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Untangling Afghanistan's 2010 Vote

Analysing the electoral data

EXECUTIVE SUMMARY

Afghanistan's second parliamentary election, which took place on 18 September 2010, was surrounded by protracted controversy. Polling day was messy, as could be expected, but the real controversy centred on the audits and disqualifications by the two electoral bodies: the Independent Election Commission (IEC) and the Electoral Complaints Commission (ECC). Although both the IEC and ECC released regular updates and large amounts of raw data, there was little transparency on how and why decisions were made. The outcome of the election appears in many cases to be at best somewhat random, and at worst considerably manipulated – and telling the difference is very difficult.

The current report aims to provide a backdrop to the main controversies by presenting an overview of the publicly available electoral data. It maps what information has been provided, what conclusions can be drawn and what information is still missing – either because it was not shared or because it is not known. The analysis was complicated by the fact that the data was plentiful but incomplete and often contradictory or incompatible. The process of piecing together a rudimentary overview of what happened to the vote required an inordinate amount of time and

energy and does not instil confidence that the IEC and ECC were at all times in control of their data.

The IEC management was faced with a massive challenge, as had been the case during the first electoral cycle of 2004 and 2005 and even more so during the presidential and provincial council election of 2009. The absence of an adequate voter registry; the mass availability of voter cards not linked to actual voters, many of which were gathered with the express intent of perpetuating fraud; and the lack of clarity about which polling centres opened on election day, made the process difficult to control.

The count and audit process, which is the focus of this report, can be divided into two phases: (1) the count and audit by the IEC, culminating in the announcement of the preliminary results; and (2) the adjudication of complaints by the ECC, followed by the announcement of the final results. During the first phase no solid information was provided on the number of votes involved. Early count data was fluid, turnout figures fluctuated, and to this day no reliable figures exist on how many votes were cast or disqualified; the IEC provided information by polling station instead. When the preliminary results were announced,

there was a large and unexplained discrepancy with the early turnout estimates.

The second phase started with the solid figures of the preliminary results, but the process was soon clouded by overlapping and *ad hoc* interventions by both the ECC and the IEC. When comparing the preliminary and final results, what happened to the vote is not immediately obvious. Many of the seemingly unexplained changes can be traced back to the addition of 511 previously not-counted polling stations by the IEC, which contained a total of more than 45,000 votes. In half the provinces between 1,000 and 5,600 votes were added, which is potentially significant enough to have changed the election results. In at least four provinces – Badakhshan, Wardak, Baghlan and Kandahar – significant discrepancies existed for which no documented interventions could be found, while several other provinces show minor but still unexplained discrepancies.

An analysis of the electoral data shows how some provinces were more affected than others. Seven provinces – Nuristan, Paktika, Badghis, Paktia, Ghazni, Khost and Wardak – saw 40 per cent or more of their polling stations not included in the final result (in Nuristan this was even 70 per cent). Other provinces suffered most when their winning or almost-winning candidates were disqualified by the ECC. In Herat, eight candidates were removed, representing almost 58,000 votes. In Zabul the disqualifications resulted in the complete overhaul of the slate of winners and almost-winners.

The IEC and ECC interventions had far-reaching consequences. The IEC claims to have disqualified 1.2 million votes, which could represent around 20 per cent of the total. The ECC disqualified far fewer votes (probably under 300,000), but it targeted winning and almost winning candidates and changed the composition of at least 10 per cent of the parliament. The lack of clarity on the basis for these decisions has fed suspicions of manipulation, while the absence of an effective appeal process makes it difficult to dismiss the protracted post-election wrangling as purely political. If there is to be any hope of less controversy in the future, electoral reform efforts will need to focus on simplified, transparent and more credible disqualification and appeal processes.

This is not just about a messy election. The tumultuous aftermath of the vote illustrates how the immaturity of the system leaves contested processes wide open to political pressure, factional manipulation and improvisation. It illustrates the fundamental problem that Afghanistan's system of government has no centre of gravity. Authorities are ill-defined. There is no mechanism for arbitration, no power that is respected enough to have the final say.

In the past the main international actors often acted as *de facto* arbiters and enforcers, but their influence and credibility has waned over the years. The contours of a factionalised government, driven by posturing and negotiated *ad hoc* solutions, are in the meantime becoming increasingly clear. With transition looming not much time or patience is left, but the international community may still have the clout and the vision to strengthen credible institutions.

The full report can be downloaded at:

<http://www.aan-afghanistan.org/index.asp?id=3>

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