



**CONSENSUS RECOMMENDATIONS
FOR
ELECTORAL REFORM IN AFGHANISTAN**

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Consensus Recommendations

These 34 consensus recommendations are a result of a comprehensive review and analysis of recommendations presented by a wide range of stakeholders to Afghanistan's election process. Since 2004, hundreds of individuals and organizations have recommended specific courses of action for reforming Afghanistan's electoral system. These recommendations emerge as the major points of consensus among Afghan civil society organizations, international observer missions, assistance organizations, and independent election experts. The recommendations have been drawn from 437 unique recommendations presented by this broad group of stakeholders. All 437 recommendations are available in a separate document titled "Recommendations for Electoral Reform in Afghanistan" which is available for download at www.democracyinternational.com/afghanistan.

From 437 recommendations these 34 recommendations have been identified as the points of major consensus for electoral reform in Afghanistan. It is important to stress, that these recommendations are not the independent positions of Democracy International. They are the result of a review of hundreds of documents and have been compiled from more than 50 source documents. They are inclusive of the opinions of a wide range of stakeholders and should form the basis for an all inclusive discussion of comprehensive electoral reform in Afghanistan.

The key consensus recommendations that should be considered when pursuing electoral reform in Afghanistan are as follows:

1. **The use of the SNTV system should be reconsidered:** There is broad agreement that the Single Non-Transferable Vote (SNTV) system impedes the development of political parties and prevents fair and accurate representation of Afghanistan's diverse population. A public consultative process should take place to solicit the opinions of relevant Afghan actors and international election experts to determine the best alternative system for Afghanistan. One alternative which has been consistently presented is a mixed SNTV-proportional system.
2. **Rationalize the Electoral Calendar:** The calendar by which Afghanistan holds elections must be rationalized through constitutional reform. Under the current design, Afghanistan must hold elections nearly every year for the foreseeable future. This puts unnecessary strain on stakeholders to the election process and prevents necessary changes to the election system from being undertaken by the proper legislative bodies. One proposal shared by some observers is the imposition of a two-tier election cycle with presidential and parliamentary elections composing one tier and Provincial Council and municipal elections another, with election cycles staggered by two years.
3. **Appointment process for IEC commissioners should be consultative.** Nearly all stakeholders agree that the process for appointment of IEC commissioners, including the chairman, should be changed to allow for a check on executive authority. Most agree the Wolesi Jirga should play a role, either by submitting the list of candidates to the president or by approving the president's selections through the legislative process. Some argue that civil society should be responsible for presenting the list of potential commissioners.
4. **Technical assistance to electoral institutions should be provided through different mechanisms.** Assistance to the IEC, ECC and domestic observation should be managed through different mechanisms. By no means should the same advisors have overlapping responsibilities with different institutions. Advisors should be embedded with organizations and the organizations should have a voice in the nature of the assistance they receive.

5. **The ECC should be a permanent body and its authority and independence from the executive strengthened.** The ECC should be permanent, be empowered to impose more sanctions, and its independence from executive influence strengthened.
6. **The ECC should be constituted early and provided with all necessary funding.** The ECC must be constituted early so as to provide it with the time necessary to build effective and transparent national and provincial level complaints adjudication processes. Funding should be guaranteed and the ECC should have autonomy over financial decision making.
7. **The IEC and ECC should be vested with more sanctioning authority.** Both institutions should be further empowered to impose sanctions in a swift and immediate manner on those found guilty of electoral offenses, including public officials.
8. **Develop a long term electoral capacity development strategy.** The international community should work with the IEC and other electoral stakeholders to develop a long term electoral capacity development strategy. Assistance to electoral institutions must be tailored to build self reliance. International advisors should not be developing and implementing plans but only advising in their development and implementation.
9. **The Electoral Law should clarify ambiguities surrounding Meshrano Jirga elections.** The law should clarify the IEC's role in such elections, the quorum necessary for elections to take place, and the procedures for replacement of Provincial Council members elected to the Meshrano Jirga.
10. **IEC must be more proactive in ensuring staff impartiality.** The IEC must establish a more sophisticated vetting process to ensure political impartiality of its staff. Clear penalties should be established for abuse of power and safeguards, such as assigning staff to work in provinces away from their homes.
11. **IEC must act more transparently.** IEC should immediately develop and begin implementation of a broad and transparent civic engagement strategy which builds public confidence in the election process. As part of this strategy, IEC should invite a broad group of stakeholders to attend plenary sessions including members of civil society, candidates and political parties.
12. **IEC must develop a better recruiting program for marginalized populations.** The IEC should develop systems to ensure the adequate recruitment of staff to serve marginalized populations, particularly in hard to reach areas. IEC should seriously consider a partnership with civil society in this endeavor.
13. **The list of polling locations must be finalized early in the process.** While the changing nature of the security environment may prevent the list of polling locations from being entirely static, the IEC and relevant security actors should strive to identify the final list as early as practicable. Ample time should be provided to communicate the list of polling locations to observer organizations and civic educators and any changes should be announced publicly with proper rationalization.
14. **Increase the frequency and potency of women's political participation.** Increased assistance should be provided to female candidates and legislators. Programs should also be developed which aim to increase female participation at all levels of the political process. Male candidates and elected officials should be convinced of the important role women play in the process.
15. **All registration cards should have photos.** In order to prevent proxy voting, particularly by men for women, registration cards should include photos for both men and women.

16. **Conduct a national census and consider national ID cards.** The international community and the GoA should prioritize conducting a national census to create a civil registry. The use of national ID cards should be seriously considered.
17. **The voter registry must be addressed.** If the voter registry is to be used for elections in 2010 it must be updated and duplicates removed. A consultative process should be conducted with Afghan stakeholders and international experts to assess Afghanistan's voter registration needs and present a strategy to solve this bottleneck. The use of a civil registry as a foundation for a voter list should be considered.
18. **Constituency delimitation must be prioritized.** The MoI and the Wolesi Jirga should work in coordination with the Central Statistics Office to prioritize district, municipal, village and local administrative unit delimitation. Consideration should be given to creating electoral precincts.
19. **Establish a broad and continuous civic education program.** A civic education program should be developed and implemented which covers a broad range of civic responsibility topics and targets all Afghans. The program should be continuous, broadly supported, and specifically target the marginalized and hard to reach areas.
20. **The role of the media should be clarified and its independence ensured.** The law must be clarified to ensure equal access and a fair and balanced role for the media. The independence of outlets should be guaranteed, particularly of Radio Television Afghanistan. The Electoral Media Commission should be empowered to impose sanctions on those violating regulations. Further training should be provided to journalists and outlets on the media's role in democracy.
21. **Sustained support should be provided to domestic monitoring organizations.** The international community should provide long term sustained support to existing domestic monitoring organizations and additional CSOs. Technical assistance should focus on expanding their capacity to monitor other aspects of governance and conduct effective advocacy campaigns.
22. **Candidate registration should be harder and eligibility more strict.** To prevent irrational numbers of candidates from contesting elections additional criteria should exist for candidate eligibility, such as literacy and education requirements. Candidate registration should perhaps require the endorsement of more voters.
23. **Additional support for political parties should be provided.** The international community should increase their support for political party programs and consider incentives for parties which engage marginalized populations such as youth, women, and minority ethnic groups.
24. **Overhaul the process for preventing candidates with links to IAGs.** The IEC should not be responsible for determining links to Illegally Armed Groups. They should determine candidate eligibility based on a list provided by another organization. It should be clarified which organization is responsible for determining such ties and the international community should provide any intelligence which could improve the list.
25. **Guidelines on the use of public resources in campaigning should be established.** Access to public resources must be equitable and strict guidelines with clearly defined sanctions for violations should be adopted. A transparent system should be developed and authorities should be more proactive in pursuing violators.

26. **Stronger campaign finance regulations should be adopted.** All candidates should be required to release public financial disclosures of personal assets as well as periodic reports on campaign fundraising.
27. **Investigate the entry points of fraud.** A full investigation of fraud in the 2009 elections should be conducted to make recommendations to strengthen the process in order to develop detailed and binding procedures for the detection and mitigation of fraud.
28. **Track and secure election materials more effectively.** More effort should be taken to secure the chain of custody of sensitive election materials including clear and binding procedures for tracking all election materials.
29. **Re-assess where counting takes place.** The counting and reconciliation process must begin immediately after the polls close. Given the security challenges which exist with a polling station level count, serious consideration should be given to conducting the count at the provincial level. If counting is conducted at the provincial level, measures should be put in place at the polling station and provincial level to ensure access for observers and candidate agents.
30. **Redesign the results forms.** The results forms should be assessed for improvements, such as including the number of entries on the list of voters at each polling station.
31. **The IEC should establish clear procedures for investigation, quarantine and annulment.** The IEC must establish specific criteria and transparent procedures for investigation, quarantine and annulment. This process should be well publicized and observers and agents should be offered workshops explaining it.
32. **The ECC should adopt more open complaints processes.** Where possible, the ECC should adopt more transparent investigation and adjudication procedures and properly educate observers and agents.
33. **The authorities of each level of government should be clarified.** One institution should be the ultimate constitutional arbiter. The authorities of each level of government should be clarified and checks and balances established. The role of the Supreme Court in the election process should be clarified.
34. **Strict consequences should exist for electoral offenses.** Strict consequences should be established for public officials found interfering in the election process and swift and immediate action should be taken. Any citizen implicated in fraud should be publicly introduced to the judicial system and punished severely and swiftly.

Source Documents

Title	Organization	Date
Joint Monitoring of Political Rights, First Report 25 April - 12 June 2009	AIHRC-UNAMA	12-Jun-09
Joint Monitoring of Political Rights, Second Report 16 June - 1 August 2009	AIHRC-UNAMA	1-Aug-09
Joint Monitoring of Political Rights, Third Report 1 August - 5 October 2009	AIHRC-UNAMA	5-Oct-09
ANFREL Election Observation Mission Recommendations	ANFREL	
Afghanistan Presidential & Provincial Council Elections 2009: A Legal Assessment	ANFREL	
Elections in 2009 and 2010: Technical and Contextual Challenges to Building Democracy in Afghanistan	AREU	1-Nov-08
Lasting Peace Requires Accountable Political Institutions	AREU	16-Feb-10
Losing Legitimacy: Some Afghan Views on the Government, the International Community, and the 2009 Elections	AREU	1-Nov-09
Voting Together: Why Afghanistan's 2009 Elections were (and were not) a Disaster	AREU	1-Nov-09
Final Report - EUEOM	EUEOM	12-Oct-05
Final Report - EUEOM	EUEOM	16-Dec-09
Final Report 2005 Elections	FEFA	18-Sep-05
Final Observation Report 2009	FEFA	1-Jan-10
Afghanistan: Elections and the Crisis of Governance	ICG	25-Nov-09
Afghanistan's Election Challenges	ICG	24-Jun-09
Analysis of the Electoral Legal Framework of Afghanistan	IFES	28-Feb-06
The Report of the Japanese Electoral Observation Mission for the Afghanistan Presidential and Provincial Elections	Japanese EOM	23-Aug-09
Mid-Term Evaluation of the Project ELECT	UNDP	4-Nov-09
Preliminary Statement of the NDI Election Observation Delegation	NDI	22-Aug-09
Final Report - OSCE/ODIHR Election Support Team	OSCE-ODIHR	1-Oct-04
Final Report - OSCE/ODIHR Election Support Team	OSCE-ODIHR	1-Oct-05

Title	Organization	Date
Final Report - OSCE/ODIHR Election Support Team	OSCE-ODIHR	8-Dec-09
Post-Election Strategy Group	UNAMA, IEC	27-Sep-05
Barriers to Greater Participation by Women in Afghan Elections	SIGAR	28-Oct-09
Strategy and Resources Needed to Sustain Afghan Electoral Capacity	SIGAR	22-Sep-09
Delays Will Not Improve Afghan Elections	USIP	2-Feb-10