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INTERNATIONAL ELECTION OBSERVATION PROGRAM

FINAL REPORT

August 2015

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ACRONYMS

ACSEN	Afghanistan Civil Society Elections Network
DI	Democracy International
EMB	Electoral Management Body
EOM	Election Observation Mission
EWA	Election Watch Organization of Afghanistan
FEFA	Free and Fair Election Forum of Afghanistan
IEC	Independent Election Commission
IECC	Independent Electoral Complaints Commission
LTO	Long-Term Observer
NDI	National Democratic Institute
NTC	National Tally Center
NUG	National Unity Government
STO	Short-Term Observer
TEB	Tamper-Evident Bag
TEFA	Transparent Election Foundation of Afghanistan
UN	United Nations
UNAMA	United Nations Assistance Mission in Afghanistan
USAID	United States Agency for International Development

INTRODUCTION

Afghanistan's 2014 presidential and provincial council elections proved a major challenge in the country's continuing democratic transition. These elections were the fifth held since the fall of the Taliban and were the first administered under a legal framework that was adopted through a democratic legislative process rather than through presidential decree. Given the prospect of a democratic and peaceful transfer of power, Afghans and the international community alike looked upon these elections as a critical opportunity to consolidate the gains made toward democratization since 2001 and as an important milestone in Afghanistan's political history.

After an election process that lasted more than six months, and included both the country's first presidential runoff election and a historic and unprecedented comprehensive audit of ballot boxes, Dr. Ashraf Ghani was inaugurated as president on September 29, 2014. Shortly thereafter, President Ghani swore in Dr. Abdullah Abdullah – the runner up in the presidential runoff election – as the Chief Executive Officer of Afghanistan, a new position created as part of a unity government agreement signed by the two candidates in the aftermath of the runoff election. The provincial council elections concluded on October 26 with the announcement of the final certified results by the Independent Election Commission of Afghanistan (IEC). The political uncertainty in the period after the runoff election created an environment of crisis that saw a substantial economic downturn in Afghanistan and an increase in insurgent attacks across the country. With new leadership in place, Afghans and the international community are hopeful that the National Unity Government (NUG) will succeed, but also cognizant of the significant work that lies ahead to further define the nature of Afghanistan's new government and repair the broken democratic process that necessitated its creation.

As has been well documented, including by Democracy International's election observation missions, Afghanistan's 2009 presidential and provincial council elections and 2010 parliamentary elections suffered from serious fraud and misconduct and as a result failed to earn Afghanistan's election institutions the public's confidence. The 2014 election process once again revealed the fundamental flaws that exist in Afghanistan's electoral framework and democracy. The problems that arose were similar if not identical to those that plagued each Afghan election conducted since 2004. In that sense, the narrative of the 2014 elections was unfortunately predictable, due largely to the lack of political will to address the issues that have been consistently and uniformly identified by international and domestic observers over the past decade. These chronic deficiencies have had a corrosive impact on the credibility of Afghan elections and must be addressed for the sake of the democratic legitimacy of the country.

PROJECT ACTIVITIES

USAID awarded Democracy International the subject cooperative agreement on January 28, 2014 with a total award value of $3,999,925 and a period of performance from February 1, 2014 to August 1, 2014. The initial agreement was for DI to deploy an international election observation mission (EOM) to Afghanistan for the presidential and provincial council elections. Even before the first round, DI and USAID anticipated a presidential runoff election. Accordingly, the initial agreement also covered deploying DI's EOM team for the second round. Following the IEC's announcement that they would be conducting an audit of the presidential runoff ballots, DI submitted an application to USAID to extend the award in order to support DI to deploy a team of international observers for the important and unexpected electoral event. DI received a modification to the cooperative agreement on July 17, 2014 that increased the total award value to $6,204,648 and extended the period of performance to December 31, 2014. During the audit, USAID requested that DI serve as a central coordinator of all USAID-supported observers and incorporate a group of Kabul-based international observers that USAID had recruited into the DI team. To support this request, USAID modified the award on September 7, 2014 to increase the total award value to $6,959,188.

In November, USAID conducted a Rapid Assessment Review of the 2014 Afghanistan elections. One of the preliminary recommendations from the assessment was to improve the quality of election observation for future elections. USAID and DI decided to use the remaining award funds to develop a resource for observers of future Afghan elections. DI submitted a request to USAID to modify the award with a no-cost extension until June 30, 2015 to support the development of a manual that would identify the key challenges to observing elections in Afghanistan and to present lessons learned, best practices, new techniques, and guidance to overcome them.

INTERNATIONAL ELECTION OBSERVATION

With funding through the subject cooperative agreement with USAID, DI organized an international EOM for the 2014 presidential and provincial council elections. DI's EOM sought to enhance public confidence in the 2014 election by: (1) serving as a key impartial source of information regarding the election process for the participants, local stakeholders and the international community, and (2) helping to set expectations for the election process among domestic political and civil society stakeholders, local and international media, and the international community.

DI established its EOM in February 2014 and observed all phases of the 2014 election process, including the first round elections for president and provincial council held on April 5, the presidential runoff election of June 14, the comprehensive audit of ballots cast in the runoff, and the provincial council result tabulation and complaint adjudication processes.

FIRST ROUND

DI's core team of election experts mobilized in early March to closely observe the pre-election environment. By March 10, the entire core team was in place at the Q Kabul Hotel, which served as the EOM's residence and operational headquarters for the duration of the electoral process. The team held individual meetings and attended press conferences and other events with key electoral stakeholders, including candidates and their campaigns, electoral management bodies, and civil society organizations, among others.

DI planned to deploy two-person Long-Term Observer (LTO) teams to the capital cities of Balkh, Herat, Nangarhar, and Panjshir provinces to assess the pre-election environment and to observe election day. DI recruited highly skilled professionals with significant experience in election observation in Afghanistan or in other conflict-affected transitional environments. The LTOs arrived in Kabul on March 19 and attended all-day briefings facilitated by the core team on March 20 and March 21. The observer briefing included sessions on the following topics:

- Political environment;

- Past elections in Afghanistan;
- Legal framework of the electoral process;
- Election administration;
- Civil society's involvement in the electoral process;
- Key findings from public opinion research;
- Media in elections and interacting with media;
- Observer role, reporting system, and code of conduct;
- Mission and personal security; and
- Mission logistics and operations.

The LTOs traveled to their observation locations on March 22. The teams met with the provincial IEC representatives, the provincial complaints commissions, domestic observation groups, civil society organizations, representatives of the United Nations Assistance Mission in Afghanistan (UNAMA), and other international observer groups. Due to security concerns in the days preceding the elections, the LTOs returned to Kabul by March 31 for the remainder of the mission. Although DI planned to deploy five additional two-person teams as Short-Term Observers (STOs) to Balkh, Helmand, Kabul, and Kandahar, serious security incidents, particularly an attack on the Serena Hotel in which an international election observer lost his life, led to the re-organization of the mission and the cancellation of the STO component of the observation.

In Kabul, the core team and LTOs met with numerous key electoral stakeholders, including presidential and provincial council candidates and their campaign staff, domestic observation and civil society groups, journalists, and representatives of the election management bodies (EMBs). On election day, DI deployed 16 international observers. They observed the opening of 19 polling stations, voting at 89 stations, and the closing and counting of ballots at six stations. Based on the team's observations, DI issued a press release on April 7 urging transparency and patience throughout the results process.

On April 7, DI began observing the tabulation process at the National Tally Center (NTC) in Kabul as tamper-evident bags (TEBs) containing result sheets from the provinces began arriving at the IEC headquarters. Concurrently, members of DI's core team began to observe the complaints adjudication process at the Independent Electoral Complaints Commission (IECC). DI's LTOs and some members of the core team left Afghanistan on April 15, but the mission's Legal Expert and Elections Administration Expert remained in Kabul to manage a team of local national staff to observe the post-election period. The team observed the work of the EMBs daily until the IECC completed the complaints adjudication process and the IEC announced the final results of the election on May 15. Throughout the period before the presidential runoff election DI participated in a series of meetings with Afghan and international stakeholders to analyze the results and consequences of the first round election.

SECOND ROUND

In preparation for the presidential runoff election, DI deployed the same delegation of LTOs. The observers arrived on June 7 and 8, were briefed on June 9, and deployed to their observation locations on June 10. DI conducted a one-day briefing that covered updates in the electoral process since the observers left Kabul in April, the observer reporting system and election day checklists, mission and personal security, and logistics and operations. DI deployed LTO teams to Balkh, Herat, and Panjshir, and kept one team in Kabul. Capitalizing on their familiarity with the cities they were based in before the first round election, the observers were able to quickly reconnect with past contacts and hold several productive meetings with stakeholders before the election on June 14. On election day, DI observed the opening and voting at more than 110 polling stations and the closing and counting at 10 stations. The LTOs were debriefed in Kabul on June 15 and 16 and departed Afghanistan the next day. DI issued a press release based on observations from the runoff on June 17.

Again, members of DI's core team remained in Kabul to manage a team of local national staff to observe the post-election period, including the results tabulation and complaints adjudication processes. When the candidates agreed on an audit of all ballot boxes, brokered with support from U.S. Secretary of State John Kerry, on July 12, DI immediately began deploying the remaining core team members and international observers.

AUDIT

DI quickly mobilized an initial team of observers to the audit site at the IEC headquarters in Kabul, including the LTOs from the elections, and continued to mobilize observers over the course of the following weeks to maintain a team of 20 observers in Kabul throughout the audit. DI mobilized more than 50 international observers during the course of the seven-week-long audit and maintained a presence of at least 10 DI observers at IEC headquarters until the conclusion of the physical audit on September 4. In addition, DI trained and coordinated 15 Kabul-based internationals to observe the audit, coordinated all USAID-supported audit observers on site for each shift, and represented USAID at the daily audit technical meetings at the IEC. The candidates' campaigns, the IEC, and UN representatives discussed and decided on administrative, procedural and technical issues that arose throughout the audit at the daily meeting.

After the audit itself concluded, the core team remained in Kabul to observe the remaining audit activities and complaint adjudication proceedings. DI's local national core team members attended the inauguration of the president on September 29 and continued to observe the provincial council result tabulation and complaint adjudication processes until the announcement of the final provincial council results on October 26. DI issued a press release and preliminary statement on September 29 highlighting the need for electoral reform in Afghanistan and several key recommendations.

FINAL OBSERVATION REPORT

On January 26, 2015, DI published its independent observation report. In the report, DI presents the historical background and legal framework for the 2014 elections, DI's key findings from each stage of the electoral process, and recommendations for reform that DI believes, if implemented, will improve the integrity, credibility, and transparency of future Afghan elections.

PART 2: PLANNING GUIDE FOR FUTURE AFGHAN ELECTION OBSERVATION MISSIONS

After completing the final observation report, DI turned to the task of developing a resource for observers of future Afghan elections. DI developed *Challenges to Observing Afghan Elections: A Planning Guide* as a means to identify some of the key challenges domestic observation groups face in Afghanistan and to identify some potential solutions these groups and key electoral stakeholders can pursue to improve the ability of domestic observers to perform their critical functions. As DI and other international observer groups experienced in the 2014 electoral cycle, Afghanistan's insecure operating environment has made the widespread deployment of international observers both dangerous and costly. As a result, the breadth of coverage of international observation missions has diminished through successive electoral cycles in Afghanistan. This reality has enhanced the importance of domestic observers and candidate agents which have an ability to deploy in greater numbers to more locations. However, only domestic election observers—not candidate agents—can provide truly independent and impartial oversight and assessment of the process, which is the reason the guide targets this group specifically.

The guide was developed over a period of five months, beginning in January 2015. Its recommendations are based on an analysis of domestic observation groups' activities in the 2014 elections, a review of the electoral environment in 2014 and before, and DI's own experiences from election observation missions in 2009, 2010, and 2014. As part of the preparatory research, DI's team administered a questionnaire and conducted in-depth interviews with key domestic observer organizations, including representatives of the Free and Fair Election Forum of Afghanistan (FEFA), Transparent Election Foundation of Afghanistan (TEFA), Election Watch Organization of

Afghanistan (EWA), and other groups affiliated with the Afghan Civil Society Elections Network (ACSEN). This study also included a review of the aforementioned organizations' training and operations manuals, coverage plans and actual election day deployments, reporting forms, communications systems, and reports.

The team fielded questionnaires and conducted in-depth interviews with other key elections stakeholders as well. Targeted interviewees self-administered questionnaires, which were followed up by face-to-face interviews for individuals based in Kabul and by phone for those based in other provinces. Interviewees included provincially based civil society observers, candidate agents, journalists, and election officials at the national and provincial levels. DI also conducted interviews with international development funding agencies and other international observer organizations. DI conducted a total of 48 stakeholder interviews for this project.

In addition, the team reviewed and analyzed provincial, district-level, and polling station data to identify vulnerabilities and opportunities for future observation planning and deployment. This included data from the IEC and the Afghanistan Election Data site managed by the National Democratic Institute (NDI) and Development Seed, among others.

The content of the guide is based on the experiences of DI and this assessment. It is not a comprehensive manual for election observation, but rather a resource to assist observers to overcome some of the unique challenges they face in Afghanistan and to enhance their impact in future elections. The guide also offers recommendations to other stakeholders, namely Afghanistan's IEC and funders, that if adopted would improve the environment in which observers operate and enhance their capacity to positively contribute to future electoral processes.

The key challenges addressed in the guide are:

- Expanding coverage of observers throughout the country;
- Verifying the presence of observers at polling stations on election day; and
- Improving the relationship between domestic observer groups and the IEC.

For each challenge, DI suggests several solutions for addressing it that are appropriate for Afghanistan. None of the solutions is a "silver bullet" for addressing the obstacles that face election observers or fixing the issues that plague elections; however, election observation efforts could be improved if domestic observers, the IEC, and funders adopt some of the recommended strategies.

ROLL-OUT

To circulate the planning guide to key stakeholders, DI facilitated two meetings in Kabul. The first meeting was held on June 15, 2015 with other international organizations. DI invited Counterpart International, Development Alternatives Inc., International Development Law Organization, Internews, and NDI to attend the briefing, however only representatives from Internews and NDI were able to participate. DI presented an outline of the main points from the guide and then led a broader discussion about the recommendations, the challenges each group faced in election observation, and lessons learned. The comments on the guide were generally positive and NDI expressed interest in providing additional feedback at a later date, which DI welcomes.

DI conducted a second briefing on the planning guide with members of ACSEN on June 23, 2015. Twenty seven representatives from 23 civil society organizations attended the presentation, including key domestic observer groups such as FEFA, TEFA, and EWA. The groups' representatives were pleased to learn of DI's recommendations and receive the planning guide as a resource for future elections.

Although DI wanted to meet with the IEC to discuss how the IEC could better support domestic observation in future elections and about the technical suggestions included in the guide, this was not practical. At the time of roll-out, there was little will at the IEC to engage in these types of discussions. On a personal level, the individuals at the IEC are not interested given their uncertain future at the commission. Furthermore, as an institution, there are

other priorities that are more pressing than supporting domestic election observation, such as mass personnel layoffs and the pressure for IEC reform.

Given the uncertain timing of the next election in Afghanistan and the ongoing controversy about electoral reform, DI felt there was little interest in this topic from the key stakeholders. DI printed and distributed the guides to a variety of organizations and plans to pick back up the conversation about supporting domestic observation when a more opportune space for this topic opens.

MONITORING AND EVALUATION

The objective of DI's EOM was to provide support to the oversight of Afghanistan's 2014 presidential and provincial council elections, helping to promote an Afghan-led inclusive, transparent, and credible electoral process. This program contributed to the achievement of USAID/Afghanistan's Intermediate Result 1.2: "Strengthened competitive, inclusive and credible election and political processes" under Assistance Objective 1: "Improved performance and accountability of governance."

DI implemented all planned activities and achieved the expected results, as outlined in its revised Performance Monitoring Plan submitted to USAID on September 12, 2014. DI submitted the initial PMP to USAID in March; the revised version covered DI's activities associated with the electoral audit as well, which was an unanticipated addition to the program.

DI Result 1: An assessment of the pre-election environment in Afghanistan

The core team deployed to Afghanistan in early March 2014 to conduct its preliminary assessment of the pre-election environment. DI's assessment benefitted greatly from its continuous presence in Afghanistan since 2009, specifically implementing elections-related activities. DI's core team held meetings with key stakeholders, including candidates and their campaigns, the IEC, the IECC, civil society organizations, and other international actors, as well as attended all election-related press conferences and group meetings.

DI's LTOs deployed to key provinces on March 22 and during the several days they were in those locations, the observer teams held several meetings that helped the core team assess the activity in those areas. The teams met with the provincial IEC representatives, the provincial IECC representatives, domestic observation groups, civil society organizations, UNAMA representatives, and other international groups.

The assessment of the pre-election environment formed the basis of the core team's understanding of the electoral process and was incorporated into DI's public statements throughout the electoral cycle and the final observation report.

DI Result 2: Comprehensive election observation conducted

As detailed above in the Project Activities section, DI conducted a comprehensive election observation mission that covered all phases of the electoral cycle for the presidential and provincial council elections. Although DI's mission in 2014 was not as geographically expansive as it was in previous years, DI's team covered all electoral events throughout the extended process and did not conclude its observation until the announcement of the provincial council elections results.

DI Result 3: Public dissemination of information related to international EOM

DI released preliminary statements after each election day, on April 7 and June 17, and one on September 29, the day President Ghani was inaugurated. Throughout the project period, DI engaged with local and international media when appropriate to discuss its mission. After the attack at Serena Hotel on March 21, media reports claimed all international observer groups had suspended their operations. DI found that its statements during this time were important to reassure the Afghan public, candidates, domestic observers, and the election management bodies that the international community was still paying attention. Although our mission was small, DI believes that its independent assessment of the elections and subsequent recommendations, as detailed in DI's final observation report, was a valuable contribution to the dialogue about the electoral process in and outside of Afghanistan. DI received positive feedback from multiple sources that were appreciative of DI's critical analysis of the process,

especially related to the electoral audit and the formation of the National Unity Government as the result of the presidential election.

DI'S PMP INDICATORS: TARGET VS. ACTUAL

Performance Indicator	Baseline Value	Outputs by Month												Notes
		First Round				Runoff		Audit						
		March (target)	March (actual)	April (target)	April (actual)	June (target)	June (actual)	July (target)	July (actual)	Aug (target)	Aug (actual)	Sep (target)	Sep (actual)	
USAID Assistance Objective 1: Improved performance and accountability of governance														
USAID IR 1.2: Strengthened competitive, inclusive and credible election and political processes														
DI Result 1: An assessment of the pre-election environment in Afghanistan														
Assessment of pre-election period	0			1	1									
Number of long term observers deployed	0	12	12 total - 1 M & 1 F in Panjshir; 1 M & 1 F in Balkh; 1 M & 1 F in Nangarhar; 1 M & 1 F in Herat; 4 M in Kabul			12	12 total - 1 M & 1 F in Panjshir; 1 M & 1 F in Balkh; 1 M & 1 F in Herat; 5 M & 1 F in Kabul							
DI Result 2: Comprehensive election observation conducted														
Number of provinces observed	0	5	5 provinces - Panjshir, Balkh, Nangarhar, Herat, and Kabul	7	5 provinces - Panjshir, Balkh, Nangarhar, Herat, and Kabul	4	4 provinces - Panjshir, Balkh, Herat, and Kabul							DI planned to deploy STOs to Kandahar and Helmand in addition to the provinces covered by LTOs in the first round. Due to security concerns, DI did not deploy any STOs, so DI observed in 5 provinces instead of 7.
Number of polling stations observed	0			40	91 polling stations in Kabul	100	99 total polling stations Balkh province - 35 polling stations Panjshir province - 11 polling stations Herat province - 22 polling stations Kabul - 31 polling stations							

Number of observer reports submitted to DI	0	15	19 total pre-election narrative reports Balkh province - 1 analytical report; 3 daily summaries Panjshir province - 1 analytical report; 2 daily summaries Nangarhar province - 1 analytical report; 3 daily summaries Herat province - 1 analytical report, 2 daily summaries, 1 campaign report Kabul - 2 daily summaries, 2 interview reports	55	108 total reports, including pre-election narrative reports and election day checklists Kabul - 13 daily summaries 95 election day reports - 89 opening and voting forms; 6 closing and counting forms	110	113 total reports, including pre-election narrative reports and election day checklists 4 analytical reports - 1 each from Balkh, Panjshir, Kabul, and Herat provinces 109 election day reports - 99 opening and voting forms; 10 closing and counting forms	20	149	1240	1458	500	295	The discrepancy in the target vs. actual figures for report submitted during the audit is due to the inconsistent nature of how the audit was conducted. The amount of time spent on a single box varied significantly. Observers submitted one form per ballot box observed in its entirety. If the observer only saw part of the audit of a particular box, they did not submit a report for that box.
Number of audit observers	0							10	21 total - 17 M & 4 F	35	34 total - 27 M & 7 F	20	24 total - 19 M & 5 F	
Number of IEC Audit Technical Meetings attended	0							# of mtgs held	1	# of mtgs held	12	# of mtgs held	0	
DI Result 3: Public dissemination of information related to international EOM														
Number of public statements	0	1	0	1	1 press release	1	1 press release					1	1 press release and preliminary statement	DI planned to release a press statement on March 26 announcing the deployment of our mission, however we decided against it due to the concern of raising our profile given the security situation.

SUCCESSES, CHALLENGES, AND LESSONS LEARNED

The dynamic operational environment in Afghanistan requires a dedicated and flexible team able to seize opportunities and mitigate the many challenges of working there. These are the most notable successes and challenges from DI's implementation of this project.

DI is proud to have fielded an international observer mission in five provinces during the 2014 electoral cycle when other international groups were unable to deploy international observers outside of Kabul. DI initially proposed to USAID to only deploy LTOs on its mission, but our ability to recruit a dedicated core team that was able to handle a multitude of tasks helped us realize cost savings so that we could deploy ten STOs as well. Although DI did not have the opportunity to deploy the STOs because of security concerns, DI was able to stretch the funds obligated under this award farther than anticipated.

DI retained the same core team and LTOs throughout the entire electoral process, despite the delay in the expected presidential runoff election and the addition of an unanticipated and extensive audit. DI recruited dedicated professionals who illustrated their passion and commitment to the electoral process by enthusiastically participating in the project in the face of serious security concerns.

Through its work in conflict-affected countries, DI has come to understand that there are dedicated professionals who are willing to take the personal risk of doing this important work if the opportunity is available to them. DI is committed to the safety of its staff, consultants, and volunteers and takes all necessary precautions according to its assessment of the risk while still conducting effective observation missions. One challenge DI faced during this project was ensuring that our risk profile was consistent with the views of the U.S. government. In its efforts to reduce risk to international observers, the U.S. government's concern about safety ultimately took precedence over traditional factors affecting deployment decisions. An election observation mission should make decisions on deployment locations and risk management completely independently.

The security environment in Afghanistan has significantly increased the cost of deploying international observers around the country. In 2009 and 2010, DI was able to field relatively large missions with 35-40 observer teams deployed around Afghanistan. However, in 2014, DI was only able to cover the cost of deploying a handful of teams with similar funding due to the increased operational costs associated with supporting international observers, such as armored vehicles and personal security details. Accordingly, it may be a better investment of American assistance funds for future elections to target funding for international election observation to a single organization to maximize the reach of those funds. Although there is an additional cost for each observer team, there are economies of scale that can be realized by consolidating the tasks under the control of a single implementer.

DI was pleased that USAID provided the opportunity to re-deploy its observer mission for the audit of the presidential runoff election. DI was able to rapidly deploy and ramp up its operation in response to the request from USAID. In addition to the core team and LTOs that had worked with us to that point in this electoral cycle, DI was able to quickly recruit and mobilize dozens of other observers on short notice. DI not only observed the entire audit process, but was selected by USAID to play an important leadership role for all USAID-supported audit observers. DI played a central coordination role at the audit center and represented the entire USAID-supported observer group and USAID at the daily audit technical meetings. We are honored that USAID selected DI for this role and believes that our team successfully met USAID's expectations.

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