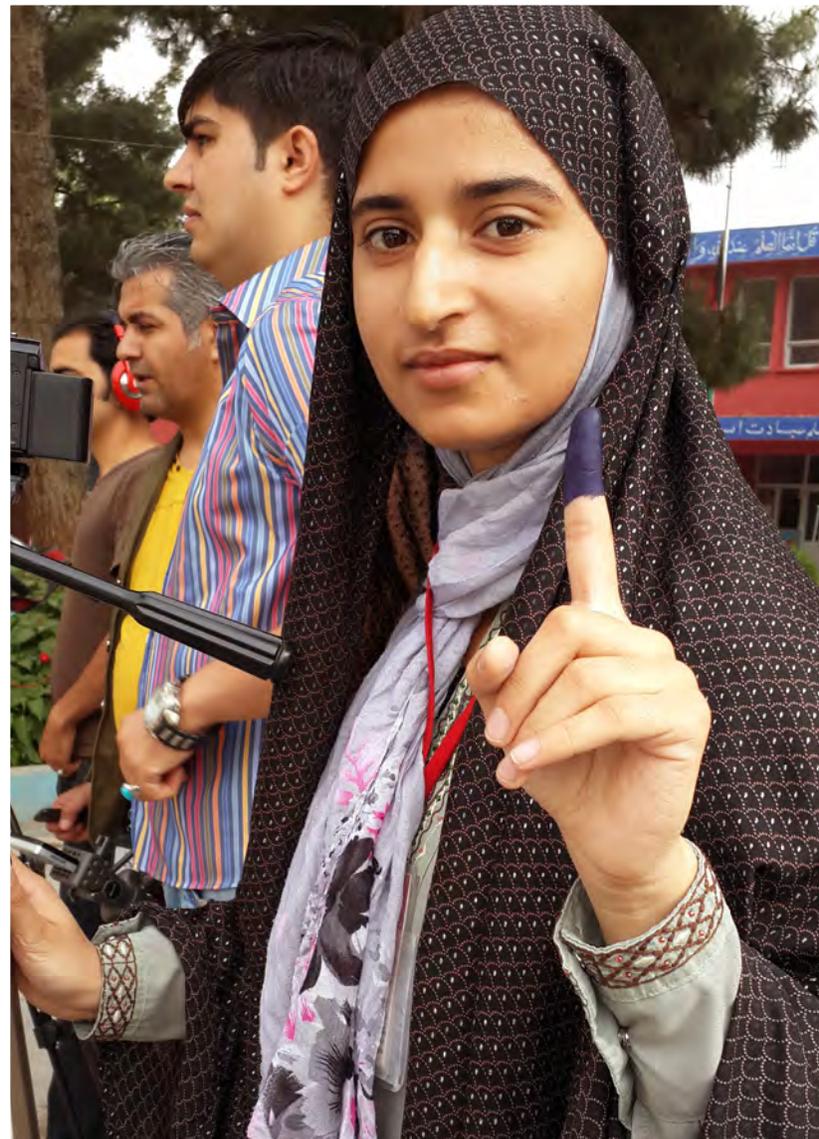


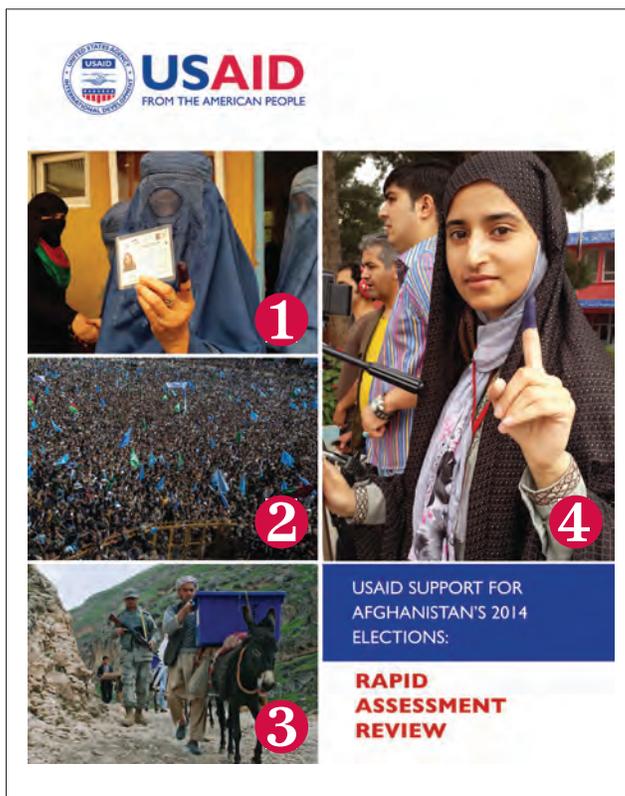


USAID
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USAID SUPPORT FOR
AFGHANISTAN'S 2014
ELECTIONS:

**RAPID
ASSESSMENT
REVIEW**



Cover Art Credits:

1. Pajwhok :A burqa-clad woman shows her inked finger and voting card after casting her vote in Afghanistan's northern Kunduz province. (Pajwhok)

2. Supporters of Afghan presidential candidate Abdullah Abdullah attend an election campaign in Herat province, April 1, 2014. (Reuters/Zohra Bensemra)

3. Afghan election workers use donkeys to transport ballot boxes and election materials to polling stations. (Mustafa Najafizad/Associated Press)

4. A female journalist displays her inked finger after casting her vote in Afghanistan's western Herat province. (USAID/Afghanistan)

USAID SUPPORT FOR AFGHANISTAN'S 2014 ELECTIONS:

RAPID ASSESSMENT REVIEW

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AUGUST 2015

LIST OF ACRONYMS

- AAR** - After Action Review
- ACSEN** - Afghan Civil Society Electoral Network
- AERCA** - Afghanistan Electoral Reform & Civic Advocacy Project
- ANSF** - Afghan National Security Forces
- BSA** - Bilateral Security Agreement
- CS3** - Crisis Surge Support
- CSO** - Civil Society Organization
- EMB** - Election Management Body
- DCHA** - Democracy, Conflict and Humanitarian Assistance
- FSN** - Foreign Service National
- IEC** - Independent Election Commission
- IECC** - Independent Electoral Complaints Commission
- IFES** - International Foundation for Electoral Systems
- ISAF** - International Security Assistance Force
- MOI** - Ministry of Interior
- NATO** - North Atlantic Treaty Organization
- NDI** - National Democratic Institute
- OAPA** - Office of Afghanistan and Pakistan Affairs
- OTI** - Office of Transitional Initiatives
- OSCE** - Organization for Security and Cooperation in Europe
- PC** - Polling Center
- PPL** - Policy, Planning and Learning
- PVT** - Parallel Vote Tabulations
- RAR** - Rapid Assessment Review
- SNTV** - Single Non-Transferrable Vote
- SRAP** - Special Representative for Afghanistan and Pakistan
- SRSG** - Special Representative of the Secretary General
- TDY** - Temporary Duty Assignment
- TMAF** - Tokyo Mutual Accountability Framework
- UNAMA** - United Nations Assistance Mission to Afghanistan
- UNDP-ELECT** - United Nations Development Program-Enhancing Legal and Electoral Capacity for Tomorrow
- UNOPS** - United Nations Office for Project Services
- USAID** - United States Agency for International Development

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EXECUTIVE SUMMARY

On September 29, 2014, Afghanistan experienced the first-ever democratic leadership transition in its history when President Hamid Karzai relinquished power to newly-elected President Ashraf Ghani. This Rapid Assessment Review (RAR), while acknowledging the imperfect nature of this transfer, assesses USAID's multiple contributions to the 2014 Afghanistan electoral process. USAID's efforts began in the aftermath of the seriously flawed 2009 and 2010 Afghan elections with the design of a multi-faceted electoral assistance program that would enable Afghanistan to conduct credible, inclusive and transparent elections. Despite the problems encountered regarding insecurity, barriers to voter access, and fraud -- particularly in the second round of the 2014 presidential election when approximately 988,908 of the votes originally cast were invalidated by the time the final votes were announced -- this review recognizes many positive developments that emerged as a result of USAID programs and concludes that several interventions served to improve transparency, electoral administration, and citizen participation.¹

The challenges presented by Afghan elections are vast in scope, but are not unique in nature. Many conflict and post-conflict transitions in other countries will involve at least some aspects of the Afghanistan election task. Therefore, the lessons emerging from this experience -- both the successes and failures -- are significant and deserve broad dissemination among USAID project designers and program implementers.

The following lessons and themes emerged as particularly noteworthy from this review.

1. **Maintain realistic expectations by acknowledging trade-offs in conflict elections between maintaining an electoral calendar and holding a process that is fully “free and fair.”**

Both the Afghan Constitution and political reality dictated that these elections be held despite the Taliban insurgency and difficult technical challenges. In such circumstances, domestic stakeholders and international supporters should focus on what is achievable rather than what is ideal.

2. **Recognize there are many drivers of electoral participation, and employ a holistic approach to expand participation and inclusiveness.**

More people participated in the 2014 Afghan elections than ever before, which achieved a major policy goal. No one intervention caused this success. Instead, it was a combination of: coordinated public outreach through official channels, civil society and media; explicit targeting of women; encouragement by religious leaders; well-planned security measures; vibrant political competition among candidates; and significant financial contributions from foreign donors.



Supporters of Afghan presidential candidate Abdullah Abdullah hold posters of him during an election rally in Parwan province, northern Afghanistan March, 20, 2014. (REUTERS/Ahmad Masood)

¹ The 988,908 invalidated votes include the 136,766 votes that were thrown out preceding the announcement of the preliminary results as well as the 852,142 invalidated during the audit. Independent Election Commission of Afghanistan, “Turnout 2014 Presidential Runoff Preliminary Results,” <http://www.iec.org.af/results/pdf/Run-Off/en/turnout.pdf> and Ruttig, Thomas, “Elections 2014 (52): The not yet officially announced results-electoral maths with unknowns,” <https://www.afghanistan-analysts.org/2014-elections-52-the-not-yet-officially-announced-results-elections-maths-with-unknowns/>.

3. **Technical and political efforts must be aligned to manage the myriad pressures election planners face during fragile democratic transitions and to maintain process legitimacy.** Even the most precise technical improvements to an electoral system will not themselves establish a credible democratic process. The democratic transition in Afghanistan was unlikely to occur without well-timed and calibrated political pressure on politicians and electoral bodies to 'do the right thing' at each stage of the process. At the same time, improving the electoral authorities' technical capacity was important to fend off complaints by losing candidates that would undermine the legitimacy of the outcome.
4. **Effective fraud mitigation requires focus on specific areas and issues that have been problems in the past.** Despite considerable efforts to avoid patterns of fraud seen in the 2009 and 2010 elections, ultimately fraud mitigation strategies for the 2014 elections tended to remain uniform across all provinces, and insufficient measures were developed to counter problems in areas likely to have high risk.
5. **Even large numbers of election observers cannot prevent or deter fraud if their access is limited geographically.** Despite the impressive number of candidate agents and domestic observers deployed on the election days, significant fraud occurred-- particularly in regions where security concerns made them inaccessible. The overall observation effort proved incapable of confirming or refuting the extent of the fraud in the weeks that followed the second round.
6. **Differentiate between short-term and long-term needs, and design assistance that addresses immediate problems with sustainable solutions in mind.** Afghanistan has suffered from a cycle where the same long-term needs are recognized, but in the name of expediency the same short-term solutions are employed that do not advance sustainable solutions. For example, the need for a credible voter registry is universally acknowledged, but repeated voter registration exercises fail to capture information needed for a proper voter registry.
7. **Flexible funding mechanisms are necessary to address contingencies in dynamic political and security environments.** Afghanistan's elections were unusual in the large amount of money provided to support them and the political importance of the process. Their importance enabled administration and Congressional support for a significant reserve of contingency funding and for rapid alteration of existing contracts. This proved essential when it was decided a comprehensive audit was needed after the second round.
8. **Interagency and international coordination is critical to counter deficiencies in local capacity and political will.** Coordination efforts among international donors, U.S. government agencies and the host government counterparts improved in the 2014 election process because they started early in the electoral cycle and included information-sharing and policy dialogue.
9. **Better laws and stronger institutions are needed to avoid improvised solutions.** Although the legal framework was strengthened between the 2010 and 2014 election cycles, it was untested and implemented by mostly new commissioners leading the electoral institutions. As a result, the election bodies were not resilient enough to handle extraordinary challenges to the process caused by high levels of fraud. Consequently, the comprehensive audit and national unity government agreement had to be created ad hoc to resolve the election dispute.
10. **Do not be afraid to experiment with innovative solutions to address recurring problems.** USAID must provide incentives and engage in creative programming to encourage fresh thinking, experimentation and innovation to address the formidable challenges associated with implementing sound and credible elections in Afghanistan and similarly situated countries. Pilot projects in fraud mitigation and voter identification could help to identify scalable solutions for future elections expected to face similar problems.

INTRODUCTION

Purpose and Origins of the Review

USAID has invested unprecedented resources in Afghan elections – nearly \$1 billion since 2004 and more than \$100 million for the 2014 process. Understanding how USAID responded to the problems of the 2009 and 2010 Afghan elections in developing approaches for the 2014 elections provides helpful lessons for future Afghan elections and other conflict/post-conflict election assistance programming. This Rapid Assessment Review (RAR) addresses USAID’s multi-layered support to election authorities and the main election stakeholders, including specific Mission strategies to address potential fraud and to promote inclusive participation. It also identifies and examines both the successes and shortcomings of this support.

RAR Team

A team of USAID direct hire personnel conducted this review. Two team members, Joe Brinker and Scott Worden, work in the Office of Afghanistan and Pakistan Affairs (OAPA) and have extensive experience with Afghan elections. Another team member, Belma Ejupovic, was heav-

ily involved in supporting USAID/Afghanistan’s election assistance program from 2011-2014 and led the elections team during the 2014 election period. Rounding out the team are two elections experts, Dan Blessington and Larry Garber, who work, respectively, in USAID’s Democracy, Conflict and Humanitarian Assistance (DCHA) Bureau’s Crisis Surge Support Staff (CS3) and as a senior advisor in the Bureau of Policy Planning and Learning (PPL). The team was ably assisted by Caitlin Harding of the USAID Office of Afghanistan and Pakistan Affairs (OAPA) and the USAID/Afghanistan Elections and Political Processes Team.

Acknowledgements

USAID/Afghanistan commissioned this Rapid Assessment Review. The team thanks Mission Director Bill Hammink and his team for their support. In particular, we thank Kristin Cairns for arranging the team’s schedule in Kabul, and Kevin Dean and Susana Grau Battle for guidance and advice during our visit and in reviewing a draft of the report. We also received excellent comments on the draft from Dan Cintron and Ali Nadir at the US Embassy in



Women voting in Kabul. (Malali Bashir)

Kabul. We also appreciate the support of Stefan Korshak and Jeanne Neal, who identified the photographs that we have included in the report.

In Washington, the team received encouragement from the Office of Afghanistan and Pakistan Affairs. In particular, we thank Caitlin Harding for her invaluable support in arranging interviews in the United States, collecting documents and other data, and working with the production team to format and finalize the report.

Finally, we thank the many individuals who shared their experiences and insights regarding the 2014 Afghan electoral process.

Methodology

Utilizing an approach first employed to review USAID's performance with respect to the 2013 Kenyan elections, this review employs a hybrid methodology.² By interviewing principal actors while events were relatively fresh in their minds, the review incorporates elements of a traditional After Action Review (AAR).³ However, unlike an AAR, this review took place over several months, and after several groups involved with various aspects of the election process had an opportunity to undertake their own reflection exercises and produce comprehensive written reports.⁴

The team interviewed: Afghan election officials, candidate representatives, representatives of Afghan civil society organizations, international observers, USAID domestic and international implementing partners, US government officials in Washington and Kabul, UN Assistance Mission to Afghanistan (UNAMA) officials, as well as diplomats and donors with whom USAID engaged on a regular basis. Interviews were complemented by reviewing reports prepared following the 2009-2010 elections, USAID planning documents for the 2010-2014 period, and reports prepared during and after the 2014 elections. The latter reports cover election preparation, conduct of the two rounds of elections and the extensive and unprecedented 100 percent audit of second-round election results.



2 U.S. Agency for International Development, "USAID Support for Kenya's 2013 Elections: Rapid Assessment Review," (Washington, DC, 2014).

3 U.S. Agency for International Development, "After-Action Review Technical Guidance, PNI-ADF-360," (Washington, DC, 2006), http://pdf.usaid.gov/pdf_docs/pnadf360.pdf.

4 Many of the reports reviewed by the RAR team can be found in the bibliography of this document.

Presidential candidate Abdullah Abdullah (in grey), sitting atop a vehicle, arrives for an election campaign in Panjshir province, March 31, 2014. (REUTERS/Ahmad Masood)



BACKGROUND AND CONTEXT

USAID's post-2010 democracy objectives in Afghanistan were to assist in enabling transparent, credible and inclusive elections while supporting Afghan ownership of the election process. In developing a long-term plan, USAID sought to avoid a repeat of problems encountered during the 2009 presidential and 2010 parliamentary elections. Moreover, Afghan ownership -- apart from being a laudable stand-alone assistance goal -- and partnership with other donors became a political imperative for continued international electoral assistance because President Karzai insisted on avoiding what he characterized as international interference in the presidential transition.

USAID spent an estimated \$100 million in 2014 for the elections, of which \$65 million was earmarked for direct support targeting election management bodies, such as the Independent Election Commission (IEC), through the UNDP ELECT project. The remaining amount was allocated to support civil society, political entities and domestic and international observation efforts.

International Interest

International interest in the 2014 Afghan presidential election was extraordinarily high.⁵ Without a stable and representative political transition secured by a credible election, there were real fears that Afghanistan could slide back into civil war. The election also occurred at a time when international combat forces were drawing down, raising concerns about how this might affect electoral security in 2014. Additionally, the international community had made enormous investments to help build strong governance institutions in Afghanistan. A failed political transition in 2014 would raise serious questions about the value of these investments and of the broader Afghanistan reconstruction enterprise.

The 2014 Presidential Election

The 2014 presidential election in Afghanistan achieved an important milestone: the first-ever democratic transition of national leadership in Afghan history. This occurred when Hamid Karzai, who served as elected president from 2004 to 2014, handed over power to Ashraf Ghani on September 29, 2014. The transition occurred despite considerable tensions among Afghanistan's principal ethnic groups, significant security threats from the continuing Taliban insurgency, and unique logistical obstacles to conducting credible elections. Achieving this transition, however, was not easy. Indeed, serious fraud allegations began well before the April 2014 vote was conducted and spiked markedly after the second round of the presidential election. This led to an unprecedented audit of the results, dramatically hurt the credibility of election authorities, and prompted Ghani and runner-up Abdullah Abdullah to call for urgent electoral reform.

The first round of the presidential election took place on April 5, 2014, with nine candidates competing. Both Afghans and the international community viewed this event as a considerable success, with genuine political competition among ethnically diverse candidates and higher participation than in any election since 2004. Despite consistent threats in the weeks preceding the April 5, the Taliban failed to derail the process and many voters said their votes were cast in defiance of the insurgency. Since none of the candidates reached the 50 percent-plus threshold the Constitution requires, a runoff election was scheduled for June 14 between Abdullah, who served as Foreign Minister for a time under President Karzai and who received 45 percent of the first round vote, and Ghani, who had served as Finance Minister for a time under President Karzai and who received 31 percent.⁶ While there were technical difficulties reported during the first round -- including ballot shortages in some areas -- the candidates accepted the results, albeit with some reservations.⁷

5 International attention focused almost exclusively on the presidential election, although provincial council elections took place simultaneously. Hence, this report uses the singular term, except when explicitly referencing the broader process.

The winner-take-all nature of Afghanistan's strong presidential system heightened the stakes of the June 14 second round for the various active ethnic and political groups. High spikes in reported turnout between the first and second rounds in several remote or insecure provinces provoked vigorous allegations of fraud from Abdullah, who saw his first round plurality turning into a second round defeat. After the IEC publicized preliminary results in July showing a substantial Ghani lead, Abdullah announced his withdrawal from the election process. When his supporters threatened to form a "parallel government," the international community stepped in to mediate the dispute.

Ultimately, U.S. Secretary of State John Kerry brokered a political agreement between Ghani and Abdullah to form a "government of national unity" regardless of the final results, with a UN facilitated audit of all 8.1 million ballots cast in the run-off election determining who would serve as President.⁸ While the audit determined that Ghani won the election, the IEC never announced official final numbers, though they were leaked to the press.⁹ Abdullah, without acknowledging the audit's legitimacy and conclusion, accepted a political agreement; he would be appointed chief executive officer with significant executive branch responsibilities and a key role in making ministerial and other government appointments.¹⁰

Challenges and constraints

Afghanistan is among the most challenging environments in the world to hold elections. It is a nascent democracy with an ongoing violent insurgency, an unverifiable number of eligible voters, many of whom are illiterate, and a country spread over harsh terrain. Corruption is pervasive, rule of law is tenuous where it has any hold at all, and impunity for election-related violence and fraud is the norm. The country has a strong national identity, but it is ethnically divided among several major groups that fought

each other bitterly during the 1990s civil war and continue to vie for primacy in contemporary politics.

In addition to these basic challenges, USAID together with other key donors faced a variety of structural and political impediments directly affecting its election assistance strategy – most notably security. The Taliban insurgency has kept roughly a quarter of the country dangerously insecure and has actively opposed elections. Additionally, warlords and power-brokers have repeatedly used violence in a cynical way to close off access to elections from their political opponents. The areas where the insurgency is strongest -- in the South and East of Afghanistan -- are primarily inhabited by the dominant Pashtun ethnic group. This adds a politically sensitive dimension to the disenfranchisement that security threats pose for elections.

The Afghan electoral system also lacks many basic building blocks that underlie successful elections in more developed countries. Political parties are weak,¹¹ and there are no reliable population figures to create an accurate voter list. While acknowledging these weaknesses, the political elite have shown little will to seriously reform the electoral structure. The fact they were elected under this system might provide some context regarding their lack of action to implement change.

2009-10 Precedent

The August 2009 presidential and provincial council elections were the first Afghan-run elections since the Taliban's ouster in 2001. But they were conducted with extensive international assistance. International technical advisors filled key operational roles on both the Independent Election Commission and the Independent Electoral Complaints Commission (known as the ECC.) The U.S. government spent more than \$250 million on election support and voter registration for the 2009 elections. Despite international assistance, significant fraud took place. While

6 The Independent Election Commission of Afghanistan, "Presidential Elections Preliminary Results," Last modified May 15, 2014, <http://www.iec.org.af/results/en/finalresults/presidential/1>.

7 Some supporters of candidate Abdullah argued that he had received the requisite 50 percent of the vote, but their protests and complaints were relatively muted given their expectations of a second round victory.

8 The Independent Election Commission of Afghanistan, "Turnout 2014 Presidential Runoff Preliminary Results," Accessed February 23, 2015, <http://www.iec.org.af/results/pdf/RunOff/en/turnout.pdf>.

9 It is impossible to determine precisely the number of votes determined fraudulent as a result of the audit, although no one disputes that it was in the hundreds of thousands. For instance, the Afghan Analysts Network (AAN), an independent non-profit policy research organization, reports that the two candidate teams were informed by the IEC post-audit that more than 850,000 votes had been invalidated in addition to the 136,766 invalidated before the audit process began, in other words, more than 12 percent of the votes initially cast were fraudulent. Ruttig, Thomas, "Elections 2014 (52): The not yet officially announced results-electoral math with unknowns," September 28, 2014.

10 The Los Angeles Times, "Agreement between the Two Campaign Teams Regarding the Structure of the National Unity Government," September 21, 2014, <http://documents.latimes.com/agreement-between-two-campaign-teams-regarding-structure-national-unity-government/>.



AG Campaign in Kabul: Presidential candidate Ashraf Ghani hold a rose during a campaign rally in the capital, Kabul. (David Gilkey/NPR)



IEC workers start the audit of ballots cast in the Presidential election run-off on 14 June. (Fardin Waezi/UNAMA)

reports vary between IEC data and observer groups, 22.3 percent of ballots initially counted were not included in the final results.¹² The announced first-round result forced President Karzai into a runoff election with his main challenger, Abdullah Abdullah. This led to a protracted political crisis that required significant international and U.S. diplomatic intervention – including high profile mediation by then-Senator Kerry – to resolve. Ultimately, Abdullah withdrew from the runoff before it was held, and Karzai began his second elected term.

The 2010 legislative elections were marred by reduced participation and additional fraud. A bitter dispute over election results in several provinces caused a reduced presence of Pashtun members in Parliament and created a year-long political crisis. It was finally resolved through a political compromise that removed nine winners of lower house seats and replaced them with nine candidates previously disqualified because of electoral irregularities. The process left Afghans and the international community exhausted, further delaying action on fundamental electoral reforms.

Despite remaining in office, Karzai was convinced that the international community had unduly interfered in the 2009 electoral process by encouraging multiple candidates to compete and supporting a comprehensive investigation into fraud allegations. Karzai then resisted internationally-supported electoral reforms and insisted that foreigners not “interfere” in future elections. Although the international community sought to promote fundamental electoral reforms, it also recognized that elections had to be Afghan-owned to be legitimate, credible and sustainable. Donors, including USAID, decided to balance providing technical assistance with principles of national ownership.

USAID Strategy

In the aftermath of the 2009-10 election cycle, both international and domestic observers stressed the need for fundamental reforms to the electoral process before the next presidential election. The challenge facing USAID

and other international donors was to develop a set of electoral support programs that could affect immediate and uncontroversial changes while building momentum for longer-term reforms. USAID’s electoral support was also designed to complement efforts undertaken by the U.S. Embassy and international community to build the government’s political will to adopt needed reforms. The ultimate goal of USAID’s electoral support was to *enable credible, inclusive and transparent elections that produce an outcome broadly acceptable to the Afghan people*.¹³

To accomplish this goal, USAID applied a multi-faceted approach.

1. **Enhance the technical capacity of the electoral management bodies [EMBs]:** USAID, along with other donors, sought to strengthen the capacity of Afghan electoral institutions through the UNDP ELECT program, which provided technical assistance to the IEC, the ECC, and the Media Commission. Initially, USAID supplemented its IEC support with advice and training from the International Foundation for Electoral Systems (IFES), but this support ended in 2012 at the IEC’s request. Ultimately, all direct assistance to the Afghan electoral authorities was delivered by donors through a UNDP-managed basket fund.
2. **Increase the capacity of democratic stakeholders:** The aim was to build the ability of civil society, political parties, and media to understand and advocate for electoral reforms and participate effectively in elections. Civil society activism was seen as a necessary catalyst for positive change, but would be insufficient without shifts in Afghan government policy and changes in the electoral administration.
3. **Strengthen the quality and legitimacy of the legislation governing elections:** USAID supported revising the two main electoral laws

11 The oft-criticized Single Non-Transferrable Vote (SNTV) voting system in the electoral law retards strong political party development because it awards seats to the highest individual vote getters; voters have only one vote to cast and political parties may have multiple candidates running in the same electoral unit.

12 IEC data shows 4,597,727 as the final certified total valid votes of the 5,918,741 valid ballots cast or 1,321,014 votes thrown-out. International Election Commission, “Press Release of the Independent Election Commission with reference to Announcement of Preliminary Results of 2009 Presidential Elections,” September 16, 2009, http://www.iec.org.af/pdf/pressrelease/election_results_16%2009%202009.pdf. Independent Election Commission, “Final Certified Presidential Results by Vote Order,” October 9, 2009, http://www.iec.org.af/results_2009/leadingCandidate.html

13 U.S. Agency for International Development, Office of Inspector General, “Review of USAID/Afghanistan’s Electoral Assistance Program, F-306-14-001-S,” (Kabul, Afghanistan, 2014), 6.

through its general support to build parliamentary capacity and a more directed effort to assist civil society in advocating for election legislation reform. The key objectives were to: 1) have electoral laws passed by Parliament in accordance with the Constitution rather than rely on a legal framework of presidential decrees; 2) have a more inclusive appointment process for IEC and ECC members instead of political presidential appointments; 3) empower a more independent and permanent electoral complaints commission; and 4) change the electoral system to promote stronger political party development.

4. **Support better election security:** USAID played an instrumental role in advocating for streamlining and strengthening electoral security coordination. Beginning in mid-2012, USAID staff, together with the U.S. Embassy political officers, participated in regular International Security Assistance Force (ISAF) electoral security meetings. These meetings proved a useful venue for coordinating electoral security planning moved in step with the rest of electoral preparations. Such efforts were replicated in the district, provincial, and regional hubs around Afghanistan and were integrated into ISAF's operational planning. The key objective was to increase information flow among the electoral bodies, the Afghan National Security Forces (ANSF) and the international community. USAID commissioned a comprehensive assessment of election security risks in 2012 and strongly advocated for timely completion of a polling center security assessment. This led to the public release of the polling center list several weeks before the first round of elections.¹⁴ It was a notable achievement. In previous elections, polling station lists were not known until days before the elections.
5. **Enhance political will for necessary reforms:** Within the international community, advocacy for electoral reform was led by the U.S. Embassy, along with UNAMA and other political missions to Afghanistan. USAID officers worked hand-in-hand with Embassy political officers to ensure the USG had a single and effective strategy. The political requests to the Afghan government were purposely aligned with the technically sound and practical approaches most likely to

further the goal of credible, inclusive and transparent elections. USAID's election programs served as an important information source for U.S. electoral reform advocacy, and USAID staff were key conduits of information and active participants in the electoral policy discussions. USAID pushed to include electoral law reform as an essential requirement of the Tokyo Agreement for international donor assistance and an explicit demand of the July 2013 Senior Officials Meeting.¹⁵

6. **Build a more credible voter registry:** Voter registration has been a vexing issue in Afghanistan since the 2004 elections. In the haste to convene elections after the new Constitution was adopted, inadequate mechanisms were put in place to verify and avoid duplicate registrations and for updating the voter registry when people moved or died. These problems make estimating population levels difficult. In each successive election, time constraints and security concerns interfered with efforts to redo the entire registry in a more credible way. By the 2010 parliamentary elections, more than 17 million valid voter cards reportedly had been issued,¹⁶ but only an estimated 12 million Afghan citizens were eligible to vote.¹⁷ While a credible voter registry is crucial, the technical and security obstacles to establishing one remained daunting. Also, some Afghan politicians were privately wary of a process that could identify demographic shifts that would alter the ethno-political balance of power. USAID's approach was to support long-term change while remaining skeptical of a near-term "silver bullet" resolution to voter registration problems. Ultimately, the IEC could only complete "top-up" efforts to include new voters.¹⁸ This provided little value to the integrity and efficiency of the electoral process.

Donor Coordination

Historically, the U.S. has been the largest donor for Afghan elections, followed by the European Union and United Kingdom. In each of the past elections, most international donor funding for election administration and voter registration was contributed into a multi-donor basket fund that UNDP administered. For the 2014 election, 15 donors contributed to the UNDP ELECT basket fund,

which required proactive coordination and communication to ensure that donors were holding ELECT to clear standards.¹⁹ Coordination was critical to avoid duplication of funding to NGOs that were supporting the election process. In practice, USAID staff and Embassy political colleagues were instrumental in shaping the international approach, working closely with UN counterparts to implement identified international priorities.

[Below] A policeman stands guard outside a polling station in Kabul as Afghans wanting to vote queue outside. (REUTERS/Tim Wimborne)



14 U.S. Agency for International Development, Electoral Security Assessment Afghanistan, by Creative Associates, (May 2012), <http://www.creative-associatesinternational.com/wp-content/uploads/2003/01/Creative-Afghanistan-Electoral-Security-Assessment-Final.pdf>.

15 "Joint Statement Tokyo Mutual Accountability Framework (TMAF) Senior Officials Meeting," (statement presented at the Senior Officials Meeting, Kabul, July 2013), <http://www.afghanistan-un.org/2013/07/joint-statement-tokyo-mutual-accountability-framework-tmaf-senior-officials-meeting-kabul-afghanistan-3-july-2013/>.

16 Ruttig, Thomas, "Warning Bells over Slow Electoral Reform and Voter Registration for 2014," Afghanistan Analysts Network, October 29, 2012, <https://www.afghanistan-analysts.org/warning-bells-over-slow-electoral-reform-and-voter-registration-for-2014/>.

17 Graham-Harrison, Emma, "Afghanistan Election Guide: Everything You Need to Know," The Guardian, February 3, 2014, <http://www.theguardian.com/world/2014/feb/03/afghanistan-election-guide-candidates-list>.

18 A "top-up" exercise involves adding additional names to a list that is acknowledged as fundamentally flawed.

19 UNDP ELECT II Donors include Australia, Canada, Denmark, European Union, France, Germany, Italy, Japan, Republic of Korea, the Netherlands, Norway, Sweden, Turkey, the United Kingdom, and the United States.

FINDINGS

1 MAINTAIN REALISTIC EXPECTATIONS

The 2014 Afghan presidential and provincial council elections were bound by a strict set of legal and political timelines, which created practical dilemmas. On one hand, holding elections according to the constitutional schedule in April 2014 did not allow time to solve intractable technical problems, such as the lack of a voter list, or to resolve the security problem the Taliban insurgency posed.

On the other hand, the Constitution restricts the President to two elected terms, and Afghanistan has had a violent history when leaders fail to relinquish power. Even if additional time allowed for improved election conditions, the Constitution and domestic politics both required on-time elections. In addition, the U.S. and NATO security transition was set to conclude by the end of 2014, which meant that delayed elections would receive less international security and operations assistance. President Karzai's refusal to sign a bilateral security agreement (BSA) with the U.S., which would allow for continued U.S. support to the Afghanistan military, provided an additional incentive for elections within the prescribed time frame. Since all the leading candidates supported the BSA, a timely election ensured the BSA could be signed before international military forces formally handed over security responsibilities at the end of 2014.

The ultimate question facing politicians and election planners was less about how to conduct a fully "free and fair" election in 2014 given Afghanistan realities, and more about whether a timely election -- even if flawed -- was preferable to no election. Afghans and donors recognized that future stability depended on a credible political transition, and they agreed that this was achievable only through an election. Despite all the challenges, the 2012 Tokyo Declaration set as an over-arching goal "free, fair, transparent, and inclusive elections in 2014 and 2015, in which all the people of Afghanistan participate freely without internal or external interference."²⁰

At the same time, the international community fully appreciated the myriad challenges associated with achieving the goal:

- Afghan political and capacity constraints, which would be front and center given the imperative to have the process Afghan-owned and Afghan-led;
- an active insurgency in roughly a third of the country that disproportionately disenfranchised specific ethnic constituencies and impeded independent observation;
- cultural and educational restrictions on women's participation in the process, which disproportionately affected rural and Pashtun voters;
- illiteracy and other capacity deficiencies affecting both voters and the recruitment of qualified election staff at local levels; and
- on-going draw-down of U.S. and NATO combat forces, which would take place simultaneous to the planning, campaigning and voting processes.

The approach was to confront the realities and not "make the perfect, the enemy of the good."

Setting realistic expectations was sometimes at odds with public messaging designed to encourage voter and candidate participation. Who would want to risk their lives running for office or voting in a process that was expected to be less than fully "free and fair?" In fact, civil society organizations frequently lamented that the U.S. and other donors were "lowering the bar" on Afghan election standards by not holding the government to the highest standards of a "free and fair" election.²¹ At the same time, Afghans and donors quietly recognized the inherent limitations of Afghanistan's nascent democratic development and tended to focus on the achievable. High levels of candidate and voter participation reflected the democratic impulse in the face of known realities.

2 INCREASING PARTICIPATION AND INCLUSION: SEEING THE BIG PICTURE

The most obvious success of the 2014 election was a significant increase in voter turnout. The 2004 presidential election drew over seven million voters, but was conducted before the insurgency began in earnest. Participation declined for the 2005 parliamentary and provincial council elections to 5.6 million voters,²² and decreased further in 2009 and 2010 elections, with each drawing an *estimated* four million voters.²³ The concern in 2014 was that past problems with fraud and distrust of electoral authorities would further reduce citizen participation, leaving the new government with a weak popular mandate. However, well over seven million people, including an estimated 38 percent women, voted in each round of the 2014 election in defiance of the Taliban.²⁴ This increased turnout signaled a strong commitment to democracy by the Afghan people and, under ordinary circumstances, would have imbued the elected candidate with considerable legitimacy.

In reviewing the complex election environment in Afghanistan, no single ingredient was responsible for the higher turnout. Having abundant tools and funding, coupled with good donor coordination, allowed for an “all of the above” approach that paid dividends on the first Election Day. The following are some programmatic activities that contributed to increased turnout.

Voter Outreach:

Voter outreach and education began too late in the 2009 and 2010 elections and focused more on how to vote rather than broader messaging on why to vote. Another lesson was that public outreach worked better when it was well-coordinated among electoral authorities, relevant government entities, civil society and the media. Therefore, the approach adopted for the 2014 election was to initiate public outreach early in the electoral cycle and to engage civil society as much as possible in the process.

[Below] A man walks past a billboard for presidential candidate Ashraf Ghani in Kabul. (David Gilkey)



- 20 “The Tokyo Declaration, Partnership for Self-Reliance from Transition to Transformation,” (presented at the Tokyo Conference on Afghanistan, Tokyo, July 2012), <http://www.khaama.com/wp-content/uploads/2012/07/Tokyo-Conference-Declaration.pdf>
- 21 Both FEFA and the Afghanistan Independent Human Rights Commission representatives made comments to this effect to U.S. officials at the December 2013 International Contact Group meeting in Tokyo.
- 22 The National Democratic Institute, “The September 2005 Parliamentary and Provincial Council Elections in Afghanistan,” National Democratic Institute, 2006, https://www.ndi.org/files/2004_af_report_041006.pdf.
- 23 International Institute for Democracy and Electoral Assistance, “Voter turnout date for Afghanistan,” International Institute for Democracy and Electoral Assistance, 2014, <http://www.idea.int/vt/countryview.cfm?CountryCode=AF>.
- 24 The Independent Election Commission of Afghanistan, “Presidential Elections Preliminary Results,” Last modified May 15, 2014, <http://www.iec.org.af/results/en/finalresults/presidential/>.

USAID diversified its public outreach funding for the 2014 election, providing numerous grants directly to nongovernmental organizations in addition to utilizing official IEC outreach channels. The U.S. Embassy public affairs section also supported extensive public outreach activities in coordination with USAID. The UNDP ELECT program facilitated integration between the IEC and civil society efforts, which were complemented by donor-led coordination meetings with all relevant stakeholders. These efforts kept messaging consistent and ensured dissemination throughout the country. The voter outreach also consciously targeted key constituencies in areas where turnout had been low in previous elections, particularly in Pashtun areas, with high levels of insurgent activity. USAID's Afghan Civic Engagement Project (ACEP) focused on youth and students, and stressed the importance of voting.

Public service electoral messages were broadcast daily in Dari and Pashto on 50 radio and 28 TV stations during the first six months of 2014. The 28 TV stations have an estimated Gross Rating Points of approximately 13 million viewers, with a peak of 400,000 viewers a day in the immediate lead-up to the second polling round of 14 June. Estimated data of radio listeners during the broadcast of electoral messages indicated up to 25 million people were reached.²⁵

Women's participation

This cycle, a particular focus of public outreach and external relations was placed on promoting female involvement – as voters, candidates, election officials and observers. Women have consistently comprised approximately 40 percent of voters in Afghan elections, although the figure varies greatly by province depending on local security, cultural and political conditions. However, women make up a much smaller percentage of candidates, observers and election officials.

Afghan polling stations are segregated by gender. A shortage of female polling workers can discourage women from voting due to social constraints in conservative areas against women interacting with male election officials. In April 2013, the IEC adopted a multi-faceted plan to promote women's participation in the election. UNDP ELECT encouraged the IEC to recruit more women to serve as

election officials and to reach out to civil society groups for names of women to be considered for election positions. The USAID-funded Afghan Civil Society Electoral Network (ACSEN) program, for example, provided a list of 3,000 names to the Ministry of Interior (MOI) from the south and east of the country - mostly women who had previously worked outside the home. MOI recruited from this list to staff female polling stations, but there is no record of how many were selected from this list or how many women overall served as poll workers.

Ultimately, female voter participation matched the overall increase in voter turnout, with about 40 percent of votes cast from female polling stations. While more women voted in 2014 than any earlier election, careful turnout analysis is needed to develop new strategies for increasing women's participation in future elections to the 50 percent target.



26 Internews Country Director and Deputy Country Director, Kabul, 19 November 2014.

25 United Nations Development Program, "Enhancing Legal and Electoral Capacity for Tomorrow Phase II (2012-2015) Semi-Annual Project Progress Report, 2014.

Traditional leaders

Tribal and religious leaders were also an important and effective voice in boosting voter turnout. The IEC encouraged religious leaders to stress that elections and voting are an Islamic duty – rebutting Taliban claims that electoral participation is sacrilegious. The Ghani campaign also extensively used religious leaders and tribal networks in the East – areas that are religiously conservative but politically supportive of Ghani – to boost turnout by delivering a message that it is proper to go and vote.

Media

Media organizations played a crucial role in voter mobilization. The growth of diverse and independent media, which received substantial USAID assistance in the years

after the Bonn Agreement, has been one of the big success stories in Afghanistan's development since 2001.

Radio is the major player in Afghan media and was active in the 2014 elections. For example, the Salam Watandar network – started in 2005 – now consists of 64 independent radio stations with a potential reach of 15 million.²⁶ Although each station is independent, they shared programming content provided by Internews with USAID funding.

The main television outlets, but particularly TOLO News, strove to cover the election in a comprehensive and politically neutral way and to elevate the political tone above ethnic or other divisive attacks. Numerous debates were held among the presidential candidates, which were much discussed within the political classes.



Afghan election auditors at the Independent Electoral Commission in eastern Kabul. (Karlos Zurutuza/IPS)

The 2014 election was also the first in which social media played a meaningful role. While Internet access remains limited (only about eight percent of the population has access), political elites and opinion leaders now use social media extensively through smart phones, as do urban youth. Facebook campaign posts and tweets from media outlets were often cited in political discussions in Kabul and then reported by mainstream media. Overall, coverage leading up to the election was positive and created an atmosphere of excitement and purpose whereby citizens were encouraged to vote.

Security Messaging

The main disincentive to vote was perceived security risks. The Taliban consistently and clearly stated that the elections were un-Islamic. They threatened that voters would face reprisals and polling stations would be attacked on Election Day. The 2009 and 2010 election days saw a serious increase in the number of violent incidents. Reflecting the seriousness of the threat, the IEC followed recommendations from the Ministry of Interior to close more than 10 percent of 7,000 planned polling centers before the April 5 Election Day.²⁷

To counter security threats, considerable effort was paid to improve security in real terms (made more difficult by the drawdown of international forces) and to project a positive message about security to potential voters. As one example, USAID's Office of Transitional Initiatives (OTI) initiated a project to address potential electoral violence by monitoring hot spots and sponsoring peace messaging in areas most affected by security concerns.

Election and security officials received unanticipated assistance from the Afghan media in the wake of a tragic event. Two weeks before the election, the Taliban attacked the Serena Hotel in Kabul. Among those killed were a prominent Afghan journalist, his wife and young children. The Afghan media retaliated by imposing a voluntary ban on reporting Taliban statements or news through the election and refrained from reporting on violent incidents on the first round of Election Day. The Afghan security forces also required the national telephone networks to shut down texting on Election Day. As a result, Taliban threats against voters were not widely broadcast, and news of attacks was suppressed until after the polls closed. Although withholding information from the public raises legitimate

questions regarding a journalist's responsibility to report on a local conflict, the strategy may have contributed to the increased turnout.

In the end, the ANSF performed admirably. While there was still election-related violence and deaths, these incidents did not disrupt the election or dampen enthusiasm in any significant way.

Political competition

A final factor that appears to have boosted participation is the political circumstances of the election campaign. Many Afghans feared in 2012 and 2013 that the 2014 presidential election would never happen because President Karzai would find some way to extend his term or to manipulate the process to anoint a handpicked successor. Instead, Afghans saw a gradual diminution in Karzai's political influence as the election approached.

Karzai kept his promise not to delay elections. He was also widely reported to have worked behind the scenes to broker candidate slates that were ethnically diverse and that would split traditional voting blocs, and he never officially endorsed any candidate. Voters were apparently pleased that there was a real political contest of credible (and not so credible) candidates. This sentiment appears to have driven the public's determination to vote in the first round, evidenced by long lines at the polling centers and inspiring stories about the lengths some Afghans went to cast their ballots.

In the second round in June, motivations for voting became more ethnic and geographically determined. Ashraf Ghani is a Pashtun with considerable support in the South and East. Dr. Abdullah – although of mixed ethnicity – is identified as a Tajik with greater support in the North. While in the first round voters had a candidate they chose to vote for, in the second round many voters who had backed losing candidates chose whom to vote against. Fear of an opponent winning an election can be a powerful motivator, as is evident from the relatively high second-round turnout despite security threats and voter fatigue.

27 There were arguments that not enough polling locations were closed given the security risk, but it was difficult to independently verify security conditions as international forces withdrew from provincial bases and Provincial Reconstruction Teams were closed in accordance with the security transition timeline.

Campaigns

Political parties are weak in Afghanistan: shifting, personality-based coalitions of convenience are more important than formal party structures. Recognizing the challenges, USAID supported a National Democratic Institute (NDI) program to build the capacity of political parties to organize their constituents and conducted “campaign schools” for candidates and political parties. This included all provincial council candidates, particularly focusing on women to employ effective strategies to mobilize voters. Candidates and political parties, of course, encouraged their supporters to vote. And the presidential campaign was notable for frequent and large political rallies held in urban centers throughout the country, which managed to occur without any significant insurgent attacks.

Assessing the impact of better political party organization and training is always a challenge. In the presidential contest, the candidates themselves ran as individuals backed by diverse coalitions rather than as heads of political parties. Several of the most organized parties were split with leaders from the same party appearing as vice presidents on different tickets. In the second round, even endorsements did not carry much weight. Despite being endorsed by first round candidates Zalmay Rassoul and Abdul Rasul Sayyaf, Abdullah received only slightly more votes in their core constituencies than he did in the first round. The impact of political party organization may be more pronounced at the Provincial Council level, but the data is hard to analyze because party affiliation is not listed on Provincial Council ballots and complex politics at the provincial level require in-depth local knowledge to discern.

3 THE POLITICAL AND THE TECHNICAL MUST ALIGN

Technical success is an important but not necessarily sufficient condition for producing a credible, transparent and acceptable electoral outcome. Technical and political strategies must be integrated and jointly pursued. For the most part, USAID succeeded in this objective with respect to the 2014 election through: keeping political realities in mind when prioritizing technical inputs, sharing information with Department of State colleagues and developing several technical solutions that fit the specific political circumstances.

The policy agreement among the UN, the diplomatic and donor community, and key Afghan stakeholders was that

the 2014 elections had to be seen as an Afghan-led process. This shaped the way electoral support was delivered. Based on lessons learned from previous elections, USAID support to the Electoral Management Bodies (EMBs) was provided much earlier in the 2014 election cycle.

Technical assistance helped the IEC prepare, present and own an operational plan for 2014. This plan served as the basis for a Kabul donor conference and helped prepare an updated UNDP ELECT project document outlining the financial and technical resources needed. As a result of early and effective planning, the Afghan EMBs were able to conduct elections --for the first time ever-- within the constitutionally mandated timeline. The diplomatic and donor community provided a support network that helped these bodies to have sufficient resources and ability to do their work, while at the same time, doing their best not to let them fail.

There is an inevitable gap between an ideal election that meets best international practice and Afghan social and political realities. This gap creates enormous challenges for those organizing an electoral process. Prior to 2004, few Afghans had any relevant experience with election administration or with structuring an elections system. Language barriers between international advisors and Afghan officials and travel restrictions due to security risks widened the gap between international technical knowledge and local political understanding. This cycle, special attention was required to make sure that previous lessons learned could be applied in a technically sound and politically acceptable way. A shrewd fraud mitigation measure, for example, would only be as effective as the political will among the election authorities to ensure implementation.

One important way to imbue electoral reform with political support was to gain full legislative approval for the electoral laws. All Afghan elections prior to 2014 were conducted under an electoral framework put in place by presidential decree, giving losers an easy pretext to challenge the legitimacy of the outcome regardless of the facts.

During 2012-2013, much of USAID electoral support focused on assisting Afghan institutions to enact new electoral laws that addressed major shortcomings of previous elections --including changing the law to promote political parties, establishing a permanent election complaints mechanism and introducing a more inclusive process for appointing election officials. USAID supported a civil society-led advocacy campaign to promote adoption of the new laws while the U.S. Embassy, together with the UN and other major international donors, conditioned



Afghan presidential candidates Ashraf Ghani (center) and Abdullah Abdullah (right) sign political agreement with the presence of UN SRSG Jan Kubish (left). (Photo: U.S. Embassy)



Afghan police escort election workers as they transfer ballot boxes and materials in Nangarhar province. (Veooz)



*Supporters of Afghan presidential candidate Abdullah Abdullah attend an election campaign in Herat province, April 1, 2014.
(REUTERS/Zohra Bensemra)*



People in line to vote in Kabul. (Photo: Pajhwok)

their overall civilian assistance on legislative approval of election laws.²⁸

In 2013, Parliament passed an election law giving more power to an independent election complaints body and made the appointment process for electoral institutions more transparent. However, the new legislation still allowed the president considerable latitude to influence key electoral positions. For example, President Karzai appointed the IEC's chief executive officer, who later became implicated in the second-round fraud that marred the entire election process.

The U.S., among others, responded favorably to this new law by authorizing a \$15-million dollar transfer to the Afghan government as part of the special incentive fund set up in 2013. As a follow-up on the new electoral framework, UNDP, the United Nations Office of Project Services (UNOPS) and IFES teams assisted the EMBs to create and amend internal procedures and regulations to be more operationally effective and transparent.

The technical assistance emphasized:

- 1) preparation of a comprehensive operational plan that stakeholders could comment on in advance of the campaign;
- 2) robust staff hiring and training;
- 3) enhanced security cooperation with ANSF;
- 4) better control of logistics and ballot materials during all phases of the election;
- 5) improved communication with the candidates and civil society; and
- 6) establishment of temporary provincial offices of the ECC.

Afghan EMBs and the rest of the government require more time to learn how to better balance technical election preparations with political considerations than in the most developed democracies. The time and effort involved with preparing and releasing the Polling Centers (PC) list provides a good example. The IEC started

working on the PC assessment in late 2011, sending small teams to visit and assess what they believed were past voting locations. However, during most of 2013, this was done without coordinating with other key Afghan government bodies that had relevant interests or expertise. USAID strongly advocated that all key Ministries “clean up” the Polling Center list before the official candidate registration period. In this way, the bulk of the work would have been done with a perceived focus on technical elements in contrast to a process that could have been seen as influenced by specific political interests. By not cleaning up the list early on, the discussion took place when each of the candidates was attempting to protect what they believed were their vote banks.

4 NOT ONE SIZE FITS ALL – IDENTIFY AND TARGET LIKELY FRAUD

The dominant story of the 2009 and 2010 elections was fraud. In both elections, more than 20 percent of ballots initially counted were invalidated. Based on IEC and ECC audits, the vast majority of invalidations were due to wholesale ballot stuffing – although problems with proxy voting, multiple voting, and tampering with tally sheets also occurred. Much of the fraud was committed in remote and insecure areas that independent observers could not reach safely. In the worst affected areas, local bias, intimidation, corruption and inadequate oversight by independent observers and party agents combined to make fraud conditions particularly acute.

Finding appropriate measures to mitigate fraud was quickly identified as critical to ensure a more credible 2014 election. In 2013, IFES conducted a USAID-commissioned election integrity assessment. Two main risks to a credible election were identified: electoral malpractice [mistakes] by election institutions caused by poor systems and training; and electoral malfeasance [intentional fraud] that took the form of either corruption on the part of election workers or deceit and coercion by supporters of particular candidates.²⁹ The IEC responded to electoral malpractice risks with a strategy that included: more training for IEC officials and temporary workers who administer individual polling stations on Election Day; more

²⁸ The donors coordinated civilian assistance with the Afghan government through the Tokyo Agreement of 2012, which established the Tokyo Mutual Accountability Framework. The TMAF called for a variety of fundamental electoral reforms, including laws duly passed by Parliament. The key point of international pressure was the July, 2013 Senior Officials Meeting in Kabul, when the election laws were pending a decision. Donors all delivered consistent public and private messages to the government that legislative approval of the electoral framework was a key priority, and they were passed within weeks after years of delay.

²⁹ Darnolf, Staffan, Mohan, Vasu, Shein, Erica, Vickery, Chad, “Afghanistan Electoral Integrity Assessment Report,” International Foundation for Electoral Systems, March 2013.



Residents line up in front of a polling center in Ghor province. (Ghulamullah Habibi/EPA)



Workers from the Independent Election Commission count ballots. (Pajwhok)

sophisticated tracking of electoral materials; improved ink for marking those who had voted; and greater controls on reporting of results. To counter malfeasance, the IEC also introduced a system of rotating election officials to minimize vulnerability to local pressures where they worked. U.S. and international messaging focused on how these technical improvements would contribute to a cleaner, more credible result.

Addressing malfeasance required additional tools, many of which were not available in Afghanistan. Insecurity prevented effective observation in key areas where fraud had previously occurred. The lack of a complete voter list or an accurate census meant, among other things, that an over-supply of ballots had to be sent to each polling location because an unknown number of voters might show up. Extra ballots sent to insecure areas provided easy raw material for fraud.

Another important obstacle to fraud mitigation is impunity. The IEC only has authority to punish its employees by firing and blacklisting them for future elections. The ECC can fine individuals or bar them from working on elections, but it has no criminal jurisdiction or enforcement power. Bribes and threats, however, could easily outweigh the consequences of facilitating fraud. Despite the presence of massive fraud in past elections, no one has been prosecuted for fraud by the weak Afghan justice system, including those who bribed or threatened violence that are without question illegal. In fact, several prominent election officials associated with fraud during past elections were promoted or given ministerial appointments. Ultimately, elections cannot be cleaner than the overall political environment in which they operate. Without legal accountability, deterring fraud in future elections will remain a significant challenge.

Fraud was committed again on a large scale in the 2014 election, although on a percentage basis, it was significantly lower due to increased participation. In the first round, approximately 663,210 ballots of approximately 7.2 million cast/processed (8 percent) were thrown out after a partial investigation conducted by the IEC and ECC.³⁰ In the second round, fraud was more pronounced. Between

30 Independent Electoral Commission, "Votes Disqualified by IEC Presidential Election 2014," http://www.iec.org.af/results/pdf/presidential_final_disqualified_votes_by_IEC_en.pdf.
Independent Electoral Commission, "Votes Disqualified by the IECC Presidential Election 2014," http://www.iec.org.af/results/pdf/presidential_final_disqualified_votes_by_IECC_en.pdf.
Independent Electoral Commission, Presidential Elections Final Results <http://www.iec.org.af/results/en/finalresults/presidential/>



the initial casting of votes, release of preliminary results, and audit, approximately 988,908 votes were invalidated or 12.2 percent.³¹ Based on the IEC's summary findings, fraud was concentrated in many of the same places: insecure provinces and areas where independent observers and party agents could not reach. Of the 988,908 ballots invalidated, two-thirds of them came from 10 provinces that had seen significant fraud in previous elections.³²

These numbers tell two stories: fraud was significantly reduced from 2009 both in real terms (an estimated 988,908 fraudulent votes compared to an estimated 1,321,014) and as a percentage of the legitimate vote (12.2 percent in the second round compared to 22.3-percent in 2009).³³ But, in 2014, fraud was still large enough to require a politically taxing intervention outside of the normal electoral framework – an internationally-supervised audit and a unity government agreement.

In retrospect, the IEC's fraud mitigation strategies, which were supported by the international community, had a one-size-fits-all character that inadequately addressed the specific dimensions of fraud in the most problematic areas. Ballot allocations that did not track with population or past voting in certain areas were overlooked. Officials believed that a more tailored approach would meet political opposition from affected groups. Observers' inability to cover high-risk areas was accepted because overall coverage was much better than before. International advisors and the IEC considered some special measures to address problem areas directly, such as automatically auditing polling centers where ballots had to be flown in because accessing them by road was too insecure. After the second round vote, the IEC considered a selective audit based on numerical criteria that indicated potential ballot stuffing, but their deliberations were overtaken by the Kerry-led negotiations.

While it was easy to identify high-risk areas for fraud, addressing the problems proved difficult because of security and political dynamics. Conditions that create opportunities for fraud tend to be more present in Pashtun areas where the insurgency is strongest. As the largest ethnic

group in Afghanistan, Pashtuns expect a corresponding share of political power but their voters are often least able to reach the polls. This creates a tension between fraud mitigation, which would reduce the total vote and levels of political representation in many Pashtun areas, and principles of fairness and inclusion, which seek to avoid disenfranchising Pashtuns who may not be able to vote because of an insurgency they do not support.³⁴

This tension raises difficult questions about whether there should have been a greater focus on fraud prevention efforts in particularly problematic areas, even though that would have raised political objections. Knowledgeable international and Afghan analysts differed in their answers. Some said that a less aggressive fraud mitigation strategy preserved international capital to broker a political consensus. Others argued the more aggressive and sophisticated measures could have preserved an acceptable outcome without teetering on the brink of a failed election.

Another aspect of fraud that emerged prominently in 2014 must be addressed before the next round of voting: the extent to which a serious allegation of fraud itself could become a campaign strategy in the future, irrespective of verified fraud levels. While cries of fraud from losing candidates are not uncommon in elections around the world, the Afghan context shows vulnerabilities for such allegations to become regular features of campaign strategies and to an extent that they fundamentally weaken electoral processes. In 2014, such allegations began well before the elections took place, and relatively few allegations made by campaigns were ever properly submitted through the official complaints process or accompanied by sufficient detail, despite repeated invitations to do so. Instead, some candidates used the media to make their allegations, and the media reported them without demanding proof.

A future moral hazard may be looming. As candidates anticipate continued vulnerabilities to fraud in the electoral system, they may plan in advance to allege widespread fraud before it even occurs. This further weakens

31 Ruttig, "Elections 2014 (52): The not yet officially announced results-electoral maths with unknowns." The EU observer team asserted in its final report that the number was much higher based on its analysis of voting data.

32 Ruttig, "Elections 2014 (52): The not yet officially announced results-electoral maths with unknowns."

33 Precise turnout and fraud numbers are impossible to prove due to differences in audit methodology and evidentiary constraints. But the overall contours of the fraud are clear.

34 In fact, the main source of controversy in the 2010 election was the election in Ghazni province, where the population is roughly split between Pashtuns and Hazaras but where all 11 parliamentarians from the provinces were elected from Hazara regions because there was low turnout in Pashtun districts and the IEC rigorously rejected votes in those areas that showed clear evidence of fraud. Pashtun leaders believed that the consequence of this phenomenon in 2014 might have an impact on the influence of the Pashtun voter in the presidential election.

the credibility of Afghanistan's electoral institutions in a pernicious downward cycle. To forestall this problem, the Afghan authorities need to build greater understanding and support for the complaint system and how it works. The government should require that for any complaint to be taken seriously, it must be properly submitted through official processes. Reducing errors committed by IEC staff would also increase the legitimacy of the certified preliminary results.

Whatever the answer to these questions, given the fragility of the 2014 election result, greater efforts need to be made to prevent recidivist fraud. Afghanistan can ill afford to have the next election distorted by mass fraud.

5 ELECTION OBSERVERS AND FRAUD DETERRENCE: IMPROVING PERFORMANCE A NECESSITY

The presence of election observers at polling stations throughout a country has long been recognized as providing a major deterrent to Election Day fraud. Such observers may include candidate and party agents, representatives of domestic civil society groups, and international observers. Afghan law recognizes that all three categories of observers play an important role, and they have been present for each election cycle since 2005.

Given the problems with the 2009 and 2010 elections, USAID and other donors sought to increase the number of observers at polling sites and the quality of their observation efforts in 2014. For USAID, this meant supporting:

- training of more than 45,000 agents, most designated by candidates running for the provincial elections;
- formation of new domestic observation groups; and
- deployment of two limited international observer delegations and an Organization for Security and Co-operation in Europe (OSCE) Election Support Mission, which would review but not evaluate the quality of the process.

Approximately \$10 million was set aside for these components over a nine-month period leading up to and including the two rounds of elections. An additional \$11.4 million was allocated to fund international observation for the two month audit period.

The overall number of observers was impressive. The IEC accredited approximately 345,000 candidate and party agents, 14,500 domestic observers and 200 international observers for the first round of the election.³⁵ For the second round, with only two contestants, the number of candidate agents decreased. The IEC accredited 87,346 agents, but each candidate claimed to have more than enough agents to cover all polling stations in the country. And although international observers played a limited role in visiting polling stations throughout the country on the two election days, the international community mobilized more than 200 international observers on very short notice for the audit process (half were provided by USAID implementers), many of whom had extensive involvement with other recent international electoral exercises.

Ideally, the presence of candidate agents, and domestic and international observers at polling stations, should contribute either to a fairer process or to credible reports regarding the failings of the process. The first-hand reports of domestic observers highlight many of the specific problems that occurred during both the first and second rounds.³⁶ However, even with large numbers of party agents, and a proactive effort at coordination among the domestic groups, the observers were unable to cover insecure areas, which is where the most serious incidents of fraud allegedly occurred. Despite this extensive investment, and the considerable commitment and courage demonstrated by both Afghan and international observers, the observation effort did not deter the casting of some 850,000 ballots that the audit process later invalidated.

Several international observers, in their final reports, sought to distinguish between electoral and political legitimacy. The EU Election Assessment Team Final Report, for example, states: "The full-scale audit of all 8.1 million votes of the run-off brought to light that large-scale fraud had been committed," and later concludes, "the political agreement reached on 21 September 2014 between the two candidates for the formation of a national unity government offered a political conclusion to the electoral pro-

35 Office for Democratic Institutions and Human Rights, "Islamic Republic of Afghanistan Presidential and Provincial Council Elections 5 April and 14 June 2014 OSCE/ODIHR Election Support Team Report," Organization for the Security and Cooperation of Europe, December, 2014, <http://www.osce.org/odihr/elections/afghanistan/129761?download=true>.

36 Free and Fair Forum of Afghanistan, "Presidential Runoff Preliminary Report," June, 2014, <http://www.fefa.org.af/index.php/election-2014>.

cess.”³⁷ Democracy International’s final report states: “Like the elections before it in 2009 and 2010, this one was decided by resorting to ad hoc procedures. . . . Rather than deciding the outcome of the election through a democratic process, politicians decided the outcome through a political agreement that to date has prevented the actual results from being announced. In addition, it potentially sets a precedent whereby runners-up can secure positions of power irrespective of the preference of the voters.”³⁸ A contrary perspective is offered by UNAMA officials who supervised the audit process. They argue that the rigorous audit process provides a basis for concluding that the final outcome reflects the will of Afghan voters.

The Afghanistan experience with election observation raises several important questions.

First, given the fact that both candidates affirmed that they would have agents present at all polling sites during the runoff, should the electoral authorities have insisted on formal proffers of proof explaining why results from polling sites where agents representing both candidates signed the tally sheet should not be respected? In general, the signing of a tally sheet by election officials and candidate agents without qualifying remarks should be deemed as prima facie evidence of its validity. While it is conceivable that a candidate agent could have been coerced to sign a tally sheet or that their signature could have been falsified, the burden of proof in such cases should fall on the candidate seeking to invalidate the results from the specific polling site.

In late August, with the audit nearing completion, candidate Abdullah presented a claim that “a large number of result forms were showing evidences of similar polling station (PS) chairpersons and candidate agents’ signatures as well as some instances of lack of stamps or signatures.”³⁹ Because of these concerns, the IEC and UN established a senior level panel. They reviewed 1,683 result sheets and invalidated 78 polling sheets due to related irregularities. Given the Afghanistan political climate, the review of this complaint in the context of the audit may have been necessary, but a better practice would be for such allegations to be presented at the outset of the complaint process and adjudicated quickly, before resorting to more comprehensive and time-

consuming methods for validating the results of an election. More generally, mobilizing candidate agents should continue to be encouraged as a critical fraud mitigation mechanism. Adequate training should be provided to candidate agents, including how to report fraud or misconduct up the chain of command in a timely manner. Candidates/parties raising fraud claims should be required to present specific, first-hand information of the alleged misdeeds as recorded by their agents.

Second, could domestic observers have done a better job in reporting on irregularities? Despite considerable effort to coordinate deployments, large regions proved inaccessible for the domestic observer groups. Moreover, they rarely filed formal complaints in the electoral process. When they did, their public reporting was vague regarding where they actually observed specific voting problems or what was specifically wrong with results they questioned. This failure is surprising.

With the exception of the final second-round audit results, the IEC was remarkably transparent in its reporting. It posted online scans of every result sheet in the first round and published tabulated station-by-station results. Yet neither the domestic observer groups nor the candidates have, as yet, provided any similarly transparent account about whether they agree or disagree with specific polling site results. Based on the data available, including the release of polling site results from the audit, observer groups or independent analysts should do an analysis to see if there a correlation between the absence of independent observers and polling sites where all or significant number of ballots were invalidated through the audit process. More generally, security officials and domestic observation groups should ensure that for future elections there is adequate coverage in the most insecure and fraud-riddled areas, as determined by review of previous elections and on-going analysis of the security situation.

Third, could domestic or international observers use mechanisms such as parallel vote tabulations (PVT) to support or cast doubt on the official results? Some election experts argue that a PVT in an environment like Afghanistan is impractical. The security situation precluded

37 European Union Election Assessment Team, “Islamic Republic of Afghanistan Final Report – Presidential Election 5 April and 14 June 2014”, December 2014, http://www.eueom.eu/files/dmfile/FINAL-REPORT-EUEAT-AFGHANISTAN-2014-c_en.pdf.

38 Democracy International, “Afghanistan Election Observation Mission 2014 – Final Report,” January 2015, <http://democracyinternational.com/publications/afghanistan-election-observation-mission-2014-report>. Similar ambivalence regarding the process were expressed in the reports prepared by two other groups that USAID funded to observe the elections.

39 European Union Election Assessment Team, “Islamic Republic of Afghanistan Final Report – Presidential Election 5 April and 14 June 2014.”

the use of a random-sample PVT, which is based on deploying observers to a randomly selected number of polling sites to report the vote counts for the respective candidates in the designated polling site. Given the specific allegations of massive ballot-stuffing as the fraud mechanism used in this election, only a PVT that incorporated a robust qualitative component, where observers analyze the polling process in addition to transmitting reported results, would provide a basis for assessing the election's credibility. Nonetheless, an effort could be made, including the use of reverse engineering the 2014 results, to determine if a PVT or similar tool might be feasible and useful in future elections.

6 BALANCING LONG AND SHORT TERM NEEDS

Since 2001, election planners in Afghanistan have struggled to balance the immediate requirements of the next election with the long-term capacity building needed to address persistent and significant gaps in Afghanistan's electoral infrastructure. The tendency has been to conflate technical reforms that can be achieved quickly with structural changes that may take years. For example, attempting to complete a voter registration process that does not reach the entire country or advocating electronic registration and identification for an election cycle that is unlikely to be ready may divert time and money from developing solutions that could provide a more feasible way to plan for ballot distribution on election day.

Such scenarios have produced an all-too-familiar cycle in Afghanistan. Ambitious plans for an approaching election are discarded for more realistic ones late in the process. Long-term investments required to bring Afghanistan elections to international standards are repeatedly put on hold for immediate needs of the election at hand and are only returned to months, if not years, later. At that point the judgment is made that there is again insufficient time until the next election to enact such improvements.

The solution is to work on short-term technical fixes and requirements in a manner that complements long-term investments. Equally, long-term electoral investments in Afghanistan should be pursued separate from the elections' calendar. For example, electronic identification cards (e-tazkera) are potentially a worthwhile long-term investment for Afghanistan that is likely to yield benefits

well beyond elections. This change in approach will require political support from all stakeholders (both Afghan and international). To the extent that political capital is required, President Ghani and CEO Abdullah have both publicly prioritized electoral reforms.

When examining the balance struck between successful elections and long-term capacity building, there needs to be an honest assessment of the principal international electoral assistance provider to date, UNDP-ELECT. Given Afghan realities, UNDP-ELECT confronts conflicting pressures. Its mandate is to build IEC capacity. Yet it also must help to deliver successful elections under extremely challenging technical, operational, security and political circumstances, and it is accountable to the donors who provide the funding for this project --the largest for UNDP anywhere in the world --even as its immediate clients are the Afghan electoral institutions.

With respect to the first trade-off, many key Afghan election staff have risen through the ranks, acquiring valuable skills through UNDP-ELECT, IFES and other capacity building initiatives, and now serve in important roles within the IEC. Indeed, professional development of many IEC staff is an important success story. However, the transfer of skills appears to be incomplete. For example, fundamental information technology responsibilities are carried out by internationals with little inclusion of Afghan staff. The understandable argument is that the focus sometimes has to be on getting the job done, rather than on the transfer of knowledge, but the whole point of a counterpart structure is for the two objectives to be pursued simultaneously. A more serious problem is underscored by the fact that the majority of the lasting capacity building has centered on headquarters staff in Kabul.

The second trade-off regarding dual obligations to national institutions and international donors is one that UNDP often encounters around the world. What is different in Afghanistan is the much larger-scale and higher-political profile of Afghan elections. Early and consistent donor planning, coordination and engagement contributed to several of the 2014 election successes. Yet many in the donor community expressed frustration and disappointment that UNDP-ELECT senior management did not keep the international community abreast of internal IEC developments that could have political consequences.

From UNDP's perspective, the information donors demanded exceeded what is normally expected in other electoral assistance programs and much of that information could have been requested directly from the IEC.

Given the high profile and sensitivity of this election, however, donors came to rely on UNDP for insight on the status of elections planning and for political insights. During the audit process, an effective division of responsibilities was achieved by having the special representative of the secretary general (SRSG) and deputy SRSG serve as the principal policy interlocutors with the IEC, even as they relied on the expertise of UNDP ELECT officials to develop plans and recommendations that were sensitive to both technical constraints and political objectives.

7 IN AN EMERGENCY FLEXIBLE AND WELL-FUNDED MECHANISMS ANSWER THE CALL

USAID support to electoral and political processes was continuous from 2011 to 2014. Resource levels allocated to this task-- including personnel --were in line with USG policy and key objectives of the USAID Mission in Afghanistan, which viewed successful elections as a critical priority. With support from the Mission front office, the elections and political processes team in Kabul grew between 2012 and 2014 from four to 12 officers providing full-time support, and used various mechanisms to augment the elections team. These included allocating additional foreign service limited officers, bringing temporary duty assignment (TDY) support from nearby countries, supporting frequent rotations of OAPA democracy and governance personnel, and allowing additional foreign service nationals (FSN) to join the team.

Electoral and political processes programming was designed and organized around two key pillars. Pillar one provided direct support to the EMBs. Pillar two targeted key stakeholders on the non-governmental side. Civic and voter education support, from the national to the village levels, provided a key link between the two pillars. Through a small grants program and contacts with specific Afghan organizations, the U.S. Embassy Public Affairs team further complemented and strengthened USAID programming in this area. Work on gender was streamlined throughout the entire portfolio with the key emphasis on empowering women's participation as voters, candidates, election administrators, searchers and monitors.

Given the need to operate in a dynamic and politically-charged environment, the assistance program was structured to support flexibility. UNDP ELECT was an International Organization Grant, but a project board actively managed it in coordination with other donors to ensure

assistance priorities reflected domestic political needs and U.S. strategy. USAID also pushed successfully for a separate mechanism within UNDP ELECT to support the ECC, which received streamlined procurement assistance and flexible international technical advice from UNOPS and IFES respectively.

Support to civil society, observer, and political groups was provided by two main implementing partners. This shared responsibility proved effective in spreading risk and enhancing capabilities. When one organization was pressured by the government due to a candidate poll it had conducted, the other's operations were not affected. When another suffered from a tragic attack that killed an international election observer the week before the election, the other was still able to deploy, albeit in a limited fashion.

USAID, at the U.S. Ambassador's request and with congressional approval, set aside a \$20 million election contingency fund to deal with unforeseen circumstances. This fund proved prescient when the internationally supervised audit was unexpectedly announced. USAID was able to provide resources for the UN operation and international observers quickly. It helped mobilized non-election implementing partners to provide short-term observers and fill a vital political need for international eyes on the audit process.

Flexibility was invaluable. In terms of strategy, USAID's approach was flexible enough to adjust to political realities. Initially after the 2010 election, the emphasis was on electoral reform, voter registration and political party development. However, in late 2012, the Afghan Council of Ministers rejected the IEC's proposed voter registration plan. In 2013, the Afghan government passed an electoral law without revising its electoral system to create more of a role for political parties. These significant decisions did not derail the overall election assistance strategy. Emphasis instead shifted to means other than voter registration and political parties to achieve these objectives.

USAID's consistent and focused level of investment and resources allocated to the political transition efforts from 2011 to 2014 ultimately equipped the USG to play an instrumental role in supporting two rounds of elections and the subsequent audit. USAID and its implementing partners were able to react quickly and deliver high-quality support in a tremendously high-charged political environment with ongoing security concerns.

8 MANAGING RISKS AND MAINTAINING ORDER: INTERAGENCY AND INTERNATIONAL DONOR COORDINATION

Coordination started early with nearly all stakeholders. It was structured to ensure information sharing and policy dialogue, and ultimately yielded positive results. International donors, U.S. interagency entities, the UN and joint Afghan/ISAF security organizations all benefited from effective coordination. The coordination helped overcome the tight timeline caused by delays in adopting new elections-related laws, appointing key EMB officials and the uncertainty regarding Karzai's ultimate plans. One example of the impact of effective coordination was ISAF's crucial role in getting ballots to inaccessible polling stations.

The U.S. interagency cooperation provided a model of teamwork and coordination in synchronizing the diplomatic, security, political and assistance elements of the 2014 election. Starting in 2012, the U.S. country team in Kabul created a standing technical team of political officers, political-military officers and USAID counterparts who worked exclusively to support the 2014 elections and political transition. Similar arrangements were established in each regional platform (Bagram, Kandahar, Mazar, and Herat). The U.S. embassy front office led high-level engagements at the policy and political levels in close coordination with USAID to design and implement comprehensive support for transferring power.

Coordination in Washington, DC among the interagency also was strong --particularly between USAID's OAPA and State Department's SRAP and Afghanistan Desk. Communication between Kabul and Washington also was good in light of the challenges and time difference. But there were contrasts in approach between officials in Kabul and Washington that caused friction. Washington actors generally advocated for more proactive international involvement to address perceived weaknesses in Afghan preparations. Those in Kabul exercised more deference to Afghan institutions consistent with an "Afghan led, Afghan owned" strategy.⁴⁰

The benefit of including elections benchmarks in the Tokyo Mutual Accountability Framework (TMAF) was most evident in spring 2013, as progress stalled on two essential elections-related laws aimed at reforming electoral structures and processes. With time running out, the international community used the Tokyo Framework benchmarks to stress in a strong and unified way to their Afghan counterparts at the July 2013 Senior Officials Meeting about why these laws needed to be passed. The simple existence of the TMAF benchmarks also had a more general positive effect on a host of issues requiring action, such as assuring that the IEC and security forces finalized and published core elections plans in a timely manner. Given the seriousness of how fraud allegations impacted the 2014 process and subsequent calls for reform, benchmarking progress on future elections reform remains essential.

9 WITHOUT IMPROVED LAWS AND TRUSTED INSTITUTIONS, MEDIATIONS AND IMPROVED SOLUTIONS ARE INEVITABLE.

The legal framework for elections in Afghanistan consists of the Constitution, two principal laws, IEC and ECC regulations and procedures and presidential decrees. There has been only modest criticism of the legal framework governing the presidential election.⁴¹ However, the legal system, dispute resolution mechanisms and related institutions proved incapable of resolving the existential political crisis that developed after the second round of voting. Amid charges of mass fraud that placed a peaceful democratic transition in jeopardy, the international community was forced to step in to negotiate an improvised process. This happened within the bounds of Afghanistan's sovereignty and with appropriate deference to Afghanistan's Constitution, laws, and institutions. Ultimately, a 100 percent audit of all ballot boxes was conducted with 50 percent of the ballots being recounted.

As stated earlier, the 2014 provincial council and presidential elections were the first held under actual legislation.⁴² Previous elections were governed by presidential decree. Afghan civil society participated in the legislative process

40 One example was a debate over whether to support international polling on candidate popularity. Washington favored this as a way to set public expectations about results and Kabul decided not to pursue it due to strong Afghan government resistance.

41 Office for Democratic Institutions and Human Rights, "Islamic Republic of Afghanistan Presidential and Provincial Council Elections 5 April and 14 June 2014 OSCE/ODIHR Election Support Team Report."

42 On July 13, 2013 the national assembly passed the Law on the Duties and Structures of the Independent Election Commission and the Independent Electoral Complaints Commission, which governs the composition and conduct of the country's election management body and complaints commission. On July 15, 2013, the national assembly passed a new Electoral Law which provided the legal framework for the presidential and provincial council elections in 2014 as well as the parliamentary elections in 2015.

through USAID’s Afghanistan Electoral Reform & Civic Advocacy Project (AERCA). This program provided small grants and trainings to civil society organizations, and facilitated dialogues between civil society and Parliament while the election law was being drafted. CSO partners advocated their positions and provided their recommendations to the National Assembly and IEC. This level of civic participation and inclusion was revolutionary in Afghanistan. Virtually all of the team’s interlocutors expressed their belief that the greatest success of the electoral laws did not lie in their specific provisions, but in their mere existence. There is clearly much more work to be done.

The law on the Structure, Duties and Authorities of the IEC and IECC 2014 was enacted “to regulate affairs related to the structure, duties, authorities and manner of operation of the Independent Election Commission and the Independent Electoral Complaints Commission.” The IEC was already a permanent, functioning institution when the law went into effect, but this was not the case for the ECC, whose predecessor institutions had been temporary. The late enactment of the legislation in 2014 hampered the ECC’s ability to fully establish itself before it would face the enormous task of handling election disputes several months later.

Despite start-up assistance provided by IFES and UNOPS, the ECC underperformed in both the provincial council and presidential elections. Indeed, Dr. Abdullah by-passed the complaints’ body entirely when making charges of massive fraud in the second round. Despite its broad mandate under law, the scope and nature of the challenges far exceeded the ECC’s capacity to play the primary role in resolving electoral disputes. After the audit began, the ECC played a relatively minor and somewhat baffling role in the proceedings, largely deferring to the IEC, the UN and international experts. Concerns also were raised over the ECC’s effectiveness and transparency in handling complaints from the provincial council elections. There have been numerous calls to replace commissioners on both the IEC and ECC. Regardless of whether changes are made, further technical assistance through the UNDP’s ELECT II program, or other mechanisms, would likely improve the performance of this fledgling institution.



10 CONSIDER OUTSIDE-THE-BOX APPROACHES TO ADDRESSING RECURRENT CHALLENGES

For decades, Afghanistan has ranked near the bottom on nearly every development indicator.⁴³ This overall context - particularly when considering illiteracy, corruption, infrastructure and gender – substantively weakens the ability to conduct elections. The challenge is made even more daunting when tribal divisions and insecurity in significant parts of the country are taken into account.

43 The World Bank, “World DataBank World Development Indicators,” Last modified January 30, 2015, <http://data.worldbank.org/data-catalog/world-development-indicators>.



An Afghan man loads ballot boxes and other election material on a donkey to be transported to polling stations that are not accessible by road in Shutul, Panjshir province, April 4, 2014. (REUTERS/Ahmad Masood)

In addition, the Afghan electoral system lacks some basic elements found in most other countries --such as polling station-specific voter lists, credible voter identification and reliable census data.

In contemplating elections, all these factors combined beg for outside-the-box ideas. Yet, the high political stakes for the international community in general, and the need for USAID to demonstrate "success" in particular, tend to make policy makers and program designers risk averse. While some creative thinking has made its way into practice in Afghanistan out of urgent necessity, impediments to sound and credible elections demand fresh thinking. One important observation is that election planners were not sufficiently linked to mechanisms that could support innovative solutions.

In an environment as challenging as Afghanistan, new approaches will face widespread skepticism. The intense international pressure for successful elections exaggerates risk-aversion tendencies and further discourages innovation. Yet, with many of the "normal" election remedies either having been tried in the four previous Afghan elections and failed --or not tried because of political or security concerns-- appropriate incentives could encourage innovation and lead to a new risk matrix. Resources should be made available to pilot projects and experiments with new technologies that might improve observation, deter fraud, or assess voter turnout, all of which could lead to larger scale interventions in the future. Specific new, quick, innovative solutions might also be examined in advance of planned lower house and district council elections.

The following suggestions deserve some consideration while keeping in mind their feasibility within the Afghan context.

- Identify high-risk areas and prioritize security, fraud mitigation, and observation efforts in future elections based on analysis of 2014 audit and results.
- Solicit proposals for innovative new measures to minimize fraud, including trying a grand challenge and prize mechanisms.
- Pilot programs to discourage and expose fraud, e.g., biometric voter identification and verification programs, pre-election polling to better prepare voters for possible election outcomes, parallel vote tabulation (PVT) and photo-based polling station technologies.
- Introduce as a possible redundant anti-fraud measure an ink fingerprint requirement for the polling station voter register, taking into account cultural acceptability, expense and implementation practicality.
- Convene a diverse group of international experts to differentiate between long-term and short-term voter registration solutions and devise specific options for each for consideration by donors and the government.
- Explore alternative indicators of population than the CSO figures or voter registration, including: geo-mapping; mosque size; applications for health benefits; figures used by the National Solidarity Programs.

A female journalist displays her inked finger after casting her vote in Afghanistan's western Herat province. (USAID/Afghanistan)



CONCLUSION

The 2014 Afghanistan presidential and provincial council elections highlight the challenges USAID faces with evaluating the success of democracy programs. Major investments contributed to meaningful political competition and increased political participation, and ultimately to a peaceful transfer of presidential power. Early and extensive planning sought to address weaknesses identified in previous elections with the full toolbox of USAID electoral interventions. And yet, allegations of widespread fraud required an unprecedented 100 percent audit, which was conflated with political negotiations that led to forming

the National Unity Government. Improvisation worked in large measure due to an intense diplomatic commitment and considerable international electoral assets already on the ground that were primed to carry out a flawed, but ultimately, successful audit process.

The National Unity Government is committed to looking forward, including preparing for future elections based on the Special Electoral Reform Commission's recommendations. Civil society interlocutors have expressed optimism that they will again be part of the reform process. And despite an understandable sense of déjà vu, the United States and the broad donor community should continue to provide assistance as the reform effort progresses.

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