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Who Controls the Vote?

Afghanistan's Evolving Elections

EXECUTIVE SUMMARY

Although many internationals believe the upcoming parliamentary vote will be less controversial than last year's election, all indications are that it will be messy, fiercely contested and manipulated at all levels. An analysis of the under-reported 2009 provincial council results provides important clues on what this will look like.

The analysis, first of all, indicates that candidate networks in the insecure areas will probably revert to the same bulk vote tactics that they used in the presidential and provincial council elections. The mass availability of additional voter cards and the risk of disqualification will prompt candidates to seek to secure an exaggerated number of votes. Although many have learnt from the 2009 controversies and will try to make the fraud less detectable, in areas where the contest is fierce and conditions are favourable, the fraud is likely to again be blatant, unsophisticated and widespread.

Second, the analysis demonstrates that in 2009 large-scale, mostly undetected, manipulation took place within the electoral administration and at a relatively late stage – aiming either to neutralise large disqualifications or to bolster the vote of candidates who fell slightly short. It seems unlikely that the 2010 elections will see a mass release of polling centres on the same scale as in 2009, but candidates from all provinces will certainly seek to again manipulate the final processes – with help from within the electoral administration.

The provincial case studies starkly illustrate that, once fraud has occurred, it is difficult to reconstruct what the real vote would have been. But it has also proven very difficult to prevent fraud, as mitigating measures are widely disregarded and the electoral authorities are faced with a massive loss of control. In 2009 this was caused and exacerbated by several factors, including the continued absence of an adequate voter registry, the mass availability of voter cards not linked to actual voters (the 'ghost voters'), the lack of clarity about which polling centres had opened on election day (the 'ghost polling stations'), and the resulting fluidity of the count.

More specifically, the provincial case studies presented in this paper demonstrate the following:

- The detailed study of Kandahar, Paktika and Ghazni shows that tens of thousands of votes were added to the count after the announcement of the preliminary results. The move was shrouded in confusion and went largely unnoticed at the time. Although mass ballot-stuffing and tally fraud meant that the inclusion or exclusion of a small number of polling centres could potentially sway the vote, the number of changes in

the list of winners was surprisingly limited. This makes one wonder whether the stations were released in an intentional manner.

- Investigations in Nangarhar were forced by the political clamour over the fact that the election had been disproportionately dominated by a single political clan. ECC findings showed indications of fraud and disarray, but not the kind of massive ballot-stuffing that took place in other provinces in the south and east. A large-scale audit aimed to recover the original vote counts, which had been obscured by widespread form and tally fraud, but again resulted in very limited changes.
- In Nooristan in some places (practically) no voting occurred, while in others the vote was massively inflated by ballot-stuffing and other irregularities. The ECC adjudication process invalidated more than half of the provincial council ballots and changed the list of winners. Targeting a different set of polling stations for investigations would however have probably led to an altogether different result.
- The Logar and Badghis results illustrate a pattern, found in other provinces as well (including for instance Ghazni), that shows how conditions for bulk votes through ballot stuffing or tally fraud had been more favourable in certain districts than in others.
- In Parwan and Jowzjan, finally, the preferred mode of manipulation was tally fraud rather than ballot-stuffing. A case in Parwan, investigated by the ECC, confirms what candidates have long claimed: results can be manipulated during or after data entry, despite consistent claims to the contrary. Although the ECC ordered no changes in the Jowzjan results, a mysterious last-minute reshuffle of votes in four polling centres led to a change in the slate of winners.

It is highly likely that, despite recent efforts by the Independent Election Commission (IEC) to regain control, 2010 will again see a collapse of the electoral procedure. This is particularly the case as the 2009 elections will have persuaded many candidates that they need to ensure an excess of votes, in case a proportion is disqualified. How the IEC responds to pressure, and to what extent it will be able to maintain a level of resolve and transparency, will largely determine the quality of the upcoming elections.

The expectation of widespread fraud should not detract observers from flagging specific incidences of gross manipulation or misconduct, whether by the IEC and ECC, or by candidates and their backers. It is the silence, or late and muted reactions, of international observers that have often most confused Afghan voters. The events of the 2009 election, finally, convincingly demonstrate that international observers should preferably follow the electoral process until the very end, as that is when some of the most decisive irregularities take place.

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