

14 Sept 2010: 4 days to E-Day

Afghanistan *Wolesi Jirga* Elections, 18 Sept 2010

For the 2010 Afghan *Wolesi Jirga* elections, the National Democratic Institute (NDI) is conducting an observation mission and analyzing the electoral process before, during and after election day. This mission involves more than 140 international analysts and Afghan observers throughout the country. For more information, visit NDI.org and AfghanistanElectionData.org.

What role are insurgent groups playing? Armed opposition groups both disrupt and shape election

Insurgent groups, including the Taliban, are reportedly endorsing candidates in an attempt to influence the outcome of the Sept. 18 *Wolesi Jirga* elections. Armed opposition groups (AOGs), including *Hezb-i-Islami Gulbuddin* (HiG), have rejected elections as illegitimate, often warning voters they will be harmed or killed if they take part. AOGs have issued similar statements this year. Based on over 160 interviews with *Wolesi Jirga* candidates and dozens of interviews with other stakeholders, NDI has gathered examples from some provinces around the country where AOGs appear to be urging voters to elect candidates who might be sympathetic to their goals.

A group identifying itself as Taliban is distributing night letters in parts of the northwestern province of Faryab warning people to vote only for certain candidates, according to the Afghanistan Independent Human Right Commission (AIHRC). "On one hand, they disrupt the election and issue threats against the election. On the other hand, they attempt to participate in the election of *Wolesi Jirga*," the AIHRC reported in July.

UPDATE: AfghanistanElectionData.org, a project of NDI, has been updated with information on the 2004 and 2005 elections, making it a one-stop shop for data on the past six years of voting in Afghanistan.

In Ghor, a western province, a journalist with an independent radio station told NDI that a Taliban commander has said voters can participate in the election but only to cast ballots for candidates he endorses.

A *shura* member in the northern province of Balkh told the Afghanistan Research and Evaluation Unit (AREU) that both the Taliban and HiG have effectively endorsed some candidates. "For instance, they told the head of one school to make their students vote for certain candidates, otherwise their fingers will be cut off," he said. An international official working in Balkh also noted that HiG appears to have provide preferential access for some candidates to remote districts with security *Continued on p.2*

Electoral Complaints Commission in the Provinces

The present Electoral Complaints Commission (ECC) was established under Article 61 of the 2010 Electoral Law, passed through presidential decree. National commissioners were appointed in April 2010, and the body's regulations - revised from those used in 2009 - emphasize a province-centric structure in which Provincial Election Complaints Commissions (PECCs) have primary jurisdiction on complaints. Similar to the five commissioners at the national level, the 113 provincial commissioners were appointed by President Karzai.

Over the past four weeks, NDI interviews with more than 500 candidates, political party members, government officials, IEC and ECC staff, and community leaders reflect views on the challenges that PECCs face this year.

Under the Electoral Law, the ECC and PECCs are created 120 days before the election and will dissolve after the election period. As a temporary body, the ECC has faced difficulties retaining staff and institutional expertise. Many PECC commissioners and their staff are entirely new to the electoral complaints process. In provinces such as Balkh, Farah, Logar, Nimroz, and Parwan, only one staff member from 2009 has been retained. The Panjshir PECC is

composed completely of new staff.

PECCs have also expressed concern about resource shortages, hampering their ability to investigate in the districts. The Balkh PECC reported using public photocopiers, raising concerns about confidentiality. In addition, many PECCs are acutely aware of the security environment within which they operate. Most PECCs in the south and east have received direct threats, and commissioners are apprehensive about retaliation from warlords once the ECC closes, since the commission is designed only as a temporary body.

Some PECCs have expressed confidence in their capabilities, claiming that they are stronger than before. A Parwan commissioner felt that the "high" number of received complaints received signaled "recovery" from the "poor image" of the ECC in 2009. Several individuals retained from 2009 however, have referred to the ECC as "state-run" or biased. Many political party members, candidates and government officials share this concern. Of note, interviewees in Kunduz expressed concern over an entirely Pashtun PECC in a province of mixed ethnicities.

On June 19, the ECC released a report on the challenges received on the preliminary candidate list. *Continued on p.2*

Armed groups (continued from p. 1)

concerns. (For additional information, see [NDI Elections Update, Issue 2](#).)

In Baghlan and Kunduz, some candidates are directly appealing to groups identifying themselves as Taliban to reduce attacks within those constituencies, according to an international official's comments to NDI. In these cases, armed groups have leverage over candidates by increasing or decreasing attacks in the lead-up to voting. Reports that groups identifying themselves as Taliban may attempt to attack provincial centers, such as in Kunduz, could indicate broad opposition to the elections. Such attacks could also have political implications for those candidates with vote bases in provincial centers. (See *Northeast Region update below*.)

Armed opposition groups are also engaging in more traditional tactics, aiming to disrupt elections through threats and attacks. Four candidates have been killed so far, voters have been warned against participating in the election, and AOGs have threatened to carry out attacks on election day. NDI has received many reports of AOG, including groups identifying themselves as Taliban, engaging in generally anti-election activities, such as warning all voters not to vote and voicing particular opposition to female participation.

Despite these reports, evidence from a range of regions suggests that some AOGs' interests are more diverse, including supporting sympathetic candidates.

Provincial ECC (continued from p. 1)

Since that date, no releases have been made on the number of complaints that PECCs have adjudicated or that remain pending. Although some PECCs can provide numbers on complaints received, others are reluctant to provide any information at all. Many PECCs say that they have issued fines and warnings, but exact numbers of such penalties are unclear. Written decisions have yet to be posted.

Many complainants claimed they were turned away for not being able to produce "documents" or "proof," yet given little guidance on how to acquire such documents. A female candidate upon being repeatedly threatened while campaigning, including having a gun pointed at her, claimed that the ECC told her that she should have sent someone to follow the gunman. "What is the ECC for then?" she told NDI. This sentiment was echoed by interviewees who felt that the insistence on documentation was being used to intentionally discourage complaints.

Others expressed frustration that serious cases are shelved while trivial cases are prioritized. One serious case involves an accusation by a female incumbent that another candidate's brother had conspired to kill her. She in turn has been accused of having the man arrested. The PECC says the case is still under investigation, despite the man entering his second month in prison.

For more information on the ECC, go to www.ecc.org.af.

Regional Highlights from NDI's Observations in the Field

Northeast Region

Some candidates are appealing directly to insurgent groups to refrain from carrying out attacks in areas of Kunduz and Baghlan where those candidates have strong support. Candidates expressed concerns that voters will heed warnings from the Taliban who have told people not to take part in the election. NDI staff working in the region and UN officials said it is unclear if candidate appeals have been successful.

Violence has severely hampered election preparations. Some armed groups are active in Kunduz and Baghlan, including the Taliban, *Hez̄b-i-Islami Gulbuddin* (HiG), local militias and criminal organizations. On Sept. 6, a district governor in Baghlan was killed when unidentified assailants fired a rocket propelled grenade at his vehicle. Candidates and election workers have been threatened and kidnapped, including two district field coordinators who promised to resign in return for their release.

The vast majority of candidates claim they run independently and often deny party connections. In practice, three main political parties in the region support many candidates. The northeast region is ethnically mixed, and political parties are broadly divided along ethnic lines. The *Jamiat* party primarily stands behind Tajik candidates in Takhar and Badakhshan, while the Pashtun-based *Hez̄b-i-Islami Afghanistan* (HIA) affiliates with certain candidates in Kunduz and Badakhshan. Four candidates in Kunduz openly claim connection to HIA. The *Junbish* party endorses many Uzbek candidates, mainly in Takhar and Kunduz provinces in the northeast.

South Region

For female candidates, campaigning in the south is particularly difficult given the conservative culture and challenging security environment. Most female candidates in the region are unable to campaign in public for fear of attacks. Instead, they are confined to proxy campaigning from their homes, making telephone calls to voters, dispatching male relatives to meet with supporters and enlisting the help of tribal leaders. Female candidates report receiving threatening phone calls and having their posters regularly torn down or defaced with red paint. In Paktika, the Taliban kidnapped a female candidate on the day after she registered her candidacy and held her for six days. After this incident, the candidate declined to file any complaints with the ECC or other bodies.

Despite the danger, a large number of women candidates are running. In Zabul, seven of the 16 registered candidates are female - the highest ratio of any province. A prominent female incumbent in Kandahar told NDI that threats against female candidates underscore the importance of further integrating women into the political process. She said, "More than ever now, we must be part of the political process...I want to prove that women do have a role to play within the parliament."

Based on NDI's analysis, two female candidates in the south are affiliated with political parties, even though all female candidates in the region officially run as independents on the ballot. Many told NDI that even though elections take place under significant limitations, they still represent an important manifestation of democracy.

NDI, which has worked in Afghanistan since 2002, is a nonprofit, nonpartisan, nongovernmental organization working to support and strengthen democratic institutions worldwide through citizen participation, openness and accountability in government. For the 2010 elections, NDI conducted seminars for over 1,700 candidates, organized training for political parties and more than 240 women candidates, and provided technical assistance to the Free and Fair Elections Foundation of Afghanistan (FEFA), the country's largest domestic election monitoring organization. Currently, NDI is developing the capacity of candidate agents nationwide to report on election-day activities.