

## RESULTS OF THE AFGHAN PARLIAMENTARY ELECTION

*Laying the groundwork for democracy in Afghanistan*

On November 12, The UN-Afghan Joint Election Management Body (JEMB) certified the results for Afghanistan's September 18 legislative elections. The certification followed several delays due to a fraud investigation that pushed final certification past JEMB's original October 22 goal. Two notable winners for seats in the *Wolesi Jirga* (lower house) included female candidate Malalai Joya, of Farah province, known for her public denunciation of Afghan warlords, and Abdul Qayoom Karzai, President Hamid Karzai's brother, from Kandahar province.

U.S. Secretary of State Condoleezza Rice and other international observers hailed the election—the country's first legislative elections since 1969—as a dramatic demonstration of Afghanistan's post-Taliban progress. In the face of Taliban threats of violence, turnout on election day varied widely by province (ranging from 22 percent in Zabul in the south to over 70 percent in Bamyan and Paktika). Overall, national turnout was just above 50 percent, a somewhat disappointing figure in comparison with last year's 70 to 80 percent participation in the presidential election. Although the UN allayed suspicions of widespread fraud by releasing initial results in early October, officials acknowledged that fraud slowed the tallying and resulted in the dismissal of 50 staff members, as well as the rejection of 3 percent of ballots. Fraud investigations centered around ballot-stuffing and caused JEMB to revise its final certification date several times, most recently in Kandahar.



Despite the overall success of the election, there remains concern among some Afghans and international actors over the composition of the emerging parliament. President Karzai successfully lobbied for the adoption of the Single Non-Transferable Vote (SNTV) electoral system, which requires candidates to run as individuals, and not as part of a party list. This decision was seen to support candidates that would not object to President Karzai's and donors' reconstruction program, but it has also led to fears that the parliament will foster the creation of small, fractious coalitions lacking both policy coherence and political will. Most Afghans fear that the National Assembly will emerge as a collection of patronage groups, resulting in a corrupt and unaccountable body. International observers have further focused on the possible implications of vesting 'warlords', ex-Taliban, or other spoilers who may have links to the narcotics trade with political power. Corruption fears are largely corroborated by Transparency International's 2.5 (out of 10) rating for Afghanistan, placing the country among the most corrupt in the world.

### The Election and Institutional Framework

On September 18, Afghans voted for candidates for the *Wolesi Jirga*, or lower house, of parliament. According to the Afghan constitution, the *Wolesi Jirga* is chiefly responsible for creating laws and approving executive initiatives, as well as exercising budgetary and treaty authority. In all, 2,707 candidates stood for 249 seats in the *Wolesi Jirga*.

Each province simultaneously elected Provincial Council members. The Councils are intended to help enhance development and administration at the local level, which includes coordinating with federal officials on the key issue of poppy eradication. In addition, they are responsible for nominating one-third of the *Meshrano Jirga* (or upper house) parliamentary representatives from Council members. The full scope of the councils' authority, however, remains unclear. A draft of Provincial Council powers was not circulated until August—only a month prior to the elections and after the nominee filing deadline—and, even then, it was only narrowly promulgated in the provinces. As a result, neither candidates nor voters in the Provincial Council races had a clear idea of the Councils' mandate on election day. Overall, 3,025 candidates stood for election to 420 seats on 34 Provincial Councils.

The *Meshrano Jirga* is not directly elected. The Afghan constitution envisions the body in a largely advisory role, and its 102 members are equally divided among Provincial Council representatives, District Council representatives, and executive appointees. Provincial and District Councils send delegates from their members to sit on the *Meshrano Jirga*, who must relinquish their Council seats. Due to ongoing disagreement over boundaries and other issues, however, District Council elections have not been scheduled. As an intermediate measure, the Afghan cabinet authorized each Provincial Council to send two members to the *Meshrano Jirga*, stipulating that the second Provincial Council delegate vacate the *Meshrano Jirga* following District Council elections and return to his/her seat on the Provincial Council. Provincial Councils had selected representatives to the *Meshrano Jirga* in 32 of Afghanistan's 34 provinces as of November 15, and officials believe that, following President Karzai's appointments, the National Assembly would convene for the first time on December 18. Following its first session, the parliament has one month to approve earlier presidential decrees, which, if rejected, become void.

### Financing and Security

The election cost \$159 million and was mostly financed from abroad, given that the cost would have consumed roughly half of Afghanistan's projected \$333 million annual revenue. The European Union and the United States provided the bulk of the funding received by the UN, with the EU filling a last-minute shortfall following a public appeal by the United Nations Assistance Mission to Afghanistan (UNAMA). The remaining deficit on September 18 was not substantial enough to disrupt the election, according to UNAMA officials.

Security at polling stations was provided by the Afghan National Army and Police and supported by a temporary increase in the international military presence. NATO dispatched an additional 2,000 troops to the International Security Assistance Force (ISAF) for the elections, bringing the Force's total to 11,000, and the United States added a battalion of 700 troops. Seven candidates were assassinated in the six months leading to the election, but there were no major security incidents on election day, despite Taliban threats to the contrary. Polling stations successfully operated in all of Afghanistan's 398 electoral districts, unlike during the 2004 Presidential election, when several districts were closed for security reasons.



### Election Winners

The election results promise a diverse National Assembly accommodating women, Islamic conservatives, *mujaheddin*, and ex-communists. There is a general consensus that a large number of victors have ties to armed groups, and the Afghan Independent Human Rights Commission estimates that over 50 percent of winners nationwide are linked to militias, with the figure rising to 80 percent

among provincial victors. In many cases, the confusing nature of seven-page ballots, with candidate photographs, appears to have led some Afghans to vote on the basis of recognition rather than political principle, which may have contributed to the election of several infamous regional strongmen. Voter intimidation is also reported to have been widespread, especially in the conservative south.

While it is too soon to predict the character of the National Assembly with certainty, it appears that a comfortable majority of legislators can be counted as Karzai supporters, including former President Burhanuddin Rabbani. This group is not without controversy, however, and includes former *mujaheddin* as well as notorious strongmen, such as Abdul Rassoul Sayyaf, who human rights groups believe should be tried for war crimes. Nor will the Assembly be without Karzai opponents: Yunus Qanuni, the leader of Karzai's opposition, won a seat, as did ex-Taliban Mullah Raketī (named for his rocket prowess in the civil wars). Still, the proportion of legislators who seem to support the executive program—combined with the relative weakness of lawmakers without political parties—bodes well for Mr. Karzai's agenda.

Women's representation was ensured in the election, and women candidates took their reserved 68 seats in the parliament. In the *Wolesi Jirga* race, 582 women stood as candidates (21.5 percent of the total). In the Provincial Council race, 279 female candidates stood for election (9 percent of the total), and each of the 34 Provincial Councils, the size of which varies depending on population, must reserve two seats for women. Five Provincial Council seats in the south and east remained vacant as of mid-November, however, due to a shortage of registered female candidates. Women comprised 44 percent of registered voters in the elections, although actual percentage turnout varied enormously by province, with women comprising less than 4 percent of the electorate in Zarbul and close to 60 percent in Panjsher and Paktia.

### **Post-Election: Looking Forward**

The meeting of the National Assembly in December will mark the close of the Bonn Process, which outlined the initial strategy for Afghanistan's post-Taliban reconstruction. Moving from the elections and into the post-Bonn era, a number of issues will require attention:

#### *Governance*

- Capacity-building will be key, as very few of the elected representatives have any prior administrative experience, and the perception persists among Afghans that their leaders are ineffectual. The international community has begun laying the groundwork in this field by training legislative staff to assist representatives in time for the Assembly to convene in December.
- Corruption represents one of the strongest threats to democracy in Afghanistan. With parliamentary salaries unlikely to cover the cost of living in Kabul, and with the vast majority of elected representatives being without party affiliation, those elected will be susceptible to agenda-driven patronage. Such a situation also increases the risk of institutionalizing drug interests at the parliamentary level, thus undermining international efforts to staunch the flow of drugs from the country.
- While Afghanistan's democratic institutions are commendable, they are nowhere near solvent. The enormous expense of elections should serve as a reminder of how dependent the country continues to be on outside assistance to keep its government running.

#### *Security*

- Although election day was largely free of violence, security remains concern, especially in the face of a persistent, low-level Taliban insurgency committed to reversing democratization, and

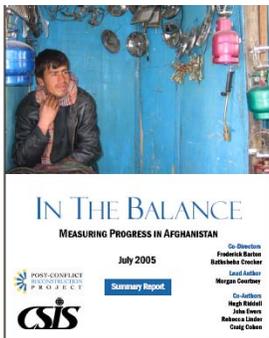
which has killed more people this year since 2001. Possible U.S. plans to draw down their troop presence – perhaps by as much as 20 percent – prompted the UK in November to investigate forming an anti-insurgency coalition.

- A provision of Afghan election law stipulates that an Assembly member who dies in office will be automatically replaced by the candidate who won the next-highest number of votes for that seat. The strong possibility of creating further assassination incentives with such a provision will require an even more vigilant approach to lawmakers' security.

The legislative elections in Afghanistan were an overall success and marked a crucial milestone in the country's democratization. Still, Afghanistan's reconstruction is far from complete, and, as the Bonn Process winds down, focusing on key areas will be necessary to consolidate the gains that the country has made so far. Policy coherence, capacity-building, and continued international involvement are all essential to move Afghanistan's goals from paper to reality, although the active engagement of Afghan citizens in this process will be the key in determining the eventual outcome.

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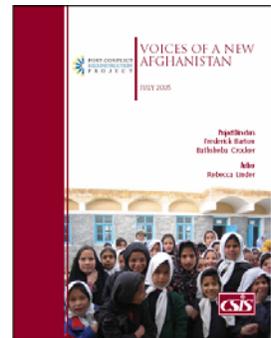


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