



PROJECT on Middle East Democracy

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“Can Afghanistan Afford Another Election?”

United States Institute of Peace
1200 17th Street NW

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The United States Institute of Peace hosted an event on the 2009 Afghan elections and what they mean for the prospects of holding a fair and credible election in 2010. **John Dempsey**, Rule of Law Advisor for USIP, moderated a panel of three speakers: **Isabelle de Ruyt**, Desk Officer for Afghanistan, Electoral Assistance Division of the United Nations; **Grant Kippen**, Chairman of the Electoral Complaints Commission in both the 2005 and 2009 Afghan elections; and **Scott Worden**, Senior Rule of Law Advisor for USIP and former International Commissioner on Afghanistan’s Electoral Complaints Commission (ECC) in 2009. The panel examined the nature of the 2009 electoral fraud, commented on the recent announcement of parliamentary elections this coming May, and generally explored whether Afghanistan can afford another election season without enacting a wide range of reforms that may ensure a better and more legitimate outcome.

Scott Worden began his segment by discussing the scope of the ECC’s work and the level of popular discontent that emerged as a result of the 2009 elections. The ECC reported around 3000 official complaints throughout the campaign. However, Worden stated that the ECC hoped its decisions throughout the process represented a “model of transparency which can be built upon for future elections.” Comprised of Afghan and international commissioners, the ECC was responsible for ruling on electoral fraud in the 2009 contest, and ultimately invalidated 1.2 million presidential ballots based upon its investigations. **Worden emphasized the ECC’s ability to fill local staff entirely with Afghan employees and he believed that its significant capacity at the local level – it had offices in all 34 provinces – was a tremendous accomplishment, giving the Afghan people a sense of pride and ownership with respect to the electoral process.**

Worden further highlighted the exclusory clauses enacted in 2005 which prevented certain armed groups, and the candidates they endorsed, from participating in elections. This law disqualified 55 candidates and also rewarded those who abstained from violence with a place on the ballot.

Although the Afghan presidential contest generated the most attention internationally, Worden observed that domestic passion was strongest at the provincial council level, where familial and tribal prestige was of primal importance. However, this passion also led to systemic fraud, and Worden highlighted three irregularities which he believed must be addressed before democracy can progress. These include: **suspect voter registration and voter lists** (4.5 million new voters in 2009 but most were impossible to verify); **large pockets of insecurity** (fears of violence not only kept many Afghans away from the polls, but dissuaded many election observers from monitoring certain polling stations as well); and **the IEC’s failure to recount and take sufficient remedial measure in the wake of widely publicized 2009 electoral fraud**. 1400 polling stations had 100% fraud, and half the recorded votes in 23 districts were fraudulent.

Isabelle De Ruyt reported that the UN's Electoral Assistance Division made a number of recommendations following its analysis of the 2009 campaign season. One lesson, which Ruyt believes is relevant for many conflict-ridden areas, is to avoid relying upon technical fixes that may be difficult for the local populations to comprehend or even implement without a deep electoral history. Instead, she argued that the essential component of electoral progress is simply popular trust in the election authorities and institutions. **"It's much easier to organize elections in areas where institutions are strong, solid, and can bring redress when problems occur."**

Beyond the dearth of public trust, Ruyt contended that the timeliness of decision-making is a particularly potent area of concern. Many policies and dates are not only announced too late to properly implement, but also too late to sufficiently inform the Afghan people. In order for civil society to be full participants, Ruyt explained, they need to have all of the available information. Although Ruyt proposed a variety of potential reforms, she was cognizant of the fact that elections in and of themselves are "not a panacea." **She felt that people may put too much trust in the capacity of elections to remedy the various injustices at all levels of Afghan society.** Elections require a huge amount of societal energy and Ruyt believes that other priorities were somewhat ignored during the recently completed 2009 campaign season.

Grant Kippen, in addressing the general question of how the Afghan government should approach its next round of elections, remarked that **"at the end of the day it's the Afghan institutions that are responsible for the process. Afghans have to take ownership, not the international community. But elections need to be more about being credible than being inclusive to the population."** To this end, he asserted that the international community needs to collectively work toward creating a process that the Afghan people believe reflects their will.

Commenting on the Afghan people's take on governmental legitimacy, Kippen explained that he often found a disconnect between community-wide expectations and political reality. Many Afghans expected elections to be a silver bullet, and there was widespread disillusionment when many of the country's problems remained in place following the 2005 election, leading to fears of lower voter turnout in the future.

Kippen also praised the U.S. government for providing the ECC with the requisite tools and resources while it prepared for the election season. "It was extremely responsive to the needs of the ECC and was very engaged in what we were doing," he said, noting that the U.S. government "made it very clear that they backed the work of the ECC." While Kippen acknowledged the challenges the ECC faced in terms of establishing the organization across the country, he gave very high marks to USAID in its role as a timely provider of personnel and resources to help get local ECC offices up and running. Overall, the ECC maintained a very good relationship with both the U.S. government and international donors, collectively through the UN and on an individual basis.

Ultimately, the panel was pessimistic about the prospects for an improved electoral environment in 2010. Ruyt commented that there was an existing process in place to detect fraud, and it largely worked, but acting on this information is the more difficult step since Afghanistan lacks both a civil voter registry as well as reliable census data. Although the Afghan institutions did their job – to the extent that they documented voter irregularities – she believes that the reforms needed to further empower these institutions would likely take years.