OFFICE OF THE SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION

Barriers to Greater Participation by Women in Afghan Elections

October 28, 2009

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The Honorable Karl Eikenberry
U.S. Ambassador to Afghanistan

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This report discusses the level of women's participation in the elections held on August 20, 2009 and the extent to which the Afghan government created an environment conducive for women to vote openly and freely. Women's participation is significant to the electoral process because they comprise approximately half of Afghanistan's population. This report includes recommendations for the U.S. Ambassador to Afghanistan to encourage the Afghan government and international community to take measures to encourage greater participation by women in future elections including the 2010 elections.

A summary of our report is on page ii. This performance audit was conducted by the Office of the Special Inspector General for Afghanistan Reconstruction under the authority of Public Law No. 110-181 and the Inspector General Act of 1978, as amended. When preparing the final report, we considered comments from the U.S. Inter-agency Elections Team and the U.S. Agency for International Development, representing the U.S. Embassy Kabul. A copy of the comments are included in appendix III of this report.

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SIGAR

Special Inspector General for Afghanistan Reconstruction

SIGAR Audit-10-1 Elections October 2009

BARRIERS TO GREATER PARTICIPATION BY WOMEN IN AFGHAN ELECTIONS

What SIGAR Reviewed

SIGAR reviewed the level of women's participation in the elections held on August 20, 2009, and the extent to which the Afghan government and international community created an environment conducive for women to vote openly and freely. Specifically, SIGAR identified the challenges women voters and women candidates faced in the presidential and provincial council elections. SIGAR conducted this performance audit in Kabul, Afghanistan, and Washington, D.C., from March to September 2009, in accordance with generally accepted government auditing standards.

What SIGAR Found

Lack of a secure environment and cultural and structural constraints limited women's ability to fully exercise their political rights to register, campaign, and vote in the August 2009 elections. Observers reported incidents of male proxy voting for female voters, very low female voter turnout, and women voters voting on instructions from their families or from people present at the polling station. Many organizations, including both national and international non-governmental organizations, United Nations, and Afghan government institutions, engaged in a variety of public outreach activities to encourage women to participate. Nevertheless, many women restricted their movements and participation in the election process.

The Independent Election Commission, Afghanistan's electoral body, and the United Nations lacked sufficient focus on resolving issues related to women prior to the election. For example, at least 80,000 female polling staff were needed, but only 43,341 were successfully recruited, according to the United Nations. We previously reported that conducting credible and acceptable elections not only depends on the integrity of the election process but the willingness and ability of the next Afghan government to continue to build electoral capabilities so that democratic principles and the electoral process are sustained. In this regard, the Independent Election Commission needs to specifically address the challenges that female candidates and voters face earlier in the process and implement the necessary corrective actions to create an environment more conducive for women to participate in the election process.

What SIGAR Recommends

SIGAR recommends that the U.S. Ambassador to Afghanistan, in conjunction with the United Nations, urge the Independent Election Commission (IEC) to address the challenges that female candidates and voters face by taking a number of corrective actions, including proactively recruit and train female IEC staff and integrate women in the IEC planning process; communicate to all IEC staff the importance of following electoral law; increase supervision over staff and publicly report violators; ensure registration centers and polling stations are located in secure, accessible locations; and raise awareness of the right of women to participate fully in the electoral process through broad civic education programs. The U.S. Embassy Kabul endorsed the recommendations and stated that they will urge the IEC, in conjunction with the United Nations, to implement the necessary corrective actions.

Kabul Polling Station – August 20, 2009

Source: U.S. Embassy

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ABBREVIATIONS

IEC	Independent Election Commission
IFES	International Foundation for Electoral Systems
UNDP/ELECT	United Nations Development Programme, Enhancing Legal and Electoral Capacity for Tomorrow
SIGAR	Special Inspector General for Afghanistan Reconstruction

Barriers to Greater Participation by Women in Afghan Elections

This report identifies the (1) level of women's participation in the elections held on August 20, 2009, and (2) extent to which the Afghan government created an environment conducive for women to vote openly and freely. To identify challenges women voters and women candidates faced in the presidential and provincial council elections, we interviewed gender advisors and specialists at the Independent Election Commission (IEC), the Afghan electoral body responsible for preparing and conducting the elections; as well as United Nations and non-government organizations, and Afghan and U.S. officials; and reviewed human rights monitoring reports from the United Nations Assistance Mission in Afghanistan, the Afghanistan Independent Human Rights Commission, the United Nations Development Fund for Women, and other organizations. We conducted this performance audit in Kabul, Afghanistan, and Washington, D.C. from March to September 2009 in accordance with generally accepted government auditing standards. A more detailed discussion of scope and methodology is in appendix I.

BACKGROUND

The Taliban rose to power in the mid-1990s and, reportedly, were responsible for massive human rights violations, particularly directed against women and girls. Under the Taliban regime, Afghan women and girls could not engage in politics, were forbidden to obtain an education, and could not participate in the workforce. Since 2001, Afghanistan has made some progress in advancing the rights of women, as well as all Afghans, with the adoption of a new constitution.

The Constitution of Afghanistan mandates equal rights for men and women. Moreover, the Afghanistan National Development Strategy requires increased participation by women in public affairs and the Afghanistan Compact requires female participation in all Afghan governance institutions. In addition, Article 3 of the Electoral law, *Principle of Equality in Elections, states "v*oters shall have equal rights of participation in the elections;" and article 5, *Respect for the Principle of Free Will* states "voters and candidates shall take part in the elections on the basis of their free will. Imposition of any kind of direct or indirect restriction on voters or candidates on the basis of language, religious, ethnic, gender, tribal, geographical, or social status is prohibited."

The Constitution mandates that women comprise at least 24 percent of the National Assembly. The National Assembly consists of two houses: Wolesi Jirga (House of the People) comprising 102 members and Meshrano Jirga (House of Elders) has 249 members. At least 85 women (or 24 percent) of the 351 members of the National Assembly are to be women.[1] In addition, the Afghan electoral law requires at

[1]Calculation of women's seats in National Assembly: 68 of 249 (27.3 percent) seats in Wolesi Jirga, and 17 of 102 (16.75 percent) seats in Meshrano Jirga = 85 women's seats of 351 National Assembly seats = 24.2 percent.

least 25 percent of the seats in each provincial council to be reserved for female candidates. There were 121 women (28.8 percent) holding seats in the 420 provincial council seats nationwide, according to an August 2009 Congressional Research Service report.[2]

The international community investment was nearly $490 million to support the elections held on August 20 in Afghanistan. As a major donor, the United States contributed over half ($263 million) with the intention of supporting a credible process with open and free participation by all Afghans. It is estimated that women represent about half of the Afghan population; however, exact figures are not available. Following final adjudication of complaints by the Electoral Complaints Commission, IEC certified the presidential election results according to its website on October 21, 2009.

LEVEL OF WOMEN'S PARTICIPATION LIMITED DESPITE OUTREACH EFFORTS

The lack of security as well as cultural and structural constraints limited women's ability to fully exercise their political rights to register, campaign, and vote in the August 2009 elections. Despite outreach efforts to encourage women to participate, many women restricted their movements and participation.

Observers from the Free and Fair Elections Foundation of Afghanistan stated that female electoral staff appeared absent from about 650 polling centers throughout the country, and this had a direct impact on the level of female participation.[3] Observers reported incidents of male proxy voting for female voters, very low female voter turnout, and women voters voting on instructions from their families or from people present at the polling station. Proxy voting is a violation of the electoral law and procedures. These observers also noted that when female voters approached the station and noticed there was no female polling staff, they left without voting. In some instances, even female observers had to leave stations because men were operating them.[4]

Many organizations, including both national and international non-governmental organizations, the United Nations, and Afghan government institutions engaged in a variety of public outreach activities to encourage women to stand as candidates, according to a human rights report.[5] For example, the IEC conducted a public awareness program aimed at encouraging women to nominate themselves. Also, the Afghan's Women's Network and the International Foundation for Electoral Systems (IFES) sponsored "The Five Million Women Campaign" to bolster women's political participation by encouraging women's participation in Afghan elections. IFES reported 1,500 women gathered on August 4, 2009, in Kabul to

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[2] *Afghanistan: Post-Taliban Governance, Security, and U.S. Policy,* Kenneth Katzman, Specialist in Middle Eastern Affairs, Congressional Research Service, August 14, 2009, pg. 20.

[3] Excerpt from unedited transcript of remarks delivered by Nader Nadery, FEFA Chairperson, Free and Fair Foundation of Afghanistan, August 20, 2009.

[4] Unless otherwise noted, the term "observers" throughout this report refers to the observers from the Free and Fair Election Foundation of Afghanistan.

[5] *AIHRC-UNAMA Joint Monitoring of Political Rights, Presidential and Provincial Council Elections, First Report 25 April – 12 June 2009,* Afghanistan Independent Human Rights Organization (AIHRC) and United nations Assistance Mission in Afghanistan (UNAMA), pg. 4.

launch the campaign. However, this last-minute campaign, launched just two weeks before the election, was no substitute for voter education, according to a women's rights expert.

According to IEC's website updated as of October 21, 2009, about 4.6 million valid votes were cast on August 20, which represented about 31 percent of the estimated voting population of 15 million.[6] Approximately 38.7 percent of the votes were from women, according to an IEC paper provided to USAID; however, no information was provided on the source of data or how it was collected. The two female candidates for President - Frozan Fana and Shahla Ata - collectively received 32,199 votes, representing a small percent (0.7 percent) of valid votes. However, in the vote order, they were numbers 7 and 14, respectively, and received more votes than over half of the field of male presidential candidates.

According to IEC's outreach campaign and gender mainstreaming policies,[7] posters, leaflets, billboards, and brochures were used to promote the participation of women in the elections. For example, several of the posters were intended to show both men and women as equal participants. Figure 1 on the next page shows examples of some of the posters that IEC used. One poster was revised after noting that the depiction of the scale as a symbol of equality was considered too similar to the icon President Karzai used on the ballot for his candidacy.[8]

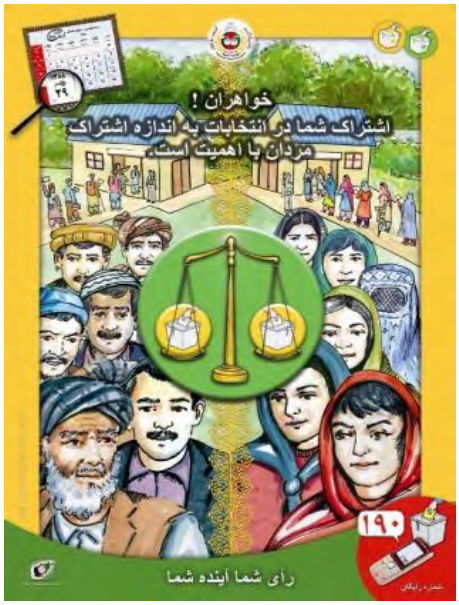
We personally observed female staff at a Kabul polling station where women appeared eager to demonstrate their knowledge of the procedures and displayed a sense of pride in their participation in the election process. We also observed polling staff following procedures: one woman was denied the right to vote because the name she had given was her father's but was not the name recorded on her voter registration card. See appendix II for a detailed account of our observations at four polling centers in Kabul on August 20.

[6]Certified, valid presidential votes reported on IEC's website October 21, 2009, were 4,597,727. The total votes were 4,823,090 of which 225,363 were invalid votes or votes invalidated due to candidates' withdrawals, according to the IEC.

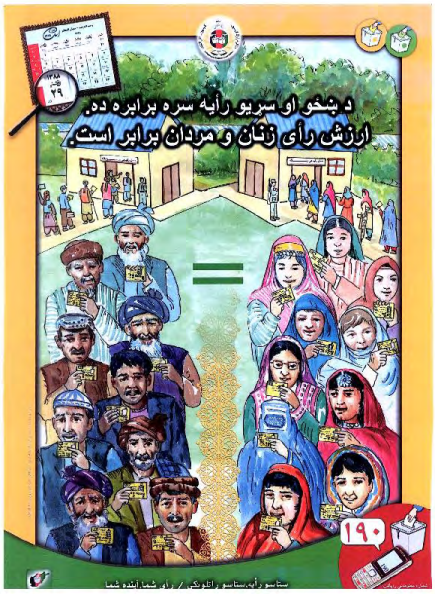
[7]Gender mainstreaming, as defined by the United Nations, is the process of assessing the implications for women and men of any planned action, including legislation, policies, or programs, in all areas and at all levels. Gender mainstreaming aims to promote gender equality and empowerment of women in particular and address gender disparities and gaps.

[8]Each candidate selected an icon that served as an identifier which appeared next to the candidate's name on the ballot.

FIGURE 1: Examples of Some Posters Used for Public Outreach by IEC

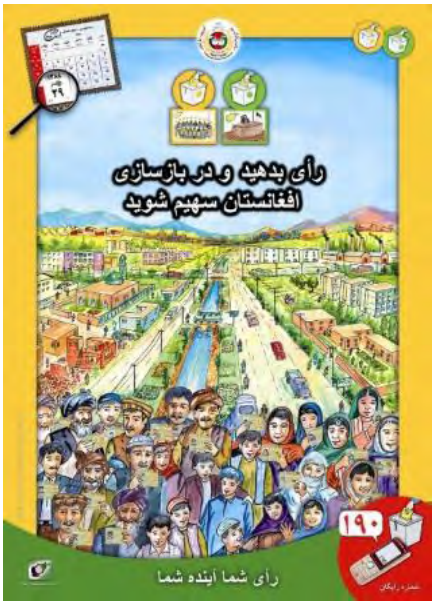


Representation of men and women votes being equal (original poster)



Representation of men and women votes being equal (revised poster without scale)

Representation of youth and diversity of women and men voting



Representation of voting linked to progress

Source: Independent Election Commission.

Registration Process Posed Barriers for Women

Fears of fraud surfaced during the registration process and continued throughout the campaign period and on polling day. At a joint press conference on May 3, 2009, the United Nations Special Envoy to Afghanistan and the Head of Afghanistan's Independent Human Rights Commission acknowledged voter registration irregularities and possibilities of fraud. The Free and Fair Election Foundation observed all four phases of the voter registration update process and reported violations, several of which affected women. Specifically, the Foundation reported multiple registrations by individuals and registration of absentees, particularly women registered by male relatives or registered based on a list. Multiple registrations were also reported in the 2004 election. In addition, the location of some registration centers were too far removed from populated, residential, and public areas and/or not staffed by females, which discouraged women from registering. Social norms and traditional practices generally restricted women's movement and participation in public life. For example, district buildings, mosques, and government offices were used for registration, but some of these locations were not culturally appropriate for women to enter unaccompanied. Overall, the Foundation observed low registration of women in many provinces, which they attributed to security concerns, lack of female staff, and inaccessible locations.

The IEC conducted a voter registration exercise between October 2008 and February 2009. Since it was not a full registration, the process involved issuing voter registration cards to eligible voters who had not previously registered, and allowed eligible voters who had previously registered to update their information or receive replacement voter registration cards. The IEC estimated the eligible voting population was approximately 15 million, which represented about half of the estimated population of 31 million.[9]

About 4.7 million additional voting cards were issued during the exercise of which 40 percent were women, according to the IEC.[10] In the 2004 election, about 43 percent of the registered voters were reported to be women. Although the level of female participation attained during the exercise was consistent with IEC's performance target of at least 40 percent of those registered are women, potential fraud surfaced during the registration update exercise, evidenced by improbably high levels of female registration in some provinces. The practice, which may have started as "proxy voting" (men in traditional areas voting for women in their family), expanded into large-scale fraud, according to a June 2009 report by the International Crisis Group. Further, the report stated that despite indications of fraud, no additional safeguards were taken against this type of fraud, which requires complicity of local election staff.

Moreover, observers reported during the fourth phase of registration that IEC staff were not well-trained and familiar with the process, especially during voter registration in female stations. In addition, lack of effective public awareness prior to the commencement of the fourth phase of registration, for example, was a factor for the low turnout of women registrants.

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[9]The U.S. Department of State, Bureau of South and Central Asian Affairs, November 2008, indicated that the population of Afghanistan was 31,056,997 based on a June 2006 estimate.

[10]Since some of the registration cards were replacements for lost cards, IEC estimated that the update exercise actually registered 4.5 million new voters.

Challenges Faced by Women Candidates

Lack of adequate protection from the Afghan government was a source of complaint and frustration for women running for political office. The ballot included two women for President and 331 women for Provincial Council, based on our count of candidates from the IEC website list of candidates as of July 16, 2009.[11] IFES reported that seven of the 82 vice presidential candidates were women. (Each elected president has two vice presidents). The number of female candidates represented an increase over the 2005 provincial council elections of 286 candidates. While there was an overall increase in female candidates of about 45, there were fewer female candidates in several provinces due to greater threats against women in these areas. However, only one female ran for president in 2004, whereas two women ran in August 2009.

Most female candidates ran as independents. However, a greater proportion of the women running for provincial council – 20 percent – were affiliated with a political party, compared to 12 percent of the male candidates.[12] One reason for the difference may be that women sought the protection and campaign resources a party could offer, according to the International Crisis Group.

The presidential candidates were Frozan Fana and Shahla Ata and both women ran independent from a political party. Frozan Fana, pictured to the right, is a surgeon from the Balkh province. She created a website stating her political platform, but for unknown reasons, the site closed as of July 13, 2009; the site remained closed for the rest of the campaign period.[13] The website had stated her political mission as a call for equality to "support and ensure equal rights of women and men, remove any kind of inequality and injustice towards women, and make sure to include them in all political, economical, social and cultural decision making."

Photo: Presidential candidate Frozan Fana

Source: IEC List of Candidates.

[11]To obtain the number of women candidates for president and provincial council, we counted the women candidates appearing on the IEC website list of candidates as of July 15, 2009. It should be noted that the names of the candidates that withdrew may remain on the ballot and their votes may have been counted due to ballot printing deadlines.

[12]*Afghanistan's Election Challenges*, International Crisis Group, June 24, 2009 pg. 18.

[13]The campaign period was from June 16 to August 17, 2009. Campaigning concluded 48 hours prior to polling commencement.

Photo: Presidential candidate Shahla Ata

Source: IEC List of Candidates.

Shahla Ata, pictured to the left, is a Member of Parliament from Kabul. Her campaign slogan was "women make up half of society," as reported in the media. Additionally, her platform was to start working on making life better for the neglected 50 percent of the country, including speedy reconstruction, provision of services, justice, judicious use of foreign aid, and strengthening the economy.

Both female candidates faced disadvantages; their posters were torn down, they suffered abuse, and they feared for their lives, according to media interviews with the candidates and independent monitoring organizations.

The following cases, reported by human rights organizations, are illustrative of the intimidation and discrimination that women provincial council candidates faced prior to the election in May and June 2009:[14]

- May 5, 2009: In Yangi Qala district, Takhar province, female provincial council candidates received threat letters. Despite these threats, nine women ran for local office.
- May 11, 2009: In Rutaq district, Takhar province, a female provincial council candidate received a threat over the telephone. After the police intervened, the threats stopped.
- May 28, 2009: In Baghlan, a female provincial council candidate received death threats from an anti-government group. She relocated to Kabul and police advised her to wear a *burqa*.
- June 8, 2009: In Takhar province, a female provincial council candidate was harassed by her brother-in-law and family members; but she refused to withdraw her candidacy. The brother-in-law was also a provincial council candidate and allegedly had connections to a local criminal gang.

During the campaign period, visibility for women as political participants remained a low priority for many, according to the United Nations Development Programme's Enhancing Legal and Electoral Capacity for Tomorrow (UNDP/ELECT) project.[15] For example, the major television debate featuring the incumbent and two challengers had no more than a dozen women in the audience. Female candidates also continued to complain that they had their posters pulled off walls or defaced and had problems

[14] *AIHRC-UNAMA Joint Monitoring of Political Rights – Presidential and Provincial Council Elections, First Report, 25 April - 12 June 2009,* Afghanistan Independent Human Rights Commission (AIHRC) and the United Nations Assistance Mission in Afghanistan (UNAMA) Political Rights Monitoring project, July 7, 2009, pg. 11.

[15] UNDP/ELECT managed the international electoral assistance to Afghanistan and coordinated donor funding.

getting any media attention. Although insufficient, each female candidate had one armed guard paid by the Ministry of Interior, according to the UNDP/ELECT Gender Advisor.

Lack of security was a significant factor that affected women voter turnout on August 20, 2009. There were multiple reports that women were not adequately protected to vote openly and free from intimidation. Security was a key concern for all Afghans, not just women. Threats to discredit the democratic process included fears of intimidation, abduction, and assassination of election workers and monitors, and attacks against polling stations and centers, regardless of gender. According to the UNDP/ELECT Gender Advisor, based on information from the IEC Gender Unit, one female candidate was killed and two female candidates were kidnapped, and there was a failed assassination attempt. Some female parliamentarians stated that unless the security situation improved, they were unlikely to stand in parliamentary elections scheduled for 2010.

ELECTORAL ENVIRONMENT WAS NOT CONDUCIVE TO WOMEN'S FULL PARTICIPATION

Several factors contributed to an environment not conducive to women's participation, both as candidates and as voters. Cultural and structural constraints limited women's ability to fully exercise their political rights in the August 2009 election. Many women candidates were not free to campaign broadly throughout the country due to attacks and threats against them. Attacks against women sent signals to all Afghan women and their families that women should stay at home.

Campaign Limitations

The ability of women to campaign varied greatly throughout Afghanistan, according to a joint human rights monitoring report:[16] in Kabul, for example, all of the 67 provincial council candidates campaigned by posters, through private in-house gatherings, and through friends and relatives. They did not campaign through media outlets due to limited resources. In Kapisa, six female candidates did not campaign in public, but some used the local television station. In Wardak, two out of seven female candidates carried out a door-to-door campaign; whereas the rest did not actively campaign. In Logar, ten candidates, of whom two were supported by a strong political party, actively campaigned. They campaigned in schools, in private groups and distributed their business cards. In Panjshir, seven candidates campaigned freely in their villages. Their posters were visible in all districts. They also used the local radio of Khorasan, although it had a very limited coverage.

Lack of Focus on Women's Participation during Election Preparation

Both the IEC and United Nations lacked sufficient focus on resolving issues related to women prior to the election August 20 elections. For example, in preparation for the election, the United Nations created the position of Gender Advisor in December 2008 to ensure capacity development remained at the forefront and that gender equity issues would be mainstreamed within the IEC with support from UNDP/ELECT. However, UNDP/ELECT did not hire a Gender Advisor until May 2009 even though it considered the Gender Unit essential to ensure sustainability.

[16] AIHRC-UNAMA Joint Monitoring of Political Rights, Presidential and Provincial Council Elections, Second Report, 16 June - 1 August 2009, AIHRC and UNAMA, pg. 11 and 19.

Following the Gender Advisor's appointment, two Afghan nationals were hired for the IEC Gender Unit. The Gender Unit began work to assess, review, and plan its activities in June 2009, just two months before the election. The Gender Advisor stated that expectations for the Gender Unit were more directed to short-term goals of delivering women to the polls, than on building long-term political participation of women in the electoral process. Although the Gender Advisor was hired for six months, her contract was extended until December 2010. A USAID official stated that they plan to recommend a separate line item in the UNDP/ELECT budget for the gender advisor to ensure there are activities directed at women in preparation for the 2010 election. The UNDP/ELECT Gender Advisor concurred and added that there is also a need for a separate budget for the Gender Unit, as well as separate line items for gender mainstreaming-related activities within each department. Also, the Gender Advisor stated the IEC Training Department needs to mainstream gender and women into its training materials. Just two months before the election, in July 2009, the IEC and United Nations began addressing the issue of how to recruit women as body checkers, and in other temporary polling staff positions. According to IEC, more than 14,000 female body checkers and 80,000 female polling staff were required. The total number of women recruited by August 17 was 43,341, according to UNDP/ELECT, far less than the 80,000 required; in comparison, 77,121 male polling staff were recruited. In addition, UNDP/ELECT did not know exactly how many female body checkers showed up on Election Day or how many of them received training.

Recruiting women for managerial positions was hampered by the necessity for overnight stays. Positions such as District Field Coordinator and Polling Center Manager required polling officials to stay overnight to look after the boxes where votes were cast. Women would more likely accept such a position with a *mahram* [17] (guardian) present, according to UNDP/ELECT. IEC did not consider the need for a mahram in its election planning.

According to the UNDP/ELECT Gender Advisor, based on information from the IEC Gender Unit, the IEC Gender Unit was told that the provincial offices had enough female staff and even rejected some female applicants. However, the UNDP/ELECT Gender Advisor said this was not the case, and many men, particularly in the south, took the jobs designated for female polling staff. According to IEC data from the Department of Field Operations dated September 2, 2009, approximately 3,500 male staff were recruited for female polling positions.

CONCLUSIONS

Cultural and structural barriers limited women's ability to fully exercise their political rights. Women were under-represented in all aspect of the process. However, improving the electoral environment in Afghanistan depends, in large part, on greater participation by women. We previously reported that conducting credible and acceptable elections not only depends on the integrity of the election process but the willingness and ability of the next Afghan government to continue to build electoral capabilities so that democratic principles and the electoral process are sustained.[18] The IEC lacked focus on the fundamental needs of women voters, particularly, for recruiting enough female polling staff, locating the

[17] *Mahram* is a male relative who serves as a chaperone. Under the Taliban regime, females were not permitted out in public unless accompanied by a *mahram*.

[18] *Strategy and Resources Needed to Sustain Afghan Electoral Capacity*, SIGAR Audit-09-6, September 22, 2009.

registration and polling centers in secure and appropriate areas, and ensuring its staff enforced electoral law and procedures to encourage women's full participation. Officials from the Department of State and USAID stated that an overall lesson learned in this election is to start planning earlier so that outreach to women, in particular, is not a last-minute activity. Other lessons learned that are consistent with our observations included increasing the focus on the fundamental needs of women, such as early recruitment of women polling officials, engaging more men to support women's participation, and raising awareness through civic education.

RECOMMENDATIONS

To address the challenges that female candidates and voters face, SIGAR recommends that the U.S. Ambassador to Afghanistan urge the IEC, in conjunction with the United Nations, to implement necessary corrective action, including:

- proactively recruit and train female IEC staff and increase the number of female staff to better integrate the fundamental needs of women candidates and voters in IEC's planning process,
- communicate to all IEC staff the importance and criticality of following electoral law and procedures, including increased supervision over IEC field staff, to eliminate proxy voting (e.g. men voting for women);
- reprimand and/or publicly report violators of electoral infractions, particularly for proxy voting (men voting for women) and multiple registrations (men registering for women) to ensure fairness and credibility in the election process;
- ensure registration and polling centers are located in secure, accessible locations, staffed by females, to allow women to register and vote free from intimidation, and
- raise awareness of the right of women to participate fully in the electoral process through broad civic education programs.

COMMENTS

The U.S. Inter-agency Elections Team and USAID, representing the U.S. Embassy Kabul, provided joint written comments on a draft of this report. Their comments are in appendix III. In their response, they endorsed our recommendations and stated that the U.S. Ambassador to Afghanistan will urge the IEC, in conjunction with the United Nations, to implement the necessary corrective actions recommended by SIGAR. In addition, they provided specific information, noted below, on specific actions already taken and/or planned in relation to the recommendations.

With regard to the recommendation to proactively recruit and train female IEC staff and integrate women in the planning process, USAID plans to build capacities of the UNDP/ELECT and IEC Gender Units with support from the USIAD-funded IFES Gender Advisor.[19] This includes strategic planning with Afghan ministries and other government stakeholders and reviewing recruitment of female IEC staff in the field, at polling stations, and security staff (female body checkers).

With regard to the recommendation to communicate to IEC staff the importance of following electoral law/procedures, increasing supervision of IEC field staff, and reprimanding and/or publicly reporting violators, USAID stated it had raised these concerns prior to the elections and subsequently. Based on these discussions, USAID stated that IEC will (1) dismiss more than 200 field staff (District Field Coordinators) due to their involvement in irregular activities and fraud, and (2) submit information related to electoral law violations via other Afghan authorities and government institutions to the appropriate legal authorities. In addition, USAID plans to continue to monitor the implementation of the Electoral Law. In this regard, IFES capacity building advisor will review, recommend, and urge the IEC to adopt stronger fraud mitigation mechanisms.

To help ensure registration centers and polling stations are located in secure, accessible locations staffed by females, USAID stated that new software will be used to help prepare for the 2010 elections, which is intended to incorporate the staffing, logistics, security, and other specific needs for women at the polling stations.

Regarding the recommendation to raise awareness of the women's right to participate fully in the electoral process through broad civic education programs, USAID'S Bureau for Democracy, Labor and Human Rights is in the process of vetting society/civic education programs focused on the strengthening of civil society within the electoral process. Finally, USAID stated it will provide a full-time capacity building advisor, funded through IFES' electoral process program as part of the 2010 procurement process.

[19]The IFES Gender Advisor is funded through IFES' Support to the Electoral Process, called IFES/STEP program.

APPENDIX I: SCOPE AND METHODOLOGY

We reviewed the (1) level of women's participation in the elections held on August 20, 2009, and (2) extent to which the Afghan government created an environment conducive for women to vote openly and freely. To accomplish these objectives, we identified the challenges women voters and women candidates faced in the presidential and provincial council elections. In this regard, we interviewed gender advisors and specialists at the IEC, United Nations, and non-government organizations, and Afghan and U.S. officials; and reviewed human rights monitoring reports from such organizations as the United Nations Assistance Mission in Afghanistan, Afghanistan Independent Human Rights Commission, and the United Nations Development Fund for Women. We relied heavily on observations made by others including observers for the Free and Fair Election Foundation of Afghanistan, Afghanistan Independent Human Rights Commission, and the United Nations Assistance Mission in Afghanistan, and consider their reports reliable. We also observed polling activities in Kabul at four polling stations on August 20.

This report is the second in a series of reports on the elections. We conducted work in Kabul, Afghanistan, and Washington, D.C. from March to September 2009 in accordance with generally accepted government auditing standards. These standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. The audit was conducted by the Office of the Special Inspector General for Afghanistan Reconstruction under the authority of Public Law No. 110-181, and the Inspector General Act of 1978, as amended.

APPENDIX II: SIGAR AUDITOR'S OBSERVATIONS ON ELECTION DAY

A SIGAR auditor was a member of the U.S. Embassy Election Observation team for the 2009 Afghanistan Presidential and Provincial Council elections on August, 20 2009. These are the auditor's observations:

We were assigned to gender teams of three personnel to observe the Afghan electoral system of having separate voting stations for men and women. We visited four polling centers and several polling stations within the centers.

The established process for voting involved the voter presenting his/her voter registration card to the polling official. The polling official recorded the voter's registration card number and voter's name and verified that the photo matched the voter. Women, however, were not required to have a photo on the voter registration card. For cards lacking a photo, the polling official asked the woman her father's name, which was on the card, to verify the card belonged to the voter. Once the card and voter were verified, the voter dipped his/her index finder in indelible ink as an anti-fraud measure to prevent multiple voting. The card was also punched with a triangular punch to denote voting in this particular election. The voter then proceeded to a second table to receive the ballot(s). If the voter was from the province where he/she was voting, the voter received a presidential ballot and a provincial council ballot. If the voter was not a resident of the province, the voter only received the presidential ballot. The ballot was stamped on the back with an official stamp and the voter went behind a cardboard screen to vote in private. After marking his/her choices, the ballot(s) were folded and deposited in a large plastic bin. The lids were secured with numbered zip ties to prevent tampering prior to counting.

We left the U.S. Embassy Kabul at 6:30 a.m. on August 20 and arrived at the first center about 15 minutes later. Upon arriving, our security detail and the Afghan National Police guarding the polling center discussed whether we would be allowed to observe and whether our security detail could accompany us. Following about 10 minutes of discussion, the Afghan National Police decided we could enter the center with our security detail but without their weapons.

When we entered the center the men's station was set up and ready to receive voters when the center opened. The center had four stations – two each for male and female voters. The female stations were still setting up and organizing when we arrived, but appeared to have all the necessary and required supplies for the election. We observed an Afghan National Police officer located on the second floor of the mosque compound where the voting center was located observing the surrounding area. The polling station officials and station workers were very friendly and willing to talk and answer our questions. The women appeared eager to demonstrate their knowledge of the procedures and displayed a sense of pride in their participation in the election process.

We continued to the next center located at a school. When we arrived, we were directed to the female polling stations, which were more segregated than at the previous center. The stations were set up in small classrooms. There were 2-3 female stations in various states of readiness. Although the setup was a bit late, we did not see anyone turned away from voting due to the late opening. One of the stations had some difficulties with the zip ties used to secure the lid on the ballot box. A couple of the ties broke,

but since each tie had a unique number, the defective ties were removed and replaced. The new numbers were recorded and the defective ties were saved and secured.

We noted a number of other observers at the polling stations including representatives of the European Union, the Dutch Embassy, Free and Fair Election Foundation of Afghanistan, and political candidate agents. The observers appeared diligent in their duties, watching the process and the participants.

The third center at a school complex was fully set up and had recorded several (12-15) female voters by the time we arrived. We observed one woman proceeding through the voting process. Our Embassy representative was concerned about the layout of the location. Since it was a large compound with many buildings, it might be difficult to pinpoint our location should we need assistance. Therefore, we left this station due to security concerns and went to the fourth center.

The fourth and final center we visited was located in a mosque. There was one female polling station set up, which had already recorded 20-25 female voters. We observed a steady stream of women while we were there. When we arrived, there were 3-4 women waiting to vote. In comparison, several dozen men were waiting in line to vote. We did observe one woman being denied the right to vote because the name she gave as her father's was not the name recorded on the voter registration card. Overall, the women polling officials appeared to follow the procedures and take their responsibilities very seriously.

Throughout the day the general atmosphere was relatively subdued. While on a normal day the traffic was heavy with many street vendors and pedestrians, this day was quite different. Since President Karzai declared Election Day a holiday, Kabul streets were nearly empty of traffic and pedestrians, except near the voting centers. There were more Afghan National Police, United Nations, and International's vehicles on the road than anything else. As we drove through the city, we noticed there was an Afghan National Police officer every 30 to 40 feet in addition to many police in mobile patrols. Everyone appeared especially alert and watchful for anything out of the ordinary.

APPENDIX III: COMMENTS FROM USAID AND THE U.S. INTER-AGENCY ELECTIONS TEAM

Embassy of the United States of America
Kabul, Afghanistan

October 25, 2009

INFORMATION MEMORANDUM

TO: John Brummet, Assistant Inspector General for Audits
Special Inspector General for Afghanistan Reconstruction (SIGAR)

FROM: William M. Frej, USAID Mission Director
Ambassador Timothy Carney, Head of the U.S. Inter-Agency Elections Team

SUBJECT: SIGAR Audit-10-1 Women's Participation in Elections

Thank you for providing U.S. Embassy Kabul with the opportunity to review the subject draft audit report. We would like to express our gratitude for the professionalism exhibited by the audit team during the performance of the field work.

SIGAR AUDIT RECOMMENDATIONS

To address the challenges that female candidates and voters face, SIGAR recommends that the U.S. Ambassador to Afghanistan urge the Independent Elections Commission (IEC), in conjunction with the United Nations, to implement the necessary corrective action including:

- proactively recruit and train female IEC staff and increase the number of female staff to better integrate the fundamental needs of women candidates and voters in IEC's planning process;
- communicate to all IEC staff the importance and criticality of following electoral law and procedures, including increased supervision over IEC field staff, to eliminate proxy voting (e.g., men voting for women);
- reprimand and/or publicly report violators of electoral infractions, particularly for proxy voting (men voting for women) and multiple registrations (men registering for women) to ensure fairness and credibility in the election process;
- ensure registration and polling centers are located in secure, accessible locations, staffed by females, to allow women to register and vote free from intimidation, and
- raise awareness of the right of women to participate fully in the electoral process through broad civic education programs.

USG RESPONSE TO AUDIT RECOMMENDATIONS

USAID/Afghanistan and the U.S. Inter-agency Elections Team endorse the recommendations of the SIGAR report. The U.S. Ambassador to Afghanistan will urge the IEC, in conjunction with the United Nations, to implement the necessary corrective actions.

The comments below detail additional information on activities that have taken place or which are planned to take place with regard to some of the recommendations made in the SIGAR report.

"Proactively recruit and train female IEC staff and increase the number of female staff to better integrate the fundamental needs of women candidates and voter in the IEC's planning process"

USAID will build the capacities of the newly established UNDP ELECT's/IEC Gender Units supplemented by the IFES/STEP Gender Advisor to strengthen the units and address the concerns of the report. UNDP-IEC-IFES have established clear divisions of labor focused on internal/external activities and have devised clear strategies working with Afghan Ministries and other government/stakeholders to ensure the fundamental needs of women are addresses long in advance of the 2010 elections. This includes strategic planning reviewing recruitment of IEC field, polling station, and security staff (searchers).

"Communicating to the IEC staff the importance of following the Electoral Law/procedures, increased supervision of the IEC field staff, elimination of proxy voting AND reprimanding and/or publically reporting violators of electoral infractions"

The U.S. Mission regularly raised concerns regarding those points prior to the elections and subsequently. The result to date is the IEC will dismiss 200+ field staff (District Field Coordinators) due to their involvement in irregular activities and fraud during the 20 August 09 elections. Following the electoral law and proxy voting—the IEC has stated they will submit information related to violations of the electoral law via other Afghan authorities, government institutions to the appropriate legal authorities. The USAID Mission will continue to monitor the implementation of the Electoral Law, and through the IFES STEP capacity building Advisor review, recommend, and urge the IEC to adopt stronger fraud mitigation mechanisms.

"Ensure registration of polling stations are located in secure, accessible locations staffed by females"

The IFES Step program, prior to the 20 August 09 elections, tested iMAPP software at the IEC Headquarters in preparation for registering polling stations. Follow-up on the implementation of the software and training at the provincial and district levels is planned in preparation for the 2010 elections. This activity will include women's

polling stations and the incorporation of their specific needs (staffing, logistics, security etc.).

"Raise awareness of the right of women to participate fully in the electoral process through broad civic education programs"

The USAID Bureau for Democracy, Labor, and Human Rights is in the process of vetting civil society/civic education programs focused on the strengthening of civil society within the electoral process. These programs have targeted activities further building the capacities and inclusion of women and youth. The programs are comprehensive and will augment the current/future activities planned by IFES, CEPPS, STEP, Counterpart, UNDP/ELECT, and other stakeholders are expected to apply to a Request for Applications to expand the reach of prior programs, build the IEC's capacity in their public information/civic education departments, and ensure that a wide variety of experienced NGO's are included within the process.

USAID through the IFES STEP program provides capacity-building expertise through a full time Advisor position and additional support in the form of capacity building is expected as part of the 2010 procurement process.

(This report was conducted under the audit project code SIGAR-006A).