlin: Dietrich Reimer, 2003), 121-162.

43   Interview, Kabul, 16 June 2008. GOTV generally refers to activities undertaken by candidates to ensure their supporters show up to the polls on Election Day to vote.

44   Interview, Kabul, 12 June 2008.

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45   Interview, former government minister.

Ultimately, if democracy is to become stable and effective, the bulk of the democratic citizenry must develop a deep and resilient commitment to it. That is why democratic civil society leaders in so many emerging democracies have placed such a high priority on civic education and mobilisation efforts that seek to inculcate democratic values, knowledge, and habits at the mass level.[46]

More specific ways in which this widespread ownership of the democratic process might be achieved in Afghanistan were given in Ways Forward.

Interestingly, none of the respondents suggested that next year's elections be postponed at this time; most felt that it is still too early to tell whether elections can or cannot be held due to security considerations. Respondents also generally felt that voters themselves would not decide whether it was safe enough to vote until just before Election Day.

V.   Outcomes: Defining Success

When asked what constitutes success for the coming set of elections, both Afghan and international respondents most commonly responded that they needed to be credible, transparent and — above all — legitimate:

The widespread sense of flaws in the conduct of elections somewhat detracts from the legitimacy of the current parliament but if it cannot be addressed in future rounds it risks undermining the perceived legitimacy of those elections even more decisively than happened in 2005.[47]

Domestic and international EOM reports from the 2004 and 2005 elections make over 270 separate recommendations for future improvements.[48] The top five most frequently mentioned categories of recommendation were:

1. Election administration

2. Electoral complaints

3. Legal framework

4. Women in the electoral process

5. Voting, counting and tabulation

Future EOMs will likely use these recommendations to begin a retrospective analysis to benefit upcoming electoral process. In *advance* of the next elections, a general consensus must emerge around what would constitute a successful election process in Afghanistan. Many respondents stated that there is a clear need for the process to be seen as credible, legitimate and transparent. They did not specify, though, what exactly these words would mean, particularly to the millions of Afghans who lack even a most basic understanding of the electoral process. While internationally accepted election observation standards can help produce a technical assessment of the process, some consideration should also be given to developing other measures that Afghan voters could use to determine whether the process has been successful or not.

To this end, the following three measures of success are put forward for consideration:

All parts of the country are given the opportunity to participate equally in the elections process
Security conditions notwithstanding, every effort must be made to avoid jeopardising or render the process unrepresentative by excluding insecure areas, thereby playing into the ethnic tensions that are prevalent within the country;

Candidates are provided with an equal opportunity to campaign for office
They should not be intimidated by opponents or illegal armed groups associated with local

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46   Larry Diamond, *Developing Democracy: Toward Consolidation*, (Baltimore, MD: Johns Hopkins University Press, 1999), 174.

47   Michael Semple, *Afghanistan's Transitional Elections — Learning from the Parliamentary Elections of 2005*, (May 2008), 18.

48   See OSCE, "Recommendations," 2004; OSCE "Recommendations," 2005; EU EOM Report, *Democracy Building in Afghanistan*; and FEFA, *General Report*.

commanders or government officials acting in their own interest;

No stakeholder group can claim that they were not provided with the opportunity to participate in the electoral process
At the end of the next electoral cycle the IEC, the GoA and the international community must be able to answer one fundamental question: "Did we do everything in our ability to ensure a successful elections process?"

Since the last elections, inflated expectations have only hindered public support for the democratic transition. Essentially, the forthcoming elections need to be viewed and approached more pragmatically by both Afghans and internationals. Expectations concerning outcomes need to be realistic. Above all, the election process as a whole must be viewed by the Afghan population as credible and legitimate.

VI.   Conclusions

Despite the myriad challenges facing the next elections in Afghanistan, improvements have been made since 2005. The IEC's new role as lead agency for voter registration and the Presidential, Provincial Council, *Wolesi Jirga* and District Council elections over the next two years is a positive step forward.

On a technical level, these elections will bring the GoA a series of challenges but also a unique opportunity to demonstrate to its population that it is fully committed to the country's continued democratic transition. It can do this by taking visible and tangible steps to support the electoral process. These steps include: ensuring the full cooperation and support of government ministries, agencies and public officials in all aspects of the electoral process, and taking more than token measures to prevent the illegal use of state resources or participation of its officials.

Afghans will also be looking to the international community not only to provide funding and technical support but also to guarantee the credibility and legitimacy of the process. This means more than simply providing routine, perfunctory support. The international community has the opportunity to renew its commitment to a successful electoral process, and to support the momentum this process will bring to the ongoing democratisation efforts. While Afghans must take responsibility and accountability for the democratic transition processes now underway, the international community must remain a fully committed partner for many years to come.

The two major contextual challenges faced by election organisers and implementers will be capacity and security. A fundamental lack of understanding and general disillusionment about the electoral process and democracy among the voting public, combined with the limited capacity of the IEC and a quickly diminishing timeframe will prove difficult. Of perhaps greater concern, worsening security could render the election unrepresentative and exacerbate ethnic tensions by hindering technical processes and limiting both implementer and voter access and involvement.

Afghanistan after one, and soon to be two, election cycles is a long way from a fully-functional, representative democracy. It will take many more iterations, and committed leadership and engagement, to ensure that the complex democratisation process now underway succeeds. Principally, to build public confidence in the country's emerging democracy, both national and international efforts must be directed toward (and seen publicly as) supporting this *process* rather than individual personalities.

The recommendations in this paper do not address all the challenges facing the next elections, but they do attempt to respond to important issues identified in interviews and secondary sources. Steps to combat capacity gaps and grave security concerns must be taken immediately to ensure that Afghans see the electoral processes of 2009 and 2010 as a legitimate and credible success. Without such efforts, one civil society activist noted by paraphrasing an Afghan proverb, the elections efforts "will simply be putting mud in the water in order to cross the river."[49]

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49   Interview, Kabul, 16 June 2008.

Selected Bibliography

Afghanistan National Development Strategy 1387-1391 (2008-2013), xiii (Kabul: ANDS Secretariat, 2008). http://www.ands.gov.af/ands/ands_docs/index.asp (accessed October 2008).

Afghanistan Indpendent Human Rights Commission (AIHRC) and UNAMA. *Joint Verification of Political Rights,* Wolesi Jirga *and Provincial Council Elections, Third Report*. Kabul: 17 August-13 September 2005.

Agency Coordinating Body for Afghan Relief (ACBAR). *Statement on the Protection of Civilians in Afghanistan*. 1 August 2008.

Diamond, Larry. *Developing Democracy: Toward Consolidation*. Baltimore, MD, USA: Johns Hopkins University Press, 1999.

Electoral Complaints Commission of Afghanistan. "Final Report." Kabul: ECC, March 2006.

Ennis, David. "Analysis of the Electoral Legal Framework of Afghanistan." International Foundation for Electoral Systems (IFES). 2006. http://www.ifes.org/publication/6edc69156bd6b8b2ff4b042d9fc49557/Analysis%20LegalFramework.pdf (accessed October 2008).

European Union Election Observation Mission Report. *Democracy-Building in Afghanistan: An Integrated Dimension for the Way Forward*. 2005.

Free and Fair Election Foundation of Afghanistan (FEFA). *General Report on 2005 Wolesi Jirga and Provincial Council Elections in Afghanistan*. Kabul: FEFA, 2005.

Free and Fair Election Foundation of Afghanistan (FEFA). *The Transparency of Political Wealth*. Kabul: FEFA, March 2008.

Free and Fair Elections Foundation of Afghanistan. *Press Statement*. 13 July 2008.

Human Rights Watch. *Open Letter from Human Rights Watch to the International Afghanistan Support Conference*. 10 June 2008.

Islamic Republic of Afghanistan. *Constitution of Afghanistan*. 2004.

Islamic Republic of Afghanistan. *Political Parties Law*. 2007.

Islamic Republic of Afghanistan. *The Afghanistan Compact*. London: February 2006.

National Democratic Institute for International Affairs. *The September 2005 Parliamentary and Provincial Council Elections in Afghanistan*. Kabul: 2005.

Organization for Security and Co-operation in Europe (OSCE), Election Support Team to Afghanistan. *Recommendations,* 18 October 2004.

Organization for Security and Co-operation in Europe (OSCE), Election Support Team to Afghanistan, *Recommendations on 2005 Parliamentary Elections*, October 6, 2005.

Reynolds, Andrew, and Andrew Wilder. *Free, Fair or Flawed: Challenges for Legitimate Elections in Afghanistan*. Kabul: Afghanistan Research and Evaluation Unit, September 2004.

Ruttig, Thomas. *Islamists, Leftists – and a Void in the Center. Afghanistan's Political Parties and where they come from (1902-2006).* Berlin: Konrad Adenauer Stiftung, 2006.

Schetter, Conrad. Ethnizität und ethnische Konflikte in Afghanistan. Berlin: Dietrich Reimer, 2003.

Semple, Michael. "Afghanistan's Transitional Elections — Learning from the Parliamentary Elections of 2005." *Symposium on Strengthening Democratic Practices in South Asia.* 27-29 May 2008.

United Nations Electoral Certification Team Timor-Leste. *Report 1.* 2 November 2006.

Wilder, Andrew. *A House Divided.* Kabul: Afghanistan Research and Evaluation Unit, 2005.

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